

# **RACE AND ETHNICITY IN THE CRIMINAL JUSTICE SYSTEM**

CRIJ 5339 001 CRN 18337

The University of Texas at El Paso

Fall 2019

## **Instructor**

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Office Hours: After class, or by appointment

## **Course Time; Location**

Thursdays, 6:00pm – 8:50pm; Education Building 112

## **Required Texts.**

- Dray, P. (2002). *At The Hands of Persons Unknown: The Lynching of Black America*. New York: NY Random House.
- Latzer, B. (2017). *The Rise and Fall of Violent Crime In America*. New York: Encounter Books.
- Alexander, M. (2012). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: The New Press
- Other articles and readings as listed below.

## **Course Description**

In this course we will review landmark aspects of the history of race and criminal justice, and then look specifically at mass incarceration, police use of force, and immigration. This course will incorporate sociology, psychology and history in an effort to better understand factors that affect the interaction of race and criminal justice, and will also incorporate material from across the political spectrum. Finally, assuming that many students will eventually work in the criminal justice field, the course will discuss how students can be more effective criminal justice professionals when race and criminal justice interact. It is hoped that by taking this course students will examine their existing beliefs on race and the criminal justice system, whatever those beliefs may be, and allow these beliefs to evolve where appropriate.

## **Learning Outcomes**

Students will learn:

- 1) Various viewpoints on major topics in the interaction of race and the criminal justice system.
- 2) Research relevant to these major topics.
- 3) Landmark events and people in the history of the interaction of race and the criminal justice system.

- 4) Factors and viewpoints on specific current topics in the interaction of race and the criminal justice system.
- 5) Strategies criminal justice professionals can use to be sensitive to the factors at play when race and the criminal justice system interact.
- 6) To become more comfortable discussing issues of race and criminal justice with others.

### **Communication**

E-mail is the best way to communicate with me. I will do my best to respond to your messages within 24 hours, but it may occasionally take me longer to respond. Please limit calling me at the number provided in class to emergency situations.

### **Blackboard**

Everything you need for this class can be found on Blackboard. I will make announcements regarding the course via Blackboard periodically, so please check Blackboard *regularly*.

### **Disability Accommodations**

If you have a disability and require accommodation, please contact the Center for Accommodations and Support Services at 915-747-5148 or via email ([case@utep.edu](mailto:case@utep.edu)) during the first week of the semester. They will help you with the required paperwork necessary to obtain accommodation.

### **The University Writing Center**

Students are encouraged to use the University Writing Center if they would like help improving their writing. The University Writing Center is located in the Library, Room 227. Appointments are recommended well before the deadline, but they will take walk-ins.

Please be clear about what the Writing Center is and what it is not. Specifically, the Writing Center is a resource students can use to *become better writers*. It is not intended as a place you can take your paper, have it proofread and then be guaranteed an 'A' on your paper. Put another way, it is not a 'car wash' for your papers. Becoming a better writer takes consistent effort over a long period of time. In many ways, you can think of becoming a better writer like learning a second language. It takes time, effort and practice. Just as it would not be rational to think you could drop by 'The French Center' and walk out an hour later speaking fluent French, it is not rational to think you can drop by The Writing Center for an hour and walk out with a great paper.

*Finally, regardless of if you receive help through the Writing Center or not, you are responsible for the final content of your paper. All papers will be graded in the same manner as discussed more thoroughly below regardless of if they were first brought to the Writing Center. In other words, telling me "but I took it to the Writing Center!" will have no effect on your grade for any written assignments.*

### **Withdrawal From / Dropping Of The Course**

If unforeseen circumstances happen where a drop is necessary, *students* are responsible for initiating any course drop. It is the student's responsibility to determine how dropping courses may affect financial aid. **Students are limited to dropping no more than 6 courses over their entire academic career of all courses taken at any public college or University in Texas.**

- a) For students who drop a course within the first 2 weeks ***before the official census date (September 11, 2019)***, the course will not appear on the transcript, and doesn't count toward the 6-course drop limit.
- b) Dropping a course ***after the official census date (September 11, 2019), but before the course drop date (November 1, 2019)*** will generate a "W" in the course—although the drop shows on your transcript, a "W" does not lower your GPA. However, this type of drop counts against your 6 drop limit.
- c) If the course is dropped ***after the course drop date (November 1, 2019)*** or if the student just stops coming/taking tests, etc., UTEP requires the instructor to issue an "F" in the course that permanently remains on the transcript. This type of drop counts against the 6 drop limit.
- d) UTEP also allows instructors to administratively drop any student because of excessive absences, lack of effort, or disciplinary reasons. In this case, the student will be notified of the course drop through their UTEP email account. A "W" will be issued if the drop occurs before the course drop date, and an "F" will be issued if a student is administratively dropped for disciplinary reasons or after the course drop date. This type of drop counts against the 6 drop limit.
- e) If circumstances occur where a student must miss an excessive number of classes and/or is unable to submit multiple assignments (e.g., student medical reasons, medical conditions of a family member, death of a family member, active military service), they should first discuss the possibility of withdrawal from all classes with their academic advisor. If a student withdraws completely from all classes, kindly notify Dr. Nabors at: [esnabors@utep.edu](mailto:esnabors@utep.edu) . Complete withdrawals from all classes in the same semester do not count against the 6 drop limit.

### **Academic Dishonesty**

Academic dishonesty in any form will not be tolerated. Per UTEP policy, academic dishonesty includes, but is not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, and any act designed to give unfair advantage to a student or the attempt to commit such acts.

If I suspect you of engaging in academic dishonesty, I will contact the Office of Student Conduct and Conflict Resolution (OSCCR) regarding my suspicions. OSCCR staff will investigate the situation, decide if you have engaged in academic dishonesty, and will issue what punishment they find appropriate. This process will include asking me what I think your punishment should be. I WILL recommend, at a minimum, that you fail the class.

## **Course Policies**

### **Attendance**

#### Class Attendance

I strongly advise you attend class.

Although I will not “take attendance” each time you do not come to class is a class in which you do not participate. And 30% of your grade is class participation.

In addition, graduate school is about more than reading the book. If it wasn't, we'd just give you a list of books to read and once you were done you'd get your degree. Rather, graduate school is about learning to share ideas, learning to learn from others, learning to ask questions, learning to say when the answer you get still does not help, learning to pay attention over a protracted period of time even if it doesn't involve Facebook, and numerous other “meta-skills” that only happen when you are interacting with people. This is all *particularly true* for this class. No matter what you want to do after graduate school, developing these skills now will greatly benefit you later.

### **Late Written Assignments**

All written assignments are due at 6:00 pm on the night they are due. Turning a written assignment in between one second and 23:59:59 (twenty-three hours, fifty-nine minutes and fifty-nine seconds) late will result in decreasing your score by ten points. Turning a written assignment in between 24 hours and 47:59:59 (forty-seven hours, fifty-nine minutes and fifty-nine seconds) late will result in decreasing your score by twenty points. Written assignments turned in 48 hours or more late will receive a score of zero.

If you bring your written assignment to class on the day it is due but turn it in late, you can still turn it in to me just understand you will have ten points deducted from your score.

If your written assignment is not ready by class time, you will need to e-mail it to me.

In *extremely rare* situations, students who do not submit a paper on time due to a dire emergency (e.g. death of a family member, serious illness) may be allowed to turn it in late. You will, however, need to notify me via e-mail as soon as possible that you will be turning the paper in late and subsequently provide written documentation of the emergency. If you do need to turn a paper in late because of a dire emergency, you will be expected to do so quickly.

### **Classroom courtesy**

Nobody can learn if they are distracted by inconsiderate behavior from those around them. As such, it is very important that everyone exhibit appropriate, courteous behavior while in class. This includes, but certainly is not limited to,

- 1) Refraining from side conversations. Although questions and comments are absolutely encouraged, these should be shared with the whole class in an orderly manner. Turning to the person next to you and having a conversation is terribly distracting not only to those around you but to me as well.
- 2) Leaving your phone alone. It is really distracting to those around you – and me – when you check your phone during class.

Be aware that people also tend to greatly overestimate how well they are hiding that they are checking their phone. The truth is nobody's lap is *that* interesting and the ‘Facebook scroll finger flick’ is a motion humans only make when checking an app.

Mankind has existed for millennia without smartphones. Even without Instagram we were able to build the Pyramids, develop written language, and land on the Moon. Keep the tradition alive. Ignore your phone.

(I do recognize you may have family emergencies that require you to be accessible during class time. If you have such a situation, I'm fine with you having your phone available but please step outside of class to answer any calls or respond to texts.)

### **Situations Not Specifically Addressed Above**

Situations not specifically addressed in this syllabus will be addressed on a case-by-case basis. I will consult with other faculty, and reaching the decision on how to address the situation will be based on what is fair to all involved parties including the student at the center of the issue, myself, and other students in the course.

### **Determination of Grade**

Your grade will be based on the following:

#### **• Class Participation (30%)**

In many ways I think the most important thing each of you can do in this class is both talk and genuinely listen to others. I obviously cannot grade you on listening, but class participation will constitute 30% of your grade.

“How are you going to grade class participation?” There will not be a minimum number of times per class, or over the course as a whole, that you will be expected to talk. Rather, your grade for class participation will be based on my general impression of how often you speak in class, and the general quality of your comments. I will essentially always have an impression of where you fall on this, and if you want to know where you are at any given time in the course, and what you can do to improve your standing, all you will have to do is ask me. But it will be up to you to ask me. It is possible that everybody can get the full 30% for this, but it is also possible that people could get none of the 30% for this.

#### **• Four Class Response Papers (10% for the first one, 20% for the second, third and fourth).**

Each of you will have to write four papers, 7-10 pages each, answering the questions below. These papers are intended to have you think about what we have discussed in class, but also how you can use these discussions to improve the areas we talk about.

Why are these due after we cover the topic in class? Isn't that asking people to not do the reading? I thought about this, and decided that ultimately if you write the paper beforehand it is more likely you will just stick to your original position and will not listen to others in class which goes against the overarching

goal of the course. As such, the papers are due AFTER we discuss the topic in class so as the papers can reflect any evolution of your thoughts that happens as a result of class discussion.

All written assignments should be in 12-point, Times New Roman font, double-spaced with standard one-inch margins. If you need to cite anything, you should use American Psychological Association citation style. I will stop reading at the end of the tenth page and grade your paper accordingly.

The paper topics are as follows:

**First Paper:** Author William Faulkner said “The past isn’t dead, it’s not even past,” while economist Alan Cohen has argued “Our history is not our destiny.” What role do you think historical events and practices play in the interaction of race and criminal justice in 2019?

The First Paper is due October 3<sup>rd</sup>, 2019 and is worth 10% of your grade.

**Second Paper:** Why do you think African-Americans and Hispanics are incarcerated at rates well beyond their population percentage, while Whites are incarcerated at a rate below their population percentage, and what can you do as a law enforcement professional to address the causes as you see them?

The Second Paper is due October 24, 2019 and is worth 20% of your grade.

**Third Paper:** What do you think leads to incidents in which police use force against African-Americans, and what can you do as a law enforcement professional to reduce the number of such incidents while still maintaining officer safety?

The Third Paper is due November 14<sup>th</sup>, 2019 and is worth 20% of your grade.

**Fourth Paper:** Exciting news! In 49 weeks you will be elected the 46th President of The United States of America. What will you do to address the current immigration crisis on the U.S.-Mexico border? (And just in case you don’t actually win the election, what can you do as a private citizen to help your solutions be implemented).

The Fourth Paper is due December 5, 2019, and is worth 20% of your grade.

### **\*\*\* How The Written Assignments Will Be Graded \*\*\***

The ability to write well is one of the core skills that anyone in graduate school must develop and it is my hope that I can help each of you become better writers. Toward this goal, I have written a *Guide To Improving Your Writing* which is posted on Blackboard. Everyone is required to read this guide and will be held responsible for all information in it. Please feel free to ask me questions about anything in it you do not understand. In addition, clarity of writing and grammar (including spelling) WILL affect your grade on all four written assignments.

Here is how the written assignments will be graded.

I will assign an initial score (out of 100) for the overall quality of the points you make in your assignment. This is essentially “how well did you answer the question that lies at the heart of the assignment?” The ‘best’ paper will receive an initial score of 100, with other initial scores assigned relative to the paper that earns the 100.

After this score is assigned, I will then deduct points for lack of clarity and poor grammar in the following way:

A 1-point reduction for each sentence that I consider to be unclear in that I have to read it twice to understand what you are saying. In addition, there will be a 1-point reduction for each simple sentence that reduces the overall stylistic quality of the paper. I understand that sometimes simple sentences improve the clarity of written material. I really do. I do not, however, want people turning in assignments that are a string of simple sentences in an effort to ensure each individual sentence can be understood. My goal here is to push you to become better writers, and turning in a paper filled with simple sentences does not move us toward that goal. These ‘clarity reductions’ will be capped at 10 points so as a poorly written paper will be reduced by one letter grade.

There will also be a 1-point reduction for each of the specific errors listed in Section B of the *Guide To Improving Your Writing*. Because these specific errors are truly very easy to avoid there will be no cap for these reductions.

### \*\*\* “Do you curve your grades?”

Yes, in the following ways.

For class participation, each student is effectively graded compared to the student who participates the best. As such, somebody (or many somebodies) will get a 100 for class participation and everybody else is graded in comparison to that student(s).

For the written assignments, and as explained above, the paper(s) which answer the question at the heart of the assignment the best will receive an initial score of 100 with other papers receiving initial scores relative to that paper. This effectively ‘curves’ the scores for the written assignments. Please note, deductions for poor writing and grammatical errors will be deducted from this initial score as explained above.

Because these ‘curves’ are worked into each assignment, there is no ‘curve’ for your final score for the class.

### **Grade Breakdown**

90 – 100 % = A

80 – 89.99... % = B

70 – 79.99... % = C

60 – 69.99...% = D

0 – 59.99...% = F

You will receive a score of 0 – 100 on each of the five components of your grade (Class Participation, First Paper, Second Paper, Third Paper, Fourth Paper). Your final grade for the class will be calculated with the following formula:

$$[U(.30) + V(.10) + W(.20) + X(.20) + Y(.20)] = \text{Final Grade}$$

Where U = score for Class Participation

V = score on First Paper

W = score on Second Paper

X = score on Third Paper

Y = score on Fourth Paper

I will not round up. In order to get a grade you MUST get the minimum score listed above for that grade, i.e. an 89.7 is a B, not an A.

## Course Schedule

Adjustments to the course schedule and assignments are unlikely, but may occur. Adjustments will be announced in class and via Blackboard.

**August 29, 2019**

**Topic:** Syllabus, Guide To Improving Your Writing, Introduction

**September 5, 2019**

**Topic:** Important Psychological Constructs

## HISTORY OF RACE, ETHNICITY AND CRIMINAL JUSTICE

**September 12, 2019**

**Topic:** History of Race, Ethnicity and Criminal Justice – American Revolution Through Convict Lease System.

**Video To Watch:** “Slavery By Another Name” 1 hr 24 mins. Available through the UTEP library website. Search the catalog for “Slavery By Another Name” and look for the film.

**September 19, 2019**

**Topic:** History of Race, Ethnicity and Criminal Justice – Lynching and Sundown Towns.

**Reading:** You need to have finished *At The Hands Of Persons Unknown* by tonight’s class.

**September 26, 2019**

**Topic:** History of Race, Ethnicity and Criminal Justice – Landmark People and Events.

## MASS INCARCERATION

**October 3, 2019**

**Topic:** Mass Incarceration – Theories of Crime and Race; *The New Jim Crow*

**Reading:** You need to have finished *The New Jim Crow* by tonight’s class.

**\*\*\* FIRST PAPER DUE TODAY \*\*\***

**October 10, 2019**

**Topic:** Mass Incarceration -- *The Rise and Fall of Violent Crime In America; A Theory of African-American Offending; The Code.*

**Reading:** You need to have finished *The Rise and Fall of Violent Crime In America* by tonight's class.

**October 17, 2019**

**Topic:** Mass Incarceration – Stop and Frisk; The Opioid Crisis.

**Reading:** All articles are available through the UTEP Library website.

- 1) "Stop and Frisk Is Essential . . . And Requires Restraint." By Ridgeway. In "Journal of Policy Analysis and Management."
- 2) "The Mismeasure of *Terry* Stops: Assessing the Psychological and Emotional Harms of Stop and Frisk To Individuals and Communities." By Bandes, Pryor, Kerrison and Goff. In "Behavioral Science and The Law," 2019, Vol 37, pp 176-194.
- 3) "Stop, Frisk and Assault? Racial Disparities in Police Use of Force During Investigatory Stops." By Kramer and Remster. In "Law and Society Review," Vol 52(4), 2018, pp 960-993.
- 4) <https://www.usatoday.com/story/news/nation/2018/08/02/chicago-cook-county-jail-intensive-therapy-gun-violence/849127002/>

**POLICE AND USE OF FORCE WITH PERSONS OF COLOR****October 24, 2019**

**Topic:** Police and U of F With POC – Use of Force Models and Reexamination of Specific Incidents

**\*\*\* SECOND PAPER DUE TODAY \*\*\***

**October 31, 2019**

**Topic:** Police and U of F With POC -- Psychological Research on Race and Use of Force

**Reading:** All articles are available through the UTEP Library website.

- 1) "The Police Officer's Dilemma: A Decade of Research on Racial Bias in the Decision to Shoot." By Correll, Hudson, Guillermo and Ma. In "Social and Personality Psychology Compass," Vol 8(5), 2014. Pg 201-213.
- 2) "Implicit Bias and Policing." By Spencer, Charbonneau and Glaser. In "Social and Personality Psychology Compass," Vol 10(1) January 2016. Pp 50-63.
- 3) "Not Yet Human: Implicit Knowledge, Historical Dehumanization, and Contemporary Consequences." By Goff, Eberhardt, Williams and Jackson. In "Journal of Personality and Social Psychology," Vol 94(2), pp 292-306.
- 4) "The Trauma Lens of Police Violence Against Racial and Ethnic Minorities." By Bryant-Davis, Adams, Alejandre and Gray. In "Journal of Social Issues," Vol 73(4), pp 852-871.

**November 7, 2019**

**Topic:** Police and U of F With POC – DOJ Investigation Into The Michael Brown Shooting; DOJ Investigation Into The Ferguson, MO Police Department; Police Social Media Postings

**Reading:** Review the Table of Contents, and look further into anything else you want for the following two reports

1) [https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj\\_report\\_on\\_shooting\\_of\\_michael\\_brown\\_1.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj_report_on_shooting_of_michael_brown_1.pdf)

2) [https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson\\_police\\_department\\_report.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf)

Then read . . .

3) <https://www.usatoday.com/story/tech/2019/07/18/philadelphia-police-officers-face-firing-offensive-facebook-posts/1773445001/>

Then peruse . . .

4) <https://www.plainviewproject.org/data>

## **IMMIGRATION**

**November 14, 2019**

**Topic:** Immigration – Immigration and Crime.

**Reading:** All articles are available through the UTEP website.

- 1) “Will We Build A Wall? Fear of Mexican/Latino Immigration in U.S. History.”  
By Martinez-Brawley and Zorita. In “Journal of Sociology and Social Welfare,” June 2018, Vol 45(2).
- 2) “The Immigration-Crime Relationship: Evidence Across US Metropolitan Areas.” By Reid, Weiss, Adelman and Jaret. In “Social Science Research,” 2005, Vol 34, pp 757-780.
- 3) “Different Than The Sum of Its Parts: Examining the Unique Impacts of Immigrant Groups on Neighborhood Crime Rates.” By Kubrin, Hipp and Kim. In “Journal of Quantitative Criminology.” 2018, Vol 34. Pp 1-36.
- 4) “Crossing The Line of Legitimacy: The Impact of Cross-Deputization Policy on Crime Reporting.” By Goff, Epstein and Reddy. In “Psychology, Public Policy and the Law,” 2013 Vol 19(2), pp 25-258.

**\*\*\* THIRD PAPER DUE TODAY \*\*\***

**November 21, 2019**

**Topic:** Immigration – HOPEFULLY A GUEST SPEAKER!

**December 5, 2019**

**Topic:** Being a Better Criminal Justice Professional

**\*\*\* FOURTH PAPER DUE TODAY \*\*\***

## Appendix A

### How To Look Up Readings On The UTEP Library Website

For this class you will need to look up several readings through the UTEP library. I'm not going to lie, this can be slightly confusing as each journal is a little different. But I promise you, all of the readings I've said can be found through the UTEP Library website can, in fact, be found there. So why don't I just give you the pdfs of the readings? Two reasons: 1) It is important for you to know how to look up articles through a library search engine, 2) the UTEP library tracks how many people retrieve articles from journals and those journals that do not get a lot of traffic may get dropped. Given that these are good journals they should get "credit" for having something that students needed to read. Democracy through clicks.

1) If searching from your device, you'll first need to log on to the UTEP library website. To do that, go to:

<https://lib.utep.edu/patroninfo~S0>

and enter your regular username and password. Once logged on, go back to the UTEP Library homepage (there's a link in the upper right-hand corner of the remote log on screen).

If you're searching from a computer at the UTEP library you can skip to Step 2.

2) Sometimes you can find a reading by just looking up the title of the reading under the "Books and Journals" search window. (I know it makes no sense that a journal article can be found under Books and Journals but sometimes it happens.) Just type in the title of the reading, hit search, and see if a pdf of the reading comes up. If so, just save the pdf.

3) If that does not work, look up the title of the journal in the same "Books and Journals" search window on the library home page.

4) That should lead you to the catalog entry for the journal itself. Under that entry, you should see an option for electronic access to the full text for a range of the journal that includes the volume you need. Click on that option.

5) Each journal is a little different as to what happens next, but what you are looking for is access to the specific volume you need for that journal. Once you find the volume, it should give you a list of all the articles in that volume. Find the article you need, then save the pdf.