

27:202:521: Criminal Justice Policy

Fall 2024

COURSE INFORMATION

Instructor Information:

Instructor: Professor Valerio Baćak, PhD

Email: valerio.bacak@rutgers.edu

Office Hours: Wednesday, 1-2 pm

Meeting Times: Wednesday, 10 am-12:40 pm

Room: CLJ-572

Our Commitment as Partners in Learning:

Everyone can thrive in this course. As a first-generation student, I know what it feels like to navigate the complex world of academia. I will do all I can to create a supportive and welcoming learning environment for all. Over the years, I've learned that students learn best when they are curious about and respect perspectives and experiences different from their own. For that reason, in this course we will support each other regardless of our differences in terms of race, ethnicity, disability, gender identity, sexual orientation, socioeconomic status, national origin, or political affiliation.

Course Overview:

This course is designed to give doctoral students a broad overview of criminal justice policies. It examines the goals and values underlying justice policy, the social construction of crime problems and the process of policy development, and the ways that policies shape the day-to-day working of the criminal justice system. It also investigates the specific institutions of the criminal justice system including the juvenile justice system, police, courts, and the correctional system, as well as the specific activities and processes carried out by these entities. The course will also provide an overview of best practices for formulating and evaluating criminal justice policy.

Credits: 3

Prerequisites: None.

Required Readings:

The required readings are listed under the weekly course schedule. All the readings will be posted on Canvas. There will be additional course materials, occasionally, such as newspaper articles and videos. These will also be posted on Canvas.

Course Schedule and Academic Readings (subject to change)

| Week | Class Topic | Readings |
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| Sept 4 | Introduction to the course | |
| Sept 11 | Mass incarceration, race, and American exceptionalism | <p>Alexander M (2010) <i>The New Jim Crow: Mass incarceration in the age of colorblindness</i>. The New Press.</p> <p>Hinton, E., & Cook, D. (2021). The mass criminalization of Black Americans: A historical overview. <i>Annual Review of Criminology</i>, 4(1), 261-286.</p> <p>Kirk, D. S., & Wakefield, S. (2018). Collateral consequences of punishment: A critical review and path forward. <i>Annual Review of Criminology</i>, 1(1), 171-194.</p> <p>Bailey, Z. D., Feldman, J. M., & Bassett, M. T. (2021). How structural racism works—racist policies as a root cause of US racial health inequities. <i>New England Journal of Medicine</i>, 384(8), 768-773.</p> <p>Garland, D. (2020). Penal controls and social controls: Toward a theory of American penal exceptionalism. <i>Punishment & Society</i>, 22(3), 321-352.</p> |
| Sep 18 | Data in the making of criminal justice policy | <p>Lageson, S. E. (2020). <i>Digital punishment: Privacy, stigma, and the harms of data-driven criminal justice</i>. Oxford University Press.</p> <p>Lageson, S., & Stewart, R. (2024). The problem with criminal records: Discrepancies between state reports and private-sector background checks. <i>Criminology</i>, 62(1), 5-34.</p> <p>Stevenson, M. T. (2023). Cause, effect, and the structure of the social world. <i>Boston University Law Review</i>.</p> <p>Sampson, R. J. (2010). Gold standard myths: Observations on the experimental turn in quantitative criminology. <i>Journal of Quantitative Criminology</i>, 26, 489-500.</p> <p>Reuter, P., Caulkins, J. P., & Midgette, G. (2021). Heroin use cannot be measured adequately with a general population survey. <i>Addiction</i>, 116(10), 2600-2609.</p> |
| Sep 25 | Policing, procedural justice, and public safety | <p>Tyler, T. R. (2006). <i>Why people obey the law</i>. Princeton University Press.</p> <p>Sunshine, J., & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. <i>Law & Society Review</i>, 37(3), 513-547.</p> <p>Tyler, T. R. (2004). Enhancing police legitimacy. <i>The Annals of the American Academy of Political and Social Science</i>, 593(1), 84-99.</p> <p>Schaap, D., & Saarikomäki, E. (2022). Rethinking police procedural justice. <i>Theoretical Criminology</i>, 26(3), 416-433.</p> <p>Bell, M. C. (2021). Next-generation policing research: Three propositions. <i>Journal of Economic Perspectives</i>, 35(4), 29-48.</p> |

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| Oct 2 | Courtroom antagonists: prosecutors and public defenders | <p>Bazon, E. (2020). <i>Charged: The new movement to transform American prosecution and end mass incarceration</i>. Random House.</p> <p>Krinsky, M. A., Murray, J., & Romero, M. (2023). New directions in prosecutorial reform. <i>American Criminal Law Review</i>, 60, 1369.</p> <p>Bačák, V., Lageson, S. E., & Powell, K. (2024). The stress of injustice: Public defenders and the frontline of American inequality. <i>Social Forces</i>.</p> <p>Anderson, J. M., Buenaventura, M., & Heaton, P. (2019). The effects of holistic defense on criminal justice outcomes. <i>Harvard Law Review</i>, 132(3), 819-893.</p> <p>Bibas, S. (2004). Plea bargaining outside the shadow of trial. <i>Harvard Law Review</i>, 2463-2547.</p> |
| Oct 9 | Pretrial detention: characteristics and reforms | <p>Scott-Hayward, C. S., & Fradella, H. F. (2019). <i>Punishing poverty: How bail and pretrial detention fuel inequalities in the criminal justice system</i>. University of California Press.</p> <p>Page, J., & Scott-Hayward, C. S. (2022). Bail and pretrial justice in the United States: A field of possibility. <i>Annual Review of Criminology</i>, 5(1), 91-113.</p> <p>Carroll, J. E. (2023). The ever-shifting ground of pretrial detention reform. <i>Annual Review of Law and Social Science</i>, 19(1), 75-91.</p> <p>Stevenson, M. T. (2018). Distortion of justice: How the inability to pay bail affects case outcomes. <i>The Journal of Law, Economics, and Organization</i>, 34(4), 511-542.</p> <p>Gonnerman, J. (2014). Before the law. <i>The New Yorker</i>, 6, 26-32.</p> |
| Oct 16 | Technology, fairness, and crime prediction | <p>Harcourt, B. E. (2019). <i>Against prediction: Profiling, policing, and punishing in an actuarial age</i>. University of Chicago Press.</p> <p>Ridgeway, G. (2018). Policing in the era of big data. <i>Annual review of criminology</i>, 1(1), 401-419.</p> <p>Selbst, A. D. (2017). Disparate impact in big data policing. <i>Georgia Law Review</i>, 52, 109.</p> <p>Brayne, S. (2017). Big data surveillance: The case of policing. <i>American Sociological Review</i>, 82(5), 977-1008.</p> <p>Berk, R. A. (2021). Artificial intelligence, predictive policing, and risk assessment for law enforcement. <i>Annual Review of Criminology</i>, 4(1), 209-237.</p> |
| Oct 23 | Immigration, crime, and the state | <p>Armenta, A. (2017). <i>Protect, serve, and deport: The rise of policing as immigration enforcement</i>. University of California Press.</p> <p>Stumpf, J. (2013). "The process is the punishment in crimmigration law" in <i>The Borders of Punishment: Migration, Citizenship, and Social Exclusion</i>, pp. 58-75.</p> <p>Kubrin, C. E., & Ousey, G. C. (2023). "Immigration and Crime: What We Know and What Remains Unknown," in <i>Immigration and Crime: Taking Stock</i>, 47-69.</p> <p>Armenta, A. (2017). Racializing crimmigration: Structural racism,</p> |

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| | | <p>colorblindness, and the institutional production of immigrant criminality. <i>Sociology of Race and Ethnicity</i>, 3(1), 82-95.</p> <p>Aliverti, A. (2012). Making people criminal: The role of the criminal law in immigration enforcement. <i>Theoretical Criminology</i>, 16(4), 417-434.</p> |
| Oct 30 | LGBT over-representation in the criminal legal system | <p>Mogul J.L., Ritchie A.J. and Whitlock K. (2011). <i>Queer (in)Justice: The criminalization of LGBT people in the United States</i>. Beacon Press.</p> <p>Panfil, V. R. (2018). Young and unafraid: Queer criminology's unbounded potential. <i>Palgrave Communications</i>, 4(1), 1-5.</p> <p>Meyer, I. H., Flores, A. R., Stemple, L., Romero, A. P., Wilson, B. D., & Herman, J. L. (2017). Incarceration rates and traits of sexual minorities in the United States: National Inmate Survey, 2011–2012. <i>American Journal of Public Health</i>, 107(2), 267-273.</p> <p>Schilt, K., & Westbrook, L. (2015). Bathroom battlegrounds and penis panics. <i>Contexts</i>, 14(3), 26-31.</p> <p>Bačák, V. (2023). Looking back: Victimization of transgender persons and the criminal legal system. <i>American Journal of Public Health</i>, 113(10), 1043-1045.</p> <p>Malkin, M. L., & DeJong, C. (2019). Protections for transgender inmates under PREA: A comparison of state correctional policies in the United States. <i>Sexuality Research and Social Policy</i>, 16(4), 393-407.</p> |
| Nov 6 | Drug policy | <p>Farber, D. (Ed.). (2022). <i>The War on Drugs: A history</i>. New York University Press.</p> <p>Provine, D. M. (2011). Race and inequality in the war on drugs. <i>Annual Review of Law and Social Science</i>, 7, 41-60.</p> <p>Van Zee, A. (2009). The promotion and marketing of oxycontin: Commercial triumph, public health tragedy. <i>American Journal of Public Health</i>, 99(2), 221-227.</p> <p>Yang, Y. T., Berg, C. J., & Burris, S. (2023). Cannabis equity initiatives: Progress, problems, and potentials. <i>American Journal of Public Health</i>, 113(5), 487-489.</p> <p>Caulkins, J. P., & Reuter, P. (1997). Setting goals for drug policy: Harm or use reduction?. <i>Addiction</i>, 92(9), 1143-1150.</p> <p>Andrews, C. M., Hall, W., Humphreys, K., & Marsden, J. (2024). Crafting effective regulatory policies for psychedelics: What can be learned from the case of cannabis?. <i>Addiction</i>.</p> |
| Nov 13 | ASC Conference | NO CLASS MEETING |
| Nov 20 | Alternatives to incarceration/ community supervision | <p>Schenwar, M. & Law, V. (2021). <i>Prison by any other name: The harmful consequences of popular reforms</i>. The New Press.</p> <p>Belur, J., Thornton, A., Tompson, L., Manning, M., Sidebottom, A., & Bowers, K. (2020). A systematic review of the effectiveness of the electronic monitoring of offenders. <i>Journal of Criminal Justice</i>, 68, 101686.</p> <p>Castellano, U. (2011). Problem-solving courts: Theory and practice.</p> |

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| | | <p><i>Sociology Compass</i>, 5(11), 957-967.</p> <p>Stitt, Mary Ellen. Forthcoming. Adjudication under cover. <i>American Journal of Sociology</i>.</p> <p>https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2022/01/five-evidence-based-policies-can-improve-community-supervision</p> |
| Nov 27 | | THANKSGIVING RECESS |
| Dec 4 | Defunding, abolition, and other visions for a safer future | <p>Kaba, M., & Ritchie, A. J. (2022). <i>No more police: A case for abolition</i>. The New Press.</p> <p>Bell, M. C., Beckett, K., & Stuart, F. (2020). Investing in alternatives: Three logics of criminal system replacement. <i>UC Irvine Law Review</i>, 11, 1291.</p> <p>Rossner, M., & Taylor, H. (2024). The transformative potential of restorative justice: What the mainstream can learn from the margins. <i>Annual Review of Criminology</i>, 7(1), 357-381.</p> <p>St Julien, J. (2022). Community-based violence interruption programs can reduce gun violence. <i>Center for American Progress</i>.</p> <p>Kaba, M. (2020). Yes, we mean literally abolish the police. <i>New York Times</i>.</p> |

Course structure:

This is not a lecture-based course. The course will rely on the intellectual participation of all students and discussions based on the assigned readings. In the course, we will work together to understand and evaluate criminal justice policies.

Course assessment and grading:

Participation (25%):

In addition to being in class every week, you are expected to do the readings and participate in class conversations. Good participation entails listening to others, not dominating or speaking for the sake of speaking. As doctoral students, you are learning and practicing how to be careful consumers and producers of knowledge, which is why active involvement in the course is essential.

Class presentation (25%):

Each student is required to prepare one book review and present what they learned in the book to the class. The book will go in depth into one of the weekly topics. Books will be assigned to students by the instructor.

Policy brief (50%):

As your final work, you will submit a written policy solution to a current criminal justice problem. You will be able to choose the problem from a set of problems created by the instructor. The policy brief should be between 5-7 pages long. The instructor will describe how the brief will need to be formatted.

The following grading scale will be used for this course:

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| A | 4.0 | 90-100% | Outstanding |
| B+ | 3.5 | 87-89% | |
| B | 3.0 | 80-86% | Good |
| C+ | 2.5 | 77-79% | |
| C | 2.0 | 70-76% | Satisfactory |
| D | 1.0 | 60-69% | Poor |
| F | 0.0 | <60% | Failure |

Late or Missing Assignment Policy:

Late assignments will not be accepted unless you have given prior notification (by email or a Canvas message) to the instructor and approval has been granted by the instructor.

COURSE POLICIES

Language Statement

The Rutgers University School of Criminal Justice (SCJ) encourages students, faculty, and staff to use *person-first* and *humanizing* language in their verbal and written communications. Being mindful of the ways in which we describe people impacted by our criminal legal systems is an important step in restoring their dignity and humanity. This evolution of language is an important piece of broader systemic shifts that are needed to make our justice systems more equitable. We encourage *replacing* labels that refer to people as “offender,” “inmate,” “parolee” or related terms with more neutral descriptors such as “person convicted of a crime,” “incarcerated person,” and “person under parole supervision.” Additional details about why this is important can be found [here](#), [here](#), and [here](#).

Academic Integrity

As a member of the Rutgers University community you are not to engage in any academic dishonesty. You are responsible for adhering to basic academic standards of honesty and integrity as outlined in the Rutgers University Policy on Academic Integrity for Undergraduate and Graduate Students <http://studentconduct.rutgers.edu/academic-integrity>

Your academic work should be the result of your own individual effort, you should not allow other students to use your work, and you are required to recognize and reference any material that is not your own. Violations of the university’s policy will result in appropriate action.

Academic Resources and Support

Rutgers University Newark (RU-N) is committed to the creation of an inclusive and safe learning environment for all students and the University as a whole. RU-N has identified the following resources to further the mission of access and support:

For Help with Technology. You can find resources and help to prepare yourself for technological aspects of taking an online course here: <https://runit.rutgers.edu/technology-launch-pad/>.

Accommodation and Support Statement

Rutgers University Newark (RU-N) is committed to the creation of an inclusive and safe learning environment for all students and the University as a whole. RU-N has identified the following resources to further the mission of access and support:

For Individuals Experiencing Disability: The Office of Disability Services (ODS) works with students with medical, physical, and/or mental conditions who encounter disabling barriers in order to determine reasonable and appropriate accommodations for access. Students who have completed the process with ODS and have approved accommodations are provided a Letter of Accommodation (LOA) specific to each course. To initiate accommodations for their course students must both provide the LOA to and have a conversation with the course instructor about the accommodations. This should occur as early in the semester as possible. More information can be found at the [RU-N ODS website \(ods.newark.rutgers.edu\)](https://ods.newark.rutgers.edu). Contact ODS at (973) 353-5375 or via email at ods@newark.rutgers.edu.

For Individuals who are Pregnant: The Office of Title IX and ADA Compliance is available to assist with any concerns or potential accommodations related to pregnancy. Students may contact the Office of Title IX and ADA Compliance at (973) 353-5063 or via email at TitleIX@newark.rutgers.edu.

For Short-term Absence Verification: The Office of the Dean of Students can provide assistance for absences related to religious observance, emergency or unavoidable conflict (illness, personal or family emergency, etc.). Students should refer to [University Policy 10.2.7](#) Students requesting a letter of verification should submit information using the following link: <https://go.rutgers.edu/Verification>.

For Individuals with temporary conditions/injuries: The Office of the Dean of Students can assist students who are experiencing a temporary condition or injury (broken or sprained limbs, concussions, or recovery from surgery). Students experiencing a temporary condition or injury should submit a request using the following link: <https://temporaryconditions.rutgers.edu>.

For Gender or Sex-Based Discrimination or Harassment: The Office of Title IX and ADA Compliance can assist students who are experiencing any form of gender or sex-based discrimination or harassment, including sexual assault, sexual harassment, relationship violence, or stalking. Students can report an incident to the Office of Title IX and ADA Compliance by calling (973) 353-1906 or emailing TitleIX@newark.rutgers.edu. Incidents may also be reported by using the following link: <https://go.rutgers.edu/RUNReportingForm>.

For support related to Interpersonal Violence: The Office for Violence Prevention and Victim Assistance (VPVA) can provide any student with confidential support. The office does **not** have a reporting obligation to Title IX. Students can contact the office by calling (973) 353-1918 or emailing run.vpva@rutgers.edu. There is also a confidential text-based helpline available to students; students can text (973) 339-0734 for support. Students do not need to be a victim/survivor of violence; any student can receive services, information and support.

For Crisis and Concerns: The Campus Awareness Response and Education (CARE) Team works with students in crisis to develop a plan of support plan and address personal situations that might impact their academic performance. Connect with the CARE Team by using the following link: <https://go.rutgers.edu/RUNReportingForm> or emailing careteam@newark.rutgers.edu.

For Psychological Support (Stress, Mood, Family Issues, Substance Use concerns and other personal challenges): The Rutgers University-Newark Counseling Center provides individual therapy and support groups for students dealing with psychological issues. To schedule an appointment, email counseling@newark.rutgers.edu or call (973) 353-5805. Additional support is available through Uwill services:

- Uhelp: Crisis support at 833-646-1526 (available 24/7/365).
- Urise: Wellness-based video collection with a free account.
- Umatch: Teletherapy with flexible scheduling, starting with a free account.

Access Uwill@RUN at <https://my.rutgers.edu> using your netid. Services are confidential and free.

For emergencies, call 911 or Rutgers University Police Department at (973) 353-5111.

School of Criminal Justice website <http://rscj.newark.rutgers.edu/>