

**WRONGFUL CONVICTIONS
SYLLABUS
PROFESSOR EMILY DANKER-FELDMAN
Fall 2020
Tuesday/Thursday 5:00-6:15 p.m.**

Course Location

Room 4/Zoom

Wrongful Convictions is a three-credit course. The course is a prerequisite for enrolling in the Innocence Project Clinic.

Learning objectives

- Gain familiarity with the causes of wrongful convictions
- Situate wrongful convictions within broader systems and structures
- Learn to think like an Innocence Project lawyer

Online listing

This course is entirely online, **except for the first and last weeks of class (8/24, 8/26, 11/30, and 12/2) which will be in Room 4. After our second class on Thursday, 8/26, you are invited to a Welcome Reception at Professor Rod Uphoff's home.** More details to follow. Two classes will be devoted to each topic under the wrongful conviction umbrella, although we will spend more time with flawed forensics this semester as the Midwest Innocence Project (MIP) is currently evaluating cases for a grant with that focus. The schedule, including the location of classes, is set forth at the end of this syllabus. Please note, the schedule is subject to change as the need arises. For resources on using Zoom:

<https://teachingtools.umsystem.edu/support/solutions/folders/11000014261>.

Communication

My email is: edanker-feldman@missouri.edu. My cell phone is: 703-509-5566. Please contact me with questions or concerns or to touch base. I just request that you keep your communication during regular business hours (Monday through Friday 8:30 a.m. to 5:00 p.m.), unless it is urgent. I am based in St. Louis, so I will be commuting to Columbia for the first and last weeks of class. In lieu of office hours, I will ask you set up a Zoom meeting with me in the first few week of class using this link: <https://calendly.com/edanker-feldman/meeting>. My office is on the third floor in Room 335, though I do not anticipate being there frequently.

I will post a pre-semester survey to our Canvas site, including questions about online learning. Please complete it by Monday, 8/23. You will also have the opportunity to complete an anonymous survey to provide feedback on the course at the end of the semester.

Materials

You should have read *The Innocent Man* before our first class. The readings for the rest of the semester will be made available on Canvas. After Thursday classes, I will post the materials for the next week.

Assignments

Participation – You will be expected to have read/watched the materials for class and be prepared to discuss them.

Voicethread: After Thursday classes, I will post a prompt on Voicethread and ask you to post one video/audio response of your own and one reply to a classmate's response. Your responses and replies will be due by noon on Tuesdays. We will not have Voicethread assignments the weeks of our forensic case round presentations.

Persuasive paper: I will ask you to write a short two-page persuasive paper on a topic of your choosing due by noon on Tuesday, 10/26. It will be graded for completion.

Chronology: To assist with your case analysis memo, I will ask you to draft a chronology that will be due by noon on Thursday, 11/11. It will be graded for completion.

Case Analysis – I will ask you to review the Tommie Henson case file. This is an actual case that was evaluated by MIP. Following your review of the file, you will prepare a 5-15 page single spaced memo that (a) assesses the strength and weaknesses of the State's case against Henson, (b) addresses Henson's claim that he was not guilty of the charges for which he was convicted, and (c) recommends either that the case be closed and why or spells out the investigation that needs to be conducted including persons to be interviewed and evidence that needs to be gathered if we are to try to demonstrate Henson's actual innocence. I will hold office hours during our class time on Tuesday, 11/9, and Thursday, 11/11, to answer any questions about the assignment. **The case analysis memo will be due by noon on Tuesday, 11/30.**

Grading

This class is graded on the standard numerical basis. Active participation will be rewarded. The maximum possible points available during the semester are:

Participation	35%
Forensic Case Round Presentation	25%
Henson Case Analysis	40%

Attendance

A student who misses more than 3 classes can expect that it will adversely affect their final grade, unless the miss was a result of compelling circumstances. **Students with more than seven unexcused absences will be dropped from the class.**

COVID-19

A renewed [indoor masking requirement](#) has been instituted until 9/15, so **you will be required to wear masks for our in-person classes on 8/24 and 8/26.** If you are experiencing any COVID-related symptoms, or are otherwise feeling unwell, do not attend in-person classes and contact your health care provider and/or student health immediately. For more information on university policies and recommendations, go to <https://renewal.missouri.edu/>. Thank you in advance for joining me and your peers in adhering to these safety measures.

Mental health

The CDC's *Mental Health, Substance Abuse, and Suicidal Ideation During the COVID-19 Pandemic — United States, June 24-30, 2020* found that among persons aged 25-44:

- 35.3% reported anxiety disorder, and 32.5 reported depressive disorder
- 19.5% started or increased substance use to cope with pandemic-related stress or emotions
- 16% had seriously considered suicide in the preceding 30 days

The *Follow-up Survey of US Adult Reports of Mental Health, Substance Use, and Suicidal Ideation, September 2020* found that the prevalence of adverse mental health symptoms remained elevated in the later phase of the COVID-19 pandemic.

The legal profession already registers higher rates of anxiety, depression, and substance abuse. There is no shame in struggles with our mental health. It is a sign of strength to seek help when we need it. Please reach out in whatever way makes sense for you.

The MU Counseling Center offers professional mental health care, and can help you find the best approach to treatment based on your needs. Call to make an appointment at 573-882-6601. Any student in crisis may call or go to the MU Counseling Center between 8:00 – 5:00 M-F. After hours phone support is available at 573-882-6601.

Visit <https://wellbeing.missouri.edu> to take an online mental health screening, find out about workshops and resources that can help you thrive, or learn how to support a friend. Download Sanvello, a phone app that teaches skills and strategies to help you maintain good mental health. Log in with your Mizzou e-mail to unlock all the tools available through Sanvello at no cost to you.

Accommodation

If you need accommodation for this course due to a physical or learning disability, please contact me to discuss individualized special arrangements. If you have emergency medical information to share or need special arrangements in case the building must be evacuated, you can contact me privately.

Please note, however, that all requests for accommodations are handled by the Associate Dean for Academic affairs. To request academic accommodations (for example, a note taker), you must also register with the Office of Disability Services, (<http://disabilityservices.missouri.edu>), S5 Memorial Union, 882-4696. It is the office responsible for reviewing documentation provided by students requesting academic accommodations, and for accommodations planning in cooperation with students and instructors, as needed and consistent with course requirements. For other resources for differently abled students, click on "Disability Resources" on the MU homepage.

Academic Integrity

Academic integrity is fundamental to the activities and principles of the School of Law. All members of the law school community must be confident that each person's work has been responsibly and honorably acquired, developed, and presented. Any effort to gain an advantage not given to all students is dishonest whether the effort is successful or not. The law school community regards breaches of the School of Law's Honor Code as extremely serious matters.

In the event that you violate our Academic Integrity rules on any portion of the work required for this course, you may expect a failing grade in this course as well as possible disciplinary sanctions ranging from probation to expulsion. When in doubt about plagiarism, paraphrasing, quoting, collaboration, or any other form of cheating, please contact me.

Date	Location	Class Focus	Speaker/Assignment
August 24	Room 4	Overview	
August 26	Room 4	Overview	Rod Uphoff, MU
August 31	Zoom	Systemic Racism	Adrienne Davis, Washington University
September 2		NO CLASS	
September 7		NO CLASS	
September 9	Zoom	Systemic Racism	
September 14	Zoom	Flawed Forensics	David Tushaus, MIP Supervising Attorney, and Leigh Ann Carroll, MIP Paralegal
September 16	Zoom	Flawed Forensics	Krista Currie, Laurentian University, Ontario, Canada
September 21	Zoom	Eyewitness identification	Nancy Franklin, Stony Brook University
September 23	Zoom	Eyewitness identification	
September 28	Zoom	Flawed Forensics	Forensic case round presentations
September 30	Zoom	Flawed Forensics	Forensic case round presentations
October 5	Zoom	Flawed Forensics	Forensic case round presentations
October 7	Zoom	Flawed Forensics	Forensic case round presentations
October 12	Zoom	False Confessions	Megan Crane, MacArthur Justice Center Co-Director
October 14	Zoom	False Confessions	
October 19	Zoom	State Misconduct	Tricia Bushnell, MIP Executive Director
October 21	Zoom	State Misconduct	Jessica Hathaway, St. Louis County Conviction and Incident Review Unit Interim Director
October 26	Zoom	Miscellaneous Topics	Persuasive Paper Due
October 28	Zoom	Exoneree Experience	Ricky Kidd, Exoneree
November 2		NO CLASS	
November 4		NO CLASS	
November 9		Office Hours	
November 11		Office Hours	Chronology Due
November 16		NO CLASS	
November 18		NO CLASS	
November 23		Thanksgiving Break, NO CLASS	
November 25		Thanksgiving Break, NO CLASS	
November 30	Room 4	Henson Analysis	Rod Uphoff, MU, Case Analysis Due
December 2	Room 4	Henson Analysis	Rod Uphoff, MU