

## **ETHNICITY, RACE, AND JUSTICE**

Sociology 496 / Chican@ and Latin@ Studies 530 / Legal Studies 400

Monday / Wednesday 4:00 – 5:15pm

Sewell Social Sciences Building 6104

University of Wisconsin, Madison

Instructor: Michael Light, PhD, Associate Professor of Sociology

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Office Hours: Th 3:00-4:00pm & appointment

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Instructional Mode: Face-to-Face

Canvas site: <https://canvas.wisc.edu/courses/117163>

Credits: 3. This class meets for two 75-minute class periods each week over the fall/spring semester and carries the expectation that students will work on course learning activities (reading, writing, problem sets, studying, etc) for about 3 hours out of classroom for every class period. The syllabus includes more information about meeting times and expectations for student work.

### **Course Description**

“Every cobbler thinks leather is the only thing, and for better or worse, I am a sociologist.”

C. Wright Mills (1959)

“The Problem of the 20th century is the problem of the color line.”

W.E.B. Du Bois (1899)

This course utilizes a variety of theoretical and empirical tools from social and legal research to examine four interconnected domains surrounding the intersection of ethnicity, race, and justice: 1) racial and ethnic relations in society 2) racial and ethnic differences in crime and violence, 3) racial and ethnic disparities in the criminal justice system, and 4) race and ethnicity under the law. A variety of specific topics will be addressed, including sociological theories of racial/ethnic differences in violence, disparities in punishment (including the death penalty), and the consequences of mass incarceration for racial/ethnic inequality. Given the voluminous amount of legal research specific to racial differences, a major focus of this course will be to move beyond the black/white dichotomy, with a specific emphasis on US Latinos – the largest minority group in the United States.

### **Learning Objectives**

1. Students will develop an empirically grounded understanding of ethnic and racial differences in crime and criminal justice outcomes and be able to analyze these patterns through the application of theory in the social sciences.
2. Students will engage major theoretical debates in social and legal scholarship. Why are there racial/ethnic disparities in crime and violence? How and why have these disparities changed over time? Are minorities treated differently by legal officials? Has mass

incarceration mitigated or exacerbated racial and ethnic inequality? How has the Supreme Court viewed issues of ethnicity, race, and the law?

3. Students will competently interpret representations of data and critically analyze study design in published research on ethnicity, race, and justice.
4. Through engagement with course readings and class discussion, students will establish a foundation for critically assessing the often controversial issues surrounding ethnicity, race, crime, and the law in society.

### **Required Materials**

This course utilizes Top Hat ([www.tophat.com](http://www.tophat.com)) technology to help facilitate student participation, stimulate discussion, and provide real-time feedback on lectures. You will be able to submit answers to in-class questions using Apple or Android smartphones and tablets, laptops, or through text message. You can visit the Top Hat Overview (<https://success.tophat.com/s/article/Student-Top-Hat-Overview-and-Getting-Started-Guide>) within the Top Hat Success Center which outlines how you will register for a Top Hat account, as well as providing a brief overview to get you up and running on the system. An email invitation will be sent to you by email, but if don't receive this email, you can register by simply visiting our course website: <https://app.tophat.com/e/268728>

Note: our Course Join Code is **268728**

### **Course Grading**

Your grade for this course is based on two exams, one paper, and a series of random in-class quizzes that cover the reading materials. These quizzes will also count as your class participation.

Exam I	30%
Exam II	30%
Paper	30%
Participation	10%

Grading: The standard UW grading scale will be used.

<b>Total Percent</b>	<b>Grade</b>	<b>Total Percent</b>	<b>Grade</b>
93-100	A	70-76.99	C
87-92.99	AB	60-69.99	D
83-86.99	B	<60	F
77-82.99	BC		

Exams: There will be two exams in this course. You are responsible for all material from lectures (including media) and the assigned readings for the exams. The exams will be some combination of multiple choice, short answer, and essays. The exams will not technically be cumulative, but

there are concepts that will carry over from the previous parts of the course for which you will be responsible. There will be *no makeup exams* without a valid, documented excuse.

Participation: Each week there will be interactive questions posed to the class that will count as your participation. The questions will be multiple choice and will be conducted using TopHat. Questions will not be posed on exam weeks. There will be 13 weeks of questions but only the 10 best grades will be count towards your grade.

Course Paper: You will be expected to write a final term paper on a substantive topic of your choice. This final paper should be an in-depth treatment of an issue covered in class or an aspect of race/ethnicity and law not covered in class. The final paper can take various forms. It can be a theory paper that synthesizes theoretical arguments to explain some phenomenon surrounding ethnicity, race, and justice. It can identify an unanswered question and proposes a study to address it, or it can engage a current controversy in the field and discuss the merits and weaknesses of the opposing arguments. A one to two paragraph summary of the paper question or argument is due **October 29<sup>th</sup>, 2018**. This is worth 2% of your final grade (this 2% will count towards your final paper grade). This is meant to encourage you to begin thinking about your paper topic early.

Paper Requirements: The paper must be 11 or 12 point Times New Roman font, double spaced w/ 1" margins, stapled w/ name on each page. Do not use a cover sheet or plastic report cover. The essay should be approximately 10 pages (not including citations). Your final paper will be due **Wednesday December 12<sup>th</sup>**. Late papers will be deducted one full letter grade per day. In support of your argument I want you to draw from in-class readings and ***at least five outside sources from peer-reviewed, scholarly books or articles***. Be sure to properly cite all supporting material. The journals below are appropriate examples, but certainly not exhaustive. If you have questions about your sources feel free to ask me or the TA.

- *Criminology, Law & Society Review, American Sociological Review, Social Forces, Journal of Research in Crime and Delinquency, American Journal of Sociology, Quantitative Criminology, Justice Quarterly, Social Problems, American Journal of Public Health, Journal of Law & Economics*

### Course Outline

Readings will be made available online at this course's Canvas site: <https://canvas.wisc.edu>. Readings can be found by clicking on the tab for that week in the semester. It is expected that readings will be done **prior to** the first meeting each week. It is VERY important that you do the readings and participate in class. The class size is ideal for generating good discussions and I will count on you all to be able to speak knowledgeably about course materials.

The readings are located under the following headlines:

#### **Week 1: Introduction (Sept. 5<sup>th</sup>)**

No readings

## **Week 2: Overview and Empirical Reality (Sept. 10<sup>th</sup> & 12<sup>th</sup>)**

- Toya Like-Haislip. 2014. "Racial and Ethnic Patterns in Criminality and Victimization." Pp. 107-127 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*.
- Pew Center for the States. 2008. "One in 100: Behind Bars in America 2008." Washington, D.C.
- Zatz and Rodriguez (2006). "Conceptualizing Race and Ethnicity in Studies of Crime and Criminal Justice." Pp. 39-53 In *The Many Colors of Crime* (eds) (optional)
- Rodriguez, C. (2000). "The Idea of Race." Chapter 2 In *Changing Race*. (recommended).

## **Week 3: Racial/Ethnic Stratification (Sept. 17<sup>th</sup> & 19<sup>th</sup>)**

- Mather, Mark and Beth Jarosz. 2014. *The Demography of Inequality in the United States*. Population Reference Bureau.
- Massey, Douglas and Karen Pren. 2012. "Origins of the New Latino Underclass." *Race and Social Problems* 4(1):5-17.
- Telles, Edward E. and Vilma Ortiz. 2008. *Generations of Exclusion: Mexican Americans, Assimilation, and Race*. Russell Sage Foundation. Chapter 11 (recommended)

## **Week 4: Stratification and Crime (Sept. 24<sup>th</sup> & 26<sup>th</sup>)**

- Peterson, Ruth D. and Lauren J. Krivo. 2005. "Macrostructural Analyses of Race, Ethnicity, and Violent Crime: Recent Lessons and New Directions for Research." *American Review of Sociology* 31: 331-356.
- Light, Michael T. and Jeffery T. Ulmer. 2016. "Explaining the Gaps in White, Black and Hispanic Violence since 1990: Accounting for Immigration, Incarceration, and Inequality." *American Sociological Review* 81: 290-315.
- Maria B. Velez. 2006. "Toward an Understanding of the Lower Rates of Homicide in Latino versus Black Neighborhoods: A look at Chicago." Pp. 91-107 in *The Many Colors of Crime*. (recommended)
- Sampson, Robert J. and William Julius Wilson. 1995. Toward a Theory of Race, Crime, and Urban Inequality. Pp. 37-54 in Hagan and Peterson eds. *Crime and Inequality*. Stanford University Press. (recommended)
- Sampson, Robert J., Jeffery Morenoff, and Stephen Raudenbush. 2005. "Social Anatomy of Racial and Ethnic Disparities in Violence." *American Journal of Public Health* 95: 224-232. (optional)

## **Week 5: Immigration and Crime (Oct. 1<sup>st</sup> & 3<sup>rd</sup>)**

- Sampson, Robert. 2008. "Rethinking Crime and Immigration." *Contexts* 7:28-33
- Martinez Jr., Ramiro and Kimberly Mehlman-Orozco. 2014. "Latino/Hispanic Immigration and Crime." Pp. 584-599 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*.
- Berardi, Luca and Sandra M. Bucerius. 2014. "Immigrants and their Children: Evidence on Generational Differences in Crime." Pp. 551-583 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*. (read pp. 560-566).

**Week 6: Crime and Criminal Justice beyond White, Black, and Hispanic (Oct. 8<sup>th</sup> & 10<sup>th</sup>)**

- McNulty, Thomas L., and Paul E. Bellair. 2003. "Explaining racial and ethnic differences in serious adolescent violent behavior." *Criminology* 41:709–48.
- Russel, Katheryn. 2004. "American Indians and Crime" Chapter 2. *Underground Codes*. NYU Press.
- Johnson, Brian, and Sara Betsinger. 2009. "Punishing the "Model Minority": Asian-American Criminal Sentencing Outcomes in Federal District Courts." *Criminology* 47: 1045-1090.

**Week 7: Race/Ethnicity and the Politics of Crime and Incarceration (Oct. 15<sup>th</sup> & 17<sup>th</sup>)**

- Lerman, Amy E. and Vesla M. Weaver. 2014. "Race and Crime in American Politics: From Law and Order to Willie Horton and Beyond." Pp. 41-69 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*.
- Chavez, Leo R. 2013. *The Latino Threat: Constructing Immigrants, Citizens, and the Nation*. Stanford University Press. Chapter 1.
- Chiricos and Eschholz. 2002. "The Racial and Ethnic Typification of Crime and the Criminal Typification of Race and Ethnicity in Local Television News" *JRCD* 39(4):400-420. (*recommended*)

**Week 8: Perceptions of Fairness and Justice (Oct. 22<sup>nd</sup> & 24<sup>th</sup>)**

- Hagan, J., Shedd, C., & Payne, M. R. (2005). "Race, ethnicity, and youth perceptions of injustice." *American Sociological Review*, 70, 381–407.
- Krogstad, Jens Manuel. 2014. *Latino confidence in local police lower than among whites*. Pew Research Center.
- Tyler, Tom R. 1990. *Why People Obey the Law*. New Haven: Yale University Press. (Chapters 12 & 13)
- Hurwitz and Peffley. 2005. Explaining the Great Racial Divide: Perceptions of Fairness in the US Criminal Justice System. *Journal of Politics* 67: 762-783. (*recommended*)

**Week 9: Catch up and Mid-Term (Oct. 29<sup>th</sup> & 31<sup>st</sup>)**

No Readings!

*Mid-Term Exam is on Wednesday October 31<sup>st</sup>!*

**Week 10: Disparities in Policing and Prosecution (Nov. 5<sup>th</sup> & 7<sup>th</sup>)**

- Gellman, Andrew, Jeffrey Fagan, and Alex Kiss. 2007. "An Analysis of the New York City Police Department's 'Stop-and-Frisk' Policy in the Context of Claims of Racial Bias." *Journal of the American Statistical Association* 102: 813-823.
- Fryer, Roland D. (forthcoming). "An Empirical Analysis of Racial Differences in Police Use of Force." NBER Working Paper.
- Spohn et al. 1987. "Impact of Ethnicity and Gender on Decision to Reject Charges." *Criminology*

Stewart et al. (2009). "Neighborhood Racial Context and Discrimination." *Criminology* 47(3): 847-87. (*recommended*)

Kutateladze, Besiki Luka and Nancy R. Andiloro. 2014. "Prosecution and Racial Justice in New York County." U.S. Department of Justice Report. (*recommended: executive summary*)

### **Week 11: Race/Ethnicity and Punishment (Nov. 12<sup>th</sup>)**

Light, Michael T., Michael Massoglia, and Ryan D. King. 2014. "Citizenship and Punishment: The Salience of National Membership in U.S. Criminal Courts." *American Sociological Review* 79: 825-847.

King, Ryan D. and Brian D. Johnson. 2016. "A Punishing Look: Skin Tone and Afrocentric Features in the Halls of Justice." *American Journal of Sociology*.

Baldus and Woodworth (2003). "Race Discrimination and the Legitimacy of Capital Punishment: Reflections on the Interaction of Fact and Perception." *DePaul Law Review* 53: 1411-1496 (read Section VI).

Johnson et al. (2011). "Ethnic Threat and Social Control." *Criminology* 49(2): 401-441. (*recommended*)

Steffensmeier, D., J. Ulmer, and J. Kramer (1998). "The Intersection of Race, Gender, and Age in Criminal Sentencing" *Criminology* 36. (*optional*)

- **November 14<sup>th</sup> there will be a guest speaker.**

### **Week 12: Race/Ethnicity and Punishment Cont'd (Nov. 19<sup>th</sup>)**

- *There will be no class on November 21<sup>st</sup> (Enjoy your break!)*

### **Week 13: Mass Incarceration (Nov. 26<sup>th</sup> & 28<sup>th</sup>)**

Pager, Devah, Bruce Western, and Bart Bonikowski. 2009. "Discrimination in a Low-Wage Labor Market: A Field Experiment." *American Sociological Review*.

Pettit, Becky. 2012. *Invisible Men: Mass Incarceration and the Myth of Black Progress*. Russell Sage Foundation. (Chapter 4)

Massoglia Michael and Jason Schnittker. 2009. "No Real Release: The Health Effects of Incarceration." *Contexts*, 8:38-42.

Manza, Jeff and Christopher Uggen. 2008. *Locked Out: Felon Disenfranchisement and American Democracy*. (*recommended: Chapter 2*).

### **Week 14: Race & the Law (Dec. 3<sup>rd</sup> & 5<sup>th</sup>)**

Kennedy, Randall. 1997. *Race, Crime, and the Law*. Vintage Press. (Chapter 3)

Provine, Doris Marie. 2007. *Unequal under Law: Race in the War on Drugs*. University of Chicago Press. (Chapter 6)

## Week 15: Latinos & the Law (Dec. 10<sup>th</sup> & 12<sup>th</sup>)

Soltero, Carlo R. 2006. *Latinos and American Law*. University of Texas Press. (Chapters 9 and 10)

- **During Week 15, we will also plan a review for the Final Exam**

***Final Exam is on Monday Dec. 17<sup>th</sup> at 7:45am!***

### **Course Policies and Friendly Reminders**

- **Attendance.** Attendance is not mandatory, but you will be highly disadvantaged by missing class. All TopHat questions are posed in class and ***there are no make-ups***. In addition, there is valuable information given during lecture that is not in the assigned readings and you are expected to know lecture material for the exams. Please also make every effort to be on time for class, as students entering late can be distracting to both teaching and learning.
- **Classroom Civility.** The study of race/ethnicity and crime requires discussing sensitive and often controversial topics that may be uncomfortable for some students. I encourage both good discussions and critical assessment of issues, however, I require that students will respect their peers and inflammatory remarks will be dealt with accordingly. The University of Wisconsin is committed to fostering diversity and inclusion and welcomes individuals of all ages, religions, sex, sexual orientations, races, nationalities, languages, military experience, disabilities, family statuses, gender identities and expressions, political views, and socioeconomic statuses. Behaviors that threaten, harass, discriminate or that are disrespectful of others will not be tolerated. Inappropriate behaviors will be addressed with disciplinary action, which may include being referred to the Dean of Students Office. Please visit UW's Nondiscrimination policy for more information: <https://oed.wisc.edu/statement-of-non-discrimination.htm>.
- **Accommodations.** Please inform the instructor if you are eligible for necessary accommodations for testing, assignments, or other aspects of the course. This may be the case if English is your second language or you experience a physical or psychological condition that makes it difficult for you to complete assignments and/or exams without some modification of those tasks. Accommodations are provided for students who qualify for disability services through the McBurney Center. Their website has detailed instructions about how to qualify: <https://mcburney.wisc.edu/>
- **Academic honesty.** As with all courses at the University of Wisconsin, you are expected to follow the University's rules and regulations pertaining to academic honesty and integrity. The standards are outlined by the Office of the Dean of Students at <http://www.students.wisc.edu/doso/academic-integrity/>. According to UWS 14, academic misconduct is defined as:
  - seeks to claim credit for the work or efforts of another without authorization or citation
  - uses unauthorized materials or fabricated data in any academic exercise
  - forges or falsifies academic documents or records
  - intentionally impedes or damages the academic work of others

- engages in conduct aimed at making false representation of a student's academic performance
  - assists other students in any of these acts.
- **Other Issues.** It is important that YOU stay on top of issues as it relates to the class. The worst thing you can do is come to me at the end of the semester and bring up issues that happened weeks and months earlier.

**Departmental notice of grievance and appeal rights.** The Department of Sociology regularly conducts student evaluations of all professors and teaching assistants near the end of the semester. Students who have more immediate concerns about this course should report them to the instructor or to the chair, 8128 Social Science.

**Department learning objectives.** Beyond the specific substantive and methodological content described above, the course is designed to achieve the following instructional objectives designated as priorities by the Department of Sociology:

*Critically Evaluate Published Research.* Sociology graduates will be able to read and evaluate published research as it appears in academic journals and popular or policy publications.

*Communicate Skillfully:* Sociology majors write papers and make oral presentations that build arguments and assess evidence in a clear and effective manner.

*Critical Thinking about Society and Social Processes:* Sociology graduates can look beyond the surface of issues to discover the "why" and "how" of social order and structure and consider the underlying social mechanisms that may be creating a situation, identify evidence that may adjudicate between alternate explanations for phenomena, and develop proposed policies or action plans in light of theory and data.