CRIME AND PUNISHMENT

A. Introduction

This course examines topics in the theory and practice of crime and punishment in contemporary America from the perspective of politics and political theory. The aim of the course is to explore the difficulties and complexities of the ideas of crime and punishment as they operate on a practical level. Special attention is given to the unusual ideological coalitions that form in the debate over the criminal justice system.

The course is divided into 4 sections spread over 17 weeks: (I) Moral foundations of the criminal law, (II) Politics of the criminal law, (III) Politics of the criminal process, and (IV) Edges of the criminal law. Readings are drawn from literature, philosophy, history, economics, political science, and case law. The course will provide an interdisciplinary perspective on the foundation and operation of the criminal justice system. Students will learn the information and skills necessary to criticize elements of the criminal law and criminal procedure and evaluate the merits of various competing theories about the regulation of crime in our society.

B. Course Materials

Course Packet available from bookstore
Online readings available through Blackboard

C. Student Responsibilities and Grades

Students may choose to participate in either a standard or writing intensive version of the course (students enrolled in the honors section of the course must take the writing intensive version).

Final grades for the standard version of the course will be based on four factors:
   Active participation in class discussion (35%)
   Participation on Blackboard (15%)
   Final exam (50%)

Each week students must submit one discussion question to Blackboard along with a personal response to the question no later than noon on Tuesday. Every student is also required to read all the discussion questions and post at least one response to another student’s question before noon on Wednesday. Discussion questions and responses will receive full credit if they demonstrate an understanding of and careful reflection on the course readings.

Students are expected to regularly and actively participate in class discussions. Students should speak at least once during each Wednesday discussion. Classroom discussion should demonstrate an understanding of the reading and reflect a critical analysis of the course material.
Students should engage in respectful debate and offer constructive criticism of the readings and other students.

Final grades for the writing intensive version of the course will be based on the same three factors, except for the final exam. In place of the exam, students taking the writing intensive version of the course will be required to submit the following materials on the dates indicated:

- Paper topic due on March 22 and returned by March 29 (5%)
- 1-page paper outline due on April 5 and returned by April 12 (5%)
- 8-10 page final paper due on April 26 and returned by May 3 (20%)
- Revised 8-10 page final paper due on May 10 (20%)

More information regarding each assignment will be provided later in semester. For each written assignment (regardless of which version of the course you take), papers must be double-spaced, 12-point Times New Roman font, with 1-inch margins. Paragraphs must be indented and must not be separated by a blank line. Papers must use a standard citation system of your choice and include a bibliography. Papers must have a cover page that does not count toward the page total. Written material will be evaluated based on writing quality, organizational structure, logical clarity, and a demonstrated understanding of course material. Class participation will be evaluated based on frequency and quality of in-class discussion. All papers should be emailed to mhall30@slu.edu; written material should not be submitted in hard copy. Students are required to meet all deadlines for course material. Written material submitted within 24 hours of the deadline will be accepted with a 10% grade reduction. WRITTEN MATERIAL WILL NOT BE ACCEPTED MORE THAN 24 HOURS AFTER THE DEADLINE!

Dr. Hall’s office is located in McGannon 154. Office Hours are on Wednesday from 2:30-3:30 p.m. and by appointment.

Of course, all students are expected to abide by the rules of the Academic Honesty Statement. See the Student Handbook for more information.

Students are expected to be honest in their academic work. The University reserves the right to penalize any student whose academic conduct at any time is, in its judgment, detrimental to the University. Such Conduct shall include cases of plagiarism, collusion, cheating, giving or receiving or offering or soliciting information in examinations, or the use of previously prepared material in examinations or quizzes. Violations should be reported to your course instructor, who will investigate and adjudicate them according to the Policy on Academic Honesty of the College of Arts and Sciences. If the charges are found to be true, the student may be liable for academic or disciplinary probation, suspension, or expulsion by the University. Students should review the College of Arts and Sciences policy on Academic Honesty, which can be accessed on-line at [http://www.slu.edu/colleges/AS/](http://www.slu.edu/colleges/AS/) under “Quicklinks for Students” or in hard copy form in the Arts and Sciences Policy Binder in each departmental or College office.

D. Course Format

This course will consist of both a lecture and a discussion component. Readings for each week should be completed before Monday on the week it is due. Most weeks, I will lecture on Monday, and on Wednesday the class will hold a discussion related to an issue in the reading.
E. Weekly Schedule

I. The Moral Foundations of the Criminal Law

John Stuart Mill, On Liberty, Ch. 1, 3, and 4 (This reading can be found for free online).

Week 2. January 20 (NO CLASS ON MONDAY) Case Study: Drunk Driving

Shapiro, ed. 2001. Abortion: The Supreme Court Decisions. Indianapolis, IN: Hackett Publishing. Introduction and the following cases:
  Roe v. Wade (1973)
Webster v. Reproductive Health (1990)
Planned Parenthood v. Casey (1992)

Week 4. February 1-3. Perspectives from Law and History

II. The Politics of the Criminal Law

Week 5. February 8-10. The Politicization of Crime and Punishment

Week 6. February 15-17. The War on Drugs

**Week 7. February 15-17. Punishment Alternatives**
Burke, Kelly. No Date “Drug Forfeiture Laws Work for You!”


**Week 9. Spring Break**

**III. The Politics of the Criminal Process**

**Week 10. March 1-3. The Defendant’s Standpoint I**

**Week 11. March 15-17. The Defendant’s Standpoint II**

**Week 12. March 22-24. The Defendant’s Standpoint III**

**Week 13. April 7 (NO CLASS ON MON). The Politics of Criminal Jurisprudence**


### IV. The Edges of the Criminal Law


**Week 15. April 19-21. Educational Justice**


Saint Louis University Policies and Procedures 1.11 and Code of Student Conduct 2.1-2.15.

University of Missouri System Collected Rules and Regulations, Chapter 200: Student Conduct.


*In Re Gault* (1967).

**Week 17. May 3-5. The Speluncaen Explorers**


**Monday, May 10th 12:00-1:50 p.m. Final Exam**