

Punishment, Law and Society
Fall Semester 2014
SOCY 4084 - 001
EKLC E131

"Punishment can be seen to reflect our understanding and our values, and is therefore regulated by standards people apply every day for what is and what is not possible to do to others. So the question for each of us is: would it be in accordance with my general set of values to live in a state which represented me in this particular way? ...Belonging to Western industrialized culture, I am also represented by what happens in the USA. It is in a way also a part of me that cultural relatives find it acceptable to do such things to so many fellow citizens."

--Nils Christie, 1994: 185-6

Instructor: Beth Whalley
Office: Ketchum 35 (as well as IBS C350F)
E-mail: elizabeth.whalley@colorado.edu
Office Hours: Tuesdays & Thursdays 9:30 am-10:30 am in Ketchum, and by appointment
[Please note that the instructor reserves the right to make changes to this syllabus]

REQUIRED READINGS

1. Punishment and Modern Society: A Study in Social Theory

ISBN: 9780226283821

Author: Garland, David

Status: required

2. Are Prisons Obsolete?

ISBN: 9781583225813

Author: Davis, Angela Y.

Status: required

4. Ironies of Imprisonment

ISBN: 9780761930594

Author: Welch, Michael

3. Unruly Women: The Politics of Confinement and Resistance

ISBN: 9781609801373

Author: Faith, Karlene

Required Articles: Although the bulk of our reading will come from the above four texts, occasionally there will be required readings on the Desire2Learn website for the class. You are expected to have completed the readings **on** the day that the readings are due. *Students are responsible for ensuring they can download the readings with sufficient time and for reading the correct readings for a given week.*

COURSE PERSPECTIVE

This course focuses on the construction and performance of law and punishment in society. The topics covered will focus on forms of punishment and the legal system: the performance, theoretical explanations, and control of it. The approach in the course is a feminist criminological perspective. That is, the course lectures and reading materials will attempt to address the issues of law and punishment in terms of how gender roles and gender inequality are related to the legal system and incarceration. While I am a feminist criminologist within academia regardless of topic, this approach is warranted: the vast majority of those who are incarcerated are men; although women comprise the fastest increasing incarcerated population in the United States today. Gender is playing a huge role within incarceration.

The feminist criminological approach I take is to incorporate the intersection of sexism with other forms of oppression, such as (but not limited to) racism, classism, and heterosexism. The course focus will be on the U.S. although I do make efforts to expand our knowledge base to embrace the world's research, not just this country's.

COURSE OVERVIEW

This course is organized around three issues. **1)** The first is why we as a society punish the way we do. This is where we will create a theoretical basis to analyze forms of punishment, a foundation that will carry throughout the entire semester. We will discuss how our choices about punishment are affected by *and affect* American culture and social structure. This discussion will lend itself to historical analysis to understand how we got where we are, how we came to punish the way we do. **2)** The second theme is how the United States has achieved the distinction of imprisoning a larger percentage of its population than any other country in the world. We will talk about how we have reached this point, how our current imprisonment rate affects us (and others), and how we as a society might recognize the point at which we have reached an unacceptable rate of incarceration. This is where our discussions around oppression will take root: we cannot understand mass incarceration without examining who it is impacting most, why, and with what implications. What is prison like for those already managing socially complex identities? **3)** The third theme, arising very much from the previous two, will be problematizing punishment in U.S. society. What should be improved, why, and how? What work is being done to reform laws and prison, how effective are these attempts, and what else should be done (if anything?)

TEACHING PERSPECTIVE

My goal is to produce an environment where we can learn the most, question assumptions, and respectfully discuss ideas and strategies. I want the classroom to be an environment where dialogue can take place in an open and respectful manner. If you have something to ask or add, please do so in a manner for the whole class to hear.

This upper-division course is designed to serve as **a culmination of all the work you have done thus far in college**. I hold high expectations for students taking this course, and you should know that reading and writing are both greatly emphasized. This course is **very** reading heavy, and that reading includes and requires **theoretical analysis**. Students should prepare for each class by reading the assigned materials *before* the start of each class, jotting down notes/questions, and bringing the reading materials to class each day. I encourage students to visit the writing center on campus. Additionally, I will make myself available to read drafts of any of your papers and provide feedback- although drafts will only be reviewed in office hours/by appointment, not by email.

CLASSMATE INFORMATION:

If you miss a class, I will not provide you with my power point slides or my lecture material. Therefore, I trust that you will rely upon each other to share any missed information or missed lectures.

Name: _____ Email: _____ Phone: _____

Name: _____ Email: _____ Phone: _____

Name: _____ Email: _____ Phone: _____

COURSE GROUND RULES

1. *Never request that another student in the class speak on behalf of a group (e.g., African Americans, Jewish People, Latino/as, Asian Americans, men, women, the LGBTQ community, rape survivors, etc.)*
2. ***Do not use your phones or other electronic gadgets during class (including for text messaging or checking the web for something). If I have to ask you to stop texting more than once, please leave the room when asked. Period. DON'T TEXT. This also includes leaving your cell phone on your desk. No visible cell phones, whatsoever.***
3. *Do not use your laptops during class. If a student has a reason that s/he believes s/he must use a laptop during class, please talk to me privately about this.* To use a laptop, I must receive a letter from campus letting me know that you need to use a laptop every day. However, if such a letter is provided and I approve it, using your laptop for anything other than taking notes may result in you not being able to use a laptop anymore, and it will damage your class attendance.
4. *Kindly refrain from becoming involved in separate conversations or making comments under your breath during lecture and class discussions.*
5. Students are responsible for regularly checking their e-mails from me and Desire2Learn for announcements, what to do about snow days, and so on. Do NOT "blow off" checking D2L and then come to me at the end of the semester to complain about a quiz or paper score.
6. In all emails to me, make sure that **4084** is in the subject line

UNIVERSITY POLICIES

Disability Accommodations: If you qualify for accommodations because of a disability, please submit to me a letter from Disability Services in the first two weeks so that your needs be addressed. If you need any special accommodations for exams you must let me know by the third week of class! Disability Services determines accommodations based on documented disabilities. Contact: 303-492-8671, Willard 322, and <http://www.Colorado.EDU/disabilityservices>. If you have a temporary medical condition or injury, see guidelines at <http://www.colorado.edu/disabilityservices/go.cgi?select=temporary.html>

Religious Observances: Campus 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 scheduled exams, assignments or required attendance. *In this class, it is important that if the date of a paper due date is during a religious holiday you observe that you let me know immediately at the beginning of the semester so that we can decide what to do. In fact, it is helpful if you let me know in writing, by email, at the beginning of the semester any days you will miss due to religious observances. Also, at the end of the semester I will drop three of the in-class/homework assignments. Remember that if you need to miss an in-class assignment/quiz for religious holidays that those "count" as a lowest grade to be dropped, just like ones missed due to a flat tire, an illness, and so on will also "count."* More specifically, you don't get 3 missed and then additional drops for religious observance. See full details at http://www.colorado.edu/policies/fac_relig.html

Learning Environment and Salutations: Students and faculty each have responsibility for maintaining an appropriate learning environment. Those who fail to adhere to such behavioral standards may be subject to discipline. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender, gender variance, and nationalities. Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. See policies at <http://www.colorado.edu/policies/classbehavior.html> and at http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code

The University of Colorado at Boulder policy on Discrimination and Harassment, the University of Colorado policy on Sexual Harassment and the University of Colorado policy on Amorous Relationships apply to all students, staff and faculty. Any student, staff or faculty member who believes s/he has been the subject of sexual harassment or discrimination or harassment based upon race, color, national origin,

sex, age, disability, creed, religion, sexual identity, or veteran status should contact the Office of Discrimination and Harassment (ODH) at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550. Information about the ODH, the above referenced policies and the campus resources available to assist individuals regarding discrimination or harassment can be obtained at <http://www.colorado.edu/odh>

Academic Integrity: All students of the University of Colorado at Boulder are responsible for knowing and adhering to the academic integrity policy of this institution. Violations of this policy may include: cheating, plagiarism, aid of academic dishonesty, fabrication, lying, bribery, and threatening behavior. All incidents of academic misconduct shall be reported to the Honor Code Council (honor@colorado.edu; 303-735-2273). Students who are found to be in violation of the academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion). Other information on the Honor Code can be found at <http://www.colorado.edu/policies/honor.html> and at <http://www.colorado.edu/academics/honorcode/>. PLAGARISM INCLUDES USING A PAPER FROM PREVIOUS CLASSES AND PASSING IT OFF AS ORIGINAL FOR THIS CLASS. This is the most common form of plagiarism. If you have questions, please go to the links above or talk to me in person.

Student-Athletes: It is the student's responsibility to notify each instructor—in the first week of the semester and in writing—about any known conflicts between academic requirements and intercollegiate varsity athletic events. For conflicts that arise during the regular term, instructors have full authority to decide whether and/or how to accommodate those conflicts. While an instructor has the right to refuse to allow make-ups or other accommodations, he or she is permitted to provide such accommodations. Intercollegiate varsity athletics events during final exams, which are normally forbidden by university policy, must be approved in writing by the BFA Intercollegiate Athletics Committee well in advance of the event. Students involved in these events must then work with their instructors in regard to any missed work, as required above.

Club Sports: It is the student's responsibility to notify each instructor—in the first several weeks of the semester and in writing—about any known conflicts between academic requirements and sport club events. For conflicts that arise during the regular term, instructors have full authority to decide whether and/or how to accommodate those conflicts. While an instructor has the right to refuse to allow make-ups or other accommodations, he or she is permitted to provide such accommodations.

THE SENSITIVE NATURE OF THIS COURSE

As is common in a sociology class that covers "hot button issues," sometimes students who've taken this course in the past report wanting to ask questions that they fear are "stupid" or "offensive." I don't want this concern to limit learning. Therefore, if you have a question you are uncomfortable bringing up during class, or want to check with me about before you bring it up during class, please feel free to ask me on e-mail, after class, or during my office hours. If I think it is inappropriate, I will tell you, but chances are it is not inappropriate and other students may have the same question or benefit from a discussion of it. Sometimes students tell me "I don't want to ask this question during class or make this point, but could you?" If I agree that it would be useful for the class, I am happy to bring the issue or question up myself (without giving the student's name).

The content of this course may prove upsetting to you- as we discuss privilege, drug use, violence (including torture), sexual assault and intimate partner abuse in depth. Should you decide during the semester that information about options for your individual or another person's circumstances and/or psychological counseling would be appropriate, there are many services available on and off campus. You can call start by calling Victim Assistance on campus at 492-8855, visit them in 217-219 Willard Hall, or access their website <http://www.colorado.edu/studentaffairs/victimassistance/index.html>. If you are having trouble for any reason, coming to class, doing the readings, and so on, it is very important you come and discuss this with me as soon as possible so that we can decide whether it is best for you to drop

the class; rather than to wait until the end of the semester when it is impossible with missed classes to do well or even pass.

GRADING

Desire2Learn: Vital information for the class will be on Desire2Learn, including optional materials to help with class. Grades will also be posted on Desire2Learn. Students are expected to check Desire2Learn regularly for any announcements. These might include “last minute” advice about an upcoming paper, what to do if a paper is due on a snow day, etc. It is students’ responsibility to check Desire2Learn regularly for announcements, guides, grades, and so on. I will also use email to contact students, so please be sure to read your emails from me!

Papers: There are two papers due for this class. The first paper is worth 15% of your grade, and the final paper is worth 35% of your grade. There is no cheating on papers. This means no collaboration, copying and pasting from articles, or using papers from another class to replace these papers. If I find out you’ve cheated in any way that violated the CU Honor Code, I will fail you in the course.

Attendance & Class Participation Students are expected to regularly attend class, arrive on time, and leave once class is over. Being disrespectful to the professor, other students, guest speakers, or anyone else could result in your permanent removal from the course. If you arrive late regularly, it will impact your participation grade. Twenty percent of your grade is based on participation- attendance, in-class quizzes, and speaking in class. This includes being a facilitator for two weeks of class. *In-class quizzes and other in-class assignments cannot be made up: Students must be present to take part. If you agree to facilitate a class and then miss that class, you cannot make up the points without documentation. The bottom three grades for these assignments will be dropped- skip class/don’t come prepared wisely!*

Fieldwork: Often, our ideas about how the criminal justice system works are shaped by television. Everyone loves an SVU binge: Elliot and Stabler are bastions of criminal justice. However, television is sometimes not the most reliable medium for accurate information. I would like for each of you to spend at least four hours (in two segments) “in the field” seeing what the system really looks like. You may go to the courthouse to observe hearings or a trial, you may go on a ride-along with a police officer, you may tour a jail or prison, or you may do something else with my approval. I will hand out separate guidelines for this course requirement, and there is a reading on CULearn by Emerson that provides some guidance about taking good field notes. On two occasions during the semester (10/2 at 7am and 11/13 at 7am) , you will turn in field notes to me. As a rough guideline, you will probably have 2-3 typed pages of field notes for every hour in the field. I will comment on them, but not grade them. You will receive full credit if you fulfill the requirements of the assignment.

Final Paper: On December 15th by 7:30 pm a formal, typed paper is due on Desire2Learn. The directions for the paper will be posted on Desire2Learn. Papers can always be submitted early.

Final proposal, outline/summary, class presentation, and final draft (30%):

Your final paper will require far more detail and in-depth preparation than your other pieces of writing. I encourage you to choose a topic in the fields of punishment, incarceration and law that is of interest to you. There are several parts to this final paper:

1. Proposal: October 9th, 7am (On D2L) = (5%)
Your proposal will simply state the topic that you wish to research and some of the questions that you have about the topic. This should be about a paragraph long.
2. Summary, Outline, and Readings: November 18th, 7am = (5%)
You should conduct preliminary research on your topic so that you can write a more detailed summary of what issues your paper will address (3-4 paragraphs). For example, if you are thinking about exploring solitary confinement, what have been the recent trends and legislative

changes on this topic? Have scholars questioned the effectiveness of solitary confinement as punishment? Then, you must provide an outline of your paper.

You are also required to **find 3 outside readings** (peer-reviewed journal articles or academic books) on your approved topic and submit that along with your summary and outline [NOTE: these readings should *not* include governmental reports, internet sources, films, magazine or news articles, although these *will* be helpful to you].

3. Presentation: Tuesday December 9th or Thursday December 11th = 10%

We will hold two days for presentations/roundtable discussions of your project. By this time in April, you should have made progress on your paper enough so that you will be able to discuss your topic with the class. Since these presentation days will be held before the final draft due date, you are more than welcome to ask for feedback or guidance from your peers and myself. This is a GREAT time to see if your ideas make sense!

4. Final Draft: Monday December 15th, 7:30pm = 80%

I will provide instructions on this paper and guiding suggestions in late October, as well as a grading rubric. Your paper should be well organized and logically clear, and the use of headings may help in guiding the reader (and yourself, as the writer) to the purpose of each section. You should rely on your (at least) 3 chosen outside readings, 3 readings from class, and any other materials that support your paper. Your paper should have a bibliography attached, using the ASA style guide, as well as proper in-text citations (ex: Sutton 1993:5). ***Your final paper should be 8-10 pages double-spaced, 12-point font, Times New Roman, with 1-inch margins.*** The ASA style guide can be found here: <http://www.buffalostate.edu/library/docs/asa.pdf>.

In-Class/Quiz and Homework Written Assignments: Approximately once a week (may be slightly more or less) students will be asked to do an in-class or homework assignment. Pop quizzes will be used in this course, and if you miss the quizzes, this will significantly impact your participation grade. No make-ups: if you miss a quiz, make sure you're prepared and present for the next. These assignments (other than the one in the first week) cannot be made up. I will drop the lowest 3 of these grades at the end of the semester. *If you are late for class or leave early or simply miss class for any reason, you cannot make up the missed assignment.* Be sure to write your names legibly on these assignments. Be sure to hand these in when they're requested. (If you hand in a quiz or other in-class assignment later in the class, it will not be counted.) Looking at your phone or any papers during a quiz is considered cheating and you will flunk the course.

Two of these quizzes include being a facilitator for two class periods. These responsibilities include doing an in-depth reading of the materials for that class (you are all reading every class, this is just a more detailed reading) and being responsible for quickly summarizing the reading and asking a couple theoretically based questions to the class based on this reading. Making sure you do fulfill the requirement for two facilitations is up to you. I will ask for volunteers at the end of each week for the next week, so you can make sure your work/life load are prepped for increased work. Therefore, if you put off facilitating until the end of the semester, you are risking that everyone else is taking the same approach. There may not be enough time/room for you to get credit if the slots get taken up at the end of the course. Plus, workloads are easier at the beginning of the semester. *If you agree to facilitate a class and then miss that class, you cannot make up the points without documentation.*

Extra Credit Journals/Logs: At two points during the semester you can hand in a journal/log for extra-credit. These optional logs/journals are due to me at 7 a.m. on D2L, an hour before class on 10/23 and 12/4. Each of these is worth up to a total of 5 points to your grade (a lot!). They must be handed in on time in order to receive credit. You are not required to do both logs to get credit. You can do both, or you can only do the first or only do the second log. Be sure to follow directions: **To receive full points on these logs, they must include weekly information on what you learned in the readings. The logs must be typed, on time, and submitted on Desire2Learn.** Logs can be viewed as a journal or reaction

paper to the material you are learning in this course, but be sure to include the readings. If you want, you can keep a log of your feelings and insights on the topic covered in readings and lectures, perhaps typing in it after each class or after conducting the readings. Alternatively, you can simply type up what the class has caused you to think about, or things you are noticing around you due to the class material. You can write about your personal experiences past or present. **I do not see the logs/journals as a summary of the facts learned in the lectures or your lecture notes**, but rather how you see the material applying to your life and/or what you think is accurate or inaccurate, unique, etc. about the readings, lecture, videos, guest speakers, etc. **YOU WILL NOT GET CREDIT IF YOU SUMMARIZE THE READINGS.** Thus, you may use these papers to critique the readings, discussing what you do and/or do not like about them. I imagine these logs/journals to be approximately ½ to 1 single-spaced typed page per week that is covered. Please date your journals throughout so that I know to which week you are responding (i.e., what day you are typing each entry). Logs can always be submitted early. Late logs are not accepted/graded.

Late Policy: You may turn in one paper late if (unfortunately) necessary. What does this mean? You will not get a hard time if you absolutely must turn in ONE assignment after the deadline. No student may hand in more than one paper late, for any reason.

Office Hours: My office hours are available to you to come in and discuss any aspect of the course. I hope you will come and discuss interests or course problems with me, or even just introduce yourself. If you can't meet during my scheduled office hours but would like to meet in person, please make an appointment. I'm around a lot, on campus a lot, and very accessible. Also- frequently, students want to meet with me to discuss sensitive topics around the content of this course. Unfortunately, I share my office with other graduate students. If you would like to meet with more privacy, please let me know ahead of time and I'll find a space.

Cheating: There is no excuse for cheating. Any student caught cheating on an exam or paper will **fail the course!** No exceptions will be made. Cheating includes looking at or copying another student's quiz, using a "crib" sheet or notes during a quiz, looking at a reading during an in-class quiz, copying any part of another student's log or paper, plagiarizing for the paper, and so on. It is each student's responsibility to ensure that nothing related to the class, such as notes, is in view during a quiz! IF YOU ARE LOOKING AT YOUR CELL PHONE OR A PIECE OF PAPER DURING A QUIZ, I WILL ASSUME YOU ARE CHEATING. DO NOT DO THIS! Do NOT talk to anyone else still taking a test even if you have handed your quiz in, even if it's to say "I'll see you at the coffee shop."

Pass/Fail Students: Students taking the course pass/fail have no different obligations in terms of passing the course than students not taking the course pass/fail! Both types of students must make the same grade to pass the course.

Graduating Seniors: Graduating seniors have the same requirements for grades in this course as other students. No special treatment is available for graduating seniors. They must make 60.0% or higher to pass the course.

Grade Disputes: Please keep **all** returned work in the event that you have a grade dispute at the end of the semester. Make sure you check Desire2Learn regularly for your grades, and not at the end of the semester alone.

Detention tours:

I will be arranging at least two tours to local detention centers. This is a great experiential learning opportunity, and one of the more illustrious aspects of taking a criminological course at CU Boulder. The staff and faculty in the sociology department go to great lengths to maintain good rapport with these institutions, therefore if you sign up for a tour you must hold yourself accountable to attending.

Grading Method:

"A" work will: creatively utilize outside items; go beyond the basic scope of the assignment; fully

integrate appropriate textual ideas, concepts, AND quotations; critically examine and analyze; be completely proofread and spellchecked (a few errors is human); will utilize sociological (structural, big picture) analysis. Work at this level is: sophisticated, creative, thoughtful, complete, analytical, precise, and instructive. It meaningfully transcends regurgitation. "A" work is superior in every sense.

"B" work will do much of the above but will fall somewhat short in *more than one* area described above. It may be less proofed, less analytical, less original, less thoughtful, less creative, less appropriate in terms of citations. This is the normal grade, statistically!

"C" work will be 'average' papers, perhaps not as creative, not as critical, not as analytical as other papers. Proofing and writing errors may obscure arguments. Outside items may not be appropriate, apt, or useful. Sociological analysis will be incomplete. Work at this level is *average* - it does not go beyond the scope of the assignment in any way. Citations will be incomplete and/or simplistic; ideas will not transcend those offered in class.

"D" work will lack mastery of the assignment in multiple and significant ways: maybe no outside items will be utilized; perhaps the analysis will be overly simplistic; the paper may demonstrate no use of texts, concepts, and ideas; it will not be proofread and will suffer from poor, simplistic expression and communication of ideas.

Grade Breakdown:

First Paper	15 points
Field Work	20 points
Final Paper	35 points
Participation (quizzes, facilitation, attendance)	30 points

Total	100 points
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Extra Credit:	Journal 1	5 points
	Journal 2	5 points

Grade Chart for End of Semester Course Grade

A >93	C+ 77-80
A- 90-93	C 70-77
B+ 87-90	C- 65-70
B 83-87	D 60-65
B- 80-83	F 60 and below

Some of the content of this syllabus is borrowed (with permission) from Dr. Joanne Belknap, Dr. Sara Steen and Colleen Hackett from the University of Colorado and Dr. Rebecca Plante from Ithaca College.