

Policy Approaches to Reforming the Adult Criminal Justice System

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PREREQUISITE: Social Work 420 or Consent of the Instructor

DESCRIPTION

The United States incarcerates a much larger share of its population than other advanced democratic countries. This was not always the case. The rate of incarceration began to rise in 1973 and over the next 40 years it increased by roughly 400 percent. This increase is not the result of a surge in crime but rather a draconian shift in local/state/federal policies that have disproportionately oppressed poor communities of color. In *Policy Approaches to Reforming the Adult Criminal Justice System*, we will spend equal time exploring policy problems and policy solutions at each stage of the criminal justice system. In particular, we will focus on policing, the period after arrest but prior to sentencing, sentencing, conditions of confinement, community reentry, and gender-responsiveness. In the policy problems portion of the class, we will critically examine existing evidence to determine which policy issues are responsible for our current state of overincarceration. In the policy solution section of the class, we will examine existing evidence on the effectiveness of specific state of the art reforms that have been undertaken. This will provide each student with an understanding of the strengths and weaknesses of reforms, so that they can more effectively advocate in the future. In addition, we will also highlight some of the advocacy efforts that have been led to adult criminal justice reform. This class is intended for social workers who may be interested in community organizing around criminal justice reform, engaging in policy reform, and who want to better understand the policies impacting justice-involved individuals. Social workers can play a significant role in criminal justice reform, and this class will help equip you with a foundational understanding of how you can be involved in transforming a system of control and oppression into one of healing and justice.

REQUIRED TEXTS

All readings will be posted on Blackboard

ASSIGNMENTS & EVALUATION

Final grades will be based on the following:

Class Participation	15%
Criminal Justice Journal	15%
Book Presentation (Group)	15%
Documentary Presentation (Group)	15%
Letter to Public Official	20%
Policy Brief and Talking Points	20%

I. Class Participation (15%) – every class

Graduate students are expected to demonstrate “good citizenship” and professional behavior. This includes regularly attending scheduled class sessions, being prepared to discuss scheduled topics and participating actively. If you are unable to attend class, please notify me immediately before or after the class you miss.

Grading for class participation will be based on the following:

- Regular attendance and getting to class on time;
- Reading all course materials before class and bringing policy journal responses to class for discussion;
- Active participation in asking questions, offering insights, and discussing issues;
- Refraining from using cell phones and computers, as these divert your attention from your colleagues and class discussion.

Important Policies

- “Tech Absences”:
 - If you are not intellectually present because you are texting, emailing, internet surfing, or otherwise interacting with technology rather than your colleagues, you will be counted absent for the day.
- Missing Class: 3 unexcused absences will result in the final course grade being lowered by one letter. 5 unexcused absences will result in failure of the course. Absences are unexcused if I am not informed ahead of time.

II. Criminal Justice Journal (15%) – due throughout the semester

The Criminal Justice Journal provides the opportunity to think and write about criminal justice issues and solutions on a weekly basis. In so doing, you will strengthen your understanding of the course material, hone your critical thinking skills, and prepare yourself to meaningfully engage with your colleagues during class sessions. Criminal Justice Journal questions for each week are provided in the Journal on the class Blackboard site.

After reading the week’s material, your task is to answer all journal questions thoroughly and pose a question or interesting point you’d like to raise during class. Your entry should be a minimum of 250 words (about 1 double-spaced page of text), and you may write more if you like. Post your response to your Criminal Justice Journal by 12:00 AM the evening before class. Bring a hard copy of your comments to class if you’d like to have them available for your reference during discussion. You must complete the journal every week, except the weeks you are presenting.

Grading Criteria for Criminal Justice Journal:

- Post by 12:00 AM the evening before class;
- Demonstrate an accurate understanding of the readings;
- Thoughtfully address all questions.

III. Book Presentation Groups (15%)

Small groups of students (approximately 3-4 people) will study a book covering issues related to the criminal justice system, and give a presentation to the class. Through their presentation,

each Book Group will help the rest of the class make connections between the book's topic and criminal justice issues/solutions (this will depend on the book you are assigned). Presentations are scheduled during weeks 4, 6, 8, 10, 12, and 14, with one presentation per week. Each presentation should be 25 minutes and consist of a brief summary of the content, a discussion of strengths and weaknesses of the book, and a discussion of questions that remain unanswered. Do not purchase any of these books until you have been assigned a book. Here are the books that will be used for the Book Presentations:

Week 4: Vitale, A. S. (2017). *The End Of Policing*. New York: Verso Books.

Week 6: Bazelon, E. (2019). *Charged*. New York: Random House

Week 8: Mauer, M., & Nellis, A. (2018). *The Meaning of Life*. New York: The New Press

Week 10: Venters, H. (2019). *Life and Death in Rikers Island*. Baltimore: Johns Hopkins University Press

Week 12: Western, B. (2018). *Homeward*. New York: Russell Sage Foundation

Week 14: Burton, S., & Lynn, C. (2017). *Becoming Ms. Burton*. New York: The New Press

IV. Documentary Presentation Groups (15%)

Small groups of students (approximately 3-4 people) will watch a documentary covering issues related to the criminal justice system. Students will briefly summarize the documentary and pick one scene (lasting no more than 5 minutes) to show to the class. Students will then lead a class discussion based on the scene.

Week 3: *The Central Park 5*

Week 5: *Gideon's Army*

Week 7: *The House I Live In*

Week 9: *Time: The Kalief Browder Story* (Episodes 1-3).

Week 11: *Returning Citizens*

Week 13: *Crime after Crime*

V. Letter to a Public Official (20%) –Due Week 9

For this assignment, you must write and email an advocacy letter to a relevant elected official or key public administrative official. The letter should be single-spaced, 12-point font, and fit on 2 pages including heading and signature. The letter should focus on bringing attention to one of the key criminal justice issues discussed in class and advocate for a specific reform that you would like to see undertaken, with evidence used to support your proposed reform. The choice of elected official or public official (an unelected employee usually in a position related to public policy) should be appropriate for the nature of the topic on which you are writing. Students are encouraged to share with the class the responses, if any, to their letter. Unless granted permission by the instructor, your letter should focus on the same issue as your policy brief.

VI. Policy Brief and Talking Points (20%) –Due week 14

For this Assignment, you will create a policy brief of about two pages. Your policy brief should contain: 1) A Short Summary of the issue/problem (about 1 page); 2) A short description of several policy options and the advantages and disadvantages of each (about 1 page); and 3) Your recommended policy prescription (supported with evidence). Along with the brief, you will develop a set of talking points to be used when speaking to the lobbying target. The talking points will be one page long and contain the 3 or 4 key points that you want to make when speaking with the lobbying target.

SOCW 527 - TOPIC OUTLINE

Session 1: Course Introduction & Overview. Syllabus and class expectations. What is the path of the case? What is the difference between prisons and Jails?

Required: None

Session 2: Mass Incarceration. How did we arrive at this point? What evidence is there that the criminal justice is racist? State and County level Differences. Pathways to Incarceration and Who is Incarcerated?

Required:

Bronson, J., & Carson, A. (2019). *Prisoners in 2017*. Washington DC: Bureau of Justice Statistics.

Chapters 2 and 4 in National Research Council. (2014). *The growth of incarceration in the United States: Exploring causes and consequences*. Washington, DC: National Academies Press.

Subramanian, R., Delaney, R., Roberts, S., Fishman, N., & McGarry, P. (2015). *Incarceration's front door: The misuse of jails in America*. New York, NY: Vera Institute of Justice.

Session 3: Policing Issues. Use of force, stop and frisk, police-community relations, racism, place-based disparities, false confessions, low clearance rates.

Required:

Grassroots Alliance for Police Accountability. (2017). *Community Conversations*. Available at: <https://www.bpichicago.org/wp-content/uploads/2017/03/GAPA-Report-F.pdf>

Kelling, G. L., & Wilson, J. Q. (1982). *Broken Windows*. *The Atlantic Monthly*.

United States Department of Justice. (2017). *Investigation of the Chicago Police Department*. Available at: <https://www.justice.gov/opa/file/925846/download>

Session 4: Policing Solutions. Consent decrees, training, civilian accountability, reimagining the role of police, community policing

Required:

Chicago Police Consent Decree. (2019). Available at:
<http://chicagopoliceconsentdecree.org/wp-content/uploads/2019/02/FINAL-CONSENT-DECREE-SIGNED-BY-JUDGE-DOW.pdf>

COPS Office. 2015. President's Task Force on 21st Century Policing Implementation Guide: Moving from Recommendations to Action. Available at:
<https://noblenational.org/wp-content/uploads/2017/02/President-Barack-Obama-Task-Force-on-21st-Century-Policing-Implementation-Guide.pdf>

Grassroots Alliance for Police Accountability. (2018). Leadership, partnership, and trust: A community plan for a safer Chicago. Available at: <http://chicagogapa.org/wp-content/uploads/2018/03/GAPA-Report-2018.pdf>

Session 5: Presentencing Issues. Prosecutorial discretion, public defense, pretrial detention

Required

Digard, L., & Swavola, E. (2019). Justice Denied: The Harmful and Lasting Effects of Pretrial Detention. New York: Vera Institute of Justice.

Liu, P., Nunn, R., & Shambaugh, J. (2018). The Economics of Bail and Pretrial Detention. The Hamilton Project. Available at:
https://www.hamiltonproject.org/assets/files/BailFineReform_EA_121818_6PM.pdf

Chapter 5 in Pfaff, J. (2017). Locked In. New York: Basic Books.

Taylor, K. (2011). System Overload: The Costs of Under-Resourcing Public Defense. Washington DC: Justice Policy Institute.

Session 6: Presentencing Solutions. Prosecutorial reform, Bail Reform, Community Supervision, Holistic Defense and Public Defense Reform

Required

Abare, R. (2018). By eliminating cash bail, California could exacerbate inequities in the justice system. Washington DC: Urban Institute.

Dobbie, W., & Yang, C. (2019). Proposals for Improving the U.S. Pretrial System. The Hamilton Project. Available at:
https://www.hamiltonproject.org/assets/files/DobbieYang_PP_20190319.pdf

Lee, C. G., Ostrom, B. J., & Kleiman, M. (2015). The measure of good lawyering: Evaluating holistic defense in practice. Albany Law Review, 78, 1215-1238.

St. John, P., & Vansickle, A. (2018). Prosecutor Elections Now a Front Line in the Justice Wars. New York: The Marshall Project.

Session 7: Sentencing Issues. Lack of flexibility in sentencing, length of sentences, use of prison for nonviolent offenses, repeat offender statutes, truth in sentencing, racial disparities in sentencing, parole

Required

Ghandnoosh, N. (2017). Delaying A Second Chance. The Declining Prospects for Parole on Life Sentences. Washington DC: The Sentencing Project.

Chapter 3 in National Research Council. (2014). The growth of incarceration in the United States: Exploring causes and consequences. Washington, DC: National Academies Press.

Petteruti, A. (2011). Finding Direction: Expanding Criminal Justice Options by Considering Policies of Other Nations. Washington DC: Justice Policy Institute.

Chapter 4 in Raphael, S., & Stoll, M. A. (2013). Why are so many Americans in prison? New York, NY: Russell Sage Foundation.

Session 8: Sentencing Solutions. California's reforms, Justice Reinvestment, First Step Act, Racial Impact Statements, Restorative Approaches, Parole Reform

Required

Fabelo, T. (2010). Texas Justice Reinvestment: Be More like Texas? Justice Research and Policy, 12(1), 113–131.

Lofstrom, M., Bird, M., & Martin, B. (2016). California's historic corrections reforms. Public Policy Institute of California. Retrieved from https://www.ppic.org/content/pubs/report/R_916MLR.pdf

London, C. (2011). Racial impact statements: A proactive approach to addressing racial disparities in prison populations. Law & Inequality, 29, 211-248.

Chapter 5 in Sered, D. (2019). Until We Reckon. New York: New Press.

Session 9: Conditions of Confinement Issues. Healthcare, employment and educational programming, solitary confinement, treatment by staff, wages

Required

Coll, S. (March 4th, 2019). The Jail Health Care Crisis. The New Yorker.

George, J. (2017). What are inmates learning in prison? Not much. New York: The Marshall Project.

Press, E. (May 2nd, 2016). Madness. The New Yorker.

Sawyer, W. (2017). How much do incarcerated people earn in each state? North Hampton: Prison Policy Initiative.

Session 10: Conditions of Confinement Solutions. First Step Act, eliminating medical copays, eliminating solitary confinement, The Prison Rape Elimination Act, improved correctional educational and vocational programming

Required

Bertram, W. (2019). Momentum is building to end medical co-pays in prisons and jails. North Hampton: Prison Policy Initiative.

Davis, L. M. et al. (2014). How effective is correctional education and where do we go from here? Santa Monica: Rand Corporation

Jenness, V., & Smyth, M. (2011). The Passage and Implementation of the Prison Rape Elimination Act: Legal Endogeneity and the Uncertain Road from Symbolic Law to Instrumental Effects, 22, *Stanford Law & Policy Rev.* 489.

Vanko, E. (2019). Step-down Programs and Transitional Units: A Strategy to End Long-term Restrictive Housing. New York: Vera Institute of Justice.

Session 11: Community Reentry Issues. Access to social services, employment and educational opportunities, health, recidivism, family and community reintegration.

Required

Binswanger I. A., Nowels C., Corsi K. F., Long J., Booth R. E., Kutner J. et al. (2011). 'From the prison door right to the sidewalk, everything went downhill,' a qualitative study of the health experiences of recently released inmates. *Int J Law Psychiatry*, 34, 249–255.

Pager, D. (2003). The mark of a criminal record. *American Journal of Sociology*, 108(5), 937–975.

Roman, C. V., & Travis, J. (2004). *Taking Stock: Housing, Homelessness, and Prisoner Reentry*. Washington, DC: Urban Institute.

Western, B., Braga, A. A., Davis, J., & Sirois, C. (2015). Stress and Hardship After Prison. *American Journal of Sociology*, 120, 1512–1547.

Session 12: Community Reentry Solutions. Voting rights restoration, reducing employment discrimination, increasing access housing, increasing access to health care and other government benefits.

Required

Hunt, P., Smart, R., Jonsson, L. & Tsang F. (2018). How to incentivize employers to hire ex-offenders. Santa Monica: RAND Corporation.

Jannetta et al. (2018). Strategies for connecting justice-involved populations to health coverage and care. Washington DC: Urban Institute.

Lopez, G. (2018). Florida votes to restore ex-felon voting rights with Amendment 4. Available at: <https://www.vox.com/policy-and-politics/2018/11/6/18052374/florida-amendment-4-felon-voting-rights-results>

Wolkomir, E. (2018). How SNAP Can Better Serve the Formerly Incarcerated. Washington DC: Center on Budget and Policy Priorities.

Session 13: Gender Responsiveness Issues. Motherhood/Fatherhood, trauma, programming behind bars, health care behind bars, LGBTQ issues

Required

Brown, M., & Bloom, B. (2009). Reentry and renegotiating motherhood: Maternal identity and success on parole. *Crime & Delinquency*, 55, 313-336.

Ferszt, G. G., & Clarke, J. G. (2012). Health care of pregnant women in U.S. state prisons. *Journal of Health Care for the Poor and Underserved*, 23(2), 557–569.

Harris, A. (2018). Women in prison take home economics, while men take carpentry. *The Atlantic*. Retrieved from: <https://www.theatlantic.com/education/archive/2018/04/the-continuing-disparity-in-womens-prison-education/559274/>

Lynch, S. M., DeHart, D. D., Belknap, J. E., Green, B. L., Dass-Brailsford, P., Johnson, K. A., & Whalley, E. (2014). A multisite study of the prevalence of serious mental illness, PTSD, and substance use disorders of women in jail. *Psychiatric Services*, 65, 670-674.

Session 14: Gender Responsiveness Solutions. Domestic violence as mitigation, gender responsive programming, dignity for incarcerated women

Required

Covington, S. S., & Bloom, B. E. (2007). Gender responsive treatment and services in correctional settings. *Women & Therapy*, 29(3-4), 9-33.

Deziel, M. (2014, June 16). Women inmates: Why the male model doesn't work. *New York Times*, Retrieved from <https://www.nytimes.com/paidpost/netflix/women-inmates-separate-but-not-equal.html>

Dignity for Incarcerated Women Act. (2017). Retrieved from: <https://www.congress.gov/bill/115th-congress/senate-bill/1524/text>

Law, V. (2019, May 21). When abuse victims commit crimes. *The Atlantic*, Retrieved from <https://www.theatlantic.com/politics/archive/2019/05/new-york-domestic-violence-sentencing/589507/>

Session 15: Wrap-up. Key takeaways from the semester

Required: None