SYLLABUS

WRONGFUL CONVICTIONS
Fall: 2010
Mondays 11:00am-12:50pm

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DESCRIPTION AND OBJECTIVES

Wrongful Convictions is run in conjunction with the Innocence Project of Minnesota. Its purpose is to educate students about the causes of wrongful convictions as well as their remedies. It will also provide students with an opportunity to practice some litigation techniques in the safety of a classroom setting. The reading materials cover such topics as unreliable eyewitness identifications, false confessions, snitch testimony, ineffective assistance of counsel and racial bias in the court system. Students are expected to perform in-class exercises such as cross-examining eyewitnesses regarding identification issues, challenging confessions, cross-examining informants and conducting jury voir dire for racial bias. Finally, students will be required to evaluate an inmate application for assistance submitted to the Innocence Project of Minnesota as part of their grade.

TEXT: Scheck, Dwyer, Neufeld, Actual Innocence: When Justice Goes Wrong and How To Make It Right; and regular assigned readings posted on TWEN.

GRADES: **Final assignment**: From case materials* provided, students will prepare a case summary according to program format. Final written project is due at the beginning of the last day of class.

Assignment will be "take home"; however, you are expected to work alone.

Class participation: Attention to reading assignments shown through insightful comments during class and active participation in exercises will affect your grade. Excellent class participation will increase your grade one level (e.g. A- becomes an A). Poor class participation will decrease your grade one level (e.g. B- becomes a C+).

Late or missing assignments will receive no credit absent extraordinary circumstances.

> *Please note you must be willing to sign and abide by the terms of a confidentiality agreement related to the case materials you will be working on. You will be required to return those materials. Students unwilling or unable to abide by those terms and conditions should notify the instructor immediately.

Attendance will be taken daily. In addition to the effect it could have on the participation portion of your grade, excessive absences could result in a lower grade or non-passing grade. Excessive absence is defined as missing 2 or more classes.

COMPUTER USE POLICY: Because the value of this class is highly dependent upon intensive interaction among the participants, computer use should be limited to taking notes or looking up information related to the class discussion. However, any other use of the computer or the internet is prohibited during class time because it is distracting for the rest of the class.

****PLEASE BE SURE TO CHECK TWEN FOR SUPPLEMENTAL READING****

*****BEWARE – THE ATTACHED SCHEDULE IS SUBJECT TO CHANGE.**
I WILL KEEP YOU UPDATED IN CLASS*****

August 23, 2010:	**ADVANCE ASSIGNMENT** - Introduction to Wrongful Conviction: overview and innocence project research. Ch. 1. of book and Appendix 2 and TWEN readings.
August 30, 2010:	Eyewitness Identification: Memory, process and factors that can affect reliability. Ch. 3. and TWEN
September 13, 2010:	False Confessions: How can a police interrogation result in a false confession? Ch. 4. and TWEN
September 20, 2010:	Counsel for the Poor: Failure of states to provide for capable counsel for the indigent and its effect: wrongful convictions. Ch. 9. and TWEN
September 27, 2010:	Finish Counsel for the Poor, False Confessions and Eyewitness Identification.
October 4, 2010: (two topics covered this class – keep reading)	Government Misconduct and Wrongful Convictions: How abuse of prosecutorial powers can result in wrongful convictions. Ch. 8. and TWEN
October 4, 2010:	Informants and Cooperators: Abuse of jailhouse informants and wrongful convictions; Remedies. Ch. 6. see TWEN.
October 11, 2010:	Forensic Science and Wrongful Convictions: Logic of forensic science; flaws in forensic sciences; and lack of data establishing reliability of tests. Ch. 5, 7. and TWEN
October 18, 2010:	DNA Testing and Innocence: How DNA evidence, proof positive that the defendant is "actually innocent," works. Ch. 2. and TWEN.
October 25, 2010:	Habeas Corpus and Post-Conviction Remedies: Can you still be in prison if you can show that you are "actually innocent?" see TWEN. Sample assignment distributed in class.
November 1, 2010:	Media and Wrongful Convictions.
November 8, 2010:	Discussion of Media and Wrongful Convictions. Discuss sample assignment and review habeas.
November 15, 2010:	Innocence and the Death Penalty: Ch. 11 and TWEN. Final Assignment distributed in class.
November 22, 2010:	Innocence and Race: Ch. 10. and TWEN.
November 29, 2010:	Starting Over: Ch. 12, 13, 14, Appendix 1 and TWEN. Final Assignment Due.