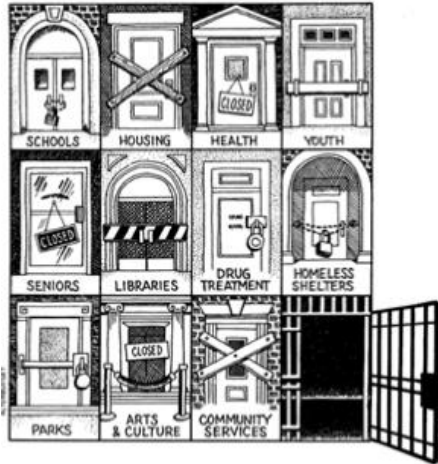


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PENOLOGY

John Jay College of Criminal Justice
The City University of New York
524 West 59th Street, New York, NY 10019



“Prisons do not disappear social problems, they disappear human beings. Homelessness, unemployment, drug addiction, mental illness, and illiteracy are only a few of the problems that disappear from public view when the human beings contending with them are relegated to cages.”

-Angela Y. Davis

Spring 2021

Professor: Amy Andrea Martinez
Office hours: By appointment through Zoom
Email: amymartinez@jjay.cuny.edu

COURSE DESCRIPTION

Using a decolonial framework to understand the intricacies of how the founding of this country has used mechanisms of oppression to maintain its colonial legacies, the goal of this course is to interrogate the logic of and evidence for punishment policies. It reviews the various justifications for punishment—including deterrence, retribution, rehabilitation, incapacitation, and restoration—and examines how this effects punishment in practice. It considers the social, political, cultural, racial, and economic functions that punishment serves. It explores how and why incarceration has dramatically expanded in recent decades in the United States and considers current and future changes in the use of criminal punishment such as prison abolition and transformative justice.

LEARNING OBJECTIVES

Critical thinking skills are crucial to this course. Students will be expected to evaluate theories and the evidence used to support them, as well as their own assumptions and beliefs. By the end of the course, you should be able to:

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1. Understand how American punishment and its justifications have changed over the past two hundred years
2. Differentiate between the different goals or justifications for punishment (retribution, deterrence, incapacitation, rehabilitation, and restoration)
3. Understand the linkage between punishment goals and underlying criminological paradigms and theories
4. Assess critically the evidence of the effectiveness of various means of criminal punishment in specific contexts
5. Explain why American imprisonment rates are so high in comparison to other countries
6. Make considered and informed judgments about the future of American punishment based on an understanding of its past
7. Communicate thoughts and arguments effectively

The course is offered as an “asynchronous learning” class. Compared to an in-person classroom experience, the primary mode of learning will consist of discussions that occur through Blackboard. Beyond that, the class experience parallels that of any other undergraduate-level class. The activities that the course uses to facilitate such learning include weekly discussion postings and responses and essay-based exams.

All readings are organized on a weekly schedule. At the beginning of each week, I will provide (1) an announcement about the coming week and (2) brief observations about the discussions and key points from the readings. For each discussion week, students will be expected to be familiar with the assigned readings and to submit a response to discussion board questions. Students also must complete two exams and a final class project.

WELLNESS & HEALTH STATEMENT

First and foremost, as your professor, I deeply value your mental, emotional, spiritual, and physical health and overall well-being. Given these precarious times, in relation to both COVID-19 and racial civil unrest, I acknowledge that life and the way we “do things,” has dramatically changed. This could not be any truer in the world of education, where expectations of rigor, dedication, and focus have remained, yet many educators have yet to reconcile with how to embrace a pedagogical framework of ‘radical compassion’ and ‘radical self-care’ (Ravitch, 2020).

The reality is that in order for students to be able to be receptive to learning, they not only need an environment that is conducive to learning, but also take into serious account students’ current need of responsive and humanizing pedagogy while simultaneously holding expectations of a hard work ethic and effort; life must be a balance.

As a colleague of mine, Dr. Nicole van Kleeve, once stated, “working until exhaustion is NOT a badge of honor, it [simply] shows that you are out of balance.” Following in her leadership, I am centering wellbeing as a guiding value in this syllabus. **To this end, you will have 2 free passes for discussion board questions.** In other words, you can skip two DBQ’s and earn full credit. You won’t need to provide any explanations. In addition, I will always encourage you by

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dropping reminders to take care of your well-being and will give you Week 7 off as a 'Wellness Pass' in where there will be no course readings, discussion board questions, and assignments.

If you ever need someone to talk to, please know you can always reach out to me via email and if I can't help you, I promise I will connect you with the right resources/people.

You matter!

COURSE REQUIREMENTS AND POLICIES

Email contact: If you need to contact me, please email me at amymartinez@jjay.cuny.edu from the email account you check and use most often. I check my e-mails in the afternoon and will respond accordingly. Please do not bombard me with e-mails—allow for a 24-48-hour period before you follow up. Trust that when time permits, I will respond to you. However, I am human as well and receive a handful of e-mails on any given day. Thus, even if I do not respond within a 24-48-hour period, please be patient. If I don't respond within 2 days, then please feel free to follow up. *If it is an emergency, please state so in the subject line: URGENT—SOC 301-99.*

Also, make sure you carefully read the course syllabus. If your question is related to something that can be found in the syllabus, I will simply respond with 'Refer to the syllabus' to save both you and I time. In addition, do not e-mail me asking for help on assignments due the night before or day of. I will not respond to those e-mails. Make sure to plan ahead so that if you are in need of help, you may ask for it in a timely manner.

Class attendance: This is an online course, therefore participation in the course is going to ultimately be demonstrated through student's responsibility to be active in weekly online discussion forums and through the submission of exams and a final class project.

Class participation: Participation in class discussion is expected from everyone, and respectful argument and discussion will be central given the online structure of the course. Students will be expected to have mastered the assigned readings in time to submit weekly discussion forum questions posted by the instructor. Class participation will count for 25% of your final grade.

Late assignment policy. If you miss an assignment deadline, you will not receive credit for it unless exceptional circumstances exist or you provide prior written notice that meeting the deadline is not possible for legitimate reasons, as defined by the University.

Blackboard: Students must be sure they can access and use Blackboard 9.1. Students must submit all writing assignments, including the final class project electronically.

Plagiarism policy statement: I will use TurnItIn, a plagiarism detection software which automatically scans papers and exams submitted via Blackboard. All written assignments and exams must be submitted via Blackboard to receive a grade.

The college policy on plagiarism reads as follows:

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Plagiarism is the presentation of someone else's ideas, words, or artistic, scientific, or technical work as one's own creation. Using the ideas or work of another is permissible only when the original author is identified. Paraphrasing and summarizing, as well as direct quotations require citations to the original source.

Plagiarism may be intentional or unintentional. Lack of dishonest intent does not necessarily absolve a student of responsibility for plagiarism.

It is the students' responsibility to recognize the difference between statements that are common knowledge (which do not require documentation) and restatements of the ideas of others. Paraphrase, summary, and direct quotation are acceptable forms of restatement, as long as the source is cited.

Students who are unsure how and when to provide documentation are advised to consult with their professors. The Library has free guides designed to help students with problems of documentation. (John Jay College of Criminal Justice Undergraduate Bulletin, <http://www.jjay.cuny.edu/academics/654.php> see Chapter IV Academic Standards)

If you are caught plagiarizing, you will receive a zero for that given assignment/exam. If you continue to plagiarize, I will report you to the Office of Academic Affairs and you will solely deal with administration.

Accessibility services/ADA policy: Qualified students with disabilities will be provided reasonable academic accommodations if determined eligible by the Office of Accessibility Services (OAS). Prior to granting disability accommodations in this course, the professor must receive written verification of a student's eligibility from the OAS, located at 1L.66.00 (212-237-8031). It is the student's responsibility to initiate contact with the office and to follow the established procedures for having the accommodation notice sent to the professor.

The Writing Center: Always have someone *proofread* all writing assignments before you hand them in to be graded. Always read papers aloud to be sure the writing flows well and to avoid mistakes. Typos, grammatical errors, and careless mistakes will count against you. The Writing Center (Room 1.68 New Building) provides vital support for students and their writing. Call them at 212.237.8569 or visit the website to make an appointment. I highly recommend that all students bring drafts of their papers to the Writing Center well in advance of the due date to get feedback and suggestions from Writing Center tutors. I also suggest that all students take advantage of the Writing Center workshops that are offered throughout the semester. **Proof of attendance at Writing Center workshops and meetings with Writing Center tutors will add 5 points to your grade for that assignment. This includes the take-home exams and the research paper.**

The Writing Center website and workshops can be accessed here:
<http://jjcweb.jjay.cuny.edu/writing/workshops.htm>

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English as a Second Language (ESL): All ESL tutors are now located in the Writing Center. Students who need ESL-related support should go to the Writing Center and ask for a tutor who is an ESL-specialist.

Incomplete grade policy: An Incomplete Grade may be given only to those students who would pass the course if they were to satisfactorily complete course requirements. It is within the discretion of the professor as to whether or not to give the grade of Incomplete.

If a professor decides to give an Incomplete Grade, he will complete an Incomplete Grade drop-down form that will appear on the grading screen when the professor assigns the INC grade online. The professor will then provide the following information: the grade the student has earned so far; the assignment(s) that are missing; and the percentage of the final grade that the missing assignment(s) represents for this purpose.

If the course takes place during the fall semester or winter session, then the incomplete work is due by the student no later than the end of the third week of the following spring semester. If the course takes place during the spring semester or summer session, then the incomplete work is due no later than the end of the third week of the following fall semester. It is within the discretion of the professor to extend this deadline under extraordinary circumstances.

When completing the online Incomplete Grade Form, the professor agrees to grade the student's outstanding coursework as specified on the form and to submit the student's grade for the course any time from the date the student submits the completed work until the end of that fall or spring semester. If the student does not successfully complete the missing work, the professor may change the grade to a letter grade. If the professor does not submit a change of grade, the Incomplete Grade automatically becomes the grade of "FIN" at the end of that semester.

DISCUSSION BOARD POSTS

Every Monday, I will post a discussion question on the discussion forum board that will draw from the films, documentaries, interviews, and/or reading material of the week. Students are expected to respond by the following Friday (i.e., 4 days later) at 11:59 p.m. EST; prepare yourself by doing the required reading/visual material before the end of the week.

Discussion Board Response Format & Expectations: I expect responses to the questions posed in 8-10 sentences maximum or if you are more of a visual student, I will allow submissions of original poetry, music, and/or art. However, these responses or visual productions must be thoughtful and critical.

The grading rubric below describes how each post will be graded. As it states, simply posting a response does not result in full credit. To earn all points, you must (1) answer all parts of the question, (2) cite relevant assigned readings for that week, (3) discuss each of these readings, and (4) write in a clear, concise, and professional manner with no grammatical errors.

Students will be given a participation grade for each discussion board response, using the following rubric:

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Response Objectives	3-4 points	1-2 points	0 points
<i>1. Effectively addresses all parts of the question posed.</i>	Answers all parts of the question logically and in detail.	Addresses only some parts of the question and the logic is not fully clear.	Does not address the question being posed.
<i>2. Cites relevant assigned readings.</i>	All assigned readings are included in posting, with page numbers as appropriate.	Some assigned readings cited, but others are missing, and page numbers not cited.	No assigned readings are cited.
<i>3. Discusses all of the cited and assigned readings for the week.</i>	All cited materials discussed and well-integrated into answer.	Some of the cited materials discussed, but others not discussed in detail.	None of the cited materials are discussed.
<i>4. Writing is clear, concise, and professional in nature; no grammatical errors.</i>	Clearly expressed ideas; few grammatical errors.	Difficult-to-follow post; disorganized; some grammatical errors.	Major grammatical errors; lack of structure; sentences incomplete; difficult to understand.

Only postings submitted on time will receive credit. Because the schedule allows plenty of time to submit responses, no late postings will be allowed unless an emergency precludes submitting them.

It is expected that all students read all of the class postings. Discussion questions cannot be made up and late postings will not be accepted. I will selectively choose several posts to which to respond or on which to comment to highlight critical points or issues.

The class postings are designed to simulate a “real-life” classroom. It is expected that you will provide thought-provoking comments that contribute to intellectual discussions. The comments should help everyone to gain deeper insights into the readings and topics.

Do not get comfortable and think that you can skip out on these discussion posts and still be able to earn a B or an A in this course. Often times there are some students who skip on many of these DBP’s and then realize how much each discussion post weighs in their overall grade. Don’t let this be you.

All grades will be posted on Blackboard weekly.

RESEARCH PAPER/MULTI-MODAL COMPOSITION

I have decided to give you the following final options: a formal/traditional research paper *or* producing an original multi-modal composition (i.e. artistic piece) as a final class project.

This syllabus is subject to change at the professor's discretion.

1. Multi-modal composition:

Choose one of the following creative mediums to create an original art/creative piece:

- Soul collage
- Drawing/painting
- Digital art
- Infographic
- Activist art (e.g. flyer, poster)
- Rap song (must be recorded and a full song)
- Poem (Haikus will not be accepted; poem must contain 50-80 lines)
- Sculpture (you can take a photo of it to submit)
- Photography (must include 3 original photos)
- Other: if you have something you have in mind that is not listed here, please email me immediately so I can approve your project proposal

After you decide which creative medium you wish to use, you must create an original work that speaks to topics we've discussed in class (e.g. gang policing, coloniality, white supremacy, policing, mass incarceration, punishment). Moreover, you are expected to schedule a 10-minute appointment with me to discuss your project with me so that I can approve it. ***If you fail to comply, you will automatically lose 10 points from your final project submission.***

2. Research Paper

You are required to write an **4-5-page** final research paper on a question that I will provide 2 weeks before the assignment will be due.

Each paper must:

1. Include a title page, introduction, body, conclusion, page numbers, and bibliography
2. Include at least four (2-3) additional criminological sources (journal articles or books) besides the class readings. These additional sources cannot be textbooks.
3. Be formatted in APA style
4. Be typed in 12-point font, 1.5 spaced, with 1-inch margins
5. Run 4-5 pages long, not including cover page or bibliography
6. Be submitted via Blackboard

The title page must have the following information:

Title
Your Name
SOC 301.01 Penology
Professor Amy A. Martinez
John Jay College of Criminal Justice
Date

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All final projects are due on **May 11 by 11:59 p.m.** Late projects will not be accepted and will receive a grade of zero.

This project will count for 25% of your final grade.

EXAMS

There will be two essay-based “take-home exams” and both will constitute 50% of your final grade. They will cover all material presented during the class lectures and in the assigned readings and visual auxiliaries. The midterm exam will cover all material presented up until that point in the class. The final exam will be cumulative, covering all material in the course. All completed exams must be typed, include proper citations of the sources used formatted in APA style, and submitted via Blackboard.

The **midterm exam** is due on **Mar 25th by 11:59 p.m.**

The **final exam** is due **May 22nd by 11:59 p.m.**

COURSE GRADING

Grading policy:

Class Participation	25%
Midterm exam	25%
Research paper	25%
Final exam	25%

Grading scale:

A	93-100%	C	73-76%
A-	90-92%	C-	70-72%
B+	87-89%	D+	67-69%
B	83-86%	D	63-66%
B-	80-82%	D-	60-62%
C+	77-79%	F	below 60

REQUIRED TEXT(S) & READINGS

1. Brown, E., & Barganier, G. (2018). *Race and Crime: Geographies of Injustice*. Univ of California Press. **(Must purchase)**
2. Cullen, Francis T. and Jonson, Cheryl Lero (2011). *Correctional theory: Context and consequences*. Thousand Oaks, CA: Sage. ISBN: 978-1412981804 **(Uploaded on Blackboard)**
3. Dayan, C. (2013). *The Law Is a White Dog-How Legal Rituals Make and Unmake Persons*. Princeton University Press. **(Uploaded on Blackboard)**

Shop for cheaper used copies from Amazon.com

This syllabus is subject to change at the professor's discretion.

Additional readings may be posted electronically on Blackboard.

COURSE SCHEDULE

WEEK 1: Mon, Jan 27 A History of American punishment—Tracing the colonial roots

Brown, E., & Barganier, G. (2018). *Race and crime: Geographies of injustice*. Univ of California Press.

Chapter 1: Race, Crime and Justice: Definitions and context, pp. 1-27. Chapter 2: Race, Colonialism, and the Emergence of Racial Democracy, pp. 33-65.

WEEK 2: Mon, Feb 3 A Brief History of Prisons

Travis, J. (2002). *Invisible punishment: An instrument of social exclusion*.

Wacquant, Loïc. (2000). "The New 'Peculiar Institution': On the Prison as Surrogate Ghetto." *Theoretical Criminology* 4(3):377-89.

Foucault, M. (2012). *Discipline and punish: The birth of the prison*. Vintage.
Ch. 1: The body of the condemned, pp. 3-31.

WEEK 3: Mon, Feb 10 The Racial Politics of Mass Incarceration

(Brown & Barganier) Chapter 6: The Problem of Urban America: Race and the Emergence of Mass Incarceration, pp. 201-243

WEEK 4: Mon, Feb 17 American penal exceptionalism

Tonry, Michael (2004). Chapter 2: Why So Many Americans are in Prison. In M. Tonry, *Thinking about crime: Sense and sensibility in American penal culture* (pp. 21-61). New York: Oxford University Press.

Tonry, Michael (2009). "Explanations for American punishment policies: A national history." *Punishment & Society*, 11(3), pp. 377-394.

WEEK 5: Mon, Feb 24 Theories and ideologies

Cullen and Gilbert *Reaffirming Rehabilitation*. Chapter 2: Criminal Justice Theories and Ideologies, pp. 17-26.

WEEK 6: Mon, Mar 2 "The Colonial Order of the Court"

Brown & Barganier *Race and Crime: Geographies of Injustice*. Chapter 8: Race, Crime and Justice: Definitions and context, pp. 1-27.

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WEEK 7: Mon, Mar 9 Wellness Pass

No readings, discussion board questions, or assignments.

MIDTERM EXAM QUESTIONS TO BE DISTRIBUTED; DUE MARCH 20TH (11:59 P.M.)

WEEK 8: Mon, Mar 16 Film: “When They See Us” Pt. 1 & 2

(Documentary Series can be found in its entirety in Netflix)

Dayan Ch. 3 “Punishing the Residue,” pp. 71-92

MIDTERM EXAM DUE

WEEK 9: Mon, Mar 23 Film: “When They See Us” Pt. 3 & 4

Dayan Ch. 3 “Punishing the Residue,” (continued) pp. 92-113

WEEK 10: Mon, Mar 30 Desert and doing justice

Cullen and Jonson Chapter 3: Just Deserts, pp. 37-66

WEEK 11: Mon, April 6 Incapacitation

Cullen and Jonson Chapter 5: Incapacitation, pp. 99-126

Rios, V. M. (2007). The hypercriminalization of Black and Latino male youth in the era of mass incarceration. In *Racializing justice, disenfranchising lives* (pp. 17-33). Palgrave Macmillan, New York.

Short documentary: YouthCineMedia—Santa Barbara Gang Injunction Needs to be stopped (Bryan Carreño) <https://www.youtube.com/watch?v=y1ziP0K0KfK&t=15s>

WEEK 12: Mon, April 20 Deterrence

Cullen and Jonson Chapter 4: Deterrence, pp. 67-98

Short documentary: Angela Davis “The Fallacy of Prison Reform”
<https://www.youtube.com/watch?v=LfnbnTs0r-M>

WEEK 13: Mon, April 27 Rehabilitation

Cullen and Jonson Chapter 7: Rehabilitation, pp. 147-170

This syllabus is subject to change at the professor's discretion.

Short YouTube Clip: #OptionB Story— Danny Murillo & Steven Cifra

<https://optionb.org/stories/on-my-eighteenth-birthday-i-was-sent-to-prison-with-a-sentence-of-fifteen-years-and-two-felonies-sk0ydv81>

***FINAL RESEARCH PAPER/MULTI MODAL COMPOSITION POSTED ON BLACKBOARD;
Due: MAY 11 (11:59 P.M.)***

WEEK 14: Mon, May 4 Transformative Justice

Cullen and Jonson Chapter 6: Restorative Justice, pp. 127-146

Nocella, A. J., & Anthony, J. (2011). An overview of the history and theory of transformative justice. *Peace & conflict review*, 6(1), 1-10.

Ted Talks Live: Dr. Victor Rios| Help for kids the education system ignores

https://www.ted.com/talks/victor_rios_help_for_kids_the_education_system_ignores?language=id

WEEK 15: Mon, May 11 Penal Abolitionism as a Social Movement

Loyd, J., Burrige, A., & Mitchelson, M. (2009). Thinking (and moving) beyond walls and cages: Bridging immigrant justice and anti-prison organizing in the United States. *Social Justice*, 36(2 (116), 85-103.

Davis, A. Y. (2011). *Are prisons obsolete?*. Seven Stories Press.

Ch. 1: Introduction—Prison Reform or Prison Abolition?, pp. 9-21. Ch. 6: Abolitionist Alternatives, pp 105-115

FINAL EXAM: *Must be submitted via Blackboard on May 22nd by 11:59 p.m.*