

History 2810
Crime, Policing, and Punishment in the United States
Professor Melanie D. Newport.

Fall 2018
Class Meeting Time:
Wednesday 4:00PM - 6:30PM
Hartford Times Building, room 214

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Office Hours: Hartford Times Building,
room 519, Monday 3-4pm and after class

Required Texts

- Lawrence Freidman, *Crime and Punishment in American History*
- Kali Gross, *Hannah Mary Tabbs and the Disembodied Torso*
- Additional documents & links will be posted on HuskyCT.

Catalog Description

Surveys the political, legal, and cultural development of the American criminal justice system and its social impact from the early republic to the present. Topics may include: the rise of penitentiaries, convict leasing, prohibition, police brutality, the War on Crime, the death penalty, and drug wars.

Course Description

How do we police and punish crime in a democratic society? This course will explore how the answer to that question has changed over time, and how historians have understood the growth and impact of a carceral system that made the United States the global leader in incarceration. This course traces three interwoven narratives throughout the semester.

The first narrative thread is the political development of criminal justice institutions. How did people in the past address matters of crime and punishment through governance? This segment explores the formation of the carceral state by looking to the institutional development of penitentiaries, the professionalization of police forces, and legislation creating new federalist relationships to wage war on crime, among other carceral statebuilding projects.

The second narrative explores the ways in which American culture and contexts shapes and influence understandings of criminalization. What actions did people in the past categorize as criminal, how did they construct their laws, and what did it mean to “become” a criminal? The legal and cultural processes through with American citizens and residents came to be criminalized have been foundational in drawing the lines of who is included and who is marginal in American society. Looking to race, class, gender, and sexuality, this narrative considers how the intellectual histories of social science fields such as criminology and eugenics have been brought to bear on the criminal justice system and individuals caught within it, as well as how individuals deemed criminal resisted and contested these categorizations.

The third thread considers the lived experience of crime, policing, and punishment. Why did people make and break laws? What happened to neighborhoods when they were policed? What was it like to live and work in a prison? Drawing upon the methods of social history, this thread

considers the social worlds and relationships made in the course of crime, policing, and punishment. The choices people made about why to commit crime and the responses victims and their families made to people who have harmed them, the meanings of everyday responses to policing and punishment, and the dynamics of relationships of people within the carceral state are part of this narrative.

Through a critical exploration of histories of crime, policing, and imprisonment from Reconstruction to the present, topics of study will include police tactics and technologies, convict leasing, prisoner rights movements, juvenile delinquency, drug wars, mass incarceration, and reform and abolition movements and how these topics connect to broader histories of progressivism, urbanization, inequality, and the growth of the American state. These events will be explored through four chronologically organized units:

- 1) Building New Institutions, covering the period from the early republic to the 1890s
- 2) Progressive Innovations, covering the 1900s to the 1940s
- 3) Postwar Reforms, covering the 1950s through the 1970s
- 4) Mass Incarceration in the Recent Past, covering the 1980s to the present

Course Objectives

After successfully completing this course, students will be able to:

- Locate primary and secondary sources through the library website.
- Identify transformations in the history of criminal justice in the United States from the early republic to the present.
- Relate past events to contemporary conversations about crime and criminal justice reform.
- Practice historical methods through evaluation and critique of primary sources.
- Connect primary and secondary sources to broader themes in modern American history.
- Assemble primary and secondary sources in support of arguments about the past.

Grade Distribution

- Midterm Exam: 20%
- Final Exam: 30%
- Class Preparation Notes: 25%
- Participation: 25%

Class Preparation Notes As this class meets just once a week, for each class you will submit notes in HuskyCT to demonstrate that you have prepared for class by doing the reading. I will provide a basic worksheet but you do not have to use it. You can use bullet points instead of full paragraphs. Feel free to include: questions you'd like to raise in class, the subject, argument, intervention, key concepts or definitions, things you liked/learned/reacted to/hated, notable evidence etc. These are graded based on completion: 100% for notes submitted before 4pm on Wednesdays that demonstrate thoughtful preparation for class; 70% for notes submitted before 4pm that demonstrate limited preparation for class; 50% for notes submitted after class; 0 for notes not submitted. A rubric will be provided in HuskyCT. The three lowest grades will be dropped (meaning, if you so choose, you can skip notes for up to three weeks).

Midterm and Final Exams: In historical scholarship, accuracy matters. As such, evaluation in this course requires you to demonstrate mastery over content and the ability to synthesize

primary and secondary source readings, films, and lectures. Two in-class blue book exams will ask you to answer a mix of short answer and essay questions. The best way to prepare for the tests is to do the reading, prepare for class, and attend class. Exams are closed note.

In accordance with UConn policy, students are required to be available for their final exam. If you have a conflict with this time you must obtain official permission to schedule a make-up exam with the [Office of Student Support and Advocacy](#) (OSSA). If permission is granted, OSSA will notify the instructor.

Participation: This class meets just once a week. This means we must make the most of every meeting. Participation means being engaged, not distracted by technology, contributing to discussion, asking questions, and coming to office hours if needed. Participation also includes in-class quizzes and writing exercises that will be handed in. There are no “make-ups” for in-class learning activities. A participation rubric is provided on HuskyCT.

University & Course Policies:

Grade information: <http://catalog.uconn.edu/academic-regulations/grade-information/>

Grade conversion: A 93-100, 4.0; A- 90-92, 3.7; B+ 87-89, 3.3; B 83-86, 3.0; B- 80-82, 2.7; C+ 77-79, 2.3; C 73-76, 2.0; C- 70-72, 1.7; D+ 67-69, 1.3; D 63-66, 1.0; D- 60-62, 0.7; F <60, 0.0.

Academic integrity: I expect that you will turn in original work. I will prepare you to act in accordance with the Guidelines for Academic Integrity at the University of Connecticut by teaching you proper methods of citation. You will contact me if you have questions before submitting assignments. **You will not plagiarize, copy, steal, cheat, lift, submit work from other classes, or fail to cite; if you do so, you will fail the course.** To learn about the onerous process accompanying “academic misconduct”: <http://community.uconn.edu/the-student-code-appendix-a/>. If you decide to cheat or plagiarize, keep in mind that you are committing to costing yourself, the professor, and a number of people across the University countless hours of their valuable time. Don’t do it.

Students with disabilities: This course follows principles of “universal design” and should be accessible to all students. The [Center for Students with Disabilities](#) (CSD) at UConn provides accommodations and services for qualified students with disabilities. If you have a documented disability for which you wish to request academic accommodations and have not contacted the CSD, please do so as soon as possible. The CSD is located in Wilbur Cross, Room 204 and can be reached at (860) 486-2020 or at csd@uconn.edu. Detailed information regarding the accommodations process is also available on their website at www.csd.uconn.edu

Academic freedom: To quote the UConn Student Code, “The ‘spirit of inquiry’ lies at the heart of our community. It is the realization that the act of learning is essential to personal growth. The desire to know and the willingness to explore require the strength to resist the false promises of shortcuts and substitutes in the process of learning. The spirit of inquiry is the passion and the patience to commit oneself to a continual journey toward understanding. Incorporating the spirit of inquiry into one’s life as a student is not easy. It calls for curiosity, stamina, vulnerability,

honesty, grace, courage, and integrity. A student needs to look beyond comfortable assumptions in search of new perspectives and seek the very information that might change his or her mind. ...The spirit of inquiry can only flourish in an environment of mutual trust and respect.”

<http://community.uconn.edu/the-student-code-preamble/>

Policy Against Discrimination, Harassment and Related Interpersonal Violence: The University is committed to maintaining an environment free of discrimination or discriminatory harassment directed toward any person or group within its community – students, employees, or visitors. Academic and professional excellence can flourish only when each member of our community is assured an atmosphere of mutual respect. All members of the University community are responsible for the maintenance of an academic and work environment in which people are free to learn and work without fear of discrimination or discriminatory harassment. In addition, inappropriate amorous relationships can undermine the University’s mission when those in positions of authority abuse or appear to abuse their authority. To that end, and in accordance with federal and state law, the University prohibits discrimination and discriminatory harassment, as well as inappropriate amorous relationships, and such behavior will be met with appropriate disciplinary action, up to and including dismissal from the University. Additionally, to protect the campus community, all non-confidential University employees (including faculty) are required to report sexual assaults, intimate partner violence, and/or stalking involving a student that they witness or are told about to the Office of Institutional Equity. The University takes all reports with the utmost seriousness. Please be aware that while the information you provide will remain private, it will not be confidential and will be shared with University officials who can help. More information is available at equity.uconn.edu and titleix.uconn.edu

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Rubrics, course schedules, articles, and all other materials are posted on HuskyCT:

<https://learn.uconn.edu/>

Course Schedule

Unit 1: BUILDING NEW INSTITUTIONS

Week 1: August 29

Applying Historical Methods to Carceral Histories

- Syllabus
- *Crime and Punishment*, Introduction

Week 2: September 5

Physical Punishment and Spiritual Punishment: the Rise of the Penitentiary

- Declaration of Independence
- *Crime and Punishment*, ch. 1
- Jen Manion, “Gendered Ideologies of Violence, Authority, and Racial Difference in New York State Penitentiaries, 1796-1848,” *Radical History Review*, 126 (Fall, 2016).

Week 3: September 12

Fugitive Slaves, Criminalized Immigrants, and Frontier Justice

- *Crime and Punishment*, ch. 4, 5, 8

Week 4: September 19

Convict Labor

- Excerpts from Richard Phelps, *Newgate of Connecticut: Its Origin and Early History* (1876)
- *Slavery by Another Name* (film)

Unit 2: PROGRESSIVE INNOVATIONS

Week 5: September 26

Professionalization and the Progressivism

- *Hannah Mary Tabbs*, ch. 1 & 2
- Mark Twain, “The Stolen White Elephant,” 1882
- *Crime and Punishment*, ch. 7

Week 6: October 3

Criminalization and Eugenics

- *Hannah Mary Tabbs*, ch. 3 & 4
- Miroslava Chávez-García, “Youth of Color and California’s Carceral State: The Fred C. Nelles Youth Correctional Facility,” *Journal of American History*, 102, no. 1 (2015): 47-60.

Week 7: October 10

Institution Building: Criminal Courts and Prohibition

- *Hannah Mary Tabbs*, ch. 5 & 6
- *Crime and Punishment*, ch. 12

Week 8: October 17

In-Class Midterm

Unit 3: POSTWAR REFORMS

Week 9: October 24

Prison Scandals and Civil Rights

- *Report of the Committee to Investigate and Report on the Need for a Small Jail Farm in Connecticut*, 1940.
- Brian Sarnacki, “‘In the Biting Stage’: The 1955 Nebraska State Penitentiary Riots and Violent Prison Activism,” *Nebraska History* (Spring 2015), 3-13.

- Danielle McGuire, “It Was like All of Us Had Been Raped”: Sexual Violence, Community Mobilization, and the African American Freedom Struggle, *The Journal of American History* 91, No. 3 (Dec 2004)

Week 10: October 31

The Rights Revolution and the Urban Crisis

- *Miranda v. Arizona* (1966)
- Jacqui Shine, “How ‘You Have the Right to Remain Silent’ Became the Standard Miranda Warning,” <https://tinyurl.com/ydeb9omq>
- Alex Elkins, “Origins of Stop and Frisk,” *Jacobin*, May 9, 2015.
- Heather Ann Thompson, “Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History,” *Journal of American History* 97. 3 (Dec 2010): 703-734.

OPTIONAL: November 1

Heather Ann Thompson will be giving the Fusco Lecture at UConn-Storrs. Time/Location TBA.

Week 11: November 7

We will start class in either HTB 145 or HTB 146 (TBA) from 4-5pm as the public will be joining us to hear a lecture on my book-in-progress, *Community of the Condemned: Chicago and the Transformation of the American Jail*.

Prisoner Rights

- “Attica Prison Liberation Faction, Manifesto of Demands,” 1971.
- Robert T. Chase, “We Are Not Slaves: Rethinking the Rise of Carceral State through the Lens of the Prisoners’ Rights Movement,” *Journal of American History* 102, no. 1 (2015): 73-86.
- Regina Kunzel, “Lessons in Being Gay: Queer Encounters in Gay and Lesbian Prison Activism,” *Radical History Review* no. 100 (2008), 11-37.

Unit 4: MASS INCARCERATION IN THE RECENT PAST

Week 12: November 14

In-Class: Screening of *Life on Parole* documentary with filmmakers

The Death Penalty and Victims Rights

- Randall McGowen, “Through the Wrong End of the Telescope: History, the Death Penalty, and the American Experience,” in *America’s Death Penalty*.
- *Greggs v. Georgia* (1975)
- Claudia McCormick, “Battered Women: The Last Resort,” c. 1977
- *Crime and Punishment*, ch. 18

Week 13: November 21

NO CLASS—THANKSGIVING BREAK

Week 14: November 28

War on Drugs and Immigrant Detention

- Will Cooley, “The Work: Dealing and Violence in the War on Drugs Era,” *Labor: Studies in Working-Class History* 15, no. 2, 77-110.
- Frontline-PBS “Lost in Detention” (2011) <https://www.pbs.org/wgbh/frontline/film/lost-in-detention/>

Week 15: December 5

Black Lives Matter and White Collar Crime

From Reform to Abolition

- TBD

Final Exam TBD (per UConn schedule)