

Government 312: Race, Law and Policy in America

MW 1 – 2:30pm

FAC 21
Spring 2023

Instructor: Derek Epp

Office: BAT 4.104 (office hours on zoom)

Office Hours: MW, 2:30 - 4pm (on zoom, sign up in advance)

Email: depd@austin.utexas.edu

Instructor: Hannah Walker

Office: BAT 3.122

Office Hours: Mon/Wed, 10:30 - 12:30 or by appointment (on zoom, sign up in advance)

Email: hlwalker@utexas.edu

Teaching Assistant: Gauthier Fally

Office: BAT 1.118 (and on Zoom)

Office Hours: TBD in person (Zoom 10:30-1pm Mon/Wed, sign up in advance)

Email: gfally96@utexas.edu

Teaching Assistant: Chris Cassella

Office: On Zoom

Office Hours: Tues/Thurs, 10:30-12:00

Email: chris.cassella@utexas.edu

This is an introductory level course that fulfills the core curriculum requirements for US Government. GOV312L courses involve the analysis of government institutions, political behavior, civic engagement, and their political and philosophical foundations. This particular GOV312L introduces students to the central role of race and ethnicity in American politics, and does so primarily through the lens of law, policy and justice. This course assumes that students have a grasp of the fundamentals of government. We build on this basic working knowledge, reflecting it through the lens of race, and applying an understanding of race to the study of criminal justice. We do this in order to help students develop a nuanced understanding of how racial inequality in the United States operates through everyday institutions, policies and administrative practices. The politics of race are everywhere, and a feature of the daily news. The overall goal for this course is to equip students with the necessary tools to make sense of and critically engage these contemporary debates, particularly as they concern law and policy.

Attendance Policy

Attendance is not required. Instead, the exams will be written such that you cannot do well if you do not participate in lectures (and especially reading discussion days)/keep up with the readings.

Required Texts & Readings

Required reading: All readings on the syllabus are required. All readings assigned throughout the course will either be linked up on the syllabus, provided to you via the course website, or available through the UT library.

Grades

Make-up exams are available to students in the event of personal emergencies or religious observances. **However, arrangements to take a make-up must be made prior to the exam date.** After-the-fact emergencies will not be considered. Late papers or assignments will be deducted a full letter grade for each day that they are late.

Exams (70%): A midterm and a final, each worth 35% of the total grade.

Reading Reviews (30%): Three times throughout the semester you will be required to submit a reading review. In 2 to 3 double-spaced pages, you should pick any week's worth of reading that occurred up to the week the assignment is due (excluding weeks covered in the previous reading review assignment). Briefly review the reading for that week, connect it to larger class themes overall, and offer a critique of what you read. You should conclude by identifying *three questions* for discussion the following class day. The instructors and the TAs will identify a handful of questions from across the class's submissions for group discussion the following session. Each reading assignment is worth 10% of your overall grade.

The grading scale in percentages is as follows:

93-100 (A)
90-92.99 (A-)
87-89.99 (B+)
83-86.99 (B)
80-82.99 (B-)
77-79.99 (C+)
73-76.99 (C)
70-72.99 (C-)
67-69.99 (D+)
63-66.99 (D)
60-62.99 (D-)
0-59.99 (F)

Disabilities

Any student with disabilities may request appropriate academic accommodations from the office of Services for Students with Disabilities (512-471-6259) or
<http://diversity.utexas.edu/disability/accommodations-and-services/>

Those with documentation for accommodations should contact us as soon as possible.

Preferred Name and Pronouns (She/He/They/Ze/Etc)

Class rosters are provided to the instructor with the student's legal name, unless they have added a "preferred name" with the Gender and Sexuality Center (<http://diversity.utexas.edu/genderandsexuality/publications-andresources/>). If you prefer to be address by a name that is different from what appears on the official roster, or have pronoun preferences of which you would like us to be aware, please advise us early in the semester so we may adjust accordingly.

Academic Integrity

By taking this class, the student agrees to abide by the University of Texas regulations concerning cheating. Simply put, all submitted materials (homework assignments, written papers, and exams) must be original and done exclusively by the student whose name is attached to it. If students observe others cheating, they are honor bound to contact the TAs or professor. Students who violate University rules on scholastic dishonesty are subject to disciplinary penalties, including the possibility of failure in the course and/or dismissal from the University. Since such dishonesty harms the individual, all students, and the integrity of the University, policies on scholastic dishonesty will be strictly enforced. For further information please visit the Student Judicial Services wesbite: <http://deanofstudents.utexas.edu/sjs>.

Office hours

Here are the links to sign up for office hours, which will be conducted over Zoom. These links are also available under the Announcements page on Canvas.

Derek Epp (professor) –

<https://docs.google.com/spreadsheets/d/1ImJ6STdph7BkZXJz9Idt6Y-Vn5iAIpCwBqzWPAD42zA/edit#gid=0>

Hannah Walker (professor) –

Dr. Walker's officer hours are on Monday and Wednesday before class, from 10:30 - 12:30 via zoom. Please use the following link to sign up for an appointment in advance and to obtain the

appropriate zoom link (also posted on Canvas). If you cannot make these times, please email Dr. Walker to set up a time that works best for you.

<https://docs.google.com/spreadsheets/d/1dypyvOgSj9Vel3n10uff1x74H6GZ4w4i19m9fJaiYaw/edit?usp=sharing>

Chris Cassella (TA)

<https://docs.google.com/spreadsheets/d/1sFXqH03GibfTAHngQHIspE6JzmKQRyEHQZqpOCKv7go/edit?usp=sharing>

Gauthier Fally (TA)

https://docs.google.com/spreadsheets/d/15tA0TVU3pDtkMILU4L3hYeqr287FsYfd7k8UhSWMV_I/edit#gid=0

What are some of the most common reasons to attend office hours?

- 1) Clarify and ask questions about course content
- 2) Get study ideas
- 3) Ask questions about the syllabus, upcoming assignments, and due dates
- 4) Prepare for an upcoming assignment
- 5) Review an exam or a paper you wrote
- 6) Talk about grades
- 7) Work through practice problems

Schedule

Week 1 – Reviewing the Basics, Part I

January 9th: The Social Scientist's Toolkit

1. Elisabeth Pain. 2016. How to (seriously) read a scientific paper. Online:
<https://www.sciencemag.org/careers/2016/03/how-seriously-read-scientific-paper>

January 11th: The constitution and political institutions

1. Amartya Sen. 1999. Democracy as a Universal Value. *Journal of Democracy*.

Week 2 – Reviewing the Basics, Part II

January 16th: MLK; no class

January 18th: The American public

1. James A. Stimson, Michael B. MacKuen, and Robert S. Erikson. 1995. Dynamic Representation. *American Political Science Review*.
2. Herbert A. Simon. 1985. Human Nature in Politics: The Dialogue of Psychology with Political Science. *American Political Science Review* 79 (2): 293-304.

Week 3 – Dimensions of inequality

January 23th: Economic differences

1. Amartya Sen. 2011. Uses and Abuses of Adam Smith. *History of Political Economy*. (available as an e-book via the UT Library)
2. Bruce M. Boghosian. 2019. Is Inequality Inevitable? *Scientific American*.

January 25th: Racial inequality

1. Omi, Michael, and Howard Winant. *Racial formation in the United States*. Routledge, 2014. Introduction. (available as an e-book via the UT Library)
2. Soss, J. and Weaver, V., 2017. Police are our government: Politics, political science, and the policing of race-class subjugated communities. *Annual Review of Political Science*, 20.

Week 4 – Accessing democracy

January 30rd: Institutional Barriers to voting

1. Fresh, Adriane. "The effect of the Voting Rights Act on enfranchisement: evidence from North Carolina." *The Journal of Politics* 80.2 (2018): 713-718.
2. Eubank, Nicholas, and Adriane Fresh. "Enfranchisement and Incarceration after the 1965 Voting Rights Act." *American Political Science Review* (2022): 1-16.
3. William D. Hicks, Seth C. McKee, Mitchell Sellers, and Daniel A. Smith. 2015. "A Principle or a Strategy? Voter Identification Laws and Partisan Competition in the American States," *Political Research Quarterly* 68: 18-33.

February 1st: Protesting and social movements

1. Wasow, O., 2020. Agenda seeding: How 1960s black protests moved elites, public opinion and voting. *American Political Science Review*, 114(3), pp.638-659.
2. Enos, Ryan D., Aaron R. Kaufman, and Melissa L. Sands. "Can violent protest change local policy support? Evidence from the aftermath of the 1992 Los Angeles riot." *American Political Science Review* 113.4 (2019): 1012-1028.

Reading Review Assignment Due

Week 5 – Rights, Part I

February 6th: Reading discussion session

February 8th: Procedural Rights

1. Anwar, Shamena, Patrick Bayer, and Randi Hjalmarsson. 2011. The Impact of Jury Race in Criminal Trials. *Quarterly Journal of Economics* 127 (2): 1017-1055.

Week 6 – Rights, Part II

February 13th: Political violence

1. Wells, Ida B. 1893. The reason why. University of Illinois Press. CH 3 - 4, <http://digital.library.upenn.edu/women/wells/exposition/exposition.html#>
2. Edwards, F., Lee, H. and Esposito, M., 2019. Risk of being killed by police use of force in the United States by age, race–ethnicity, and sex. Proceedings of the National Academy of Sciences, 116(34), pp.16793-16798.
3. Campbell Robertson. 2018. A Lynching Memorial is Opening. The Country Has Never Seen Anything Like It. *The New York Times*.

Lightly peruse the following:

Equal Justice Initiative. 2015. “Lynching in America: Confronting the Legacy of Racial Terror.” <https://lynchinginamerica.eji.org/report/>

February 15th: Contesting political violence

1. Francis, Megan Ming. *Civil rights and the making of the modern American state.* Cambridge University Press, 2014. CH 1-2. (available via UT Library)
2. Losier, T. (2017). “Against ‘law and order’ lockup: the 1970 NYC jail rebellions.” *Race & Class*, 59(1), 3-35.
3. Rojas, Rick and Atkinson, Khorri. (2017). Five days of unrest that shaped, and haunted Newark. *The New York Times*, July 11.
<https://www.nytimes.com/2017/07/11/nyregion/newark-riots-50-years.html>

Week 7 – Midterm week

February 20th: Midterm review day

February 22nd: MIDTERM

Week 8 – Getting tough on crime

February 27th: America’s approach to crime

1. Bennett, William John, John J. Dilulio Jr., and John P. Walters. 1996. *Body Count: Moral Poverty – and how to Win America’s War Against Crime and Drugs.* (Chapters 1 & 2).

2. Enns, Peter K. 2014. The Public's Increasing Punitiveness and Its Influence on Mass Incarceration in the United States. *American Journal of Political Science* 58 (4): 857-872.
3. Vitiello, Michael. 2002. Three Strikes Laws: A Real or Imagined Deterrent to Crime? *American Bar Association: Human Rights* 29 (2).

March 1st: Mass incarceration and prisons

1. Alexander, M., 2010. The new Jim Crow: Mass incarceration in the age of colorblindness. The New Press. CH 2 & CH 4 (available online via the UT Library).
2. Sawyer, Wendy and Wagner, Peter. 2022. "Mass Incarceration: The Whole Pie 2022." The Prison Policy Initiative,
<https://www.prisonpolicy.org/reports/pie2022.html>
3. Wagner, Peter and Kopf, Daniel. 2015. "The Racial Geography of Mass Incarceration." The Prison Policy Initiative,
<https://www.prisonpolicy.org/racialgeography/report.html>

Week 9 – Collateral consequences of criminal justice

March 6th: Collateral consequences of criminal justice

1. Burch, T.R., 2014. "Effects of imprisonment and community supervision on neighborhood political participation in North Carolina." *The ANNALS of the American Academy of Political and Social Science*, 651(1), pp.184-201.
2. Wakefield, Sara, Hedwig Lee, and Christopher Wildeman. 2016. "Tough on Crime, Tough on Families? Criminal Justice and Family Life in America." *The ANNALS of the American Academy of Political and Social Science* 665: 8-21.
3. Agan, Amanda, and Sonja Starr. 2017. "The Effect of Criminal Records on Access to Employment." *American Economic Review*, 107 (5): 560-64.

Reading Review Assignment Due

March 8th: Reading discussion session

Week 10 – Spring Break

Week 11 – Policing

March 20th: Police Stops

1. Meares, Tracey L. 2015. Programming Errors: Understanding the Constitutionality of Stop-and-Frisk as a Program, Not an Incident. *The University of Chicago Law Review* 82 (1): 159-179.
2. Pierson, Emma et.al. 2020. A large-scale analysis of racial disparities in police stops across the United States. *Nature Human Behavior* 4: 736-745.

3. Dias, Megan et.al. 2023. Consent Searches: Evaluating the Usefulness of a Common and Highly Discretionary Police Practice.

March 22nd: Police Training

1. Remsberg, Charles. 1995. *Tactics for Criminal Patrol*. (Introduction, Chapters 1, 2 & 6).

Week 12 – Policing II

March 27th: Surveillance

1. Brayne, S. 2020. *Predict and surveil: Data, discretion, and the future of policing*. Oxford University Press. CH 1 & CH 6. (available via the UT library)

March 29th: Community Politics

1. Roland Neil and Robert J. Sampson. 2021. The Birth Lottery of History. *American Journal of Sociology* 126 (5).

Week 13 – Crimmigration

April 3rd: Immigration and criminal justice

1. Armenta, Amada, and Isabela Alvarez. "Policing immigrants or policing immigration? Understanding local law enforcement participation in immigration control." *Sociology Compass* 11.2 (2017): e12453.
2. Menjívar, Cecilia, et al. "Immigration enforcement, the racialization of legal status, and perceptions of the police: Latinos in Chicago, Los Angeles, Houston, and Phoenix in comparative perspective." *Du Bois Review: Social Science Research on Race* 15.1 (2018): 107-128.
3. Coleman, Mat, and Austin Kocher. "Rethinking the “gold standard” of racial profiling: § 287 (g), secure communities and racially discrepant police power." *American Behavioral Scientist* 63.9 (2019): 1185-1220.

Reading Review Assignment Due

April 5th: Reading discussion session

Week 14 – Death penalty

April 10th: History of the death penalty

1. Eberhardt, Jennifer L., Paul G. Davies, Valerie J. Purdie-Vaughns, and Sheri Lynn Johnson. 2005. Looking Deathworthy: Perceived Stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes. *Psychological Science* 17 (5): 383-386.

2. Baumgartner, Frank R., Amanda Grigg, and Alisa Mastro. 2015. #BlackLivesDon'tMatter: Race-of-Victim Effects in US Executions, 1977-2013. *Politics, Groups, and Identities* 3 (2): 209-221.

April 12th: Geography of the death penalty

1. Dieter, Richard C. 2013. The 2% Death Penalty: How a Minority of Counties Produce Most Death Cases at Enormous Costs to All. Washington, DC: Death Penalty Information Center.
<https://files.deathpenaltyinfo.org/legacy/documents/TwoPercentReport.pdf>
2. Baumgartner, Frank R. et.al. 2020. Learning to kill: Why a small handful of counties generates the bulk of US death sentences. *PLOS One* 15(10).

Week 15th - Reform

April 17th: Reforming the criminal justice system

1. Awan, Naila. 2022. "Winnable Criminal Justice Reforms in 2023." Prison Policy Initiative, <https://www.prisonpolicy.org/reports/winnable2023.html>

April 19th: Final review day

Week 16th - Final

April 24th: FINAL EXAM