



DEATH PENALTY (CRIJ 5310.060)

Term: Spring 2026

Course Dates: January 12 – May 2, 2026

Professor: Dr. Jennifer Wooldridge

Course Times: Online

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Office Hours: Tuesday/Thursday 9:30-11:00am (in-person and Zoom) or by appointment

Course Overview

This graduate seminar provides a comprehensive exploration of capital punishment in the United States, emphasizing advanced analysis of its legal, empirical, and ethical dimensions. Students will critically examine the historical development of death penalty statutes, the constitutional framework established through landmark Supreme Court decisions, and the evolving standards of justice that define its modern application. The course also interrogates wrongful convictions and death row exonerations through the lenses of forensic reliability, prosecutorial discretion, and systemic bias. Drawing on interdisciplinary scholarship and contemporary case studies, students will evaluate the role of innocence organizations, legislative reforms, and public opinion in shaping the future of capital punishment. Emphasis is placed on critical evaluation of legal doctrine, data-driven policy analysis, and scholarly research contributing to evidence-based reform in the administration of justice.

Student Learning Outcomes

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

- **Describe** the historical and legal development of the death penalty in the United States.
- **Explain** the impact of key Supreme Court decisions and legislative actions shaping capital punishment policy.
- **Analyze** wrongful conviction cases to understand contributing factors such as error, bias, or misconduct.
- **Evaluate** arguments for and against the use of the death penalty from legal, moral, and social perspectives.
- **Apply course concepts** to case studies to demonstrate critical thinking about justice system reform and the protection of the innocent.

Required Textbooks and Readings

- This course is considered an OER/no-cost course. All of the course readings and materials will be provided, at no cost, on Canvas.
- **Total Course Cost:** \$0



Course Structure

This course is fully online taught asynchronously throughout the semester. You will have online lectures and activities each week that correspond with the topic at hand. This is a work intensive course with collaborative and independent work.

Tips for Success in this Course

1. **Participate.** I invite you to engage deeply, ask questions, and talk about the course content with your classmates. You can learn a great deal from discussing ideas and perspectives with your peers and professor. Participation can also help you articulate your thoughts and develop critical thinking skills.
2. **Manage your time.** I get it—students usually juggle a lot, and I know you've got commitments beyond this class. Still, doing your best often means carving out enough dedicated time for coursework. Try scheduling specific blocks of time and ensure you have enough room to finish assignments, allowing extra space for any tech issues that might pop up.
3. **Login regularly.** I recommend that you log in to Canvas several times a week to view announcements, discussion posts and replies to your posts.
4. **Do not fall behind.** This class moves at a quick pace and each week builds on the previous class content. If you feel you are starting to fall behind, check in with the instructor as soon as possible so we can troubleshoot together. It will be hard to keep up with the course content if you fall behind in the pre-work or post-work.
5. **Use Canvas notification settings.** Pro tip! Canvas can ensure you receive timely notifications in your email or via text. Be sure to enable notifications to be sent instantly or daily. ([Canvas Notification Guide](#))
6. **Ask for help if needed.** If you are struggling with a course concept, reach out to me and your classmates for support.

Graded Course Requirements Information

Micro-Lecture Homework Assignments 10 pts per week

Each week, students will complete micro-lecture activities that include short video response questions, comprehension checks, and low-stakes homework reflections. These assignments are designed to reinforce key ideas from the week's lecture material—such as Supreme Court cases, legislative developments, and ethical debates surrounding capital punishment—and to build foundational knowledge for more advanced analysis. Each week's micro-lecture assignments are worth 10 points each.

Applied Assignments (15 pts each)

During each week, students will complete one short applied activities worth 15 points each. These assignments challenge students to synthesize lecture content, readings, and case studies to explore major issues in the administration of the death penalty and the problem of wrongful convictions. Activities may include:

- Analysis of innocence project case files or exoneration data



- Policy critiques of capital sentencing procedures
- Structured debates on ethical and constitutional questions
- Legal response plans to hypothetical or historical capital cases

Detailed guidelines and prompts for each assignment will be in class when we work on these assignments.

Wrongful Conviction Assignments (20-35 pts each)

At the mid-point of the semester, students will receive a real-life case study of an exonerated individual who was released from death row. You will take on the role of an Innocence Project investigator who will perform a case intake on the individual in question, look for potential bias, misconduct, or other issue that may have contributed to their conviction despite being actually innocent. Students will have the ability to revise material before the final submission in Week 14. Each submission is worth 20 – 35 pts each.

Final Submission (100 pts)

Students will complete a final paper in which they complete a case study focused on a wrongfully convicted individual off of death row. Graduate students will take the role of an Innocence Network member working on the exoneration of a client. More details about this project can be found on Canvas. This is a culmination of the work completed during Modules 9-13.

Final Presentation (50 pts)

In addition to completing a final paper submission, students will present the facts of their case study and respond to several prompts as described on Canvas.

Grading Structure

Assignment	Points
Micro-Lecture Quizzes	150
Applied Activities	120
Wrongful Conviction Activities	115
Final Project	100
Final Presentation	50
Total	535 pts

Grading Scale

- A - (535 – 482)
- B - (481.5 – 428)
- C - (427.5 – 375)
- D - (374.5 – 321)
- F - (320.5 – below)



Artificial Intelligence (AI) Use:

UT Tyler is committed to exploring and using artificial intelligence (AI) tools as appropriate for the discipline and task undertaken. We encourage discussing AI tools' ethical, societal, philosophical, and disciplinary implications. All uses of AI should be acknowledged as this aligns with our commitment to honor and integrity, as noted in UT Tyler's Honor Code. Faculty and students must not use protected information, data, or copyrighted materials when using any AI tool. Additionally, users should be aware that AI tools rely on predictive models to generate content that may appear correct but is sometimes shown to be incomplete, inaccurate, taken without attribution from other sources, and/or biased.

Consequently, an AI tool should not be considered a substitute for traditional approaches to research. You are ultimately responsible for the quality and content of the information you submit. Misusing AI tools that violate the guidelines specified for this course (see below) is considered a breach of academic integrity. The student will be subject to disciplinary actions as outlined in UT Tyler's Academic Integrity Policy. For this course, AI is encouraged during the course, and appropriate acknowledgement is expected.

Example 1: I encourage you to explore using artificial intelligence (AI) tools, such as ChatGPT, for all assignments and assessments. Any such use must be appropriately acknowledged and cited, following the guidelines established by the APA Guide, including the specific version of the tool used. The submitted work should include the exact prompt you used to generate the content and the AI's complete response as an appendix. Because AI-generate content is not necessarily accurate or appropriate, you must assess the validity and applicability of any submitted AI output. You will not earn full credit if inaccurate, invalid, or inappropriate information is found in your work. APA Style Citation Information b.

Example 2: You can use AI programs (ChatGPT, Copilot, etc.) in this course. These programs can be powerful tools for learning and other productive pursuits, including completing assignments in less time, helping you generate new ideas, or serving as a personalized learning tool. However, your ethical responsibilities as a student remain the same. You must follow UT Tyler's Honor Code and uphold the highest standards of academic honesty. This applies to all uncited or improperly cited content, whether created by a human or in collaboration with an AI tool. If you use an AI tool to develop content for an assignment, you must cite the tool's contribution to your work. 2 c.

Example 3: Students can use AI platforms to help prepare for assignments and projects. You can use AI tools to revise and edit your work (e.g., identify flaws in reasoning, spot confusing or underdeveloped paragraphs, or correct citations). When submitting work, students must identify any writing, text, or media generated by AI. In this course, sections of assignments generated by AI should appear in a different colored font, and the relationship between those sections and student contributions should be discussed in a cover letter that accompanies the assignment when submitted.

Late Work and Make-Up Exams:

As a general rule, I do not accept late assignments. I never spring any last-minute assignments on you – from the first day of class, you will know what is due and when it is due to me. It is up to you to plan accordingly as you have ample time to complete these assignments. If you do not turn in your assignments on time, it is a zero in the gradebook and I will not grade the assignment. However, there are always times when I am lenient and will accept the assignment so long that it is submitted before I begin grading. But that's a game of chance on your end 😊

If you have a documented excuse (death in the family, illness, car accident, etc...), you must inform me of your situation within 2 days of the missed assignment and it is mandatory for you to provide documentation to me in order to be eligible for a make-up. Please note that having to work is not an excused absence. While I am



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sympathetic and understanding to your work schedule, you have made a choice to enroll in this class and it must be considered a priority. First responders and military personnel will receive exemptions from the work policy in this class on an individual basis. Religious holiday are always accepted as exemptions. Pregnant and parenting student policies also apply here as per state law, so long as the student is on record with the university.

Attendance Policy:

As this is an in-person class, you are expected to attend the course, in-person. No Zoom accommodations will be made unless there is paperwork on file with the university. All Applied Assignments must be completed in class for them to count for credit.

University Policies & Student Resources:

University policies and student resources are available on the University website and in Canvas under "Syllabus". (You may copy or print the following information to include in your syllabus or use the links provided below.)

- [University Policy](#)
- [Student Resources](#)

Calendar of Topics, Readings, and Due Dates

CRIJ 5310: The Death Penalty & Actual Innocence

Course Schedule – Spring 2026 (Jan 12 – May 7)

Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
1	Jan 12–18	Introduction to Capital Punishment	National Registry of Exonerations Gross et al. Exonerations in the US 1989-2005 Ramirez – Unmasking the American Death Penalty Debate: Race, context, and citizens' willingness to execute Acker – The Death Penalty: An American History	<u>Micro-Lectures</u> What Makes the Death Penalty Different? The Supreme Court's Role in Regulating Death Finality, Error, and the Cost of Getting it Wrong <u>Applied Assignment</u> The Death Penalty and the Risk of Error
2	Jan 19–25	The 8 th Amendment & “Evolving Standards of Decency”	<i>Wilkerson v. Utah (1878)</i> <i>In re Kemmler (1890)</i> <i>Trop v. Dulles (1958)</i> Freedman (2022). The modern federal death penalty: Cruel and unusual punishment Steinman (2025). The death of decency: How a case about homelessness nearly upended seventy years of eighth amendment jurisprudence.	<u>Micro-Lectures</u> The Eighth Amendment and the Constitutional Logic of Death Evolving Standards of Decency: The Doctrinal Pivot From Method Regulation to Systemic Scrutiny <u>Applied Assignment</u> The Eighth Amendment and Capital Punishment
3	Jan 26–Feb 1	The Modern Era & <i>Furman v. Georgia (1972)</i>	<i>Furman v. Georgia (1972)</i>	<u>Micro-Lectures</u> Before Furman: Discretion without Limits



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			<p>Blume (2022). Ghosts of executions past: Case study of executions in South Carolina in the pre-Furman era.</p> <p>Goetting (2022). The Furman filtration problem: Why the death penalty will always be cruel and unusual punishment.</p> <p>Steiker & Steiker (2022). Little Furmans everywhere: State court intervention and the decline of the American death penalty.</p>	<p>A Court Without Theory</p> <p>The Meaning of Furman: Abolition, Pause, or Warning?</p> <p><u>Applied Assignment</u></p> <p>Explaining the Death Penalty to a Non-Lawyer</p>
4	Feb 2–8	Reinstatement & Gregg v. Georgia (1976)	<p><i>Gregg v. Georgia</i> (1976)</p> <p><i>Jurek v. Texas</i> (1976)</p> <p><i>Proffitt v. Florida</i> (1976)</p> <p><i>Woodson v. North Carolina</i> (1976)</p> <p><i>Roberts v. Louisiana</i> (1976)</p> <p>Bedau (1985) <i>Gregg v. Georgia</i> and the “new” death penalty.</p> <p>Perla (2021). The two percent: How Florida’s capital punishment system defies the eighth amendment.</p>	<p><u>Micro-Lectures</u></p> <p>After Furman: Rebuilding the Death Penalty Through Procedure</p> <p>Gregg v. Georgia: The Constitutional Blueprint for Reinstatement</p> <p>The Gregg Trilogy: What the Court Allowed – Ad What it Refused</p> <p><u>Applied Assignment</u></p> <p>Does the Death Penalty Doctrine Actually Work</p>
5	Feb 9–15	Aggravating & Mitigating Circumstances	West & Yelderman (2023). Tipping the Scales Toward Death: Why some Aggravators Mean more than others	<p><u>Micro-Lectures</u></p> <p>Narrowing Death: Aggravating Factors as Constitutional Gatekeepers</p> <p>Proportionality and the Illusion of Consistency</p>



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			<p>Holleran (2023). Life or death: A qualitative examination of mitigating and aggravating circumstances.</p> <p>Smith et al. (2025). Exploring the effects on capital punishment sentencing of aggravating and mitigating factors that are not accepted</p> <p><i>Lockett v. Ohio (1978)</i></p> <p><i>Lowenfield v. Phelps (1988)</i></p>	<p>Who Decides Death? Juries, Judges, and Constitutional Authority</p> <p><u>Applied Assignment</u></p> <p>Who Gets Death? Aggravating & Mitigating Factors in Practice</p>
6	Feb 16–22	Race in Capital Sentencing	<p><i>McCleskey v. Kemp (1987)</i></p> <p>Schafer et al. (2008) Race as a variable in imposing and carrying out the death penalty in the US</p> <p>Baumgartner et al. (2015). #BlackLivesDon'tMatter: Race-of-victim effects in US executions, 1976-2013</p> <p>Wu (2022). The effect of wrongful conviction rate on death penalty support and how it closes the racial gap</p> <p>Race and Wrongful Convictions in 2022</p>	<p><u>Micro-Lectures</u></p> <p>Race as Risk, Not Intent: How the Court Frames Disparity</p> <p>McCleskey v. Kemp and the Limits of Constitutional Proof</p> <p>The McCleskey Fear: What the Court was Really Protecting</p> <p><u>Applied Assignment</u></p> <p>Race and Capital Sentencing – Data Storyboard</p>
7	Feb 23–Mar 1	Categorical Exclusions & Constitutional Linedrawing	<p><i>Atkins v. Virginia (2002)</i></p> <p><i>Hall v. Florida (2014)</i></p> <p><i>Roper v. Simmons (2005)</i></p> <p><i>Graham v. Florida (2010)</i></p>	<p><u>Micro-Lectures</u></p> <p>Categorical Exclusions: When Procedure is No Longer Enough</p> <p>Intellectual Disability: From Atkins to Hall</p>



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			<p><i>Miller v. Alabama</i> (2012)</p> <p><i>Coker v. Georgia</i> (1977)</p> <p><i>Kennedy v. Louisiana</i> (2008)</p> <p><i>Enmund v. Florida</i> (1982)</p> <p><i>Tison v. Arizona</i> (1982)</p> <p>Haney et al. (2022). Roper and Race: The nature and effects of death penalty exclusions for juveniles and the “Late Adolescent Class”</p> <p>Harmon et al. (2025) “When the Death Count Gets Higher”: An empirical examination of whether the federal courts of appeals have authentically enforced <i>Atkins v. Virginia</i></p> <p>Skovron et al. (1989). The Death Penalty for juveniles: An assessment of public support.</p> <p>Dierenfeldt et al. (2020). Support for the death penalty in cases of rape and sexual assault: Variation between victim age categories</p>	<p>Juveniles and Culpability: Roper, Graham and Miller</p> <p>Offense-Based Exclusions: Coker, Kennedy, Enmund, and Tison</p> <p><u>Applied Assignment</u></p> <p>Constitutional Boundary Map – Exclusions from the Death Penalty</p>
8	Mar 2–8	Last Days, Methods of Execution, & Lethal Injection Litigation	<p><i>Baze v. Bees</i> (2008)</p> <p><i>Glossip v. Gross</i> (2015)</p> <p>DPIC Botched Executions</p> <p>Oklahoma inmate’s execution botched – Clayton Lockett (video)</p>	<p><u>Micro-Lectures</u></p> <p>Cruel and Unusual Revisited: Pain, Risk, and the Eighth Amendment</p> <p><i>Baze v. Rees</i>: The Modern Test for Execution Methods</p>



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			<p>Kaplan (2024). Challenges to the Contemporary Death Penalty in the United States</p> <p>Lain (2025). Lethal injection then and now: A topsy-turvy moment for the abolition movement</p> <p>Blume & van Winkle (2022). Execution methods and evolving standards of decency.</p> <p>Walliss (2022). Last meals and final statements: Social science research on America's death row.</p> <p>Sarat et al. (2017) The fate of lethal injection: Decomposition of the paradigm and its consequences</p> <p>What lethal injection feels like (video)</p> <p>The origins of the death penalty and its stain on America (video)</p>	<p>Glossip v. Gross: Burden, Proof, and Judicial Deference</p> <p>Bucklew v. Precythe: Individualized Pain and the Limits of Compassion</p> <p>Last Words: Performance, Silence, and Meaning</p> <p>Last Meals: Control, Comfort, and the Illusion of Choice</p> <p><u>Applied Assignment</u></p> <p>The Symbolism of Execution – Last Words or Last Meals</p>
	Mar 9–19	Spring Break – No Class	—	—
9	Mar 16–22	The Innocence Movement & Case Assignments	<p>Parker et al. (2003) Race, the Death Penalty, and Wrongful Convictions</p> <p>Blackerby (2003) Life after Death Row: Preventing Wrongful Capital Convictions and Restoring Innocence after Exoneration</p> <p>Wrongfully convicted and in lock up understanding innocence and the development of legal consciousness behind prison walls</p>	<p><u>Micro-Lectures</u></p> <p>What Actual Innocence Means on Death Row</p> <p>Wrongful Executions: When the System Gets It Irreversibly Wrong</p> <p>Near Misses: Exonerations from Death Row</p> <p>From Error to Reform: The Rise of the Innocence Movement</p>



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			Acker (2016) Taking Stock of innocence	<u>Wrongful Conviction Assignment</u> Case Intake & Innocence Movement Context
10	Mar 23–29	Wrongful Convictions & Innocence Projects	Cohen (2021) Pain, suffering, and jury awards: A study of the cost of wrongful convictions Norris et al. (2020) Thirty Years of Innocence: Wrongful Convictions and Exonerations in the United States, 1989–2018 Actual Innocence: Five Days to Execution by Barry Scheck, Peter Neufeld, and Jim Dwyer (Recommended Read) Scheck & Neufeld (1998) Toward the Formation of "Innocence Commissions" in America "For the Defense" Podcast - Interview with Barry Scheck (Optional Listen) Scheck (2006) Barry Scheck Lectures on Wrongful Convictions	<u>Micro-Lectures</u> The Birth of the Innocence Project Barry Scheck, DNA, and Capital Case Exonerations Limits, Critiques, and the Future of Innocence Work The Texas Innocence Project and Death Row Litigation <u>Wrongful Conviction Assignment</u> Wrongful Conviction & Innocence Projects
11	Mar 30–Apr 5	Forensics, False Confessions, & Eyewitness Error	Vick et al. (2021) Lethal leverage false confessions false pleas and wrongful homicide convictions in death-eligible cases Bonventre (2000) Wrongful convictions and forensic science Aronson & Cole (2009) Science and the Death Penalty DNA Innocence and the Debate over Capital Punishment in the United States	<u>Micro-Lectures</u> Forensic Evidence: Science, Certainty, and Capital Convictions False Confessions and the Illusion of Voluntariness Eyewitness Error: Memory, Confidence, and Misidentification



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			Wise (2004) What US judges know and believe about eyewitness testimony Kovera (2023) The role of suspect development practices in eyewitness identification	When Errors Combine: The Anatomy of a Death Row Conviction <u>Wrongful Conviction Assignment</u> Forensics, False Confessions & Eyewitness Error
12	Apr 6–12	Prosecutorial Misconduct & Defense Inequality	Dummond and Mills (2020) Addressing Official Misconduct: Increasing Accountability in Reducing Wrongful Convictions Joy (2006) Relationship between Prosecutorial Misconduct and Wrongful Convictions: Shaping Remedies for a Broken System Weintraub (2020) Obstructing Justice: The Association Between Prosecutorial Misconduct and the Identification of True Perpetrators Joy & McMunigal (2003) Inadequate Representation and Wrongful Conviction Itskovich et al (2023) Haven't they suffered enough? Time to exoneration following wrongful conviction of racially marginalized minority- vs. majority group members Karaffa et al. (2015) Compensating the Innocent: Perceptions of Exonerees' Deservingness to Receive Financial Compensation for Wrongful Convictions "Willie Francis Must Die Again" - Documentary (51:38) - Optional	<u>Micro-Lectures</u> Procedural Justice and the Myth of Equal Process Defense Inequality in Capital Cases Surviving Execution: Willie Francis and Procedural Cruelty What Procedural Misconduct Reveals About Capital Punishment <u>Wrongful Conviction Assignment</u> Prosecutorial Misconduct & Defense Inequality



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
13	Apr 13–23	Public Opinion, Media, and Political Rhetoric	<p>Wu (2022) The Effect of Wrongful Conviction Rate on Death Penalty Support and How It Closes the Racial Gap</p> <p>Norris & Mullinix (2019) Framing innocence: an experimental test of the effects of wrongful convictions on public opinion</p> <p>Nowotny et al (2022) Understanding Public Views of Wrongful Conviction Frequency and Government Responsibility for Compensation: Results From a National Sample</p> <p>Wu & Norris (2025) Framing the harms of wrongful convictions: how different narratives shape public opinion</p> <p>Diaz & Garza (2015) The Troy Davis Effect: Does Information on Wrongful Convictions Affect Death Penalty Opinions?</p>	<u>Micro-Lectures</u> Public Opinion and the Long Decline of Support Media, Narrative, and the Reframing of Capital Punishment Public Confidence, Legitimacy, and Disuse Federal Countercurrents: Death Row and Executive Power in Practice <u>Wrongful Conviction Assignment</u> Media, Public Opinion, & Political Rhetoric
14	Apr 20–26	The Future of Capital Punishment	<p>Drummond (2024) An opportunity for abolition McCleskey innocence and the modern death penalty decline</p> <p>Wiseman (2011) Innocence After Death</p> <p>Godsey & Pullman (2004) The Innocence Revolution and Our Evolving Standards of Decency in Death Penalty Jurisprudence</p> <p>Kirchmeier (2006) Dead Innocent: The Death Penalty Abolitionist Search for a Wrongful Execution</p>	<u>Micro-Lectures</u> Reform as Response: Why the Death Penalty Changes without Being Abolished Illinois, Innocence, and Executive Restraint: How Moratoria Became Politically Possible From Illinois to Washington: Federal Commutation as Executive Restraint The Future of the Death Penalty: Legitimacy, Disuse, and Managed Survival



Week	Dates	Topics & Cases	Readings / Materials	Activities / Assignments (all assignments due Sunday at 11:59pm)
			<p>Konvisser & Werry (2016) Exoneree Engagement in Policy Reform Work: An Exploratory Study of the Innocence Movement Policy Reform Process</p> <p>White House (2025) Restoring the Death Penalty and Protecting Public Safety</p> <p>What's Behind the Execution Surge of 2025? Here Are Four Theories</p>	<p><u>Wrongful Conviction Assignment</u></p> <p>Final Presentation</p> <p>Final Submission</p>

Note: This is a tentative schedule, and subject to change as necessary – monitor the course page for current deadlines. In the unlikely event of a prolonged university closing, or an extended absence from the university, adjustments to the course schedule, deadlines, and assignments will be made based on the duration of the closing and the specific dates missed.