

Psychology 417: Psychology and Law
Tuesdays, 3:00 - 5:45; BSB Room 1076
Spring 2010
University of Illinois at Chicago

Professor:	Evan Harrington, Ph.D.	e-mail:	eharrin@uic.edu
Office:	1046B BSB		eharrington@thechicagoschool.edu
Office hours:	After class or by appointment	Phone:	312-329-6693

Course prerequisites: PSCH 100 (Intro to Psychology), PSCH 242 (Research in Psych), & PSCH 312 (Social Psychology). PSCH 343 (Statistics in Psychology) is recommended. Or, graduate standing with consent of the instructor.

GENERAL COURSE DESCRIPTION AND OBJECTIVES:

Course Description:

The discipline of forensic psychology is nearly as old as psychology itself. From the early years of scientific psychology, practitioners such as Hugo Munsterberg (1863-1916) advocated for the application of psychological principles to the legal arena. In 1908 Munsterberg published *On the Witness Stand*, a pivotal text for the formation of legal psychology, in which the author wrote of false confessions and the suggestibility of eyewitnesses. Other texts soon followed, such as Ralph Brown's 1926 textbook, *Legal Psychology*. Brown sought to synthesize the latest findings in psychological science with the practice of law in order to improve our understanding of eyewitnesses, juror decision-making, and the treatment of criminals. Thus, the field of forensic psychology is far from new, although it is just now coming of age as a discipline.

The field of forensic psychology as we know it today has evolved substantially over the past century. Early contributions to the field were made by experimental memory and perception researchers. Social psychologists in the mid-century period provided important research illustrating the impact of social influence on juries and witnesses. A shift in public perceptions about the factual innocence of some imprisoned individuals, brought about by advances in DNA testing, heralded in a new era in the late 1990s in which research in applied settings became ever more important. Along side all of these changes there have always been strong clinical aspects to forensic psychology in the diagnosis and treatment of offenders and victims. The field of forensic psychology is shaped in a meta-perspective by policy-and-law makers. In some instances the ultimate arbiter of the application of forensic psychology has been the United States Supreme Court.

A single course is not sufficient to adequately cover all areas of the discipline known as forensic psychology. Spanning, as it does, from theoretical concerns about the nature of memory to practical concerns about the best types of lineup procedures. This course is designed to cover a number of major issues in forensic psychology and psychiatry and to shed some light on areas of debate. Each major topic will involve readings drawn from journal articles, book chapters and newspaper articles. The class is taught as a senior seminar and is considered to involve graduate level work. Students are expected to have completed the readings in advance of the class they are assigned, and all students are expected to be able to discuss the readings knowledgeably as part of a group.

Course Objectives:

- To provide an overview of the current state of scientific literature in primary areas of forensic psychology
- To explore areas in which innocent persons have been convicted, and how these tragedies may be avoided through competent and professional practice of forensic psychologists
- To provide an overview of mental health law regarding competency, criminal responsibility and commitment procedures

Course Requirements:

- *Attendance:* Students are expected to attend class. Repeated unexcused absences will be reflected in a reduction in the score for *attendance and participation*.
- *Mid-term and Final Papers:* There will be two papers (mid-term and final). These will be research papers exploring any topic covered in class that you like. The papers must be in standard APA format (including citation and reference style). Other styles (e.g., MLA or medical citation style) are not accepted and will result in a reduction in grade. Late papers will be docked by 5 points per day. I will provide printed instruction regarding the papers.
- *Summary Papers:* For EACH class students are required to create summary papers (in the field of law you would call them Briefs). Summary papers consist of a paragraph or two on each article assigned for class that day. The summary paper should be brief and precise. Summary papers will help you in class by having written information to remind you of the content of each paper, which will enable you to participate in class discussions in a knowledgeable manner. For each section of the course (first half & second half) I will randomly select 2 days on which I collect your summary papers. Those who lack a summary paper that day will receive no credit. The collection of summary papers will NOT be announced. Again, the intention of the summary papers is to keep you informed in class of what you were thinking when you read the article.
- *Quizzes:* In order to encourage attendance through positive reinforcement I will select 2 days at random on which there will be brief quizzes at the beginning of class. The quizzes will be **easy** to answer **if** you have done the reading for that day. If you are late or absent you will NOT be permitted to take the quiz.
- There is no extra credit.
- No assignment may be re-taken. Your grade is what you get on the assignment the first time.

Required Texts:

There are no required texts for this class. Readings will be available online or as handouts.

Grading:

Grades will be computed using the following scheme:

Assignment	Percentage of grade
Attendance and Participation	10%
Summary Papers (points from 4 summary papers on random dates)	10%
Quizzes (2 quizzes on random dates)	10%
Mid-term Paper	35%
Final Paper	35%

Useful Web Links:

The digital PDF version of this document has web links embedded for the following sites:

[Supreme Court Cases and Oral Arguments](#)

[Journal of the American Academy of Psychiatry and Law](#) (free online forensic psychiatry journal)

[American Psychology-Law Society](#) (APA Division 41)

Course Timeline

Week	Date	Readings
1	1/12	<p>Overview Careers in Forensic Psychology</p> <p>Admissibility of Expert Testimony <i>Frye v United States</i> O'Connor & Krauss (2001). Legal update: New Developments in Rule 702 <i>Daubert v Merrill Dow Pharmaceuticals</i> – Amicus Brief by AAAS</p> <p>Offender Profiling Ressler et al. (1986) Canter, Alison, Alison, & Wintink (2003)</p>
2	1/19	<p>Forensic Hypnosis <i>Leyra v Denno</i> (1954) The Chowchilla Kidnappings Orne (1962) – On the social psychology of the psychological experiment Spanos (1995) – Hypnosis: mythology versus reality</p> <p>Recovered and False Memory Kee MacFarlane (1986) – Techniques for Interviewing and Evidence Gathering Wood, Nathan, Nezworski, & Uhl (2009) – Child sexual abuse investigations Summit (1983) – The child sexual abuse accommodation syndrome London, Bruck, Wright, & Ceci (2008) – Review of the contemporary literature</p>
3	1/26	<p>Recovered and False Memory (continued) Williams (1994) – Recall of Childhood Trauma Loftus & Pickrell (1995) – The formation of false memories Gerearts, Schooler et al. (2007) – The reality of recovered memories McNally, Perlman, Ristuccia, & Clancy (2006) Mulhern (1996) – Commentary on the logical status of case histories</p>
4	2/2	<p>Eyewitness Identification Davis & Loftus (2007) – Internal and external sources of misinformation in adults <i>Manson v Brathwaite</i> (1977) Wells & Quinlivan (2008) – Suggestive eyewitness identification procedures and the Supreme Court's reliability test Mecklenburg, Bailey, & Larson (2007) – The Illinois Field Study</p>
5	2/9	<p>False Confessions Kassin & Kiechel (1996) – The social psychology of false confessions Kassin & Sukel (1997) – Coerced confessions and the jury: The "harmless error rule" Kassin (2008) – Confession evidence: Commonsense myths and misconceptions Redlich & Kassin (2009) – Police interrogations and false confessions: The inherent risk of youth</p>
6	2/16	<p>Competency <i>Dusky v United States</i> (1961) <i>Jackson v. Indiana</i> (1972) <i>Godinez v. Moran</i> (1993) Ewing & McCann (2006) – Colin Ferguson: A fool for a client? <i>Indiana v. Edwards</i> (2008) <i>Sell v. United States</i> (2003)</p>
7	2/23	<p>Insanity Kelly (2009) – Criminal insanity in 19th-century Ireland, Europe, and the United States Finkel (1988) – From M'Naghten to Hinckley: Yesterday's answers breed today's questions Ewing & McCann (2006) – John Hinckley, Jr.: Shooting for the stars Sokolove (2003) – Should John Hinckley go free?</p>

8	3/2	<p>Mid-Term Paper Due</p> <p>Partial Defenses: Diminished Capacity and Extreme Emotional Disturbance Kischner & Galperin (2001) – Psychiatric defenses in New York County Morse (1984) – Undiminished Confusion in Diminished Capacity Ewing & McCann (2006) – Dan White: The myth of the Twinkie Defense <i>People v. Casassa</i> (1980)</p>
9	3/9	<p>Civil Commitment <i>O'Connor v Donaldson</i> (1975) Schopp (2003) – Outpatient civil commitment: A dangerous charade? <i>Foucha v. Louisiana</i> (1992) <i>Boggs v. NY City Health & Hospital Corp.</i> (1987) <i>Kansas v Hendricks</i> (1997)</p>
10	3/16	<p>Death Penalty and Mental Illness <i>Estelle v Smith</i> (1983) <i>Ford v Wainwright</i> (1986)</p> <p>Death Row Inmate Gregory Thompson's Web Page</p> <p>Tennessee Department of Corrections Death Row Web Page</p> <p>Ewing & McCann (2006) – Daryl Atkins: Mental retardation, decency, and the death penalty</p> <p>Confidentiality Ewing & McCann (2006) – Prosenjit Poddar and Tatiana Tarasoff: Where the public peril begins <i>Tarasoff v. Regents of U. Of California</i> (1976) <i>Jaffe v. Redmond</i> (1996) <i>People v. Bierenbaum</i> (2000)</p>
Spring Break	3/23	No class
11	4/30	<p>Deindividuation Watson (1973) – Investigation into deindividuation using a cross-cultural survey technique Deiner, Fraser, Beaman, & Kelem (1976) – Effects of deindividuation variables Mann (1981) – The baiting crowd in episodes of threatened suicide Mullen (1986) – Atrocity as a function of lynch mob composition</p>
12	4/6	<p>Jury Decision Making Vidmar & Hans (2007) – A Jury of Peers: Democratic goals Vidmar & Hans (2007) – Jury Selection <i>Batson v Kentucky</i> <i>Miller-El v Dretke</i> Vidmar & Hans (2007) – Tasks of the Jury</p>
13	4/13	<p>Jury Decision Making Bottoms et al. (2007) – A review of factors affecting jurors' decisions in child sexual abuse cases</p> <p>**Additional readings to be announced**</p>
14	4/20	<p>Terror Management Theory Lieberman & Arndt (2009) – Terror management theory and jury decision-making</p> <p>Sheldon Solomon YOUTUBE Lecture</p>
15	4/27	Final Paper Due