

SAN JOSÉ STATE UNIVERSITY
Justice Studies 265
Comparative Criminal Justice Systems (online)—FALL 2019

Instructor: Allison Martin, Ph.D.
Email: allison.martin@sjsu.edu

Location: Washington, D.C.
Office Hours: by email

Course Description

Theory-based comparative analysis of US criminal justice system with criminal justice systems around the world. Course focuses on legal traditions, policing, courts and corrections, with emphasis on the role of geographical, historical and cultural traditions in shaping criminal justice.

This course will examine the major criminal justice systems in the world and engage in comparative analysis of US criminal justice system with these major criminal justice systems. More specifically, this course will mainly focus on: (1) Measuring and Comparing Crime in and across nations, (2) Families of Law, (3) Criminal Procedure (4) Policing, (5) Courts, and (4) Corrections. Students' understanding of the American criminal justice system will serve as a basis for learning comparative analyses throughout this course. Students are expected to engage in active and informed discussion during the lecture.

Course Learning Objectives (CLOs) are as follows:

Upon completion of this course, students should be able to:

CLO 1. identify social, cultural, economic, ideological, and political variables which contribute to the variation of crime problems across nations

CLO 2. understand the structure and function of the criminal justice systems in other countries

CLO 3. develop an appreciation and understanding of the ethical dilemmas confronting criminal justice systems worldwide

CLO 4. understand the requirements to maintain diversity in agencies of the criminal justice system

CLO 5. compare methods, procedures and theories employed by other countries to the American Criminal Justice system.

Required Texts

Dammer, H. R. and Albanese, J. S. (2014). *Comparative criminal justice systems*, 5th edition. Belmont, CA: Cengage/Wadsworth.

Recommended Texts

American Psychological Association. (2010). *Publication manual of the American Psychological Association*. Washington, DC: American Psychological Association.

Ebbe, Obi N.I. (ed.) (2013). *Comparative and International Criminal Justice Systems: Policing, Judiciary, and Corrections*, 3rd. Boca Raton, FL: CRC Press.

Fairchild, E. and Dammer, H. R. (2005). *Comparative Criminal Justice Systems*. Independence, KS: Wadsworth Publishing.

Fields, C. B. and Moore, R. H., Jr. (eds). (2005). *Comparative and International Justice: Traditional and Nontraditional Systems of Law and Control*, 2nd edition. Long Grove, IL: Waveland Press, Inc.

Natarajan, M. (2005). *Introduction to International Criminal Justice*. New York, NY: McGraw-Hill.

Pakes, F. (2004). *Comparative Criminal Justice*. Gloucester, UK: Willan Publishing.

Reichel, P. (2018). *Comparative Criminal Justice Systems*, 7th edition. Upper Saddle River, NJ: Pearson.

Terrill, R. (2012). *World Criminal Justice Systems: A Comparative Survey*, 8th edition. Cincinnati, OH: Anderson Publishing.

Winterdyk, J. (2002) *Juvenile Justice Systems: International Perspectives*, 2nd edition. Toronto, Canada: Canadian Scholars Press.

Other Readings

Articles on Canvas

MYSJSU Messaging

You are responsible for regularly checking with the messaging system through MySJSU. Course materials including syllabus, notes, assignment, and journal articles can be found on the Canvas website.

Library Liaison

Nyle Craig Monday, MLK Librarian (408) 808-2041 or Nyle.Monday@sjsu.edu

Course Format

This is an online graduate level course and is designed to emphasize critical thinking and developing analytical perspectives to the material. As such, the bulk of the class will focus on weekly readings from the textbook and articles, online discussion boards, a final research paper with an accompanying outline and presentation highlighting the main ideas of your paper.

Weekly readings and assignments can be found in the syllabus, as well as the Modules tab on Canvas. All assignments become available on Monday at 12:00am PST and are due by Sunday at 11:59pm PST of their respective week (see course schedule below); *please note discussion board original posts are due Wednesday at 11:59pm and other assignments may have other due dates*. Late assignments will not be accepted.

Students are expected to log onto Canvas 3-4 times per week, or if possible, log on daily, to check for updates and announcements. There will be cut-off times that will close Canvas. If you do not post your responses and discussions before this cut-off time, you will **NOT** receive the points for that discussion board. Students who anticipate missing the cut-off times are responsible for making arrangements with the instructor prior to the cut-off times.

You are required to be an active participant in the class, which means that you are to read other students' discussion threads, prepare your own threads, and respond to other students' threads with substantive observations. This course will ask students to make a claim regarding the weekly discussion board posts, and support that claim with reason and evidence. The written work you submit will reflect your own thinking about information you obtain from the required readings and other course-related experiences.

Detailed Introduction Post

This assignment is meant for the class and the instructor, to get acquainted with you. In approximately one page, please tell us (1) your name and where you are from, (2) why you chose to take this class, (3) how familiar you are with the topic of comparative criminal justice, (4) how important you think it is to know about international crime and justice, and (5) the type of career you wish to pursue and/or what you plan on doing with your Graduate Degree. This assignment will be due week 1 (see Course Schedule).

Discussion Boards

Discussion boards simulate classroom discussion, which is a main focus of a graduate level course. You are to provide thoughtful and original discussions based on the weekly readings and course material in a manner that uses critical thinking skills and is respectful to other students.

Discussion boards will be heavily graded on your use of reading material and the conversations you have with me and other students. Each week, you must incorporate the assigned material; in other words, make reference to the textbook and/or article(s) where appropriate. Please do not rely simply on one reading to answer your discussion board posts; the purpose is to incorporate several works to develop your main arguments. When using evidence in your discussion posts, you must cite the source using APA format. If you need assistance on APA format, please view:

<https://owl.english.purdue.edu/owl/resource/560/01/>.

Students are required to first read all assigned readings and then respond to the module discussion board topic **by Wednesday at 11:59pm**. Students will then respond to *two* other student's original posts, as well as any questions I may ask regarding their post **by Sunday at 11:59pm**, when the weekly topic will close. Be sure to use references to reading material in all the posts you can, especially when agreeing with or refuting points made by authors. Responses consisting of a lack of thought as in "I agree" or "great thought" will not count as a quality response.

If I pose a question to your post, it will be Saturday, so be sure to check to see if I have posted on your discussion board anytime on Sunday. I may also pose a follow-up question for the entire class; these follow-up questions will be sent through Canvas email messages, so be sure to check your university account regularly. Required responses to other students must be on their original post, not on the question they pose to you. This idea here is to keep the conversation going; you will discuss with other students, as well as with the instructor.

Posts that exceed expectations (grade of an "A") will be reserved for those who have integrated material thoughtfully and have shown a true interest in the topic for the week (e.g., responds to other students who have commented on their original posts and checks other conversations in the discussion board thread). Please keep in mind that a grade of an "A" is defined as "exceptional quality work." When closing out your thoughts for the week, it is best to login later on Sunday to see if other students have written on your posts during the weekend. This will give the chance for everyone to be involved in the conversations as much as possible.

Students are required to use grammar and sentence structure that is consistent with college level writing as well as demonstrate attentive and critical arguments. Discussion Board original responses should be approximately one to two single-spaced page(s) (in Word or Word equivalent using Times New Roman 12-point font) and follow APA guidelines both in-text and in references at the end of the post. Responses to others should be equivalent to 1-1½ single-spaced page(s). Discussion board dates are listed in the schedule.

Examples of expectations from a discussion board topic (taken from another course):

Question: Do you believe the criminal justice system is a "system" a "process," or neither? Defend your answer using what you have learned in previous courses, from academic sources, and/or from personal experiences. Remember that weekly reading material must be cited in your discussion board posts.

Response:

I believe that the criminal justice system is a "process." According to Peak (2016), the criminal justice process is "the decisions and actions by an institution, offender, victim, or society that influence the offender's movement into, through, or out of the justice system" (p. 5). Figure 1-1 depicts the criminal justice process very well. The criminal justice process begins when police make an arrest. The criminal makes their way through the police "process," determining accusations and

detention. Then, the criminal either moves on through the process and proceeds to the courts, or the process is terminated. If passed on to the courts, the criminal continues on with the criminal justice process of pleading guilty or not guilty. If found guilty, the process continues. If not, the process ends for the defendant. Finally, if found guilty, the criminal is sentenced and begins their process into corrections. Depending on the sentence, once completed, the criminal is released back into the populations, where the process begins again (p. 6). Louthan also describes a similar process of the criminal justice system. He states, "The suspect is apprehended by the police, prosecuted, acquitted or convicted, and sentenced by the courts, and removed, punished, and/or rehabilitated by correctional agencies" (Louthan, 1974, p. 30).

In this criminal justice process, each step feeds the other. Louthan (1974) describes how each distinct function, amongst the police, courts, and corrections, interact and affect one another. Corrections would be non-existent, if not for guilty verdicts from the courts. Courts would be non-existent without arrests by police. And police would be non-existent if there were no punishments for crime. Thus, the agencies within the process are working toward a common goal. "As a process, the justice system cannot reduce crime by itself nor can any of the component parts afford to be insensitive to the needs and problems of the other parts" (Peak, 2016, p. 7). I don't believe that fragmentation among the criminal justice system is caused because the criminal justice system is a non-system. Components of the criminal justice system are individually fragmented (p. 7). Agencies within the process are only concerned about their needs, and not considering what changes among their agency will affect other components of the process.

Because I believe that the criminal justice system is a "process," I think that police, courts, and correctional agencies are organizations that the criminal justice processes through. Peak (2016) describes an organization as "entities of two or more people who cooperate to achieve an objective" (p. 22). Each component within the criminal justice system has their own objectives in order to obtain the common goal of the system as a whole. Each component has their own series of administration built within their entities. The criminal justice process sends criminals through these organizations, police, courts, and corrections, who each have their own set agendas (objectives) for the criminals. Once the objectives are met by the organization, the criminal moves on to complete the next set of objectives of the next organization, until all organization's objectives are met. Once all the objectives are met amongst the organizations, the common goal is met.

The Department of Government and Justice Studies from Appalachian State University gives a clear description of the criminal justice process. What Louthan doesn't describe clearly in his description is the concept of filtering. Some criminals won't advance to the next step in the criminal process because they are filtered, or screened out (Appalachian State University, 2016). Peak's (2016) Figure 1.1, shows the different ways that criminals are filtered out during the process (p. 6). Criminals are unapprehended, no complaints are filed, the accusation is dismissed, they are acquitted, or they are given an unsupervised fine (p. 6). Criminals could also be filtered from the criminal justice process by what Louthan (1974) describes as compliance and attitudes towards other components (p. 33). For example, the courts have decided that when criminals are apprehended, they are given their Miranda rights (p. 33). Police have to comply with this rule in order to successfully move criminals through the rest of the process. If they have negative attitudes towards rules and policies, they are less likely to follow through.

Appalachian State University. (2016). The criminal justice process. Retrieved from <http://gjs.appstate.edu/media-coverage-crime-and-criminal-justice/criminal-justice-process>

Louthan, W.C. (1974). Relationships among police, court, and correctional agencies. (30-37).

Peak, K. (Ed.) (2016). Justice administration: Police, courts, and corrections management, 8th edition. Hoboken, New Jersey: Pearson.

Response to another student's post:

I too thought that the criminal justice system acts like a process. Like how you framed the criminal justice system as a "process within a system." The system does share a common goal, however, each entity has its own set of objectives to achieve that common goal. Each entity keeps the public safe by deterring crime in their own way. Police make arrests, courts sentences, and the correctional agencies rehabilitate. I was wondering what your thoughts were on a criminal justice network? Peak (2016), defines a criminal justice network as "a view that the justice system's components cooperate and share similar goals, but operate independently and compete for funding" (p. 7). I thought this definition could be somewhat applied to the criminal justice system, as well. Funding is limited, thus, creating competition between police, courts, and corrections. I think that the police, courts, and corrections operate independently, but also work with one another.

I like the examples that you provided in your response. I think that the criminal justice system is making advancements towards mental health awareness and education. I have to had experience with law enforcement officers recognizing and being able to respond appropriately to those with mental health issues. However, there is always room for improvements. Mental health has become an increasing public awareness, that I think will take some time for the criminal justice system to implement new strategies effectively.

Peak, K. (Ed.) (2016). Justice administration: Police, courts, and corrections management, 8th edition. Hoboken, New Jersey: Pearson.

Research Paper and Presentation

In this course, there is an extensive research paper with an accompanying detailed outline and PowerPoint presentation, both with peer-reviews. Further assignment directions will be posted to Canvas. All written assignments will be turned in on Canvas through their respective assignments tab by the assigned due date. Late assignments will not be accepted.

Grading

Your grade in the class will be based on the following:

- Four discussion boards
- Research Paper Detailed Outline
- Research Paper Presentation
- Final Research Paper

Discussion Boards	50 points (10 points each)
Research Paper Detailed Outline	20 points
Research Paper Presentation	30 points
Final Research Paper	100 points
Total	200 points

Percentages are obtained by dividing the total points you earn by the total points possible in the course.

A plus = 98 to 100%	A = 93 to 97.9%	A minus = 90 to 92.9%
B plus = 88 to 89.9%	B = 83 to 87.9%	B minus = 80 to 82.9%
C plus = 78 to 79.9%	C = 73 to 77.9%	C minus = 70 to 72.9%
D plus = 68 to 69.9%	D = 63 to 67.9%	D minus = 60 to 62.9%
F = 0-59.9%		

Grading Rubric for Written Assignments

A: An “A” paper is one that is well written, clearly organized, and comprehensive in its coverage of the assignment. The paper is structured to promote readability (e.g., clear introduction, supporting elements/statement, clear conclusion), and the main ideas are clearly supported and explained.

B: A “B” paper is one that is fairly organized and contains many good ideas, but could use improvement in terms of organization, clarity, and writing style (e.g., stronger topic statements, clearer introduction/conclusion, and fewer grammatical/typographical errors). Coverage of the assignment is generally complete and accurate, but greater depth and explanation is needed in particular areas to better support main points or enhance clarity.

C: A “C” paper is one that may have a few good ideas, but generally lacks organization and clarity. Significant improvement is needed in terms of organization, clarity, and writing style (e.g., strong topic statements, clear introduction/conclusion, and fewer grammatical/typographical errors). Coverage of the assignment is haphazard and greater depth and explanation is needed throughout the paper.

D: “D/F” papers lack clarity and organization as well as relevant substance. Significant improvement is needed in all aspects. Coverage of the assignment is poor, inaccurate, and lacks depth and explanation. This paper is poor or unacceptable and its quality suggests that the student did not take the assignment seriously and gave it little thought.

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program but also over the span of a lifetime.

University Policies

General Expectations, Rights and Responsibilities of the Student

As members of the academic community, students accept both the rights and responsibilities incumbent upon all members of the institution. Students are encouraged to familiarize themselves with SJSU's policies and practices pertaining to the procedures to follow if and when questions or concerns about a class arises. See University Policy S90-5 at <http://www.sjsu.edu/senate/docs/S90-5.pdf>. More detailed information on a variety of related topics is available in the SJSU catalog, at <http://info.sjsu.edu/web-dbgen/narr/catalog/rec-12234.12506.html>. In general, it is recommended that students begin by seeking clarification or discussing concerns with their instructor. If such conversation is not possible, or if it does not serve to address the issue, it is recommended that the student contact the Department Chair as a next step.

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drop, grade forgiveness, etc. Refer to the current semester's Catalog Policies section at <http://info.sjsu.edu/static/catalog/policies.html>. Add/drop deadlines can be found on the current academic year calendars document on the Academic Calendars webpage at http://www.sjsu.edu/provost/services/academic_calendars/. The Late Drop Policy is available at <http://www.sjsu.edu/aars/policies/latedrops/policy/>. Students should be aware of the current deadlines and penalties for dropping classes. Information about the latest changes and news is available at the Advising Hub at <http://www.sjsu.edu/advising/>.

Academic integrity

Your commitment as a student to learning is evidenced by your enrollment at San Jose State University. The University Academic Integrity Policy S07-2 at <http://www.sjsu.edu/senate/docs/S07-2.pdf> requires you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development. The Student Conduct and Ethical Development website is available at <http://www.sjsu.edu/studentconduct/>.

Instances of academic dishonesty will not be tolerated. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) will result in a failing grade and sanctions by the University. For this class, all assignments are to be completed by the individual student unless otherwise specified. If you would like to include your assignment or any material you have submitted, or plan to submit for another class, please note that SJSU's Academic Integrity Policy S07-2 requires approval of instructors.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, please email me to discuss as soon as possible. Presidential Directive 97-03 at http://www.sjsu.edu/president/docs/directives/PD_1997-03.pdf requires that students with disabilities requesting accommodations must register with the Accessible Education Center (AEC) at <http://www.sjsu.edu/aec> to establish a record of their disability. In 2013, the Disability Resource Center changed its name to be known as the Accessible Education Center, to incorporate a philosophy of accessible education for students with disabilities. The new name change reflects the broad scope of attention and support to SJSU students with disabilities and the University's continued advocacy and commitment to increasing accessibility and inclusivity on campus.

Student Technology Resources

Computer labs for student use are available in the [Academic Success Center](#) at <http://www.sjsu.edu/at/asc/> located on the 1st floor of Clark Hall and in the Associated Students Lab on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library.

A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. These items include DV and HD digital camcorders; digital still cameras; video, slide and overhead projectors; DVD, CD, and audiotape players; sound systems, wireless microphones, projection screens and monitors.

Learning Assistance Resource Center

The Learning Assistance Resource Center (LARC) is located in Room 600 in the Student Services Center. It is designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. The center provides support services, such as skills assessment, individual or group tutorials, subject advising, learning assistance, summer academic preparation and basic skills development. [The LARC website is located at http://www.sjsu.edu/larc/](http://www.sjsu.edu/larc/).

SJSU Peer Connections

Peer Connections, a campus-wide resource for mentoring and tutoring, strives to inspire students to develop their potential as independent learners while they learn to successfully navigate through their university experience. You are encouraged to take advantage of their services which include course-content based tutoring, enhanced study and time management skills, more effective critical thinking strategies, decision making and problem-solving abilities, and campus resource referrals.

In addition to offering small group, individual, and drop-in tutoring for a number of undergraduate courses, consultation with mentors is available on a drop-in or by appointment basis. Workshops are offered on a wide variety of topics including preparing for the Writing Skills Test (WST), improving your learning and memory, alleviating procrastination, surviving your first semester at SJSU, and other related topics. A computer lab and study space are also available for student use in Room 600 of Student Services Center (SSC). Peer Connections is located in three locations: SSC, Room 600 (10th Street Garage on the corner of 10th and San Fernando Street), at the 1st floor entrance of Clark Hall, and in the Living Learning Center (LLC) in Campus Village Housing Building B. Visit [Peer Connections website](#) at <http://peerconnections.sjsu.edu> for more information.

SJSU Writing Center

The SJSU Writing Center is located in Clark Hall, Suite 126. All Writing Specialists have gone through a rigorous hiring process, and they are well trained to assist all students at all levels within all disciplines to become better writers. In addition to one-on-one tutoring services, the Writing Center also offers workshops every semester on a variety of writing topics. To make an appointment or to refer to the numerous online resources offered through the Writing Center, visit the [Writing Center website](#) at <http://www.sjsu.edu/writingcenter>. For additional resources and updated information, follow the Writing Center on Twitter and become a fan of the SJSU Writing Center on Facebook.

SJSU Counseling Services

The SJSU, Counseling Services is located on the corner of 7th Street and San Fernando Street, in Room 201, Administration Building. Professional psychologists, social workers, and counselors are available to provide consultations on issues of student mental health, campus climate or psychological and academic issues on an individual, couple or group basis. To schedule an appointment or learn more information, visit Counseling Services website at <http://www.sjsu.edu/counseling>.

Course Schedule

***The instructor reserves the right to alter this schedule at any time during the semester. Logging into Canvas multiple times a week will ensure that you are abreast of any changes that are made.**

<u>Module</u>	<u>Dates</u>	<u>Topic</u>	<u>Assignments Due</u>
1	8/21 – 8/25	Introduction -- Measurement of Crime Across Nations	<ul style="list-style-type: none"> • Read Syllabus • Read Research Paper Assignment Requirements • Read Dammer & Albanese: Chapters 1 & 2 • Detailed Introduction Post • Discussion Board #1
2	8/26 – 9/1	Families of Law -- Model Nations	<ul style="list-style-type: none"> • Read Dammer & Albanese: Chapters 3 & 4 • Read Reichel Chapters 4&5 on Canvas • Explore: http://www.juriglobe.ca/eng/ • Discussion Board #2
3	9/2 – 9/8	Law Enforcement	<ul style="list-style-type: none"> • Read Dammer & Albanese: Chapter 5 • Supplemental Readings posted to Canvas: <ul style="list-style-type: none"> ○ Reichel Chapter 6 ○ Service (2012) ○ Morant and Edwards (2010) ○ Juska (2009) ○ Morris (2015) ○ Adams and Vera Sanchez (2018) • Discussion Board #3
4	9/9 – 9/15	Criminal Procedure --- Courts	<ul style="list-style-type: none"> • Read Dammer & Albanese: Chapters 6 & 7 • Supplemental Readings posted to Canvas: <ul style="list-style-type: none"> ○ Reichel Chapter 7 ○ Nelken (2009) ○ Jehel, Wade and Elsner (2008) ○ Lynch (2017) • Research Paper Outline due FRIDAY 9/13 • Research Paper Outline Peer-Review due Sunday 9/15
5	9/16 – 9/22	After Conviction: Sentencing	<ul style="list-style-type: none"> • Read Dammer & Albanese: Chapter 8 • Supplemental Readings posted to Canvas: <ul style="list-style-type: none"> ○ Ewald (2010) ○ Garbett (2013) ○ Albrecht (2013) ○ Anckar (2014) ○ Novak (2017) • Discussion Board #4

6	9/23 – 9/29	After Conviction: Prison	<ul style="list-style-type: none"> • Read Dammer & Albanese: Chapter 9 • Supplemental Readings posted to Canvas: <ul style="list-style-type: none"> ○ Reichel Chapter 8 ○ Penrose (2016) ○ Dervan (2011) ○ Sander et al. (2016) • Discussion Board #5
7	9/30 – 10/6	Special Topics: Terrorism, Organized Crime and Juvenile Justice	<ul style="list-style-type: none"> • Read Dammer & Albanese Chapters 10, 11, & 12 • Supplemental Readings posted to Canvas: <ul style="list-style-type: none"> ○ Reichel Chapter 9 ○ Deflem (2006) ○ Harfield (2008) ○ Pham (2013) • Research Paper PowerPoint presentation due FRIDAY 10/4 • Research Paper Presentation Peer-Reviews due Sunday 10/6
8	10/7 – 10/11	Final Thoughts --- RESEARCH PAPER DUE	<ul style="list-style-type: none"> • Supplemental Readings posted to Canvas: <ul style="list-style-type: none"> ○ Bennett (2004) ○ Zimring (2006) ○ Kim, Lin and Lambert (2015) • Research Paper due FRIDAY 10/11 by 11:59pm