

Policing, Prisons, and American Culture

Fall 2005

American Studies 310.001 / 510.001

Tues/Thurs 12:30 – 1:45

Location: Tapy Hall 219

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Office Hours: Thurs. 2-4pm and by appointment

Why has the prison moved from being a discredited institution destined for abolition, to become an expanded seemingly indispensable pillar of late modern social life? Not because it was the centerpiece of any penal program that argued the need for mass imprisonment. There was no such program. Imprisonment has emerged in its revived, reinvented form because it was able to serve a newly necessary function in the workings of late-modern, neo-liberal societies: the need for a ‘civilized’ and ‘constitutional’ means of segregating the problem populations created by today’s economic and social arrangements. The prison is located at precisely the junction point of the two most important social and penal dynamics of our time: risk and retribution.

— David Garland, The Culture of Control

Course Description

From the television shows *Cops* and *Oz* to the prison-recorded CDs of rap musicians like C-Murder to the prison labor-produced clothing line Prison Blues, crime and punishment pervades American popular culture. Likewise, the intensified scrutiny of Homeland Security and the revelations of prisoner treatment at Abu Ghraib and Guantánamo Bay have profoundly reshaped perceptions of policing and imprisonment in the current world context. The statistical realities of present-day United States are staggering, where the rate of incarceration is the highest in the industrialized world. There are now 6.6 million Americans incarcerated, on probation, or on parole, an increase of 258 percent since 1980. Starbucks, Jansport, and Microsoft have all used prison labor to package their products. Black males have a 29% chance of serving prison time at some point in their lives; Hispanic males have a 16% chance; white males have a 4% chance. Women are the fastest growing sector of the prison population.

This course explores the social and cultural consequences of the U.S. prison-industrial complex at the turn of the millennium. Police brutality, the “war on drugs,” the death penalty, prison labor, and private prisons will each serve as themes to consider how the exponential increase in mass incarceration and technologies of surveillance have reshaped American life and culture. We will examine the pronounced racial, class and gendered terms through which criminalization and confinement have accelerated, studying both the institutions of control and punishment, and the reflections of prisoners themselves and prisoner rights advocates.

Requirements / course policies

- 1) Class participation and attendance (25% of final grade). It is expected that students will attend all class sessions, complete all assigned readings, and participate fully in class discussion. *More than three unexcused absences will result in “F” in the course.* In cases other than emergencies, contact the instructor *prior* to missing class.
- 2) Group presentation (25% of final grade). See presentation topics listed at the end of the syllabus.
- 3) Mid-Term Exam (25% of final grade). This exam will consist of short essay questions covering readings and class presentations from the first half of the semester.
- 4) Final Exam – (25% of final grade). Similar in format to the Mid-term exam, the final exam will pose questions based on readings and class presentations from the second half of the semester.

Course Readings

Required books: Marc Mauer and Meda Chesney-Lind, eds., Invisible Punishment: The Collateral Consequences of Mass Imprisonment (New Press, 2002) and Angela Y. Davis, Are Prisons Obsolete? (Seven Stories, 2003) are available at the UNM bookstore.

All course readings not drawn from these books are available and downloadable through the UNM library eReserves at <http://ereserves.unm.edu/courseindex.asp> (the password for the course is “lobo310”), and available in hardcopy through the course reserves at the Zimmerman Library.

*Students are expected to bring the required readings to class
on the day of discussion as noted below.*

Academic Honesty

“Each student is expected to maintain the highest standards of honesty and integrity in academic and professional matters. The University reserves the right to take disciplinary action, up to and including dismissal, against any student who is found guilty of academic dishonesty or otherwise fails to meet the standards. Any student judged to have engaged in academic dishonesty in course work may receive a reduced or failing grade for the work in question and/or for the course. Academic dishonesty includes, but is not limited to, dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others...” (The Pathfinder, p. 63) The American Studies Department supports this policy. If you are found guilty of academic dishonesty, you will receive an “F” for the class and be reported to the Dean of Students.

Students with Disabilities

Qualified students with disabilities needing appropriate academic adjustments should contact me early in the semester so that we may decide what accommodations should be made.

Week One

- 1 8/23 *Introduction* – course overview
- 2 8/25 Samuel Walker, “Wars on Crime—Struggles for Justice: Conflicting Trends in American Criminal Justice, 1970-1995,” in The Crime Conundrum, eds. Lawrence M. Friedman and George Fisher (Westview Press, 1997)

Week Two **Staging the Many Wars**

- 3 8/30 Curtis Marez, Drug Wars: The Political Economy of Narcotics (University of Minnesota Press, 2004), 105-145.
- 4 9/1 Christian Parenti, The Soft Cage: Surveillance in America from Slave Passes to the War on Terror (Basic Books, 2003), 169-197.

Week Three **The Specter of Crime**

- 5 9/6 Setha Low, Behind The Gates: Life, Security, And The Pursuit Of Happiness In Fortress America (Routledge, 2003), 7-26, 111-131.
- 6 9/8 William J. Bennett, John J. DiIulio, Jr., and John P. Waters, Body Count: Moral Poverty... and How to Win America’s War Against Crime and Drugs (Simon & Schuster, 1996), 56-64, 191-208.

☞ sign-up for class presentation groups ☞

Week Four **Community Policing**

- 7 9/13 George L. Kelling and Catherine M. Coles, Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities (Free Press, 1996), 236-257.
- 8 9/15 Richard L. Wood *et al.*, “Diving into the Quicksand: Program Implementation and Police Subcultures,” in Community Policing: Can It Work?, ed. Wesley Skogan (Wadsworth Thompson Learning, 2004)

Week Five **Criminalizing Youth**

9 9/20 Anne Hendrixson, “Superpredator Meets Teenage Mom: Exploding the Myth of the Out-of-Control Youth,” in Policing the National Body: Race, Gender, and Criminalization, eds. Jael Silliman and Anannya Bhattacharjee (South End Press, 2002)

10 9/22 Brady Thomas Heiner and Ariana Mangual, “The Repressive Social Function of Schools in Racialized Communities,” in States of Confinement: Policing, Detention, and Prisons, ed. Joy James (Palgrave, 2002)

Week Six **The Social Predicament of Confinement**

11 9/27 Angela Y. Davis, Are Prisons Obsolete? (Seven Stories, 2003), 9-39.

screening: *Prisons: The New Asylums?* (Frontline, 2005)

12 9/29 Paul Von Zielbauer, “Harsh Medicine: An Examination of Prison Health Services,” Four-part series from the *New York Times* (February – August 2005)

Week Seven **Life in Cages**

13 10/4 Ted Conover, Newjack: Guarding at Sing Sing (Random House, 2000)

screening: *The Farm: Life in Angola Prison* (1998)

14 10/6 Angela Davis, Are Prisons Obsolete?, 40-83.

Week Eight

15 10/11 **** Mid-Term Exam ****

16 10/13 *** Fall Break ***

Week Nine **Profiting from Prisons**

17 10/18 Angela Davis, Are Prisons Obsolete?, 84-104

18 10/20 Judith A. Greene, “Entrepreneurial Corrections: Incarceration as a Business Opportunity,” in Invisible Punishment (2002)

Week Ten **Collateral Damage**

19 10/25 Donald Braman, “Families and Incarceration,” in Invisible Punishment

20 10/27 Gwen Rubinstein and Debbie Mukamal, “Welfare and Housing—Denial of Benefits to Drug Offenders,” in Invisible Punishment

Week Eleven **What Crimes? Which Criminals?**

21 11/1 George Winslow, “Capital Crimes,” in Prison Nation: The Warehousing of America’s Poor, eds. Tara Herivel and Paul Wright (Routledge, 2003)

22 11/3 **No Class** [American Studies Association Annual Meeting]

Week Twelve **“Internal” Security**

23 11/8 Dorothy Nelkin and Lori Andrews, “Surveillance Creep in the Genetic Age,” in Surveillance as Social Sorting: Privacy, Risk, and Digital Discrimination, ed. David Lyon (Routledge, 2003)

24 11/10 Mark Dow, American Gulag: Inside U.S. Immigration Prisons (University of California Press, 2004), 244-262.

Week Thirteen **The Boundaries of Justice**

25 11/15 Rachel Meeropol, “The Post-9/11 Terrorism Investigation and Immigration Detention,” in America’s Disappeared: Detainees, Secret Imprisonment, and the ‘War on Terror’ ed. Rachel Meeropol (Seven Stories, 2005)

Shafiq Rasul and Asif Iqbal, “An Open Letter to President Bush from Two Former Detainees,” in America’s Disappeared

26 11/17 H. Bruce Franklin, “The American Prison and the Normalization of Torture,” *Torture, American Style* (2005)

Karen J. Greenberg and Joshua L. Dratel, eds., The Torture Papers: The Road to Abu Ghraib (Cambridge University Press, 2005), xvii-xxiv, 118-135.
(optional: 286-359.)

Week Fourteen Homeland Insecurities

27 **11/22** John Ashcroft, "The Patriot Act: Wise Beyond Its Years," *Wall Street Journal*, October 26, 2004.

Mark Sidel, More Secure, Less Free? Antiterrorism Policy and Civil Liberties after September 11 (University of Michigan Press, 2004), 29-59.

28 **11/24** **No Class – Thanksgiving Break**

Week Fifteen Group Presentations

29 **11/29** Group Presentation I & II

30 **12/1** Group Presentation III & IV

Week Sixteen Group Presentations

31 **12/6** Group Presentation V & VI

32 **12/8** *Course wrap-up*

[**Final exam:** time & date TBA]

Graduate 510 Course Requirements

I. Graduate students will write a research paper (15-18 pages) in lieu of the group presentation, midterm and final exams.

This paper requires that you research and analyze a topic of your choice relevant to the course. A formal proposal for your paper is due at the beginning of class on Thursday, September 11th (the same day that the undergraduates sign-up for their group presentations). Your proposal should include a one paragraph summary of your thesis, one paragraph describing your topic, and a preliminary bibliography of at least five secondary sources.

We will schedule time during the group presentations at the end of the semester for an in-class presentation based on your paper. The final paper will be due on the last day of class.

II. Graduate students are expected to email me three to five questions for discussion on one of the reading assignments each week. Questions must be emailed by 10pm the night before the class session devoted to this reading.

III. In addition to the readings assigned to the undergraduate section of the course, you will also be required to read the following:

David Garland, The Culture Of Control: Crime And Social Order In Contemporary Society (University of Chicago Press, 2001)

Jael Silliman and Anannya Bhattacharjee, eds. Policing the National Body: Race, Gender, and Criminalization (South End Press, 2002)

We will arrange four meetings during the semester outside of the already scheduled class sessions for the graduate section of the course to collectively discuss these additional readings.

Group Presentations

Group presentations will be organized around topics listed below with groups comprised of 3-4 students. Each topic is intended as a thematic starting point through which students will focus their presentation. For example, the group working on “Police Misconduct and the Use of Force” might decide to focus on the media response to the murder of Amadou Diallo and its aftermath, or on the reaction and reform efforts of one specific police department in response to a particular citizen initiative targeting police brutality.

Students are required to arrange meetings outside of class time to plan their presentation. At least one of the readings listed should be read and discussed by the group in order to identify key issues of the topic. Presentations should be 15 – 20 minutes each. There will be time allocated at the end of class for questions and responses from the rest of the class. More specific guidelines will be provided after students have signed up for presentation groups.

Topics:

1. Policing, Prisons, and Youth Culture

Beretta E. Smith-Shomade, “‘Rock-a-Bye, Baby!’: Black Women Disrupting Gangs and Constructing Hip-Hop Gangsta Films,” *Cinema Journal* 42.2 (2003)

Henry A. Giroux, “Mis/Education and Zero Tolerance: Disposable Youth and the Politics of Domestic Militarization,” *boundary 2* 28.3 (2001)

Charles Acland, Youth, Murder, Spectacle: The Cultural Politics of “Youth in Crisis” (Westview, 1995)

2. Police Misconduct and the Use of Force

Paul Hoffman, “International Human Rights Law and Police Reform,” in Zero Tolerance: Quality of Life and the New Police Brutality in New York City, Andrea McArdle and Tanya Erzen, eds. (New York University Press, 2001)

Regina G. Lawrence, The Politics of Force: Media and the Construction of Police Brutality (University of California Press, 2000)

Jill Nelson, ed., Police Brutality: An Anthology (W.W. Norton, 2000)

Jerome H. Skolnick and James J. Fyfe, Above the Law: Police and the Excessive Use of Force (Free Press, 1993)

3. Domestic Violence and Police Intervention

Loretta J. Stalans and Mary A. Finn, “Gender Differences in Officers’ Perceptions and Decisions About Domestic Violence Cases,” *Women & Criminal Justice* 11.3 (2000)

Eve S. Buzawa and Carl G. Buzawa, eds., Do Arrests and Restraining Orders Work? (Sage, 1996)

Eve S. Buzawa and Carl G. Buzawa, Domestic Violence: The Criminal Justice Response, 3rd Edition (Sage, 2003)

C. Murphy, et al., "Coordinated Community Intervention for Domestic Abusers: Intervention System Involvement and Criminal Recidivism," *Journal of Family Violence* 13 (1998)

Lawrence W. Sherman, Policing Domestic Violence (Free Press, 1993)

4. Racial Profiling

Muneer Ahmad, "Homeland Insecurities: Racial Violence the Day after September 11," *Social Text* 72 (Fall 2002)

James Foreman, Jr., "Children, Cops, and Citizenship: Why Conservatives Should Oppose Racial Profiling," in Invisible Punishment

David A. Harris, Profiles in Injustice: Why Racial Profiling Cannot Work (New Press, 2002)

Katheryn Russell, The Color of Crime: Racial Hoaxes, White Fear, Black Protectionism, Police Harassment, and Other Macroaggressions (New York University Press, 1998)

Steve Holbert and Lisa Rose, The Color of Guilt and Innocence: Racial Profiling and Police Practices in America (Page Marque Press, 2004)

5. Private Prisons

Nils Christie, Crime Control as Industry, 3rd Edition (Routledge, 2000)

Malcolm M. Feeley, "Entrepreneurs of Punishment: The Legacy of Privatization," *Punishment & Society* 4.3 (2002)

Richard W. Harding, "Private Prisons," in The Handbook of Crime and Punishment, Michael Tonry, ed. (Oxford University Press, 1998)

Rodney Neufeld, Allison Campbell, Andrew Coyle, eds., Capitalist Punishment: Prison Privatization and Human Rights (Zed Books, 2003)

6. Gender, Sexuality, and Prison

Meda Chesney-Lind, "Imprisoning Women: The Unintended Victims of Mass Imprisonment," in Invisible Punishment

Regina G. Kunzel, "Situating Sex: Prison Sexual Culture in the Mid-Twentieth-Century United States," *GLQ: A Journal of Lesbian and Gay Studies* 8.3 (2002)

James Messerschmidt, "Masculinities, Crime, and Prison," in Prison Masculinities, Don Sabo, Terry A. Kupers, and Willie London, eds. (Temple University Press, 2001)

7. Death Penalty

James R. Acker, Robert Bohm, and Charles S. Lanier, eds., America's Experiment with Capital Punishment: Reflections on the Past, Present, and Future of the Ultimate Penal Sanction (Carolina Academic, 1998)

Jim Dwyer, Peter Neufeld, Barry Scheck, Actual Innocence: Five Days to Execution and Other Dispatches from the Wrongly Convicted (Doubleday, 2000)

Stephen P. Garvey, Beyond Repair?: America's Death Penalty (Duke University Press, 2003)

Andrew Sarat, ed., The Killing State: Capital Punishment in Law, Politics, and Culture (Oxford University Press, 1999)

8. Political Prisoners

Nkechi Taifa, et al., "Human Rights: U.S. Political Prisoners and COINTELPRO Victims," in States of Confinement

Donna Willmott, "It's Time to Bring Our Political Prisoners Home," in States of Confinement

Dhoruba Bin Wahad, et al., Still Black, Still Strong: Survivors of the U.S. War Against Black Revolutionaries (Semiotext[e], 1993)

9. "War on Drugs"

Drew Humphries, Crack Mothers: Pregnancy, Drugs, and the Media (Ohio State University Press, 1999)

Timothy J. Dunn, "The War on Drugs in the U.S. Border Region, 1981-1992," in The Militarization of the U.S.-Mexico Border, 1978-1992 (CMAS Books, 1996)

Marc Mauer, "The War on Drugs and the African American Community," in Race to Incarcerate (New Press, 1999)