

**The University of Western Ontario
DEPARTMENT OF SOCIOLOGY
SOCIOLOGY 3312A 200: WRONGFULLY CONVICTED
FALL 2021**

Professor: Kim Ashby
E-Mail: kim.ashby@uwo.ca
Class: **Zoom Synchronous on Tuesdays at 9:30am**
Office hour: By appointment
OWL: <http://owl.uwo.ca>
TA:
E-mail:



Some Canadian wrongful conviction victims: Donald Marshall Jr., James Driskell, David Milgaard, William Mullins-Johnson, Steven Truscott, Kyle Unger

COURSE DESCRIPTION

The course will critically explore the phenomenon of wrongful convictions with an emphasis on systemic bias and the intersection of race, gender, class, age, and mental disability; the causes of wrongful convictions – eyewitness testimony, informants, expert testimony; forensic evidence; tunnel vision, interrogation techniques; and the biases of the police, the prosecution, and the judiciary, as well as, ineffective defense counsel.

REQUIRED TEXTS

The following books are required and available at the University Bookstore.

- *Manufacturing Guilt* (2nd edition), 2009, Anderson & Anderson, Fernwood Press, **MG**
- *When Justice Is a Game*, 2009, Maidment, Fernwood Press, **JG**
- https://bookstore.uwo.ca/textbook-search?campus=UWO&term=W2021A&courses%5B0%5D=200_UW/SOC3312A
- No ebooks available

Note: In addition, further required readings have been uploaded to **Readings** on the class' OWL homepage.

LEARNING OUTCOMES

The successful student will be able to:

1. Think critically about the way in which the criminal justice system perpetuates wrongful convictions.
2. Understand the etiology of systemic bias through examining the impact of factors associated with the wrongful convictions of those who are marginalized in this country.
3. Make an argument about the relevance of racial or gender or class bias on the wrongful conviction phenomenon in a particular case.
4. Identify what remedies are available once a finding of systemic bias has been made.
5. Identify and propose areas of reform to address the fallibility of the criminal justice system.

No Exams...

METHOD OF EVALUATION

Weekly Forum Postings (Asynchronous)	30%
Two Oral (in-class) Assessments	30%
Video Project (Dec. 8 th by 5pm)	40%

COURSE PARTICIPATION REQUIREMENTS:

Students must have access to a stable internet connection and a laptop or computer. Please post an introductory comment about yourself in the 'Introductory' Forum between September 8th and 14th, and is there a '*famous*' *wrongful conviction* of which you know?

Weekly Forum Postings (Asynchronous) (30%)

On a weekly basis, starting Tuesday, September 21st, randomly designated students will post under three (3) sub-headings in the week's assigned "Forums" section.

During the term, students will be randomly assigned to two (2) Forum sections, in which they must post under three (3) sub-headings.

Assigned students have four days to post (**Tuesday at 9am to Friday at 2pm**), thus self-reported illness absences will not be relevant to exempting a designated student from posting.

There are multiple headings under each week. These headings represent the key theories, concepts, cases, and factors related to wrongful convictions. Their importance cannot be overstated – knowing the components of each heading will allow students to move forward in developing their 'Exonoree' video.

Students will have until the following Friday at 5pm to upload their postings, based on the readings and articles, to the "Forums" section sub-headings. Students **cannot replicate** other students' ideas, already posted.

During the term, students will post under three (3) sub-headings in a designated Forum, two (2) times, to fulfill their participation.

Note: Failure to edit for grammar, spelling, punctuation, sentence structure, tense alignment, noun/verb agreement will result in a *significant loss of marks, in all assignments.*

Oral In-Class Assessments (30%)

Over the course of the term, up to ten (10) students will be randomly assigned to stay for the last hour of a designated Zoom class. They will be expected to answer questions on the material in the readings and presented in the class. Students will be assigned to two (2) oral assessments, during the course.

Exonoree Video Project (40%)

Students will create a documentary about an “Exonoree” of their choice. The purpose of the 15 minute video is to identify and analyze the various factor(s) that contributed to the wrongful conviction. A list is provided below, but this is only a guide as some of these factors may or may not apply to the case that you are examining in your video.

“Exonorees” cannot be one from the Andersons’ text.

In the video, credits must be listed at the end of the documentary.

Some factors students should consider when developing their video, include the following:

- Target practices of the police**
- Suppression/falsification of evidence**
- Falsified forensic evidence**
- Judicial malpractice**
- Police bullying/intimidation of witnesses**
- Police tactics- e.g. Mr. Big**
- Prosecution and defense misconduct**
- Judicial error or misapplication of the law**
- Media bias or prejudice in reporting**
- Eyewitness Testimony**
- The significance of being granted/not being granted bail**
- Financial status of the accused**
- Confessions obtained in the absence of a lawyer**
- The role of plea-bargaining**
- Community pressure for a conviction**
- Age of the victim**
- Possession of a criminal record**
- Race**

Note: This is not an exhaustive list so please do not hesitate to include any other factor(s) that come to your attention with respect to the wrongful conviction case that you are using as the basis of your video.

Note:

A rubric will be used to assess the video and will be posted. Please note that the link to your video is due to be uploaded to the Assignment folder on **Wednesday, December 8th by 5pm**. Late videos submitted after the due date without adequate academic documentation will be subject to a **5%** penalty each day following the date the video link is due to be uploaded to the Assignment folder tab, on the left side of the OWL Home page.

Plagiarism

Given the unique evaluation tools in this course, plagiarism is not likely to happen, but students must write and develop their power point presentations and scripts, in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence (see Scholastic Offence Policy in the Western Academic Calendar).

Plagiarism Checking

If necessary, work will be uploaded to Turnitin.com on the class web site. Said papers will be subject to submission for textual similarity review. All papers submitted will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>).

Late Assignments

You should understand that academic accommodation will not be granted automatically on request. If, due to medical illness, you cannot submit an assignment by the due date, it is your responsibility to follow the University's **new** "Policy on Accommodation for Medical Illness". This policy can be accessed at:

http://www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_medical.pdf.

Grades and Grading

Grades (except the final year-end mark) will be posted to the OWL site as they become available.

Policy on Accommodation for Medical Illness

Western's policy on Accommodation for Medical Illness can be found at www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_medical.pdf.

Students must see the Academic Counsellor and submit all required documentation in order to be approved for certain accommodation:

https://counselling.ssc.uwo.ca/procedures/academic_consideration.html

Accessibility Options:

Please contact the course instructor if you require material in an alternate format or if you require any other arrangements to make this course more accessible to you. You may also wish to contact Services for Students with Disabilities (SSD) at 519 661-2111 x 82147 for any specific question regarding an accommodation. Information regarding accommodation of exams is available on the Registrar's website:

www.registrar.uwo.ca/examinations/accommodated_exams.html

Scholastic Offences

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following web site:

www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf

Mental Health

Students who are in **emotional/mental distress** should refer to Mental Health@Western (http://uwo.ca/health/mental_wellbeing/index.html) for a complete list of options how to obtain help.

Email

Every so often Professor Ashby will be sending out mass emails to the class and you are responsible for any information (your grade, missed assignments, etc.) in those emails. This means that you are expected to check your UWO account at least five times a week. If you have your UWO mail forwarded to another account (Hotmail, Yahoo, etc.), it is your responsibility to insure that messages do not bounce back because your disk quota is full.

If you have any questions about the course, the quickest way to have them answered is to contact Professor Ashby via email or OWL's "**Message**" tab. If at all possible, each message will be answered within 2 working days. Please check the syllabus or the course homepage on OWL before writing to see if the information you want is posted there.

Because an active UWO email account is needed to access OWL, and because the use of OWL is an important part of this course, **only** questions sent using your UWO account will receive an answer. If you use your UWO email account, please insert "**Soc 3312**" into the subject line. Sometimes, I do not read e-mails on the weekends.