

Minority Issues in Justice Systems
Sociology 344-01
Rhode Island College, Fall 2011

Mondays and Thursdays 12:30-1:50 PM, Craig-Lee Hall Room 053
Prerequisite: Any 200-level sociology course

Instructor Information

Mikaila Mariel Lemonik Arthur

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Office: Craig Lee Hall Room 451

Office Hours: Mondays and Tuesdays 2:30-3:30 pm; immediately after class meetings on Mondays by appointment, and other times by appointment.

This course uses the Blackboard Course Management System

Course Description

This course considers the historical and contemporary relationships between people of color and the United States justice system. Though a broad swath of issues will be discussed, the primary focus will be on the criminal justice process, and (for reasons that will become clear during the course of the semester) the experiences of Blacks as related to criminal justice. The course will explore the racial disparities that exist in and around the justice system and various structural and institutional explanations for these disparities. Students will also gain practice in creating written work in which they draw on social scientific evidence to support arguments about the causes and consequences of disparities and the appropriate policy responses.

Course Materials

Black. *When a Heart Turns Rock Solid: The Lives of Three Puerto Rican Brothers On and Off the Streets*. Vintage. ISBN 0-30-745487-4. (List Price: \$16.95)

Tonry. *Punishing Race*. Oxford University Press. ISBN 0-19-975137-2. (List Price: \$24.95)

Additional readings will be distributed electronically; students must to validate their RIC IDs at the library ASAP and ensure that they have access to the Blackboard system.

NOTE THAT THIS SYLLABUS IS SUBJECT TO CHANGE.

Course Requirements

1. **DISCUSSION BOARD.** Throughout the semester, you will be required to participate in a discussion board on the course Blackboard site. You will be required to make approximately 6 discussion board posts per month for a total of 20 blog posts for the entire semester. These posts will enable you to grapple more deeply with issues we discuss in class, share your thoughts and questions regarding the reading, and practice the skills required for the larger class assignments. In general, students will have choices about topics to address, but a few posts (especially those focusing on the Black book) will be mandatory. Students will be placed in small groups to enable interaction and discussion, but grades will be assigned individually. Detailed criteria for this assignment, including grading guidelines and response topics, are available in Blackboard. **30% of your course grade.**
2. **FORMAL WRITING ASSIGNMENTS.** Over the course of the semester, you will complete 3 writing assignments. All will focus on building your skill in supporting arguments with social science evidence. These are outlined as follows, but specific instructions will be distributed later in the semester:
 - a. “Crime Happens”: 1-2 page memo focused on explaining crime rates in a particular area of Providence, due on September 26th **(10% of class grade)**
 - b. *Option:* Juries & Trials due April 1st **or** Sentencing due April 15th. Either option will require a 2-3 page focused on supporting a particular criminal justice policy with evidence. You may *not* submit both assignments. **(15% of class grade)**
 - c. End-of-Term Op-Ed on a policy issue: 4-6 pages due December 14th. This will follow a very specific format, so be sure you have a copy of the assignment when the time comes. **(25% of class grade)**
3. **PARTICIPATION.** Your participation grade will take into account your regular presence in class, contribution to class discussions (in person and in Blackboard), and your involvement in group activities in class. You are expected to come on time for every class meeting and let me know as soon as possible (preferably in advance) if you must miss class for a legitimate reason. Frequent absences will result in a lower grade. Remember that there are few stupid questions, but that all questions and comments should be made in a spirit of respect for other students and their contributions to the class. Note that in order to earn a “passing” participation grade, students must BOTH be regularly present in class AND regularly comment on and engage with other students’ Blackboard posts. Detailed guidelines on Blackboard discussions are available in Blackboard. **20% of your course grade.**
4. **READING.** You are expected to complete all assigned course readings prior to the date for which they are assigned. Remember that normal expectations for a college course are that you should do two to three hours of work outside class for every one hour in class—since you are spending three hours a week in this class, that means you should expect to work on reading, writing assignments, and studying for this class for six to nine hours a week outside of class. While reading does not count for a separate percentage of your grade, students who do not complete the reading will find that they are not able to earn high grades in other components of the course. Reading assignments **average** 105 pages per week and are heaviest from mid-October through mid-November.

Course Schedule

Readings and assignments are due on the *first day* under which they are listed. Readings and assignments in Black are marked with a **B**, those in Tonry are marked with an **T**, those in Walker are marked with a **W**, and those available online via Blackboard are noted with an **O**. Do pay attention to the page numbers noted; sometimes, portions of a chapter are assigned rather than an entire chapter. In most cases, these instances are marked with ONLY.

Monday, August 29	First Day of Class
Thursday, September 1	Considering Race and Crime <ul style="list-style-type: none">▶ “Preface,” vii-xiii T▶ “Introduction,” ix-xxxviii B▶ Gabbidon and Greene, “Theoretical Perspectives on Race and Crime,” <i>Race and Crime: A Text/Reader</i> 95-109 O▶ Blackboard Survey Due
Monday, September 5	Labor Day—No Class Meeting
Thursday, September 8	Understanding Race and Racism <ul style="list-style-type: none">▶ Brown, “Been in the Pen So Long,” <i>Whitewashing Race</i> 132-60 O▶ “A Continuing American Dilemma,” 1-11 ONLY T▶ “Race, Bias, and Politics,” 77-97 ONLY T▶ Take an Implicit Association Test at https://implicit.harvard.edu/ (recommended: the Weapons IAT or the Race IAT). Results are confidential!
Monday, September 12	History of Race in the Justice System, Part I <ul style="list-style-type: none">▶ Kennedy, “History: Unequal Protection,” from <i>Race, Crime, and the Law</i>, 29-75 O▶ Equal Justice Initiative, “Illegal Racial Discrimination in Jury Selection,” 9-13 O
Thursday, September 15	History of Race in the Justice System, Part II <ul style="list-style-type: none">▶ Brown, “History’s Strange Fruit,” from <i>The Color of Crime</i>, 35-52 O▶ “Race, Bias, and Politics,” 97-114 ONLY T
Monday, September 19	Race, Social Structure, and Crime <ul style="list-style-type: none">▶ “Social Marginalization,” 3-104 B▶ Discussion board post required
Thursday, September 22	Race and Victimization <ul style="list-style-type: none">▶ Walker <i>et al</i>, “Victims and Offenders,” <i>The Color of Justice</i>, 39-57 O
Monday, September 26	Offending Patterns <ul style="list-style-type: none">▶ Walker <i>et al</i>, “Victims and Offenders,” <i>The Color of Justice</i>, 58-75 and 79-88 O▶ “<i>Crime Happens</i>” <i>Writing Assignment Due</i>
Thursday, September 29	Rosh Hashanah—No Class Meeting

- Monday, October 3 **Policing Practices**
▶ Brunson, “Beyond Stop Rates,” from Rice & White, *Race, Ethnicity, and Policing*, 221-38 ○
▶ Russell, “The Racial Hoax as Crime,” *Indiana Law Journal* 71:3, 593-621 ○
- Thursday, October 6 **More on Racial Profiling**
▶ Harris, “The Stories, the Statistics, and the Law: Why ‘Driving While Black’ Matters,” *Minnesota Law Review* 84, 265-326 ○
- Monday, October 10 **Columbus Day—Monday Classes Meet Tuesday**
- Tuesday, October 11** **Personnel in the Justice System**
▶ Ward, “Race and the Justice Workforce,” from Peterson *et al.*, *The Many Colors of Crime* 67-90 **E**
▶ Barak, Leighton, and Flavin, “Workers and the Enterprise of Criminal Justice,” from *Class, Race, Gender, and Crime* 226-247 **E**
- Thursday, October 13 **Pre-Trial Processes**
▶ Davis, “Prosecution and Race,” *Fordham Law Review* 67, 13-66 ○
▶ Wolf Harlow, “Defense Counsel in Criminal Cases,” *Bureau of Justice Statistics Special Report* 1-12 ○
▶ The Advocate, “Litigating Race Issues,” 12-14 ○
- Monday, October 17 **Juries**
▶ Weiss & Zinsmeister, “When Race Trumps Truth in Court,” *American Enterprise* 7:1, 54-57 ○
▶ Equal Justice Initiative, “Illegal Racial Discrimination in Jury Selection,” 4-8 & 14-50 ○
▶ Sommers & Norton, “Race and Jury Selection,” *American Psychologist* 63:6, 527-39 ○
- Thursday, October 20 **More on the Trial Process**
▶ Brigham, “The Influence of Race on Eyewitness Memory,” *Handbook of Eyewitness Psychology* 257-81 ○
▶ The Advocate, “Litigating Race Issues,” 3-4 ○
▶ Chew & Kelley, “Myth of the Color-Blind Judge,” *Washington University Law Review* 86: 1117-63 ○
- Monday, October 24 **Interlude: the Cycle**
▶ “Part Two: Jobs,” 105-206 **B**
▶ Required discussion board post

Thursday, October 27

Sentencing

- ▶ Spohn, “Thirty Years of Sentencing Reform,” from Horney, *Policies, Processes, & Decisions of the Criminal Justice System*, 427-501 **O**
- ▶ Rosen, “Prisoners of Parole,” *NYT Magazine* 01/10/2010 **O**
- Optional: Watch Michelle Alexander speak on her book *The New Jim Crow* at <http://millercenter.org/scripps/archive/forum/detail/5823>
- ▶ *Juries/Trials assignment option due*

Monday, October 31

Corrections & Imprisonment

- ▶ “Living Through the Urban Drug War,” 207-297 **B**
- ▶ “Imprisonment” 26-52 **T**
- ▶ Required discussion board post

Thursday, November 3

The Death Penalty

- ▶ Ogletree, “Black Man’s Burden,” *Oregon Law Review* 81, 15-38 **O**
- ▶ Eberhardt, “Looking Deathworthy,” *Psychological Science* 17:5, 383-6 **O**
- ▶ Cohen, “The Racial Geography of the Federal Death Penalty,” *Washington Law Review* 85: 425-92 **O**
- Withdrawal Deadline: November 4*

Monday, November 7

The War on Drugs

- ▶ “Drugs,” 53-76 **T**
- ▶ Dwyer, “Whites Smoke Pot, but Blacks are Arrested,” *New York Times* 12/22/2009, A24 **O**
- ▶ “Good and Bad,” 298-335 **B**
- ▶ Provine, from *Unequal Under Law*, 63-90 **O**

Thursday, November 10

Hate Crimes

- ▶ Petrosino, “Connecting the Past to the Future,” *J. of Contemporary Criminal Justice* 15: 22-47 **O**
- ▶ Levin, “Hate Crimes,” *J. of Contemporary Criminal Justice* 15: 6-21 **O**
- ▶ Walker *et al*, “Victims and Offenders,” *The Color of Justice*, 75-79 **O**
- ▶ *Sentencing assignment option due*

Monday, November 14

Consequences of Disparities in the System

- ▶ Pager, “The Mark of a Criminal Record,” *American Journal of Sociology* 108: 937-75 **O**
- ▶ Western, “The Black Family and Mass Incarceration” (podcast & slides from The Moynihan Report Revisited Conference) **O**
- ▶ “A Continuing American Dilemma,” 11-15 **ONLY T**
- ▶ “Conclusion,” 336-50 **B**

Thursday, November 17

Moving Forward: Methods of Combating Discrimination

- ▶ Ancheta, “Discrimination and Antidiscrimination Law,” *Race, Rights, and the Asian American Experience* 42-60 **O**
- ▶ Yoshino, “The Pressure to Cover,” *New York Times Magazine* **O**
- ▶ “Ideology, Moralism, and Government” 115-143 **T**

Monday, November 21

Moving Forward: Political Power & Representation

- ▶ Uggen *et al.*, “Criminal Disenfranchisement,” *Annual Review of Law and Social Science* 1: 307-22 ○
- ▶ Arden *et al.*, “Introduction: Racial and Ethnic Discrimination,” *Redistricting Law 2000*, National Conference of State Legislatures ○
<http://www.senate.leg.state.mn.us/departments/scr/redist/red2000/Ch3part1.htm>
- ▶ Play the Redistricting Game, Mission 4, at
<http://www.redistrictinggame.org/> ○

Thursday, November 24

Thanksgiving—No Class Meeting

Monday, November 28

Case Study: Terrorism

- ▶ Theoharis, “My Student, the “Terrorist,”” *Chronicle Review* 04/08/2011, B6-B10 ○
 - ▶ Harris, “Flying While Arab,” *Civil Rights Journal* 6, 8-13 ○
 - ▶ Bayoumi, “American Girl,” *New York Magazine* 08/03/2008 ○
 - ▶ Stalcup, “How We Train Our Cops to Fear Islam,” *Washington Monthly* March/April 2011, 1-9 ○
- Optional:* Watch “A Dream in Doubt” online at
http://www.snagfilms.com/films/title/dream_in_doubt
- ▶ Op-Ed proposal due in Blackboard

Wednesday, November 30

Guest Lecture by Timothy Black

- ▶ Review *When a Heart Turns Rock Solid*

Thursday, December 1

Class cancelled—meets on Wednesday for Timothy Black lecture

Monday, December 5

Case Study: Immigration

- ▶ “City of Immigrants Fills Jail Cells With Its Own,” *NYT* ○
- ▶ Alba, “Sacco and Vanzetti and the Immigrant Threat,” *Contexts* 10:3, 31-35 ○
- ▶ Sampson, “Rethinking Crime & Immigration,” *Contexts* 7, 28-33 ○
- ▶ The Advocate, “Litigating Race Issues,” 69-75 (skim 76-93) ○

Thursday, December 8

Course Conclusion

- ▶ American Sociological Association, “Race, Ethnicity, and the Criminal Justice System,” 1-23 ○
- ▶ Mauer, “Racial Impact Statements” *Criminal Justice* 23, 19-22 ○
- ▶ “A Continuing American Dilemma,” 16-25 ONLY T
- ▶ “Doing Less Harm,” 144-174 T
- ▶ Discussion board posts required for 12/8 & 12/12

Final Op-Ed Assignments Due Wednesday, December 14th at 2:00 pm

Course Policies

Academic Honesty

All students enrolling in this course are expected to abide by the Rhode Island College guidelines on academic honesty, which can be located in the Student Handbook and other official documents.

Examples of academic dishonesty include, but are not limited to:

- Plagiarizing written work, including copying some or all of your work from a book, a website, or another student's paper. Think about how you would feel if someone passed off your hard work as their own.
- Using sources without proper attribution. Remember that all claims in a paper that did not spring fully formed from your own head need attribution, regardless of whether or not they are paraphrased, and all direct quotes should appear in quotation marks. If you are unsure how to document sources, please see me or reference the sociology department term paper guide, available at <http://www.ric.edu/sociology/termpaperguide.php>.
- Turning in work completed for other classes without prior permission.
- Working together with another student on an assignment, or seeking assistance with the content of your work from professionals, parents, or peers, without prior permission. (The exception to this policy is proofreading.)
- Copying off of another student or off of materials you have brought without permission during an exam. This includes text messaging and use of the internet during exams.
- Destroying course materials or otherwise preventing other students from achieving fully in this course.

You should be aware that I have caught many students who have engaged in academic dishonesty. Cheating successfully is often harder than you think, and you might as well just put your effort into doing the assignment legitimately. The penalties for academic dishonesty are severe, and include receiving a 0 on the assignment for the first minor offense, receiving an F for the class for a repeated offense, and report to the Vice President for Academic Affairs at RIC. If you feel the urge to engage in academic dishonesty, stop and think about what you are doing, and then come see me so we can work out a plan together to ensure your success in the course.

Extensions, Absences, and Attendance

You are expected to attend class regularly, but I am aware that emergencies do come up and that this class is not the only priority in your life. If you know in advance that you will be absent for a legitimate reason, please let me know via email so that you can be excused. If something unavoidable comes up, it is your responsibility to let me know as soon as possible afterwards. Regardless, it is your responsibility to get notes from a classmate (I do not provide notes to students) and to meet with me to clarify what you have missed. If you must be late to a class or if you must leave early, you should try to let me know in advance, and you should always be sure not to disturb other students with your comings and goings. Be aware that repeated absences, even if excused, may imperil your ability to do well in the course, and that you cannot earn participation points if you are not present.

All assignments are due in Blackboard and must be submitted at least 15 minute prior to the start of class (you may not skip class to finish your work). Assignments that are not posted directly to a Blackboard application must be saved in *.rtf, *.doc, *.docx (preferred), *.pdf, or *.html format (try "Save As" to select one of these formats). Blackboard does log your submissions; you can return to

an assignment yourself to see if you have submitted it correctly, and I am happy to show you how to do this so that you will not need to email me to see if I have received your work. If unavoidable circumstances require you to seek an extension on your work, I am generally open to providing one. However, you will need to request the extension via email at least 24 hours prior to the due date unless the extension is due to a major emergency (health crisis, death in the family, etc.)—so plan ahead.

Course Technology

Students are expected to check their RIC email addresses and Blackboard frequently, at a minimum twice a week before each class meeting. If you primarily use another email account, I would suggest you arrange for your RIC email to be forwarded, as I do use email to disseminate important information about the course. Students are also responsible for being able to access the Blackboard site for this course (through which you can access the course website), as course documents and information will be made available there. If you are not able to access email or Blackboard, you should seek assistance from User Support Services (<http://www.ric.edu/uss/> or 456-8803) right away so that you do not fall behind in the course.

Students with Disabilities

If you have a disability that might interfere with your ability to perform at your best in this course, it is your responsibility to come and speak with me as early as possible in the semester so that we can develop a plan together. All reasonable accommodations will be made. Students with disabilities should be sure that they are registered with Disability Services in order to ensure access to the full range of services available at Rhode Island College. Information about these services and about registration is available at <http://www.ric.edu/disabilityservices/>.

Supplemental Services

Writing Center: <http://www.ric.edu/writingcenter/>

OASIS (academic support, time management, ESL, etc.): <http://www.ric.edu/oasis>

Counseling Center (confidential & free services): <http://www.ric.edu/counselingctr/>

Course Learning Outcomes

This course is designed to meet the following learning outcomes of the Sociology & Justice Studies programs:

- ▶ To orient students toward a systematic perspective of the criminal justice system
- ▶ To develop a citizenry educated in the problems of crime and in the administration of justice
- ▶ To develop understanding of the causes of crime and societal responses to it
- ▶ To study criminal justice in the context of larger justice issues and with attention to the total environment in which the system operates
- ▶ An ability to articulate sociological analyses in oral and written form
- ▶ To provide an up-to-date understanding of law, human behavior, and social institutions.
- ▶ An understanding of the contribution of sociology to understanding the social world
- ▶ An ability to apply sociological perspectives to interpersonal and intergroup relations

For more information on learning outcomes in the majors, see <http://www.ric.edu/sociology/>