

# **Sociology and Anthropology**

**SOCI 3410 A**

**Autumn**

**2023**

## **Wrongful Convictions**

**Instructor:** Darryl T. Davies

**Office:** LA C762

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

**Telephone:** 613-520-2600 (Ext: 2605). Email: darryldavies@bell.net

**Class meets:** Thursdays from 6:05-8:55 pm

**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.

### **Diversity and Inclusion in Learning:**

In this course, you are expected to learn from your texts, your teacher and from one another. This requires striving towards understanding each other but it does not imply striving towards finding agreement. Our class will be racially, religiously, politically, culturally, generationally, and economically diverse. We will be of different gender identifications and sexual orientations and our lived experiences and reactions to the course material will reflect this diversity. Sharing our perspectives and interpretations on the course material will enhance everyone's learning experience and you are encouraged to openly express any disagreements with the authors you will read, with your fellow classmates, or with the Professor in the different participation fora that are available for this course. However, you are expected to conduct yourself in such a way that shows the utmost respect to others who may – or may not – share your views. Derogatory comments and hateful behavior towards others (and their views) will not be tolerated.

### **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.

**The essay is due** October 12, 2023. 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 November 2, 2023.

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

Students can write their essays on ‘one’ of the topics outlined below. No outside topics will be considered without prior approval in writing.

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.

Essays should be no more than 12 pages in length which includes the reference pages. Essays may be double-spaced, single-sided and incorporate either the APA or ASA referencing style.

**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 or to extend a term paper deadline. 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:**

**December examination schedule** (Fall/Winter and Winter finals) available online. Final grades are subject to the Dean's approval.

## Course Requirements & Methods of Evaluation:

In accordance with the Carleton University Undergraduate Calendar, 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 university's website, here:

<http://www.carleton.ca/calendars/ugrad/current/regulations/acadregsuniv.html>

## Requests for 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 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*).

\*The last day to request Formal Examination Accommodations for December full fall and late fall examinations from the Paul Menton Centre is **November 15, 2023**.

## For Religious Obligations:

Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website: [www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

## For Pregnancy:

Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website: [www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

## For Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: [www.carleton.ca/sexual-violence-support](http://www.carleton.ca/sexual-violence-support)

### **Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

### **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. Students are expected to familiarize themselves with and follow the Carleton University Student Academic Integrity Policy (See <https://carleton.ca/registrar/academic-integrity/>). The Policy is strictly enforced and is binding on all students. Academic dishonesty in any form will not be tolerated. Students who infringe the Policy may be subject to one of several penalties.

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

A student found to have plagiarized an assignment may be subject to one of several penalties including but not limited to: a grade of zero, a failure or a reduced grade for the piece of academic work; reduction of final grade in the course; completion of a remediation process; resubmission of academic work; withdrawal from course(s); suspension from a program of study; a letter of reprimand.

### **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 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.

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### **Assistance for Students:**

Academic and Career Development Services: <https://carleton.ca/career/>

Writing Services: <http://www.carleton.ca/csas/writing-services/>

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

### **Important Information:**

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- Student or professor materials created for this course (including presentations and posted notes, labs, case studies, assignments and exams) 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).
- Students must always retain a hard copy of all work that is submitted.

- Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.
  - Carleton University is committed to protecting the privacy of those who study or work here (currently and formerly). To that end, Carleton's Privacy Office seeks to encourage the implementation of the privacy provisions of Ontario's *Freedom of Information and Protection of Privacy Act* (FIPPA) within the university.
  - In accordance with FIPPA, please ensure all communication with staff/faculty is via your Carleton email account. To get your Carleton Email you will need to activate your [MyCarletonOne account](#) through Carleton Central. Once you have activated your MyCarletonOne account, log into the [MyCarleton Portal](#).
  - Please note that you will be able to link your MyCarletonOne account to other non-MyCarletonOne accounts and receive emails from us. However, for us to respond to your emails, we need to see your full name, CU ID, and the email must be written from your valid MyCarletonOne address. Therefore, it would be easier to respond to your inquiries if you would send all email from your connect account. If you do not have or have yet to activate this account, you may wish to do so by visiting <https://students.carleton.ca/>
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#### 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).

#### GUEST SPEAKERS

During the course, guest speakers may be invited to make classroom presentations. Dates and times of these presentations will be announced in class. Please note that the views and opinions of guest speakers represent the views of these individuals in their personal capacity and they do not represent the views of Carleton University.

#### 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- The Manufacturing Guilt Wrongful Convictions in Canada.**

#### **SCHEDULE OF LECTURES AND READINGS**

**Lecture One & Lecture Two- Introduction- Sept 7<sup>th</sup> & 14, 2023**

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- September 21, 2023**

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- September 28, 2023**

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- October 5, 2023**

This lecture focuses on the case of Donald Marshall Junior

**Lecture Six- October 12, 2023**

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

**Lecture Seven- October 19, 2023**

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

**Lecture Eight-November 2, 2023**

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

**Lecture Nine- November 9, 2023**

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

**Lecture Ten- November 16, 2023**

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

**Lecture Eleven-November 23, 2023**

This lecture will examine the wrongful conviction of Glen Asoun.

**Lecture Twelve & Thirteen- November 30 & December 7, 2023**

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

### Important Dates and Deadlines: Fall 2023

- August 29, 2023: Deadline for course outlines to be made available to students registered in full fall, early fall, and fall/winter courses.
- September 1, 2023: Last day for receipt of applications from potential fall (November) graduates.
- September 4, 2023: Statutory holiday. University closed.
- September 5, 2023: Academic orientation (undergraduate and graduate students).  
  
Orientation for new Teaching Assistants.  
  
All new students are expected to be on campus. Class and laboratory preparations, departmental introductions for students, and other academic preparation activities will be held.
- September 6, 2023: Fall term begins. Full fall, early fall, and fall/winter classes begin.
- September 12, 2023: Last day for registration and course changes (including auditing) in early fall courses.
- September 19, 2023: Last day for registration and course changes (including auditing) in full fall, late fall, and fall/winter courses.  
  
Last day to withdraw from early fall courses with a full fee adjustment.  
  
Graduate students who have not electronically submitted their final thesis copy to the Faculty of Graduate and Postdoctoral Affairs will not be eligible to graduate in fall 2023 and must register for the fall 2023 term.
- September 22-24, 2023: Full summer and late summer term deferred final examinations will be held.
- September 30, 2023: Last day to withdraw from full fall and fall/winter courses with a full fee adjustment.
- October 1, 2023: Last day for academic withdrawal from early fall courses.  
  
Last day to request Formal Examination Accommodations for Oct/Nov final examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
- October 6, 2023: December examination schedule (fall term final and fall/winter mid-terms) available online.



- October 9, 2023: Statutory holiday. University closed.
- October 13, 2023: Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in early fall term undergraduate courses, before the official Oct/Nov final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
- October 15, 2023: Last day for receipt of applications for admission to an undergraduate degree program for the winter term from applicants whose documents originate from outside Canada or the United States.
- October 20, 2023: Last day of early fall classes.
- Last day for final take-home examinations to be assigned in early fall courses, 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.
- Last day that can be specified by a course instructor as a due date for term work for early fall courses.
- October 23, 2023: Deadline for course outlines to be made available to students registered in late fall courses.
- October 23-27, 2023: Fall break, no classes.
- October 28-29,  
November 4-5, 2023: Final examinations in early fall undergraduate courses will be held.
- October 30, 2023: Late fall classes begin.
- November 10, 2023: Last day to withdraw from late fall term courses with a full fee adjustment.
- November 15, 2023: Last day for academic withdrawal from full fall and late fall courses.
- Last day to request Formal Examination Accommodations for December full fall and late fall examinations and fall/winter midterm examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
- Last day for receipt of applications for admission to an undergraduate degree program for the winter term.
- November 17-19, 2023: Early fall undergraduate deferred final examinations will be held.

- November 24, 2023: Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full fall term or fall/winter undergraduate courses, before the official December final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
- December 1, 2023: Last day for receipt of applications from potential winter (February) graduates.
- Last day for graduate students to submit their supervisor-approved thesis, in examinable form to the department.
- Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in late fall term undergraduate courses, before the official final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
- December 8, 2023: Fall term ends.
- Last day of full fall and late fall classes.
- Classes follow a Monday schedule.
- Last day for final 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.
- Last day that can be specified by an instructor as a due date for term work for full and late fall courses.
- Last day for receipt of applications for undergraduate degree program transfers for winter term.
- December 9, 2023: No classes or examinations take place.
- December 10-22, 2023: Final examinations in full fall and late fall courses and mid-term examinations in fall/winter courses will be held. Examinations are normally held all seven days of the week.
- December 22, 2023: All final take-home examinations are due on this day, 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.
- December 25,

2023 through  
January 3, 2024  
inclusive:

University closed.

Darryl T Davies  
Professor of criminology and criminal justice  
Department of Sociology and Anthropology  
Carleton University

Tel: 613-520-2600 ext: 2605