

The Politics of Mass Incarceration

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Class Time: MW 9:35-10:55AM

Class Location: Nursing and Science Building, 346B

Office Hours: Thursdays, 10:00AM-12:00PM

Course Overview

Although only five percent of the world's population lives in the U.S., it is home to 25% of the world's prison population. In the second half of the twentieth century, America's prison system has grown into the largest prison system in the world. Many politicians still defend tough policing and prosecutorial practices, but in recent years, a bipartisan consensus has emerged that mass incarceration is a significant social injustice disproportionately harming some of the nation's most vulnerable citizens.

Why has America's incarceration rate more than tripled since the mid-1970s? How has American politics contributed to the rise of what is now called "the carceral state," its racial and class biases, and its continued growth? What are the political, social, and economic consequences of mass incarceration, particularly on the communities hit hardest by America's punitive politics and policies? And what political strategies and reforms are necessary to reverse the prison boom?

In addressing these questions, we will draw from a wide range of sources to analyze how American politics has contributed to the prison crisis and evaluate options for reforming U.S. crime policy. Our discussions will situate these issues within larger questions about American politics, race and class, inequality, policymaking, American political culture, history, law, and justice.

Course Grading Scale

	Letter Grade	Percentage	Interpretation
Excellent	A	89.5-100	Mastery of concepts. Can clearly and effectively apply concepts to new situations.
Above Average	B+	84.5 – 89.49	Good understanding of concepts. Acceptable foundation for future work.
	B	79.5 – 84.49	
Proficient	C+	74.5 – 79.49	Basic understanding. Limited foundation for future work.
	C	69.5 – 74.49	
Marginal	D	59.5-69.49	Weak understanding and foundation for future work.
Failure	F	<59.5	Clearly failed to demonstrate understanding. Deeply flawed or no foundation for future work.

Course Objectives

1. Explore how American politics have contributed to the growth of the “carceral state” through institutional reform, interest group and party politics, grassroots community activism, and elite-driven reforms.
2. Study current political issues related to mass incarceration through academic works and case studies as well as major obstacles to reforming America’s incarceration problem.
3. Understand the carceral state’s disparate impacts on historically marginalized communities and the far-reaching consequences mass incarceration has on the lives of Americans.
4. Assess the strengths and limits of various criminal justice reform proposals and evaluate what political strategies will help actualize those reforms in U.S. policymaking.
5. Use the carceral state as a case study to shed light on the pathologies of American politics. How and why did American politics produce the carceral state, and why is it so hard to change despite the bipartisan consensus that it is a serious political and social problem?
6. Observe how the problems of American criminal justice and mass incarceration manifest in Camden, NJ, what impact it has on the community, and what the community’s needs are in relation to criminal justice reform.

Engaged Civic Learning Components

The course incorporates the following Engaged Civic Learning objectives:

1. *“Incorporate a substantial experiential or community-focused component in which all students are required to participate; students should receive appropriate preparation for this component.”*
 - Students will have multiple opportunities for experiential and community-focused learning, including working with the Camden District Council Collaborative Board (especially through attending forum meetings and assisting with the Board’s quality-of-life projects like Light Up the City) as well as observing a sentencing hearing or probation hearing.
2. *“Provide opportunities for students to analyze, interpret, or reflect on their course experiences and relate it to the course content, with assessment of this work playing a significant role in overall course assessment.”*
 - Each engagement component will require students to write response papers and engage in in-class discussions reflecting on their experiences.
3. *“Be situated in a partnership that brings benefits to both partners and involves appropriate communication (including sharing of results of student work when suitable) between partners.”*
 - We will be working with the Camden District Council Collaborative Board, an organization committed to improving quality of life and public safety in the city of Camden through community-based problem-solving strategies. The organization brings together city residents, faith-based leaders, non-profits, law enforcement, and city representatives to address public safety and quality of life concerns in Camden.

The course incorporates the following Engaged Civic Learning activities:

1. *“Reflect on how engaged civic learning experiences may or may not have altered their assumptions about the community and their relationship to it.”*
 - Students will engage in critical response papers relative to the critical engagement components. Our in-class discussions will also offer opportunities to reflect on these experiences.
2. *“Articulate the challenges, needs, and aspirations of members of the local community.”*
 - Working with the District County Collaborative Board and observing the justice system’s interactions with community members is intended to encourage students to identify and understand the challenges and needs of Camden residents in relation to criminal justice. They will evaluate this in papers, discussion, and exams.
3. *“Work constructively with diverse others to address public challenges.”*
 - Working with the District County Collaborative Board will give students the chance to watch city residents, public officials, law enforcement, and community organizations work constructively to address public challenges.

Course Assignments and Grading

Participation	10%
Midterm	25%
Civic Engagement Reflection Papers (3 x 10% each)	30%
Final Exam	35%

Participation (10%): All students are expected to attend and participate in class discussions. Know that I grade your participation from 0-10 each day. At the end of the semester I average your daily scores to determine your participation score (e.g. an average of 9.4/10 receives a 94%). However, as noted below, absences will not be penalized since we are living in uncertain times during the pandemic. This has important implications for your participation score, since if you do not attend you cannot participate. If you regularly miss class without contacting me and cannot provide an explanation if I request one, it may result in a penalty to your participation score or some alternative assignments to compensate for your missed participation at my discretion.

(Note that this only applies if you regularly miss class without reason. Missing class periodically if you feel ill, need to get a COVID test, etc. or missing class consistently with a reasonable excuse will absolutely not be met with penalties or makeup assignments).

Midterm (25%): Our midterm will cover the course’s academic content to that point.

Final Exam (35%): There will be one comprehensive final exam at the end of the semester.

Civic Engagement Reflection Papers (3 x 10% each): Given that this is a civic engagement course, students are expected to participate in the requisite civic engagement assignments. This involves writing three critical reflection papers on the following course components:

- Camden District Council Collaborative Board: Students will be required to work with the Camden DCCB through the semester. This will include (1) attending one Forum meeting/Town Hall to watch how community residents, public officials, law enforcement, and community organizations work together to address issues of public safety in Camden, and (2) assisting the DCCB with its Light It UP Project, which is a lighting project and quality of life initiative in Camden. This will give you a chance to work with community leaders to solve problems and concerns of city residents.
- Criminal Sentencing or Probation Hearing Observation: Campus is only a short walk from the Federal Courthouse in Camden. For this assignment, go to the Court and ask the front desk when you would be able to observe a criminal sentencing or probation hearing. Schedule an observation before attending, as in-person procedures are reduced due to COVID-19, so it is more difficult to do a walk-in the day of. I suggest observing in-person if you are comfortable, but if you would rather observe remotely, there are options for you to do so.
- Guest Speaker Response Paper: Ideally, we will have a couple of guest speakers come throughout the course of the semester (COVID-19 depending). One of your papers should be in response to the presentation of a guest speaker of your choosing.

Papers must be 1,200-1,500 words in length. All papers should describe your experience and connect it to course material. You can do them in any order you so choose, but the following are your three due dates, when we will discuss your experiences and papers in class. You will be expected to speak for at least 2-3 minutes about your paper and experience.

- Paper 1: March 28
- Paper 2: April 13
- Paper 3: April 27

Administrative Standards

COVID-19 Policy: This course follows all of Rutgers policies on COVID-19 (<https://coronavirus.rutgers.edu/>). All students must be vaccinated. Masks must be worn in all indoor spaces, including the classroom and my office. If you are sick in any way or exposed to COVID-19, do not come to class or to my office under any circumstances. Follow all university policies on testing, quarantine and return.

Mask Mandate: In order to protect the health and well-being of all members of the University community, masks must be worn by all persons on campus when in the presence of others (within six feet) and in buildings in non-private enclosed settings (e.g., common workspaces, workstations, meeting rooms, classrooms, etc.). Masks must be worn during class meetings; any student not wearing a mask will be asked to leave. Masks should conform to CDC guidelines and should completely cover the nose and mouth. Each day before you arrive on

campus or leave your residence hall, you must complete the brief survey on the My Campus Pass symptom checker self-screening app.

Absences: Attendance is expected if you are healthy, but there will be no penalty if you miss class. If you are ill or experiencing symptoms of transmittable disease, please remain home and do not attend in-person class meetings. Given COVID-19, I am aware that handling absences will require flexibility. I ask that you make a reasonable effort to contact me via email (agrasso@camden.rutgers.edu) if you anticipate missing class or were absent and that you make responsible choices if you are feeling ill. If you miss class, email me and I will send you the recording of class. This does not mean you can simply take the course online by choice. If you are regularly absent without making any attempt to contact me, I will check in with you and seek some explanation. If you do not have one, then I will cease sending you lecture recordings until you can provide one.

Lecture Recordings: Lectures will be recorded and available for those who need to miss class. Again, please do not attend in-person classes if you are feeling ill. Email me for the recording.

Lateness: If you anticipate turning in an assignment late, email me and inform me when you anticipate turning it in. In the absence of extenuating circumstances, you will be deducted ten percent for every 24 hours the assignment is late.

Makeup Exams: Make-up exams will only be offered at the discretion of the instructor and only in the event of a serious illness or major family emergency. It is the responsibility of the student to email the instructor well in advance of the exams to inform the instructor of any problems in taking the exam. While I will be understanding and flexible in understanding general absences, I will require some formal proof to schedule a make-up exam without penalty. If you cannot validate your reason, your make-up exam will be graded with a deduction.

Office Hours: Office hours will be held by appointment only. Email me to schedule an appointment.

Academic Integrity: All Rutgers students are expected to abide by the University's academic integrity standards. Each student should review the academic integrity standards, available on the Rutgers Academic Integrity website. For this class you may use any generally recognized style manual to format your citations (Chicago Manual of Style, MLA Style Guide, APA Style Guide). It is strongly suggested that you use Rutgers Library's RefWorks platform for citation. See the current Academic Integrity Policy here: <https://policies.rutgers.edu/10213-currentpdf>

Plagiarism: Academic dishonesty will not be tolerated. All source material MUST be cited when presenting someone's words or ideas. If you are ever unsure about citations, please speak to me. I would much rather answer your questions ahead of time rather than handle a plagiarism case.

Disabilities: Any student in need of classroom accommodations due to disabilities should contact the Coordinator of Disability Services as soon as possible: (856) 225-6442, Fax: (856)

225-6443 or at the Rutgers-Camden Learning Center, Armitage Hall, Room 231. **No accommodations can be made without the explicit approval of the Office of Disability Service.**

Learning Support: If you are having trouble with this course, I encourage you to reach out to me and to take advantage of the full range of programs and services available at Rutgers Camden to support your learning. Details may be found on the website of the Rutgers Camden Learning Center (<https://learn.camden.rutgers.edu/>).

Readings and Class Prep: Please have all readings available to you during class meetings. It is important to complete the readings before coming to class so that you can participate in discussion at a meaningful level.

Writing and Formatting: Format your writing assignments in typed in 12-point sized appropriate fonts. Papers should be double-spaced with standard margins. Citation format is your choice, as long as you remain consistent.

Respect: The foundation of learning is respect for diverse opinions. We may discuss some controversial issues and people throughout the course, and students are welcome to express their views and opinions in the discussion. It is essential in order to foster a good discussion that we have respect for each other's opinion and political views. The expectation is that you will listen and learn from each other, and treat each other with the respect that you would expect yourself.

Course Readings and Required Texts:

The following materials are required reading for the course. They are available at the bookstore and online at Amazon and other websites.

- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: New Press, 2010.
- Forman, James Jr. *Locking Up Our Own: Crime and Punishment in Black America*. New York: Farrar, Straus and Giroux, 2017.
- Gottschalk, Marie. *Caught: The Prison State and the Lockdown of American Politics*. Princeton: Princeton University Press, 2015.
- Rios, Victor. *Human Targets: Schools, Police, and the Criminalization of Latino Youth*. Chicago: University of Chicago Press, 2017.

All remaining course readings are available either through links on the syllabus or will be posted to Canvas.

Course Schedule

The outline for our lessons is below. Readings from Canvas have the label **[Canvas]** and other readings have an accompanying hyperlink. All others come from required course texts.

BLOCK 1: The Political Development of the Carceral State

Lesson 1, Wed. Jan-19: Course Introduction

- Syllabus

Lesson 2, Mon. Jan-24: Defining the Carceral State

- Alexander, *The New Jim Crow*, “Introduction”
- Gottschalk, *Caught*, chapter 1, “Introduction”

Lesson 3, Wed. Jan-26: The Roots of a Racialized Carceral State

- Alexander, *The New Jim Crow*, chapter 1, “The Rebirth of Caste”

Lesson 4, Mon. Jan-31: Crime and the Construction of Race

- Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban American* (Cambridge: Harvard University Press, 2010), pp. 35-88. **[Canvas]**

Lesson 5, Wed. Feb. 2: The Carceral State’s Liberal Antecedents

- Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014), pp. 27-68. **[Canvas]**

Lesson 6, Mon. Feb. 7: The Punitive Turn

- Michael Flamm, *Law and Order: Street Crime, Civil Unrest, and the Crisis of Liberalism in the 1960s* (New York: Columbia University press, 2005), pp. 31-83. **[Canvas]**

Lesson 7, Wed. Feb. 9: Sustaining Mass Incarceration

- Gottschalk, *Caught*, chapter 2, “Show Me the Money,” and chapter 3, “Squaring the Political Circle”

BLOCK 2: Contemporary Issues in Mass Incarceration

Lesson 8, Mon. Feb. 14: Race, Class, and Policing I

- Rios, *Human Targets*, Introduction (pp. 1-15 only, stop at “Setting and Study”), chapter 5, “The *Mano Suave* and *Mano Dura* of Stop and Frisk”
- US Department of Justice, Civil Rights Division, “Investigation of the Ferguson Police Department,” March 4, 2015, pp. 1-9. **[Canvas]**
- *Floyd v. City of New York*, 959 F. Supp. 2d 540 (S.D.N.Y 2013), pp. 1-15. **[Canvas]**

Lesson 9, Wed. Feb. 16: Race, Class, and Policing II

- Rios, Victor, *Human Targets*, chapter 3, “Cultural Misframing,” and chapter 4, “Multiple Manhoods”

- The President’s Task Force on 21st Century Policing, “Final Report,” May 2015, pp. 9-19, 41-51. **[Canvas]**

Lesson 10, Mon. Feb. 21: The War on Drugs

- Alexander, *The New Jim Crow*, chapter 2, “The Lockdown”
- Tonry, *Punishing Race*, pp. 59-67. **[Canvas]**
- Goldensohn, Rosa. “They Shared Drugs. Someone Died. Does That Make Them Killers?” *The New York Times*, May 25, 2018, <<https://www.nytimes.com/2018/05/25/us/drug-overdose-prosecution-crime.html>>

Lesson 11, Wed. Feb. 23: The Criminalization of Poverty

- Loic Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham: Duke University Press, 2009), pp. 41-69. **[Canvas]**
- Lopez, German. “The twisted financial incentives behind the war on drugs,” *Vox*, April 14, 2015, <<https://www.vox.com/2014/8/29/6075527/how-the-war-on-drugs-led-to-institutional-racism>>
- Bergerson, Monica, “Timbs v. Indiana One Year Later: Benign or Beginning of the End for Civil Asset Forfeiture,” *Louisiana Law Review*, April 21, 2020, <<https://lawreview.lsu.edu/2020/04/21/timbs-v-indiana-one-year-later-benign-or-beginning-of-the-end-for-civil-asset-forfeiture/>>

Lesson 12, Mon. Feb. 28: Immigration and Criminal Justice

- Gottschalk, *Caught*, chapter 10, “Catch and Keep”
- Victor Rios, *Human Targets*, chapter 6, “Immigrant Targets”

Lesson 13, Wed. Mar. 2: Sentencing “The Worst of the Worst”

- Gottschalk, *Caught*, chapter 8, “Split Verdict,” and chapter 9, “The New Untouchables”
- *McCleskey v. Kemp*, 481 U.S. 279 (1987) **[Canvas]**

Lesson 14, Mon. Mar. 7: White-Collar Crime

- Robert Tillman, Henry Pontell, and William Black, *Financial Crime in the Era of False Profits* (New York: Oxford University Press, 2017), pp. 1-24, 113-133. **[Canvas]**

Lesson 15, Wed. Mar. 9: Midterm

BLOCK 3: A Case Study of Washington, D.C.

Lesson 16, Mon. Mar. 21: The War on Drugs in Washington

- Forman, *Locking Up Our Own*, Introduction and chapter 1

Lesson 17, Wed. Mar. 23: Race and the D.C. Police Department

- Forman, *Locking Up Our Own*, chapter 3

Lesson 18, Mon. Mar. 28: **Civic Engagement Paper 1 Discussion**

Lesson 19, Wed. Mar. 30: Sentencing “Thugs” and Washington’s Crack Epidemic

- Forman, *Locking Up Our Own*, chapters 4-5

Lesson 20, Mon. Apr. 4: “Stop and Search” and Punishment in the District Today

- Forman, *Locking Up Our Own*, chapter 6 and epilogue

BLOCK 4: The Consequences of Mass Incarceration and Reform Options

Lesson 21, Wed. Apr. 6: The New Jim Crow

- Alexander, *The New Jim Crow*, chapter 5, “The New Jim Crow”

Lesson 22, Mon. Apr. 22: The Consequences of Mass Incarceration

- Gottschalk, *Caught*, chapter 11, “The Prison Beyond the Prison”
- Alexander, *The New Jim Crow*, chapter 4, “The Cruel Hand”

Lesson 23 Wed. Apr. 13: **Civic Engagement Paper 2 Discussion**

Lesson 24, Mon. Apr. 18: Reinvestment, Reentry, and Recidivism Reduction

- Gottschalk, *Caught*, chapter 4, “What Second Chance?,” and chapter 5, “Caught Again”

Lesson 25, Wed. Apr. 20: Prosecutors and Political Change

- John Pfaff, *Locked In: The True Causes of Mass Incarceration and How to Achieve Real Reform* (New York: Basic Books, 2017), pp. 128-159. **[Canvas]**
- Allison Young, “The Facts on Progressive Prosecutors,” *Center for American Progress*, March 19, 2020, <<https://www.americanprogress.org/issues/criminal-justice/reports/2020/03/19/481939/progressive-prosecutors-reforming-criminal-justice/>>
- Darcy Covert, “The False Hope of the Progressive-Prosecutor Movement,” *The Atlantic*, June 14, 2021, <<https://www.theatlantic.com/ideas/archive/2021/06/myth-progressive-prosecutor-justice-reform/619141/>>

Lesson 26, Mon. Apr. 25: Prison Abolitionism

- Angela Davis, *Are Prisons Obsolete?* (New York: Steven Stories Press, 2011), pp. 9-21. **[Canvas]**
- Roger Lancaster, “How to End Mass Incarceration,” *Jacobin*, Aug. 18, 2017, <<https://www.jacobinmag.com/2017/08/mass-incarceration-prison-abolition-policing>>
- Dan Berger, Mariame Kaba, David Stein, “What Abolitionists Do,” *Jacobin*, Aug. 24, 2017, <<https://jacobinmag.com/2017/08/prison-abolition-reform-mass-incarceration>>
- Roger Lancaster, “Response: ‘A Word on Words,’” *Jacobin*, October 2, 2017, <<https://www.jacobinmag.com/2017/10/mass-incarceration-prison-abolition>>

Lesson 27, Wed. Apr. 27: **Civic Engagement Paper 3 and Discussion**

Lesson 28, Mon. May 2: Course Conclusion

- Gottschalk, *Caught*, chapter 12, “Bring It On”