

CRIME AND POPULAR CULTURE

Class activities*



Class 1

Introduction

Discussion questions

- 1) What types of popular culture shows deal with crimes?
- 2) What are some of the most common types of crimes shown in popular culture?
- 3) What kinds of behaviours are rewarded and punished in these shows?
- 4) What types of techniques are used to solve the crimes? How do the investigators solve the crimes?
- 5) Does TV violence produce/increase crime in society? Is there a connection between pornography and crime?
- 6) What is your favourite video game? Is it violent? Are crimes committed in the game? Do you have to commit crimes as a major part of the game?
- 7) What types of popular culture shows deal with crimes?
- 8) What are some of the most common types of crimes shown in popular culture?
- 9) What kinds of behaviours are rewarded and punished in these shows?

10) What types of techniques are used to solve the crimes? How do the investigators solve the crimes?

Popular sayings and Criminal Law

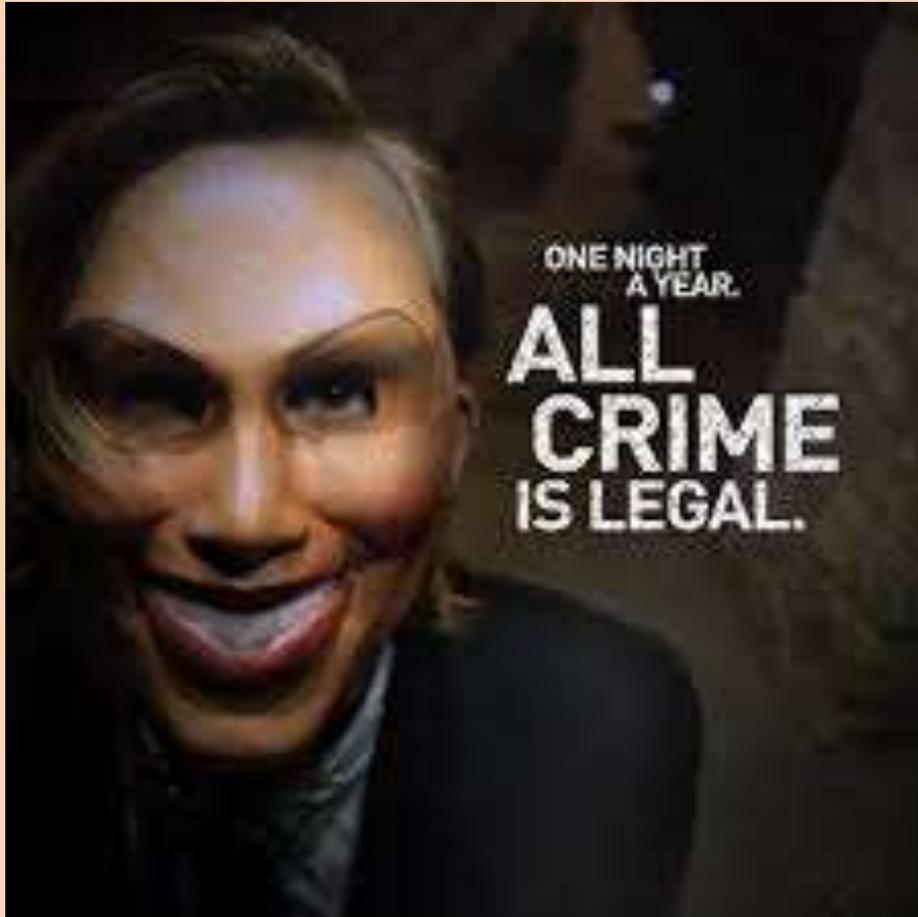
Discuss the meaning of the following proverbs in a legal context

Legal principles

1. Necessity knows no law.
2. He that pays last never pays twice.
3. Self-preservation is the first law of nature.
4. Thought is free.
5. Don't throw the baby out with the bath-water.
6. Possession is nine tenths of the law.
7. Let the buyer beware.
8. First come, first served.
9. Do unto others as you would have them do unto you.
10. An eye for an eye and a tooth for a tooth.
11. A man's home is his castle.
12. Show me the man and I'll show you the law.
13. Rules are made to be broken.
14. Confess and be hanged.
15. Never judge a book by its cover
16. Better ten guilty escape than one innocent suffer.
17. He who hears one side only hears nothing.
18. Ignorance of the law excuses no one
19. No one is above the law.
20. The more laws the less justice.
21. The law helps those who watch, not those who sleep.
22. He who goes to law for a sheep loses his cow.

Class 2

The Purge



- What is the main idea in The Purge?
- Why do people need to purge?
- What are the advantages, if any, and the disadvantages of the Purge in real life?
- Can you think of some examples from real life that share the same idea of the Purge?
- What is a crime? Can anything be a crime?
- Crime is legal for 12 continuous hours in the Purge. What does this mean? Is crime dependent upon a law? Is crime a crime even if the law does not sanction it?
- What would you do if the Purge were instated? Would you keep clear of the madness or take advantage of the opportunity for a catharsis? If the latter, what crimes would you commit? What crimes would you never commit?
- How would you protect from the Purge?

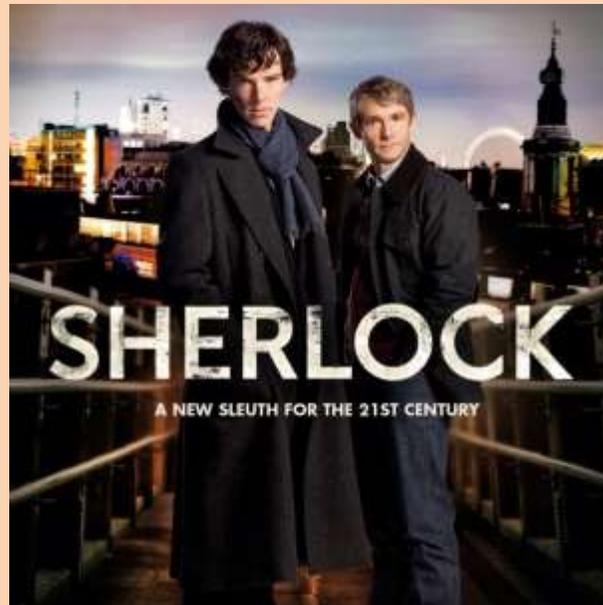
- What happens to poor people during the Purge? What does it mean when the purge becomes less about release and more about weeding out the poor from the rich? Why does the radio announcer mean by “the poor cannot afford to protect themselves from the Purge”?
- Heroism is the norm in Hollywood action movies, but what if the Purge were real? Is heroism possible during a real Purge?



Class 3

Popular culture influence on the criminal justice system: Sherlock Holmes and Forensic Evidence

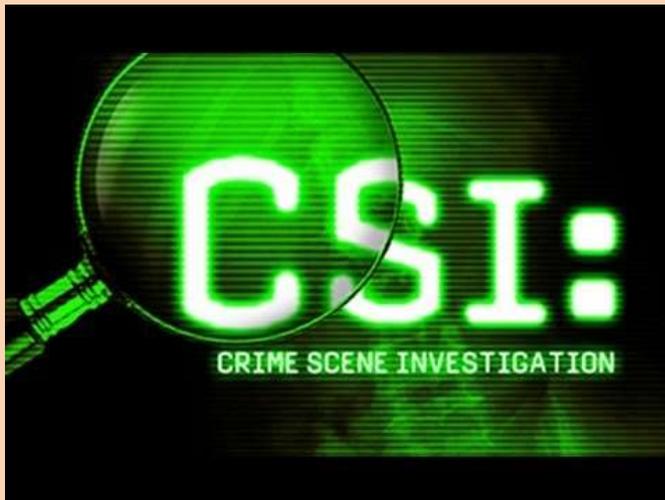
“Elementary, my dear Watson”



1. What is Forensic Science? What disciplines does it draw upon?
2. How did Sherlock Holmes change the world of Forensic Science?
3. What are Sherlock Holmes crime investigation strategies and techniques? Be specific.
4. How did police investigate before Sherlock Holmes?
5. What reasoning method did Sherlock Holmes use? Give specific examples of this method.
6. What is forensic evidence? Do you agree that forensic evidence doesn't lie? Why or why not?
7. Discuss the following quote from Sherlock Holmes: "*It is a capital mistake to theorize before one has data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts.*"
8. What is criminal profiling? How does it trace back its origin to Sherlock Holmes? What are the pros and cons of criminal profiling?
9. Discuss the following quote from Sherlock Holmes: "*Once you eliminate the impossible, whatever remains, no matter how improbable, must be the truth.*"
10. Search online for other famous Sherlock Holmes' quotes and discuss them.
11. Do an online search and briefly summarize "*A Study in Scarlet.*" Focus on Sherlock Holmes technique to solve the case.



The CSI Effect



Forensic science: *The “CSI effect”*

Television dramas that rely on forensic science to solve crimes are affecting the administration of justice

OPENING a new training centre in forensic science (pictured above) at the University of Glamorgan in South Wales recently, Bernard Knight, formerly one of Britain's chief pathologists, said that because of television crime dramas, jurors today expect more categorical proof than forensic science is capable of delivering. And when it comes to the gulf between reality and fiction, Dr Knight knows what he is talking about: besides 43 years' experience of attending crime scenes, he has also written dozens of crime novels.

The upshot of this is that a new phrase has entered the criminological lexicon: the “CSI effect” after shows such as “CSI: Crime Scene Investigation”. In 2008 Monica Robbers, an American criminologist, defined it as “the phenomenon in which jurors hold unrealistic expectations of forensic evidence and investigation techniques, and have an increased interest in the discipline of forensic science.”

Now another American researcher has demonstrated that the “CSI effect” is indeed real. Evan Durnal of the University of Central Missouri's Criminal Justice Department has collected evidence from a number of studies to show that exposure to television drama series that focus on forensic science has altered the American legal system in complex and far-reaching ways. His conclusions have just been published in *Forensic Science International*.

The most obvious symptom of the CSI effect is that jurors think they have a thorough understanding of science they have seen presented on television, when they do not. Mr Durnal cites one case of jurors in a murder trial who, having noticed that a bloody coat introduced as evidence had not been tested for DNA, brought this fact to the judge's attention. Since the defendant had admitted being present at the murder scene, such tests would have thrown no light on the identity of the true culprit. The judge observed that, thanks to television, jurors knew what DNA tests could do, but not when it was appropriate to use them.

Cops and robbers

The task of keeping jurors' feet on the ground falls to lawyers and judges. In one study, carried out by Dr Robbers in 2008, 62% of defence lawyers and 69% of judges agreed that jurors had unrealistic expectations of forensic evidence. Around half of respondents in each category also felt that jury selection was taking longer than it used to, because they had to be sure that prospective jurors were not judging scientific evidence by television standards.

According to Mr Durnal, prosecutors in the United States are now spending much more time explaining to juries why certain kinds of evidence are not relevant. Prosecutors have even introduced a new kind of witness—a “negative evidence” witness—to explain that investigators often fail to find evidence at a crime scene.

Defence lawyers, too, are finding that their lives have become more complicated. On the positive side, they can benefit from jurors' misguided notion that science solves crimes, and hence that the absence of crime-solving scientific evidence constitutes a reasonable doubt and grounds for acquittal. On the other hand they also find themselves at pains to explain that one of television's fictional devices—an unequivocal match between a trace of a substance found at a crime scene and an exemplar stored in a database, whether it be fingerprints, DNA or some other kind of evidence—is indeed generally just fiction.

In reality, scientists do not deal in certainty but in probabilities, and the way they calculate these probabilities is complex. For example, when testifying in court, a fingerprint expert may say that there is a 90% chance of obtaining a match if the defendant left the mark, and a one in several billion chance of a match if someone else left it. In general DNA provides information of a higher quality or “individualising potential” than other kinds of evidence, so that experts may be more confident of linking it to a specific individual. But DNA experts still deal in probabilities and not certainties. As a result of all this reality checking, trials are getting longer and more cases that might previously have resulted in quick convictions are now ending in acquittals.

Criminals watch television too, and there is evidence they are also changing their behaviour. Most of the techniques used in crime shows are, after all, at least grounded in truth. Bleach, which destroys DNA, is now more likely to be used by murderers to cover their tracks. The wearing of gloves is more common, as is the taping shut—rather than the DNA-laden licking—of envelopes. Investigators comb crime scenes ever more finely for new kinds of evidence, which is creating problems with the tracking and storage of evidence, so that even as the criminals leave fewer traces of themselves behind, a backlog of cold-case evidence is building up.

The CSI effect can also be positive, however. In one case in Virginia jurors asked the judge if a cigarette butt had been tested for possible DNA matches to the defendant in a murder trial. It had, but the defence lawyers had failed to introduce the DNA test results as evidence. When they did, those results exonerated the defendant, who was acquitted.

Mr Durnal does not blame the makers of the television shows for the phenomenon, because they have never claimed their shows are completely accurate. (Forensic scientists do not usually wield guns or arrest people, for one thing, and tests that take minutes on television may take weeks to process in real life.) He argues that the CSI effect is born of a longing to believe that desirable, clever and morally unimpeachable individuals are fighting to clear the names of the innocent and put the bad guys behind bars. In that respect, unfortunately, life does not always imitate art.

The CSI Effect Discussion Questions



- 1) What is CSI? When did it originate? Where? What were crime TV shows like before CSI?
- 2) What is the CSI effect? Do you think it is influencing the courts?
- 3) Do creators and producers of popular culture have a responsibility to depict criminal justice in a realistic way? Should popular culture shows warn that when the shows deviate from real life?
- 4) Listen to the song Crime by Najwajeen. Is this a crime? If so, what does this crime exemplify?

Class 4

Violent Cartoons and Crime: Discussion Questions



- 1) Does TV violence produce/increase crime in society? Is there a connection between violent cartoons and crime?

- 2) If the character is non-human, is it more acceptable for them to be involved in violent scenes? Why or why not?
- 3) Compare violence depicted in old, original cartoons such as Tom and Jerry, The Road Runner, Bugs Bunny, and The Pink Panther, with violence, if any, in their modern versions and other modern day cartoons?
- 4) Read the article below. Who is Pepe LePew? Why was he cancelled? Do you agree with this cancellation? Why or why not?
- 5) Do a web search of other cartoons that were cancelled. Discuss them.
- 6) Read the following excerpt about violence in cartoons and its effect on children. Do you agree? Why or why not?

47% of violent television programs show the victim going unharmed, especially in cartoons.

The person in the cartoon or television show gets bowled over by another character and they get back up without being harmed. Children begin to believe that violence doesn't really hurt others.

73% of individuals who commit crimes in cartoons and children's shows go unpunished in violent scenes

Television shows that allow the character who commits the crime to receive no punishment, teaches children that it is alright to commit a crime because nothing will be done. Criminals and violent acts do not get punished.

Violence is a good way to solve problems

Television is a powerful teacher and if children are always viewing their favorite characters using violence or aggression to get what they want, children will do the same.

Television creates heroes out of the people who commit the crimes

Kids feel that if they copy the criminal they will be a hero, too. The hero that commits the crime is glamorized. There is nothing heroic about violence and it is wrong to show kids that it is. Children begin to think of criminals as powerful role models.

Television reduces the value of life

If Wiley Coyote gets killed, the other cartoon characters don't care, and they may even laugh. TV makes violence and even death seem funny and unreal.



Adieu to Pepé Le Pew: why ‘cancel culture’ in cartoons is nothing new

There’s furore over the skunk’s reported removal from the forthcoming Space Jam sequel. But animation’s history is filled with stereotypes that have rightly been erased



Mon 29 Mar 2021 09.00 BST

They are cancelling everything! At least, if you’re a particular brand of conservative commentator they are. First they came for the Muppets and Dr Seuss, now they’re cancelling Pepé Le Pew! Yes, everyone’s favourite caricature-French cartoon skunk has reportedly been excised from the forthcoming Space Jam sequel. What’s the world coming to? Where will it end?

An answer to the first question might be “its senses”. Secondly, there’s no homogenous “they” here. Those desperate to engage in a new culture war are constantly seeking to conjure some

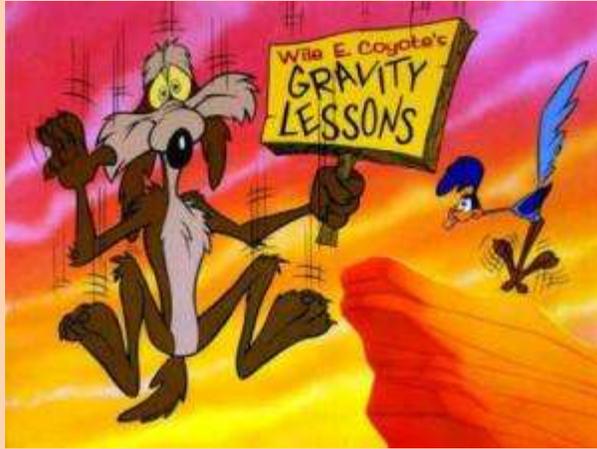
“woke” bogeyman to blame for what are actually different decisions made by different groups of people, of their own volition. As for where it ends, a better question might be, where did it start? Because what is currently being decried as “cancel culture” is absolutely nothing new.

Children’s animation is a good place to start. Pepé is no longer invited to the party on account of his defining characteristic being “sexual predator who never takes ‘no’ for an answer”. But the rest of the Looney Tunes gang are still joining LeBron James for Space Jam: A New Legacy this May – even, at the time of writing, the problematic Mexican stereotype Speedy Gonzales.

It is no secret that these characters have a chequered past. Cartoon history is filled with horrendously offensive depictions of non-white people: Native Americans, Latinos, east Asians, and especially those of African descent, from blackface minstrels to spear-waving cannibals. In 1944’s Bugs Bunny Nips the Nips, Bugs lands on a Pacific island populated by Japanese caricatures. In 1953, Bugs wore blackface and pretended to be a slave. In 1941, he outwitted a dim African-American hunter and won all his clothes off him. That episode is part of a notorious selection of Looney Tunes and Merrie Melodies known as the “Censored Eleven”, which the studio pulled owing to their offensiveness – in 1968.

It is a similar story with Tom and Jerry, currently to be found frolicking with Chloë Grace Moretz and Michael Peña in their feature-length comeback. They were also once partial to racist stereotyping. You won’t find “Mammy Two Shoes” – the caricature black housemaid – in their new movie. But then you won’t find her in the cartoons, either; she was replaced by a white character after complaints from the NAACP – in 1953. Cancel culture from 70 years ago?

The point is less that past entertainment was sometimes racist; we have always known that. It’s that we have always been able to look back and say: ‘Maybe this isn’t a great thing to be broadcasting any more.’ Does anybody seriously have a problem with that? The terminology has been updated, but let’s not pretend there’s anything new or dangerous happening. It’s society moving forward. That’s all, folks.



Class 4

Broken Windows Theory and Crime

Read the following article and discuss whether the Broken Windows theory applies in the neighbourhood.



What “broken windows” policing is

Jan 27th 2015, 23:50 by E.B.



IN JULY 2014 an unarmed black man named Eric Garner died at the hands of a police officer after allegedly resisting arrest. Garner’s presumed crime was selling “loosies”, or untaxed cigarettes, on a street corner in Staten Island. His death, along with that of other unarmed black men accused of petty offences by white police officers, has raised questions about police tactics. Some say the problem is “broken windows” policing, an approach to law enforcement based on the theory that cracking down on minor crimes helps to prevent major ones. Critics argue that the effect is discriminatory, as police statistically tend to target non-whites. Defenders such as Bill Bratton (pictured), the head of the New York Police Department (NYPD), and George Kelling, the architect of the original theory, champion the theory as the reason why crime is plummeting in so many cities. So what exactly is “broken windows” policing, and does it really explain the drop in crime?

The term “broken windows” refers to an observation [made in the early 1980s](#) by Mr Kelling, a criminologist, and James Wilson, a social scientist, that when a building window is broken and left unrepaired, the rest of the windows will soon be broken too. An unrepaired broken window is a signal that no one cares, they argued, and so breaking more windows costs nothing. More profoundly, they found that in environments where disorderly behaviour goes unchecked—where prostitutes visibly ply their trade or beggars accost passers-by—more serious street crime flourishes. This theory is supported by [a number](#) of randomised experiments. [Researchers at the University of Groningen](#) in the Netherlands, for example, found that people were twice as likely to steal an envelope filled with money if it was sticking out of a mailbox covered in graffiti. What this means for law enforcement, Messrs Kelling and Wilson prescribed, is that when police officers keep streets orderly, and punish even small signs of misbehaviour with a warning or an arrest, people will behave in a more orderly way.

When the “broken windows” theory was first published, urban crime was a seemingly uncontrollable problem in America and around the world. But in the past two decades crime has fallen at an extraordinary rate. This change has been especially profound in New York City, where the murder rate dropped from 26.5 per 100,000 people in 1993 to 3.3 per 100,000 in 2013—lower than the national average. Plenty of theories have been concocted to explain

this drop, but the city's decision to take minor crimes seriously certainly played a part. While Mr Bratton was head of New York's transit police in 1990, he ordered his officers to arrest as many turnstile-jumpers as possible. They found that one in seven arrested was wanted for other crimes, and that one in 20 carried a knife, gun or other weapon. Within a year, subway crime had fallen by 30%. In 1994 Rudy Giuliani, who had been elected New York's mayor after promising to clean up the city's streets, appointed Mr Bratton as head of the NYPD. Scaling up the lessons from the subway, Mr Bratton found that cracking down on misdemeanour offences, such as illegal gun possession, reduced opportunities for crime. In four years, the city saw about two fewer shootings per day.

“Broken windows”-style policing has arguably helped to reduce crime. But other factors have also helped. Many police departments, particularly in big cities, have got better at using data to locate criminal hot-spots and target resources more effectively. The sharp decline in crime also coincided with the end of the crack-cocaine epidemic, improved security technology (it has never been harder to steal a car) and a reduction in the amount of lead in the atmosphere, which some studies show may reduce impulsive behaviour. Yet “broken windows”-style policing has also drawn serious criticism, with some saying it increases friction between police and citizens, particularly in poor and minority areas. Such neighbourhoods tend to receive a disproportionate amount of police attention, in part because they experience more crime: though blacks and Hispanics made up 53% of New York city's population in 2013, they were 83% of its murder victims. But there are also signs of racial discrimination. Evidence that drug arrests imposed [disproportionate costs on poor and minority](#) residents, for example, encouraged the NYPD to relax its marijuana policy in November. But for all the complaints about uneven enforcement and racial prejudice, a [majority of New Yorkers—both black and white—still say](#) they want their broken windows fixed.

Discussion questions

1. Describe and analyze the Orson, IN town in light of Broken Windows theory.
2. Describe the Hecks family and their neighbour, Rita Glossner.
3. What crimes, if any, are committed?
4. What other crimes could be committed in Orson?
5. Would the Broken Windows theory be used to explain criminality in Orson?
6. What do you think of the Broken Windows theory? Is it effective to control crime? Why or why not?
7. What, if any, are the unintended consequences of Broken Windows?
8. Is zero tolerance policing a necessary component of Broken Windows theory?

Class 5 October 19

Preparation for presentations



Choose one of the suggested TV shows.

Prepare an outline for the presentation and send it to me by email before October 26. The following questions will help you do the outline.

- (i) What TV show did you choose?
- (ii) Who are the members of the group?
- (iii) What is original about the show?
- (iv) What is the main police officer/investigator/lawyer like?
- (v) What is their approach to crime control? What is the model of criminal justice that predominates in the TV show?
- (vi) What is the criminology theory that predominates in the TV show?
- (vii) Other interesting comments about the selected TV show.

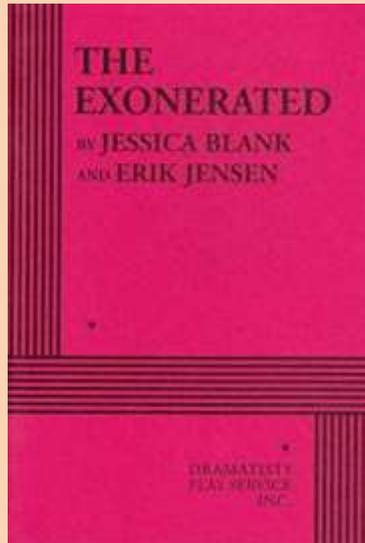
Please remember the following for the presentation

- Do research about the topic.
- Audiovisual resources: Show relevant scenes of the TV show in class.
- Elaborate on the theories and issues analyzed in class.
- No reading. Conversation.
- Engage your audience and make them participate.

Class 6

Popular culture and changes in criminal justice system

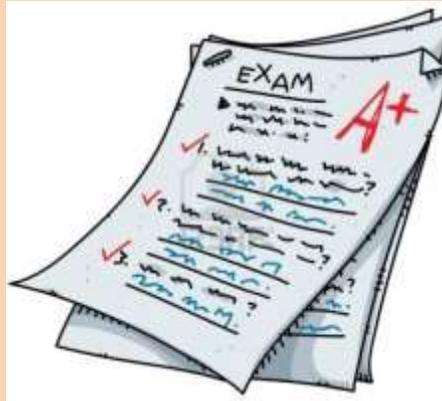
The Exonerated



- What is exoneration? Is there compensation for wrongful convictions in the United States? What about Canada?
- Do a web search about Sonia “Sunny” Jacobs. Who is she? What happened to her? Why was she convicted? What happened to her husband? How was Sunny finally released? What did she do when she was released?
- Why wasn’t Sunny Jacobs released immediately after Walter Rhodes’ confession?
- Who is Jesse Tafero? What is his story?
- Who is Peter Pringle? What is his story?
- What do you think about the plea bargain? Analyze it critically. What are the pros and cons of plea bargains? What are the usual consequences and implications of plea bargaining?
- Does the death penalty really deter crime?
- Sister Helen Prejean, author of *Dead Man Walking*, argues that “All of us are worth more than our worst act.” What does this mean? Do you agree? Why? Why not?

Class 7

Midterm



Class 8

The Court of Public Opinion

Coming Forward



1. What is the court of public opinion? What influence, if any, does it have on court decisions?
2. What is the role of social media in the court of public opinion?
3. Who is Bill Cosby? What shows was he famous for? Briefly discuss his works.
4. Read the article below and discuss the facts and legal issues in the crimes allegedly committed by Bill Cosby.
5. What is a settlement? Why do people get into a settlement? What do you think about confidential (non-disclosure) clauses in civil litigation settlements? What changes can be made in the judicial system to deal with the drawbacks of civil settlements?

6. Why did survivors of Cosby's sexual assaults come forward years after the assaults rather than when they took place?
7. Do an online search of Sigmund Freud's identification theory from the book *Group Psychology and the Analysis of the Ego*, 1922. Can this theory explain the reaction of survivors of sexual assault that came forward in Cosby's case? Why or why not?
8. Why was Bill Cosby convicted?
9. Why was he released?
10. What was Whoopi Goldberg's initial position on Bill Cosby? What do you think of her position? Why do you think she was forced to change her position? Would you have done the same? Why or why not?
What was she accused of?
11. What is your opinion on the lack of a statute of limitations for rape in the United States? Why isn't there a statute of limitations for indictable offences in Canada? Do you think there should be one?
12. What are the problems of prosecuting cases that took place decades ago? What are the problems of not prosecuting cases that took place decades ago?
13. Who is Phylicia Rashad? What role did she play? What does she do now? What did she post on Twitter? What was Cosby's reaction? What happened? Why did many people complain about Phylicia Rashad's Tweet? What did she end up doing?



Bill Cosby Freed as Court Overturns His Sex Assault Conviction

The entertainer had been serving a three- to 10-year sentence in a prison outside Philadelphia.

By Graham Bowley and Julia Jacobs

Published June 30, 2021 New York Times

Bill Cosby was released from prison Wednesday after the Pennsylvania Supreme Court overturned his 2018 conviction for sexual assault, a dramatic reversal in one of the first high-profile criminal trials of the #MeToo era.

The court's decision seemed likely to end the Pennsylvania case, legal experts said, and while more than 50 women across the nation have accused Mr. Cosby of sexual assault and misconduct, statutes of limitations in their cases makes further prosecutions unlikely.

Mr. Cosby had served three years of a three- to 10-year sentence at a maximum-security prison outside Philadelphia when the court ruled that a "non-prosecution agreement" with a previous prosecutor meant that Mr. Cosby should not have been charged in the case.

Mr. Cosby, 83, returned to his home in suburban Philadelphia on Wednesday afternoon where, looking frail and walking slowly, he was helped inside by his lawyer and a spokesman. He flashed a "V" sign as he reached his front door.

The court's decision overturned the first major criminal conviction of the #MeToo era, which came soon after allegations of sexual assault had been made against the powerful Hollywood producer Harvey Weinstein. The accusations and eventual conviction of Mr. Cosby stunned the nation, painting a disturbing portrait suggesting that a man who had brightened America's living rooms as a beloved father figure had been a sexual predator.

The case against Mr. Cosby began with his arrest in 2015 on charges that he had drugged and sexually assaulted a woman at his home in the Philadelphia suburbs 11 years earlier. In April 2018, the jury convicted Mr. Cosby of three counts of aggravated indecent assault against Andrea Constand, to whom Mr. Cosby had been a mentor and who was at the time a Temple University employee.

Ms. Constand had praised the guilty verdict at the time, saying, "Truth prevails," and the National Organization for Women called it "a notice to sexual predators everywhere." But Mr. Cosby's lawyers, who had said at the time that allegations against Mr. Weinstein would make it

difficult for them to receive a fair trial, later suggested in an appeal that the outcome had been influenced by what they described as a period of “public panic.”

Andrea Constand, who had said “Truth prevails” when Mr. Cosby was convicted of sexually assaulting her, returning to the courtroom in 2018. Credit... Pool photo by David Maialetti

In a statement issued with her lawyers, Ms. Constand said Wednesday that the court’s ruling was “not only disappointing but of concern in that it may discourage those who seek justice for sexual assault in the criminal justice system from reporting or participating in the prosecution of the assailant or may force a victim to choose between filing either a criminal or civil action.”

In their 79-page opinion, the judges wrote that a previous prosecutor’s statement that Mr. Cosby would not face charges, which paved the way for Mr. Cosby to testify in a civil trial, meant that he should not have been charged in the case. It was a 6-to-1 ruling, with two of the judges in the majority dissenting on the remedy, which barred a retrial.

The Pennsylvania Supreme Court, which overturned Mr. Cosby’s conviction, wrote that a “non-prosecution agreement” that had been struck with Bruce L. Castor Jr., the former district attorney, meant that Bill Cosby should not have been charged in the case for which he was convicted and sentenced in 2018. The court also barred a retrial. Read the full 79-page opinion.

The case began in 2005, when Mr. Cosby was investigated in the case of Ms. Constand, and a former district attorney of Montgomery County said that he had given Mr. Cosby his assurance that he would not be charged in the case. The former district attorney, Bruce L. Castor Jr., announced in a news release at the time that after an investigation he had found “insufficient” evidence. He later testified that he had given Mr. Cosby the assurance to encourage him to testify in a subsequent civil case brought by Ms. Constand. (A civil suit she filed against Mr. Cosby was settled in 2006 for \$3.38 million.)

In that testimony, Mr. Cosby acknowledged giving quaaludes to women he was pursuing for sex — evidence that played a key part in his trial after Mr. Castor’s successors reopened the case and charged Mr. Cosby in December 2015. That was just days before the 12-year statute of limitations expired in the case, and it came amid a number of new allegations from women who brought similar accusations of drugging and sexual assault against Mr. Cosby.

“In light of these circumstances, the subsequent decision by successor D. A.s to prosecute Cosby violated Cosby’s due process rights,” the appeals ruling said.

Mr. Cosby posted a picture of himself, with a fist raised above his head and his eyes closed, on Twitter, writing: “I have never changed my stance nor my story. I have always maintained my innocence.”

Mr. Castor, who this year served as a lawyer for President Donald J. Trump during his second impeachment trial, said after the ruling was delivered on Wednesday that he believed his decision in 2005 had been “exonerated” by the ruling, calling the verdict a “shellacking” for the current district attorney’s office.

“I was right back in 2005 and I’m right in 2021,” he said in a phone interview. “I’m proud of our Supreme Court for having the courage to make an unpopular decision.”

Brian W. Perry, one of the lawyers representing Mr. Cosby, said he was “thrilled” with the ruling. “To be honest with you, we all believed, collectively, that this is how the case would end,” he said. “We did not think he was treated fairly and fortunately the Supreme Court agreed.”

The Montgomery County district attorney, Kevin R. Steele, said that he hoped the decision would not “dampen the reporting of sexual assaults by victims.”

“He was found guilty by a jury and now goes free on a procedural issue that is irrelevant to the facts of the crime,” Mr. Steele said in a statement. “I want to commend Cosby’s victim Andrea Constand for her bravery in coming forward and remaining steadfast throughout this long ordeal, as well as all of the other women who have shared similar experiences.”

Patricia Steuer, 65, who accused Mr. Cosby of drugging and assaulting her in 1978 and 1980, said that she had been preparing herself for the possibility that Mr. Cosby’s conviction would be overturned but that she was still “a little stunned” by the court’s ruling on Wednesday.

“I’m wondering what the 43-year ordeal that I went through was supposed to be about,” said Ms. Steuer, who said she found out about the decision on Facebook. But she said she was “consoled by the fact that I believe we did the only thing that we could, which is to come forward and tell the truth.”

Scott Berkowitz, the president of RAINN, the Rape, Abuse and Incest National Network, said: “We are deeply disappointed in today’s ruling by the Pennsylvania Supreme Court, and by the message this decision sends to the brave survivors who came forward to seek justice for what Bill Cosby did to them. This is not justice.”

Others expressed support for Mr. Cosby. Phylicia Rashad, who appeared as Mr. Cosby’s wife in “The Cosby Show,” praised the decision on Twitter. “FINALLY!!!!” Ms. Rashad, who was

recently named the dean of Howard University's College of Fine Arts, wrote on Twitter. "A terrible wrong is being righted- a miscarriage of justice is corrected!" (She later wrote: "I fully support survivors of sexual assault coming forward. My post was in no way intended to be insensitive to their truth.")

The decision undoes a verdict that several women who said that they had been assaulted and raped by Mr. Cosby had praised at the time as a measure of justice that had been long in coming. In a victim impact statement filed with the court in 2018, Ms. Constand had said of Mr. Cosby: "We may never know the full extent of his double life as a sexual predator, but his decades-long reign of terror as a serial rapist is over."

And Janice Dickinson, a former model who had told the court that Mr. Cosby raped her in 1982 after giving her a pill — her account was one of five the prosecution presented from women who said he had drugged and sexually assaulted them — said after the sentencing that "My heart is beating out of my chest at the moment."

"This is fair and just," she said in 2018. "I am victorious."

The issue of whether the trial court had improperly allowed additional women to testify was not considered because the panel ruled that Mr. Cosby had relied to his detriment on Mr. Castor's promise and then made statements in the civil case that were effectively used as evidence against him.

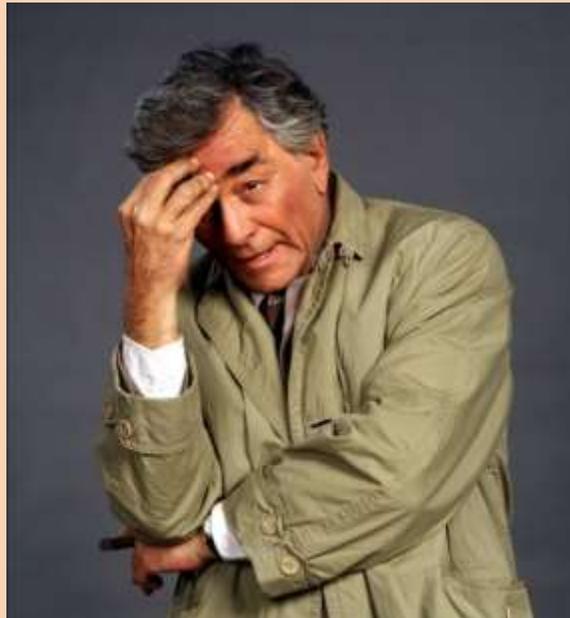
In a dissent, Justice Thomas G. Saylor disagreed that a statement Mr. Castor made in a news release represented an unconditional promise that bound his successor not to prosecute. Justice Kevin Dougherty, in a separate opinion in which he was joined by Justice Max Baer, found that though Mr. Cosby's due process rights had been violated when he relied on Mr. Castor's promise and testified in the civil case, the remedy should not have been barring further prosecution but throwing out the evidence the prosecution gained from Mr. Cosby's testimony.

The reversal now leaves Cosby's career and reputation in limbo. His conviction, after years of dodging accusations that he had preyed on women, had seemed to cap the downfall of one of the world's best-known entertainers.

Its overturning undid what many women had seen as an early success of the #MeToo movement, a ruling which had been praised at the time as a sign that the accounts of female accusers were being afforded greater weight and credibility.

Class 9

The Police





- Columbo
- Murder she wrote
- Law and Order
- Chips
- Starsky & Hutch
- Matlock

Class 19

The Detectives: Veronica Mars



- 1) Who is Veronica Mars? What does Veronica Mars do?
- 2) Describe the town of Neptune and Hearst College.
- 3) Explain the title of the episode “Of Vice and Men”. What does it refer to? What does vice mean in this episode?
- 4) What crime is committed? Who is the perpetrator?
- 5) How does Veronica Mars investigate? What is her method of reasoning? What is Occam’s razor? Give specific examples from the episode.
- 6) There is so much more to being a detective than just seeing the clues right in front of your eyes. What makes a detective great is that she can figure out the truth she is not seeing – the hidden explanation behind an otherwise scattered array of facts and appearances. She can puzzle through the observed facts to get at the hidden truth. What are some of the hidden clues that Veronica uncovers in the episode? How does she do it?

- 7) Does Veronica Mars ever break the law in order to conduct her investigations? If so, give specific examples. Why would she break the law? Are there any consequences for breaking the law?

Class 20

Forensics

Pitch a realistic forensic science crime drama

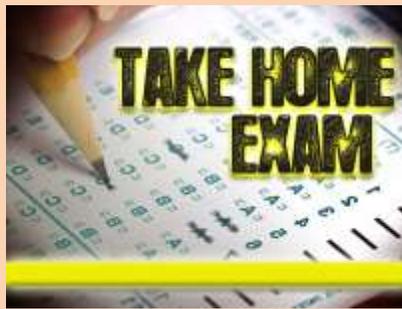
Develop a new television show in the forensic science crime drama genre. The goal is to create the most entertaining premise you can while applying your knowledge of Criminal Law and Forensic Science to make it realistic.

Create your description of the show and the plot for the pilot to pitch to a studio executive. The following questions are guidelines to help you develop your treatment for the show.

- Title of the show
 - Title of the pilot
- Intended audience
- Setting
 - Where does the show take place? Where will the majority of the action take place?
- Main characters
 - What profession will the characters have? What role will they have?
 - Provide personal information about your characters.
 - What actors will you cast for these roles?
- Conflicts
 - What will be the main conflicts faced by the characters in the show?
- Techniques used
 - What types of forensic science techniques will you use in the show? How will they be used to solve the crimes?
- Detailed plot for the pilot

Class 22

Distribution of final take-home exam



Class 23

Feedback and Consultation



Class 24

Submission of final take-home



The trial of DD Discussion Questions



- 1) Describe the trial.
- 2) Who is depicted in the trial?
- 3) Who is absent in the trial?
- 4) What are the genders of criminal justice professionals?
- 5) Could the same trial be shown in a different way, i.e., characters, personality, attitude, actions? Write the script for a trial of the same crime using a different perspective.

6) Class 9

7) Social Media and Crime

8)

Woman, 25, who pretended she was a man to dupe female friend into sex is found GUILTY of three counts of sexual assault

By [Stephanie Linning for MailOnline](#)



Gayle Newland pictured leaving Chester Crown Court after being found guilty of three counts of sexual assault

A 25-year-old woman who pretended to be a man to trick her female friend into having sex has been found guilty of three counts of sexual assault.

Gayle Newland befriended her victim by posing on Facebook as a man named 'Kye Fortune'.

Newland bound her chest and wore a woolly hat and swimsuit to disguise her appearance, telling the woman 'he' was self-conscious about 'his' appearance after hospital treatment.

Chester Crown Court heard how the victim, also 25, was made to wear a blindfold whenever she was with 'Kye', whom she dated for two years, including on the roughly ten occasions the pair had sex.

The victim said she only discovered 'Kye's' true identity when she ripped off her blindfold during one meeting at her flat in Chester, Cheshire, and saw Newland wearing a prosthetic penis.

She earlier told the court that she was 'sickened' by the revelation and that 'at no time' did she consent to sex with the use of a prosthetic.

Newland, who has identified as a lesbian since primary school, denied the charges and told the court that she and the victim were engaging in role play and fantasy as they struggled to accept their sexuality.

Today Newland was found guilty of committing sexual assaults at the complainant's flat in Chester, but was cleared of similar offences said to have taken place at hotels in the city.

The defendant, from Willaston, Cheshire, sat in stunned silence as the foreman returned the verdicts.

During the trial, Newland admitted she had invented 'Kye' when she was 13 as a way to speak to girls. She later created 'his' Facebook profile, using photos taken from an American man's social media page.

But she said she had explained the fake profile to the defendant, who played along with her online persona.

The complainant spent 'hundreds' of hours talking on the telephone to 'Kye' and the couple, then both students at the University of Chester, spent more than 100 hours in each other's company.

Asked how they spent their time together, the complainant told the court they would sometimes watch a film while she was wearing a blindfold and on one occasion they went sunbathing.

The court also heard how the victim had agreed to follow 'rules' which included not touching 'Kye's' 'penis'.

The prosecution said it was an 'unusual' case set against an 'extraordinary background' in which the defendant targeted the 'naive and vulnerable' complainant.

But Newland's legal team said the complainant's account was simply 'impossible to believe'.



Newland, pictured at court earlier this week (left) and last Wednesday (right), bound her chest and wore a woolly hat and swimsuit to disguise her appearance, telling the woman 'he' was self-conscious about 'his' appearance

'Kye Fortune' sent the complainant a Facebook request in 2011 and the pair went on to speak frequently over the phone, the court heard.

As their relationship developed, the victim made a number of requests to meet in person, but 'Kye' dismissed each one with 'repeated excuses'.

'He' said 'he' had been involved in a car accident and later that 'he' had been diagnosed with a brain tumour. 'He' claimed 'he' was being treated in hospital and that 'he' was not well enough to meet.

'Kye' later 'introduced' the complainant to his 'best friend', Newland. The women later met up in person and became close friends.

Every time I met up with Kye Fortune I either had the mask on already or he would wait outside the door and I would put it on. I was so desperate to be loved. It's pathetic, so desperate for love, so desperate

The victim

'Kye' and Newland shared the same birth date, both liked RnB music and 'chick flicks' and both had a dog named Gypsy, the jury heard.

The complainant and 'Kye' finally met in person in February 2013 - two months after 'he' had sent her an eternity ring in the post.

The complainant told the court: 'Every time I met up with Kye Fortune I either had the mask on already or he would wait outside the door and I would put it on.

I was so desperate to be loved. It's pathetic, so desperate for love, so desperate.

'We were just lying there, just cuddling, sometimes we would watch films, sometimes we would just talk. It sounds stupid to say but it was a proper relationship, just normal.'

She went on: 'Since the first time I wrote to this person on Facebook, I thought it was a male.

'The first time I agreed to meet this person and agreed to have sex with them, I thought it was a male I told my my friends I was engaged to a guy. I told my work colleagues.'

During their telephone conversations, the complainant said she dismissed her 'boyfriend's' high-pitched voice as a result of his Filipino heritage.

She said she was not attracted to women and said, although it sounded 'sick', she would have preferred to be have been raped by a man because she could not rationalise it.

Newland claimed her accuser, also aged 25, always knew she was pretending to be a man as they engaged in role play while struggling with their sexuality, Chester Crown Court (pictured) heard

The jury heard that another woman said she had been duped by Newland into believing she was communicating with a man.

She said she added 'Kye' as a Facebook friend and an online relationship developed. They went on to communicate by phone and she noticed that 'his' voice was 'quite high pitched'.

The pair started off as friends but in time 'Kye' referred to her as his girlfriend, the court heard. She suggested to 'him' that that they meet up but said 'he' always came up with an excuse not to.

She used FaceTime on her phone to speak to 'him' but he would never show his face, she said. Another Facetime conversation involved 'Kye' said to be walking his dog, Gypsy.

The first time I agreed to meet this person and agreed to have sex with them, I thought it was a male I told my friends I was engaged to a guy
The victim

The court heard that she only discovered she had been in contact with Newland and not 'Kye' when she spotted the same dog by chance on the defendant 's Facebook page.

She phoned Fortune's number, asked for Gayle and immediately recognised from her voice that 'Kye' and Gayle were one and the same.

The woman stated: 'I knew that Gayle Newland had pretended to be Kye Fortune. I hung up immediately. I felt stupid.'

Adjourning the case for pre-sentence reports, Judge Roger Dutton told the court that Newland had 'serious issues surrounding her personality'.

He said: 'You have been convicted of serious charges. You must understand the consequences may be serious.'

Newland shouted in response: 'How can you send me down for something I have not done?'

The judge said it would present a 'difficult sentencing exercise'.

Newland was bailed until sentencing on a date to be fixed in November. She was told she must not contact the complainant and not to contact anyone under an assumed identity.

The judge said Newland would be seen by the Probation Service and a psychiatrist as part of the pre-sentence report.

THE ALTER EGO SHE USED TO CON WOMEN

From the age of 13, Gayle Newland spent hour upon hour painstakingly creating her online alter ego, Kye Carlos Fortune. It began as a false name used for speaking to girls on internet chatrooms, but with the rise of social media it became an elaborately constructed double life.

Creating a Facebook profile under the name was easy, but to give 'him' credibility there had to be pictures. This was accomplished once Newland came across a basketball-loving youth in New York who fitted how she imagined Kye.

By copying photographs he had posted on his own social media page, Newland was able to upload them on to Kye's profile, adding caption information to suit his supposed life growing up in England.

The victim in the trial was first befriended by Newland in real life before receiving a friend request from Kye. As 'he' was a mutual friend linked to Newland's own Facebook profile, she told police she quickly came to trust the attractive but shy young man.

Newland created relatives of Kye – including a brother called Reggie who was supposedly going out with her. However, far from fleshing out Kye's life with fictional information, much of it matched Newland's – they were born on the same day and both had a dog called Gypsy. The defence said this demonstrated the implausibility that someone could actually be taken in.

The victim said when she eventually met Kye, she would have to don her mask before 'he' came into the room. She said Newland spoke in a deeper voice, wore a woolly hat over her long hair and bandaged her chest to hide her breasts.

*** TRIGGER WARNINGS**



*** TRIGGER WARNINGS**



Some materials in this course may be sensitive. Course materials, including lectures, class activities, hypotheticals, scenarios, examples, court cases, and films shown in class, may have mature content, including violent, sexual, and strong language content.

Disclaimers



Except for newspaper articles and court cases, all class activities are hypothetical and fictitious. Any resemblance to actual persons, institutions, or events is purely coincidental. The views and opinions expressed in the articles assigned for reading in this course, as well as those expressed in videos shown in class, are those of the authors or the individuals who made those opinions and do not necessarily reflect the position of the course professor. Questions, follow-up questions, examples, and comments made within the context of class activities do not purport to reflect the opinions or views of the course professor. All such articles, comments, questions, examples, and activities are meant solely to facilitate the discussion and study of Law. They are not meant to advocate or promote any crime or unlawful action. Neither are they meant to advance any ideological perspective. Discretion advised before signing up for this course.