

American Society of Criminology

Graduate Syllabi Collection

Syllabi from Various Contributors

**Prepared by: Kelly Vance, ASC Associate Director &
The ASC Teaching Committee**

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Cynthia J. Najdowski (The Psychology of Criminal Juries)

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THE PSYCHOLOGY OF CRIMINAL JURIES
RCRJ 659: Administration of the Criminal Justice Process
(3 Credit Hours)
Fall 2017 Course Syllabus
Draper Hall, Room 246
Tuesdays, 1:15–4:05pm

INSTRUCTOR CONTACT INFORMATION

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Available during drop-in hours on Tuesday 4:15–5pm and Thursday 1–2pm in Draper 117 or by appointment

COURSE DESCRIPTION & OBJECTIVES

“If a jury have not the right to judge between the government and those who disobey its laws, and resist its oppressions, the government is absolute, and the people, legally speaking, are slaves.” ...Lysander Spooner

“A jury verdict is just a guess—a well-intentioned guess, generally, but you simply cannot tell fact from fiction by taking a vote.”

...William Landay

Criminal juries are charged with making important decisions, sometimes even between life and death. Should they be? In this course, you will dive into the discipline of psychology to evaluate claims about the strengths and limitations of the contemporary criminal jury. You'll discover that, on the one hand, the jury system plays an important role in our democracy, yet, on the other hand, juries are incompetent and biased. Topics to be covered include jury representativeness, death qualification, juror bias, cultivation effects, pretrial publicity, video evidence, neuroscience, the role of emotion in juror decision making, and juror stress and satisfaction. You'll learn how psychological theory and research can shed light on these issues affecting the structure, function, and performance of the jury; how the jury system can be informed by the results of research; and how to design future research to address remaining questions. The goal of this course is for you to become an active participant in recognizing and critiquing problems in the jury system and existing remedies, and to begin to formulate your own solutions to improve the system using perspectives from social, cognitive, and clinical psychology.

By the end of the semester, you should be able to:

- Approach the topic of criminal juries from a psychological perspective to improve our understanding of both juries and human behavior more generally,
- Apply psychological theories to understand issues that arise in the administration of the criminal jury system,
- Master the methods commonly used to study juries,
- Analyze and critique extant theory and research addressing issues related to criminal juries in ways that inspire critical thinking and novel insights,
- Develop a research question about the jury system and ground a hypothesis in psychological theory, and
- Recommend evidence-based solutions for improving the jury system.

Class meetings, reading assignments, individual and group activities, and writing assignments are all designed to meet these course objectives. Because this course is aimed at providing graduate students with specialized knowledge about a particular content area, it is an elective aligned with the Justice Systems elective track for the Master's program and also can be completed in fulfillment of elective credits for the doctoral program.

COURSE MATERIALS

1. *Najdowski, C. J., & Stevenson, M. S. (under contract). Criminal juries in the 21st century: Contemporary issues, psychological science, and the law. New York, NY: Oxford University Press.*
2. *Selected chapters of Vidmar, N., & Hans, V. P. (2007). American juries: The verdict. Amherst, NY: Prometheus Books.*
3. *Required theoretical, empirical, and review journal articles and book chapters.*

All materials will be listed in the course calendar and available on Blackboard under Electronic Reserves.

COURSE FORMAT, REQUIREMENTS, & GRADING

This course will be conducted as a seminar course. Weekly classes will generally include a review of key points from the weekly readings with student leadership of discussion. Emphasis will be placed on the preparation and active participation of **all** seminar members during each class. The success of the course will depend, in large part, on your ability to prepare and participate at a level appropriate for graduate students. Class preparation includes completing all readings prior to class and making notes that will prepare you to discuss the main points, theories, methods, and empirical findings from all readings. You should also be prepared to discuss the implications of readings for future psychological research and potential reforms related to juries. The “reaction questions” are assigned to help you achieve the level of preparation necessary to participate in class. Being able to communicate effectively is one of the most important skills for students to develop, and certain tasks are designed to help you learn to teach as well as learn from each other. Thus, your performance in this course will be evaluated based on class participation (20%), the image-of-the-jury assignment (3%), discussion leadership (15%), reaction questions (15%), *Jur-E Bulletin* analyses (7%), and a grant proposal paper (40%). No grades will be curved and extra credit will not be issued on an individual basis.

CLASS PARTICIPATION = 20%

Class participation means self-motivated, regular, and thoughtful in-class verbal comments and questions that illustrate your mastery of the readings (scientific observations and thoughts, not just unfounded opinions). In each class, you will be expected to demonstrate your ability to think critically about, apply, and reflect on the assigned readings. Class time will be dedicated specifically to reviewing reaction questions (described below) and reflecting on discussion. Think-pair-share and freewrite activities will be used occasionally to facilitate such reflections. Therefore, you **must** read the assigned material prior to class and be ready to discuss it and apply the readings to related issues each week. When reading, you should be thorough and analytical—make sure you understand the authors' point, critically analyze the method and results of each study, point out contradictions, think about questions for discussion, relate the readings to real-world events, etc. Reading in this way will help you with class participation.

Class participation reflects in-class contributions to discussion and thoughtful reflections on the material covered, not simply class attendance or coming to class on time, which are assumed. However, unexcused absences will be

graded as “0.” Further, more than two unexcused absences will result in the automatic loss of all class participation points. In addition, late arrivals, early departures, inappropriate technology use, sleeping, etc. will be penalized.

Participation will be graded as A–E. Your participation grades from each class will be averaged to comprise 20% of your final grade. Please realize that even if you score all possible points on all other assignments (which is unlikely), if you are unwilling to speak up in class often, you will not do well in this course.

IMAGE-OF-THE-JURY ASSIGNMENT = 3%

Share an example of an image or depiction of the jury—any jury, any depiction! It could be a story about an old or new legal case decided by a jury, a favorite scene from a movie or TV show that features the jury, a YouTube video, a blog post rant about juror stupidity, a heartfelt account of a person’s experience on jury duty, a research study on jury decision making, etc. Ideally, the depiction you submit will be something that *resonated with you personally*, not simply something you found through Google because of this assignment. Any text depictions (e.g., stories, articles) must be 5 or fewer pages long. Any video depictions must be 5 minutes or less in length.

In addition, submit a brief description (1 or 2 sentences) about what you think the selected image or depiction says about trial by jury. We will discuss the depictions in our first class, and reflect on what the set of images reveals about the cultural significance, values, and challenges of the jury system.

This assignment will be graded as A–E and will comprise 3% of your final grade. It is **due by email by 9am on August 29th**.

REACTION QUESTIONS = 15%

To help you achieve the level of preparation necessary to participate in class and to encourage critical thinking and engagement with the material (not just passive absorption of it), you are required to submit **two** typed questions about the readings each week (except for the week you are assigned to be discussion leader). These questions should be brief (no more than one paragraph) and focused, but with enough detail that they are clear, well developed, and reflect that you have thought critically about the readings. Participating in class would be difficult if you hadn’t read and thought about the main points in the articles. These questions are designed to help you do that, and they will also help you gain a deeper understanding of the kinds of questions researchers in this field ask and the ways they go about answering these questions.

The best questions **go beyond what you have been assigned to read by synthesizing information from multiple readings**. For example, you might apply an existing theory to a new problem, consider limitations and strengths of various research methods, or compare and contrast results from different studies. You are especially encouraged to consider implications of the readings for future research (do you have a novel research question? a new hypothesis to test?) or policy (do the research findings suggest specific policies or laws that should be changed or created?). It is recommended that you make notes in the margins of your readings as you read—notes about even your most trivial reactions. When you’re done reading, you’ll have plenty of thoughts on which to base your questions.

Please note that your questions should pertain to conceptual (rather than factual) issues from the readings. You should not simply ask about things that you don’t understand in a reading—you should ask those kinds of questions in class discussions. They also should not merely summarize the readings or be designed to quiz for understanding of the readings (i.e., the answer should not be apparent from the readings), as these types of

questions do not promote discussion. Similarly, save relatively minor methodological critiques for class discussion. Sample questions will be posted on Blackboard to help you understand what you are expected to submit. These questions will be used to facilitate class discussion, and as such, they are **due by 6pm on the Sunday before class**. All questions must be submitted **by email to Professor Najdowski and the student discussion leader**. (You do not have to submit reaction questions during the week that you are assigned to be discussion leader.) Don't let technical difficulties prevent you from getting them in on time. Late submissions will not be accepted except in the case of *documented* medical or family emergencies.

These questions are expected to be thoughtful, well prepared, and well written (spelling, grammar, etc. all count). Discussion leaders will provide a confidential grading recommendation to Professor Najdowski. Ultimately, her evaluation of the recommendation and your questions will be used to determine your grade on a scale from A–E. Note that **if you submit more than two questions for any class, only the first two questions will be distributed and graded**. Reaction question grades will be averaged to comprise 15% of your final grade.

DISCUSSION LEADERSHIP = 15%

You will be assigned to lead one class discussion this semester. Your task is to come to class with thought-provoking questions for the group and assist in facilitating that day's discussion. The goal of this assignment is for you to improve your communication skills and gain experience leading a small group discussion. A successful discussion leader (a) frames the discussion of the week's readings around big questions and theoretical issues guiding the work, (b) presents questions that cut across the readings for that week (and even other weeks), (c) critically evaluates the strengths and weaknesses of the assigned readings—with equal emphasis on both (it's easy to criticize; be sure to think about what of value can be gleaned from the work, too), (d) reflects on the new knowledge gained by the theoretical ideas or research as well as their significance for the field and society, (e) engages classmates in the discussion, (f) raises ideas for future research (i.e., what are the most important questions this work suggests should be answered next?), and (g) strikes a balance between letting the class shape the discussion and keeping the discussion on topic. You can choose to lead the class however you'd like, but it is often useful to include activities or videos that provide an entrée into discussion and/or present an overview of the literature and the findings of the research.

In addition to the required readings for the week, the discussion leader is expected to read one additional paper relevant to the topic of the week (regardless of whether optional readings are provided in the syllabus) and develop a discussion that integrates the selected reading with the required readings. The selected reading should be submitted to Professor Najdowski **by email by 6pm on the Sunday before the class** you have been assigned to lead.

The discussion leader will also be responsible for thematically organizing all of the reaction questions, circulating the organized list to the class (i.e., email the questions in advance of class and bring hard copies to class), and providing suggested grades for each reaction question to Professor Najdowski **by email no later than 1:15pm on the day of class** (4 = Excellent, 3 = Average, 2 = Weaker than expected, 1 = Snoozing—these recommendations will be confidential between the student discussion leader and professor, and grades will ultimately be given at the discretion of the professor). Performance on these tasks will comprise 15% of your final grade.

It is your responsibility to identify any scheduling conflicts as soon as you are assigned a date on which you will lead class. Unanticipated absences will result in a zero grade on this assignment except in the case of documented emergencies.

JUR-E BULLETIN ANALYSES = 7%

To help you learn how to draw connections between what you learn about in this course and real-world developments in the field, you should subscribe to the *Jur-E Bulletin* (see <http://www.ncsc.org/jure>). The *Jur-E Bulletin* is a newsletter produced by the National Center for State Courts and publishes articles on many topics that we will be discussing in this course. You must **submit confirmation of your subscription no later than 1:15pm on September 12th**. This submission may be completed by email or in class.

In addition to subscribing to the *Jur-E Bulletin*, you should identify **two** of the news articles highlighted in the newsletter over the course of the semester to discuss in class. You should describe (a) how the article exemplifies the topic we will be discussing in class that week, (b) how it reflects the implementation of sound psychological research into everyday practice and policy or how it disregards such research, and (c) what research is needed to help the jury system respond to similar events in the future. For example, for the topic of jury selection, you could find an article about a venireperson who wore an executioner costume to court, describe how that relates to the issues of avoidance of jury service and juror bias, and call for research exploring links between such actions, bias, and decision making. This is but one example—articles highlighting the psychology of juries are presented frequently in the *Jur-E Bulletin*.

These analyses will be used to facilitate class discussion. Thus, you should **email Professor Najdowski and the student discussion leader by 6pm on the Sunday before class** to describe the article you plan to analyze. Your email should include 1 or 2 sentences describing the article as well as a PDF of it. In addition, you will be responsible for describing the current event and highlighting the main points of the article during class discussion.

The *Jur-E Bulletin* analyses will be graded as A–E on the basis of timely subscription to the *Jur-E Bulletin*, the suitability of the articles you choose to share, the quality of your analyses, and your ability to facilitate discussion of the articles during class. These facets of the assignment will be averaged to comprise 7% of your final grade.

GRANT PROPOSAL PAPER = 40%

The majority of your grade in this class will be based on a formal grant proposal, in which you will propose your own research about an important psychological issue related to juries inspired (but not constrained) by the class readings and discussions. This proposal is designed to help you formulate relevant questions and think about how research can help to answer those questions. In the proposal, you will identify a problem, discuss why it's important, propose a testable hypothesis that is grounded in theory, and present a novel research idea that will help to advance the science of psychology and practically improve the jury system.

Your first step will be to identify an important problem that plagues the contemporary jury system. You should analyze the extant theoretical and empirical literature to determine what is known about the problem and what remains to be known. Based on your appraisal of the literature, you should clearly propose a research question and a testable hypothesis (what are your independent and dependent variables? what is your prediction about the relations between the variables?). You must explain how your hypothesis flows from prior theory and research you rely on to make your argument (why did you make that prediction? why should that result be expected? what prior research has been done?). You must then include a clear methodological design to test your hypothesis (how will you operationalize your independent and dependent variables? what kind of data should be collected to answer your question? how would you go about collecting it? what measures will you use?). You should also briefly describe an analytic strategy (what analyses would you do to test your hypotheses? what pattern of results would support your hypotheses?). Finally, you should describe why your research question is important (why is this issue

important? why is the topic worth studying? how can research advance theoretical, empirical, or practical understanding of the phenomenon?). You should propose only one study and develop a clear research plan. Sample grant proposals will be posted on Blackboard for you to use as a model, as well as several guides to writing about research. You are strongly encouraged to review those materials so you have a clearer idea of what your research proposal should look like.

Ideally, this proposal should plant the seed for an actual research project you would be interested in conducting and the basis for a future manuscript submission. It is recommended that you receive verbal approval of your topic **by November 7th**. Your final proposal should be approximately 15 pages in APA Style (no less than 14 and no more than 16 full double-spaced pages, 12-point font, etc.) and is **due on Blackboard by December 12th at 12pm**.

Note that your final proposal should be a polished paper, not a draft. Thus, you are encouraged to spellcheck and proofread the paper multiple times, and to receive feedback from at least one of your classmates prior to submitting the paper. Grading will be based on (a) the relevance and thoroughness of your literature review, (b) the quality of your integration and analysis of the literature, (c) adherence to high quality research design (e.g., how well do the methods, measures, and procedures map onto your research question and hypotheses?, are appropriate manipulation checks included?, are the measures appropriate and justified?, etc.), and (d) the quality of your writing, including the general clarity of your writing, adherence to APA Style, spelling, grammar, etc. This paper will constitute 40% of your final grade.

GRADING SUMMARY AND SCALE

Decimal values of .5 and above will be rounded up, and all other values will be rounded down.

Domain	% Possible	Total % Earned	Letter Grade Assigned
Class participation	20%	94-100	A
Image-of-the-jury assignment	3%	90-93	A-
Reaction questions	15%	88-89	B+
Discussion leadership	15%	84-87	B
<i>Jur-E Bulletin</i> analyses	7%	80-83	B-
Grant proposal project	40%	78-79	C+
Total	100%	74-77	C
		70-73	C-
		60-69	D
		< 60	E

COURSE EXPECTATIONS & POLICIES

ASSIGNED READINGS

Complete the assigned readings before class. Most class time will be devoted to discussing course material thoughtfully. If you do not complete the assigned readings before class, you will not be able to complete your reaction questions or participate in class discussions and reflections effectively, and you will not do well in this course.

ATTENDANCE AND MAKE-UP WORK

You must attend class regularly to pass this course. Participation will be assessed in every class meeting and it will constitute a significant portion of your final grade, as detailed previously. Students who add the course late will be held responsible for all assignments (i.e., grades for work missed will be “0” regardless of whether it was due prior to adding the course). It is your responsibility to identify any conflicts that may interfere with your ability to attend class or complete coursework now. If you miss a class, it is your responsibility to ask another student for notes. Please refrain from alerting Professor Najdowski to the reasons you will not be in class unless you have a serious illness or other very special circumstances.

All assignments must be submitted electronically via Blackboard—do not let technical difficulties prevent you from getting them in on time (i.e., don’t wait until the last minute to submit your work as the submission sites will close at specified due dates and times). Late work will not be accepted nor will make-up work be permitted except in the event of *documented* medical or family emergencies. In that case, at the end of the semester (i.e., **no earlier than November 30th**), you may request to complete a writing assignment to make up the work you missed *only if there is a chance that completing the work will actually increase your final letter grade*. Participation cannot be made up.

ACADEMIC INTEGRITY

Neither cheating nor other forms of academic dishonesty (e.g., plagiarism, or using written material from others, including peers or the Internet, for papers; etc.) will be tolerated. If Professor Najdowski becomes aware that you have cheated, you will receive a “0” grade on the assignment. You may also receive a failing grade for the course and/or be referred to the University for further disciplinary action.

RESPECT & COURTESY

This class will be conducted in an atmosphere of mutual respect. Your active participation in class discussions is encouraged. We may discuss sensitive topics and each of us may have strongly differing opinions on some topics. The conflict of ideas is encouraged and welcome. The orderly questioning of others’ ideas, including the professor’s, is similarly welcome. Professor Najdowski will, however, exercise her responsibility to manage the discussions so they can proceed in an orderly fashion. The ground rules for class discussions are these: (1) treat others’ opinions with respect and courtesy, (2) maintain confidentiality of experiences shared by class members, (3) don’t monopolize discussion, and (4) attack ideas rather than people. If your conduct during discussions disrupts the atmosphere of mutual respect that is expected in this class, you will not be permitted to participate further. You should also refrain from telling things that are too personal, and exercise your right to *not* share your thoughts and ideas if you are uncomfortable talking about something.

Please turn off cell phones before coming to class. Talking to each other, talking on cell phones, texting, instant messaging, social networking, browsing the Internet, etc. are prohibited. This behavior will negatively impact your class participation grade and Professor Najdowski reserves the right to ask you to leave the class if she sees it.

Please arrive to class on time, and avoid leaving in the middle of class or before class is over. Such interruptions are very distracting to the professor and other students and, if frequent, will not be accepted (i.e., Professor Najdowski will ask you to leave the class that day).

BLACKBOARD

Course materials (e.g., this syllabus, course readings) and grades will be posted on Blackboard. Although Blackboard may be used to communicate with you, most announcements will be made in class.

SYLLABUS

This syllabus is designed to be a resource for you to use throughout the semester. However, Professor Najdowski reserves the right to modify assignments and dates throughout the course. Any such modifications will be announced in class. Otherwise, it is your responsibility to keep up with course deadlines, as well as university deadlines for registering, dropping the course, etc., and to know whether you need to meet with Professor Najdowski to discuss something before deadlines approach.

EMAIL

When considering emailing Professor Najdowski, please first try to find the answers to your questions in this syllabus and on Blackboard. You are strongly encouraged to ask questions about the syllabus and assignments *during class time*. Please note that, with the exception of discussion leadership, **Professor Najdowski will not provide guidance or feedback on assignments or discuss why you received a particular grade via email**. For these and other kinds of in-depth discussions, please plan to meet with her in person. Therefore, your primary purpose for emailing Professor Najdowski should be to set up a one-on-one meeting if your schedule conflicts with her drop-in hours. In that case, **please include the course number, your real name, and “meeting request” in the subject line of your email**. Your message should include at least two times when you would like to meet and one or two sentences describing the reason for the meeting. In general, you can expect a reply within 3 days. If Professor Najdowski cannot respond to your email within 3 days, you will receive an automatic reply explaining when she will be able to respond. Make sure any emails you send are professional. If you have questions about how to write a professional email, please see <http://grammar.about.com/od/developingessays/a/profemails.htm>.

RECOMMENDATION LETTERS

Professor Najdowski will not write a recommendation letter for you unless she has met with you outside of class enough for her to have something substantial to comment on. She welcomes you to drop by her lab to chat with her about interesting material, current events, or your future plans.

ACCOMMODATIONS

If you have a disability and require accommodations, please notify the Director of Disabled Student Services (Campus Center 137, 442-5490). That office will provide with notice of your disability, and recommend appropriate accommodations.

RCRJ 659 COURSE CALENDAR:

TOPICS & REQUIRED READINGS

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Week 1: August 29

Topics to be covered

Introduction to Professor Najdowski and the course
Assign discussion leaders

*****No discussion leader this week*****

Required readings

1. Najdowski & Stevenson—Chapter 1, “Criminal Juries in the 21st Century: A Case-Study Introduction to Contemporary Issues” by Stevenson & Najdowski

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Week 2: September 5

Topics to be covered

Jury selection & representativeness

Discussion leader: MAUREEN DARBY

Required readings

1. Foster v. Chatman, 578 U.S. (2016).
2. Najdowski & Stevenson—Chapter 2, “Jury Selection in the Post-Batson Era” by Grosso & O’Brien
3. Sommers, S. R., & Norton, M. I. (2007). Race-based judgments, race-neutral justifications: Experimental examination of peremptory use and the Batson Challenge procedure. *Law and Human Behavior, 31*, 261-273.
4. Anwar, S., Bayer, P., & Hjalmarsson, R. (2012). The impact of jury race in criminal trials. *The Quarterly Journal of Economics, 127*, 1017-1055.

Optional readings

1. Vidmar & Hans—Chapter 3, “A Jury of Peers”
2. Vidmar & Hans—Chapter 4, “Jury Selection: Juror Bias, Juror Challenges, and Trial Consultants”
3. Olczak, P. V., Kaplan, M. F., & Penrod, S. (1991). Attorneys' lay psychology and its effectiveness in selecting jurors: Three empirical studies. *Journal of Social Behavior and Personality, 6*, 431-452.
4. Rose, M. R., Diamond, S. S., Ellison, C. G., & Krebs, A. V. (2017). Juries and viewpoint representation. *Justice Quarterly*. Advance online publication.
5. Revesz, J. (2016). Ideological imbalance and the peremptory challenge. *The Yale Law Journal, 125*, 2535-2549.
6. Sommers, S. R., & Norton, M. I. (2008). Race and jury selection: Psychological perspectives on the peremptory challenge debate. *American Psychologist, 63*, 527-539.
7. Sommers, S. R. (2006). On racial diversity and group decision making: Identifying multiple effects of racial composition on jury deliberations. *Journal of Personality and Social Psychology, 90*, 597-612.

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Week 3: September 12

Topic to be covered

Capital jury trials

Discussion leader: MEGAN ALSLEBEN

Required readings

1. Brief for the American Psychological Association as Amicus Curiae, Lockhart v. McCree, 476 U.S. 651 (1985). [And American Psychological Association summary sheet]
2. Najdowski & Stevenson—Chapter 3, “Diminishing Support for the Death Penalty: Implications for Fair Capital Case Outcomes” by Hritz, Royer, & Hans
3. Garrett, B., Krauss, D., & Scirich, N. (2016). Capital jurors in an era of death penalty decline. *The Yale Law Journal Forum, 126*, 417-430.
4. Glaser, J., Martin, K. D., & Kahn, K. B. (2015). Possibility of death sentence has divergent effect on verdicts for black and white defendants. *Law and Human Behavior, 39*, 539-546.

Optional readings

1. Cover, A. P. (2016). The Eighth Amendment’s lost jurors: Death qualification and evolving standards of decency. *Indiana Law Journal*, 92, 113-165.
 2. Butler, B. M., & Moran, G. (2002). The role of death qualification in venirepersons' evaluations of aggravating and mitigating circumstances in capital trials. *Law and Human Behavior*, 26, 175-184.
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Week 4: September 19

Topic to be covered

LGBTQ jurors, defendants, and victims

Discussion leader: KENJAH O’DONNELL

Required readings

1. Najdowski & Stevenson—Chapter 4, “LGBTQ in the Courtroom: How Sexuality and Gender Identity Impact the Jury System” by Woods
2. Lambda Legal. (2014). *Protected and served?* New York, NY: Author. Retrieved from <http://www.lambdalegal.org/protected-and-served>
3. Wiley, T. R., & Bottoms, B. L. (2009). Effects of defendant sexual orientation on jurors’ perceptions of child sexual assault. *Law and Human Behavior*, 33, 46-60.
4. Cramer, R. J., Kehn, A., Pennington, C. R., Wechsler, H. J., Clark, III, J. W., & Nagle, J. (2013). An examination of sexual orientation-and transgender-based hate crimes in the post-Matthew Shepard era. *Psychology, Public Policy, and Law*, 19, 355-368.
5. Salerno, J. M., Najdowski, C. J., Bottoms, B. L., Kemner, G., Dave, R., & Harrington, E. (2015). Excusing murder? Conservative jurors’ acceptance of the gay panic defense. *Psychology, Public Policy, and Law*, 21, 24-34.

Optional readings

1. Judicial Council of California (2001). *Sexual orientation fairness in the courts: Final report of the sexual orientation subcommittee of the Judicial Council’s access and fairness advisory committee*. San Francisco, CA: Author. Retrieved from http://www.courts.ca.gov/documents/sexualorient_report.pdf
 2. Brower, T. (2011). Twelve angry—and sometimes alienated—men: The experiences and treatment of lesbians and gay men during jury service. *Drake Law Review*, 59, 669-706.
 3. Shay, G. (2014). In the box: Voir dire on LGBT issues in changing times. *Harvard Journal of Law & Gender*, 37, 407-457.
 4. Seelau, E. P., Seelau, S. M., & Poorman, P. B. (2003). Gender and role-based perceptions of domestic abuse: does sexual orientation matter? *Behavioral Sciences & the Law*, 21, 199-214.
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Week 5: September 26

Topic to be covered

Juror bias

Discussion leader: KIM BERNSTEIN

Required readings

1. State v. Brown, 121 A.3d 878, 442 N.J. Super. 154 (2015).
2. Levinson, J. D., Cai, H., & Young, D. (2010). Guilty by implicit racial bias: The guilty/not guilty Implicit Association Test. *Ohio State Journal of Criminal Law*, 8, 187-.
3. Najdowski & Stevenson—Chapter 5, “Implicit Jury Bias: Are Informational Interventions Effective?” by Roberts

4. Devine, P. G., Forscher, P. S., Austin, A. J., & Cox, W. T. (2012). Long-term reduction in implicit race bias: A prejudice habit-breaking intervention. *Journal of Experimental Social Psychology, 48*, 1267-1278.

Optional readings

1. Pena-Rodriguez v. Colorado, 580 US _____ (2017).
2. Levinson, J. D. (2007). Forgotten racial equality: Implicit bias, decisionmaking, and misremembering. *Duke Law Journal, 57*, 345-424.
3. Greenwald, A. G., Poehlman, T. A., Uhlmann, E. L., & Banaji, M. R. (2009). Understanding and using the Implicit Association Test: III. Meta-analysis of predictive validity. *Journal of Personality and Social Psychology, 97*, 17-41.
4. Oswald, F. L., Mitchell, G., Blanton, H., Jaccard, J., & Tetlock, P. E. (2013). Predicting ethnic and racial discrimination: A meta-analysis of IAT criterion studies. *Journal of Personality and Social Psychology, 105*, 171-192.
5. Kovera, M. B., & Austin, J. L. (2016). Identifying juror bias: Moving from assessment and prediction to a new generation of jury selection research. In C. Willis-Esqueda & B. H. Bornstein (Eds.), *The Witness Stand and Lawrence S. Wrightsman, Jr.*, pp. 75-94. New York, NY: Springer.

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Week 6: October 3

Topic to be covered

Juror reactions to police officer witnesses and defendants

Discussion leader: DANIELLE BOFFI

Required readings

1. Najdowski & Stevenson—Chapter 6, “In the Aftermath of Ferguson: Jurors’ Perceptions of Police and Court Legitimacy Then and Now” by Cole
2. Vredeveltdt, A., & van Koppen, P. J. (2016). The thin blue line-up: Comparing eyewitness performance by police and civilians. *Journal of Applied Research in Memory and Cognition, 5*, 252-256.
3. Butler, P. (1995). Racially based jury nullification: Black power in the criminal justice system. *Yale Law Journal, 105*, 677-725.
4. Farrell, A., Pennington, L., & Cronin, S. (2013). Juror perceptions of the legitimacy of legal authorities and decision making in criminal cases. *Law & Social Inquiry, 38*, 773-802.
5. Fairfax, Jr., R. A. (2014). Should the American grand jury survive Ferguson? *Howard Law Journal, 58*, 825-831.

Optional readings

1. Lee, C. (2004). But I thought he had a gun: Race and police use of deadly force. *Hastings Race & Poverty Law Journal, 2*, ?-?.
2. Alpert, G. P., & Smith, W. C. (1994). How reasonable is the reasonable man? Police and excessive force. *The Journal of Criminal Law and Criminology, 85*, 481-501.
3. Barkan, S. E., & Cohn, S. F. (1998). Racial prejudice and support by whites for police use of force: A research note. *Justice Quarterly, 15*, 743-753.
4. Davis, P. L. (1994). Rodney King and the decriminalization of police brutality in America: Direct and judicial access to the grand jury as remedies for victims of police brutality when the prosecutor declines to prosecute. *Maryland Law Review, 53*, 271-357.

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Week 7: October 10

Topic to be covered

Cultivation effects

The CSI effect

Discussion leader: KATIE WAHRER

Required readings

1. Najdowski & Stevenson—Chapter 7, “Understanding the Cultivation Effect: How Popular Culture Affects Jurors’ Expectations and Reactions in the Courtroom” by Groscup
2. Brewer, P. R., & Ley, B. L. (2010). Media use and public perceptions of DNA evidence. *Science Communication, 32*, 93-117.
3. Hawkins, I., & Scherr, K. (2017). Engaging the CSI effect: The influences of experience-taking, type of evidence, and viewing frequency on juror decision-making. *Journal of Criminal Justice, 49*, 45-52.
4. Smith, L. L., & Bull, R. (2012). Identifying and measuring juror pre-trial bias for forensic evidence: Development and validation of the Forensic Evidence Evaluation Bias Scale. *Psychology, Crime & Law, 18*, 797-815.

Optional readings

1. Podlas, K. (2002). Blame *Judge Judy*: The effects of syndicated courtroom television on jurors. *American Journal of Trial Advocacy, 25*, 557-586.
2. Shniderman, A. B. (2014). Ripped from the headlines: Juror perceptions in the *Law and Order* era. *Law & Psychology Review, 38*, 97-?.
3. Shelton, D. E., Kim, Y. S., & Barak, G. (2006). A study of juror expectations and demands concerning scientific evidence: Does the “CSI effect” exist? *Vanderbilt Journal of Entertainment & Technology Law, 9*, 331-368.
4. Baskin, D., & Sommers, I. (2012). The influence of forensic evidence on the case outcomes of assault and robbery incidents. *Criminal Justice Policy Review, 23*, 186-210.
5. Baskin, D., & Sommers, I. (2010). The influence of forensic evidence on the case outcomes of homicide incidents. *Journal of Criminal Justice, 38*, 1141-1149.
6. Schanz, K., & Salfati, C. G. (2016). The CSI effect and its controversial existence and impact: a mixed methods review. *Crime Psychology Review, 2*, 60-79.

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SPECIAL EVENT: October 13

Media in the Age of New Technology: Fake News, Information Overload, & Media Literacy

4 to 5:30pm at Page Hall, 135 Western Avenue, UAlbany Downtown Campus

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Week 8: October 17

Topic to be covered

Pre- and midtrial publicity

Jurors’ use of the Internet and social media

Discussion leader: NYKAI RIGAUD

Required readings

1. Najdowski & Stevenson—Chapter 8, “Pre- and Midtrial Publicity in the Age of the Internet and Social Media” by Daftary-Kapur & Penrod

2. Vidmar, N. (2002). Case studies of pre-and midtrial prejudice in criminal and civil litigation. *Law and Human Behavior, 26*, 73-105.
3. Daftary-Kapur, T., Penrod, S. D., O'Connor, M., & Wallace, B. (2014). Examining pretrial publicity in a shadow jury paradigm: Issues of slant, quantity, persistence and generalizability. *Law and Human Behavior, 38*, 462-477.
4. Knutson, A., Greene, E., & Durham, R. [and practitioner responses] (2015, December 1). The Juror Internet Research Scale (JIRS): Identifying jurors who won't stay offline. *The Jury Expert*. Retrieved from <http://www.thejuryexpert.com/2015/12/the-juror-internet-research-scale-jirs-identifying-the-jurors-who-wont-stay-offline/>
5. Schieffer, B. (2017). Fake news: A clear and present danger. In B. Schieffer, *Overload: Finding the truth in today's deluge of news*, pp. 51-62. Lanham, MD: Rowman & Littlefield.

Optional readings

1. Ruva, C. L., & Guenther, C. C. (2015). From the shadows into the light: How pretrial publicity and deliberation affect mock jurors' decisions, impressions, and memory. *Law and Human Behavior, 39*, 294-310.
2. Agliarolo, M. (2015). Criminalization of juror misconduct arising from social media use. *Notre Dame Journal of Law, Ethics & Public Policy, 28*, 101-119.
3. Andersen, K. (2017). Now entering Fantasyland. In K. Andersen, *Fantasyland*, pp. 3-11. New York, NY: Random House.
4. Harpootlian, R. A., & Kenney, C. P. (2016). Jury practice in post-truth America: A cautionary note. *Emory Corporate Governance and Accountability Review, 4*, 131-141.

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Week 9: October 24

Topics to be covered

Juror reactions to video evidence

*****No discussion leader this week*****

Required readings

1. Najdowski & Stevenson—Chapter 9, "Jury Decision Making in an Era of Sousveillance: Reactions to Visual Evidence" by Feigenson & Spiesel
2. Kahan, D. M., Hoffman, D. A., & Braman, D. (2009). Whose eyes are you going to believe? *Scott v. Harris* and the perils of cognitive illiberalism. *Harvard Law Review, 122*, 837-906.
3. Granot, Y., Balcetis, E., Schneider, K. E., & Tyler, T. R. (2014). Justice is not blind: Visual attention exaggerates effects of group identification on legal punishment. *Journal of Experimental Psychology: General, 143*, 2196-2208.
4. Caruso, E. M., Burns, Z. C., & Converse, B. A. (2016). Slow motion increases perceived intent. *Proceedings of the National Academy of Sciences, 113*, 9250-9255.

Optional readings

1. McDonald, L. W., Tait, D., Gelb, K., Rossner, M., & McKimmie, B. M. (2015). Digital evidence in the jury room: The impact of mobile technology on the jury. *Current Issues Criminal Justice, 27*, 179-194.

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Week 10: October 31

Topics to be covered

Juries and confession evidence

Discussion leader: DARIUS SANTANA

Required readings

1. Najdowski & Stevenson—Chapter 10, “Do Electronic Recordings Help Jurors Recognize Coercive Influences in Interrogations?” by Blandon-Gitlin & Mindthoff
2. Ware, L. J., Lassiter, G. D., Patterson, S. M., & Ransom, M. R. (2008). Camera perspective bias in videotaped confessions: Evidence that visual attention is a mediator. *Journal of Experimental Psychology: Applied*, 14, 192-200.
3. Pickel, K. L., Warner, T. C., Miller, T. J., & Barnes, Z. T. (2013). Conceptualizing defendants as minorities leads mock jurors to make biased evaluations in retracted confession cases. *Psychology, Public Policy, and Law*, 19, 56-69.
4. Blandon-Gitlin, I., Sperry, K., & Leo, R. (2011). Jurors believe interrogation tactics are not likely to elicit false confessions: Will expert witness testimony inform them otherwise? *Psychology, Crime & Law*, 17, 239-260.

Optional readings

1. Brief for the American Psychological Association as Amicus Curiae, *People v. Thomas*, 8 N.E.3d 308 (N.Y. 2014). [And APA summary sheet]
2. Najdowski, C. J., & Bottoms, B. L. (2012). Understanding jurors' judgments in cases involving juvenile defendants: Effects of confession evidence and intellectual disability. *Psychology, Public Policy, and Law*, 18, 297-337.
3. Goff, P. A., Jackson, M. C., Di Leone, B. A. L., Culotta, C. M., & DiTomasso, N. A. (2014). The essence of innocence: Consequences of dehumanizing Black children. *Journal of Personality and Social Psychology*, 106, 526-545.

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Week 11: November 7

Topics to be covered

Jurors & scientific evidence

*****No discussion leader this week*****

Required readings

1. Najdowski & Stevenson—Chapter 11, “Neuroscience and Jury Decision Making” by Hunter, Schweitzer, & Ware
2. Farahany, N. A. (2016). Neuroscience and behavioral genetics in US criminal law: an empirical analysis. *Journal of Law and the Biosciences*, 2, 485-509.
3. Greene, E., & Cahill, B. S. (2012). Effects of neuroimaging evidence on mock juror decision making. *Behavioral Sciences & the Law*, 30, 280-296.
4. Berryessa, C. M. (2017). Jury-eligible public attitudes toward biological risk factors for the development of criminal behavior and implications for capital sentencing. *Criminal Justice and Behavior*, 44, 1073-1100.

Optional Readings

5. Austin, J. L., & Kovera, M. B. (2015). Cross-examination educates jurors about missing control groups in scientific evidence. *Psychology, Public Policy, and Law*, 21, 252-264.
6. Hans, V. P., Kaye, D. H., Dann, B. M., Farley, E. J., & Albertson, S. (2011). Science in the jury box: Jurors’ comprehension of mitochondrial DNA evidence. *Law and Human Behavior*, 35, 60-71.
7. Denno, D. W. (2016). How prosecutors and defense attorneys differ in their use of neuroscience evidence. *Fordham Law Review*, 85, 453-479.

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Week 12: November 14—NO CLASS

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Week 13: November 21—NO CLASS

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Week 14: November 28

Topics to be covered

Jurors & emotion

Discussion leader: MICHAELA HEINTZ

Required readings

1. Najdowski & Stevenson—Chapter 12, “The Role of Emotion and Motivation in Jury Decision Making” by Holloway & Wiener
2. Bandes, S. A., & Salerno, J. M. (2014). Emotion, proof and prejudice: The cognitive science of gruesome photos and victim impact statements. *Arizona State Law Journal*, *46*, 1003-1056.
3. Lynch, M., & Haney, C. (2014). Emotion, authority, and death: (Raced) negotiations in mock capital jury deliberations. *Law & Social Inquiry*, *40*, 377-405.
4. Salerno, J. M., & Peter-Hagene, L. C. (2015). One angry woman: Anger expression increases influence for men, but decreases influence for women, during group deliberation. *Law and Human Behavior*, *39*, 581-592.

Optional Readings

5. Salerno, J. M. (2017). Seeing red: Disgust reactions to gruesome photographs in color (but not in black and white) increase convictions. *Psychology, Public Policy, and Law*, *23*, 336-350.
6. Salerno, J. M., Peter-Hagene, L. C., & Jay, A. C. (in press). Women and African Americans are less influential when they express anger during group decision making. *Group Processes & Intergroup Relations*.
7. Tallon, J. A., Daftary-Kapur, T., & Penrod, S. (2015). Defendant remorse and publicity in capital trials: Is seeing truly believing? *Criminal Justice and Behavior*, *42*, 1282-1302.

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Week 15: December 5

Topics to be covered

Juror stress & satisfaction

Conclusions & future directions

*****No discussion leader this week*****

Required readings

1. Najdowski & Stevenson—Chapter 13, “How Does Jury Service Affect 21st-Century Jurors? A Call to Action for Researchers” by Trescher, Miller, & Bornstein
2. Najdowski & Stevenson—Chapter 14, “Coping with Modern Challenges and Anticipating the Future of Criminal Juries” by Diamond
3. Vidmar & Hans—Chapter 17, “Concluding: The Verdict on Juries”

Optional Readings

4. Lonergan, M., Leclerc, M. È., Descamps, M., Pigeon, S., & Brunet, A. (2016). Prevalence and severity of trauma-and stressor-related symptoms among jurors: A review. *Journal of Criminal Justice*, *47*, 51-61.
5. Deess, P., & Gastil, J. (2009). How jury service makes us into better citizens. *The Jury Expert*, *21*, 51-69.
6. Weiser, B. (2016, August 7). Trial by jury, a hallowed American right, is vanishing. *The New York Times*. Retrieved from <http://www.nytimes.com>

7. Kerr, N. L. (2017). Suggested do's and don'ts for future jury research: A swan song. In M. B. Kovera (Ed.), *The psychology of juries* (pp. ??). Washington, DC: American Psychological Association.

