

University of South Carolina
CRJU 585B: Selected Topics in Crime and Public Policy- The Death Penalty
Spring 2008, MWF: 12:20 - 1:10 PM

Professor: *John D. Burrow, J.D., Ph.D.*
Office: *Currell, Room 108*
Office Hours: *Thursday, 10:00 - 12 noon*
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Course Objectives:

This course will examine the nexus between the political and social influences on the death penalty. The need for such a course is grounded in the belief that the death penalty has often been misunderstood and misused in our nations history. This course will provide students with the knowledge to understand how courts have interpreted death penalty laws. Further, this course will equip students with an understanding of the policy implications of the death penalty.

This course will use the case method where the seminal death penalty decisions will be dissected and discussed. This course is designed specifically to provide a forum wherein students can understand the history of the death penalty and the role that it plays in shaping criminal justice responses to crime as well as the role that it plays in shaping public opinion.

To this end, this course has the following objectives

1. To explore the evolution of the death penalty
2. To understand how the death penalty is shaped by criminal justice policy
3. To understand how the death penalty is shaped by social and political pressure
4. To gain an understanding of the legal developments in death penalty jurisprudence

Required Textbook:

A textbook will not be required for this class. Instead, all course materials will be posted to the **Blackboard** at least a week in advance of all lectures. In addition to the readings assigned for the class, students will be required to read material from a variety of sources including Supreme Court decisions and law reviews. This material will be used primarily so that students will be able to distinguish the law in action versus law on the books.

Course Requirements:

Undergraduates

Exam #1:	100 pts	A=	360-400
Exam #2:	100 pts	B+=	340-359
Exam #3	100 pts	B=	320-339
Research Paper #1:	100 pts	C+=	300-319
<hr/>		C=	280-299
Total:	400 pts	D=	240-279
		F=	Below 240

Graduate Students

Exam #1:	100 pts	A=	450-500
Exam #2:	100 pts	B+=	425-500
Exam #3	100 pts	B=	400-424
Research Paper #1:	100 pts	C+=	375-399
Research Paper #2	50 pts	C=	350-374
Seminar Presentation	50 pts	D=	300-349
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Total:	500 pts		

All students are required to take three regularly scheduled exams. The exams will be composed primarily of multiple choice and short essay questions. All exams will place particular emphasis on material delivered during lecture.

Instructional Delivery:

This course will be structured around a hybrid lecture/seminar format. Considerable effort will be made to encourage students to participate in all class discussions. Additionally, students will be required to serve as discussion leaders for selected topics that will be assigned by the instructor.

Requirements for Student Papers:

All students who take this class for credit will be required to write a short paper of approximately 10-15 pages in length. This short paper will specifically require students to incorporate various schools of thought and ideas about hate crimes and the proper response to it.

Attendance and Participation:

In accordance with university policy, class attendance is mandatory of all students. Attendance will be taken at the discretion of the professor. A grade penalty will be imposed for excessive absences,

whether excused or unexcused. **This penalty may result in a full letter grade reduction in the final course grade.** The University of South Carolina has adopted the 10% rule relative to class attendance (**See page 21 of the Undergraduate Catalogue**). The grade penalty policy that is used in this class conforms to these guidelines. Also, I reserve the right to ask students to leave the classroom due to perennial tardiness.

All grades are final. As a general policy, I do not round grades up or down.

Extra Credit: There will not be any extra credit assignments given by the professor. Nor will I consider assigning additional work for students whose academic performance proves to be inadequate to satisfy the requirements of the class.

Class Conduct: It is imperative that students come to class prepared and on time. Disruptions to either the professor or other students will not be tolerated. Disruptions include but are not limited to talking during lecture, reading newspapers/magazines, etc. Students who encounter problems getting to class on time should contact me in advance.

In addition, it is important that students not cause disruptions by bringing cell phones, pagers, and beepers to class. I will ask the student to leave the classroom if such disruptions occur (**See 5.18 of Student Code of Conduct**).

Academic Integrity: In order to promote an atmosphere conducive to learning, this class will adhere to the principles espoused in the Carolinian Creed, USC Student Handbook and Policy Guidelines. Plagiarism and cheating will not be tolerated under any circumstance. This class will adhere to the principles outlined in the **Carolina Community Student Policy Manual**. Additional information about this policy can be found in the Code of Academic Responsibility.

Plagiarism, as defined by the Blacks Law Dictionary, means the act of appropriating the literary composition of another, or parts of passages of his writings, or the ideas or language of the same, and passing them off as the product of one's own mind. Given this definition, plagiarism in any form will not be tolerated in any form. All such allegation of plagiarism will be handle by the appropriate university offices.

Course Outline

Note- All court cases and articles from law journals will be posted to the Blackboard. Students will not need to obtain material from either the Law Library or Thomas Cooper Library.

Date	Issue	Required Readings	Additional Readings
Week 1	History of the death penalty in America	<p>Raymond Bye (1928). Recent History and Present Status of the Death Penalty in America</p> <p>Arthur MacDonal (1910). Death Penalty and Homicide.</p> <p>Lee Deets (1948). Changes in Capital Punishment Policy since 1939.</p>	
Week 2		<p>In re Kemmler (1890)</p> <p>Louisiana ex re. Francis v. Resweber (1947)</p> <p>Trop v. Dulles (1958)</p>	
Week 3		Furman v. Georgia (1972)	
Week 4		Gregg v. Georgia (1976)	
Week 5	Exam #1	Wednesday, Feb 13, 2008	
Week 6	Status of the Death Penalty	David Nice (1992). The States and the Death Penalty	
Week 7	Death Penalty and Rape	<p>Leonard Savitz (1955). Capital Crimes as Defined in American Statutory Law</p> <p>Michael Davis (1984). Setting Penalties: What Does Rape Deserve</p>	
Week 8		<p>Coker v. Georgia</p> <p>Annaliese Flemming (1999). Louisiana's Newest Capital Crime: The Death Penalty for Child Rape</p>	

Week 9	Death Penalty and Race	Baldus and Woodworth (2005). Race Discrimination in the Administration of the Death Penalty: An Overview of the Empirical Evidence	.
Week 10	Exam #2	March 26, 2008	
Week 11	Death Penalty and Race, continued	McCleskey v. Kemp (1988) Evan Lee (1998). Remediating Prosecutorial Racial Discrimination Against Black Victims in Capital Sentencing	
Week 13	Executing the Insane	Ford v. Wainwright (1986) Jonathan Entin (1988). Psychiatry, Insanity, and the Death Penalty: A Note on Implementing Supreme Court Decisions	
Week 14	Executing Juveniles	Roper v. Simmons (2005) Eddings v. Oklahoma (1988) Stanford v. Kentucky (1989)	
Week 15	Executing the Mentally Retarded	Atkins v. Virginia (2002) Penry v. Lynaugh (1989) Carol and Jordan Steiker (1998). Defending Categorical Exemptions to the Death Penalty	

Week 16	Death Penalty and Innocence	Radelet and Borg (2000). Changing Nature of the Death Penalty Debate. Pp. 43-61 Radelet and Bedau (1998). Execution of the Innocent. Pp. 105-124	
	Final Exam	Monday, May 5, 2008 2:00 PM	