

Psychology & Law
Psy 420/520
Fall 1992

Instructor: Robert Mauro Class: UH 12:30-13:50
311 Straub 146 Straub
346-4917

Office Hours: UH 14:00-15:00 and by appointment

Texts: Wrightsman, L. (1991). Psychology and the Legal System,
2nd Ed. Pacific Grove, CA: Brooks/Cole.

Reading packet available at Campus Copy.

Course Requirements

Students will be expected to complete a midterm examination (20% of grade), a final examination (40% of grade), and a term paper (40% of grade). The examinations are designed to test your knowledge of the material covered in class and in your readings. In the term paper you should go beyond the class materials and delve deeply into a single issue that interests you.

The examinations will consist of a combination of multiple choice, short answer, and short essay questions. The term paper should concentrate on a problem at the intersection of social science and the law that falls clearly within one of the topics listed on the syllabus. Term paper topics must be approved by the third week of class. A typed one-page description of the proposed paper must be turned-in to me by the end of class on October 13, 1992. This description should indicate under which topic on the syllabus the proposed paper would fall. The proposals will be approved or alterations suggested and the proposals returned within one week after they are submitted. You should plan on submitting your proposal and beginning your term paper as soon as possible. Term papers should be well written and typed. They are due in to me by the end of the class period on December 3, 1992.

Syllabus

W indicates a chapter in the Wrightsman text. Please plan on reading the assigned material before the class session for which it is assigned. In most instances, only excerpts from the cases listed are included in the reading packet.

9/29 Introduction: Overview of Psychology and the American legal system
 W 1, 3

Actions & Actors: What happened and who did it.

10/1 Eyewitness Identification
 W 7

10/6

10/8

10/13 Psychological Profiling (Term paper proposals due)
 W 6

Pinizzotto, A. & Finkel, J. (1990). Criminal personality profiling: An outcome and process study. Law & Human Behavior, 14, 215-234.

US v Lopez (1971) 328 F.Supp. 1077

10/15

10/20 Interrogation and lie detection
 W 8, 9

Miranda v AZ (1966) 384 US 436, 86 S.Ct. 1602, 16 L.Ed.2d 694

Kleinmuntz, B. & Szucko, J. (1982). On the fallibility of lie detection. Law & Society Review, 17, 85-104.

10/22

10/27 Midterm Examination

State of Mind

10/29 Legal responsibility & defenses
 W 14, 15

R. v Dudley & Stephans (1884) 14 QBD 273

Ewing, C. (1990). Psychological self-defense: A proposed justification for battered women who kill. Law & Human Behavior, 14, 579-594.

Morse, S. (1990). The misbegotten marriage of soft psychology and bad law: Psychological self-defense as a justification for homicide. Law & Human Behavior, 14, 595-618.

- 11/3 Competence & insanity
 R v M'Naghten (1843) 8 Eng. Rep. 718.
 Finkel, J. (1991). The insanity defense: A comparison of verdict schemas. Law & Human Behavior, 15, 533-556.
- 11/5
Legal Sanctions: Punishment and Rehabilitation
- 11/10 Issues in choosing sanctions
 W 5, 17
 Campbell, D. (1969). Reforms as experiments. American Psychologist, 24, 409-429.
 Barefoot v Estelle, (1983) 463 US 880, 103 S.Ct. 3383, 77 L.Ed.2d 1090
- 11/12
- 11/17 Capital Punishment
 Furman v GA (1972) 408 US 238, 92 S.Ct. 2726, 33 L.Ed.2d 346
- Legal Process
- 11/19 Issues in legal decision-making
 W 10, 11, 18
 Optional reading: Saks, M. & Kidd, R. (1980). Human information processing and adjudication: Trial by heuristics. Law & Society Review, 15, 123-160.
- 11/24 Juror and jury decision-making
 W 12, 13
 Ballew v GA, 435 US 223 (1978)
 Lockhart v McCree, 106 S. Ct. 1758 (1986)
 Elliot, R. (1991). Social science data and the APA: The Lockhart brief as a case in point. Law & Human Behavior, 15, 59-76.
 Ellsworth, P. (1991). To tell what we know or wait for Godot. Law & Human Behavior, 15, 77-90.
- Psychology and Social Policy
- 12/1 Mental health law
 W 16
 Tarasoff v. Regents of UC (1976) 17 Cal.3d 425, 131 Cal. Rptr. 14, 551 P.2d 334

- 12/3 Children & the Law (Term papers due)
In re Gault (1967) 387 US 1, 87 S.Ct. 1428

Sorensen, E. & Goldman, J. (1990). Custody determinations and child development: A review of the current literature. Journal of Divorce, 13, 53-67.

APA, (1991) UN Convention on the Rights of the Child: Unofficial Summary of Articles. American Psychologist, 46, 50-52.

Hart, S. (1991). From property to person status: Historical perspective on children's rights. American Psychologist, 46, 53-59.

Goodman, G., Levine, M., Melton, G., & Ogden, D. (1991). Child witnesses and the confrontation clause: The American Psychological Association brief in Maryland v. Craig. Law & Human Behavior, 15, 13-30.
- 12/8 Discrimination

Brown v Board of Education, 347 US 483 (1954)

McCleskey v Kemp 107 S. Ct. 1756 (1987)
- 12/10 Obscenity
Miller v CA 413 US 15 (1973)

Kutchinsky, B. (1991). Pornography and Rape: Theory and Practice? Evidence from crime data in four countries where pornography is easily available. International Journal of Law & Psychiatry, 14, 47-64.

Wilcox, B. (1987). Pornography, social science, and politics: When research and ideology collide. American Psychologist, 42, 941-943.

Koop, C. E. (1987). Report of the Surgeon General's workshop on pornography and public health. American Psychologist, 42, 944-945.

Linz, D., Donnerstein, E., & Fenrod, S. (1987). The findings and recommendations of the Attorney General's commission on pornography: Do the psychological facts fit the political fury? American Psychologist, 42, 946-953.
- 12/16 8:00 FINAL