



**HIST 5305/6305: STUDIES IN U.S. HISTORY  
CRIME AND PUNISHMENT IN AMERICA  
The University of Texas at El Paso  
Department of History  
Syllabus**

**COURSE INFORMATION**

In-person, Thursdays, 5:00 pm – 7:50 pm, Liberal Arts 322

**INSTRUCTOR INFORMATION**

Dr. Nicole Breault, Assistant Professor of History  
 Contact: nabreault@utep.edu  
 Office Location: Liberal Arts, Room 312  
 Student Hours: Thursdays 2:00-4:00 PM, and by appointment

**DESCRIPTION**

This course explores the development of policing and carceral culture in America between the eighteenth and twentieth centuries. Taking a longer view invites us to think about turning points in the development of crime and punishment in America alongside more specific, regional, and incremental changes. We will examine how conceptions of race, gender, and poverty influenced ideas about criminality and the development of legal institutions and structures. Our readings will focus on the origins and implementation of policing methods to control, surveil, and punish and how this contributed to the creation of American carceral culture. The course will touch on several key, connected themes including race, class, gender, poverty, ethnicity, sexuality, settler colonialism, legal pluralism, incarceration, policy, and archives.

**COURSE FORMAT**

This is an in-person, graduate readings seminar that meets once a week for three hours. Each session will center around the discussion of a monograph and occasionally, additional articles. Your success, and the success of the course, are dependent on your engagement and preparation. Each class member is required to be prepared to discuss thoroughly the assigned readings each week. One to two students will serve as discussion leaders, but all members of the course should be prepared to participate in the discussion.

Critical reading and analysis require time and effort. This is part of becoming a professional historian, so we will spend the semester getting into this practice! I strongly urge you to finish the week's reading 48 hours before our class so that you can devote time before our class to writing up your prep sheet and thinking about the book assigned and its relation to other readings and debates. Attendance and timely submission of work in graduate seminars are not optional: absences and/or lack of preparation will notably affect the student's grade.

We will begin each class session with announcements and an informal check-in to see how everyone is doing. Our seminar leader will introduce the reading for the week (guidelines below). We will then dissect the book with precision and go through the categories on your reading prep sheet: argument, sources, methods, evidence, stakes, etc. After we finish the book dissection, we will have an open discussion. This will include themes and questions raised by the seminar leader and topics raised by other members of the seminar. We will conclude with larger historical themes of the work and connections to past and future readings.

### *Seminar Leader*

Your duties as seminar leader will be to prepare a short introduction to the monograph (or article) and its author, along with questions for discussion. You will be my co-convenor; while I engage in the discussion, you act as an equal partner in leadership. On weeks with more than one leader, you will each be responsible for the introduction of a separate reading, but I expect you to be comfortable taking the lead on all parts of the discussion. The introduction is meant to be a short oral presentation. You may use notes or prepare a handout, but slides will not be permitted.

Your introduction should address the following:

Who is the author? Where did they obtain their PhD? What type of history/methods are their specialty? How does this work differ (or align) with their interests and agenda? What other details of their trajectory contribute to their scholarly identity?

What were the origins of the project (Was it a dissertation, a second or third book, part of a larger study, etc.)? What press published the work? Was it part of a series? What other works are in this series? Did the work win any prizes?

Give a concise summary of the monograph or article. Provide an overview of the subject and goals of the book, what you believe to be the arguments, and the overall stakes.

Provide three areas or themes for further discussion. Prepare two well-formed questions, one historical and one historiographic.

### *Reading Prep Sheets*

You will prepare a reading prep sheet for each monograph and article we read using the template provided. The sheets can be typed or hand-written but must be printed and brought to class. Be sure to include page numbers for your reference so you can easily find the examples and evidence you want to reference. Remember: careful reading is a process. You will add to this sheet during our discussion and your note-taking acumen will develop over the semester.

### *Meta Reflections*

Following each seminar, you will write a short (500-750 words) reflection. The purpose of this assignment is to reflect on the development of your thinking about the themes, questions, stakes, etc. of our readings.

## **ASSIGNMENTS AND GRADING**

All the assignments for this course are designed to strengthen your skills as an historian and to prepare you for the rigors of MA and PhD work. The assignments will prepare you for reading for comprehensive exams, writing historiographical essays, preparing book reviews, and engaging with large-scale historical questions. Guidelines for all written assignments will be posted to Blackboard.

Participation: 25%  
Prep Sheets and Weekly Reflections: 20%  
Book Review: 10%  
Proposal: 10%  
Paper: 35%

Participation: Participation includes contributions to weekly seminar discussions, leading one class of the semester, and partaking in the forum discussion on week nine.

Prep Sheets and Weekly Reflections: For each meeting, you are required to bring a one-page prep sheet for the discussion. Following our class meeting, you will write a substantive meta-reflection to be completed by 11:59 PM on Friday.

Book Review: You will write a short review (5-7 pages) on Eustace, *Covered with Night*. We will discuss in-depth how to write an effective review that captures not only the argument and significance but engages the reader in a broader conversation.

Proposal: By week nine, you will prepare a proposal for your final paper (3-5 pages). The proposal will consist of an abstract, a narrative, and proposed supplementary monographs and articles (annotated). I encourage you to meet with me before submitting the proposal.

Paper: Your major paper for this course (15-20 pages) will be on a “big question” in the history of crime and policing in America. The paper does not require original research but rather will weave together our course readings and your selected additional readings.

### **GRADING SCALE**

A: Outstanding work, high level of comprehension, exceeds expectations  
B: Above average work, demonstrates competence, consistent preparedness, and effort  
C: Average to below average work, limited competency, inconsistent effort  
D (and below): Work does not meet the expectations of a graduate-level course

### **REQUIRED TEXTS**

Bardes, *The Carceral City: Slavery and the Making of Mass Incarceration in New Orleans, 1803–1930*

Behnken, *Borders of Violence and Justice: Mexicans, Mexican Americans, and Law Enforcement in the Southwest, 1835–1935*

Eustace, *Covered with Night: A Story of Murder and Indigenous Justice in Early America*

Fischer, *The Streets Belong to Us: Sex, Race, and Police Power from Segregation to Gentrification*

Guariglia, *Police and the Empire City: Race and the Origins of Modern Policing in New York*

Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas*

Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965*

Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*.

Malka, *The Men of Mobtown: Policing Baltimore in the Age of Slavery and Emancipation*

Manion, *Liberty's Prisoners: Carceral Culture in Early America*.

O'Brassill-Kulfan, *Vagrants and Vagabonds: Poverty and Mobility in the Early American Republic*

*Technology*

You will need to have access to a computer/laptop. Ensure your UTEP e-mail account is working and that you have access to the Web, a stable web browser, and Microsoft Word. You can download Word for free via UTEP's Portal [Microsoft Office 365](#). If you encounter technical difficulties, please contact the UTEP [Help Desk](#).

*A Note on Devices:* Students are welcome to take notes in any format that is useful to them. Cell phones will not be used once the class session has begun. Note: You are not allowed to record class sessions. Recording and/ or sharing any portion of the class without accommodations will be subject to an academic integrity violation.

## **POLICIES AND RESOURCES**

Taking care of ourselves and one another is imperative. It is not uncommon for students to run into some sort of obstacle or circumstance that makes completing academic work difficult. If you need something, ask! And do not hesitate to come to me so we might find a solution together. I will make every effort to be accessible to you. Emails will be answered promptly, within 24 hours. My general practice is to read and respond to emails between 8 AM and 6 PM. If you need to speak to me "after hours," please include URGENT in the subject heading of the email.

I want our classroom, and my office, to be a place where you feel safe. Diversity, inclusion, and community are central to how I think about teaching, learning, and classroom dynamics. Individuals of all ages, backgrounds, beliefs, ethnicities, genders, gender identities, gender expressions, national origins, religious affiliations, sexual orientations, abilities, and other visible and non-visible differences, will be treated with respect. I will gladly honor any requests to address you by your chosen name and pronouns. I am committed to protecting the rights of individuals and ensuring that the learning environment is accessible. To learn effectively, you must have basic security: a roof over your head along with a reliable place to sleep, support for your mental and physical health, and enough food to eat. If you're having trouble with any of those things, please speak with me.

### **DUE DATES AND LATE POLICY**

All assignments should be submitted as assigned. If you cannot submit it on time, please come to me in advance of the assigned due date so we can find a solution. I reserve the right to change due dates as the semester progresses, if necessary. All changes will be communicated appropriately. If you fail to reach out or respond to emails about missing work, I reserve the right to apply a late penalty of half a letter grade per day to all assignments after the due date.

### **ATTENDANCE, PARTICIPATION, AND DROP POLICY**

I will not automatically drop you from the course. However, if you are missing more than one assignment or I find that you are at risk of failing due to absences or non-performance, I will notify you via email. If you feel that you are unable to complete the course successfully, please let me know and then contact the [Registrar's Office](#) to initiate the drop process. If you do not respond, or fail to initiate the drop process, you are at risk of receiving an "F" for the course. Incomplete grades may be requested only in exceptional circumstances after you have completed at least half of the course requirements. If granted, we will establish a contract of work with deadlines.

### **ACCOMMODATIONS POLICY**

The University is committed to providing reasonable accommodations and auxiliary services to students, staff, faculty, job applicants, applicants for admissions, and other beneficiaries of University programs, services, and activities with documented disabilities to provide them with equal opportunities to participate in programs, services, and activities in compliance with sections 503 and 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Act Amendments Act (ADAAA) of 2008. Students who become pregnant or have parenting responsibilities may also request reasonable accommodations. The UTEP Center for Accommodations and Support Services (CASS) will process requests for accommodations based on a disability, pregnancy, or parenting.

### **SCHOLASTIC INTEGRITY**

I take academic honesty and integrity very seriously and expect everyone in my classes to do so as well. Academic dishonesty is prohibited and is considered a violation of the UTEP Handbook of Operating Procedures [HOOP: Student Conduct and Discipline](#). All suspected violations of academic integrity at The University of Texas at El Paso must be reported to the [Office of Student Conduct and Conflict Resolution \(OSCCR\)](#) for possible disciplinary action. If in the context of our course, you are unsure what constitutes academic dishonesty, don't hesitate to come to talk with me. All written assignments are to be completed individually and by you—any use of AI or ChatGPT will be considered a violation of scholarly integrity and an automatic F.

### **COURSE RESOURCES**

UTEP provides a variety of student services and support:

- [UTEP Library](#): Access thousands of journals and eBooks plus reference service and librarian assistance for enrolled students.
- [University Writing Center \(UWC\)](#): Submit papers here for assistance with writing style and formatting, ask a tutor for help, and explore other writing resources.
- [Center for Accommodations and Support Services](#): Assists students with ADA-related accommodations for coursework, housing, and internships.
- [Counseling and Psychological Services](#): Provides counseling services including individual, couples, and group sessions as well as career and disability assessments.

**\*\*\*\* I reserve the right to modify this syllabus, with the stipulation that any changes will be communicated to the entire class clearly and in writing. \*\*\*\***

### **COURSE SCHEDULE**

Day	Date	Leader(s)	Assigned Materials
Week One: Welcome and Course Introduction			
Th	8/29		
Week Two: Indigeneity and Conceptions of Justice			
Th	9/5	Dr. Breault	Eustace, <i>Covered with Night</i>
Week Three: Punishment in the New Nation			
Th	9/12		Manion, <i>Liberty's Prisoners</i>  Rubin, Ashley T. "Penal change as penal layering: A case study of proto-prison adoption and capital punishment reduction, 1785–1822," <i>Punishment &amp; Society</i> , 18 no. 4 (2016): 420-441.
Week Four: Criminalizing Poverty and Mobility			
Th	9/19		O'Brassill-Kulfan, <i>Vagrants and Vagabonds</i>
Week Five: Early Forms of Policing			
Th	9/26		Hadden, <i>Slave Patrols: Law and Violence in Virginia and the Carolinas</i>  Breault, "The Quotidian State: Nightly Watches and Police Practice in the Early Republic," <i>Journal of the Early Republic</i> , 44 no. 2 (Summer 2024): 229-238.
<b>Book Review: Due 9/23</b>			
Week Six: Criminalizing Race			
Th	10/3		Bardes, <i>The Carceral City</i>
Week Seven: Policing in the Age of Emancipation			
Th	10/10		Malka, <i>The Men of Mobtown</i>
Week Eight: Ethnicity			
Th	10/17		Guariglia, <i>Police and the Empire City</i>
Week Nine (Dr. Breault at ASLH)			
Th	10/24	No Meeting	Post questions and abstract on the forum by 10/23, Discussion on 10/24
<b>Proposal: Due 10/22</b>			

Day	Date	Leader(s)	Assigned Materials
Week Ten: Settler Colonialism, Policing, and Incarceration			
Th	10/31		Behnken, <i>Borders of Violence and Justice</i> Hernández, <i>City of Inmates</i>
Week Eleven: Gender, Crime, and Policing			
Th	11/7		Fischer, <i>The Streets Belong to Us</i>
Week Twelve: The Rise of the Carceral State?			
Th	11/14		Hinton, Elizabeth, and DeAnza Cook. "The mass criminalization of Black Americans: A historical overview." <i>Annual Review of Criminology</i> 4 (2021): 261-286.  Breault, "Law Making and Law Breaking in the American Colonies," (excerpt from a working chapter for Cambridge University Press)  Hinton, <i>From the War on Poverty to the War on Crime</i>
Week Thirteen: Crime and Punishment in the Late 20 <sup>th</sup> Century			
Th	11/21		Hinton, <i>From the War on Poverty to the War on Crime</i>
Week Fourteen			
Th	11/28	<i>Thanksgiving Break</i>	
Week Fifteen: Taking Stock			
Th	12/5		Presentations
Final Papers Due 12/9 11:59 PM			