

Justice 300X Ethics and Justice

Fall (AUGUSTmester) 2020

Professor: Dr. J. Robert Duke, DPA, Assistant Professor

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19: working from home: 209-304-8269 cell/text)

Office Hours: by appointment

Class Meetings: August 10-21, Mon; Wed; Fri 10:00 a.m. to 1:45 p.m.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9	10	11	12	13	14	15
16	17	18	19	20	21	22

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

Justice Crime and Ethics, Braswell et.al., Seventh Edition, ISBN # 978-1-4377-3485-0

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.

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 one **writing** assignment (a short group assignment shared with the class on Day 5). These assignments are weighted heavily considering both substance/content and correct grammar/punctuation (see rubric in Black Board). There will also be an **oral presentation** assignment at the end of week 2 (see rubric in Black Board) on ethics as it pertains to a field of your choice or an ethical issue related to your field. Finally, you will be given a **final exam** that covers the materials from the assigned readings, guest presentations, and class discussions. One **reflective discussion board** is due on the Sunday following Week 1 (Aug. 18, 11:59 p.m.)

Grades

Reflection & Discussion	30%	300 points
Code of Ethics	10%	100 points
Presentation/Prezi	30%	300 points
Final Exam	30%	200 points
Attendance	10%	100 points
Total:		1000 points

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-)
0% and less than 60% (F)

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 (in Zoom) having read the first two chapters of the text. In addition, each student should complete the first discussion board (see the Start Here Menu to the left of the Home Page Screen).**

Week 1 Reflective Discussion Board:

- a. Write a short definition describing your own personal ethic. Feel free to include any religious, ideological, parental, or other influences in your definition.
- b. Discuss how your ethical model was impacted, if at all, by the first week's ethical discussions and lectures; and,
- c. Read and comment to two other colleagues in the class. Discussion leaders, who post to more than two colleagues will be awarded extra points.

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:

Rawls, John, A Theory of Justice, 1971 (Harvard Press).

Sen, Amartya, The Idea of Justice, 2009 (Harvard Press)."

Day 1

1. 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)
2. 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

Day 3

1. 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);
2. 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);

Day 5 *John Rawls, et. al.*

Developing a Code of Ethics. We will discuss 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. Turn in on Black board as a powerpoint or word document.

Weekend: Select and begin working on your presentation

Monday Day 6

1. Ethics and the Courts: Chapter 8 (What Ever Happened to Atticus Finch? Lawyers as Legal Advocates and Moral Agents); Chapter 9 (Prosecutor Misconduct)
2. Ethics and the Courts cont.'d: Chapter 10 (Criminal Sentencing: Goals, Practices, and Ethics); Chapter 11 (Crime and Punishment: Punishment Philosophies and Ethical Dilemmas)

Wednesday Day 8

1. 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)
2. 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)

Friday Day 10

1. The Future of the Justice System: Ethical Issues on the Horizon: *Readings to be announced*
2. *Presentations (electronic recordings turned in on Blackboard is also acceptable)*
3. *Final exam completed online in Blackboard*

All assignments are due on Sunday at the end of Week 2 (Aug. 23, 11:59 p.m.). No late work will be accepted.

SUPPORT SERVICES

UAF eLearning Student Services helps students with registration and course schedules, provides information about lessons and student records, assists with the examination process, and answers general questions. Our Academic Advisor can help students communicate with instructors, locate helpful resources, and maximize their distance learning experience. Contact the UAF eLearning Student Services staff at 907. 455.2060 or toll free 1.800.277.8060 or contact staff directly – for directory listing see: <http://elearning.uaf.edu/contact>

UAF Help Desk

Go to <http://www.alaska.edu/oit/> to see about current network outages and news.

Reach the Help Desk at:

- e-mail at helpdesk@alaska.edu
- fax: 907.450.8312
- phone: 450.8300 (in the Fairbanks area) or 1.800.478.8226 (outside of Fairbanks)

Student protections and services statement: Every qualified student is welcome in my classroom. As needed, I am happy to work with you, disability services, veterans' services, rural student services, etc to find reasonable accommodations. Students at this university are protected against sexual harassment and discrimination (Title IX), and minors have additional protections. For more information on your rights as a student and the resources available to you to resolve problems, please go the following site: www.uaf.edu/handbook/

DISABILITIES SERVICES

The **UAF Office of Disability Services** operates in conjunction with UAF eLearning. Disability Services, a part of UAF's Center for Health and Counseling, provides academic accommodations to enrolled students who are identified as being eligible for these services.

If you believe you are eligible, please visit their web site (<http://www.uaf.edu/disability/>) or contact a student affairs staff person at your local campus. You can also contact Disability Services on the Fairbanks campus by phone, 907.474.5655, or by e-mail (uaf-disabilityservices@alaska.edu).

TITLE IX PROTECTION

University of Alaska Board of Regents have clearly stated in BOR Policy that discrimination, harassment and violence will not be tolerated on any campus of the University of Alaska. If you believe you are experiencing discrimination or any form of harassment including sexual harassment/misconduct/assault, you are encouraged to report that behavior. If you report to a faculty member or any university employee, they must notify the UAF Title IX Coordinator about the basic facts of the incident.

Your choices for reporting include:

1. You may access confidential counseling by contacting the UAF Health & Counseling Center at 474-7043;
2. You may access support and file a Title IX report by contacting the UAF Title IX Coordinator at 474-6600;
3. You may file a criminal complaint by contacting the University Police Department at 474-7721.

Rubrics:

1. Writing Rubric:

	Outstanding	Satisfactory	Does Not Meet Standard
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Timeliness and Depth of Analysis 40%	Responds to question by Thursday with 100 – 200 words. Fully developed analysis.	Responds to question by Friday with 100 – 200 words. Presents a good argument for one ethical style.	Responds in any length to question by Sunday deadline. Applies personal ethical model, but does not bring in theoretical models.
Application of Theory 45%	Postings consistently demonstrate that the student is reading the source and others' posts.	Inconsistent demonstration of thought regarding the source material and classmates' posts, but when it's there, it does demonstrate some reflection and cognition.	Lack of demonstration of thought regarding source material and/or classmates' posts. Posts appear to be rushed, without reflecting serious thought or effort.
Use of Source Materials 10%	Postings consistently incorporate references to the text, source material and own research.	Posts sometimes draw on specific information from source material. Posts may not always use examples or independent research.	Posts rarely or never draw on specific information from source material. Posts generally do not use accurate or relevant examples.

Mechanics 5%	Posts are well organized using proper grammar and formal writing mechanics.	Posts are inconsistently organized. There are some run-on paragraphs or stream of consciousness writing. Posts may have some grammar, spelling, and/or punctuation mistakes. The tone posts reflects formal writing but may have some informal elements.	Posts show little if any organization, and/or frequent spelling, grammar, or punctuation mistakes.
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2. Presentation/Debate Rubric

PRESENTATION RUBRIC

	Expert	Good	Emerging
Organization & Analysis 40%	90-100% (22.5 to 25 points)	80-89% (20 to 22.4 points)	60-79% (15 to 20 points)

<ul style="list-style-type: none"> • Introduction and closing • Evidence of preparation. • Appropriate application of aids, etc. 	<ul style="list-style-type: none"> • Clear thesis and argument support in intro/closing • Delivery flawless • Uses support material to advance arguments 	<ul style="list-style-type: none"> • Clear topic conveyed in intro/closing • Good presence but some flaws. • Consider adding more photos to better engage the audience. 	<ul style="list-style-type: none"> • Intro and closing present • Grace under fire
Communication 20%			
<ul style="list-style-type: none"> • Speaking • Grammar/Word Choices • Evidence of Practice • Body language and eye contact 	<ul style="list-style-type: none"> • Speaks clearly • Uses excellent grammar and appropriate word choices. • Shows strong evidence of practice (note cards) • Uses proper body language and eye contact 	<ul style="list-style-type: none"> • Mostly speaks clearly • Mostly uses correct Grammar/Word Choices • Evidence of Practice • Body language and eye contact 	<ul style="list-style-type: none"> • Audience sometimes strains to hear • Needed more practice
Presentation Aids 40%			
<ul style="list-style-type: none"> • Information in presentation Handout(s) 	<ul style="list-style-type: none"> • All info covered • Clear and concise handout 	<ul style="list-style-type: none"> • Covers info • Good handout 	<ul style="list-style-type: none"> • Some info covered presentation • No handout but clear slides

TOTAL: _____

