

## PSYCHOLOGY & LAW

Psy 420/520

CRN:15360

Fall 1994

Instructor: Robert Mauro      Office Hours: UH 11:00-12:00  
311 Straub                      and by appointment  
346-4917

TA: Leslie Dana              Office Hours: W 12:00-13:00  
470 Straub                      H 12:30-13:30  
346-1986                      and by appointment

Class: UH 9:30-10:50 142 Straub

Texts: Bartol, C. & Bartol, A. (1994). Psychology & Law: Research & Application (2nd Ed). Pacific Grove, CA: Brooks/Cole.

Reading packet available at the U of O Bookstore.

### Course Requirements

This is an advanced undergraduate/graduate course. Students in this course are expected to be able to read and write at that level. 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 knowledge of the material covered in class and in the 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. Term paper topics must be approved by the third week of class. A typed one-page description and outline of the proposed paper must be turned-in to me by the end of class on October 13, 1994. If the topic on which you would like to write is not contained within one of the areas listed on the syllabus, consult with the instructor or TA before submitting a proposal. The proposals will be returned within one week after they are submitted. They may be approved "as-is" or alterations may be suggested. You should plan on submitting your proposal and beginning your term paper as soon as possible. Term papers should be well-written and typed. Papers will be graded for scholarship, analysis, and writing. They are due in to me by the end of the class period on November 29, 1994. The approved proposal should be attached to the term paper when it is submitted. Sample papers are on file in Peer Advising.

### Syllabus

B indicates a chapter in the Bartol & Bartol 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.

9/27        Introduction: Overview of Psychology and the American legal system  
             B 1, 4

Actions & Actors: What happened and who did it.

9/29        Eyewitness Identification  
             B 3, 9

10/4

10/6        Psychological Profiling (Term paper proposals due)  
             B 2

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

10/11

10/13       Interrogation and lie detection  
             B 10

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.

10/18

10/20       Midterm Examination

State of Mind

10/25       Legal responsibility & defenses  
             B 5

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.

10/27      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.

11/1

Legal Process

11/3      Juror and jury decision-making  
B 7, 8

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.

11/8

Psychology and Social Policy

11/10      Punishment and Rehabilitation: Issues in choosing sanctions  
B 12, 13

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

11/15      Capital Punishment  
Furman v GA (1972) 408 US 238, 92 S.Ct. 2726, 33 L.Ed.2d 346

11/17      Mental health law  
B 6

Tarasoff v. Regents of UC (1976) 17 Cal.3d 425, 131 Cal. Rptr. 14, 551 P.2d 334

11/22      Children & the Law (Term papers due)  
B 11

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.

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.

11/29      Discrimination  
B 2

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

McCleskey v Kemp 107 S. Ct. 1756 (1987)

12/1        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., & Penrod, 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.

12/8        10:15        FINAL