Wrightsmans Psychology and the Legal System 10th edition Heilbrun Solutions Manual

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Instructor Manual

Greene, *Wrightmans Psychology of the Legal System*, Core ISBN; Chapter 1: Psychology and the Law: Choices and Roles

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Purpose and Perspective of the Chapter

The purpose of this chapter is to introduce students to laws and the basic principles of psychology and the law

Chapter Objectives

The following objectives are addressed in this chapter:

1. Understand laws as human creations, the importance of having laws, what laws resolve, and how laws change.
2. Understand the psychological approach to studying law.
3. Know the four basic choices reflected in the psychological approach to the law.
    A. The First Choice: Rights of Individuals versus the Common Good
    B. The Second Choice: Equality versus Discretion
    C. The Third Choice: To Discover the Truth or to Resolve Conflicts
    D. The Fourth Choice: Science versus the Law as a Source of Decisions
4. Understand how laws reflect the contrast between the due process model and crime control model in the criminal justice system.
5. Know and understand the five roles that psychologists may play in the legal system and what each entails.
    A. The Psychologist as a Basic Scientist of the Law
    B. The Psychologist as an Applied Scientist in the Law
    C. The Psychologist as a Policy Evaluator in the Law
    D. The Psychologist as a Forensic Evaluator in Litigation
    E. The Psychologist as a Consultant in Litigation

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What's New in This Chapter

The following elements are improvements in this chapter from the previous edition:

- Addition of COVID-19 relevant cases and information as applies to the law
- Addition of Black Lives Matter movement and information as applies to the law

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Chapter Outline

The following outline organizes activities (including any existing discussion questions in PowerPoints or other supplements) and assessments by chapter (and therefore by topic), so that you can see how all the content relates to the topics covered in the text.

The Importance of Laws

A. Laws as Human Creations
B. Laws Help Resolve Conflict and Protect the Public
C. The Changing of Laws
    a) Laws are human creations whose major purposes are the resolution of conflict and the protection of society. As society has changed, new conflicts have surfaced, leading to expansion and revision of the legal system.

The Psychological Study of Law

A psychological approach focuses on individuals as agents within a legal system, asking how their internal qualities (personality, values, abilities, and experiences) and their environments, including the law itself, affect their behavior.

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Basic Choices in the Psychological Study of the Law

a) Several basic choices must be made between pairs of options in the psychological study of the law. These options are often irreconcilable because each is attractive, but both usually cannot be attained at the same time.

A. The First Choice: Rights of Individuals versus the Common Good
   a) Whether the goal of law is achieving the personal freedom or ensuring the common good
   b) The decade of the 1960s represented an era in which due process concerns were paramount and court decisions tended to favor rights of the individuals, particularly those suspected of crimes, over the power of the police and law enforcement. Since then, the crime control model, which seeks to contain or reduce criminal activity, has been favored by many. But some of the harsh policies and penalties consistent with this perspective have resulted in large increases in prison populations and little reduction in the rates of reoffending. The 2007–2009 recessions caused legislators and judges to consider community-based alternatives that control crime most effectively.
   c) “Unite the Right” Rally Case Study

B. The Second Choice: Equality versus Discretion
   a) Whether equality or discretion should be the standard for our legal policies

C. The Third Choice: To Discover the Truth or to Resolve Conflicts
   a) Whether the purpose of a legal inquiry is to discover the truth or to provide a means of conflict resolution

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D. The Fourth Choice: Science versus the Law as a Source of Decisions
    a) Whether it is better to apply the methods of law or those of science for making decisions

Psychologists' Roles in the Law

Case Study of Tatiana Karasoff

a) Few legal decisions have had as much impact on the practice of psychotherapy as the now-famous case of *Tarasoff vs. Regents of the University of California*. The decision focuses on the duties required of psychotherapists whose clients threaten violence to identifiable others.

A. The Psychologist as a Basic Scientist of the Law
    a. a basic scientist, interested in knowledge related to psychology and law for its own sake

B. The Psychologist as an Applied Scientist in the Law
    a. an applied scientist who seeks to apply basic research knowledge to a particular problem in the legal system; a psychologist serving as an expert witness on a scientific question is an applied scientist in the law

C. The Psychologist as a Policy Evaluator in the Law
    a. a policy evaluator who capitalizes on methodological skills to design and conduct research that assesses the effects of policies and program changes in the legal system

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D. The Psychologist as a Forensic Evaluator in Litigation
   a. a forensic evaluator who is either appointed by the court or retained at the request of one of the parties in the litigation to perform a psychological evaluation of an individual related to a legal question

E. The Psychologist as a Consultant in Litigation
   a. a consultant who works on behalf of a party or position in litigation. Each role entails its own set of ethical dilemmas.

Summary

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ADDITIONAL RESOURCES

EXTERNAL VIDEOS OR PLAYLIST

- *Daubert vs. Merrell Dow Pharma*; Learn about the history of Daubert from a lawyer's point of view of the YouTube channel ex ante:
  - https://www.youtube.com/watch?v=GSD-tKHW-0k&t=70s (last accessed 3/22/2023)
  - **https://www.youtube.com/watch?v=GSD-tKHW-0k&ab_channel=exante**

Field Code Changed

- *Karasoff vs. Regents*
  - **https://www.youtube.com/watch?v=o_upWtrcjK0&ab_channel=exante**

- *Plessy vs. Ferguson*
  - **https://www.youtube.com/watch?v=2ka0iFmU7Jk&ab_channel=BillofRightsInstitute**

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- *Brown vs. Board of Education*
  - **https://www.youtube.com/watch?v=1siiQelPHbQ&ab_channel=BillofRightsInstitute**
- *McLaurin vs. Oklahoma State Regents*
  - **https://www.youtube.com/watch?v=rBLOJwknk3Q&ab_channel=Life%27sWonders**
- *Roper vs. Simmons*
  - **https://www.youtube.com/watch?v=61_qkXkM0lA&ab_channel=MeganGagn%C3%A9**
- *Miller vs. Alabama*
  - **https://www.youtube.com/watch?v=yGBRPQyU920&ab_channel=PBSNewsHour**
- *United States vs. Booker*
  - **https://www.youtube.com/watch?v=pltQ3FO8F1w&ab_channel=exante**
- *Florence vs. Board of Freeholders*
  - **https://www.youtube.com/watch?v=9AdwkOqIW3M&ab_channel=AmericanConstitutionSociety**
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