Ellen Harris
U49-362 Race, Class & Sex: Criminal Justice & The Media
6-8.30 p.m., Mondays
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PROPOSED Syllabus:
Race, Class, Sex & Murder: The Media & Criminal Justice

This course investigates how cases involving race, class and sex are treated in the criminal justice system, as reported by the media. We analyze the different perspectives from our guest lecturers, films, our readings, and through field trips. We also examine controversial issues in the media, including police reform, the disproportionate number of African American men on death row, the opioid crisis, classism in the courtroom, campus rapes and #Me Too. We’ll read books by a journalist who investigated campus rapes; a modern day Atticus Finch who represents the poor and the innocent; a newspaper reporter who explains why the opioid crisis continues; and a memoir by two-time Nat’l Book Award winner and MacArthur Genius about the death toll of black youths. There will be 2 films and 2 field trips.

We’ll study constitutional rights to a free media and a fair trial.

Questions to consider:
* What is structural racism/classism/sexism?
* How does it function in our everyday lives?
* How does white supremacy and patriarchy unconsciously affect our behavior?

Reading: choose 6 of the 7 required books

Race:


“Men We Reaped” by Jasmmyn Ward, MacArthur Genius Award, who just won her 2nd Nat’l Book Award, 270 pp., paperback, ISBN-10: 1608197654

Class:
”Evicted: Poverty and Profit in the American City,” Matthew Desmond, 432 pp.,ISBN-10: 0553447432


Sex/Gender:
Optional —


Helpful Books on Writing:

Semester Requirements: No Final, No Term Papers
1- 5 short papers of 750-900 words each on your choice of guest speakers and field trips. Use 12-pt. type, double-spaced. Long quotes do not count toward word count. Long quotes should be single-spaced and indented. You’ll be graded on CONTENT not style.
2- 20 Talking Points on the assigned books. You can type in sentence fragments. Please type.
3- Short quiz on criminal Constitutional Amendments and the Glossary of Terms. See attached.
4- Because this is a journalism course, you are expected to skim crime news, be it in the newspapers, on-line or in news magazines. We will discuss the news each week.

Grading:
- 60% short papers.
- 20% The Talking Points notes on the assigned books. Due at the end of the class discussion.
- 10% Class participation which means keeping up with the readings and the news, and asking questions. For a Pass in P/F, you need a C.
- 10% short test on Constitutional Amendments and Glossary Terms

No late papers accepted without prior approval.

Ground Rules. Class starts on the hour. Arriving late is disruptive and lowers your grade. For being late more than once, your grade goes down 1/2 point. Talking in class or passing notes or walking in and out is disruptive and lowers your grade. Please turn off all cell phones. If you’re going to be late, e.g., held up at work, call or email me. There will be a break during class. Otherwise, do not walk in and out of the room unless ill. Clear absences via phone or e-mail before class. Email or call me if you’re ill or have an emergency. No unexcused absences. An unexcused absence lowers your grade. More than ONE excused absence lowers your grade half a point. Four absences may result in an F.

Plagiarism. Copying from other students and resources, including the Internet, and other forms of cheating will not be tolerated. Violations of the standard rules of academic integrity will be reported to the Dean and may lead to an F on a paper or in the course. Repeated violations could result in expulsion from the University. Complete information about the University's Academic Integrity policy may be found at: artsci.wustl.edu/college/policies/

Let me know if you have any questions about proper citation, attribution of sources, collaboration with other students or any other related aspect of academic integrity.

Disability statement: Washington University is committed to providing accommodations and/or services to students with documented disabilities. Students who are seeking support for a disability or a suspected disability should contact the Disability Resource Center (DRC) at 314-935-4062. The center is in Cornerstone, Gregg Hall, http://disability.wustl.edu. The DRC is responsible for approving and arranging all accommodations for students.

Accommodations based upon sexual assault:
The University is committed to offering reasonable academic accommodations to students who are victims of sexual assault. Students are eligible for accommodation regardless of whether they seek criminal or disciplinary action. Depending on the specific nature of the allegation, such measures may include but are not limited to: implementation of a no-contact order, course/classroom assignment changes, and other academic support services and accommodations. If you need to request such accommodations, please direct your request to Kim Webb (kim_webb@wustl.edu), Director of the Relationship and Sexual Violence Prevention Center. Ms. Webb is a confidential resource; however, requests for accommodations will be shared with the appropriate University administration and faculty. The University will maintain as confidential any accommodations or protective measures provided to an individual student so long as it does not impair the ability to provide such measures.

You can also speak confidentially and learn more about available resources at the Relationship and Sexual Violence Prevention Center by calling (314) 935-8761 or visiting the 4th floor of Seigle Hall.

Bias Reporting:
The University has a process through which students, faculty, staff and community members who have experienced or witnessed incidents of bias, prejudice or discrimination against a student can report their experiences to the University’s Bias Report and Support System (BRSS) team. See: brss.wustl.edu

Mental Health:
Mental Health Services’ professional staff members work with students to resolve personal and interpersonal difficulties, many of which can affect the academic experience. These include conflicts with or worry about friends or family, concerns about eating or drinking patterns, and feelings of anxiety and depression. See: shs.wustl.edu/MentalHealth

**PROPOSED SYLLABUS**  Changes dependent upon schedule of guest speakers.

**Jan. 22— Overview:**
The Code Noir, the root of all evil in America.

**RACIAL ISSUES**

**Jan. 29 — Working A Murder Case: retired Detective Sgt. Joe Burgoon, St. Louis City Homicide**
Assignment: Read about Burgoon from the Post-Dispatch on Blackboard.
Assignment: Student Interviews due. Will not be graded.

**Feb. 5 — Class Discussion of “Just Mercy” by Bryan Stevenson**
Assignment: 25 Talking Points on “Just Mercy.” Please type.
TED Talk with Stevenson and 15 min. podcast in New Yorker - Legacy of Racial Terror.

**Feb. 12 — Police Reform: Guest Speakers— former St. Louis Mayor & Police Chief Clarence Harmon and Law Prof. Roger Goldman**
Assignment: Read material by Prof. Goldman on Blackboard.

**Feb. 19 - Court Reform: Arch City Defenders who represent the indigent preyed upon by their own municipal officials**
Assignment: Read the Arch City papers on Blackboard.
Feb. 26 — Class Discussion on “Locking Up Our Own” by James Forman, Jr.
Assignment: 25 Talking Points

Mar. 5 — Short Test on Constitutional Amendments and Glossary of Legal Terms.
See Syllabus for both.
Lecture on Honor Killings

Mar. 12 — Spring Break

Mar. 19 — Field Trip to Missouri Court of Appeals with Judge Lisa Van Amburg
Bring questions on the legal process and terms.

CLASS ISSUES

Mar. 26 — Class Discussion on “Men We Reaped” by Jessamyn Ward
Compared to “Hillbilly Elegy” by J.D. Vance
Assignment: 25 Talking points on each book, please type.

Apr. 2 — Film “When The Bough Breaks” with producer Jill Evans Petzall

Apr. 9 — Class Discussion of “Evicted” by Matthew Desmond
Class Discussion of “Dreamland” by Sam Quinones
Assignment: 25 Talking Points on each book, please type.

SEX/GENDER ISSUES

Apr. 16 — Field Trip to US Attorney’s Office on Sex Trafficking

Apr. 23 — Domestic Violence:
Director of St. Louis Co. Crime Victim Services Lisa Jones
Assignment Read “Crime Victims’ Rights in Missouri” on a PDF on Blackboard. NPR podcast
Sarah Spain on football players and domestic violence.
Issue of immigrant victims, some undocumented, who’re reluctant to go to the authorities.

April 30 — Blaming the Victim: from Anita Hill to #MeToo
Class Discussion of “Missoula” by Jon Kraukauer: Blaming & Shaming the Victim
TED Talk with Monica Lewinsky
Assignment: Type up 25 Talking Points about “Missoula.”
Assignment: Type up 25 Talking Points on TED Talk by Monica Lewinsky.

May 7 — Film: “Spotlight.”
How the Boston Globe investigated the Archdiocesan cover-up of priests sexually abusing children.

PART II: CONSTITUTIONAL RIGHTS
FIRST AMENDMENT — Freedom of religion, free speech, free press, freedom to assemble. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

SECOND AMENDMENT— Gun ownership
"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Fourth Amendment - Search and Seizure.
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Fifth Amendment - Trial and Punishment, Compensation for Takings.
No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Sixth Amendment - Right to Speedy Trial, Confrontation of Witnesses.
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

Seventh Amendment - Trial by Jury in Civil Cases. Includes police brutality.
In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

Eighth Amendment - Cruel and Unusual Punishment.
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Fourteenth Amendment - Citizenship Rights. Due Process.
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

PART III: GLOSSARY OF TERMS Merriam-Webster's Dictionary of Law

HOMICIDE
Latin homicidium, from homo human being + caedere to cut, kill. the killing of one human being by another.

Criminal homicide
: homicide committed by a person with a criminal state of mind (as intentionally, with premeditation, knowingly, recklessly, or with criminal negligence)

Justifiable Homicide
: homicide that is committed in self-defense, in defense of another and esp. a member of one's family or sometimes in defense of a residence, in preventing a felony esp. involving great bodily harm, or in performing a legal duty and that is justified under the law with no criminal punishment imposed

MURDER
to kill (a human being) unlawfully and under circumstances constituting murder. the crime of unlawfully and unjustifiably killing another under circumstances defined by statute (as with premeditation); especially : such a crime committed purposely, knowingly, and recklessly with extreme indifference to human life or during the course of a serious felony (as robbery or rape)
**Felony murder** is usually considered first-degree murder. Felony murder does not require specific intent to kill, and an accessory to the felony may also be charged with the murder first-degree murder: a murder that is committed with premeditation or during the course of a serious felony (as kidnapping) or that otherwise (as because of extreme cruelty) requires the most serious punishment under the law second-degree murder: a murder that is committed without premeditation but with some intent (as general or transferred intent) or other circumstances not covered by the first-degree murder statute third-degree murder.

**PROBABLE CAUSE**
1: a reasonable ground in fact and circumstance for a belief in the existence of certain circumstances (as that an offense has been or is being committed, that a person is guilty of an offense, that a particular search will uncover contraband, that an item to be seized is in a particular place, or that a specific fact or cause of action exists) <when supported by probable cause, warrantless search of vehicle may extend to every part of vehicle where objects of search might be concealed —State v. Nixon, 593 North Eastern Reporter, Second Series 1210 (1992)>

Called also reasonable cause sufficient cause —compare REASONABLE SUSPICION

The 4th Amendment to the Constitution stipulates that “no warrants shall issue, but upon probable cause.” Probable cause is also required for a warrantless arrest. Probable cause is an objective standard rather than a function of subjective opinion or suspicion not grounded in fact or circumstance. However, the facts or circumstances need not be of the nature of certainty necessary to establish proof in court.

**INQUEST**
Etymology: Anglo-French enqueste, from Old French, ultimately from Latin inquirere to ask about, from in- within, into + quaerere to seek

1: a judicial or official inquiry or examination often before a jury <a coroner's inquest> —compare TRIAL

2: a body of people (as a jury) assembled to hold a judicial or official inquiry; also: the finding of such an inquiry or the document recording it

**CORONER**
Etymology: Anglo-French, recorder of crown pleas, from corone crown

A public officer who inquires by an inquest into the cause of death when death may not be due to natural causes

**MEDICAL EXAMINER**
1: a usually appointed public officer who must be a person trained in medicine and whose functions are to perform autopsies on the bodies of persons dead by violence or suicide or under circumstances suggesting crime, to investigate the cause of their deaths, and sometimes to initiate inquests

**ARREST**
Etymology: Middle French arest, from arester to stop, seize, arrest, ultimately from Latin ad to, at + restare to stay

The restraining and seizure of a person whether or not by physical force by someone acting under authority (as a police officer) in connection with a crime in such a manner that it is reasonable under the circumstances for the person to believe that he or she is not free to leave.

**MIRANDA RIGHTS**
Miranda v. Arizona, the 1966 U.S. Supreme Court ruling establishing such rights:

The right to remain silent, to have an attorney present, and to have an attorney appointed if indigent.

Of which an arresting officer must advise the person being arrested.

A reading of the Miranda rights usually includes a warning that anything said could be used as evidence. No statements made by an arrested person or evidence obtained therefrom may be introduced at trial unless the person was advised of or validly waived these rights. A fresh reading of the Miranda rights may be required by the passage of time after the initial reading, as for example if a previously silent person begins to speak or police interrogate a person more than once.

**INTERROGATION**
To question formally and systematically; especially: to gather information from (a suspect) by means that are reasonably likely to elicit incriminating responses.

**SUBPOENA**
To call before a court or hearing by a subpoena <the inspector is given the power to subpoena any relevant... witnesses —Harvard Law Review>; also: to command the production of (evidence) by a subpoena duces tecum
Etymology: Latin sub poena under penalty; a writ commanding a designated person upon whom it has been served to appear (as in court or before a congressional committee) under a penalty (as a charge of contempt) for failure to comply—compare SUMMONS

GRAND JURY
a jury that examines accusations against persons charged with crime and if the evidence warrants makes formal charges on which the accused persons are later tried—see also no bill and true bill at BILL 3b, INDICTMENT—compare PETIT JURY, SPECIAL GRAND JURY

PETIT JURY
(in a civil or criminal proceeding) a jury, usually of 12 persons, impaneled to determine the facts and render a verdict pursuant to the court's instructions on the law.

IMpaneL
to form (a jury) esp. by summoning and selecting the members; specifically: to enroll (a list of selected jurors) in a court—compare ARRAY—noun

COMPLAINT
1: the initial pleading that starts a lawsuit and that sets forth the allegations made by the plaintiff against the defendant and the plaintiff's demand for relief—see also PRAYER, PROCESS, WELL-PLEADED COMPLAINT RULE—compare ANSWER
2: a document sworn to by a victim or police officer that sets forth a criminal violation and that serves as the charging instrument by which charges are filed and judicial proceedings commenced against a defendant in a magistrate's court—compare DECLARATION, INDICTMENT, INFORMATION
3: PETITION

INDICTMENT
1: the action or the legal process of indicting
2 a: a formal written statement framed by a prosecuting authority and found by a grand jury that charges a person or persons with an offense—compare COMPLAINT, INFORMATION b: BILL OF INDICTMENT.

PREliminary HEARING
1: a proceeding of relative formality at which evidence and arguments may be presented on the matter at issue to be decided by a person or body having decision-making authority—compare TRIAL
NOTE: The purpose of a hearing is to provide the opportunity for each side of a dispute, and esp. a person who may be deprived of his or her rights, to present its position. A hearing, along with notice, is a fundamental part of procedural due process. Hearings are also held, as for example by a legislature or an administrative agency, for the purpose of gathering information and hearing the testimony of witnesses.

ARRAIGNMENT
Etymology: Anglo-French arrainer, from Old French araisnier to address, call to account, from a-, prefix stressing goal of an action + raisnier to speak
: to bring (a defendant) before a judge or magistrate to hear the charges and to plead usually either guilty or not guilty—compare INDICT
NOTE: For a person to be formally arraigned, he or she must be called by name before a judge or magistrate. The judge or magistrate makes sure that the defendant is the person named in the complaint, indictment, or information, which is then read to formally notify the defendant of the charges. The defendant may then enter a plea of guilty, not guilty, or another plea allowed by law such as nolo contendere. In some cases, as when the defendant is not yet represented by a lawyer, the judge or magistrate may enter a plea of not guilty on the defendant's behalf.

TRIAL
A judicial examination of issues of fact or law disputed by parties for the purpose of determining the rights of the parties—compare HEARING, INQUEST—at trial: in or during the course of a trial

SEquestered JURY
Jury is kept from their normal lives by the judge's bailiff, often in a motel. They’re not allowed access to the media.

BENCH TRIAL
a trial in which there is no jury and the judge decides the case —compare JURY TRIAL

BI-FIRCATED TRIAL
Where two or more hearings or trials are held on different issues, eg., the death penalty.
... Insanity issues may prompt a bifurcated trial in a criminal case.

VOIR DIRE
A formal examination esp. to determine qualification (as of a proposed witness) <the judge admitted the witness's expert testimony after a voir dire by the attorney>; especially : the act or process of questioning prospective jurors to determine which are qualified (as by freedom from bias) and suited for service on a jury

OPENING STATEMENT
: a statement to the jury by trial counsel before the presentation of evidence that usually explains the nature of the case, the factual matters to be proven, and the evidence to be presented and that summarizes the arguments to be made; also : a similar statement made to the presiding authority (as an arbitrator) at a nonjudicial or quasi-judicial hearing (as an arbitration hearing)

EXPERT WITNESS
Etymology: Old English witnes knowledge, testimony, witness, from wit mind, sense, knowledge
1 a : attestation of a fact or event <in witness whereof the parties have executed this release> b : evidence (as of the authenticity of a conveyance by deed) furnished by signature, oath, or seal
2 : one who gives evidence regarding matters of fact under inquiry; specifically : one who testifies or is legally qualified to testify in a case or to give evidence before a judicial tribunal or similar inquiry <a witness before a congressional committee> <no person...shall be compelled in any criminal case to be a witness against himself

AGGREGATING CIRCUMSTANCES
Any relevant circumstances, supported by the evidence presented during the trial, that makes the harshest penalty appropriate, in the judgment of the jurors.

MITIGATING FACTORS
Any evidence presented regarding the defendant's character or the circumstances of the crime, which would cause a juror to vote for a lesser sentence.
Each state has its own laws regarding how jurors are instructed to weigh aggravating and mitigating circumstances.
In California, for example, these are the aggravating and mitigating factors a jury can consider:
* The circumstances of the crime and the existence of special circumstances.
* The presence or absence of violent criminal activity by the defendant.
* The presence or absence of any prior felony convictions.
* Whether the crime was committed while the defendant was under the influence of extreme mental or emotional disorder.
* Whether the victim was a participant in the defendant's homicidal conduct or consented to the killing.
* Whether the crime was committed under circumstances which the defendant reasonably believed to be a moral justification or extenuation for his conduct.
* Whether the defendant acted under extreme duress or under the substantial domination of another person.
* Whether at the time of the crime the capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law was impaired as a result of mental disease or defect, or the affects of intoxication.
* The age of the defendant at the time of the crime.
* Whether the defendant was an accomplice to the crime and his participation was relatively minor.
* Any other circumstances which lessens the gravity of the crime even though it doesn’t legally excuse the crime.

In death penalty cases, each juror must weigh the circumstances and decide whether the defendant is sentenced to death or life in prison. In order to sentence a defendant to death, a jury must return an unanimous decision. The jury does not have to return an unanimous decision to recommend life in prison. If any one juror votes against the death penalty, the jury must return a recommendation for the lesser sentence.

CLOSING ARGUMENT
: the final address to the jury by the attorney for each side of a case in which the attorney usually summarizes the evidence and his or her client's position called also closing statement final argument summation summing-up
NOTE: Rule 29.1 of the Federal Rules of Criminal Procedure requires the prosecution to open the closing argument after the closing of the evidence. The defense replies, and the prosecution may offer a rebuttal.

MISTRIAL
A trial that terminates without a verdict because of error, necessity, prejudicial misconduct, or a hung jury.

VERDICT
Etymology: alteration (partly conformed to Medieval Latin veredictum) of Anglo-French veirdit statement, finding, verdict, from Old French veir true (from Latin verus) + dit saying, from Latin dictum
1: the usually unanimous finding or decision of a jury on one or more matters (as counts of an indictment or complaint) submitted to it in trial that ordinarily in civil actions is for the plaintiff or for the defendant and in criminal actions is guilty or not guilty—compare JUDGMENT 1a

compromise verdict
: a verdict produced not by sincere unanimous agreement on guilt or liability but by an improper surrender of individual convictions; specifically: an impermissible verdict by a jury that is unable to agree on liability and so compromises on an award of damages that is less than what it should be if the plaintiff has a right of recovery free from any doubt.

directed verdict
1: a verdict granted by the court when the party with the burden of proof has failed to present sufficient evidence of a genuine issue of material fact that must be submitted to a jury for its resolution <the order of the court granting a motion for a directed verdict is effective without any assent of the jury —Federal Rules of Criminal Procedure Rule 29(a)> —see also judgment notwithstanding the verdict at JUDGMENT 1a

NOTE: Motions for summary judgment, a directed verdict, or for judgment notwithstanding the verdict are all based on the assertion that there is no material fact at issue. A motion for a directed verdict is made after the opponent has presented the evidence.

2: a verdict of acquittal ordered by the court on the ground that the evidence is not sufficient to support a conviction when viewed in the light most favorable to the prosecution: JUDGMENT OF ACQUITTAL at JUDGMENT

appeal
A proceeding in which a case is brought before a higher court for review of a lower court's judgment for the purpose of convincing the higher court that the lower court's judgment was incorrect; also: a proceeding for the review of an agency decision at a higher level within the agency or in a court. The scope of an appeal is limited. The higher court reviews only matters that were objected to or argued in the lower court. No new evidence can be presented.

HABEAS CORPUS
Medieval Latin, literally, you should have the body (the opening words of the writ)
: any of several writs originating at common law that are issued to bring a party before the court; especially:

HABEAS CORPUS AD SUBJICIENDUM <the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it —U.S. Constitution article>

: a writ for removing a prisoner for trial in the jurisdiction of the issuing court where the prisoner committed a crime. an extraordinary writ issued upon a petition challenging the lawfulness of restraining a person who is imprisoned or otherwise in another's custody called also the Great Writ

NOTE: Habeas corpus ad subjiciendum is an extraordinary remedy, and is by far the most frequently used writ of habeas corpus. It is an independent civil action and a form of collateral attack to determine not the guilt or innocence of the person held in custody, but whether the custody is unlawful under the U.S. Constitution. Common grounds for relief under the writ include a conviction based on illegally obtained evidence, a denial of effective assistance of counsel, or a conviction by a jury that was improperly selected and impaneled. The degree of restraint on a person's liberty that is necessary to constitute custody entitling a person to habeas corpus relief is not viewed uniformly by the courts. Use of the writ is not limited to criminal matters. It is also available in civil matters, as, for example, to challenge a person's custody of a child or the institutionalization of a person declared incompetent. habeas corpus ad
literally, you should have the body with the cause.

A writ issued from a superior court to an inferior court requiring that a defendant be produced along with the cause for which the defendant has been taken and held called also habeas corpus ad faciendum et recipiendum.

**CERTIORARI**

A writ issuing from a superior court calling up the record of a proceeding in an inferior court for review. Also called writ of certiorari. An extraordinary writ issued by a superior court (as the Supreme Court) to call up the records of a particular case from an inferior judicial body (as a Court of Appeals).

NOTE: Certiorari is one of the two ways to have a case from a U.S. Court of Appeals reviewed by the U.S. Supreme Court. Certification is the other. The Supreme Court may also use certiorari to review a decision by a state's highest court when there is a question as to the validity of a federal treaty or statute, or of a state statute on constitutional grounds. Certiorari is also used within state court systems.