

TEACHINGⁱⁿ Psychology & Law

Building Access and Excellence Across the Curriculum in ASU's Law and Behavioral Science Programs

by Tess M.S. Neal, Ph.D.

The landscape of higher education is changing, posing significant challenges for the old ways in which public universities were governed, with many public universities experiencing ongoing fiscal crises (Crow, 2018; Gorenflow, 2018; Macilwain, 2007). Universities that are adapting, rising to meet opportunities for providing broad access to quality education toward meaningful societal impact, are thriving. Arizona State University (ASU) is one of these adaptive and thriving places, relying on a new model of governance, the prototype of the New American University (Crow, 2018; <https://newamericanuniversity.asu.edu/>). The university's charter states that ASU is measured "not by whom we exclude, but rather by whom we include and how they succeed," and the university is evolving a model of universal learning to be of service to all learners.

This context is important to explain the evolution of the new Law and Behavioral Science group at ASU, and how this context has encouraged innovation in my teaching and mentoring of students. Our ASU-wide group oversees a suite of programs that will educate a new generation of psychology and law students at scale (i.e., a lot of students), helping provide a background in psychology to people across the globe working in justice and legal settings, and a background in law and criminology for people across the globe working in mental health settings. Furthermore, we aim to produce the future R1-level scientist-leaders of the world at the intersection of law and psychology. Before turning to teaching techniques that I have been using here, I would like to describe the environment in which I'm teaching a bit more.

The description of the scale of the programs is useful for understanding the teaching strategies I subsequently describe.

Building Broad Access to Curriculum in Law and Psychology. In 2007, ASU launched a dual JD / Psychology PhD program. Despite an excellent law school, excellent psychology department, and excellent faculty, applicants, and students, the dual-degree program faced practical and logistical challenges and only 4 students ever enrolled and matriculated from it in the decade of its existence. That dual-degree program was replaced in 2017 by a new suite of programs with B.A., B.S., M.S., Ph.D. and postdoctoral training opportunities (<http://lawpsych.asu.edu/>). Our new programs were built in the context described in the opening paragraph –with commitments to broad access to excellent education and a sustainable funding portfolio. We were able to make this happen by taking advantage of the scale of ASU. We have one of the largest concentrations of faculty who study psychology and law in the world, with 13 core tenured / tenure-track faculty, 14 additional affiliated faculty, and plans to grow with permission to hire new lines this year.

In the fall of 2017, our new undergraduate curriculum launched. The undergraduate degree programs include on-campus and online B.A. and B.S. degrees in Psychology with a concentration in Forensic Psychology. Consistent with our mission to provide education in psychology-law at scale, in just after one year of existence these programs enrolled over 500 diverse

students from all over the globe qualified to study at a research university (with more than 2/3 of the students in the online version of our program). The programs are continuing to grow and are designed to be scalable (Schweitzer, 2018).

In the fall of 2017, we also launched a new online M.S. degree program in Forensic Psychology (not license-eligible). In just a year, the online M.S. program enrolled nearly 250 students qualified to study at the master's level at a research university. This program is growing and scalable (Schweitzer, 2018). Many of these M.S. students are already working in a related field, looking for further education to advance their careers. Many others are seeking to work in a psychology or criminal justice related field at the master's level. Some are looking to refine their interests before applying to PhD programs. We will be actively tracking our graduates to discover how they succeed, and will modify our program as needed to ensure our graduates' success.

In the fall of 2018, the flagship interdisciplinary PhD degree in Law and Psychology launched, enrolling its inaugural class of 3 students. The PhD program is highly competitive, built to train future scientists at the R1 level capable of launching independent research programs at the intersection of law and psychology at R1 universities. At full buildout it will have 12 to 15 students at a given time. Finally, in the fall of 2018, we welcomed our first two-year postdoctoral research fellow in law and psychology, and will be hiring our second postdoc in fall 2019.

Striving for Excellence in Law and Psychology Programming. As with many of our colleagues teaching psych-law coursework across universities (AP-LS, 2018; Zelechowski, Wolbransky, & Riggs Romaine, 2018), our ASU faculty work hard to provide excellent experiences in the classroom. Given that we are teaching both on-campus and online courses here at ASU – and to a large number of students – designing coursework creatively to be both scalable but also excellent requires hard work. I've taken advantage of the opportunities provided to faculty here at ASU to learn strategies for teaching excellence at scale. I'll

detail a few of the strategies I'm using and a few assignments and projects I've created in this environment.

Using Technological Innovations to Enhance Teaching. I use innovations in technology to enrich all of my courses. I use the recording studio provided by ASU Online for some of my teaching presentations, but I also use programs like Soapbox (<https://wistia.com/soapbox>), a free, easy-to-use video recording and editing software platform by Wistia (a Google Chrome extension) for many of my recorded teaching presentations (an example presentation I recorded and edited in Soapbox: [Example Soapbox Video: PSY 547 Advanced Correctional Psychology - Welcome](#)). Students react well to instructor presence, which can be challenging to implement in online environments. Making sure students can see me and hear my voice as they learn about the material (vs. just reading) helps with engagement and enjoyment of the material. I use video-recorded lectures for every class session / module. I break them up into small chunks (5-10 minutes per topic), often including multiple short lectures in each module. These are best practices for teaching in online environments, and students appreciate the efforts.

In my graduate Forensic Psych course, students are assigned to teach portions of the class and to engage in peer-review of each other's teaching products and performance to improve writing and critical thinking skills by engaging students as teachers. Student peer review allows learners to evaluate others' content with clear rubrics, engaging critical thinking and meta-cognitive processes about their own performance. Importantly, peer review is scalable for large classes, allowing instructors to adhere to high standards for intensive assignments and also to allow all students to receive thorough feedback on their work.

To make this work in the online environment, I use technological tools like VoiceThread (<https://voicethread.com/>) and Peerceptiv (<https://www.peerceptiv.com/>). VoiceThread is a cloud application that allows for creating, sharing, and discussing presentations (via microphone, webcam, text, phone, and audio-file upload). Peerceptiv is a

research-supported application with useful analytics to support student peer-review in large classes. For this particular graduate Forensic Psych course, students were assigned to record themselves teaching one of 11 different types of legal competencies, and then were randomly assigned to review and rate several of their peers' lectures (thus learning about other competencies). I was the first professor at ASU to integrate these technological tools while doing peer review in large online classes, and was asked by ASU Online to present about my rationale and what I learned in the process as part of the ASU Online Faculty Showcase. If interested, see video link below for more detailed information about student peer review as a scalable teaching tool, as well as information about working with these particular technological tools. Link to Video: [ASU Online Faculty Showcase: Student Peer Review as a Teaching Tool](#)

In my graduate Correctional Psych course, students are assigned to create an Infographic as their final project (on any course-related topic they choose), using a program like Canva (<https://www.canva.com/>). Infographics are visual representations of information, data, or knowledge that are designed to present the information quickly and clearly (an example is shown below). After submitting their own infographics, students are asked to rate each other's projects and learn from one another in the peer review process (if interested, see example student-created infographics below by M.S. students Sarah Estopinal and Emily Line – shared and attributed with their permission). Students loved this assignment, and several commented about how they were grateful to learn a new way to communicate information effectively. They were also fun to grade!

Engaging Attention by Incorporating Real-World Events While Maintaining High Standards of Performance. I intentionally design my courses to engage students in ways that will interest them, while simultaneously upholding high standards for their performance. Students respond favorably to these kinds of engaging and active learning activities that bring the material to life. For instance, students conduct a mock forensic psychological

assessment of Jerry Sandusky's sexual reoffending risk (the Penn State football coach convicted of 45 counts of sexual abuse of young boys in 2012) in my undergraduate Forensic Psychology course. I take students to federal prison and a local jail in my in-person Correctional Psychology course so they can experience first-hand the differences between incarceration environments. We read and discuss op-eds written by U.S. Presidents on prison policies, such as President Obama's 2016 op-ed on solitary confinement, as well as Congressional Statutes, such as the Prison Rape Elimination Act of 2003. We read, analyze, and discuss trial documents and psychological assessments in real cases, such as the competency and sanity hearings for Jared Lee Loughner (2011 shooter in Tucson who shot Congresswoman Giffords) and Dylan Roof (white supremacist convicted of the 2015 Charleston Church shooting). We watch relevant clips from high-quality documentaries, pop culture shows (e.g., Last Week Tonight with John Oliver), and feature films outside of class (e.g., Stanford Prison Experiment movie). Students are highly engaged in my courses, and I enjoy teaching when everyone is engaged. The engagement allows me to set high standards for performance without worrying about my teaching evaluations (they are always high even though my courses are challenging).

Enrichment Opportunities. I provide optional enrichment activities in my undergraduate courses, and students report learning a lot and enjoying these opportunities. For example, for my undergraduate Forensic Psychology course (both on-campus and online), honors students participate in a "Forensic Psychology in Literature" reading group that meets for one hour every other week. The group chooses which book(s) to read from a list of literature reflecting forensic psychology issues (e.g., stories and novels by Poe, Faulkner, Camus, Dostoyevsky, Carr – click [here](#) if you'd like to see an example). Each member of the group is expected to develop questions prior to each meeting based on the assigned reading for that segment and then pose questions to the group and participate in discussion when other group members pose their questions. I participate in

this reading group. At the conclusion, each student writes a 4-5 page paper about forensic psychology in the book(s), on which I provide feedback. Students report loving this enrichment opportunity, seek additional classes from me, and recommend their friends to take my courses and participate in these enrichment activities.

Conclusion. In sum, our Law and Behavioral Science group at ASU is committed to providing accessible and excellent education – at scale – to the global community of learners interested in

studying at the intersection of law and psychology. Teaching in this environment has required some innovation in teaching methods, and I have found the strategies described in this column helpful for teaching well in the context in which I am teaching here at ASU. If interested in more information about the program at large, please visit the homepage (<http://lawpsych.asu.edu/>). If interested in more information about these particular psych-law courses at ASU, please see my teaching website (<http://psych-law.lab.asu.edu/teaching.html>).

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WHAT IS AN INFOGRAPHIC?

You're looking at one right now!
Infographics are a fun way to learn about a topic without a lot of reading. There are many styles of infographics and data visualizations, but the ultimate goal for all infographics is to be shared!

AN INFOGRAPHIC IS:

A data-rich visualization of a story or thesis

A tool that can educate and inform in one glance

WHY THEY'RE VALUABLE:

High quality infographics are **30 times more likely** to be read and retained than text articles.

Text articles: 1 icon
Infographics: 30 icons

Source: fissionstrategy.com

40% of people respond better to visual information than text.

Challenges & Impacts of COLLATERAL CONSEQUENCES

By: Sarah Estopinal

WHAT ARE COLLATERAL CONSEQUENCES?

THE LOSS OF OR INELIGIBILITY FOR:

- Licenses & Permits
- Civil Status
- Public benefits
- Employment

These restrictions follow arrest or conviction, tend to last indefinitely, and create many challenges for released offenders

CIVIL FREEDOMS

Collateral consequences often include the loss of civil rights. A convicted criminal may be disenfranchised, lose the rights to vote and hold office, be disqualified from serving on a jury, and be subject to impeachment when testifying as a witness.

HOUSING RESTRICTIONS

Collateral consequences can greatly restrict one's ability to live in public housing. Persons convicted of certain crimes, such as sex offenses, may even be excluded from living in certain areas.

JOB INELIGIBILITY

Collateral consequences can have large impacts on employment eligibility. Conviction can make one ineligible for public employment such as law enforcement and the military. They can also preclude private employment such as working for regulated industries, for government contractors, or any other field requiring a security clearance.

FAMILY PROBLEMS

Collateral consequences affects many aspects of family relations. Conviction, for instance, can affect the ability to be a foster parent, adopt, or retain custody of one's children.

LOSS OF LICENSES & PERMITS

Collateral Consequences also restrict the ability to obtain government licenses and permits. In some cases, one may lose the rights to own a firearm and obtain a drivers license, among others.

IMPACTS OF COLLATERAL CONSEQUENCES THE ISSUES...

- Extreme difficulty, and often unsuccessful reentry into society
- High chances of recidivism
- Continuing contributor to large mass incarceration population

REENTRY DIFFICULTIES

"Released prisoners face a multitude of barriers to reentry upon release" (Sohoni, 2013). Collateral consequences add to this list of challenges, making successful reintegration into society highly difficult, if not unlikely. This, in turn, contributes to other issues.

The ABA has identified more than **48,000** legal collateral consequences in existence today. This affects **65 MILLION** individuals with criminal records.

INCREASED RECIDIVISM

Positive Relationship Prediction: Harsh Collateral Consequences = Increased Recidivism Rates

Given the challenges these laws present to those reintegrating into society, it is more likely for released offenders to resort back to criminal lifestyles. Collateral consequences act as a second form of punishment which commonly causes increased rates of recidivism, thought to be explained by Strain Theory, Labeling Theory, and Social Disorganization Theory.

MASS INCARCERATION

Increased Recidivism → Increased Returns to Prison → Increased Mass Incarceration

700,000 Individuals are released from prison each year. **2/3** Are rearrested & re-incarcerated within 3 years of release. The challenges associated with collateral consequences are thought to contribute to these numbers.

WHAT SHOULD WE DO?

Reform & Rationalize Collateral Consequences to promote...

- PUBLIC SAFETY
- FAIRNESS IN INDIVIDUAL CASES
- MORE EFFECTIVE CRIMINAL JUSTICE SYSTEM

CONCLUSION

“As the number of people released from prison and jail increases steadily, we cannot afford to continue to place barriers in offenders' paths as they struggle to make the transition successfully” - P. Nolan

More research is needed on this topic for more conclusive findings. For more information on collateral consequence laws, please visit the NICCC Website: <https://niccc.csjusticecenter.org/>

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Computer Algorithm Risk Assessments

What are they?

Computer algorithms used to assess a person's risk of reoffending, violence, or other future behavior.

Used by judges in determining bail, sentencing, and probation.

Using inputs of various factors present in a person's life, the algorithms output results of low-high risk of future violence, recidivism, etc.

At least 20 states use computer algorithm risk assessments in some form.

What kinds of factors do they use?

- SEX
- GEOGRAPHICAL LOCATION
- EMPLOYMENT
- AGE
- FAMILY BACKGROUND

Pros and Cons

They can serve as tools to aid judges in making decisions (versus relying on judges' personal opinion which could allow for implicit bias).

They can reflect racial bias. A 2016 study of a common algorithm (COMPAS) found it was labeling black defendants twice as often as white defendants as future criminals.

Defendants and their lawyers don't have the rights to view the algorithms used, therefore they cannot challenge the validity of the results.

Moving Forward We Should...

- Require yearly third-party assessments of the tools to ensure objectivity and validity.
- Allow access to the data and algorithms used for an individual's assessment.

Learn more at:

- <https://epic.org/algorithmic-transparency/crim-justice/>
- <https://www.digitalethics.org/essays/sentence-numbers-scary-truth-behind-risk-assessment-algorithms>
- https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2463876 (page includes link to download full paper)