

RUTGERS UNIVERSITY
PROGRAM IN CRIMINAL JUSTICE

01:202:496(1) Sentencing and Incarceration: Economic and Policy Analyses
Fall 2013

Class Hours: Mondays and Thursdays, 12:00pm – 1:20pm
Classroom: 204 Tillett Hall
Instructor: Professor Anne Piehl
407 New Jersey Hall or A345 Lucy Stone Hall
[apiehl @ economics.rutgers.edu](mailto:apiehl@economics.rutgers.edu)

Course Description: Approximately 7 million Americans are under correctional supervision of some kind. In this course, we study the process of criminal sentencing that leads to this result, the forms of supervision, and policy alternatives in practice or under consideration. The course introduces and utilizes statistical and economic methods where necessary to draw inferences to assess policy options.

The United States has 25% of the world's prisoners. In order to understand how we got to this level, and what it means for the society, we will consider the demographic, behavioral, economic, and policy explanations for the growth of the correctional population over time. We will discuss theoretical and empirical research to gain insight into the behavior of the key actors (potential offenders, potential victims, and the many parts of the enforcement system) that determine crime and criminal justice outcomes, with an emphasis on criminal sentencing. As part of this, we will investigate the various sources of data available to allow the development and testing of the main theoretical concepts. The last third of the course analyzes and evaluates policy alternatives, including evaluations of those that have been implemented and assessments of the prospects of those that have been piloted or proposed. These included reforms to sentencing laws (prospective and retroactive, in state and federal jurisdictions) – including the massive reform underway in California – as well as policies toward probation and parole, such as specialized courts.

Learning Outcomes: This course aims to help students achieve all of the learning goals of the program in Criminal Justice. As an advanced seminar, the course requires students to develop their own scholarship, using critical thinking skills to build upon and reinforce the theory, institutional knowledge, and research methods covered in earlier courses in the major. (For the full description of the program's learning goals, see <http://nbcjm.rutgers.edu/academics/program-info/learning-goals>.)

Prerequisites: This course is limited to degree students. It requires introduction to criminal justice (01:202:201) and satisfying the research methods requirement.

Method of Evaluation: Course grades will be determined as follows:

Active Participation:		
	Participation in class discussions	10%
	Leading discussion in class	10%
Exam:		
	In class on October 31	25%
Papers:		
	2 short assignments (<5 pages each)	15%
	Written project (<20 pages) due 3pm Dec 17	40%

If you anticipate missing an exam due to the observance of a religious holiday (refraining from secular activities that day), you must notify me by October 1 to arrange to take the exam on another date. If you do not notify me by October 1 you must take the exam as scheduled. If you miss an exam due to illness or a family emergency, you must contact me within 24 hours of the exam to inform me of your situation. Please e-mail me directly; do not rely on the absence reporting system if you miss an exam. Failure to contact me in a timely manner may result in a grade of zero for the exam.

Attendance and active participation is an essential part of this course. If you must miss class, you are responsible for getting notes from someone else in the class.

Books and readings: There are two required books for the course.

Why Are So Many Americans in Prison? Steven Raphael and Michael A. Stoll (2013) New York: Russell Sage Foundation, ISBN-10: 0871547120

Prison State: The Challenge of Mass Incarceration Bert Useem and Anne Morrison Piehl (2008) New York: Cambridge University Press, ISBN-10: 0521713390.

I know that buying books can be a hardship; I rejected several other books due to cost. It is fine to buy used versions of the books if you can find them (one is brand new, though, so this is unlikely.)

Other readings will be made available online via electronic resources subscribed to by Rutgers. Links or instructions for the latter will be provided on the course web site.

Course Website: Announcements will be posted on Sakai (<http://sakai.rutgers.edu>). In addition, class handouts and other resources will be posted there for your reference. You are responsible for checking the web site weekly for announcements. I will post my office hours on the course website, but note that you can always meet with me immediately after class for quick questions or to arrange a meeting.

Homework assignments: Instructions for the written and class discussion assignments will be posted on the course website at the appropriate time. All assignments are required.

Academic integrity: Any attempt to cheat on an exam or course assignment will be prosecuted according to the University's Academic Integrity policy (<http://academicintegrity.rutgers.edu>).

Course Expectations: I expect you to attend both class sessions each week in their entirety. If you have an unavoidable conflict, please sit close to the exit to minimize the disruption to your classmates. During class, I expect full participation. Do not use electronics for any activity other than taking notes or working problems.

For the class discussion to be meaningful, you must complete the readings in advance. If you are not prepared for a class session or two that is fine. Simply let me know in advance and you can observe the discussion without risk of being called upon.

Recording Policy: Audio visual recording, transmission or distribution of class meetings is forbidden without explicit, prior permission of the professor and notification of other students in the class.

Course Outline

Specific assignments will be announced on the course website.

I. Introduction to Issues, Data, and Trends in Incarceration (Sept 5 – Sept 19)

II. Criminal Sentencing: Theory and Practice (Sept 23 - Oct 10)

- *Federal and state jurisdiction*
- *Guidelines*
- *Plea bargains*
- *Mandatory minimums*
- *Discretion*

III. Prison Release Policies: Not Just Parole (Oct 14 – Oct 24)

- *Good time*
- *Discretionary release*
- *“Revolving door” and prison populations*

IV. Evaluating how Policy Changes affect the Prison Population (Oct 28 - Nov 14)

- *Case studies*
- *Crime impact (behavioral response)*
- *Impact of criminal justice system operations*

V. Judging the Level of Incarceration (Nov 18 - Nov 21)

- *How can we know if the prison population is too large, too small, or just right?*
- *Individual case outcomes versus aggregate impact*

VI. Recent Reforms (Proposed and Implemented) (Nov 25 - Dec 9)

- *Federal intervention in California’s “realignment”*
- *Retroactive changes to sentencing, esp. regarding crack cocaine*
- *Good time and compassionate release*
- *Relaxing mandatory minimums*
- *Criminal justice “reinvestment”*
- *Others that occur over the fall*