

# Capital Punishment

Summer Session I, SRSU 2025

Benjamin Barrientes, benjamin.barrientes@sulross.edu

Office Hours Monday through Friday at 10 a.m.

109A Morelock Hall; (432) 837.8490; \*Cell phone (432) 294.4189

## Course Description:

We will examine the history of Capital Punishment Jurisprudence in America.

In this course, we will consider arguments for and against Capital Punishment.

We will venture into the uncomfortable domain of problems of discrimination (for example, in a candid conversation with the University of Iowa's 1<sup>st</sup> African-American Professor, Dr. Philip G. Hubbard, he claimed that he could never advocate for the Death Penalty because of its disparate impact against his fellow African Americans).

We will consider a rational basis for developing our views on Capital Punishment. Through reflection on various perspectives we will temper those views.

Each legal case covers foundational concepts that enable students to articulate an understanding of relevant, contemporary issues in Death Penalty Jurisprudence. The lifeblood to our learning will stem from questions. Together we will explore Baccaria's precept that education is the pivotal discovery to be made and how it's valued is the principle causation beyond good and evil.

Course Objectives (upon completion of the course students will be able):

1. To communicate about diverse topics in Capital Punishment Jurisprudence;
2. Think critically about the foundations of Capital Punishment Jurisprudence;
3. Think critically about their own points of view with regard to crime and punishment;
4. Appreciate and respect the views of their classmates;
5. Engage in collective learning;
6. Work on reaching a better level of logical precision in expressing and writing their ideas.

### Student Learning Objectives:

- Articulate a working vocabulary of important terminology
- Evaluate a recent publication for its formal qualities
- Demonstrate knowledge of causal identifiers.

### Marketable skills:

Students will develop strong written communication skills.

Students will acquire strong analytical skills.

Students will acquire stronger advocacy skills.

**FORMAT OF WRITTEN ASSIGNMENTS:** All assignments must be typewritten using MLA format; in 12-point type. Times New Roman or Ariel font, double-spaced with 1-inch margins, and **free of errors**. PLEASE PROOF YOUR WORK. You will be graded on both the content of your ideas and the clarity of your writing. Use the University's Writing Center prior to turning in your papers.

Texas Domain III Competency 19: The teacher understands and applies critical thinking knowledge and skills to plan, organize/implement instruction, and assess learning.

Texas Domain III Competency 23: The teacher understands and applies knowledge of core concepts of Criminal Justice including ways that individuals and groups achieve their goals through distinct and unique systems and approaches for thought.

Americans with Disability Act Statement: In order to receive accommodations on exams or assignments, proper documentation must first be provided to the Office of Counseling and Accessibility Services. Contact Mary Schwartz (Office: 112 Ferguson Hall, mary.schwartz@sulross.edu) to set up an accommodations meeting, or call (432) 837-8203. Students must then present this documentation to the instructor as soon as possible so that accommodations may be arranged.

Online Classroom Policies: Each class meeting informs subsequent class meetings. Participation and regular class attendance is expected of each student.

Sul Ross State University has a zero tolerance policy on cheating, plagiarism, or collusion. Procedures for dealing with these acts are addressed in the Scholastic Dishonesty Policy.

**Students are expected to read the selected assignments.**

The University is a place where we exchange ideas and points of view on a variety of issues. We must ensure that we feel comfortable and safe by trusting our atmosphere in order to express our point of view with clarity, precision, and measured language.

Through the use of email, the communication between teacher and student is better served. I will respond to your communication(s); I expect for you to respond to mine... Course Requirements: There will be a Midterm Exam; The Final Exam will be comprehensive; There will be 2 Critique Assignments that will be due at the time of the Midterm and Final Exam. You are required to maintain a journal: you need to write notes from our readings, questions that you wish to present to our class, and reflections that will enable you to inform your critiques. Grading Scale: 1st Critique: 20%; Midterm Exam: 20 %; 2nd Critique: 20%; Final Exam: 20 %; Weekly Journals (due each Friday): 20%. Participation includes: your contributions by way of taking initiative in the flow of our group inquiry; offering perspective(s) that ensure an inclusive environment; asking questions; doing your part to make the study of Capital Punishment come alive.

**Grading system:** A: 100-90; B: 89-80; C: 79-70; D: 69-60; F: 59 or less

**COURSE REQUIREMENTS:** All assignments must be submitted by email on the due date. This is a Summer Session online course; thus, I will not accept late work unless we have communicated and have reached a clear understanding.

**Weekly papers due each Friday (20%)**

Writing a paper responding to a series of questions based on readings assigned for that week (I will email you some preliminary guidelines to providing an IRAC summary of a case).

**Critique I: 20%, due by 11<sup>th</sup> of June 2025**

**Midterm Exam (20%), due by 11<sup>th</sup> of June 2025**

**Critique II: 20%, due by 2<sup>nd</sup> of July 2025**

**Final Exam (20%) 2nd of July 2025**

**Grading Criteria:**

A = Exceptional. Demonstrates mastery of material beyond expectation. Professional quality of work. Highest level of scholarship.

B = Above average. Demonstrates mastery of material. Work is of better-than-expected quality, but not quite professional. High level of scholarship.

C = Average. Demonstrates proficiency with material. Work is of amateur quality. Ordinary level of scholarship.

D = Below Average. Less than proficient with material. Work shows errors, careless mistakes, or is just plain wrong. Virtually non-existent scholarship.

F – Failure. Material incomplete. Work grossly negligent or incomplete. No evidence of scholarship present.

SRSU Disability Services. Sul Ross State University (SRSU) is committed to equal access in compliance with Americans with Disabilities Act of 1973. It is SRSU policy to provide reasonable accommodations to students with documented disabilities. It is the student's responsibility to initiate a request each semester for each class. Alpine students seeking accessibility/accommodations services must contact Mary Schwartz Grisham, M.Ed., LPC, SRSU's Accessibility Services Coordinator at 432-837-8203 (please leave a message and we'll get back to you as soon as we can during working hours), or email [mschwartz@sulross.edu](mailto:mschwartz@sulross.edu) Our office is located on the first floor of Ferguson Hall (Suite 112), and our mailing address is P.O. Box C-122, Sul Ross State University, Alpine. Texas, 79832

Technical Support. SRSU 24/7 Blackboard Technical Support: Toll Free: 888.837.6055. Email: [blackboardsupport@sulross.edu](mailto:blackboardsupport@sulross.edu)

SRSU Library Services.

The Bryan Wildenthal Memorial Library in Alpine offers FREE resources and services to the entire SRSU community. Access and borrow books, articles, and more by visiting the library's website, [library.sulross.edu](http://library.sulross.edu). Off-campus access requires your LoboID and password.

Check out materials using your photo ID. Librarians are a tremendous resource for your coursework and can be reached in person, by email ([srsulibrary@sulross.edu](mailto:srsulibrary@sulross.edu)), or phone (432-837-8123).

The Southwest Texas Junior College (SWTJC) Libraries at Uvalde, Del Rio, and Eagle Pass.

Offer additional access to library spaces and resources. Del Rio, Eagle Pass, and Uvalde students may also use online resources available through SWTJC website,

<https://library.swtjc.edu>. The SWTJC Libraries serve as pick-up locations for Inter-Library Loan (ILL) and Document Delivery from the Alpine campus.

### Online Classroom Climate of Respect

Importantly, this class will foster free expression, critical investigation, and open discussion of ideas. This means that all of us must help create and sustain an atmosphere of tolerance, civility, and respect for the viewpoints of others. Similarly, we must all learn how to probe, oppose and disagree without resorting to tactics of intimidation, harassment, or personal attack. No one is entitled to harass, belittle, or discriminate against another on the basis of race, religion, ethnicity, age, gender, national origin, or sexual preference. Still, we will not be silenced by the difficulty of fruitfully discussing politically sensitive issues.

### Student Services

Student services are designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. Visit: <https://www.sulross.edu/section/311/student-support-services>

## Course Content

### **Week 1, Wednesday, 28 May 2025 – 1st June 2025**

Initial Questions

What do we mean by Capital Punishment?

Are Jurisdictions uniform or are they different with regard to this matter?

What are some Causes of Crime that lead to Capital Punishment; are these Causes dispositive?

Witherspoon v. Illinois (1968)

Furman v. Georgia (1972)

Gregg v. Georgia (1976)

Woodson v. North Carolina (1976)

### **Week 2, 2nd of June – 8th of June 2025**

Coker v. Georgia (1977)

Lockett v. Ohio (1978)

Enmund v. Florida (1982)

Ford v. Wainwright (1986)

Batson v. Kentucky (1986)

McCleskey v. Kemp (1987)

Tison v. Arizona (1987)

Thompson v. Oklahoma (1988)

### **Week 3, 9<sup>th</sup> June – 15<sup>th</sup> June 2025**

Midterm due by 11:59 p.m. on 11<sup>th</sup> of June 2025

Penry v. Lynaugh (1989)

Stanford v. Kentucky (1989)

Herrera v. Collins (1993)

Atkins v. Virginia (2002)

Wiggins v. Smith (2003)

**Week 4, 16th of June – 22nd of June 2025**

Roper v. Simmons (2005)

Bazer v. Rees (2008)

Kennedy v. Louisiana (2008)

**Week 5, 23<sup>rd</sup> June -29<sup>th</sup> of June 2025**

Ethical Foundations

Socrates' view of death and dying

On what basis do we “the people” execute others?

**Week 6, Final Exam on 2nd of July 2025**

Can we have a Great Society with the Death Penalty?