

**The University of Western Ontario
DEPARTMENT OF SOCIOLOGY
SOCIOLOGY 3312B/001: WRONGFULLY
CONVICTED Winter 2022**

Professor: Kim Ashby
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Class Times: Wednesday 1:30 – 4:30pm
Class Room: Synchronous / In-class
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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.

Prerequisite for the course:

Enrollment in third year or fourth year of Honours Specialization or Majors in Sociology.

Unless you have either the requisites or written special permission from your Dean to enroll in it, you will be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

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

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)	20%
McFarlane Typology Application to WC	20%
Oral (in-class) Assessment	20%
Video Project (Mar. 30 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 January 12th and 19th, and is there a '*famous*' *wrongful conviction* of which you know?

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.*

Weekly Forum Postings (Asynchronous) (20%)

On a weekly basis, starting Wednesday, January 19th, randomly designated students will post under three (3) sub-headings in the week's assigned "Forums" section.

Assigned students have three days to post (**Wednesday at 9am to Friday at 5pm**), thus self-reported illness absences (SRAs) 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, to fulfill their participation.

McFarlane Typology Application to Exonoree (20%)

Students will sign up to one of four dates to write a three to four page paper dealing with the 4 components of the McFarlane Typology in relation to the wrongful conviction of a specified exonoree. The paper will critically assess how these components worked together to bring about the wrongful conviction of an innocent individual. The paper must also incorporate "Intersectionality" (understanding multiple axes of inequality - gender, class and ethnicity).

The paper will be uploaded to Turnitin under the Assignment tab by 11:00pm of the assigned date. The paper must be double-spaced. A 'Cover' page and a 'Works Cited' page will make the document 5/6 pages in length. The paper is worth 20%.

The paper will be graded on the quality of writing, the ability to show clarity of ideas, and evidence of solid reading comprehension. Lack of proofreading, and grammatical and punctuation errors will result in a significantly reduced grade.

Take care to follow the APA style of citation, and to cite correctly. Incorrect citations will be considered "plagiarism" and your paper will be dealt with accordingly.

A rubric will be used to evaluate the paper and will be posted.

Late papers without illness self-reports will be subject to a late penalty of 5% per day. Late papers with illness self-reports must be submitted within 24 hours of submission of the last illness self-report.

Oral In-Class Assessment (20%)

Over the course of the term, four to five 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.

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, March 30th 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

Students must create their video assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt by proper referencing at the end of the video. Plagiarism is a major academic offence (see Scholastic Offence Policy in the Western Academic Calendar).

Late Assignments

You should understand that academic accommodation will not be granted automatically on request. If, due to medical illness, you cannot write a test, or 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.

Grade Distributions

The Department of Sociology at the University of Western Ontario has adopted grade distribution guidelines which all instructors are required to follow. For Sociology courses at the 3100 and 3200 level:

- "A"s are not to exceed "B"s and
- Means must be in the range of 73-80%

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:

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

Academic Consideration for Missed Work

Students who are seeking academic consideration for missed work during the semester may submit a *Self-Reported Absence (SRA)* form online provided that the absence is **48 hours or less** and the other conditions specified in the [Senate policy](#) are met. Two important exceptions to this rule: SRAs will NOT be allowed for final examinations or

assessments worth more than 30% of a given course. Students whose absences are expected to last **longer than 48 hours**, or where the other conditions detailed in the policy are not met (e.g., work is worth more than 30% of the final grade, the student has already used 2 self-reported absences, the absence is during the final exam period), may receive academic consideration by submitting a [Student Medical Certificate](#) (for illness) or other appropriate documentation (for compassionate grounds) to your Home Faculty Academic Counselling office.

All students pursuing academic consideration, regardless of type, must contact their instructors no less than 24 hours following the end of the period of absence to clarify how they will be expected to fulfill the academic responsibilities missed during their absence. Students are reminded that they should consider carefully the implications of postponing tests or midterm exams or delaying submission of work, and are encouraged to make appropriate decisions based on their specific circumstances.

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

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/academics/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 (www.uwo.ca/health/mental_wellbeing/) for a complete list of options how to obtain help.

Email

Every student has been assigned a UWO email address by the Registrar's office. If you have not as yet activated that account, you should do so immediately. The WTS desk in the Western Service building can help you with questions about your account.

Every so often Professor Ashby will be sending out mass emails to the class and you are responsible for any information (about exams, your grade, missed assignments,

etc.) in those emails. This means that you are expected to check your UWO account at least three 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. If at all possible, each message will be answered within 2 working days. Please check this syllabus or the course homepage on WebCT 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.

HOW TO CONTACT ME

Please feel free to come by during my office hours to discuss any questions you have regarding the course or simply to chat about some issue raised in class. If you e-mail me, I will reply to you within 24-48 hours, only if you use your UWO account and insert "**Soc 3312**" into the subject line. However, I do not read e-mails on the weekends.