



CJ 300

Crime, Law & Justice

Spring Semester 2009, 3 credits, Section 1
Tuesday & Thursday, 4:00 – 5:15 p.m.
201 Arts & Letters

Instructor/Course Information:

Instructor: Desiré J.M. Anastasia
Office Location: 172 Professional Studies and Fine Arts Building (PSFA)
Office Hours: Tuesday 2:15 – 3:45 pm, Thursday 5:30 – 6:45 pm, *or by appointment*
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Course Description:

This course will introduce students to the critical cornerstones of the study of criminal justice—and the interplay among them—crime, law, behavior, criminal justice operations, and research methods. The aim is to give students a fundamental understanding of how crime comes to be defined, the causes and correlates of criminal behavior, the mechanisms employed by this and other societies to control crime and treat criminal offenders, and the techniques we use to understand it all. As students progress in the program, they will be able to specialize in courses that expand their understanding of each area.

The study of criminal justice at SDSU is both critical and policy oriented. Accordingly, as we look at each of the four cornerstone areas, we will be especially concerned with both

- (1) the role that society and social forces play with respect to each area, and
- (2) how the questions and issues studied translate into public policy—i.e., the formal and informal rules and procedures that direct decisions and actions. At the conclusion of every discussion, therefore, we will face the all-important policy questions: Why do we do it that way? Is that appropriate? What should we do about it?

1. Crime and society: Law is a vehicle for social engineering; it is not the only or best mechanism of social control.

At the heart of any criminal justice system are the legal and quasi-legal systems by which societies define crime. Laws can be seen as setting the “boundaries” which define social order and setting the rules that society must follow in the prosecution of those accused of crossing those boundaries (i.e., violating the law).

This portion of the course will examine the law as one of many mechanisms of social control. It is neither the only, nor necessarily the best at controlling behavior. Different societies rely to different degrees on law as a mechanism to maintain order. The American system is a particular legalistic one; other societies approach the challenge of social control quite differently.

2. Crime and law: Crime is what we say it is; no more, no less.

Fundamentally, what a criminal justice system is charged with doing is depends upon what a society chooses to define as crime in the first place. In similar fashion, what a criminal justice system looks like and how it operates will depend, in large part, on the kinds of behavior a society has decided to designate as criminal.

There is nothing inherently good or bad about any given behavior. Different societies simply regard them differently. What is criminal in one society may be non-criminal or even normal in another. It is up to the rule making authority(ies) in each society to make that determination. Understanding this reality about crime will be fundamental to your understanding of criminal justice systems and their operation.

3. Crime and behavior: Identifying the causes of crime is both difficult and illusory—difficult because of the complexities of cause and effect, illusory because of the complexities involved in the initial definition of criminal behavior.

The examination of crime and behavior must necessarily flow from an understanding of society's use of law to define crime. We must remember that inasmuch as "crime" is a socially defined concept, one cannot hope to understand why people commit crime without critically examining the social processes by which a society specifies precisely what will be regarded as criminal.

If crime is merely what we say it is, then why a person engages in criminal behavior will depend largely on the kinds of behavior a society decides to label "criminal." Indeed, one popular school of thought posits that society "creates" deviants and criminals by labeling certain behaviors as deviant or criminal. This theory suggests that people don't choose to commit crime; rather society chooses to label the behavior of some people (and not others) as "criminal."

Quite apart from these so-called "social constructionist" theories of crime, there are a host of other much more familiar and intuitive explanations of why people engage in crime. Theorists have identified various physical, biological, psychological, economic, and social factors as at least partially responsible for various forms of criminal conduct. We will explore these theories, as well.

4. Crime and the justice process: Society creates the mechanisms of justice according to our values, in the same fashion it defines crime.

Just as societies "construct" their own notions of good and evil by defining certain things as "crime," societies also construct and empower various institutions to enforce those laws for the ostensible purpose of maintaining social order. What those institutions look like and how they operate depend on the values and beliefs of those social forces who create them in the first place. Just like there is nothing automatic about what should be a "crime," there is nothing automatic about whether a criminal justice system should exist, what it should look like, or how it should operate. Each of these questions is answered by each society; and different societies may answer them differently.

In this portion of the class, we will examine those agents and agencies that have been empowered (particularly, in America) to detect and investigate crime; to apprehend, detain, and adjudicate accused offenders; and to sentence, incarcerate, treat, and supervise convicted offenders. Specifically, we will study the structure and operation of law enforcement, judicial, and correctional components of the so-called "criminal justice system." We will see that the "system" is not really a system, at all, but an amalgam of loosely interrelated parts that are

generally charged with administering criminal justice, but which have very different and distinct roles that may have very little to do with the ultimate goals of the larger system.

We will examine both what these agents and agencies are supposed to do and what they actually do in the pursuit of justice. We will also evaluate the effectiveness with which they carry out their various duties.

5. Crime and research: Truth is about how we define and measure reality.

At the heart of any field of study is, of course, is how we “know” what we think we know about that field, and how we come to know it. Terms like “statistics” and “methodology” tend to strike fear into the hearts of most undergraduates. That is both unfortunate and unnecessary.

First, it is unfortunate because it makes students avoid the very inquiries that lie at the threshold of knowledge—at the foundation of what we “know.” Such inquiries are as essential as they are exciting. You will have fun, from time to time debunking some of the myths that masquerade as “knowledge” in criminal justice, as we critically examine some questions that, at first, look fairly simple. Second, the typical student’s aversion to research is unnecessary, because research principles and concepts are not particularly difficult to understand. One goal of this class is to help students to appreciate the scientific building blocks that enable us to move from facts to knowledge to understanding to wisdom. Unless we critically examine how it is that we have come to know what we think we know, we doom ourselves never to learn more, or worse, we condemn ourselves to believe only what others tell us to believe.

Course Goals & Student Learning Outcomes:

The class is designed both to accommodate the needs, the critical perspective, and the imagination of aspiring criminal justice majors who seek a solid understanding of the fundamentals of criminal justice and to stimulate the curiosity and interest non-majors who seek to develop an informed appreciation of the complex problems of crime and society. No matter what your academic orientation or political philosophy, it is my hope that the course will, at various times, enthuse, frustrate, annoy, enrage, gratify, depress, and excite each of you.

My own objective—in and beyond this course—is to help you to become a “critical consumer” of information relating to criminal justice policies, practices, and issues. Your success in this endeavor will require a greater measure of academic dedication and personal discipline than some students are accustomed to. As a result, we may occasionally seem to be at odds, especially if you, yourself, do not share this goal.

Ultimately, the goal of education is to help one to understand complex realities and relationships and to apply one’s understanding to solve problems beyond the limits of the subject matter that gave birth to the understanding in the first place.

My goals for the course are that, by its conclusion, students will:

- Understand the complex relationship among law, crime, human behavior, scientific methods, and the operation of the criminal justice system
- Understand that law is a social instrument whose content is determined by human judgment
- Understand that the criminal law is but one instrument among a plethora of social control mechanisms
- Understand the operation of the substantive and procedural criminal laws and how they are intended to control the conduct of both citizens and criminal justice agents
- Understand how crime is defined and that “criminal” is as much a social as a behavioral phenomenon
- Appreciate that human behavior, including “crime,” is a product of a multiplicity of factors

- Understand the structure and operation and police, court, and correctional agents and agencies
- Understand how the complex interrelationships among police, courts, and corrections can inhibit the work of each
- Realize that both the agents and agencies of criminal justice are fallible and often ineffective
- Realize that despite its massive problems, the criminal justice is susceptible to improvement and can be reformed
- Appreciate that every person can play an important role in the effective operation and the reform of the criminal justice system
- Realize that much of what we learn about the criminal justice system can be applied to larger questions that extend beyond those of criminal justice

By the end of the course, students will be able to:

- Summarize the relationships among law, crime, and social order*
- Analyze the concept of boundary maintenance and its relationship to punishment*
- Identify and define the material elements of a crime
- Identify and describe the steps in the criminal justice system by which an accused offender is processed from arrest to release from incarceration
- Identify and describe the strengths and weaknesses of four distinct theories of criminal behavior*
- Define, distinguish, and describe the relevance of concepts of statistical validity and reliability*
- Explicate the problems of evaluating the effectiveness of criminal justice programs

** indicates learning outcome that is consistent with GE writing requirement*

Required Books (2 volumes; available in the SDSU Bookstore):

Sutton, L. Paul (ed), *The Social Construction of Justice: Understanding Crime, Law, Behavior, and Public Policy* (Vol. I). 2008, Montezuma Publishing.

Sutton, L. Paul (ed), *The Social Construction of Justice: Understanding Crime, Law, Behavior, and Public Policy* (Vol. II). 2008, Cengage Learning.

Student Evaluation/Grading:

In order to address different ways of learning and abilities of demonstrating the application of knowledge, a variety of evaluation methods will be used to assess your performance during this course. A plus/minus grading scale is also utilized at San Diego State University.

| Activity | Weight in Percentage |
|---------------------|----------------------|
| On-Line Quizzes (5) | 10% each (50% total) |
| Mid-Term Exam | 25% |
| Final Exam | 25% |
| TOTAL | 100% |

| Grade as a Percentage | Letter Grade |
|-----------------------|--------------|
| 100% to 94% | A |
| 93% to 90% | A- |
| 89% to 87% | B+ |
| 86% to 83% | B |
| 82% to 80% | B- |
| 79% to 77% | C+ |
| 76% to 73% | C |
| 72% to 70% | C- |
| 69% to 67% | D+ |
| 66% to 63% | D |
| 62% to 60% | D- |
| 59% and Below | F |

Online Quizzes (10; 5% each, 50% of your final grade):

Ten 10-question, on-line (Blackboard) quizzes will be due on nine separate occasions (see schedule later in syllabus): **February 6th, February 17th, February 24th, March 3rd, March 10th, April 7th, April 14th, April 21st, and April 28th**. Because these online quizzes will be taken IN PLACE OF IN-CLASS LECTURE, you will review a PowerPoint presentation before answering the quiz questions. BOTH THE PRESENTATION AND THE QUIZ QUESTIONS WILL BE POSTED BY THE SATURDAY BEFORE EACH DUE DATE SO YOU HAVE A FEW DAYS TO 'TAKE CARE OF THEM'. The quiz questions will be in Multiple Choice and True or False format and will cover the material seen in the presentation. They will not be timed quizzes and you will have two chances to take each of them. Blackboard's Gradebook will automatically assign you the highest grade of the two you receive.

Mid-Term Exam (worth 25% of your final grade):

A 50-question multiple choice/true or false Midterm Exam will be given **in class on Thursday, March 26th**. This exam will cover all material from the first half of class (exact chapters/page numbers will be discussed as the exam date nears). Please bring your own (green, skinny, ABF-882/882-E) Scantron forms and a No. 2 pencil to the exam. These items will not be provided for you.

Final Exam (worth 25% of your final grade):

A 50-question multiple choice/true or false Final Exam will be given **during finals week on Wednesday, May 20th from 3:30 – 5:30 p.m.** in our regular classroom. This exam will cover all material from the second half of class (exact chapters/page numbers will be discussed as the exam date nears). Like the midterm exam, please bring your own (green, skinny, ABF-882/882-E) Scantron forms and a No. 2 pencil to the exam. These items will not be provided for you. Since this date and time is not 'regular' for you, please make sure that you make all employment, childcare, vacation, etc. plans accordingly, as you have PLENTY of notice as to when the final exam is scheduled!

More Information...

Your grade is YOUR GRADE, and your responsibility. I will not 'miraculously' change it at the end of the semester. Once I have completed grading your quizzes, exams, etc., grades will always be posted on Blackboard; you will always be informed of your progress. It is your responsibility to meet with me about any concerns regarding your grade(s) before the second week of December. Also, I do not grade on a curve. What you earn, score-wise, is what you get. Extra Credit will NOT be given in any case(s)... please don't even ask. I won't bend on this one.

Lectures/Attendance:

Attendance is not part of your grade in this class. It IS your responsibility, though, to make sure that you are caught up with all course material at all times. Be sure to consistently check your e-mail. If I make an announcement about something important in class, chances are that I will send an e-mail as well. If you are missing class AND not reading your e-mail, then I don't know what to tell you...

I will also NOT post my lecture notes on Blackboard. If you need to miss class for a good reason, then you may request that I send them to you. These notes/slides will be sent via e-mail, NOT POSTED ON BLACKBOARD.

Course Withdrawals and Incompletes:

Incompletes will only be given in the cases of medical or other VERIFIABLE emergencies. If students are not doing well in this course, they have the responsibility of formally withdrawing from this course. Students who do not formally withdraw from the course but stop attending class and do not take scheduled exams will receive a failing grade.

MY CJA 300 BLACKBOARD GUIDE

- ANNOUNCEMENTS: Anything important pertaining to the class lectures, assignments, exams, etc. will be posted under "Announcements"
- FACULTY INFORMATION: My name, e-mail address, office telephone, and office address can be found under "Faculty Information"
- SYLLABUS: Your CJ 300 Syllabus is posted under "Syllabus"
- COURSE DOCUMENTS: Any articles or pieces of information I would like you to have/read/etc. will be posted under "Course Documents". If it's not listed in your Schedule, I will bring your attention to these documents via e-mail, Blackboard announcement, and/or in-class announcement
- PRESENTATIONS: All Presentations (that you will need to review to complete each quiz) will be posted under "Presentations"
- QUIZZES: All Quizzes and instructions will be posted under "Quizzes"

STANDARDS FOR STUDENT CONDUCT *

The following behavior is subject to disciplinary sanctions:

- Dishonesty, including:
 - Cheating that is intended to gain unfair academic advantage.
 - Plagiarism that is intended to gain unfair academic advantage.
 - Other forms of academic dishonesty that are intended to gain unfair academic advantage.
- Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.

- Conduct that threatens or endangers the health or safety of any person within or related to the University community, including
 - physical abuse, threats, intimidation, or harassment. .
 - sexual misconduct.

* These Standards for Student Conduct are adapted from the full version of SDSU's Standards for Student Conduct, Center for Student Rights and Responsibilities: <http://www.sa.sdsu.edu/srr/conduct1.html>.

SCHEDULE OF READINGS, QUIZZES, EXAMS & HOLIDAYS

| Week | Date | Reading/Assignment/Exam |
|------|--------------------------------|--|
| 1 | Thursday, Jan 22 nd | Introduction to the course |
| 1 | Saturday, Jan 24 th | Presentation #1 & Quiz #1 will be posted on Blackboard |
| 2 | Tuesday, Jan 27 th | No in-class lecture |
| 2 | Thursday, Jan 29 th | The Social Construction of Justice: A New Approach to Understanding Crime by L. Paul Sutton (pgs. 5-19, Vol 1; Blackboard) |
| 2 | Saturday, Jan 31 st | <i>Wayward Puritans: A Study in the Sociology of Deviance</i> by Kai Erikson (pgs. 69-82, Vol 1; Blackboard) & Quiz #2 will be posted on Blackboard |
| 3 | Tuesday, Feb 3 rd | No in-class lecture |
| 3 | Thursday, Feb 5 th | <i>The Normal and the Pathological</i> by Durkheim (pgs 53-56, Vol 1; Blackboard) & <i>Outsiders: Studies in the Sociology of Deviance</i> by Becker (pgs. 59-66, Vol 1; Blackboard) |
| 3 | Friday, Feb 6 th | Quizzes #1 & #2 due by midnight |
| 4 | Tuesday, Feb 10 th | Guest lecturer- Dr. Paul Kaplan Law & Society |
| 4 | Thursday, Feb 12 th | <i>Crime in Context</i> by Lanier & Henry (pgs. 97-106, Vol 1; Blackboard) & <i>The Nature of Criminal Law</i> by Katkin (pgs. 83-96, Vol 1; Blackboard) |
| 4 | Saturday, Feb 14 th | <i>Cultural Criminology</i> by Ferrell has already been posted on Blackboard under 'Course Documents... Quiz #3 will be posted on Blackboard on this day... Happy Valentine's Day! |
| 5 | Tuesday, Feb 17 th | No in-class lecture, Quiz #3 due by midnight |
| 5 | Thursday, Feb 19 th | <i>The Nature and Limits of Criminal Law</i> (Pgs. 1-24, Vol II/Part II) |
| 5 | Saturday, Feb 21 st | Presentation #4 on <i>Constitutional Limits on Criminal Law</i> (pgs. 25-53, Vol II/Part II) & Quiz #4 will be posted on Blackboard |
| 6 | Tuesday, Feb 24 th | No in-class lecture, Quiz #4 due |
| 6 | Thursday, Feb 26 th | <i>The General Principles of Criminal Liability: Actus Reus</i> (pgs. 55-86, Vol. II) & <i>The General Principles of Criminal Liability: Mens Rea, Concurrence, and Causation</i> (pgs. 87-114, Vol II/Part II) |
| 6 | Saturday, Feb 28 th | Quiz #5 will be posted on Blackboard... The questions for this quiz will be derived from the following readings in Vol II: <i>An Introduction to Theory</i> (pgs. 1-10/Part III), <i>Classical and Neoclassical Theory</i> (pgs. 11-20/Part III), & <i>Positivist Theories</i> (pgs. 21-28/Part III) |

| | | |
|----|----------------------------------|--|
| 7 | Tuesday, Mar 3 rd | No in-class lecture, Quiz #5 due |
| 7 | Thursday, Mar 5 th | <i>Biological Theories</i> (pgs. 29-43, Vol II/Part III), <i>Psychological Theories</i> (pgs. 45-64, Vol II/Part III), & <i>Sociological Theories</i> (pgs. 65-102, Vol II/Part III) |
| 7 | Saturday, Mar 7 th | Quiz #6 will be posted on Blackboard... The questions for this quiz will be derived from the following readings in Vol II: <i>Critical Theories</i> (pgs. 103-131/Part III) & <i>Integrated Theories And Beyond</i> (pgs. 133-141/Part III) |
| 8 | Tuesday, Mar 10 th | No in-class lecture, Quiz #6 due |
| 8 | Thursday, Mar 12 th | <i>Criminal Justice Today</i> (pgs. 2-28, Vol II/Part IV) |
| 9 | Tuesday, Mar 17 th | No in-class lecture, Happy St. Patrick's Day!!!! |
| 9 | Thursday, Mar 19 th | <i>Law Enforcement Today</i> (pgs. 30-56, Vol II/Part IV) |
| 10 | Tuesday, Mar 24 th | No in-class lecture, Study Day!!!! |
| 10 | Thursday, Mar 26 th | MIDTERM EXAM |
| 11 | Tuesday, Mar 31 st | SPRING BREAK |
| 11 | Thursday, Apr 2 nd | SPRING BREAK |
| 11 | Saturday, Apr 4 th | Quiz #7 will be posted on Blackboard... The questions for this quiz will be derived from the following readings in Vol II: <i>Courts and the Quest for Justice</i> (pgs. 58-85/Part IV) & <i>Punishment and Sentencing</i> (pgs. 88-119/Part IV) |
| 12 | Tuesday, Apr 7 th | No in-class lecture, Quiz #7 due by midnight |
| 12 | Thursday, Apr 9 th | <i>Prisons and Jails</i> (pgs. 122-145, Vol II/Part IV) |
| 12 | Saturday, April 11 th | Presentation #8 (highlighting the most important points from pages 2-145/Part IV) & Quiz #8 will be posted on Blackboard |
| 13 | Tuesday, Apr 14 th | No in-class lecture, Quiz #8 due by midnight |
| 13 | Thursday, Apr 16 th | <i>Crime, Criminal Justice, and Scientific Inquiry</i> (pgs. 1-28, Vol II/Part V) |
| 13 | Saturday, Apr 18 th | Quiz #9 will be posted on Blackboard... The questions for this quiz will be derived from the following reading in Vol II: <i>Theory and Criminal Justice Research</i> (pgs. 29-49/Part V) |
| 14 | Tuesday, Apr 21 st | No in-class lecture, Quiz #9 due by midnight |
| 14 | Thursday, Apr 23 rd | <i>General Issues in Research Design</i> (pgs. 51-85, Vol II/Part V) |
| 14 | Saturday, Apr 25 th | Presentation #10 (highlighting the most important points from pages 1-85/Part V) & Quiz #10 will be posted on Blackboard |
| 15 | Tuesday, Apr 28 th | No in-class lecture, Quiz #10 due |
| 15 | Thursday, Apr 30 th | <i>Concepts, Operationalization, and Measurement</i> (pgs. 87-115; Vol II/Part V) |
| 16 | Tuesday, May 5 th | Guest lecturer: Stuart Henry, PhD, Director, School of Public Affairs... Criminal Justice Program & Practicum Requirements |
| 16 | Thursday, May 7 th | COURSE CONCLUSION & FINAL EXAM REVIEW |
| 17 | Tuesday, May 12 th | No in-class lecture, STUDY DAY |
| 18 | Wednesday, May 20 th | FINAL EXAM 3:30 – 5:30 p.m.; 201 Arts & Letters |

San Diego State University
School of Public Affairs
PA650 Seminar in Public Financial Management
Dr. Salvador Espinosa
(sespinos@mail.sdsu.edu)

Spring 2009

Classroom: Storm Hall 147
Meeting time: Mondays 7-9.40pm
Office hours: by appointment

Course objectives

The foreword for the fifth edition of *Management Policies in Local Government Finance* (the textbook for this seminar) does a good job explaining the importance that a sound financial management has when governments experience increasing fiscal stress:

The recent, precipitous loss of federal and state revenues has brought into sharp focus the need for sound local financial management. Restructuring [the US] economy, as globalization becomes a reality, is possibly the most visible challenge for local economies...but infrastructure needs and the sheer complexity of management in the twenty-first century contribute mightily to a high-risk environment that demands intelligence, foresight, decisiveness, and political acumen. The need for strong leadership in financial management has never been greater”

This course intends to equip students with the necessary tools to analyze the financial condition of a government. It is also designed to encourage an informed discussion of current problems in state and local finances, as well as possible avenues of policy reform.

The contents of the seminar will serve to fulfill the objectives described in the 2008-2009 California State University Graduate Bulletin: *Economics and politics of the public sector. Theories of public expenditure analysis and revenue generation. Issues of ethics and efficiency in government financial policy* [p335].

Prerequisites: PA450 (a succinct review of the most important elements of this class will be given in the first two weeks of the seminar. Students are encouraged to discuss with the professor the possibility to audit some of his PA450 lectures).