**RACE, CLASS, GENDER & CRIME**

**Michael D. Sousa**

**SOCY 3044**

**T/TH 8:00 – 9:15 a.m.**

**ENVD 120**

**Contact Information**

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Office Hours: Tuesday 9:15-10:15 a.m. or by appointment

**Course Description**

This course focuses on issues of race, class, and gender regarding crime in the United States. We address how racism, classism, genderism/sexism, and other forms of bias and discrimination operate and intersect in the criminal legal system. The course is designed to give the student a solid understanding of some of the flaws in the current criminal legal system, and the raced, classed, and gendered aspects of processing acts that have been deemed as crimes, including the punishment of persons charged with offenses and the responses to victims.

**Course Materials**

There are five *required* books, as follows:

1. ***Class, Race, Gender, Crime: The Social Realities of Justice in America*** (5th edition) (Authors: Barak, Leighton & Cotton) (Rowman & Littlefield) (ISBN # 978-1-4422-6885-2)
2. ***Crook County: Racism and Injustice in America’s Largest Criminal Court*** (Author: Van Cleve) (ISBN # 978-1-5036-0278-6)
3. ***In Search of Safety: Confronting Inequality in Women’s Imprisonment*** (Authors: Owen, Wells & Pollock) (University of California Press) (ISBN # 978-0-520-28872-0)
4. ***Locked In: The True Causes of Mass Incarceration and How to Achieve Real Reform*** (Author: Pfaff) (ISBN # 978-0-465-09691-6)
5. ***Race, Crime, and Justice: The Continuing American Dilemma*** (Keynotes in Criminology and Criminal Justice Series) (Author: Barkan) (Oxford University Press) (ISBN # 978-0-19-027254-8)

In addition to these books, various articles will be placed in PDF form on the Canvas course website.

**Class Expectations, Policies and Attendance:**

My overriding goal for this course is to have you engage with the class material and to think critically about race, class, gender and their intersections with the criminal justice system in the United States. To that end, here are my expectations for the course and the attendance policy:

1. This is an upper-level division course. Consequently, I will not be teaching this course at a rudimentary level. That is, I expect you to come to class prepared to discuss the material and to engage with me and your fellow classmates in a critical way. I want to challenge your thinking and broaden your intellectual horizons regarding the sociological study of crime and its intersection with issues of race, class, and gender. Further, while I cannot be certain, I suspect that the reading load for this course will be greater than what you may expect from other 3000-level courses. While I am positive that the readings selected will be intriguing and thought-provoking, if you are not committed to a heavy reading load, then I would strongly think about taking this course from another instructor.

2. This class will not be taught strictly as “straight lecture.” Rather, I will be using a Socratic Method to teach this course. That is, I will oftentimes “cold call” students to answer questions about the course readings, respond to my questions, or respond to questions/comments from your fellow students. This develops your critical thinking skills and public speaking skills, in addition to testing your understanding of the assigned material. If speaking in front of a class is a problem for you or you have hesitation about participating in class in this way, then you may wish to drop this class and take it with another instructor.

3. Assigned readings are expected to have been completed *prior* to the class meeting for which they are assigned. You have three free “passes” from being called on during class. *If you are unprepared for class on more than three occasions, however, I reserve the right to either reduce your final grade by a full letter grade or administratively remove you from the course, at my discretion*.

4. Some of the topics covered in this course may elicit strong and diverse opinions, such as racism, sexism, sexual assault, child abuse, and drug addiction. I expect that these topics will be discussed openly, professionally, and without aggression or malice. It is perfectly fine to have differing opinions on such weighty topics, but we must respect everyone’s views in the classroom.

5. I do not lecture from PowerPoint slides, and none will be made available to you by me. In addition, I do not provide students with a “study guide” as a handout prior to any exam. While I am happy to review the material with you, every time we have class we are building your study guide, which is why attending class is critical.

6. *Class attendance*: You are all adults and are paying thousands of dollars for your education. It is up to you how much you want to get out of your investment in general, and, more particularly, how much you want to learn in this class. I will not take attendance every day. However, I will randomly take class attendance during the semester. *If you are not on the attendance sheet on more than three occasions, I reserve the right to either lower your grade by a full letter grade or administratively remove you from the course, at my discretion*.

7. For excused absences, documentation is to be submitted to me within seven days of the absence. University policy regarding religious observances requires that faculty make every effort to deal reasonably and fairly with all students who, because of religious obligations, have conflicts with assignments or required attendance. During the first two weeks of the semester, any student requesting to have an excused absence due to religious obligations must speak with me specifying the religious affiliation and the religious holiday. In addition to observance of a religious holiday, the following are some legitimate reasons for missing a class, along with the corresponding required documentation:

|  |  |
| --- | --- |
| *Legitimate Absence* | *Proof Needed for Legitimate Absence* |
| Illness | Note from a certified medical professional or recognized spiritual healer. |
| Death in the family | Note from a family member and funeral information. |
| Work (must be of an urgent nature) | Note from a supervisor. |
| Religious holiday | Note from student specifying religious affiliation and religious holiday (to be provided during the first two days of the semester). |
| NCAA or Collegiate Sports Club athletic meet | Note from a coach. Documentation for pre-scheduled meets must be provided during the first two days of the semester. |
| Mandated court appearance or jail detention | Legal paperwork documenting court appearance date and time, and/or note or email from attorney. |

8. *Electronic devices*: You are permitted to use a laptop or tablet computer in class so long as its use facilitates your learning and is not a distraction to you or your classmates. All phones and other electronic devices must be silenced and put away during class. If I either observe you using computers/tablets to surf the web, phone to text and/or exchange IMs, etc. or suspect you are doing so (i.e., by needing me to repeat a question posed to you when you are seemingly paying attention to your computer/laptop), *I reserve the right to ask you to leave the classroom on the day in question. If you reproduce this behavior on three or more occasions, I reserve the right to either lower your final grade by a full letter grade or administratively remove you from the course, at my discretion.*

9. *Communication by email*: There may be times during the course of the semester when I communicate with the class as a whole through email (via Canvas). This could be for such things as an amendment to the syllabus or daily readings, class cancellation due to inclement weather, or additional points from class discussion. *You are responsible for any information that I disseminate through class email, and I will assume that you regularly check email for any communications from your instructors*.

10. Student Disability Services and Guidelines:

Disability Services determines accommodations based on documented disabilities. If a student qualifies for accommodations because of a disability, he or she must provide the professor with a letter from Disability Services. The Disability Services Office is located at Center for Community, room N200, 303-492-8671 (voice/TTY), [DSinfo@colorado.edu](mailto:DSinfo@colorado.edu). Additional information can be found at <http://www.colorado.edu/disabilityservices/>.

If a student has a temporary medical condition or injury, the University guidelines for accommodations can be reviewed at

<http://www.colorado.edu/disabilityservices/go.cgi?select=temporary.html>.

Students requiring testing accommodations due to disabilities must review the university policy (<http://www.colorado.edu/disabilityservices/handbook/handbook6.html>).

**Grading**

Grades for the course will be distributed as follows:

Participation: 15%

Mid-Term Exam: 25%

Final Exam: 30%

Reading Reflection Paper: 10%

Court Observation Assignment: 20%

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Overall course grades will be assigned on the following scale:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| *Grade* | *Overall %* | *Grade* | *Overall %* | *Grade* | *Overall %* | *Grade* | *Overall %* |
| A | 93-100% | B | 83-86.9% | C | 73-76.9% | D | 63-66.9% |
| A- | 90-92.9% | B- | 80-82.9% | C- | 70-72.9% | D- | 60-62.9% |
| B+ | 87-89.9% | C+ | 77-79.9% | D+ | 67-69.9% | F | 0-59.9% |

***Participation Grade***

Contrary to what you may believe, active participation in a course does *not* mean simply attending class and being prepared. Those are your fundamental responsibilities as a conscientious student. For me, participation means actively contributing to class discussion *voluntarily* and *regularly* over the course of the semester by a combination of asking questions, responding to my questions, and/or engaging with your classmates in meaningful discussions about the material. Please know that this participation grade is entirely subjective based upon my impressions of your contributions to class over the entire semester. Experience has shown that if you need to ask me what your participation grade is towards the end of the semester, it means that you have not done your share to create a meaningful classroom environment in this regard.

I reserve the right to boost any student’s final grade by one-half letter grade (beyond the 15% participation grade) for outstanding contribution to class discussion over the course of the semester.

***Crook County* Reaction Paper**

Each student must write and submit a short paper that critically responds to the propositions and concepts advanced in Nicole Gonzalez Van Cleve’s book, *Crook County* (see the separate handout on specific guidelines to follow in constructing the paper – to be provided later)

Students are to follow these technical guidelines for the reaction paper:

* The paper needs to be typed using a 10- to 12-point font and double spacing with 1” margins.
* The paper must include the student name at the top of the first page.
* The paper must properly cite scholarly publications and other sources using *any* reference style, but the citation form must be consistent throughout the paper. A separate references or bibliography page is to be included at the end of the document (*not* in a separate file and this does not count toward page length).
* The paper content must be approximately 3 to 4 pages in length.

**The reaction paper is to be submitted as a hardcopy in class by 9:00 am on Tuesday, April 2, 2019 as well as electronically via Canvas dropbox by this day and time.** This paper is worth 10% of the overall course grade. The grade for the paper will drop one letter grade for each day it is late. There is a no-tolerance policy for plagiarism. A plagiarized paper will result in a grade of *fail* (F) for the paper, and possibly the course, and will be reported to university authorities.

***Court Observation Assignment***

We will discuss over the semester how the criminal justice system is an institution functioning in ways outside of the “objective” substantive law. To better appreciate how aspects of the criminal justice system unfolds and operates in everyday life, your assignment is to spend a minimum of 6-8 hours observing criminal court proceedings over the course of the semester.

Court proceedings are open to the public. You may attend any Colorado *district* court in the state in order to observe criminal proceedings. The closest district court to the CU Campus is:

Boulder County Combined Court

**1777 6th St., Boulder, CO 80302**

The court is open from 8:00 to 5:00 p.m., Monday – Friday. In my experience, the earlier you get to the courthouse during the day, the more opportunities you will have to observe an array of proceedings. When you get to the courthouse, you can either look on the docket board or ask information for which judges/courtrooms handle criminal law matters.

You are to observe criminal court proceedings for approximately 6-8 hours (you can divide your time between judges/courtrooms based upon the docket for the particular day). You are to record all of your observations, thoughts, and impressions in written “fieldnotes” (as would a sociologist in the field) and from these fieldnotes comprise a paper of 5-7 pages which responds to the following types of questions (turn in your fieldnotes too):

1. What day/times did you attend court?

2. What judges/courtrooms did you observe?

3. What types of cases/proceedings did you observe (to the best of your understandings)? For example:

a. Trials

b. Plea bargaining offers/acceptances before the judge

c. Sentences given by the judge

d. Various motions (e.g., to limit illegally obtained evidence)

e. The acceptance of a confession/guilty plea

4. How was the courtroom organized? What was the structural design of the courtroom? Why do you think it is structured in this way?

5. How did the legal actors vary in terms of age, gender, and ethnicity? (e.g., judges, law enforcement, attorneys, court staff, probation officers)

6. What types of underlying crimes did the observed defendants commit?

7. What was the gender, age, and ethnicity of the defendants?

8. What were your impressions of how the legal proceedings were conducted?

9. Describe the interactions between the legal actors (i.e., judges and attorneys). How did they treat one another? What kind of language did they use?

10. Describe the interactions between the defendants and their attorneys. What impressions did you get?

11. Were the defendants incarcerated (in prison garb) or were some out on their own recognizance? Do you think this mattered in the way they were treated by the court or interacted with the attorneys?

These are just some suggested things to observe and take note of. You are not constrained by this list.

**Criterion:** In addition to the instructions below, I will grade the paper as if I would any other class paper. I expect it to be: i) well-written; ii) responsive to the question(s) posed; iii) written in an academic style; and iv) free from any typographical and grammatical errors.

Students are to follow these technical guidelines for the reaction paper:

* The paper needs to be typed using a 10- to 12-point font and double spacing with 1” margins
* The paper must include the student name at the top of the first page.
* The paper must properly cite scholarly publications and other sources using *any* reference style, but must be consistent throughout the paper. A separate references or bibliography page is to be included at the end of the document (*not* in a separate file).
* The paper content is to be 5 to 7 pages in length.

**The Papers will due on or before Tuesday, April 16, 2019 at the beginning of class. You must bring a hard copy of your paper to class as well as upload a copy electronically via Canvas dropbox by this day and time.** This paper is worth 20% of the overall course grade. The grade for the paper will drop one letter grade for each day it is late. There is a no-tolerance policy for plagiarism. A plagiarized paper will result in a grade of *fail* (F) for the paper, and possibly the course, and will be reported to university authorities.

**CLASS SCHEDULE**

What follows is a course schedule with assigned readings. However, I reserve the right to amend this schedule and reading assignments as we progress during the semester based upon a variety of factors, most significantly class pace and class topical interest.

Course Schedule and Readings

**Week 1: Background to the Criminal Justice System and Setting the Stage to Study the Criminal Justice System Along Lines of Class, Race and Gender**

Tuesday (1/15)

*Reading:*

*Class, Race, Gender, Crime: The Social Realities of Justice in America* (“CRGC”) - Introduction, Chapter 1 (pgs. 24-40), and Chapter 2 (pgs. 41-47)

Thursday (1/17)

*Reading:*

CRGC Chapter 2 (pages 47-63), Chapter 3, Chapter 4, and Chapter 5

**Week 2: Intersectionality and Crime; Theoretical Insights Regarding the Criminal Justice System**

Tuesday (1/22)

*Reading:*

CRGC Chapter 6

Darrell Steffensmeier, et al. (2017). “Intersectionality of Race, Ethnicity, Gender and Age on Criminal Punishment,” *Sociological Perspectives* 60(4):810-833 (PDF on Canvas)

Thursday (1/24)

Michelle Alexander (2011). “The New Jim Crow,” *Ohio State Journal of Criminal Law* 9:7-26 (PDF on Canvas)

James Forman, Jr. (2012). “Racial Critiques of Mass Incarceration: Beyond the New Jim Crow,” *New York University Law Review* 87:21-69 (PDF on Canvas)

**Week 3:** **Theoretical Insights Regarding the Criminal Justice System (cont.);**

Tuesday (1/29)

*Reading*:

Nicole Gonzalez van Cleve & Lauren Mayes (2015). “Criminal Justice Through ‘Colorblind’ Lenses: A Call to Examine the Mutual Constitution of Race and Criminal Justice,” *Law & Social Inquiry* 40(2):406-432 (PDF on Canvas)

Naomi Murakowa & Katherine Beckett (2010). “The Penology of Racial Innocence: The Erasure of Racism in the Study and Practice of Punishment,” *Law & Society Review* 44:695-730 (PDF on Canvas)

Thursday (1/31)

Alexes Harris (2007). “Diverting and Abdicating Judicial Discretion: Cultural, Political and Procedural Dynamics in California Juvenile Justice,” *Law & Society Review* 41:387-428

**Week 4: Social Science and the Law; The Criminal Justice System and Social Class**

Tuesday (2/5)

*Reading:*

McClesky v. Kemp, 481 U.S. 279 (1987)(PDF on Canvas)(focus on pages 1762 [starting where it says “Justice Powell delivered the opinion of the Court”] to the end of page 1794)

Thursday (2/7)

John B. Mitchell (2012). “Crimes of Misery and Theories of Punishment,” *New Criminal Law Review* 15(4):465-510 (PDF on Canvas)

Alice Goffman (2009). “On the Run: Wanted Men in a Philadelphia Ghetto,” *American Sociological Review* 74:339-357 (PDF on Canvas)

**Week 5:** **The Criminal Justice System and Social Class (cont.)**

Tuesday (2/12)

*Reading:*

Lynne Haney (2018). “Incarcerated Fatherhood: The Entanglements of Child Support Debt and Mass Imprisonment,” *American Journal of Sociology* 124(1):1-48 (PDF on Canvas)

Loic Wacquant (2010). “Class, Race & Hyperincarceration in Revanchist America,” *Daedalus* 139(3):74-90

Thursday (2/14)

*Reading:*

Bruce Western & Becky Petit (2010). “Incarceration & Social Inequality,” *Daedalus* 139(3):8-18 (PDF on Canvas)

Alexes Harris, Heather Evans & Katherine Beckett (2010). “Drawing Blood from Stones: Legal Debt and Social Inequality in the Contemporary United States,” *American Journal of Sociology* 115(6):1753-1799 (PDF on Canvas)

**Week 6: The Criminal Justice System and Social Class (cont.); Race and the Criminal Justice System**

Tuesday (2/19)

*Reading:*

Michael R. Menefee (2018). “The Role of Bail and Pretrial Detention in the Reproduction of Racial Inequalities,” *Sociology Compass* 12:1-9 (PDF on Canvas)

Olivia C. Jerjian (2017). “The Debtors’ Prison Scheme: Yet Another Bar in the Birdcage of Mass Incarceration of Communities of Color,” 41 *New York University Review of Law & Social Change* 235:276 (PDF on Canvas)

Thursday (2/21)

*Reading*:

Steven E. Barkan, *Race, Crime and Justice: The Continuing American Dilemma* (“RCJ”) Chapters 1 and 2

Christopher Uggen & Robert Stewart (2015). “Piling On: Collateral Consequences and Community Supervision,” *Minnesota Law Review* 99:1871-1912 (PDF on Canvas)

**Week 7: Race and the Criminal Justice System (cont.)**

Tuesday (2/26)

*Reading*:

Barkan, RCJ, Chapters 3 and 4

Thursday (2/28)

*Reading*:

Barkan, RCJ, Chapters 5, 6, and 7

**Week 8: Mid-Term Review and Mid-Term Examination**

Tuesday (3/5)

Mid-Term Class Review

Thursday (3/7)

Mid-Term Examination

**Week 9: Mass Incarceration Revisited**

Tuesday (3/12)

*Reading*:

John F. Pfaff, *Locked In: The True Causes of Mass Incarceration – and How to Achieve Real Reform* (“*Locked In*”), Introduction, and Chapter 1

Thursday (3/14)

*Locked In*, Chapters 2 and 3

**Week 10: Mass Incarceration Revisited (cont.)**

Tuesday (3/19)

*Reading*:

*Locked In*, Chapters 4 and 5

Thursday (3/21)

*Reading*:

*Locked In*, Chapters 6, 7, and 8

**START READING *CROOK COUNTY: RACISM AND INJUSTICE IN AMERICA’S LARGEST CRIMINAL COURT (should read in its entirety before class on 4/2)***

**Week 11: SPRING BREAK**

March 25-29

**Week 12:** **Crook County: Race and the Court System**

Tuesday (4/2)

Discussion of *Crook County: Racism and Injustice in America’s Largest Criminal Court*

**Response papers due (hardcopies due in class – late papers will not be accepted absent appropriate documentation)**

Thursday (4/4)

Discussion of *Crook County: Racism and Injustice in America’s Largest Criminal Court*

**Week 13: Women Offenders and Imprisonment**

Tuesday (4/9)

*Reading:*

April Bernard (2013). “The Intersectional Alternative: Explaining Female Criminality,” *Feminist Criminology* 8(1):3-19 (PDF on Canvas)

*In Search of Safety: Confronting Inequality in Women’s Imprisonment* (“ISOS”), Chapters 1 and 2

Thursday (4/11)

*Reading:*

ISOS, Chapters 3 and 4

**Week 14: Women Offenders and Imprisonment (cont.)**

Tuesday (4/16)

*Reading:*

ISOS, Chapters 5, 6 and 7

**Courtroom Observation Papers Due (hard copy must be turned in at the beginning of class and electronically via Canvas)**

Thursday (4/18)

TBD

**Week 15:**

Tuesday (4/23)

TBD

Thursday (4/25)

TBD

**Week 16:**

Tuesday (4/30)

TBD

Thursday (5/2)

**Class Review**