

## **LS 160    *Punishment, Culture and Society*    Spring 2016**

**Lecture Meetings: Monday & Wednesday 4:10-5:30 in 159 Mulford Hall**

**Instructor: Richard Perry, J.D., Ph.D.**

**Email is the best mode of contact: [ryperry@law.berkeley.edu](mailto:ryperry@law.berkeley.edu)**

**Office hours: Mondays & Wednesdays 2:10-3:00 at Café Zeb & by appointment (please email me in advance to reserve a slot so that there is not a large crowd all at once)**

**GSI: Amin Afrouzi; Email [gsiafrouzi@yahoo.com](mailto:gsiafrouzi@yahoo.com); Office Hours Thursdays 8am-10am at the International House Cafe.**

**GSI: Johann Koehler; Email [johannkoehler@gmail.com](mailto:johannkoehler@gmail.com); Office Hours Tuesdays 4:00-6:00pm at Café Strada**

**GSI: Gil Rothschild; Email [gilroth@berkeley.edu](mailto:gilroth@berkeley.edu); Office Hours Wednesdays 1:15 - 3:15 pm, Location TBA**

**NOTE: Discussion Sections do not meet until Week II which starts Monday Jan 25<sup>th</sup>**

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### ***Course Description:***

A critical analysis of the cultural, political and economic dimensions of penal politics in contemporary American society, with particular reference to the relationships between criminal justice and social justice -- emphasis on issues of racial, economic, and gender inequality.

### ***Course Overview:***

This course offers a historical overview of the evolution of theories of institutions of punishment since the 18<sup>th</sup> century and a critical reconstruction of some recent transformations of punishment in the United States. Since the last quarter of the twentieth century, the U.S. penal system has been affected by what some scholars have called a "punitive turn": rising incarceration rates, longer prison sentences, harsher drug laws, and increasingly punitive penal policies. As a consequence of this "tough on crime" approach, today more than 2.3 million individuals are detained in U.S. prisons and jails, while almost 5 million people are either on probation or parole. With almost 1% of its adult population currently behind bars, the U.S. features the largest prison population in the world, despite a constant decline in crime rates during the last two decades. The current penal crisis is the result of two distinct wars that have been waged across American cities since the late 1970s: the "war on crime" and the "war on drugs". The course offers a theoretically informed analysis of these changes in penal politics and explores the cultural, political, and economic dimensions of punishment, with particular reference to the impact of mass-incarceration on socioeconomic and racial inequalities in the U.S.

This required text book is available both new and used at both of the two Campus Bookstores on Bancroft Way and also from Amazon.com; it can also be rented from the bookstores at a reduced cost; it is also available as an E-book from Sage Publishing:

Barry Krisberg, Marchionna, Hartley 2014: *American Corrections: Concepts and Controversies*. Sage Publishing.

All other Weekly Readings & Supplementary Materials Are Made Available in Week-by-Week Folders on bCourses. Note that the weekly folders on bCourses are sub-divided into "Required" and "Recommended" Readings, as well as "Review Materials" (which include PowerPoints, etc.)

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### ***Student Responsibilities:***

Attendance: Students are expected to attend all lectures and section meetings having already prepared any readings or assignments. Also, as noted below, in-class participation will count for 10% of the course grade.

A CAVEAT ON MISSED TESTS: If you should find that you must miss a test due to serious illness or other circumstance, you must email your GSI before the announced test period to notify him of your situation. The GSI will discuss your circumstances with the professor and an effort will be made to assist you. However, a student who misses a test and only contacts the GSI days after the testing date is not likely to be allowed to sit for a make-up test.

### ***University Regulations on Specific Scheduling Accommodations:***

DSP ACCOMMODATIONS: If you have specific needs due to documented disabilities we will make every effort to accommodate them, with assistance and guidance from the Disabled Students Office. For information on University policies regarding students with disabilities, and federal and state laws affecting people with disabilities, please go to: <http://access.berkeley.edu/>

Please convey your DSP Accommodation letter to your GSI early in the term to make necessary arrangements.

### **ACCOMMODATION OF RELIGIOUS CREED**

In compliance with California Education code, Section 92640(a), it is the official policy of the University of California at Berkeley to permit any student to undergo a test or examination, without penalty, at a time when that activity would not violate the student's religious creed, unless administering the examination at an alternative time would impose an undue hardship that could not reasonably have been avoided. Requests to accommodate a student's religious creed by scheduling tests or examinations at alternative times should be submitted directly to the faculty member responsible for administering the examination by the first week of the term.

### ***Student Evaluation and Grading:***

Two In-class Midterms	30% each = 60%
One Take-home Final	30%
Participation	10%
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Overall course point total	100%

## Spring 2016 Schedule of Topics, Readings, Tests, Speakers

(TEST dates below are firmly fixed; the precise dates of readings may vary slightly according to course pacing needs, guest speakers' scheduling, etc.)

	MONDAY	WEDNESDAY	
WEEK 1	<p>Jan. 18</p> <p><b>NO CLASS for MLK Holiday</b></p> <p><b>NO SECTION MTGS IN WEEK 1</b></p>	<p><b>Jan. 20: First class mtg.</b></p> <p>Introduction to the course: the instructors, the syllabus, textbook, the course website readings &amp; sources; Intro <b>Ch. One</b></p>	
WEEK 2	<p><b>Jan. 25<sup>th</sup></b></p> <p><b>Ch. Two: A Historical Perspective on Punishment and Social Structure</b></p> <p><b>SECTION MTGS BEGIN WK 2</b></p>	<p><b>Jan. 27<sup>th</sup></b></p> <p><b>Ch. 2 continued: 18th c. from Blackstone to Beccaria; Law casebook excerpt on four justifications of punishment;</b></p>	
WEEK 3	<p><b>Feb. 1<sup>st</sup></b></p> <p>The "Classical School"</p> <p>Beccaria/Bentham texts; the Enlightenment influence on the US Constitution</p>	<p><b>Feb. 3<sup>rd</sup></b></p> <p>J. Simon (2013) excerpt on John Howard – the Rehabilitative response to Classical School deterrence</p>	
WEEK 4	<p><b>Feb. 8<sup>th</sup></b></p> <p>Durkheim's "Two Laws of Penal Evolution" (1897); Tiryakian (1964)</p>	<p><b>Feb. 10<sup>th</sup></b></p> <p>Rusche &amp; Kirchheimer "Punishment &amp; Social Structure"; Garland</p>	
WEEK 5	<p><b>Feb. 15<sup>th</sup> NO CLASS – PRESIDENT'S DAY HOLIDAY</b></p>	<p><b>Feb. 17<sup>th</sup></b></p> <p>Lombroso (1893) <i>Criminal Man</i>; biological criminology, race, profiling, positivism</p>	
WEEK 6	<p><b>Feb. 22<sup>nd</sup></b></p> <p>David Garland: excerpt on Foucault</p>	<p><b>Feb. 24<sup>th</sup></b></p> <p>Foucault (1977) <i>Discipline and Punishment</i>: Chs. 1- 2</p>	
WEEK 7	<p><b>Feb. 29<sup>th</sup></b></p> <p><b>Midterm Exam I (in-class)</b></p>	<p><b>March 2<sup>nd</sup></b></p> <p>Rothschild guest lecture on sentencing; Tonry (2013); Ch. 3</p>	

WEEK 8	<b>March 7<sup>th</sup></b> Ch.4 Jails	<b>March 9<sup>th</sup></b> Ch. 6 Prisons	
WEEK 9	<b>March 14<sup>th</sup></b> Prof Simon guest lecture: <i>Mass Incarceration on Trial</i> (2014) excerpts <u>Tentative date</u>	<b>March 16<sup>th</sup></b> Ch.5 Probation & Alternatives to Incarceration Ch.7 Reentry & Parole	
WEEK: <b>Mar 21-25</b>	<b>NO CLASS – SPRING BREAK</b>	<b>NO CLASS – SPRING BREAK</b>	
WEEK 10	<b>March 28<sup>th</sup></b> Prof. Alessandro DeGiorgi “Re-entry to Nothing” Guest lecture on political economy of “re-entry”	<b>March 30<sup>th</sup></b> Review for Midterm II	
WEEK 11	<b>April 4<sup>th</sup></b> <b>Midterm Exam II (in-class)</b>	<b>April 6<sup>th</sup></b> Johann Koehler guest lecture on felon disenfranchisement	
WEEK 12	<b>April 11<sup>th</sup></b> Gilmore’s Golden Gulag from LS160Spr2015 Ch.11 Corrections and the Color Line	<b>April 13<sup>th</sup></b> Ch.14-Death-Row-and the-Death Penalty	
WEEK 13	<b>April 18<sup>th</sup></b> Possible guest lecture	<b>April 20<sup>th</sup></b> Misdemeanors & Prosecutorial Discretion: Kohler-Hausmann (2014)	
WEEK 14	<b>April 25<sup>th</sup></b> Realignment & Sex Offenders: Recent Trends	<b>April 27<sup>th</sup></b> Course Summary – wrap up	
<b>RRR WEEK</b>	<b>Monday May 2<sup>nd</sup> :</b> <b>RRR SESSION CONDUCTED BY PROFESSOR – Take-home final exam prompt</b>	<b>RRR PERIOD:</b> <b>ELEVEN DAYS ALLOTTED TO COMPLETE THE TAKE-HOME ESSAY FINAL EXAM</b>	

	will be distributed on bCourses after Review Session		
<b>FINALS WEEK</b>	<b>ELEVEN DAYS IN WHICH TO COMPLETE TAKE- HOME FINAL</b>	<b>Official Final Exam Submission Deadline: <u>FRIDAY, MAY 13, 2016 11:00 AM</u></b>	

The Registrar has assigned our class the FRIDAY, MAY 13, 2016 8-11:00 AM as our Final Exam time slot. We are obliged to use that officially assigned time as the deadline for submitting our take-home essay final exam. The final exam prompt will provide specific directions for the submission process. Earlier submissions are permitted, but students must work out the submission details with their respective GSI.