

CJ 339 History of the Criminal Justice System

Summer I, 2008

Syllabus

Room: CJ Center A115
Time: TTH 6:00 - 10:00 PM
Office: Kirkley Hall, 208
Office Hours: TW 2-3:30 PM, or
by appointment

Instructor: S. Kris Kawucha
Phone: 936-294-4777
Email: skk003@shsu.edu

Required Texts

Johnson, Herbert A. and Nancy Travis Wolfe. *History of Criminal Justice*. 4th ed., Cincinnati: OH. Anderson, 2008
Herrup, Cynthia B. *A House In Gross Disorder: Sex, Law, and The 2nd Earl of Castlehaven*. NY: Oxford University Press, 1999
Hoffer, Peter. *The Salem Witchcraft Trials: A Legal History*. Lawrence: KS. University Press of Kansas, 1997

Course Description

Students will explore the aspects of the different parts of the criminal justice system; the laws, courts, prisons, and the police, from antiquity to modern times. Discussions will include major developments in social, economic, and political events of differing time periods and how these events produced changes in the criminal justice system as a whole.

Course Objectives and Goals

With the successful completion of this course, students will have learned the following tasks:

- Students will be able to explain the different aspects of the criminal justice system from ancient times to the present.
- Students will be able to explain how laws were developed, and why laws changed over time.
- Students will understand the correlations between the various components of the criminal justice system, and how the CJ system interacted with other aspects of society.
- Students will be able to explain how societal thought towards criminal behavior and penological attitudes changed over the centuries.
- Student will be able to explain the commonalities and differences of the CJ system from ancient times to the present.

Course Requirements

Grade Scale:

A	90-100
B	80-89
C	70-79
D	60-69
F	< 59

Course Grading:

2 Exams (100 pts ea.)	200 pts
2 Book Reviews (50 pts ea.)	100 pts
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Total Possible Points	300 pts

Exams

There will be 2 exams worth a total of 200 points. They may be essay, identifications, fill in the blank, short answer, and/or multiple choice. Each test will cover **all** assigned reading material, even if not covered in class. Study guides will be provided prior to all exams.

Book Reviews

We will read two books, one on laws and sexuality in the 18th century, and one of your choice from a list I will provide the first day in class. You will provide me with a written review (I will provide the format requirements in class) of the first book on the day we discuss the book in class, and the second in the last week. Each is no more than 2-4 pages.

Participation / Attendance

I highly value student participation and input, students are **strongly encouraged** to attend class each day. I will take attendance by way of a sign-in sheet each class day, and I will keep track of all students that actively participate in class discussions, and ask questions. In addition:

- Students may miss valuable information from lectures and discussions, and as exams will draw heavily from lectures, missing class will negatively impact your exam scores.
- Students may miss extra credit quizzes.
- Students will lose ½ letter grade for each absence after one absence.
- 2 late arrivals or early exits will count as one absence.
- Students that miss more than 4 class sessions may be administratively dropped according to University Guidelines.

Note: Having another student sign in for you is the same as cheating since it involves points and a grade. Doing so may result in a grade of F for all students involved.

Extra Credit

To provide an opportunity for bonus points, I may have several unannounced quizzes, each worth up to five points (5 questions worth a point each). The questions may not have anything to do with CJ History, but may be from assigned readings. The number of offered quizzes and the number of questions is entirely my discretion. At the end of the semester, I will add any points earned to your final score. Obviously, if you are not present, you will miss the quiz and the opportunity for extra points. There are no make-ups on quizzes under any circumstances.

Make – Up Work

Any make – up work will only be given in response to legitimate, substantial, and verifiable reasons. Make – up exams will be entirely essay in nature. Please make every effort to contact me **prior** to the absence via email or leave a message with the CJ office.

ADA Statement

Students with a certified disability may contact me at any time regarding any necessary accommodations. Students with a disability which affects their academic performance are expected to arrange for a conference with the instructor in order that appropriate strategies can be considered to ensure that participation and achievement opportunities are not impaired. The physically impaired may contact the Director of the Counseling Center as chair of the Committee for Continuing Assistance for Disabled Students by telephone (ext. 1720). Please refer to the following website for additional information on services for disabled students:

<http://www.shsu.edu/-counsel/ssed.html>

Academic Honesty

I regret that I should even have to mention the issue of cheating, but here it is: If I catch you, the very least you can expect is an F in the class. Honor and integrity are at the very core of Criminal Justice and I value my profession and its reputation very highly. Any questions can be answered at Section 5.3 of the SHSU Student Guidelines.

www.shsu.edu/administrative/faculty/sectionb.html#dishonesty

Religious Holidays

For university policy on student absences on religious holidays, refer to SHSU Student Guidelines for complete information.

www.shsu.edu/catalog/scholasticrequirements.html#holyday

Miscellaneous

- Please turn off any cell phones, pagers, beepers, PDA's, or any other electronic or noise making devices; they are immensely distracting to other students and to me. No recording devices will be allowed unless required by ADA Guidelines, and this includes portable and/or laptop computers.
- During exams, any cell phone or other electronic device that activates will be confiscated, and returned at the end of the semester.
- Students are reminded that discussions may involve issues that are sensitive and inflammatory in nature. Please remember that everyone is entitled to their own opinion and view of a topic. However, intentional provocation, insult, or abuse directed at another student or the instructor ***will not be tolerated***, and the offender will be asked to leave.
- I round up final scores. For example, an 89.5 is an A, an 89.4 will remain a B. Other than this, I do not change grades.
- I do not curve scores—don't bother asking. Curving is fundamentally unfair to students.
- If you are having difficulties, the best course is to let me know immediately. Do not wait until finals when I cannot help you. My goal is to have every student attain the grade they wish in this course, whatever that grade may be.
- Incompletes will **only** be given for major medical or other personal emergencies, not just because you are doing poorly in the course.

Syllabus Changes

This syllabus is not a contract. I reserve the right, and have the discretion to make changes to this syllabus. If a change becomes necessary, I will announce the change(s) in class. It is your responsibility to be in class so you can be made aware of any changes. Failing to make syllabus changes because of missing class is not an excuse for missing or late work assignments.

Class Schedule and Assigned Readings

Week 1 (June 3 – 5)




- 📖 Introduction and Syllabus (Read Chapter 1 in Wolfe)
- 📖 Introduction, Crime as a theory and a practice. Sociological thoughts about crime. Definitions of crime and criminal behavior. (Read Chapter 2 in Wolfe)
- 📖 Ancient societies; Near East, Egypt, Athens. Laws, procedural changes, development of courts, juries, policing and corrections.
- 📖 Imperial and Republican Rome and the development of law, *Corpus Juris Civilis*, development of jurists and the practice of law, juridical oratory. (Read Chapter 3 in Wolfe)

Week 2 (June 10 – 12)

- 📖 Criminal justice in the High Middle Ages; vengeance, ordeals, trial by combat, canon law vs. secular law, compurgation, Magna Carta. (Read Chapter 4 in Wolfe).
- 📖 Criminal Justice in the Late Middle Ages; Feudalism and manorialism contribution to CJ, accusatorial vs. inquisitorial systems, differences from England to the continent, jury systems, laws of proof, rise of witchcraft prosecutions, development of the common law in England, societal changes and the Renaissance. (Read Chapter 5 in Wolfe)
- 📖 The Reformation, English common law, Divine Right to Rule and constitutionalism, changes to judicial power, the Privy Council and the Court of Star Chamber, English Civil Wars and the Glorious Revolution, Bridewells. (Read Chapter 6 in Wolfe)
- 📖 Criminal justice in the colonies; commonalities and differences with England, sumptuary laws, Jamestown vs. Plymouth Rock, Mayflower Compact, transportation, indenturement (Read Chapter 7 in Wolfe)
- 📖 Review for Midterm Exam (Chapters 1-6)





Week 3 (June 17 – 19)

- 📖 **Midterm Exam (Thursday, June 19, 2008)**


-  Enlightenment ideals, changes to political spheres of power, Beccaria, Bentham, Locke, Voltaire and Montesquieu, expansion of American judiciary power, changes to sociological thoughts on crime and criminology, growth of penology. (Read *A House in Gross Disorder*)
-  Discuss Herrup's work. What problems arose in proving a charge of rape? Of sodomy? What were some of the aspects of this trial that made it so unique both then and now? Did class differences play any part in the trial? In the sentence? Why was the King and the general public so eager to prosecute the Earl? (Read Chapter 8 in Wolfe)
-  American freedom from England and the new constitution, the Bill of Rights, the trial of Aaron Burr, changes to criminal procedure. (Read Chapter 9 in Wolfe)


Week 4 (July 24 – 26)

 **BOOK REVIEW #1 DUE (June 24, 2008)**

-  A new country and a new prison philosophy, debtor's prison, involuntary servitude, special populations – the insane, the aged, the infirm, women, juveniles, and the slothful, early prison reform efforts, Pennsylvania vs. Auburn prison systems, Maconochie. (Read Chapter 10 in Wolfe, and read second book of your choice)
-  The growth of policing and rise of professionalism, Sir Robert Peel and the Peelian reforms, Napoleonic Code of Law, Henry Fielding and the Bow Street Runners, policing differences between the North and the South, the American West. (Read Chapter 11 in Wolfe)
-  Civil War, Amendments to the Constitution, Dred Scott and the slavery issue, suspension of Habeas Corpus, Social Darwinism, rise of city governments. (Read Chapters 12 and 13 in Wolfe)
-  Civil Rights Movement, Vietnam, communism, scientific and technological advances, FBI, ballistics, 9/11 impacts on CJ, growth of criminal justice in academe.

Week 5 (July 1)

 **BOOK REVIEW #2 DUE (July 1, 2008)**

 **FINAL EXAM (Tuesday, July 1, 2008)**