Course Outline:

A. Overview

Accusatorial and Inquisitorial Traditions of Criminal Justice
   Kafka (entire book, except Appendix, etc.)

The Process
   “Guilty: Liberals and Conservatives”; “Crime Control and Due Process Values”

START READING PRICE

B. Investigation and Arrest

Searches and Seizures
   “Jay Z’s ’99 Problems’: Fourth Amendment Guidance for Cops and Perps”

Exclusionary Rule
   “A Knock at the Door”; “Why Police Lie Under Oath”; “Limited Power of the Supreme Court”; “Eliminate the Technicalities”

Interrogations
   “Miranda v. Arizona”; “Homicide”; “The Impact of Miranda Revisited”; “The Interview”

Police, Minorities, and Drugs
   Price (entire book)

First Midterm Exam--Feb. 25 or 27 (tentative)

START READING DOW
C. Detention or Release

Bail
"Manhunter"

Preventive Detention

D. Prosecution

Prosecutorial Discretion
"Establishing the Worth of a Case"; "The Prosecution’s Case Against DNA"

E. Defense

Right to Counsel and Defense of the Indigent
"Pennsylvania Public Defenders Rebel against Crushing Caseloads"

Dow (entire book)

F. Plea Bargain

What Is Plea Bargaining?

Why Do We Have Plea Bargaining?

Can We Eliminate Plea Bargaining?
"Thoughts of a New Judge"

Does Plea Bargaining Lead to Leniency?

Second Midterm Exam--Apr. 8 (tentative)

START READING ALEXANDER

G. Trial

H. Sentence

Types of Sentences
"The Conservative War on Prisons"

Results of Sentences
Alexander (Introduction, chs. 1-5; ch. 6 (section, "Tinkering is for Mechanics, Not Racial-Justice Advocates"; rest of chapter is optional) Reaction paper--Apr. 18

"The Throwaways" (optional, but recommended)
Capital Punishment

I. Science and Criminal Justice in the Future
"Damaged"

Final exam Th., May 8, 10-12

Course Themes:

Seven themes run through this course. If you understand these themes, you will understand why the system exists as it is and operates as it does.

1. Difference between the accusatorial and the inquisitorial traditions.
2. Individual rights for criminal defendants.
3. Gap between the theory and the practice of the criminal justice system.
4. Distinction between the appearance and the reality of the criminal justice system.
5. Discretion by officials in the criminal justice system.
6. Discrimination on the basis of the race and the class of criminal defendants.
7. Softness and harshness in the treatment of criminal defendants.

Course Reading:

Books--
Kafka, The Trial
Price, Clockers
Dow, The Autobiography of an Execution
Alexander, The New Jim Crow

The articles listed on the syllabus are available through Blackboard.

Course Requirements and Grading:

Two midterm exams and a comprehensive final exam, which will be all essay, and one short reaction paper. There is also an expectation that you will participate in class—-with questions and comments during lectures and discussions. Participation in discussions of the reading is especially important.
The requirements will be weighed as follows:

first midterm exam 2/10 of course grade
second midterm exam 2/10
final exam:
  third midterm part 1/10
  comprehensive part 2/10
reaction paper 1/10
class participation 2/10

If you're taking this course on a pass-no pass basis, you must do C work to pass, in accordance with university policy. (Note: political science courses taken on a pass-no pass basis don't count toward a political science major.)

Course Policies:

Attendance won't be taken, but you, of course, are responsible for all material covered in class and need to attend to participate. (But attendance itself won't count as participation. You must participate.)

Make-up Exams are available only in special circumstances. You should receive prior permission from the instructor or certification from a doctor. If you do not take an exam or write the paper, you will receive zero points (not an F).

Incompletes are available only in special circumstances.

Cheating: Using crib notes during exams, or copying material from other sources—students, periodicals, books, or the Internet, etc.—without proper acknowledgment is cheating. These and any other form of cheating will result at least in an F for the exercise; they may result in more serious punishment in accordance with university policies. If you have questions about proper acknowledgment, see the instructor.

Disabilities: Students with disabilities are encouraged to contact the instructor for a confidential discussion of their individual needs. It is UNL policy to provide flexible and individualized accommodation to students with documented disabilities that may affect their ability to fully participate in course activities or meet course requirements. To receive accommodation services, students must be registered with the Services for Students with Disabilities office (132 Canfield Administration, 472-3787).