

# **Sociology and Anthropology**

**SOCI 3410**

**Spring/Summer**

**2022**

## **Wrongful Convictions**

**Instructor:** Darryl T. Davies

**Office:** LA C762

**Office hours:** Mondays: 5:30-6:00 pm (appointments recommended)

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**Class meets:** Mondays and Wednesdays 6:05-8:55 pm in Steacie 103

**Prerequisites:** SOCI 1001 and SOCI 1002, or SOCI 1003 [1.0], or ANTH 1001, or ANTH 1002, and third-year standing.

### **Required Texts:**

Anderson Barry, Anderson Dawn: 'Manufacturing Guilt: Wrongful Convictions in Canada, Fernwood Publishing, 2009.

### **COURSE DESCRIPTION**

In this class, the factors that have been directly linked to wrongful conviction cases will be examined and analyzed. We will look at Canadian and American cases to see how often wrongful convictions occur and in particular what implications they have for accused persons who are subsequently exonerated. We will attempt to answer a variety of questions such as: What impact do wrongful conviction cases have on the credibility of the criminal justice system? How does the state and the justice system respond when people complain that they have been wrongfully convicted? What role do the police, crown attorneys, judiciary and the corrections system play in wrongful conviction cases? What impact do wrongful convictions have on the lives of people once they are proclaimed innocent and released from prison? Finally, what can we do to reduce the likelihood that people will be wrongfully convicted by the criminal justice system in the future?

### **General Objectives**

- To identify the various sociological, legal and psychological factors that contribute to the wrongful conviction of innocent people.

- To examine the role played by the police, crown, courts, forensic experts and parole and corrections system in wrongful conviction cases.
- To try to understand the impact that wrongful conviction cases have on the lives of innocent people as well as their families.
- To identify avenues of redress for the wrongfully convicted as well as mechanisms that can be introduced in the justice system in order to reduce wrongful convictions in the future.

### **Grading of Papers and Examinations (Dates to be announced)**

Mid-Term Assignment: 40 %

Final Examination: 60 %

**NB- All coursework and exams must be submitted in order to obtain a grade in this course.**

**Mid-Term assignment:** Students will be asked to write a 12-page paper (including references) examining one of the topics indicated below. As there are few academic publications that address many of these topics students are permitted to research their topic via source materials that are available through the electronic and print media. Note that interviews with individuals such as serving police officers or other identified experts is not permitted in your essay. Where possible utilize government reports and publications for your essay.

**The essay is due May 25, 2022.** Papers must be submitted in hard copy in class on the due date..  
**Late papers without adequate documentation will be subject to a 5% penalty per day.**  
 Students **must** retain a hard copy of all work that is submitted. Marked essays will be returned to students on June 8, 2022.

### **SOCI 3410 Essay topics and Instructions**

Students can write their essays on ‘one’ of the topics outlined below. No outside topics will be considered:

The wrongful conviction of David Milgaard  
 The role of tunnel vision (targeting practices) by police in wrongful convictions  
 Eye-witness testimony and its impact on wrongful convictions  
 The wrongful conviction of Bill Mullins Johnson  
 The impact of plea-bargaining on wrongful conviction  
 False confessions and how they contribute to wrongful convictions;  
 The impact of falsified forensic evidence  
 The use of ‘Mr. Big’ in police operations and their impact on wrongful convictions.  
 The suppression of evidence and how it impacts wrongful conviction cases  
 Judicial malpractice and its impact on wrongful convictions  
 The case of Alain Olivier and his wrongful conviction

## General Guidelines:

In the introduction to your paper please explain why the topic you have chosen is important and worth researching. The substance of the paper should provide a detailed analysis of the pertinent issues surrounding the matter using where possible real case studies to support your essay. Students should reach out to their teaching assistants if they have any issues or questions.

Please note that there is no minimum or maximum number of references that can be cited in an essay. However, the number of references often is an indication of how much work went into researching and writing the paper.

**Final Examination:** The final exam is two hours long and will be a combination of question types from the lectures and textbook including short answer and short essay. **NB- For the exam students are responsible for 'all' assigned textbook readings as set out in the course outline as well as all lectures including those that feature films or guest speakers.** This exam will be held during the regular examination period-formally-scheduled.

**NOTE-** "Students who are unable to write a final examination or complete a final paper because of illness or other circumstances beyond their control or whose performance on an examination has been impaired by such circumstances may apply within five working days to the Registrarial Services office for permission to write a deferred examination. Permission can be granted only if the request is fully and specifically supported by a medical certificate or other documents."

**Deferred examinations are not granted to students who make travel plans that conflict with the examination period.**

## Examination Dates:

Examination schedule (Spring term final) available online in June. Final grades are subject to the Dean's approval.

## Course Requirements & Methods of Evaluation:

In accordance with the Carleton University Undergraduate Calendar Regulations, the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50	WDN = Withdrawn from the course		DEF = Deferred

## Academic Regulations, Accommodations, Plagiarism, Etc.

University rules regarding registration, withdrawal, appealing marks, and most anything else you might need to know can be found on the following website link [Academic Regulations of the University](https://calendar.carleton.ca/undergrad/regulations/academicregulationsoftheuniversity/)

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## Academic Accommodations for Students with Disabilities

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with

Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your ***Letter of Accommodation*** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website ([www.carleton.ca/pmc](http://www.carleton.ca/pmc)) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*). \*The deadlines for contacting the Paul Menton Centre regarding accommodation for final exams is May 27, 2022.

### **For Religious Obligations:**

Students requesting academic accommodation on the basis of religious obligation should make a formal, written request to their instructors for alternate dates and/or means of satisfying academic requirements. Such requests should be made during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist, but no later than two weeks before the compulsory event.

Accommodation is to be worked out directly and on an individual basis between the student and the instructor(s) involved. Instructors will make accommodations in a way that avoids academic disadvantage to the student.

Students or instructors who have questions or want to confirm accommodation eligibility of a religious event or practice may refer to the Equity Services website for a list of holy days and Carleton's Academic Accommodation policies, or may contact an Equity Services Advisor in the Equity Services Department for assistance.

### **For Pregnancy:**

Pregnant students requiring academic accommodations are encouraged to contact an Equity Advisor in Equity Services to complete a letter of accommodation. The student must then make an appointment to discuss her needs with the instructor at least two weeks prior to the first academic event in which it is anticipated the accommodation will be required.

### **Intellectual Property:**

Student or professor materials created for this course (including presentations and posted notes, case studies, assignments, essays, etc.) remain the intellectual property of the author(s). They are intended for personal use and may not be reproduced or redistributed without prior written consent of the author(s).

### **Plagiarism**

Plagiarism is the passing off of someone else's work as your own and is a serious academic offence. For the details of what constitutes plagiarism, the potential penalties and the procedures refer to the section on Instructional Offences in the Undergraduate Calendar.

### **What are the Penalties for Plagiarism?**

A student found to have plagiarized an assignment may be subject to one of several penalties including: expulsion; suspension from all studies at Carleton; suspension from full-time studies; and/or a reprimand; a refusal of permission to continue or to register in a specific degree program; academic probation; award of an FNS, Fail, or an ABS.

### **What are the Procedures?**

All allegations of plagiarism are reported to the faculty of Dean of FASS and Management. Documentation is prepared by instructors and/or departmental chairs. The Dean writes to the student and the University Ombudsperson about the alleged plagiarism. The Dean reviews the allegation. If it is not resolved at this level then it is referred to a tribunal appointed by the Senate.

**Plagiarism and cheating at the graduate level are viewed as being particularly serious and the sanctions imposed are accordingly severe.** Students are expected to familiarize themselves with and follow the [Carleton University Student Academic Integrity Policy](http://carleton.ca/registrar/academic-integrity/) (<http://carleton.ca/registrar/academic-integrity/>). The Policy is strictly enforced and is binding on all students. Plagiarism and cheating – presenting another’s ideas, arguments, words or images as your own, using unauthorized material, misrepresentation, fabricating or misrepresenting research data, unauthorized co-operation or collaboration or completing work for another student – weaken the quality of the graduate degree. Academic dishonesty in any form will not be tolerated. Students who infringe the Policy may be subject to one of several penalties including: expulsion; suspension from all studies at Carleton; suspension from full-time studies; a refusal of permission to continue or to register in a specific degree program; academic probation; or a grade of Failure in the course.

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### **Assistance for Students**

Student Academic and Career Development Services: <http://carleton.ca/sacds/>

Writing Tutorial Services: <https://carleton.ca/csas/writingservices/>

Peer Assisted Study Sessions (PASS): <https://carleton.ca/csas/group-support/pass/>

### **Important Dates and Deadlines: Spring and Summer 2022**

April 28, 2022	Deadline for course outlines to be made available to students registered in early and full summer courses.
May 5, 2022	Early summer and full summer classes begin.
May 12, 2022	Last day for registration and course changes (including auditing) for early summer courses.
May 19, 2022	Last day for registration and course changes (including auditing) for full summer courses.
May 20, 2022	Last day to withdraw from early summer and full summer courses with a full fee adjustment. Withdrawals after this date will result in a permanent notation of WDN on the official transcript.
May 20-June 1, 2022	Fall/winter and winter term deferred final examinations will be held.
May 23, 2022	Statutory holiday. University closed.

May 27, 2022	Last day to request Formal Examination Accommodation Forms for June examinations to the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
June 10, 2022	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, for early summer courses before the official examination period (see Examination Regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
June 17, 2022	Last day of early summer classes. (NOTE: full summer classes resume July 4.) Last day for take home examinations to be assigned, with the exception of those conforming to the Examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar. Classes will follow a Monday schedule. Last day for academic withdrawal from early summer courses. Last day for handing in term assignments, subject to any earlier course deadline.
June 18-19, 2022	No classes or examinations take place.
June 20-26, 2022	Final examinations in early summer courses and mid-term examinations in full summer courses may be held. Examinations are normally held all seven days of the week.
June 26, 2022	All take home examinations are due on this day, with the exception of those conforming to the Examination regulations in the Academic Regulations University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
July 22-24, 2022	Early summer term deferred final examinations to be held.

### **GUEST SPEAKERS**

During the course, guest speakers may be invited to make classroom presentations. Dates and times of such presentations will be announced in class.

### **VIDEO PRESENTATIONS**

As a supplement to lectures, videos/documentaries specifically related to topics discussed in this class may be shown.

### **ATTENDANCE**

Students are expected to attend lectures.

**Students will read the relevant chapters pertaining to each of the wrongful conviction cases discussed in class in the book *Manufacturing Guilt Wrongful Convictions in Canada*.**

## **SCHEDULE OF LECTURES AND READINGS**

### **Lecture One & Lecture Two-** Introduction- May 9 & 11, 2022

This lecture will set out the details regarding this course in terms of the course structure and the importance of the topic as a serious issue of criminal justice concern.

### **Lecture Three-** May 16, 2022

The Impact of wrongful Convictions in the Canadian Criminal Justice System.

This lecture will examine the social reality of wrongful convictions and the extent of the problem in Canada. Special attention will be paid to the lack of social equality in the administration of criminal justice and the impact that this has on cases of wrongful conviction. In this lecture a video will be shown of a symposium that was held on wrongful conviction at Carleton University.

### **Lecture Four-** May 18, 2022

In this class a W5 documentary will show you how people like Alain Olivier can easily be railroaded into being wrongfully convicted by the criminal justice system.

### **Lecture Five-** May 25, 2022

This lecture focuses on the case of Donald Marshall Junior

### **Lecture Six-** May 30, 2022

This lecture will look at the various factors that contributed to the wrongful conviction of David Milgaard.

### **Lecture Seven-** June 1, 2022

This lecture will focus on the background and circumstances surrounding the wrongful conviction of Guy Paul Morin

### **Lecture Eight** -June 6, 2022

This lecture will examine the case involving the wrongful conviction of Thomas Sophonow.

### **Lecture Nine-** June 8, 2022

This lecture will examine the circumstances and background of the wrongful conviction of Steven Truscott.

### **Lecture Ten-** June 13 2022

This lecture will look at the history and circumstances that led to the wrongful conviction of Bill Mullins Johnson.

### **Lecture Eleven-** June 15, 2022

This lecture will examine the wrongful conviction of Glen Asoun.

### **Lecture Twelve** - June 17, 2022

How to end wrongful convictions in the criminal justice system and class review

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