

Psychology 383
Psychology and Law
Fall 2007

Class: 8:00--9:20 T/Th located in LDB 216,
3 Credit Hours

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Hours: T/Th 9:20-10:00 or by appointment

Overview

This course is designed to examine the application of scientific and professional principles of psychology in the legal system, the use of social science methods to study the legal system, and the impact of law on the practice of psychology. Content areas include legal competencies, the insanity defense, jury consultation, psychologists and the death penalty, the accuracy of eyewitness testimony, prediction of violence, the psychology of victims, family law, and ethical dilemmas. Prerequisites: 6 hours of PSY courses

Although most areas of psychology and law are reviewed, this course tends to focus particularly on applications of clinical psychology to legal contexts, in part because these are the topics students have tended to request most over the years.

Required Readings

1. Greene, Heilbrun, Furtune, & Nietzel. (2007). *Wrightsmen's Psychology and the Legal System—Sixth Edition*.
2. Additional assigned readings (book chapters and journal articles) will be available online via SHSU Blackboard

Objectives

1. To overview the domains at which the fields of psychology and law intersect.
2. To examine the tensions between the disciplines of psychology and the law, and the tensions common to psycho-legal issues.
3. To examine the ways in which the legal system influences the practice of psychology, and to examine the ways in which psychological techniques and research influence the legal system.
4. To become familiar with important case law that has helped shape the relationship between the mental health fields and the legal system.

5. To understand the applications of psychology to various criminal justice and correctional issues.
6. To consider critically psycho-legal issues as they are portrayed in the popular media and in political debate.

Attendance, preparation, and participation

Regular attendance and preparation are *essential*. Because the class will feature substantial discussion of detailed material, it is important that you arrive to class each day having thoroughly read the assigned material. Should you miss class for any reason, it is your responsibility to obtain notes from another student in the class.

*****Attendance will impact your final grade.** Students who miss more than four classes will have their final course grade lowered by one letter grade. Students who miss more than eight classes will have their final course-grade lowered by two letters. (Please note that this policy is more generous than the overall university policy and allows plenty of room for legitimate absences such as illness or family commitments). Please note that this policy does not make a distinction between “excused” or “unexcused” absences. You are allowed up to four absences, and may use these as you see fit. Of course, if you use these absences early in the semester, you will have none left for legitimate emergencies or illnesses later in the semester.

Please complete roll sheets as they are distributed each class period. Obviously, completing roll sheets in a fraudulent manner (e.g., marking attendance for a peer, marking one’s self as present during a prior absence), constitutes an academic honesty violation. *Because roll sheets will be completed at the start of class, it is important that you be punctual.*

Contact and questions

I welcome visits during the regular office hours listed above. Appointments at other times may be arranged as necessary. I welcome emails at any time, and will make every effort to return these as quickly as possible. Email may be preferable for time-sensitive questions in which it would be inefficient to wait until scheduled office hours. However, please check your syllabus for answers before emailing with any questions.

Tests and Grading Plan

Final grades will be determined by your performance on four tests. The four exams, including the final exam, will occur on the dates specified below. Tests address information covered in lectures *but also include questions related to information in the text and readings* that is not reviewed in class. Lectures include information not addressed in the text so, again, attendance is important.

Extra credit opportunities may be available at various times throughout the semester and could account for 3 total percentage points of your class grade.

SHSU Policies:

See <http://www.shsu.edu/syllabus/> for additional details on all policies below:

Academic Dishonesty: Students are expected to maintain honesty and integrity in the academic experiences both in and out of the classroom. See *Student Syllabus Guidelines*.

Classroom Rules of Conduct: Students are expected to assist in maintaining a classroom environment that is conducive to learning. Students are to treat faculty and students with respect. Students are to turn off all cell phones while in the classroom. Under no circumstances are cell phones or any electronic devices to be used or seen during times of examination. Students may tape record lectures provided they do not disturb other students in the process.

Student Absences on Religious Holy Days: Students are allowed to miss class and other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Students remain responsible for all work. See *Student Syllabus Guidelines*.

Students with Disabilities Policy: It is the policy of Sam Houston State University that individuals otherwise qualified shall not be excluded, solely by reason of their disability, from participation in any academic program of the university. Further, they shall not be denied the benefits of these programs nor shall they be subjected to discrimination. Students with disabilities that might affect their academic performance should visit with the Office of Services for Students with Disabilities located in the Counseling Center. See *Student Syllabus Guidelines*.

Visitors in the Classroom: Only registered students may attend class. Exceptions can be made on a case-by-case basis by the professor. In all cases, visitors must not present a disruption to the class by their attendance. Students wishing to audit a class must apply to do so through the Registrar's Office.

Schedule

The outline below is tentative, provided to assist you in planning. We may progress more slowly or rapidly through these topics depending upon your response. Should substantial changes occur, I will provide an updated syllabus. Note that readings other than your text will be available on Blackboard.

<u>Date:</u>	<u>Topics</u>	<u>Readings</u>
8/21	Intro to class and review of syllabus Guest speaker	Read your syllabus carefully
8/23	Overview of Psychology and the Legal System	Text Chapter 1
8/28	Overview of Psychology and the Legal System (continued)	Brigham, J. (1999). What is forensic psychology anyway? <i>Law and Human Behavior</i> , 23, 273-298.
8/30	Psychologists in the legal system, Expert testimony in Court	Wrightsmen (2001). Roles and Responsibilities of the forensic psychologist. In Wrightsmen (Ed). <i>Forensic Psychology</i> . Belmont, CA. Wadsworth.
9/4	Clinical Syndromes common to legal settings: PSYCHOSIS <i>Note: Last day to drop and receive refund</i>	Murrie, D.C. & Redding, R.E. (in press). Psychosis, Mental Disorder, and the Law. In D. S. Clark (Ed.). <i>Encyclopedia of Law & Society</i> . New York: Sage.
9/6	Clinical Syndromes common to legal settings: ASPD & PSYCHOPATHY	Hare, RD (1996). Psychopathy: A clinical construct whose time has come. <i>Criminal Justice and Behavior</i> , 23, 25-54. Text pp 76-79
9/11	Clinical Syndromes common to legal settings: MALINGERING	Rogers, R. (1997). Introduction. In R. Rogers <i>Clinical assessment of malingering & deception</i> (2 nd ed., p. 1-19). New York: Guilford.
9/13	TEST ONE	
9/18	Competence to Stand Trial	Text ch.8 (pp.214-230)
9/20	Competence to Stand Trial (cont'd)	Optional: Zapf & Roesch (2006). Competence to stand Trial: A guide for evaluators. In Weiner & Hess <i>Handbook of Forensic Psychology</i> (pp. 305-331).

9/25	Insanity Defense	Text ch.8 (pp. 230-249).
9/27	Insanity Defense (cont'd)	Optional: Zapf et al (2006) Criminal Responsibility and the Insanity Defense. In Weiner & Hess <i>Handbook of Forensic Psychology</i> (pp.332-361)
10/2	Violence Risk Assessment	Text pp. 272-275 Monahan, J. (1996). Violence prediction: The past twenty and next twenty years. <i>Criminal Justice and Behavior</i> , 23, 107-120
10/4	Violence Risk Assessment (cont'd)	Optional: Conroy, M.A. & Murrie, D.C. (2007) Introducing a broad model for violence risk assessment. In Conroy & Murrie. <i>Forensic Assessment of Violence Risk: A guide to risk assessment and risk management</i> . New York: Wiley
10/9	Sexual Offending	Hanson, R. K., Morton, K. E., & Harris, A. (2003). Sexual offender recidivism risk: What we know and what we need to know. In Prentky, Janus, & Seto (Eds.), <i>Annals of the New York Academy of Sciences: Vol. 989. Sexually coercive behavior: Understanding and management</i> (pp. 154–166). New York: New York Academy of Sciences. Text: pp. 429-433
	<i>Note: last day to drop without "F"</i>	Optional: Hanson, R. K., & Morton-Bourgon, K. (2005). The characteristics of persistent sexual offenders: A meta-analysis of recidivism studies. <i>Journal of Consulting and Clinical Psychology</i> , 73, 1154-1163.
10/11	Sexually Violent Predator laws (guest speaker tentative)	Optional: Miller, H. A., Amenta, A. E., & Conroy, M. A. (2005). Sexually violent predator evaluations: Empirical limitations, strategies for professionals, and research directions. <i>Law and Human Behavior</i> , 29, 29–54.
10/16	TEST #2	
10/18	Eyewitness Issues (exercise and discussion)	No readings assigned today (test recovery day)

10/23	Eyewitness issues	Text. Ch 5
10/25	Suspects and interrogations	Text Ch.6
10/30	Juries	Text ch.11
11/1	Juries (class exercise)	Text ch. 11 continued
11/6	Juries	Text ch. 12
11/8	TEST #3	
11/13	Civil forensic psychology (civil versus criminal legal issues)	Text ch.9
11/15	Civil Law—families	Text ch 14 (pp. 400-418)
11/20	Juvenile Justice (part 1)	Text ch 14 (pp. 391-400)
11/22	NO CLASS--HOLIDAY	
11/27	Juvenile Justice (part 2)	Reading to be announced
11/29	Victims, Rape, Sexual Harassment	Text ch. 13
12/4	Punishment, Corrections	Text ch.15
12/6	Punishment, Corrections: Death Penalty	Text ch 15 (continued)
	LAST CLASS DAY	
12/13	FINAL EXAM 8:00-10:00	

Sample articles for students interested in additional reading

(note: These articles and Supreme Court decisions are NOT required reading. They are simply listed for students who have interest in additional readings on topics of interest)

Psychologists in the legal system:

Careers in psych/law: <http://www.unl.edu/ap-ls/careers.htm>

Otto, R.K. & Heilbrun, K. (2002). The practice of forensic psychology: A look toward the future in light of the past. *American Psychologist*, 57, 5-18.

Redding, R.E. (2001). Sociopolitical diversity in psychology: The case for pluralism. *American Psychologist*, 56, 205-215.

Media and Violence

Bushman, B.J. & Anderson, C.A. (2001). Media violence in the American Public: Scientific facts versus media misinformation. *American Psychologist*, 56, 477-489.

Witnesses

Thompson, J. (2000, June 15). I was certain, but I was wrong. *The New York Times*, p.15

Loftus, L.E., & Ketchman, K. (1991). *Witness for the defense*. New York: St. Martin's Press. (this is a book. You need read only one chapter. The one on Steve Titus may be best)

Wells et al (2000). From the lab to the police station: A successful application of eyewitness research. *American Psychologist*, 55, 581-598.

Wells et al (1998). Eyewitness identification procedures: Recommendations for lineups and photo spreads. *Law and Human Behavior*, 22, 603-647.

Kassin, S.M., Ellsworth, P.C., & Smith, V.L. (1989). The "general acceptance" of psychological research on eyewitness testimony: A survey of experts. *American Psychologist*, 44, 1089-1098.

Juries

Macauley, W. & Heubel, E.J. (1981). Achieving representative juries: A system that works. *Judicature*, 65, 126-135.

Fulero, S.M. & Penrod, S.D. (1990). Attorney jury selection folklore: What do they think and how can psychologists help? *Forensic Reports*, 3, 233-259.

The questionnaire that lawyers asked prospective jurors in the OJ Simpson case to complete:
<http://www.vortex.com/privacy/simpson-jq>

Warren, J.I., Murrie, D.C., Chahuan, P., Dietz, P.E. & Morris, J. (2004). Opinion formation in evaluations of legal sanity at time of offense: An examination of 5,175 pre-trial evaluations. *Behavioral Sciences and the Law*.

Malingering

Rogers, R. (1997). Introduction. In R. Rogers *Clinical assessment of malingering & deception* (2nd ed., p. 1-19). New York: Guilford.

Cornell, D.G., & Hawk, G. (1989). Clinical presentation of malingerers diagnosed by experienced forensic psychologists. *Law and Human Behavior*, 13, 375-383.

Eckman, P., & O'Sullivan, M. (1991). Who can catch a liar? *American Psychologist*, 46, 913-920.

Expert testimony

Daubert v. Merrill Dow Pharmaceuticals, Inc., 116 S.Ct. 189 (1993).

Redding, R.E., Floyd, M.Y., & Hawk, G.L. (2001). What judges and lawyers think about the testimony of mental health experts: A survey of the courts and the bar. *Behavioral Sciences and the Law*, 19, 583-594.

Violence/Risk Assessment

Douglas, K.S. & Webster, C.D. (1999). Predicting violence in mentally and personality disordered individuals. In R. Roesch, S. Hart, & J. Ogloff (Eds.), *Psychology & Law: The state of the discipline* (pp. 175-239).

Monahan, J. (1996). Violence prediction: The past twenty and next twenty years. *Criminal Justice and Behavior*, 23, 107-120.

Rice, M. E. (1997). Violent offender research and implications for the criminal justice system. *American Psychologist*, 52, 414-423.

Cunningham, M.D., & Reidy, T.J. (1999). Don't confuse me with the facts" Common errors in violence risk assessment at capital sentencing. *Criminal Justice and Behavior*, 26, 20-43.

Barefoot v. Estelle, 103 S.Ct. 3383 (1983).

Tarasoff v. Board of Regents of the Univ of California, 551 P. 2d. 334 (1976)

Sexual Offending

Kansas v. Hendricks, 117 S. Ct. 2072 (U. S. S.Ct. 1997)

Hanson, R.K. (1998). What do we know about sex offender risk assessment? *Psychology, Public Policy, and the Law*, 4, 50-72.

Hanson, R.K. (2000). Will they do it again? Predicting sex-offense recidivism. *Current directions in psychological science*, 9, 106-109.

Juvenile Crime and Violence

Frontline special on Juvenile Justice:
<http://www.pbs.org/wgbh/pages/frontline/shows/juvenile/>

In Re Gault, 387 U. S. 1 (1967).

Edens, J.F., Skeem, J.L., Cruise, K.R., & Cauffman, E. (2001). Assessment of "juvenile psychopathy" and its association with violence: A critical review. *Behavioral Sciences and the Law*, 19, 53-80.

Elliott, D.S. (1994). Serious violent offenders: Onset, developmental course, and termination. The American Society of Criminology 1993 presidential address. *Criminology*, 32, 1-21.

Moffitt, T.E. (1993). Adolescence-limited and life-course-persistent antisocial behavior: A developmental taxonomy. *Psychological Review*, 100, 674-701.

Steinberg, L. & Scott, E.S. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the Juvenile death penalty. *American Psychologist*, 58, 1009-1018.

Death Penalty:

Atkins v. Virginia (2003)

Yardley, J. (2000, June 1). Texas retooling criminal justice system in wake of furor over death penalty. *The New York Times*, A1, A14.

Cunningham, M.D. & Vigen, M.P. (2002). Death row inmate characteristics, adjustment, and confinement: A critical review of the literature. *Behavioral Sciences and the Law*, 20, 191-210.

Police Psychology

Teplin, L. A. (2000). Keeping the peace: Police discretion and mentally ill persons. *National Institute of Justice Journal*, 9-15. or <http://www.ncjrs.org/pdffiles1/jr000244c.pdf>

Profiling

Pinizzotto, A.J., & Finkel, N.J. (1990). Criminal personality profiling: An outcome and process study. *Law and Human Behavior*, 14, 215-233.