

CRJ.110 CRIME AND PUNISHMENT

Dr. Xin Ren
Office: ALP-106
Class: Sec.2: MW 3:00-4:15PM

Office Hours: MW 11:00-12noon
Tele: 278-6381
Email: renx@csus.edu

Course Description:

An overview of social and political functions of criminal sanctions with specific emphasis of historical and philosophical evolution of criminal penalty imposed collectively by the state and society. A survey of major theories and research on rationality and moral justification of crime, punishment, and treatment of offenders. A study of typology and social significance of criminal punishment.

Goals and Objectives:

1. To introduce students to the scientific study of crime, criminal behavior, and society's collective response to criminal offense.
2. To explore research, theory and philosophical thought about the nature and extent of criminal penalty system in response to criminal behavior.
3. To examine the rationality and moral justification of collectively imposed criminal sanction against criminal offenders.
4. To enhance students' ability and knowledge in understanding social functions of criminal sanction and appraising crime control policy.

This course is designed as an upper division core course for junior and senior students who have had adequate academic preparation in criminal justice or related disciplines. Students should be prepared to handle the demanding research work and comprehensive and challenging reading assignments. For updated learning objectives, please see details at http://www.hhs.csus.edu/cj/Word_Docs/LEARNINGOBJECTIVES/110%20objectives.doc

Required Texts:

1. Vold, Bernard, & Snipes (2002), Theoretical Criminology, 5th Edition. Oxford University Press.
2. Duff and Garland (1995), Chapters in A Reader on Punishment. Oxford University Press (Five selected chapters only. See Conceptual Outline on page 2 for the chapter titles).
3. M. Foucault, (1995), Parts I, II & III in Discipline and Punish, 2nd Edition. Vintage Books.

Recommended Texts for Reading and Project:

Simon, R. and D.A. Blaskovich (2002) A Comparative Analysis of Capital Punishment: Statutes,

Policies, Frequencies, and Public Attitudes the World Over. Lexington Books.
 Caulkins, R., Schwabe, and Chiesa, (1997), Mandatory Minimum Drug Sentences, Rand.
 Mark Colvin (2000). Penitentiaries, Reformatories, and Chain Gangs, St Martin Press.
 Glaser, D. (1997). Profitable Penalties, Pine Forge.
 Johnson, R. (1998). Death Work, West/Wadsworth.
 Leone, B. (1997). America's Prisons, Greenhaven Press.
 Shichor and Sechrest. (1996). Three Strikes and You're Out, Sage.
 Tonry, M. Ed. (1998). The handbook of Crime and Punishment, Oxford University Press.
 van de Haag, E. (1991). Punishing Criminals, University Press of America.
 All books listed above are on reserve in the library. See bibliography for additional readings.

Course Evaluation (Total 300 pts, two options):

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|---------------------------------------------------------------------------------------------------------|-------------------|
| 1. Three exams in class (March 2 nd , April 6 th , & May 11 th , 2009) | 100 pts. each, OR |
| 2. Two exams plus a research paper (See page 3 for details) | 100 pts. each |
- a. The final overall grade will be computed based on two of your best scores of the above three assignments. If you chose second option, you must sign up for doing paper project at the beginning of the semester.
 - b. All students are encouraged to become active participants in the class discussion. Regular and punctual attendance is required. Students who are absent of one third or more classes will receive a final grade no higher than "C-".
 - c. A class attendance sheet will be handed out at each class meeting. It is your responsibility to sign in at each class meeting.

Conceptual Outline, Readings¹ and Tentative Schedule:

January 26 through February 25

1. History of Criminal Punishment
 - Crime control vs. due process
 - Individual vs. collective responsibility
 Readings: 1) **Vold, Bernard and Snipes: Chapter 1: Theory and Crime**
 2) **Duff and Garland: "Introduction: Thinking about Punishment"** (Duff & Garland, Pp.1-43).

2. Philosophical Principle of Punishment
 - General, Specific and Absolute Deterrence
 - Retribution and Just Deserts
 - Rehabilitation and Treatment
 - Collective vs. Selective Incapacitation
 Readings: 1) **Vold, Bernard and Snipes: Chapter 2: Classical Criminology**

¹ Weekly reading assignment will be announced every Wednesday or Friday in class.

Chapter 11: Contemporary Classicism

- 2) **Duff and Garland: “Censure and proportionality”** (von Hirsh, Pp.112-132)
“Proportionality, Parsimony, and Interchangeability of Punishments” (Tonry, Pp.133-160)
“Reductivism and Deterrence” (Walker, Pp.210-217))
“Dangerousness and Incapacitation” (Morris, Pp.238-260)

March 2 through March 25th

3. Typology of Criminal Punishment

- Death penalty
- Corporal punishment
- Exile and servitude
- Total confinement
- Fines, restitution, and other monetary penalties
- Conditional penalty
- Public humiliation

Readings: **M. Foucault: Part I and II** (Pp.3-131).

Recommended: van den Haag: Part III: Kinds of Punishment.
Shichor: Three Strikes and You're Out.
Caulkins: Mandatory Minimum Drug Sentences.
Rossi and Berk: Chapters 1, 6, and 8.

April 13th through May 13th

4. Penological Theories

- Conservative School--classical vs. Neo-classical theory
- Positivist School--Medical Model
 - Biosocial and Sociopsychological theories
- Liberal School--Rehabilitation and Treatment
 - Social Structure, social process and social conflict theories
- Economic Model--Selective Incapacitation
- Crime Control Model--Total Confinement
- Due Process Model--Prisoners' Rights

Reading: **G. Vold et al: Chapters 3, 6-10, 12, and 15-17.**

Recommended: Duff and Garland: “Making the Punishment Fit the Crime” (Zimring)
“Penalty and Opportunities” (Wilson)
“Crime, Inequality, and Sentencing” (Carlen)

Research Paper

General Requirements:

The purpose of this assignment is to afford students an opportunity to conduct an independent research on social, political and/or economic function of a specific type of criminal penalty from

legal, ethical or moral perspectives. The project has steps: 1) one or two page outline (20%) with three references and 2) an individual research paper (80%) in 7-9 double-spaced typewritten pages, excluding the title page, notes and bibliography.

Specific Requirements and Process:

1. Select a type of criminal penalty (not crime) from suggested topics provided in the syllabus. Paper that focuses on specific type of crime does not meet this requirement.
2. Submit one-page proposal on your research project with at least three references on **March 2**. The proposal can be either in form of narrative description or in format of outline.
3. Final paper is due **May 11, 2009**.
4. Late submission will result in 20% reduction in your grade. No paper will be accepted and graded after May 13, 2009.

Paper Content and Format Requirements:

Content Requirement

1. Clearly define the type of criminal penalty you have chosen for the research project.
2. A brief historical narrative on the origin, application, and moral justification of the given penalty against criminal offenders.
3. Theoretical analysis on the social, political or economic function/benefits of the criminal penalty for individual offenders and society.
4. Policy evaluation, criticism/debate and/or recommendation.

Format Requirement

1. You may use any format style (Chicago, APA, ACS, MLA, or LSA) that you are familiar with. However, your paper must contain the following elements: a) title of your project, 2) complete sources of your quotations either in footnotes, endnotes or in-notes (parenthesis in the text) with complete reference, 3) pagination, and 4) a bibliography listed alphabetically by author's last name, i.e. R.A. Duff and D. Garland (1995) "Introduction: Thinking about Punishment." In R.A. Duff and D. Garland, Eds. (1995), A Reader on Punishment. Oxford University Press, Pp.1-43. Endnotes will not be considered as a substitute to bibliography.
2. Please see additional handout of "CITING ONLINE DATABASES" on how to cite Internet materials in your research paper. At least two references must be from non-internet sources such as books, journals or periodicals.
3. Typesetting must use the font of 12 pts or larger with double-space. Please use black ink only. Single-spaced paper will be read and graded based on the first half of the paper.

Suggested Research Topics for Research Paper:

1. Moral Justification and Death Penalty

- Does death penalty deter murders?
- does the State have right to execute convicted criminals?
- Methods of execution and moral justification
 - Lethal injection, gas chamber, electrocution, or firing squad.
 - Beheading, or hanging
 - Executions in ancient societies

2. Corporal Punishment

- Is corporal punishment cruel and unusual?
- Corporal punishment and deterrence
- Amputation and other disfigurement/branding
- Castration against sex offenders
- Torture and the moral legitimacy
- Torture for judicial inquisition

3. Economic Fairness in Monetary Penalty (i.e. fines and restitution)

- Fines and their effectiveness: conventional offenders v. white collar criminals
- Juvenile Restitution and its effectiveness in preventing juvenile delinquency
- Economic fairness and bail release
- State or federal government power to forfeit offenders' property v. offenders' rights

4. Social Implication and Exile or Banishment

- Purpose and effectiveness of banishment against offenders

5. Total Confinement and Its Moral Justification

- Effectiveness of Imprisonment in rehabilitating offenders
- Purpose of imprisonment
- Alternative to imprisonment
- Mandatory life sentence (three-strike law) and its economic impacts
- Sentencing guideline against drug offenders
- Privatization of prison industry

6. Public Humiliation as a Criminal Punishment

- Exposing to contempt of the spectators (pillory or ridicule)
- Public execution or branding
- Public humiliation against juvenile offenders in contemporary juvenile justice system
- Sex offender registration law and its social impact

7. Forced Prison Labor and Penal Servitude.

- Should convicted offenders be forced to work while serving time in prison?
- history and current status of prison labor in the US

8. Suspended or Conditional Sentence

- Probation, house confinement, or community services
- Rehabilitation v. punishment
- Substance rehabilitation programs
- Boot camp/electronic monitoring

9. Treatment of Juvenile Offenders

- Punishment v. rehabilitation of juvenile offenders
- Juvenile offender waiver program
- Treating or punishing juvenile serious and violent offenders
- Dealing with children who killed their parents
- Treatment of juvenile sex offenders

Class Survey:

Name: _____

SS# (Last 4 digits): ____ _

Major: _____

Email: _____

Class Status: ___ Freshman
 ___ Sophomore
 ___ Junior
 ___ Senior

This is my first semester at CSUS: ___ Yes
 ___ No

I take this course as:
 ___ Substitute to Soc. 155
 ___ Elective
 ___ Required for CJ major

I took or am taking a criminology theory class (Soc.155 or SW 167) now.
 ___ Yes
 ___ No

Working experience in criminal justice or related fields (Specify):

I support death penalty. ___ Yes ___ No ___ No opinion

I support to try juvenile offenders as adults. ___ Yes ___ No ___ No opinion

I support "Three-Strike, You're out Law" ___ Yes ___ No ___ No opinion