

**University of Alabama at Birmingham (UAB) 2002**  
**AS 201/HY 290**  
**The Death Penalty: Perspectives on an American Institution**

Maria Morrison  
Office: HB 203, 934-8571  
Hours: Tues. 11:30-12:30, Thurs. 9:30-10:30, and by appointment

Robert R. Maddox  
Office Hours: By appointment or after class  
Telephone: 458-5424/E-mail: rmaddox@burr.com

**Texts:** *Welcome to Hell: Letters and Writings from Death Row*, Jan Arriens, ed.  
*In Cold Blood: A True Account of a Multiple Murder and Its Consequences*,  
Truman Capote  
*Native Son*, Richard Wright (handout: Book Three: "Fate")

**Casebook:** Cases and Materials on the Death Penalty, Rivkind and Shatz

**Films:** *Dead Man Walking*  
*In Cold Blood*  
*Mr. Death*  
*My Cousin Vinny*  
*The Thin Blue Line*

**Course Requirements:** Weekly writing assignments = 25 %  
Weekly quizzes (7)[lowest dropped]= 25 %  
Final exam (Aug. 6) = 50 %

**Policy:** Weekly writing assignments must be typed and are due at the beginning of class.  
No handwritten or late assignments will be accepted without prior arrangement.  
Come prepared to discuss your answers in class.

**Course Objectives:** The focus of this course is to analyze and discuss the death penalty within the context of films, literature and American Constitutional history.

**Attendance:** You are expected to attend every class. Your attendance will be recognized by your turning in a quiz. Miss the quiz, you have missed the class. No exceptions. You have the option of taking all eight quizzes and dropping your lowest grade OR you can decide not to take/attend a quiz/class and that grade will be dropped. No documentation or excuse is necessary to be turned in or explained for the quiz/class you do not take/attend.  
Attendance is mandatory for the June 25, 2002 speaker class.

**Class Schedule**

May 28 **Introduction: "if we say death..."**  
In-class film: *The Thin Blue Line*

June 4 **The Mob: Race, Class, and Rights**  
*Native Son*, p. 273-310

*Welcome to Hell*, introduction, p.xvii-xix; "Killing Our Mistakes," p.16-27  
Writing assignment #1 due  
Quiz #1  
Death Penalty, p. 1-18  
State v. Babbit - A Personal Reflection on the Death Penalty and a  
Lesson on Objectivity and Bias

#### June 11 **The Trial**

*Native Son*, p. 310-368  
*Welcome to Hell*, "Society's Debt -- and Society's Response," p.28-43  
In-class film: segment of *My Cousin Vinny*  
Writing assignment #2 due  
Quiz #2  
Death Penalty, p. 18-44  
A Short History of the American Death Penalty  
Powell v. Alabama, 287 U.S. 45 (1932) [Welcome to Scottsboro]  
McGautha v. California, 402 U.S. 183 (1971)[The Last Case...?]

#### June 18 **Sentencing: The Birth and Death of Bigger**

*Native Son*, p. 368-430  
*Welcome to Hell*, "A Simple Plastic Mirror," p. 201-207  
Writing assignment #3 due  
Quiz #3  
Death Penalty, p. 44-118  
The United States Supreme Court Seminal Cases  
Furman v. Georgia, 408 U.S. 238 (1972) [The reverse]  
Gregg v. Georgia, 428 U.S. 153 (1976) [The 8th Amendment]  
Woodson v. North Carolina, 428 U.S. 280 (1976) [No mandatory]  
Jurek v. Texas, 428 U.S. 262 (1976) ["future dangerousness"]  
*Loose the Fateful Lightning* [A Civilized Nation?]

#### June 25 **Speaker TBA**

#### July 2 **The Victim's Character: The Goodness of the Clutter Family**

*In Cold Blood*, Part I: "The Last to See Them Alive," p. 3-74  
*Welcome to Hell*, "Beginnings," p. 3-15  
Writing assignment #4 due  
Quiz #4  
Death Penalty, p. 44-118 [continued]

#### July 9 **Defining Responsibility**

*In Cold Blood*, Part II: "Persons Unknown," p. 76-155  
*Welcome to Hell*, "When Someone Deeply Listens," p. 125-146  
Writing assignment #5 due  
Quiz #5  
Death Penalty, p. 120-166  
Limiting the Risk of Arbitrariness  
Zant v. Stephens, 462 U.S. 862 (1983)[State death penalty scheme]  
Lowenfiled v. Phelps, 484 U.S. 231 (1988) [narrowing function]  
Godfrey v. Georgia, 446 U.S. 420 (1980) [aggravat. circumstance]

Arave v. Creech, 507 U.S. 463 (1993) ["utter disregard"]

July 16

**The Confession: "...exactly what happened in that house that night."**

*In Cold Blood*, Part III: "Answer," p. 159-248

*Welcome to Hell*, "Remorse," p. 208-216

Writing assignment #6 due

Quiz #6

Death Penalty, p. 258-284

Race and the Death Penalty

Turner v. Murray, 476 U.S. 28 (1986) [Jury Racial Bias]

McClesky v. Kemp, 481 U.S. 279 (1987) [Race, Stats and Death]

July 23

**The Gallows, The Chair, The Gas Chamber, and The Injection Table**

*In Cold Blood*, Part IV: "The Corner," p. 251-343

*Welcome to Hell*, "The Murderer Lives," p. 188-200

In-class films: segments of *In Cold Blood* and *Mr. Death*

Writing assignments #7 due

Quiz #7

Death Penalty, p. 507-560

Guiding the Sentencer

Tuilaepa v. California, 512 U.S. 967 (1994) [The Selection Stage]

California v. Ramos, 463 U.S. 992 (1983) [Briggs Instruction]

Caldwell v. Mississippi, 472 U.S. 320 (1985) [Prosecutor's Goof]

Simmons v. South Carolina, 512 U.S. 154 (1994) [Parole?]

July 30

**Last days**

In-class film: *Dead Man Walking*

*Welcome to Hell*, "An Evil Place," p. 44-65; "Facing the End," p. 164-187

Writing assignment #8 due

Quiz #8

Death Penalty, p. 747-795

The Death Penalty Reconsidered - Current Perspectives

A. Death Penalty in the International Context

Minister of Justice v. Burns, Sup. Ct. Canada (2001)

International Treaties and the Death Penalty

Administration of the Death Penalty in the U.S.

B. Domestic Reconsideration - Is the System Broken?

Callins v. Collins, 510 U.S. 1141 (1994) [System Failure?]

*Death: The Ultimate Run-On Sentence*

Aug 6

**Final Exam 5:30pm - 9:40pm**