

Criminal Justice and Education

Professor Benjamin Justice

Wednesdays 6-9pm

Sept. 5 to Oct. 17th, New Brunswick, Scott Hall (SC) 206

Oct. 24 to Dec. 12th, Newark, Center for Law and Justice, rm. 574

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School of Criminal Justice, Newark: 027 202 652: 02 Issues in Criminal Justice

School of Education, New Brunswick: 015 310 607 Special Problems in Educational Theory: Criminal Justice and Education

Course Abstract: What is the relationship between criminal justice systems and educational systems? What should it be? In recent years, scholars and policy makers have developed a variety of frameworks for understanding this relationship: institutional pipelines, neighborhood ecologies, developmental pathways, and civic curricula, to name a few. This course will explore theories and research that inform our understanding of this critical social relationship. We will consider policing, courts, incarceration and monitoring. We will consider educational processes that are endogenous, as well as exogenous, to criminal justice, and vice-versa for public schools. This course is offered jointly by the Rutgers School of Criminal Justice and the Rutgers Graduate School of Education.

I. Required Texts (These are NOT on sale at the bookstore, so order online ASAP!!!)

Liat Ben-Moshe et al. (eds.) *Disability Incarcerated* (2014)

Roberto Gonzales *Lives in Limbo* (2015)

Aaron Kupchick, *The Real School Safety Problem* (2016)

Joshua Price, *Prison and Social Death* (2015)

Elizabeth Scott & Laurence Steinberg, *Rethinking Juvenile Justice* (2010).

Carla Shedd, *Unequal City* (2015)

Tyler and Trinkner, *Why Children Follow Rules* (2018)

Sabina Vaught, *Compulsory* (2017)

II. The Purposes of the Course are to:

- Become familiar with major ideas, works, authors, and frameworks for examining the relationship between education and criminal justice
- Explain the role of race and racism in the criminal justice/education nexus.
- Compare and contrast varying modes and units of analysis.
- Analyze the benefits and weaknesses of the “education” and “criminal justice” as distinct analytic categories.
- Situate your scholarly interests within a field of scholarship.
- Develop critical reading and writing skills.

III. Course Content

This course proceeds thematically, moving from frameworks that focus outward from childhood and formal education in schools to juvenile and criminal justice organizations and institutions. The

course aims to explore both public education and criminal justice as two social institutions situated on continua, justice and education, while themselves existing within a broader political economy organized around the maintenance of white privilege, the justification of social inequality, and the promotion of democratic values.

IV. Instructional Format

This course is a seminar, and will be conducted in the form of whole-class discussions and small group discussions/assignments during class. We may also have guest speakers and/or engage in primary source analysis. My expectation is that all students will come to class having read and taken notes on all the week's readings. We will not use class time to review the readings, but will instead use class time to build on them.

V. Evaluation

My philosophy of grading is that letter grades are marks that record your personal accomplishments. I do not use letter grades to rank or sort students. What this means is that I will set clear standards for you to meet (and when they are unclear, please tell me) and I will help you reach those standards. When I evaluate your work and find that you have not met those standards, I will tell you clearly what is missing and what has to be done. I offer you my help and another chance to meet those standards.

Late assignments will be accepted only if you have made prior arrangements. You may rewrite any paper once, in which case you must make arrangements with me prior to the revision. Rewritten reading responses may not necessarily be given a new grade, depending on the quality of the rewrite. An exception is the final integrative essay where a late paper cannot be accepted at all since grades are to be turned in to the University a few days after the assignment is due. Due dates refer to the last day I will accept an assignment without prior arrangements. You are welcome to hand in assignments before their final due date!

This course will be taken for a letter grade only. The letter grade will be calculated as follows:

- Participation during class.....20%
- Weekly Reading Responses50%
- Book review20%
- Integrative Essay10%

Active participation in discussion is an essential part of learning in this class and hence of evaluating your work. Participation means listening as well as talking, monitoring your own contributions to a discussion, helping others develop their ideas, and, of course, expressing your own thoughts in small and large group discussions. I also ask that you do not keep a laptop open during class, as research has shown that laptop use decreases engagement in class discussion. It is essential to complete the required readings before class discussion. Weekly attendance is mandatory. Students should contact the instructor in advance of any missed classes. Missing class, or excessive tardiness, will result in a grade reduction. Multiple absences without prior approval with the instructor may result in failure of the class, notwithstanding the fact that participation is 20% of the course grade. Completing each week's readings is essential to participation. If you struggle with reading, please let me know and I will discuss strategies with you. A typical week's readings will be approximately 150 pages.

Recording. Our classroom meetings are not public events. Nor are any conversations that I conduct with you in person, online, or on the phone. The university policy on audio/video recording is as follows:

Students are expected to respect the reasonable expectations of privacy of other individuals within the University community. Accordingly, students are not permitted to make or attempt to make an audio or video recording of private, nonpublic conversations and/or meetings on University premises, without the knowledge and consent of all participants subject to such recordings. In such circumstances the uses of undisclosed hidden recording devices is prohibited, as is the transmission and/or distribution of any such recordings. This provision does not extend to the recording of public events or discussions, or to recordings made for law enforcement purposes.

In addition, any conversations connected to this course are subject to state and federal law with regard to recording.

Academic Integrity. I am required to inform you that this class follows the university policies on plagiarism and academic integrity. Those policies may be found here:

<http://academicintegrity.rutgers.edu/academic-integrity-at-rutgers/>

Failure to comply with these regulations may result in failure of the assignment and or the course (and possibly dismissal) at the discretion of the instructor and relevant unit and university administrators. If you have any questions about how to properly acknowledge and cite all use of the ideas, results, or words of others, please ask.

C. The written work for the course will be as follows:

1. 2-3 page (500-750 words) weekly reflections on the reading, **due to sakai by the start of every class.** These brief essays offer you an opportunity to respond to aspects of the weeks readings that puzzle, intrigue, or irk you. Think of it as a conversation with yourself, or with me, as I will be reading them each week. These will be graded excellent (A), good (B), or not acceptable. An excellent essay demonstrates clear understanding of all the readings by stating the author's argument and providing a summary/synopsis of the method, organization, and agenda. An excellent essay also expresses an interesting opinion of the book, such as a critical analysis, a comparison, the identification of a particular theme, the development of a new idea, etc. A good essay demonstrates an adequate understanding of the reading by providing a summary/synopsis of the work's method, organization, and agenda. If your essay is not acceptable, I will ask you to revise it, in which case it may not receive a grade above a B. **You need to write a total of 8 responses. This means you get three nights off from writing a response, except that everyone is required to do the response exercise on 10/31. Please still do the week's readings when you do not write a response... we are a small group and every voice counts!**

2. Book review, due via email **Sunday, 11/29, by 9pm.** Write a 1750-2000 word review of a book that relates in some way to the intersection of criminal justice and education that has been published in the last ten years. I strongly urge you to meet with me during your process of book selection. In preparation for your review:

- a. read the book carefully and interactively.
- b. read other scholarly reviews of the book.

- c. Skim three or more related books that this book references as relevant peer books—books that this book is in conversation with. Your task is to see, from the introductions of these other books, how your book relates to and/or differs from them.
- d. In your review, include some discussion of the book's central argument, structure, major components, sources, and significance. Make your own opinion of the book clear. Does the book accomplish what it sets out to do? Is that goal itself a worthy one?

3. A short, final, integrative essay of no more than 6 pages (1500 words) that reflects on what you have learned the relationship between criminal justice and education. Consider class discussions, presentations and lectures, readings, and written assignments. Then write an essay that answers the question: In what ways (be specific) have your views about education and criminal justice been challenged, modified, or reinforced by what you have learned? **Due 12/20 by 5pm.**

CRITERIA FOR JUDGING WRITTEN WORK

1. *Completeness*

Are all parts of the assignment included?

2. *Accuracy*

Is what you say supported by evidence? Do you summarize main points clearly? Are you precise in use of statistics and quotes?

3. *Analysis*

Is your argument coherent, comprehensive, and convincing?

4. *Quality of writing*

Is your writing clear and succinct? Do you help the reader move easily from the beginning to the end of paper?

OVERVIEW OF COURSE¹

Week 1 (9/5) Meet in New Brunswick: Introduction to each other and the course. *What is Education? What is Justice? What is Criminal Justice? How do the purposes of criminal justice and education overlap? How do they conflict? On a different note, how do you read a book?*

- No readings tonight

Week 2 (9/12) New Brunswick: Social Psychological and Neurological Frameworks. *How does the “adolescent brain” differ from that of adults and children, and what are the implications of this body of research for education and criminal justice?*

How are popular perceptions of racial bias wrong? What are the implications of this body of research?

What is legal socialization? How do scholars approach it? What are the key findings?

Overall, what kinds of research methods, theoretical perspectives and traditions do we see at the intersection of education and criminal justice?

- 20 min lecture by BJ Casey
<https://www.youtube.com/watch?v=kaJM1jeNEMM>
- 24 min lecture by Jennifer Eberhardt
<https://www.youtube.com/watch?v=EhDB5Z8rWh4>
- Tyler and Tricknor, *Why Children Follow Rules* (2018), part I & II

Note: First reading reflection due tonight and subsequent nights.

Week 3 (9/19) New Brunswick: Institutions and State production. *How do family, school, and juvenile justice legally/political socialize children? How does the criminal justice system educate adults? Is there a difference between socialization and education?*

- Tyler and Tricknor, *Why Children Follow Rules* (2018), pt. III
- Justice and Meares, “How the Criminal Justice System Educates Citizens” (2014)

Week 4 (9/26) New Brunswick: School I. Boundaries, Identity, and Schooling. *How do race and place interact in schooling? How do schools generate perceptions of justice and injustice? How does Shedd challenge or complicate “public education” as a unit of analysis? What kinds of evidence and methods does Shedd use?*

- Carla Shedd, *Unequal City* (2015)

Week 5 (10/3) New Brunswick: School II. Authority, Education, and Transgression. *How can we explain zero tolerance as a theory of education? Of justice? How does Kupchik challenge or complicate “school safety” as a political construct? What kinds of evidence and methods does Kupchik use?*

- Aaron Kupchik, *The Real School Safety Problem* (2016)

¹ Please Note: In the event of an emergency cancellation, the schedule will continue the following week as planned in the syllabus. I still expect readings, reading responses, and other assignments to be completed even if there is an emergency cancellation of class.

Week 6 (10/10) New Brunswick: School III. School to prison pipeline. *Is there a school-to-prison pipeline? How do we know? What are the strengths and weaknesses of this framing and what are some alternatives?* Possible visit from Paul Hirschfield

- Kayla Rawley and Paul Hirschfield, "Examining the School-to-Prison Pipeline Metaphor," *Oxford Research Encyclopedia of Criminology*, 2018.
- Hirschfield, Paul. "Schools and Crime." *Annual Review of Criminology*, 1, no 1, (2018): 149–169. <https://doi.org/10.1146/annurev-criminol-032317-092358>.
- Hirschfield, Paul. "Trends in School Social Control in the United States: Explaining Patterns of Decriminalization," in J. Deakin et al. (eds.), *The Palgrave International Handbook of School Discipline, Surveillance, and Social Control* (2018)
- Spend some time poking around the Advancement Project website, focusing on their STPP work. Select one story/article in particular to describe and discuss with the class. <https://advancementproject.org/issues/stpp/>

Week 7 (10/17) New Brunswick: School IV. The crime of disability. *Our authors this week offer many framings of the interrelation among socially constructed concepts of ability/disability, justice, deviance/crime, and education. For tonight's reading reflection, just respond to any three of the chapters you choose, but please do read all of the ones I have assigned.*

- Ben Moshe, Chapman, and Carey (eds.) *Disability Incarcerated* (2014) forward, preface, Chapters 1, 2, 3, 5, 6, 8, 9, 10, 13

Week 8 (10/24) MEET IN Newark: Juvenile Justice I. *How have dominant paradigms of justice regarding youth crime changed over time? What are the legal, moral, scientific, economic, and utilitarian considerations for the allocation of justice for youth crime? What do you think of Scott and Steinberg's proposal for a new juvenile justice for the new century?*

- Scott and Steinberg, *Rethinking Juvenile Justice*

Week 9 (10/31): Online assignment tonight Tonight's class session will offer you a chance to sharpen your book review skills, in preparation for the book review assignment for this course. After reading Gonzales's book, but BEFORE you write a response, read the assigned book reviews. Pay attention to how they are structured and paced. Then, instead of your usual reading response, sketch out a review of *Lives in Limbo* that considers in some way the connection between civic legality and education. Imagine your audience is interested primarily in criminal justice, or education, or both. Post your review to the "forum" section of our class sakai by 7pm. Then AFTER 7pm, read and respond to at least three of your colleague's reviews. (Please do not be saddened or take it personally if nobody responds to your review! Sometimes the numbers just work out that way.) You are welcome to make revisions to your review before you submit it to the sakai assignments folder. I will extend the deadline for submission.

- Roberto Gonzales *Lives in Limbo*
- Melinda Laroco Boehm, Review: Roberto G Gonzales, *Lives in Limbo: Undocumented and Coming of Age in America*, *International Sociology* 33:2 (2018), pp. 223 – 225.

- Bethany Hastie, Review: Lives in Limbo: Undocumented and Coming of Age in America. By Roberto G. Gonzales. Oakland, CA: University of California Press, 2016. *Law and Society Review* 52:2 (2018).
- Stephanie M. Huezco. "Lives in Limbo: Undocumented and Coming of Age in America by Roberto G. Gonzales, and: Exiled Home: Salvadoran Transnational Youth in the Aftermath of Violence by Susan Bibler Coutin (review)." *Chiricú Journal: Latina/o Literatures, Arts, and Cultures* 1: 2 (2017): 237-239.
- Stephen P. Ruszczyk, Guillermo Yrizar Barbosa; A second generation of immigrant illegality studies, *Migration Studies*, 5:3 (2017), 445-456.

Note: A reading response (in the form of a 500-750 word review) is required this evening.

Week 10 (11/7) Newark: Juvenile Justice II. *What are Vaught's research methods and why might they be controversial? What insights does this book yield about educational services for incarcerated youth? How do race and gender shape the experiences and actions of people within such institutions?*

- Vaught, *Compulsory*

Week 11 (11/14) Newark: Subject and readings TBD (guest choice). visit from Tracey Meares and another guest

*******No Class 11/22—Thanksgiving Break*******

Week 12 (11/28) Newark: Reviews workshop. **Tonight we will spend our session discussing your book review and the art of book reviews generally. Please come to class ready to present briefly about your book and your thoughts on how you want to approach your review. Ben will distribute detailed instructions in advance.**

- *No readings due tonight, no reading response due tonight.*

Book Review Due no later than Sunday, 11/26 by 9pm.

Week 13 (12/5) Newark: Mass incarceration as civic education. *What are the civic and social consequences of incarceration?*

- Joshua Price, *Prison and Social Death*.

Week 14 (12/12) Newark: Wrapping up. *What themes emerge across the course readings and discussions? How can we refine and/or reconceive the relationship between criminal justice and education? Where do we go from here?*

- *No readings due tonight.*

Week 15 Final, integrative Essays Due Weds. 12/20 by five pm.
All remaining revisions to coursework are due at that time as well.

