

**Psychology and Law**  
Legal Studies 181 ♦ Fall Semester 2013  
Tues/Thurs 11-12:30pm, 106 Stanley

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Location: Café Zeb

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Location: Café Zeb

## **COURSE DESCRIPTION**

This course offers a survey of theory and empirical research in psychology and law. Throughout the course we will examine the implications of psychological theory and research for legal theory and for a variety of policies, procedures, and practices within the legal system. The course will draw on research in social, cognitive, and clinical psychology to examine evidence law (e.g., eyewitness testimony, polygraphy, expert testimony), procedure (e.g., line-ups, trial conduct, jury selection, settlement negotiations), and various topics in criminal law, tort law, anti-discrimination law, family law, and other areas. We will also address the concepts of intent, responsibility, deterrence, retribution, racial bias, and procedural and distributive justice.

## **REQUIREMENTS**

- **Section (20%)**
  - Section attendance and participation will be considered in grading. You are expected to attend and participate actively in all discussion section meetings and complete section assignments. If you must miss a class meeting, please notify your GSI as soon as you know that and indicate the cause of your absence. Unexcused absences will detract from your section grade. You should plan to attend the section for which you are registered.
- **Paper (20%)**
  - An 8-page paper (double-spaced) on a topic of your choosing combining psychology and law will be due on the first day of RRR week: December 9, 2013 (more specific guidelines to be distributed later in the semester). GSIs will provide feedback on topics submitted to them via bspace on or before November 21, 2013. All papers should be submitted on bspace. We will be unable to accommodate requests for paper extensions.
- **Exams (60% of total)**
  - One midterm (25%) will assess your knowledge of course material and will ask you to analyze theoretical and empirical facts, debates, and interpretations covered in the course. It will employ a combination of multiple-choice, fill-in-the-blank or short answer, and short essay. The midterm will take place in the 8th week of the course (Oct 17). Test questions may come from any aspect of the course (e.g., lectures, videos, class activities, the textbook, and supplemental readings).
  - The Final Exam (35%) will take place Wednesday, December 18, 2013 from 8-11am. The final exam will include a "midterm" covering mostly the second half of the course *plus* one cumulative essay question giving you the opportunity to apply general knowledge gained in the course. Some material will naturally be relevant throughout the course, so the non-essay section of the exam will not be completely non-cumulative; however, it will focus on material learned in the second half of the course.

**COURSE POLICIES:**

- If you will request academic accommodations, please inform the professor at the beginning of the semester. Requests for religious accommodation should be submitted directly to the professor at the beginning of the semester. It is the student’s responsibility to notify the instructor in writing by the second week of the semester of any potential conflict of an exam with an extracurricular activity.
- Please familiarize yourself with the University’s academic honesty policy. *The penalties for academic dishonesty are severe and ignorance is not an acceptable defense.*
- Please turn off cell phones and restrict use of technology to course-relevant activities in class.
- You are expected to attend lecture on a regular basis (and on time) on Tuesdays and Thursdays, though I will not take attendance or penalize you for missing class. I will post slide handouts after class, but these are meant as a study aid and not as a substitute for attendance. I urge you to become an active participant in discussions and activities to enhance your learning experience.

**TOPICS AND READINGS**

Students should obtain the following book:

Greene & Heilbrun, *Wrightsman’s Psychology and the Legal System* (8<sup>th</sup> edition). Cengage learning.

All other readings will be posted on b-space. This is a tentative schedule and list of readings and will change throughout the semester. You will be informed of all changes in advance. Exam dates are firm.

Week	Date	Topic	Reading
<b><u>I. Introductions</u></b>			
1	Aug 29	Course Overview	CH 1  CH 2, 8 (good background material)  NO SECTIONS THIS WEEK
2	Sep 3	Methods in Psychology	
<b><u>II. Psychology of the Courtroom</u></b>			
2	Sep 5	Eyewitness Identification and Memory  (e.g., memory, accuracy, confidence, line-ups, cross-race identification)	CH 5  Wells, G. L., et al. (2000). From the lab to the police station: A successful application of eyewitness research. <i>American Psychologist</i> , 55, 581-598.  Bornstein, B. H., & Hamm, J. A. (2012). Jury instructions on witness identification. <i>Court Review: The Journal of the American Judges Association</i> , 48, 48-53.  Loftus, E. F. (1997). Creating false memories. <i>Scientific American</i> , 11, 70 – 75.

			Meissner, C. A., & Brigham, J. C. (2001). Thirty years of investigating the own-race bias in memory for faces: A meta-analytic review.
3	Sep 10	Eyewitness Identification and Memory	CH 5
3	Sep 12	Eyewitness Identification and Memory	CH 5
4	Sep 17	Evaluating Forensic Evidence and Expert Testimony	CH 11  Vidmar & Diamond (2001) Juries and expert evidence. <i>Brooklyn Law Review</i> .  Cooper, J. & Neuhas, I.M. (2000). The “Hired Gun” Effect: Assessing the effect of pay, frequency of testifying, and credentials on the perception of expert testimony. <i>Law and Human Behavior</i> , 24, 149-171.
4	Sep 19	Evaluating Forensic Evidence and Expert Testimony	CH 11
5	Sep 24	Jury Selection  (pretrial publicity, jury diversity, scientific jury selection)	CH 12  Lieberman, J. D. (2011). The utility of scientific jury selection: Still murky after 30 years. <i>Current Directions in Psychological Science</i> , 20, 48-52.
5	Sep 26	Juror Decisionmaking, Deliberation, and Bias  (story model, group polarization, conformity, minority influence, bias)	CH 13  MacCoun, R. J. (1989). Experimental research on jury decision making. <i>Science</i> , 244, 1046-1050.  Pennington, N., & Hastie, R. (1992). Explaining the evidence: Tests of the story model for juror decision making. <i>Journal of Personality and Social Psychology</i> , 62, 189-206.  Waters, N.L., & Hans, V.P. (2009). A jury of one: Opinion formation, conformity, and dissent on juries. <i>Journal of Empirical Legal Studies</i> , 6, 513-540.  Sommers, S. R. (2007). Race and the decision-making of juries. <i>Legal and Criminological Psychology</i> , 12, 171-187.
6	Oct 1	Juror Decisionmaking, Deliberation, and Bias	CH 13

6	Oct 3	Inadmissible Evidence and Jury Nullification	CH 13  Lieberman, J. D., & Arndt, J. (2000). Understanding the limits of limiting instructions: Social psychological explanations for the failures of instructions to disregard pretrial publicity and other inadmissible evidence. <i>Psychology, Public Policy, and Law</i> , 6, 677-711.
7	Oct 8	Jury Awards	CH 13  CH 8 (pp. 186-188)  Greene, E., & Loftus, E. (1998). Psycholegal research on jury damage awards. <i>Current Directions in Psychological Science</i> , 7, 50-54.
7	Oct 10	Comparing Judges and Juries	CH 12  Robbenolt, J. (2002) Punitive damage decision making: The decisions of citizens and trial court judges. <i>Law and Human Behavior</i> , 26, 315-41.
8	Oct 15	Catch up day	
8	Oct 17	<b>*IN-CLASS MIDTERM*</b>	
<b>III. Psychology of Crime and Punishment</b>			
9	Oct 22	Theories of Crime, Responsibility, and Agency	CH 3  CH 2 (pp. 28-30)  Nadler, J. & Hunter-McDonnell, M. (2012). Moral character, motive, and the psychology of blame, <i>Cornell Law Review</i> , 97, 255-304.  Alicke et al. (2008). Culpable control and counterfactual reasoning in the psychology of blame. <i>Personality and Social Psychology Bulletin</i> , 34, 1371-1381.
9	Oct 24	Theories of Crime, Responsibility, and Agency	
10	Oct 29	Police investigations: Interrogations, Confessions, Detecting Deception	CH 7  Ekman, P., & O'Sullivan, M. (1991). Who can catch a liar? <i>American Psychologist</i> , 46, 913-920.

			<p>Langleben, D. D., &amp; Moriarty, J. C. (2013). Using brain imaging for lie detection: Where science, law, and policy collide. <i>Psychology, Public Policy, and Law</i>, 19, 222-234.</p> <p>Kassin, S. M. (1997). The psychology of confession evidence. <i>American Psychologist</i>, 52, 221 – 233.</p> <p>Lassiter, G. et al. (2007). Evaluating videotaped confessions. <i>Psychological Science</i>, 18, 224-226.</p>
10	Oct 31	Police investigations: Interrogations, Confessions, Detecting Deception	CH 7
11	Nov 5	Race and policing	<p>Alexander, M. (2010). <i>The New Jim Crow</i>. (selection)</p> <p>Correll, J. et al. (2002). The police officer's dilemma: Using ethnicity to disambiguate potentially threatening individuals. <i>Journal of Personality and Social Psychology</i>, 83, 1314-1329.</p>
11	Nov 7	Competence and the Insanity Defense	CH 10
12	Nov 12	Theories of Punishment and Behavioral Control: Deterrence, Retributive Justice, Death Penalty Verdicts	<p>CH 14</p> <p>Carlsmith, K. (2006). The roles of retribution and utility in determining punishments. <i>Journal of Experimental Social Psychology</i>, 42, 437-451.</p>
12	Nov 14	Theories of Punishment and Behavioral Control: Norms and Social Influence	<p>Cialdini, R. B. (2006). <i>Influence</i>. (selection)</p> <p>Cialdini, R.B. (2003). Crafting normative messages to protect the environment. <i>Current Directions in Psychological Science</i>, 12, 105.</p>
13	Nov 19	Theories of Punishment and Behavioral Control: Harm Reduction	MacCoun, R. (1998). Toward a psychology of harm reduction. <i>American Psychologist</i> , 53, 1199-1208.
<b>IV. Broadening Perspectives on Law and Psychology</b>			
13	Nov 21	Bias in the Legal System	<p>Judge Nancy Gertner &amp; Melissa Hart, Employment law: Implicit bias in employment litigation (pp. 80-94). In J. Levinson &amp; R. Smith, <i>Implicit Bias across the Law</i>. Cambridge University Press.</p> <p>Glaser, J. (2005). Intergroup bias and inequity: Legitimizing beliefs and policy attitudes. <i>Social</i></p>

			<i>Justice Research, 18.</i>
14	Nov 26	Distributive and Procedural Justice	<p>Ch 2 (pp. 30-32)</p> <p>Tyler, T. (2006). <i>Why people obey the law.</i> (selection)</p> <p>MacCoun, R. J. (2005). Voice, control, and belonging: The double-edged sword of procedural fairness. <i>Annual Review of Law and Social Science</i>, Vol. 1, 171-201.</p>
14	Nov 28	THANKSGIVING	
15	Dec 3	Cultural Perspectives on Law	<p>Levinson J. &amp; Peng, K. (2003). Different torts for different cohorts. A cultural psychological critique of tort law's actual cause and foreseeability inquiries. <i>S. Cal. Interdisc. LJ.</i></p> <p>Miller, Bersoff, &amp; Harwood (1990). Perceptions of social responsibilities in India and the United States: Moral imperatives or personal decisions? <i>Journal of Personality and Social Psychology</i>, 58, 33-47.</p>
15	Dec 5	Conclusions	
Final Exam	Dec 18	Group 9: 8-11AM	