Crime & Punishment: taking the measure of the US justice system
Legal Studies 88 – Social Sciences Building, Room 104
Tuesdays – 9:00 am – 11:00 am

Syllabus

Course Overview: The organizational structure of criminal justice in the United States is fragmented across federal, state, county, and city agencies, each of which controls a piece of the system. The day-to-day operation of the justice system, the data it produces, and efforts to reform it all reflect this fragmentation with different agencies and different levels of government performing distinct functions in the detection of crime, apprehension of suspects, prosecution and defense of the accused, and adjudication, supervision, and incarceration of the convicted. In practice, the US does not have a single criminal justice system: it has thousands.

Despite this organizational fragmentation, the different systems often function in a manner that is strikingly similar across jurisdictions. Disproportionate involvement of people of color in the criminal justice system and official responses to the killing of unarmed civilians by law enforcement officers are just two examples of these similarities. More recently, a sharp increase in violent crime has swept the country with little regard for jurisdictional boundaries.

This course will examine the criminal justice system in the United States with a focus on its organizational structure, the data that it produces, and efforts to reform and improve its functioning. Students will explore contemporary issues in criminal justice while learning the basics of data management and data analysis using Python. Lectures and readings will introduce students to primary and secondary data sources that illustrate key components of the justice system. Labs will require students to extract, transform, clean, and analyze data from public data sets that touch on contemporary issues in criminal justice.

January 18 – Small Data with Large Consequences

- ➢ Housekeeping
  - o Introductions
  - o Classroom management
  - o Expectations and evaluations
  - o Readings

- ➢ Overview of the course
  - o "Data science"
  - o "Justice" and the "justice system"
  - o Public data sets
  - o Topics
    - ▪ How the organizational structure of the justice system affects its functioning
    - ▪ Data on the justice system
    - ▪ Police & Sheriffs
      - • Who is authorized to use force on behalf of society?

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- The role of the federal government in policing
- Efforts at and impediments to police reform
- The "defund the police" moment
  - The spike in violent crime
  - Progressive Prosecutors

January 25 – The every-day operation of the justice system

o ***Read and be prepared to discuss the following in class***

o "Pretrial Detention in California" (pp. 23-41) in <u>Not in It for Justice: How California's Pretrial Detention and Bail System Unfairly Punishes the Poor</u>, Human Rights Watch, 2017.

o "<u>How Courts Work: Steps in a Trial</u>," The American Bar Association.

o *Read part I, "A Courthouse Overwhelmed," in the 4-part series,* "<u>Justice Denied: Inside the Bronx's Dysfunctional Court System</u>," *The New York Times*, April 13, 2013.

o "<u>One lawyer, 194 Felony Cases, and No Time</u>," *The New York Times*, January 31, 2019.

o In-Class Discussion of Reading
o Lecture:
  - Types of Law
  - State vs. Federal Criminal Justice
o Set up Python / Jupyter Notebooks

February 1 – Public data sets

➢ ***Read and be prepared to discuss the following in class:***

o "<u>The Causes, Costs and Consequences of Bad Data</u>," *Governing*, June 24, 2015.

o *<u>The Nation's Two Crime Measures</u>, US Department of Justice, Bureau of Justice Statistics*

o *<u>Crimes & Clearances</u>, California State Department of Justice "Read Me" file*

o *Court Record – PDF on bCourses – Look up the Vehicle Code Violations listed under California's Vehicle Code, <u>here</u>. Select "VEH" for the code.*

Crime & Punishment: taking the measure of the US justice system
Legal Studies 88 – Social Sciences Building, Room 104
Tuesdays – 9:00 am – 11:00 am

o In-Class review of the Court Record
o Discussion of Reading
o Lecture: Organizational structure of the justice system and its relationship to data on the Justice System & Data reduction
o Spreadsheet Bootcamp

February 8 – Public data sets on the justice system

> ➢ *Reading and data exploration: read the item in the first bullet and selections from the item in the second bullet. Follow the links at the third, fourth, and fifth bullets. Find a data set that looks interesting, and come prepared to discuss what you've found, and what more you'd like to know.*
>
> o Read - *"FBI Director: "We really have no idea …" – Washington Post, October 17, 2016.*
>
> o *Executive Summary and Highlights at the beginning of all four sections of the report "Arrest Related Deaths Program – Data Quality Profile," US Department of Justice.*
>
> o California State Department of Justice Data Portal, Open Justice:
>   ▪ Crimes & Clearances
>   ▪ Death in Custody and Arrest Related Deaths
>   ▪ Domestic Violence Related Calls for Assistance
>   ▪ Citizens' Complaints against Peace Officers
>   ▪ Law Enforcement Officers Killed or Assaulted
>   ▪ Use of Force (URSUS) Incidents
>
> o FBI - National Incidence Based Reporting System, Summary Reporting System under "Additional Datasets."
>
> o Washington Post database of fatal police shootings

o Sources of data
o Matrices, types of matrices, types of databases
o Types of data
o ½ of class presents for 5 minutes on selected data set.
➢ *Lab 1 – Assignment Announced – aggregating data, grouping, and describing a series.*

Crime & Punishment: taking the measure of the US justice system
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February 15 – Math and statistics that you already know
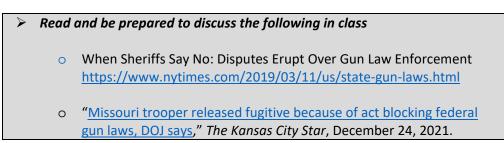
- ***No Reading Assigned***

  o Lecture on descriptive statistics and descriptive math: percentages & ratios, comparisons of percentages and ratios, importance of the denominator in understanding changes in percentages, the impact of small and large denominators, percentage points vs. percentage, weighted averages, "controlling" for a variable, estimating from a sample.
  o Second ½ of class presents for 5 minutes on selected data set.
➢ ***Quiz 1***

February 22 – Law Enforcement – Who are the police?

➢ ***Read and be prepared to discuss the following in class:***

  o *Introduction and Police Culture (pp. 4 – 33) - [Behind the Badge](#) – PEW Research Center, Social & Demographic Trends*

  o *"[Focus on Who Police Are, Not What They Do](#)," The Atlantic, November, 2021*

  o *"[When police officers vent on Facebook](#)," The New York Times, June 3, 2019.*

  o *"[Colorado just used its gun seizure law for the first time – One day after it took effect](#)," Washington Post, January 8, 2020*

➢ In-Class – Lecture & discussion of reading
➢ In-Class – Hands-on workshop with Python and Jupyter Notebooks
  o Loading data & dealing with data problems
➢ ***Lab 1 Due***

March 1 – Law Enforcement – Sheriffs and issues of federalism

➢ ***Read and be prepared to discuss the following in class***

  o When Sheriffs Say No: Disputes Erupt Over Gun Law Enforcement
    https://www.nytimes.com/2019/03/11/us/state-gun-laws.html

  o "[Missouri trooper released fugitive because of act blocking federal gun laws, DOJ says](#)," The Kansas City Star, December 24, 2021.

Crime & Punishment: taking the measure of the US justice system
Legal Studies 88 – Social Sciences Building, Room 104
Tuesdays – 9:00 am – 11:00 am

- o "Boosted by the Pandemic, 'constitutional sheriffs' are a political force" *Washington Post*, November 2, 2021.

- o Constitutional Counties – 20 minute audio file
  https://cspoa.org/constitutional-counties/

- o In-Class Lecture and Discussion of Reading

March 8 – Police Reform –The federal government's role

- ➢ *Read and be prepared to discuss the following in class*

  - o *Foreword and Executive Summary (pp. i – xxiii) of Report of the Independent Commission on the Los Angeles Police Department*

  - o *Sections I, II, and III (pp. 1-9) of* "The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present," Civil Rights Division, US Department of Justice, January 2017.

  - o *"Justice Department Revokes 25 Legal Guidance Documents Dating to 1975" – New York Times, December 21, 2017*

  - o "With Trump gone, advocates flood Justice Dept. with requests to investigate police," *Washington Post*, October 13, 2021.

  - o *Report Summary (pp. 1 – 6) of Investigation of the Ferguson Police Department – US Department of Justice, Civil Rights Division, March 4, 2015.*

- o In-Class Discussion of Reading
- o Lecture – Data on policing the police
- ➢ *Lab 2 – Assignment Announced – crime over time, crime and clearance rates*

March 15 – Police Reform – Efforts at and impediments to reform

- ➢ *Read and listen and be prepared to discuss the following in class*

  - o "The Supreme Court rules in favor of officers accused of using excessive force," National Public Radio, October 18, 2021.

  - o "Dozens of States Have Tried to End Qualified Immunity …", *Washington Post*, October 6, 2021.

Crime & Punishment: taking the measure of the US justice system
Legal Studies 88 – Social Sciences Building, Room 104
Tuesdays – 9:00 am – 11:00 am

o "How Violent Cops Stay in Law Enforcement," *The New Yorker*, May 21, 2021

o "Murder rose by almost 30% in 2020. It's rising at a slower rate in 2021," *The New York Times*, September 22, 2021

o "In a setback for Black Lives Matter, mayoral campaigns shift to 'law and order'," *Washington Post, October 30, 2021*

March 22 – No Class – Spring Break

March 29 – Defund the police and the spike in violent crime

➢ *Read and listen and be prepared to discuss the following in class*

o "Imagining a World without Prisons or Police," – 32 minute podcast & transcript, *Codeswitch*,

o "Why is murder spiking? And can cities address it without police?" 1 hour and 25 minute podcast, *The Ezra Klein Show*, November 23, 2021

o "David Shor Is Telling Democrats What they Don't Want to Hear," *The New York Times*, October 8, 2021.

o "Republican Attempts to Brand Democrats as Radicals Worked," *2020 Post Election Analysis* Section 2, pp. 21-34

o In-Class Lecture and Discussion of Reading
➢ *Quiz 2*
➢ *Lab 2 – Due*

Crime & Punishment: taking the measure of the US justice system
Legal Studies 88 – Social Sciences Building, Room 104
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April 5 – Reimagining Public Safety

> ➢ *Read selections from*
>
>   ○ *Oakland Reimagining Public Safety Task Force: Report and Recommendations*

   ○ In-Class: Viewing of Episode 1 of Philly DA; Discussion of Reading
   ○ In-Class – Hands on work with Python

April 12 – Prosecutors

> ○ *Read and watch and be prepared to discuss the following in class*
>
> ○ *Read the web page and watch the 3-minute video,* "Role of the District Attorney," *California District Attorneys Association.*
>
> ○ *Read Introduction through first half of page 7 of* "Brady Epidemic Misdiagnosis," *California District Attorneys Association White Paper.*
>
> ○ *Read Part I and Sections 3-1.1 through 3-1.4* "Criminal Justice Standards for the Prosecution Function," *American Bar Association*
>
> ○ Review: How Tough-on-Crime Prosecutors Contribute to Mass Incarceration, *The New York Times*, April 8, 2019.

➢ In-Class – Discussion of Reading
➢ Lecture – Visual Presentation of Data
   ○ Presenting multiple dimensions of information in 2D
   ○ Releasing information from the cage of grid lines
   ○ Combining words and images
   ○ Small multiples

April 19 – Progressive Prosecutors

> ➢ *Read and be prepared to discuss the following in class*
>
> ○ "Prosecutors Won Office Vowing to Fight the System," *Washington Post*, November 9, 2019.

Crime & Punishment: taking the measure of the US justice system
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> o "Central California DA quits state association over its opposition to criminal justice reforms," San Francisco Chronicle, January 16, 2020
>
> o "Nobody is above the law, including progressive prosecutors," *Washington Examiner*, December 27, 2019.
>
> o *Listen to the first 14 minutes of the podcast* "America's new 'progressive prosecutors' are getting pushback," *Washington Post*, November 12, 2019

➢ In-Class – Hands-on workshop with Python and Jupyter Notebooks
  o Recoding and grouping variables
  o Merging and appending data sets

April 26 – Bail Reform

> ***Read and be prepared to discuss the following in class***
>
> • SB 10, Chaptered, 2018.
>
> • "California becomes First State to End Cash Bail after 40 Year Fight"
>   National Public Radio, August 28, 2018.
>
> • "California is Implementing Bail Reform Act Prior to 2020 Initiative"
>   *California Globe*, January 13, 2020.
>
> • "Can you make AI fairer than a judge? Play the algorithm game," MIT
>   Technology Review, Karen Hao and Jonathan Stray.

➢ In-Class Discussion of Reading
➢ Lecture – Pretrial Services

May 3 – In-class data management in Python

➢ *Quiz 3*

Final projects will be due on the date scheduled for the final examination during the week of May 9

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Grading

Students will be graded based on the following:

- 10% – Attendance
- 10% – Class Participation
- 60% – 2 Labs, 3 Quizzes, and 1 summary of a selected reading – 10% each
- 20% – A final project requiring the analysis of a selected dataset, some basic transformation of the data, and a *descriptive* presentation of the findings.

The final project will have two milestones including the development of an evaluation focus, a discussion of the data limitations, and a plan for the final presentation of the data (written or in-class).

Reading

There are no reading materials to purchase: all of the course readings are in the public domain and available on the internet or will be made available on bCourses.