Justice 300X (CRN 39062)
Ethics and Justice
WINTERmester
January 3-14, 2015

Professor: Dr. J. Robert Duke, DPA, Assistant Professor
Office: 501 D Gruening, Phone: 474-6501, Email: jrduke@alaska.edu
Office Hours: by appointment
Class Meetings: Sat. Jan. 3, 5-9 (M-F), 12-14 (M-W), 8:00 a.m. - 1 p.m.,
Gruening 408

Course Description

This course is designed to familiarize students with some of the theories used to analyze
the ethical nature of conduct. Additionally, the course will explore the ethical problems and
challenges encountered in the various components of the justice system (law enforcement,
litigation, sentencing, corrections, and policy making). While short in duration, the nature of
a two-week three credit course is intensive. Diligence is required, and there is no room for
procrastination.

Course Objectives

This course has two primary purposes: 1) to acquaint students with traditional models for
assessing the ethical nature of conduct, and develop an ability to apply the models; and 2)
familiarize students with ethical issues which arise throughout the criminal justice system.

Text


Method of Instruction

This course is presented in dual classroom/web-based format. There is a Blackboard
internet learning site for this course, and each student is enrolled in that site. Students
should access the Blackboard course early and become familiar with its layout. You will be
accessing much of the course instruction material through that site. The syllabus,
assignments, and non-text readings are all available through this website.

**********This is a compressed course so Pre-reading and a Pre-writing
assignment are due before the first day of class. See the end of this
syllabus for these assignments.**********

This course also emphasizes classroom discussion of the ethical concepts and issues
presented by the text and other assigned materials. Class discussions are meant to
emphasis and apply key concepts encountered in your readings and assignments. Consequently, it is critical that students attend class regularly and come prepared, having read and thought about the appropriate reading assignments. Attendance will be recorded, as will discussion participation, and comprise a component of the final grades for the course. In grading participation, the quality, as well as the quantity, of participation will be considered.

All email communication between the instructor and the students will be addressed to the students' UAF webmail accounts. Personal hotmail, gmail, yahoo, etc. accounts will not suffice. Students must set up their UAF webmail accounts by the second day of class. You will have access to all your classmates' emails through the Blackboard site.

During the course students will be assigned two writing assignments [one as a short group assignment (shared with the class on Day 6) and the other a research paper 8-10 double-spaced pages—due January 14th at Midnight]. These assignments are weighted heavily considering both substance/content and correct grammar/punctuation (see rubric in Black Board). There will also be an ethics debate assignment at the end of week 2 (see rubric in Black Board). Finally, you will be given one exams and one reflective essay (Exam on Day 6, Reflective Essay Due on Day 9) that cover the materials from the assigned readings, guest presentations, and class discussions. The pre-assignment discussion board is also graded.

**Grades**

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Weight</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-assignment Discussion Board</td>
<td>2.5%</td>
<td>25 points</td>
</tr>
<tr>
<td>Exams/Reflective Essay</td>
<td>30%</td>
<td>300 points</td>
</tr>
<tr>
<td>Group Presentation Code of Ethics</td>
<td>7.5%</td>
<td>75 points</td>
</tr>
<tr>
<td>Paper</td>
<td>20%</td>
<td>200 points</td>
</tr>
<tr>
<td>Ethics Debates</td>
<td>25%</td>
<td>250 points</td>
</tr>
<tr>
<td>Participation</td>
<td>15%</td>
<td>150 points</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>1000 points</strong></td>
</tr>
</tbody>
</table>

**Grading Scale**

- 97% and 100% (A+) (e.g. 970 to 1000 points)
- 94% and less than 97% (A)
- 90% and less than 94% (A-)
- 87% and less than 90% (B+)
- 84% and less than (87%) (B)
- 80% and less than 84% (B-)
- 77% and less than 80% (C+)
- 74% and less than 77% (C)
- 70% and less than 74% (C-)
- 67% and less than 70% (D+)
- 64% and less than 67% (D)
- 60% and less than 64% (D-)
-
Disability Services

The Office of Disability Services (203 WHIT, 474-7043) implements the Americans with Disabilities Act (ADA), and insures that UAF students have equal access to the campus and course materials. Students with disabilities are encouraged to contact the office so that reasonable accommodations can be arranged.

Course Policies

a. Plagiarism

Plagiarism will not be tolerated and will adversely impact your grade. Plagiarism consists of representing the work of another as your own. You are encouraged to use the work of others, but give appropriate credit to the “true” author through proper citation or use of quotations.

b. Classroom Conduct

Students are required to read and abide by the Student Code of Conduct. Students are required to assist in fostering a suitable learning environment in the classroom. This means students are required to silence pagers and cell phones during class, not text during class, nor participate in any other activity that will distract those around you. Profanities, rude and other dismissive statements, gestures, or actions will not be tolerated and subject the offender to removal from class. Open and vigorous debate of the topics is encouraged, but so is civility.

*****Tentative Reading and Assignment Schedule******

Note: The Readings and Assignments are subject to change and/or be adjusted according to need as perceived by the instructor. We will discuss any changes to the schedule in class. Students should come to the first day of instruction having read the first two chapters of the text. In addition, each student should complete the first discussion board/pre-assignment (see the Start Here Menu to the left of the Home Page Screen).

Pre-assignment/Discussion Board:
Write a one paragraph describing your own personal ethic. Feel free to include any religious, ideological, parental, or other influences in your definition. Also, introduce yourself to the class by discussing your degree, your current occupation, your passions, and anything else you’d like to share. Read and comment to two other colleagues in the class.

Here’s my personal ethic as an example:
“It’s much more complicated than this, I advocate a position of a continued search for the most reasonable ways to handle human interactions. This sometimes leads to conflicts of interest (and, unfortunately, open conflict). When these “conflicts of interests” arise, I advocate a micro (personal) and macro (the entire civil society) method of seeking out alternatives that do the best job of upholding human dignity. Unlike John Rawls, I am not confident that human kind can always set aside these conflicts of interest; especially for big issues like civil rights, slavery, etc. So, I have abandoned the idea of pretending that we all have not yet been born (the original position) and devising a system that protects the weakest without hurting any other groups or individuals. Amartya Sen’s idea (borrowed from Adam Smith) of an imaginary impartial arbitrator is equally implausible to my way of thinking. Instead, I advocate the idea of a system of dispute resolution that codifies a way for individuals and groups to imagine the “final position”, e.g. every generation dies all too soon and another generation takes our place. Like the ancient Roman values of Auctoritas (ability to rally support), Dignitas (worthiness), Pietas (devotion), and Gravitas (depth of personality), I think that it is only with great attention to the detail of taking care of each other and taking care of our children’s birthright that we can find ethical behavior. I think we do this by remembering that it is our duty to leave a world better for all children, not just our own. I think by focusing on the fact that once dead (I know pretty morbid :P), none of the infighting will matter for this generation. The infighting gives us nothing but internal and external strife. Given this, it’s in all our best interests to find solutions that will make it possible for our children to never know these intractable dilemmas (see an example below of how this might work). From a micro position, for individual decisions, I try to find the human dignity in the problem and enhance it in some way.

I recognize that all of this is a tall order—not just to do—but also to clearly explain. I welcome your thoughts and questions. I don’t completely understand it all myself...I certainly understand how some religions bang gongs or light incense to express thoughts, prayers, and feelings that can never fully be expressed in words. Together as we move through this class I hope each of us can help one another light some incense.

Appendix:
Consider a conflict among heirs to property (micro) or two countries or ethnic groups (macro) fighting over territory: Perhaps by using timed solutions: i.e., starting today I build no more improvements on the contested property or soil (maintaining it properly during that entire time), in 10 years ownership of the contested property/territory passes to you, but I get to rent at extremely low rates for an additional 10 years (while you make reasonable efforts to maintain the property/territory), then at market rates for the following 10 years, after which I must vacate the territory or buy the properties from the owners, etc. In this manner, the current generations find ways to live together (trading theoretical rights for income; and income for peace) while also ensuring that the next generation grows up knowing that the relationship will be different (and hopefully learning to accept it).

If we had done this in 1776, as George Washington and others proposed, we might have eliminated slavery without a civil war. For instance, in 1789, we could have prohibited any future imports of slaves. In 1810 (Washington figured we wouldn’t be strong enough to fight off an interfering European superpower for 20 years—he was right—see War of 1812), we could have agreed that no slaves could be acquired even by birth (children born to slaves would have been free) and anyone still enslaved in 1830 would automatically be freed. I’d have gone further faster, but let’s face it, I have the benefit of 20:20 hindsight and the luxury of being able to claim I would be more righteous than my predecessors.

References:
Day 1 (Saturday, January 3)  
Exploratory thoughts on ethics, and traditional ethical theories: Chapter 1 (Ethics, Crime, and Justice: An Introductory Note to Students); and Chapter 2 (Utilitarian and Deontological Approaches to Criminal Justice Ethics)

Day 2 (Monday, January 5)  
Peacemaking approach to ethics: Chapter 3 (Peacemaking, Justice and Ethics); Chapter 14 (Restorative Justice and the Peacemaking Ethic); Differing Ethical Perspectives Inherent in the Criminal Justice System. Discussion of Crime Control vs. Due Process Models and Personal vs. Professional Ethics

**Writing Assignment 1**, due Thursday, Jan. 8th by Midnight via Black Board.

Day 3 (Tuesday, January 6)  
Differing Ethical Perspectives Inherent in the Criminal Justice System. Discussion of Crime Control vs. Due Process Models and Personal vs. Professional Ethics cont.’d; Ethical Issues in Policing: Chapter 4 (How Police Officers Learn Ethics); Chapter 6 (Using Ethical Dilemmas in Training Police);

Day 4 (Wed., January 7)  
Ethical Issues in Policing cont.’d: Chapter 7 (Police Ethics, Legal Proselytism, and the Social Order: Paving the Path to Misconduct); Chapter 5 (Deception in Police Interrogation);

*Read Day 4 supplemental materials on Blackboard*

Day 5 (Thur. January 8)  
Ethics and the Courts: Chapter 8 (What Ever Happened to Atticus Finch? Lawyers as Legal Advocates and Moral Agents); Chapter 9 (Prosecutor Misconduct)

* Writing Assignment #1:

**Group Writing Assignment: Developing a Code of Ethics for an Agency:**
Developing a Code of Ethics. You will draft a Code of Ethics for an imaginary Justice agency. You can decide what type of Justice Agency you want to be: Police, Probation, Corrections, Prosecution, Public Defender, etc. Knowing what you know now, come up with a code that your people can live by.

A Code of Ethics identifies the values of an organization. Anything that affects the ethics of an organization are appropriate standards for agencies to address (i.e., financial integrity, ethics, relationships within the agency, interactions with other agencies and the public, etc.). Limit yourself to about 10 rules. For example, you might start out by saying something like:

1. We will not break the law in order to enforce the law.

2. We will not forget who put us here.

3. Etc.

List any rules that are important to you. Be prepared to present your code in class on the 10th meeting, January 15th, 2014.

- Read Day 5 supplemental materials on Blackboard
- Crawford Slip Method to develop the mid-term exam.

Day 6 (Friday, January 9)
Ethics and the Courts cont.’d: Chapter 10 (Criminal Sentencing: Goals, Practices, and Ethics); Chapter 11 (Crime and Punishment: Punishment Philosophies and Ethical Dilemmas)

Read Day 6 supplemental materials on Blackboard
- Exam #1 - In the classroom

Day 7 (Monday, January 12)
Ethics and the Courts cont.’d: Chapter 12 (To Die or Not to Die: Morality, Ethics, and the Death Penalty); Ethical Issues in Corrections: Chapter 13 (Ethical Issues in Probation, Parole, and Community Corrections)

Read Day 7 supplemental materials on Blackboard

Guest visit from local probation officer
Day 8 (Tuesday, January 13)  Ethical Issues in Corrections cont.’d: Chapter 15 (Keeping an Eye on the Keeper: Prison Corruption and its Control); Chapter 16 (Ethics and Prison: Selected Issues)

Read Day 8 supplemental materials on Blackboard

Crawford Slip Method to study for the reflective essay assignment.

Begin Ethical Debates

Day 9 (Wed., January 14)  The Future of the Justice System: Ethical Issues on the Horizon: Readings to be announced

Read Day 9 supplemental materials on Blackboard

Writing Assignment #2 – due on Saturday, January 11th by 5:00 p.m. via email to the professor

Ethics Debates

*****Final Paper*****

Due on January 14th at Midnight

Research paper on an Ethics Topic or Case Study related to the Justice System; or, a topic approved in advance by the instructor.