

CRITICAL ISSUES IN RACE AND CRIMINAL JUSTICE 556:426:01

Course Syllabus

Course website: <https://sakai.rutgers.edu>

Spring 2009

Time: Mon. 10:55 AM to 1:55 PM

Location: Ruth Adams 208 and Regina Heldrich 204

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Purpose

This course examines the complex inter-relationships between race, crime, and the justice system within America's distinctive political and social context. The course integrates critical discussion with cutting edge research on the importance of race and ethnicity in relation to crime, the justice system, and the political process. CRITICAL ISSUES is a unique, team-taught, inter-disciplinary course that blends a wide range of guest speakers, seminar-style discussion, written work and rigorous analysis of contemporary problems.

The broad purpose of the course is to help students build the analytic and critical skills necessary to gain deeper, better-grounded insights on important issues of race and criminal justice. In this age of mass information, too often we are bombarded with facts, figures and opinions with little background or context in which to understand them. Debates are often polarized and frequently provide little evidence for one position over another. Furthermore, much contemporary discussion about racism and criminal justice emphasizes the racist acts of specific individuals – police, judges, victims, journalists, and so on. This course moves beyond simplistic, individualistic ideas about race and racial bias, examining whether and how racial inequality and racism are embedded in the social and political fabric of American society as well as its social and political institutions. Through this wider lens, students can better understand and discuss how racial disparities in crime and justice both reflect and contribute to racial and social inequality more broadly.

The course is organized around three central themes:

- **Race and crime**: Is there a relationship between race, ethnicity and criminal offending? If so, what are the nature and causes of that relationship?
- **Race and justice**: Does race shape the attitudes, structure, and formal and informal practices within criminal justice organizations (e.g. police, courts)? If so, how?

- Race and politics: How do political attitudes and ideas about crime affect disparities in the justice system? Does our political system filter attitudes, ideas and political action in ways that perpetuate inequality?

Students are expected to have a strong interest in the subject matter, a desire to subject their ideas to scrutiny and a willingness to engage in rigorous coursework.

Course requirements

Required readings:

Text: Gabbidon and Greene, *Race and Crime*, 2nd Edition. ISBN: 1412967783.
(Copies available at Douglass Co-op, Rutgers Bookstore, as well as on-line).

Resrvy: On Electronic Reserve in Library.

Sakai: Reading will be available electronically from the course web-site.

Grade:

Your grade for the course is on a 200 point scale will be apportioned in the following manner:

Participation:	20%
Reading/Speaker Commentaries:	25%
Midterm Exam (March 9):	25%
Final Paper (Due May 8):	30%

Participation: Twenty percent of your grade will be based on the quantity and quality of your classroom participation. Absences from class without a valid excuse count against your participation grade. We ask that students who have not done the applicable reading let others respond to questions first. This helps keep class discussion pertinent and flowing. Classroom participation that detracts from focused, intellectual discourse and an open, congenial classroom atmosphere will not improve your grade. Participating in classroom discussions is not the only way to earn participations points. You can also earn points by submitting questions for guest speakers in advance of their presentations. We also plan to post questions to the discussion boards on the course web-site. If time permits, you may have the option of giving a short presentation about your final papers on the last day of class (May 4), which will count toward your participation grade.

Reading Commentaries (five required): These small assignments, worth 5 points each, are an attempt to advance your thought process and enhance classroom discussion. Half of the class will submit their first reading response on February 2nd and the other half on February 9th. After that, the weeks you submit reading responses are entirely up to you (but note that for some weeks, reading responses will be not accepted). Reading commentaries must be made by the Saturday prior to class and will be submitted via Sakai. The commentaries should be reflections on the reading for that week in the equivalent of about two double spaced pages. Whereas grades on your final papers give considerable consideration to organization, flow, and style, we will judge commentaries largely on the depth of coherent and rational thought that you are giving to the

readings, both individually and comparatively. You can write these commentaries in whatever style and format is most comfortable for you. In these papers, we especially encourage you to ask critical questions of the readings and to integrate prior readings and class discussions. You may also use these commentaries as a vehicle to test out, extend, and refine ideas for your final paper. References to recommended readings are also well received. **You may submit up to eight commentaries, but your grade will be based only on the top five.** At least two of your responses must be prior to the mid-term exam and at least two must be after.

Speaker Commentaries: In lieu of two of your reading responses, you may opt to take responsibility for responding to a guest speaker who comes to class. The speaker response assignment involves taking responsibility for part of the class discussion of the speaker's presentation. Your commentary should discuss what the speaker's presentation contributed to our understanding of the topic under study, what information you found most important, and your assessment of the speaker's analysis. You must inform either Professor Hirschfield or Professor Miller the week prior to your intention to do a speaker commentary. Commentaries will be evaluated on how prepared you are to assess the speaker (i.e., having read the assigned reading thoroughly) as well as the depth and breadth of analysis of the speaker's contribution to our topic. You should approach the speaker commentary with the expectation that we will call on you during class.

Exam: The exam will consist of two essay questions. One essay will describe a debate in the research or policy literature and will ask you to discuss how research has been or can be used to shed light on the issue. The second question will be an argumentative essay in which you will select and defend a position, drawing on course material.

Final Paper: You are also required to submit, via Sakai, a final paper, 8-10 double-spaced pages long, which requires research and critical analysis. All papers will be judged on the depth and breadth of analysis, the quality of the writing, the sufficient and proper integration of course and outside materials, and additional considerations specified later. Papers should reflect an understanding of both course readings and issues and topics raised in class discussion. We recommend that you discuss your choice of paper topic with one of us by e-mail or in person by April 13th. You are welcome to request feedback on paper outlines or summaries. However, we will not read and comment on rough drafts of papers.

Academic Integrity and Late Assignments

Potential violations of academic integrity will be considered by both of us and could result in failing grades on assignments. If the violations are severe enough, they could be forwarded to the Office of Student Judicial Affairs. For the University's current policies and procedures, see <http://academicintegrity.rutgers.edu/integrity.shtml>).

Late reading/speaker commentaries will be deducted a grade for each day late. Late final paper assignments will be deducted an additional half grade (a six-point penalty on a 100 point scale) for each additional day late beginning *immediately* after the time the assignment is due. Whenever possible, no-penalty extensions should be requested and approved in advance. If an extended illness or family situation prevents you from attending class and completing your

assignments on time, you must receive a new paper due date, so your paper can be evaluated properly and fairly.

Schedule of classes: Please read the overview and key concepts each week prior to doing the readings. This will help guide your understanding of the material and place some of the main themes of the class in context.

I. Race and crime: *Is there a relationship between race, ethnicity and criminal offending? If so, what are the nature and causes of that relationship?*

Monday, January 26th: What you know and what you think you know

Overview: This week is an introduction to the course and to patterns of racial differences in offending. We will provide some very concrete data about a variety of sources of information on criminal offending, explore challenges to measurement and help you come away with a clearer picture of criminal offending as we currently understand it.

Key Concepts:

Race and ethnicity: What do these terms mean? How are they understood?

Criminal behavior: How is that concept understood? How do we measure it?

Measurement: Measurement is often contested and difficult

Readings

(Resrv): Lauritsen and Sampson, “Minorities, Crime, and Criminal Justice” pp. 58-65.

(Text): chapter 1

Optional Readings: Lauritsen, “Racial and Ethnic Differences in Juvenile Offending”

(Text): chapter 2.

Monday, February 2nd: Historical and contemporary understandings of differences in offending between racial and ethnic groups

Overview: *The readings for this day provide some perspectives on differences in crime between groups. This session and the next move students from the basics covered in the first class to a broader way of thinking about race and crime (not just blacks and latinos v. whites but ethnic whites, immigrant groups, multiple and overlapping racial and ethnic identities, etc). We will also discuss the ways in which different racial and ethnic groups have been blamed for crime and deviance throughout American history.*

Key Concepts: eugenics, subculture, structural disadvantage, individual factors, social isolation/concentrated disadvantage, social capital

Guest Speaker: Professor Keith Wailoo, Department of History, Rutgers University

Readings: (readings from Feb. 2nd, if you did not already do them)

(Resrv) Lauritsen and Sampson, “Minorities, Crime, and Criminal Justice” pp. 65-70.

(Text) Chapter 2 (cont.), “Biology, Race, and Crime” pp. 63-66.

(Resrv) Velez, Maria B. “Toward an Understanding of the Lower Rates of Homicide in Latino v. Black Neighborhoods: A Look at Chicago.”

(Sakai) Williams, Negro Cocaine ‘Fiends’

Optional: (Resrv) Zatz, Marjorie S. and Nancy Rodriguez. “Conceptualizing Race and Ethnicity in Studies of Crime and Criminal Justice.” [p. 39-45 & 50-51].

Monday, February 9th: The ongoing significance of social and economic location in criminal offending

Overview: *Here, we want you to consider the importance of social location as it intersects with offending rates and also to expand your conceptions of how race and ethnicity intersect with criminal offending*

Key Concepts: subculture, structural /concentrated disadvantage, social disorganization, immigration, acculturation, generation gap

Guest Speaker: Professor Anne Piehl, Department of Economics, Rutgers University

Readings:

(Resrv) Bourgois, *In Search of Respect*, “Street History of El Barrio”

(Sakai) Piehl, Anne “Crime, Corrections, and California”.

(Sakai) Piehl, Anne “Immigration, Crime, & Incarceration in Early 20th Century USA”

(Sakai) Toy, Calvin “A Short History of Asian Gangs in San Francisco”

Optional Readings

(Resrv) Escobar, Edward, “Theories and Statistics of Mexican Criminality,” from *Race, Police and the Making of a Political Identity*

(Resrv) Martinez and Nielsen, “Extending Ethnicity and Violence Research in a Multi-Ethnic City: Haitian, African-American and Latino NonLethal Violence.”

II. Race and justice: *Does race shape the attitudes, structure, and formal and informal practices within criminal justice organizations (e.g. police, courts)? If so, how?*

Monday, February 16: Confronted by the police!

Overview: *Do biased police practices contribute to racial differences in offending rates (and perceptions thereof) and help determine who gets stopped and arrested? How do racial biases operate? What is the role of unconscious racism, statistical discrimination, and institutional racism? Are the legal criteria that shape police discretion really race neutral?*

Key Concepts: profiling, disparity, discrimination: unconscious/conscious, institutional/race-neutral, discrimination without prejudice, statistical discrimination

Readings (note: two of these readings are very short!):

Text, Chapter 4

(Sakai) Kennedy, Randall “Suspect Policy”

(Sakai) MacDonald, Heather “The Myth of Racial Profiling”

(Sakai) Beckett, Katherine et al. “Race, Drugs, and Policing: Understanding Disparities in Drug Delivery Arrests”

Optional: (Resrv) Portillos, Edwardo “Latinos, Gangs, and Drugs”

Monday, February 23rd: Race or Place? How do spatial and organizational contexts condition and explain racial differences?

Overview: This section builds on the last one and focuses on the role that neighborhoods and communities play in the likelihood of arrest/interaction with the justice system. We complicate the racial profiling discussion by talking about how spatial contexts condition police racial threat perceptions and how police respond to them. Relatedly, we consider how historically-rooted racism infuses institutional practices irrespective of the racial attitudes of particular actors.

Guest Speaker: Paul Reck, Doctoral Candidate, Department of Sociology, Rutgers University

Key Concepts: Place/geography, cognitive mapping, spatial arrangements/configurations

Readings:

(Sakai) Reck, Paul "Mapping People with Places: Officers' Racialized Readings of the Spatial Dimensions of Local Landscapes."

(Sakai) Feld, Barry “Justice by Geography: Urban, Suburban, and Rural Variations”

(Sakai) Bass, Sandra “Policing Space, Policing Race”

Optional: (Sakai) Bates and Fasenfest “Enforcement Mechanisms Discouraging Black–American Presence in Suburban Detroit?”

(Sakai) Meares, Tracey “Social Organization and Drug Law Enforcement”

Monday, March 2nd: Racial Bias in Criminal Courts

Overview: Does race matter in the courtroom? Here we consider how both race–neutral factors and racial prejudice contribute to racially disparate outcomes. This session has three main purposes: to get you to recognize non-racial factors that are important in court outcomes, such as the seriousness of the offense and prior record, to understand the context in which race is most and least likely to matter, and to link some of our previous discussions to courtroom decision-making.

Key Concepts: disparity/discrimination, race neutral, interaction effects, measurement, race effects

Readings:

(Text), Chapter 5 and 6

(Sakai) Ulmer, Jeff, Darrell Steffensmeier and John Kramer. "The Punishment Costs of Being Young, Black and Male."

(Sakai) *Miller-El v. Dretke*

Optional Readings:

Crutchfield, Robert. "Unwarranted Disparity? Questioning the Justification of Racial Disparity in Criminal Justice Processing." *Columbia Human Rights Review*.

Ward, Geoff. "Race and the Justice Workforce: Toward a System Perspective."

Monday, March 9th: Midterm exam

March 16: spring break

III. Race and politics: How do political attitudes and ideas about crime affect disparities in the justice system? Does our political system filter attitudes, ideas and political action in ways that perpetuate inequality?

Monday, March 23rd: The racially disparate consequences of mass arrest and mass incarceration.

Overview: *This session focuses on the social impacts of the expanded criminal justice system. These include felon disenfranchisement, employment and wage inequalities, and various civil disabilities. Professor Hirschfield will discuss his work on the implications of mass incarceration for public education ("Preparing for Prison") and his recent research on hyperconcentrations in juvenile arrests.*

Key Concepts: Hyper-concentration, mass incarceration, invisible inequality, coercive mobility, felon disenfranchisement, collateral consequences, civil disability, anticipatory socialization

Readings:

(Sakai) Hirschfield, Paul "Preparing for Prison"

(Sakai) Hirschfield, Paul "The Hyper-Concentration of Juvenile Justice Contact"

(Sakai) Moore, Joan "How Incarceration Weakens Inner-City Communities"

(Rersv) Western, Bruce "Invisible Inequality" (Ch. 4)

III. Race and politics: How do political attitudes and ideas about crime affect disparities in the justice system? Does our political system filter attitudes, ideas and political action in ways that perpetuate inequality?

Monday, March 30th: Blaming the Media

Overview *This session explores how media coverage of crime both reflects and reinforces perceptions of race and crime. We will explore the role of drama, official sources, and what is considered newsworthy, and how those factors are filtered through race, class and gender. We*

will also seek to understand how professional news organizations function and how the day to day requirements of these organizations often inadvertently perpetuate racial stereotypes.

Speaker: Isra Ali, Doctoral Candidate, Media Studies, School for Communication, Information and Library Studies, Rutgers University

Key Concepts: organizational bias, media, framing, official sources, priming, race-neutral, effects of media consumption

Readings (suggested):

(Resrv) Beckett and Sasson “Crime in the News”

(Sakai) Eschholz, Sarah “Racial Composition of Television Offenders and Viewers’ Fear of Crime”

(Sakai) Miller, Jody and Levin, Peter Levin "Caucasian Evasion: Victims, Exceptions, and Defenders of the Faith"

(Resrv) Entmann, Robert and Andrew Rojecki. “Violence, Stereotypes and African-Americans in the News,” from *The Black Image in the White Mind*.

Optional:

(Sakai) Katz, Jack “Constructing White Masculinity”

(Sakai) Gilliam & Iyengar “Prime Suspects: The Influence of Local Television News on the Viewing Public”

Monday, April 6th: Discrimination with(out?) prejudice: Connecting the Public to Policy

Overview: In this session, we want to better understand how people who live with regular crime threats respond to those threats. We want to move beyond the simplistic narratives that we often hear (“lock ‘em up and throw away the key!” or “the police are the problem!”) and take account of how political arrangements structure crime and punishment. Professor Miller will talk about her work on the structure of American politics and how the politics of crime operates differently in urban areas – where many minority citizens live – than it does in state houses and Congress. In particular, we want to understand the ways in which attitudes about race and crime get translated into policy in different ways, depending on the political sphere one is operating in.

Key Concepts: federalism, policy venue, political mobilization, collective action, representational bias

Readings:

(Sakai) Miller, Lisa L., chapter five and/or six from *Perils of Federalism*

(Resrv) Provine, Doris Marie. “Creating Racial Disadvantage: The Case of Crack”

(Sakai) Yates, Jeff. “Racial Disparity in Incarceration Across the States”

Monday, April 13th: Sundown Towns, Segregation and Urban Poverty.

Overview : *Most contemporary discussions of high-crime neighborhoods focus on the inner city as the source of social problems like crime. Certainly, these areas contain visible representations of social disorder, but segregation and its associated problems cannot exist without exclusive areas like suburbs. This section of the course will explore racial segregation, its creation and maintenance, and its impact on modern social systems. While the following excerpts do not focus exclusively on crime, they demonstrate how crime and ideas about crime fit within larger racial regimes*

Guest speaker: Jeff Dowd, Doctoral candidate, Department of Sociology, Rutgers University

Key Concepts: Sundown towns, suburbia, racial covenants, racial incidents, Segregation/integration, urban renewal, gentrification, opportunity hoarding, NIMBY, disamenities, collective guilt

Readings:

(Resrv) The Importance of Sundown Towns

(Resrv) Effects of Sundown Towns on the Social System

Monday, April 20th: Politics Matters - Race, Law and Policy: The case of Drug-Free School Zones and Racial Impact Statements

Overview: *This session will address the explicit and tacit deployment of race and racial meanings and symbols in electoral politics and state and federal policy-making. It will also provide students with some real world experience in tackling difficult questions of race, crime and justice. The guest speaker will address contemporary issues and debates around criminal justice policymaking.*

Speaker: New Jersey Assemblywoman Linda Greenstein, Legislative District 14

Readings:

(Sakai) New Jersey Commission on Sentencing: Report on Drug-Free School Zones

(Resrv) Feld, Barry “Race and Jurisprudence of Juvenile Justice. A Tale in Two Parts”

Beckett, Kathryn “From Crime to Drugs and Back”

Valdez, Avelardo, “Drug Markets in Minority Communities: Consequences for Mexican American Youth Gangs”

Monday, April 27th: Race and crime in local political contexts. NO READING RESPONSE

Guest Speaker: Dennis Parker, Director of the Racial Justice Project, American Civil Liberties Union

Readings:

Mississippi legal complaint about violations of civil rights of minority students in a Mississippi school

http://www.aclu.org/pdfs/racialjustice/dpvsouthaven_complaint.pdf

Connecticut report on disparities in school to prison pipeline issue (look at sections on racial disparities)

http://www.aclu.org/pdfs/racialjustice/hardlessons_november2008.pdf

Complaint about disciplinary practices in South Dakota schools that push Native American children out of regular school system into juvenile and criminal justice systems.

<http://www.aclu.org/pdfs/antoinewinner03282006.pdf>

(Sakai) Roberts, Dorothy “Social and Moral Cost of Mass Incarceration in African American Communities”

(Sakai) Meares and Kahan “Law and (Norms of) Order in the Inner City”

(Sakia) Winship “Boston cops and black churches - New Approaches to Fighting Crime”

Monday, May 4th: Student Choice and Presentation Day. NO READING RESPONSE

This session we leave open for students to generate the choice of topic based on discussions that arise during the semester. Students who wish to do so can also present their research to the class.

Reading:

(Resrv) Peterson, Ruth et. al., “A Deeper Understanding of Race, Ethnicity, Crime and Criminal Justice”