

FALL SEMESTER (2005)

Crime and Punishment Policy: Reforming California Corrections

Prof. Joan Petersilia, Ph.D.
petersilia@law.stanford.edu

Course Number: 209-0-01 (3 Units)

Class: Wed 4:15-7:15

Office Hours: Wed 1-3:00, whenever my door is open and by appointment

California is undergoing a major transformation in its youth and adult prisons--embracing rehabilitation instead of punishment alone. Correctional officials are turning to research and policy analysis to determine which approaches have proven successful in the U.S. and abroad. This course will offer students the opportunity to learn about this historic prison reform and related issues. Students will hear directly from state correctional leaders and others who have worked and been in the criminal justice system.

Basic components of the course include:

- Overview of the structures and programs comprising sentencing and corrections systems in California and other states,
- Introduction to the use of social science research methods as applied to criminal justice and sentencing policy,
- Critical evaluation of research-based policies bearing on potential reforms in California's corrections system,
- Introduction to strategies and techniques for communicating with government officials on criminal justice policies.

Course materials will familiarize students with the history, structure, and performance of the national and California sentencing and corrections systems. We will also explore broader questions such as the recent growth in the U.S. prison population, the impact of mass incarceration on crime and the communities most affected, the effectiveness of rehabilitation, and the consequences of prisoner reentry on both corrections and communities. We will analyze these issues within the broader content of California's current efforts to dramatically reform its juvenile justice, prison, and parole systems. Several outside speakers will present guest lectures.

Books for the course are:

Krisberg, Barry. 2005. *Juvenile Justice: Redeeming Our Children*. Thousand Oaks, CA: Sage Publications.

Petersilia, Joan. 2003. *When Prisoners Come Home: Parole and Prisoner Reentry*. New York, N.Y.: Oxford University Press.

Tonry, Michael H., 2004. *Thinking about Crime: Sense and Sensibility in American Penal Culture*. Oxford University Press.

Travis, Jeremy, 2005. *But They All Come Back: Facing the Challenges of Prisoner Reentry*, The Urban Institute Press, Washington, DC.

Additional articles will be made available to you as the class progresses.

The syllabus outlines general topics and the order in which we will cover the material. This course meets only one afternoon per week and you should come to class well prepared to discuss the readings. Each class session will begin with a lecture from Dr. Petersilia or invited speaker, followed by a class discussion of the readings and lecture materials. As the course proceeds, students will share the information they have uncovered in the course of researching their paper topics. The syllabus indicates the general schedule of coverage, although we may vary somewhat depending upon our pace and discussions.

Course grades will be based on class participation (30%) and three writing assignments (10%, 20% and 40%). Class participation points will be earned by participating in the weekly discussions, questioning class speakers and other activities announced as the class proceeds. The three writing assignments, when combined, will constitute a major research paper (20 to 25 pages, 1.5 spaced). The purpose of the paper is to inform a high-level policymaker about a specific issue and recommend a program or policy direction. Students will choose a topic from the list of potential topics handed out during the first week of class. These topics were selected by California leaders specifically for this class. These are the priority topics they need the most help on as the reform moves forward, and hence the papers have real-world relevance. The best of these papers will be shared with the policymaker they are intended for.

The paper should include:

- Part 1: Statement of the issue, description of existing policy, and its importance to California crime control (counts 10% of final grade, 3 to 5 pages);
- Part 2: Discussion of major options for dealing with the issue, including the pro's and con's of each (counts 20% of final grade, 8 to 10 pages);
- Part 3: Your policy recommendation, empirical justification for it, and what impact you believe the reform will produce (counts 40% of final grade, 8 to 10 pages).

A title page, table of contents, an abstract of not more than 120 words, and your major references should also be included in the final, combined paper. All papers will utilize American Psychological Association's (APA) referencing style, which is explained and illustrated on http://owl.english.purdue.edu/handouts/research/r_apa.html. The papers will be evaluated on the basis of their conceptualization of the policy issue, the evidence and materials presented, and the synthesis and analyses developed. Late papers will be assessed according to the published 'default rules' applied by the Registrar.

READING AND COURSE SCHEDULE

Part I. Understanding the Development and Contemporary State of Crime Policy in America

[Week 1 Sept 7](#) [Introduction and Fundamental Principles](#)

An introduction and historical overview of crime control strategies in America.

[Week 2 Sept 14](#) [Why Are So Many Americans In Prison? Competing Explanations for Mass Imprisonment](#)

This class session explores alternative explanations for why so many Americans are in prison and how our incarceration rates compare to other nations.

Required Reading: Tonry, *Thinking about Crime: Sense and Sensibility in American Penal Culture*, entire book but particularly pp. 1-139.

Recommended Reading: Tonry and Petersilia (editors), 1999, *Prisons*, University of Chicago Press.

[Week 3 Sept 21](#) [Juvenile Crime and Juvenile Justice](#)

This class will review the historical legacy of juvenile justice, describe the current juvenile justice system, and review practical and legal reform efforts, particularly here in California.

Confirmed Guest Speaker: Dr. Barry Krisberg, President, National Council on Crime and Delinquency, and currently overseeing the court-monitored reform of California's juvenile corrections system.

Required Reading: Krisberg, *Juvenile Justice: Redeeming Our Children*, entire book but particularly chapters 3, 4, 5.

[Week 4 Sept 28](#) [Doing Prison Time: Life Behind Bars](#)

Prisoners spend, on average, about two and a half years imprisoned. That time period might be beneficial to some inmates, who chose to participate in programs or use the time for personal reflection and growth. But for others, the pains of imprisonment will take a horrendous personal and psychological toll. This class will look at what prison life is really like.

Required Reading: Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry*, chapters 1-5.

[Week 5 October 5](#) [Getting Out: Parole and Prisoner Reentry](#)

This class will explore the important topic of parole and prisoner reentry. Since more than 90% of California prisoners eventually return home, a key policy question is "how well prepared are they?" We will also discuss the legal barriers to successful reentry, such as felon disenfranchisement.

Required Reading: Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry*, chapters 6-10.

Margaret Colgate Love, *Relief From The Collateral Consequences Of A Criminal Conviction: A State –By-State Resource Guide* <http://www.sentencingproject.org/rights-restoration.cfm> (note California differences).

Recommended Reading: Gonnerman, Jennifer, 2004. *Life on the Outside: The Prison Odyssey of Elaine Bartlett*, Picador Press.

Part 1 of paper due at Registrar's office by 5:00 pm on October 5. This 3 to 5 page paper should identify your chosen topic, describe existing California policy regarding that topic, and discuss its overall importance to California's justice system.

Part II. The Intended and Unintended Consequences of Current Crime Policies

[Week 6 October 12](#) [How Have Crime and Justice Policies Affected Families,](#)

Communities, and Civic Participation?

What are the consequences of mass imprisonment for the families, children, and communities most affected by it? How ultimately does it affect our notions of civic participation and democracy?

Confirmed Guest Speaker: Carol Shapiro, Founder and Director, Family Justice, New York, NY.

Required Reading: Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry*, chapters 6-11.

Week 7 October 19 **Have Current Policies Reduced Crime?**

Is there evidence that current sentencing practices increase public safety, deterrence, rehabilitation, or retribution?

Required Reading: Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry*, chapters 4 and 5.
Rosenfeld, Richard, The Case of the Unsolved Crime Decline, *Scientific American*, 2004

Part III. What To Do? Program and Policy Proposals for A More Effective System

Week 8 October 26 **The Principles of Effective Rehabilitation: Does Anything Work?**

This session will review the scientific evidence on rehabilitation effectiveness for juvenile and adult offenders. In addition to reviewing the substantive findings, this class will also review the diverse research methods used in contemporary social science. Using rehabilitation as a case study, students will learn how to evaluate the methodological rigor and distinguish between ‘junk science’ and quality research.

Confirmed Guest Speaker: Dr. Barry Zach, Director, Centerforce Programs, and Harold Atkins, former CA prisoner and president, Centerforce Board of Directors, San Raphael, CA.

Required Reading: Krisberg, chapter 8 (juvenile programs).

Cullen, Francis and Paul Gendreau, *Assessing Correctional Rehabilitation, Policy, Practice, and Prospects* (adult programs) http://www.ncjrs.org/criminal_justice2000/vol_3/03d.pdf (pages 29-54)

Week 9 November 2 **Parole and Community Programs: Does Anything Work?**

This session will review the scientific evidence on parole and community corrections for juvenile and adult offenders. As in the October 26th class, this class will not only review the substantive findings from the literature, but also discuss how to evaluate social science studies.

Required Reading: Petersilia, *What Works in Prisoner Reentry? Reviewing and Questioning the Evidence*, <http://www.seweb.uci.edu/users/joan/Images/WhatWorks.pdf>

Part IV. Understanding and Changing California’s System

Week 10 November 9 **California’s Sentencing and Corrections System Described**

This class session will describe California’s current youth and adult justice system. There is no system like it in the world and its unique sentencing and corrections characteristics will be identified and discussed.

Confirmed Guest Speakers: Jeanne Woodford, Undersecretary, California Department of Corrections and Rehabilitation (CDCR), and former warden San Quentin Prison, and Police Chief Jim Buermann, Redlands, CA, national expert on the role of law enforcement in reentry.

Required Reading: Joan Petersilia, 2000, Challenges of Prisoner Reentry and Parole in California, California Policy Research Seminar, <http://www.ucop.edu/cprc/pubsarch2.html#criminal>.

Jeremy Travis, *Parole in California, 1980-2000, Testimony before the Little Hoover Commission* http://www.urban.org/UploadedPDF/900598_Parole_in_Calif.pdf

Recommended Reading: Zimring, Hawkins, Kamin, 2001, Three Strikes and You’re Out in California,

Oxford University Press.

Part 2 of paper due at Registrar's office by 5:00 pm on November 9. This 8 to 10 page paper should discuss the major policy or programmatic options for dealing with your chosen issue, including the pros and cons of each. The pros and cons may include crime reduction, deterrence, retribution, cost savings, political advantage, victim restitution or restoration, offender rehabilitation, or any other consideration your policy option might entail.

[Week 11 November 16](#) **[Tackling Reform in California Corrections: Challenges and Opportunities](#)**

How are California agencies and Governor Schwarzenegger's administration tackling juvenile and adult corrections reform? What activities are faith-based organizations, community organizations, and ex-convicts engaged in?

Required Reading: *Reforming the California Youth and Adult Correctional Agency*, Little Hoover Commission <http://www.lhc.ca.gov/lhcdir/179/report179.pdf>

California Department of Corrections and Rehabilitation (CDCR). Description of new people, organization, and mission of the newly created CDCR <http://www.cdcr.ca.gov/PDFs/SN07182005.pdf>

Recommended: *Reforming Corrections: Report of the Corrections Independent Review Panel* (Deukmejian Report), 2004. <http://cpr.ca.gov/report/indrpt/corr/>

[Week 12 November 23](#) **[Living and Working in the Corrections System](#)**

This session will address the critically important question of what it is like to actually live and work in prison. Attention will be given to the role of the California Correctional Peace Officers Association (the union) to working conditions and reform efforts.

Required Reading: An Overview of the California Correctional Peace Officers Association <http://www.igs.berkeley.edu/library/htCaliforniaPrisonUnion.htm>

Recommended Reading: Conover, 2001, *Newjack: Guarding Sing Sing*, Vintage Press.

[Week 13 November 30](#) **[The Promise and Political Challenges of Corrections Reform in California](#)**

California reform has been led by those outside of the system—the Legislature, the courts, advocates, and the Governor's office. This class will discuss this unique approach to reform, including identification of the major legal cases that are changing the way we supervise and treat adults and juveniles in the state.

Required Reading: To Be Announced

[Week 14 December 7](#) **[California's Future: Defining the Reform Agenda \(Final Class\)](#)**

General class discussion about challenges of reform and constituency building around juvenile and adult corrections. We will discuss public opinion, media coverage, private prisons, prison guard unions, and demographic shifts. Students should be prepared to discuss their chosen reform topic and what obstacles they would face in implementation.

Required Reading: To Be Announced

[Final Class Papers due in Registrar's office on January 6, 2006, 5:00 pm.](#) Complete paper (combining Parts 1, 2, and 3) due at Registrar's office by 5:00 pm on January 6th. This paper identifies your policy recommendation, empirical justification for it, and the impact you believe the reform will produce.