

Department of Criminal Justice and Criminology
CRIJ 5330.03
Critical Analysis of Justice Administration
Sam Houston State University
Spring 2018

PROFESSOR: Mary M. Breaux, Ph.D.
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CLASS HOURS/CLASSROOM: On-Line (Blackboard)
OFFICE HOURS: By Appointment

Required Textbooks:

Caringella, S. (2009). *Addressing Rape Reform in Law and Practice*. NY: Columbia University Press.

Additional Readings: On reserve, as assigned. Consult your syllabus for supplemental articles, reports, and briefs. As with your textbooks, these readings are required. Electronic reserve readings are available through the Newton Gresham Library. Go to the library homepage and click on: "Research," then "My Class: Reserved Materials," and then "Access Electronic Reserves." After that, you'll do a search by the instructor's name (Breaux). You'll be asked to enter a password. The password we have been assigned is: auditing.

Documentary Materials: As partial fulfillment of the requirements for the course, students will be required to view two documentaries and submit critiques/reaction papers. To do so, they must either rent or purchase: 1.) *The Hunting Ground* and 2.) *The Invisible War*. Both are available through Amazon.com. Students may also wish to check Netflix and Hulu for additional viewing options. Consult the "Film Critique" tab on the course homepage for more information.

Course Description: As defined in the graduate catalog, this course critically examines the criminal justice system in the United States. From a feminist theoretical perspective, this section of CRIJ 5330 focuses on sexual assault case processing and was developed, specifically, for the Master of Science in Victim Services Management Program. Moreover, in focusing on sexual assault issues, it also explores how complaints are handled independent of the legal system both on college campuses and in the U.S. military.

Course Objectives: CRIJ 5330 satisfies a core requirement of the Master of Science in Victim Services Management curriculum. Upon course completion, students will have developed the following competencies:

- 1.) an appreciation for the disparities between the “laws on the books” and their practical implementation, particularly with respect to sexual assault case processing; and
- 2.) an understanding of the challenges faced by victims navigating the legal system and in other environments including both the military and college campuses.

Attendance Policy: Unlike a traditional, instructor-led course, this course does not require you to show up to class at a specific time. Instead, you must make a consistent effort to read the chapters and review both the lectures and the videos.

Mandatory Reporting: Under Title IX of the 1972 Education Amendments to the United States Code, I am required to report sexual assault, domestic violence, and stalking to campus administrators. Confidential help is available should you need it through the SHSU Counseling Center, SAAFE House (936.291.3369), or the National Domestic Violence Hotline (1-800-799-SAFE).

Additionally, under Texas law, I am required to report child and elder abuse and the maltreatment of persons with disabilities.

Disclaimer: This course deals with subjects that may be triggering to some students. Should you require assistance, please contact the SHSU Counseling Center: 936.294.1720.

Grading Policy, Scale and Requirements:

Students will be evaluated according to the following criteria:

A.) Weekly Readings: All readings should be completed by the specified due dates. Students may post comments or questions about the readings using the optional discussion forum.

B.) (2) Film Critiques/Reflection Papers: Students will be required to view two critically-acclaimed films and submit critiques/reaction papers. In order to do so, they must either rent or purchase: 1.) *The Hunting Ground* and 2.) *The Invisible War*. Both are available through Amazon.com. Students may also wish to check Netflix and Hulu for additional viewing options. Consult the “Film Critique” tab on the course homepage for more information.

C) (3) Synchronous Discussions: Each student has been assigned to a discussion group. On three separate occasions (during weeks 4, 8, and 12), the group will convene at a mutually-convenient time to dialogue about the material. These discussions will be conducted via Blackboard, in “real time” text-based form. Each synchronous discussion session should last approximately one hour. Synchronous Discussion #1 relates to the “rape kit backlog.” Discussion #2 concerns itself with rape reform (as reflected in the textbook readings). Discussion #3 relates to sexual assault and corrections. [Specific discussion prompts may be found under the “Synchronous Discussion” tab.]

*During the first week of the semester, group members must correspond with one another and set the schedule for each of the sessions. (The discussions must be completed within the particular

windows of time specified in the Course Calendar.) **When scheduling your Week 8 Discussion, be mindful of both Spring Break and SHSU Online's limited hours of operation.**

*Once your schedule is set, have one group member notify your professor of the dates and times for each discussion session. Be sure to identify a Discussion Leader and Co-Leader for each session. (If you do not identify group leaders for each session, your professor will do so once the dates/times are made available.) **Each group is responsible for submitting their time and date preferences to the professor no later than January 24, 2018.**

***Note:** The Group Leader and Co-Leader are not responsible for a disproportionate percentage of the work but rather they are necessary for "facilitating" AND RECORDING the conversation [ex. pressing "record," "stop," and "save" so there is an archived/gradable copy of the transcript. Instructions are provided under the "Synchronous Discussion" tab on the course homepage.]

***Students are advised to "test-drive" the Chat Platform prior to the first discussion session to make sure their computers have all of the necessary plug-ins to accommodate the "chat." Do this sufficiently in advance to avoid technical issues at the last minute.**

Grading: Following each session, feedback assessing the quality of each of these discussions will be given to the group as well as to individual students. Individual participants in each of the sessions will be awarded up to 5 points for each session for a total of 15 semester grade points. These points will be awarded according to the following criteria: **1) Responsiveness (2 points) -** *Do your comments address the central issues raised in the assignment?* **2) Support (2 points) -** *Do you use class readings and other material to help inform your discussions?* **and 3) Involvement (1 points) -** *Do you (individually) contribute to the discussion in a clear and meaningful way?*

In addition to the above, students will earn up to 5 points for serving as a Group Leader or Co-Leader for one discussion session.

*For more information, consult the "Synchronous Discussion" tab on the course homepage.

D.) Midterm Examination: A midterm examination will be used to evaluate student comprehension of course material. The exam will be multiple-choice/true-false variety.

E.) Final Examination: A final examination will be used to assess student mastery of course material. The final will be essay-variety.

***Course Requirements:**

(2) Film Critiques/Reaction Papers
(3) Synchronous Discussions
Midterm Examination
Final (Essay) Examination
Total

***Maximum Point Values:**

30 (15 pts. each)
20 (5 pts/ea. + 5 Group Leader pts.)
25
25
100

***Grading Scale:**

A=100-90
B=89-80
C=79-70
F=69 and below

Make-Up Policy: Late assignments and examinations will not be accepted without the instructor's prior consent.

Communication: The professor will make every attempt to grade student work within one week's time and to respond to student emails within 48 hours (or the following Monday for any emails submitted over the weekend).

Technical Assistance: For technical assistance (including questions about Blackboard), call: SHSU Online at 936.294.2780. You may also contact the technicians via email at: blackboard@shsu.edu. *Please note that SHSU Online's hours of operation are Mon.-Sat., 7am-Midnight. Students are responsible for submitting all assignments by the designated due dates. For other technology-related concerns (ex. issues with your email account, etc.), contact IT@Sam at: 936.294.1950 or helpdesk@shsu.edu. For all course-related questions, please contact your professor.

Annotated Outline of Topics:

**Please Note: This calendar is tentative and subject to change.*

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| Module 1 1/17-1/24 | Sexual Assault: An Overview *Readings: 1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i> . NY: Columbia University Press (Chapters 1-4). *Tasks: <input type="checkbox"/> Review the Module 1 power point. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. <input type="checkbox"/> Introduce yourself and communicate with your group members to coordinate mutually-convenient times and dates for your synchronous discussions. (The discussion sessions should be scheduled during weeks 4, 8 and 12. For the Week 8 Discussion, be mindful of both Spring Break and SHSU Online's limited hours of operation.) **Synchronous Discussion #1 relates to the Rape Kit Backlog. Discussion #2 concerns itself with rape law reform/the textbook readings. Discussion #3 concerns itself with sexual assault and corrections. (Click on the Synchronous Discussion Tabs for further instructions). Nominate one group member to email your professor your discussion time and date preferences by 1/24. |
| Module 2 1/24-2/7 | Sexual Assault Investigations *Readings: |

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| | <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapter 5).</p> <p>2.) Patterson, D. and Campbell, R. (2012). The problem of untested sexual assault kits: Why are some kits never submitted to a crime laboratory? <i>Journal of Interpersonal Violence</i>, 27(11): 2259 –2275. (On Reserve)</p> <p>3.) Maier, S.L. (2012) Sexual assault nurse examiners’ perceptions of their relationship with doctors, rape victim advocates, police, and prosecutors. <i>Journal of Interpersonal Violence</i>, 27(7): 1314 –1340. (On Reserve)</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review the Module 2 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 3 2/7-2/14 | <p>Sexual Assault Investigations (Cont.)</p> <p>*Readings:</p> <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapter 6).</p> <p>2.) Venema, R.M. (2016). Police officer schema of sexual assault reports: Real rape, ambiguous cases, and false reports, <i>Journal of Interpersonal Violence</i>, 31(5): 872 –899. (On Reserve)</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review the Module 3 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 4 2/14-2/21 | <p>Sexual Assault Investigations (Cont.)</p> <p>*Readings:</p> <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapter 7).</p> <p>2.) Patterson, D. (2010). Why rape survivors participate in the criminal justice system. <i>Journal of Community Psychology</i>, 38(2): 191–205. (On Reserve)</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Synchronous Discussion Session #1 (The Rape Kit Backlog) Due this Week (Check Discussion Timetable for Specific Group Times) <input type="checkbox"/> Review the Module 4 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 5 2/21-2/28 | <p>Sexual Assault Case Processing—Screening & Charging Decisions</p> <p>*Readings:</p> <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapters 8-9).</p> |

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| | <p>2.) Spohn, C. and Beichner, D. (2001). Prosecutorial justifications for sexual assault case rejection: Guarding the "gateway to justice," <i>Social Problems</i>, 48 (2): 206-235.</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review the Module 5 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 6 2/28-3/7 | <p>Sexual Assault and the Courts</p> <p>*Readings:</p> <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapters 10-11).</p> <p>2.) Hildebrand, M.M. and Najdowski, C.J. (2014) The potential impact of rape culture on juror decision making: Implications for wrongful acquittals in sexual assault trials, <i>Albany Law Review</i>, 78(3). (On Reserve). Also available at: http://webcache.googleusercontent.com/search?q=cache:vtbo7r97qGMJ:www.albanylawreview.org/Articles/Vol78_3/78.3.1059%2520Hildebrand%2520and%2520Najdowski.PDF+&cd=1&hl=en&clnk&gl=us</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review the Module 6 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 7 3/7-3/14 | <p>Sexual Assault and the Courts (Cont.)</p> <p>*Readings:</p> <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapters 12-14).</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Midterm Exam Due 3/8 (11:59pm CST) (Available 3/7 to 3/14) <input type="checkbox"/> Review the Module 7 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. <input type="checkbox"/> Enjoy your Spring Break (3/12-3/16)! |
| Module 8 3/14-3/21 | <p>Sexual Assault—Sentencing and Post-Adjudication</p> <p>*Readings:</p> <p>1.) Caringella, S. (2009). <i>Addressing Rape Reform in Law and Practice</i>. NY: Columbia University Press (Chapters 15-17).</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Synchronous Discussion Session #2 (Rape Law Reform) Due this Week (Check Discussion Timetable for Specific Group Times) <input type="checkbox"/> Review the Module 8 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |

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| | <p>☐ Enjoy your Spring Break (3/12-3/16)!</p> |
| Module 9 3/21-3/28 | <p>Sexual Assault and Corrections</p> <p>*Readings:</p> <p>1.) Robertson, J. (2011). The “turning out” of boys in a man’s prison: Why and how we need to amend the Prison Rape Elimination Act, <i>Indiana Law Review</i>, 44: 819-852. (On Reserve)</p> <p>2.) Struckman-Johnson, C. and Struckman-Johnson, D. (2013). Stopping prison rape: The evolution of standards recommended by PREA’s National Prison Rape Elimination Commission, <i>The Prison Journal</i>, XX(X): 1-20. (On Reserve)</p> <p>3.) Hill, T. (2014). Sexual abuse in California prisons: How the California Rape Shield fails the most vulnerable populations, <i>UCLA Women’s Law Journal</i>, 21: 89-104. (On Reserve). Also available at: http://webcache.googleusercontent.com/search?q=cache:nErEYwpCIIAJ:escholarship.org/uc/item/5sw7f149.pdf+&cd=1&hl=en&ct=clnk&gl=us</p> <p>4) Human Rights Watch (2001). No Escape: Male Rape in US Prisons. (On Reserve). Also available at: https://www.hrw.org/legacy/reports/2001/prison/report5.html</p> <p>*Tasks:</p> <p>☐ Review the Module 9 power point, lecture, and videos.</p> <p>☐ Complete the reading assignment & post any questions or comments on the optional discussion board.</p> |
| Module 10 3/28-4/4 | <p>Special Topic— Sexual Assault on College Campuses</p> <p>*Readings:</p> <p>1.) Armstrong, E.A., Hamilton, L. and Sweeney, B. (2006). Sexual assault on college campuses: A multi-level, integrative approach to party rape, <i>Social Problems</i>, 53(4): 483-499. (On Reserve). Also available at: http://webcache.googleusercontent.com/search?q=cache:Sefmi2I6f-0J:www-personal.umich.edu/~elarmstr/publications/Armstrong%2520Hamilton%2520and%2520Sweeney%25202006.pdf+&cd=17&hl=en&ct=clnk&gl=us</p> <p>*Tasks:</p> <p>☐ View Documentary (<i>The Hunting Ground</i>) and begin working on Film Critique #1.</p> <p>☐ Review the Module 10 power point and videos.</p> <p>☐ Complete the reading assignment & post any questions or comments on the optional discussion board.</p> |
| Module 11 4/4-4/11 | <p>Special Topic: Sexual Assault on College Campuses (Cont.)</p> <p>*Readings:</p> <p>1.) Anderson, M.J. (2016). Campus sexual assault adjudication and resistance to reform, <i>Yale Law Journal</i>, 125: 1940- 2005. (On Reserve). Also available at: http://www.yalelawjournal.org/feature/campus-sexual-assault-adjudication-and-resistance-to-reform</p> <p>*Tasks:</p> <p>☐ Film Critique #1 (<i>The Hunting Ground</i>) Due 4/11 (11:59pm CST)</p> <p>☐ Review the Module 11 power point, lecture, and videos.</p> |

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| | <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 12 4/11-4/18 | <p>Special Topic—Sexual Assault in the Military</p> <p>*Readings:</p> <p>1.) Cernak, S. (2015). Sexual assault and rape in the military: The invisible victims of international gender crimes at the front lines, <i>Michigan Journal of Gender and Law</i>, 22(1): 207-241. (On Reserve).</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Synchronous Discussion Session #3 (Sexual Assault and Corrections) Due this Week (Check Discussion Timetable for Specific Group Times) <input type="checkbox"/> View documentary (<i>The Invisible War</i>) and begin working on Film Critique #2 <input type="checkbox"/> Review the Module 12 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 13 4/18-4/25 | <p>Special Topic—Sexual Assault in the Military (Cont.)</p> <p>*Readings:</p> <p>1.) Schenck, L. (2014). Informing the debate about sexual assault in the military services: Is the Department of Defense its own worst enemy? <i>Ohio State Journal of Criminal Law</i>, 11: 579-671. (On Reserve)</p> <p>*Tasks:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Film Critique #2 (<i>The Invisible War</i>) Due 4/25 (11:59pm CST) <input type="checkbox"/> Review the Module 13 power point, lecture, and videos. <input type="checkbox"/> Complete the reading assignment & post any questions or comments on the optional discussion board. |
| Module 14 4/25-5/2 | <p>Final Examination</p> <ul style="list-style-type: none"> <input type="checkbox"/> Available on 4/25 (12:00am CST). <input type="checkbox"/> Due no later than 5/2 (11:59pm CST). |

***STUDENT ACADEMIC POLICIES** concerning Attendance, Academic Honesty, Disabled Student and Services for Disabled Students, and Absences on Religious Holy days may be found at: <http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html>

***USE OF TELEPHONES AND TEXT MESSAGERS IN ACADEMIC CLASSROOMS AND FACILITIES POLICY:** <http://www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html>