Memory and the Law  
P265/C265  
Fall, 2010

Departments: Psychology & Social Behavior & Criminology, Law & Society

Instructor: Professor Elizabeth Loftus

Course Structure  
Meetings: Tuesdays  
Grading: Based on combination of individual projects and class participation

In this course we will read book chapters and articles on a special topic dealing with memory of real-world events and their legal implications. We accomplish this by focusing on the Repressed Memory Controversy. In the 1990s thousands of individuals claimed to have recovered repressed memories of extensive brutalization, often after psychotherapy. Many sued their alleged abusers. The controversy leads us to ask many questions, e.g., How did it begin? What is the evidence for repression? If the memories are not real, where could they come from? How do jurors react to claims of repressed memory? How has the legal system handled claims of repressed memory? What, if anything needs to change?

Each week we will discuss a new set of readings. Your grade will depend both on your performance in class discussions, and on your individual projects. Grading subject to change. Please keep in mind there is a two week drop deadline policy instituted by the School of Social Ecology.

We will read one paperback book, and a number of original articles. Some articles are available on my UCI webpage. http://www.seweb.uci.edu/faculty/loftus/  
Other items can be found through library searches. If a course packet is used, items in this packet are marked by a number. If a course website is used, locate items by author name.

Readings:  

Overview

We begin with the case of George Franklin. It will be discussed in class, and during first week, read MYTH, Chap 1,2 and 6.


Commonness of repressed memories


**Jurors reactions to repressed memory cases**


**Quality of the memories**

Ingram case: (MYTH- chap 12)

**Effects of childhood sexual abuse?**


**Are the memories authentic?**

**War Memories**


**Case Histories**


**Corroborated memories (?)**

**Planting Childhood memories**

MYTH, chap 7.


If you’re motivated to peek at a few more findings on rich false memories, see articles on the website of Dr. Maryanne Garry who has contributed greatly to this area.


**Retractors**

MYTH- Chapter 3 & 4


**Legal Remedies**


(28) Finer, J. (1996-97) Therapists' liability to the falsely accused for inducing illusory memories….*J. of Law and Health*, 11, p 45-131. This is very very long so skim: pages 45-67. 98-115 (Read esp. comment on Bowman & Mertz), 121-128 (Proposed legislation).  From e-copy these are parts covering footnotes 1-94, footnotes 219-290, section after footnote 303 entitled “Reasons for Proposed Legislation.”

**An Exercise at the End: Where’s Waldo?**

Read this article and spot the errors:
