

Psychology, Law, and Social Policy; Psychology 401

Time / Location: Monday / Wednesday 4:00 to 5:15, Brogren Hall (Psychology Building), Room 113

Professors: Michael F. Caldwell, Psy.D.; Gregory J. Van Rybroek, Ph.D., J.D.
Office hours: MW 3:00 to 3:45 or by appointment, Psychology building Room 423; E-mail: mfcaldwell@wisc.edu.

Teaching Assistant:

Texts: *Unfair: The New Science of Criminal Injustice* Adam Benforado, **ISBN-10:** 0770437788. and *Insane: America's Criminal Treatment of Mental Illness* Alisa Roth, **ISBN-10:** 0465094198. Additional Readings available online at the [Learn@UW](#) website for this course.

Credits: This is a 3 credit course.

How credit hours are met by the course: The class meets for two 75 minute periods per week for classroom or direct faculty/instructor instruction and carries the expectation that students will work on course learning activities (reading, writing, problem sets, studying, etc) for about 6 hours of out of class student work each week over approximately 15 weeks.

The primary focus of this course is on the role that psychological principles, research evidence and social science play in the laws of U.S. society, especially in the policies and mechanisms of social control of human behavior. The course will address the ways that society defines membership, and the role of psychology in how it determines who should be excluded or restricted from open society, in order to maintain a more civil society. In addition to learning the factual information about how selected processes work in the legal and social context, students will be asked to consider the role they can play as citizens in supporting or changing these social processes. The course will take a particular interest in psycholegal issues "in action" and in learning about the clinical-legal processes used to determine the disposition of individuals considered marginal in society. Finally, the course will address the mechanisms that are used to exclude individuals from open society through criminal and civil court processes, the role of psychology as a science, and the role of psychologists as behavioral experts in criminal and civil courts, and in shaping social policies.

Learning Goals:

- 1) Students will learn the ways that psychological science interfaces with social policy and the criminal justice system.
- 2) Students will learn how psychological science can inform police and prosecution procedures.
- 3) Students will learn the ways that mechanisms of social control are applied to mentally ill individuals.
- 4) Students will learn psychological factors that distort or interfere with the goals of the criminal justice system.

Class Expectations:

1. Class participation	10%
2. Quizzes	40% (2 quizzes worth 20 points each)
3. Short Paper	15%
4. Final Exam	35%

The grading scale for this class is as follows: A: 90 - 100%, AB: 87 - 89%, B: 80 - 86%, BC: 77 - 79%, C: 70 - 76%, D: 60 - 69%, F: 0 - 59%.

Class participation will include demonstrating that the assigned material has been read, and demonstrating an understanding of the issues covered. Credit in this area will be based on all aspects of class participation. Students will be allowed a grace period of two absences without penalty. Subsequent absences will reduce the student's grade by 1% per missed class.

Quizzes: The course will include three quizzes throughout the semester. Each quiz will cover material in the assigned readings and class discussion that have occurred up to that point in the class. Quizzes will emphasize factual material rather than analysis of the issues. The quizzes will consist of short answer, multiple choice, or True / False questions.

Short Paper:

This is a 3 to 5 page paper, double spaced (APA format), dealing with one issue raised in class. The purpose of the assignment is to evaluate the student's analytic thinking related to one of the issues covered in class. The paper should briefly define the issue in the context of the existing research and provide the student's perspective and opinions on the issue. This assignment will be discussed in more detail in class.

Take Home Assignment: This assignment is intended to assess the student's analytic thinking on a particular issue. This assignment will be discussed in class in detail. The assigned reading will be picked up after Quiz 3 and there will be a 2-hour time window on canvas for the assignment (opens 8AM on 12/15, closes at 12:05PM on 12/19)

NOTICE FROM THE DEPARTMENT OF PSYCHOLOGY:

Ethics of Being a Student in the Department of Psychology:

The members of the faculty of the Department of Psychology at UW-Madison uphold the highest ethical standards of teaching and research. They expect their students to uphold the same standards of ethical conduct. By registering for this course, you are implicitly agreeing to conduct yourself with the utmost integrity throughout the semester.

In the Department of Psychology, acts of academic misconduct are taken very seriously. Such acts diminish the educational experience for all involved – students who commit the acts, classmates who would never consider engaging in such behaviors, and instructors. Academic misconduct includes, but is not limited to, cheating on assignments and exams,

stealing exams, sabotaging the work of classmates, submitting fraudulent data, plagiarizing the work of classmates or published and/or online sources, acquiring previously written papers and submitting them (altered or unaltered) for course assignments, collaborating with classmates when such collaboration is not authorized, and assisting fellow students in acts of misconduct. Students who have knowledge that classmates have engaged in academic misconduct should report this to the instructor.

Complaints:

Occasionally, a student may have a complaint about a TA or course instructor. If that happens, you should feel free to discuss the matter directly with the TA or instructor. If the complaint is about the TA and you do not feel comfortable discussing it with him or her, you should discuss it with the course instructor. Complaints about mistakes in grading should be resolved with the TA and/or instructor in the great majority of cases. If the complaint is about the instructor (other than ordinary grading questions) and you do not feel comfortable discussing it with him or her, make an appointment to speak to the Chair of The Psychology Department, Professor Hill Goldsmith (hill.goldsmith@wisc.edu).

If your complaint concerns sexual harassment, you may also take your complaint to Dr. Linnea Burk, Clinical Associate Professor and Director, Psychology Research and Training Clinic, Room 315 Psychology (262-9079; burk@wisc.edu).

If you believe the TA or course instructor has discriminated against you because of your religion, race, gender, sexual orientation, disability, or ethnic background, you may talk to the Associate Chair or the Department Chair, or you may file a formal complaint with an Equal Opportunity Complaint Investigator in the UW-Madison Office of Compliance, Room 361 Bascom Hall, 608-265-6018 (<https://compliance.wisc.edu/eo-complaint/>)

Accommodations Policy:

The University of Wisconsin-Madison supports the right of all enrolled students to a full and equal educational opportunity. The Americans with Disabilities Act (ADA), Wisconsin State Statute (36.12), and UW-Madison policy (Faculty Document 1071) require that students with disabilities be reasonably accommodated in instruction and campus life. Reasonable accommodations for students with disabilities is a shared faculty and student responsibility. Students are expected to inform faculty [me] of their need for instructional accommodations by the end of the third week of the semester, or as soon as possible after a disability has been incurred or recognized. Faculty [I], will work either directly with the student [you] or in coordination with the McBurney Center to identify and provide reasonable instructional accommodations. Disability information, including instructional accommodations, as part of a student's educational record is confidential and protected under FERPA.

Course Outline: (Assigned readings are in parentheses)

September 5 Course Introduction & expectations. (Syllabus)

- 10 Foucault, Discipline, Power/Knowledge and Forensic Psychology. (Deflem: *Deviance and Social Control*).
- 12 Moral Panics. (Goode: *Moral Panics; Culture, Politics, and Social Construction* & Dilulio: *The Coming of the Superpredators*)
- 17 Issues in Policing: Classifying people (*Unfair*, Ch. 1)
- 19 Issues in Policing: Police use of force, (Chapman: *Police use of force*).
- 24 Issues in Policing: Interrogations (*Unfair*, Ch. 2).
- 26 Issues in Policing: Line ups and eyewitness testimony (Ch. 6 in *Unfair*).

October 1 Issues in Policing: How to get a [false] confession: (Kassin: *Confessions that corrupt*)

- 3 Violence and the Mentally Ill: An Introduction (Teplin: *Criminalization of the Mentally Ill*.) Video: *A Crime of Insanity*.
- 8 Violence and the Mentally Ill: Competency (Zapf, Roesch: *Competency Restoration & Defining Competence to Stand Trial*)
- 10 **Quiz 1.** Principles and Process of Civil Commitment (Testa: *Civil Commitment in the US*).
- 15 Violence and the Mentally Ill: An Introduction to Insanity. (Borum: *Empirical Research on the Insanity Defense*).
- 17 Violence and the Mentally Ill: Current Issues in Insanity. (Butler: *NGRI Revisited*)
- 22 The Psychologist as Expert Witness (Shelton: *Psychologists in the legal system*)
- 24 Psychology in the Courtroom: An Introduction to Risk Assessment. (Monahan: *MacArthur Risk Studies* & Scurich: *Nomothetic_I Idiographic Divide in Risk Assessment*)
- 29 Recent Trends in Violence (Finkelhor & Jones: *Why Have Child Maltreatment Declined?*)
- 31 **Short paper due:** Issues in Juvenile Justice: Adolescent development. (Steinberg & Scott: *Less Guilty by Reason of Adolescence*).

November 5: Issues in Juvenile Justice: Waiver of Juvenile Delinquents. (CDC: *Effects on Violence of Laws ...*)

- 7 Issues in Juvenile Justice: The Impact of Adverse Childhood Experiences (Duke: *Adolescent Violence Perpetration: Associations with ACE*)

- 12 Institutions of Social Control: An Introduction to Sexual Offenders (Caldwell: *Quantifying the Decline in Juvenile Sexual Recidivism*, & Sample: *Are Sex Offenders Special?*)
- 14 **Quiz 2.** Institutions of Social Control: Civil Commitment of Sex Offenders (Duwe: *Does SVP Reduce Sexual Recidivism?* & Simon: *Sex offenders and the new penology*).
- 19 Institutions of Social Control: Institutional Management of the Violent Mentally Ill Patient (Toch: *Punitiveness as "Behavior Management"*).
- 21 Institutions of Social Control: Mass Incarceration in the US. (Brennon Center: *Unnecessary incarceration report; pp. 3 - 19*)
- 26 Institutions of Social Control: An Introduction to Blame. (Ch. 9: *Unfair*)
- 28 Institutions of Social Control: Why do we punish? (Ch. 10: *Unfair*)
- December 3:** Institutions of Social Control: The death penalty (Reggio: *History of the Death Penalty*)
- 5 Institutions of Social Control: Life without parole (Appelton: *Pros and Cons of Life Without Parole*)
- 10 Institutions of Social Control: Effects of Long Term Solitary Confinement (Morgan: *Effects of Admin Seg.* & Arrigo: *Psychological Effects of Supermax* and Metzl: *Mental Illness, Mass Shootings, Politics of American Firearms*)
- 12 **Quiz 3.**

December 19: Take home assignment due; 10:05 to 12:05

December 17: Final Exam 7:45 AM to 9:45 AM.