

Survey of Criminal Justice Theory and Research
CCJ5285
Spring 2022
Monday 2:00-4:30 p.m.

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COURSE OBJECTIVES

The overarching goal of this course is to provide students with an overview (survey) of theoretical issues and research on criminal justice. This goal can be achieved in different ways. One is to briefly touch on a small handful of topics in the vast literature on crime and criminal justice, sentencing and justice system operations, the sociology of law, and policy. Another, the one taken in this course, is to focus on one thematic topic—prisoner reentry—and investigate it from as many different vantage points as possible both to understand reentry and to illuminate a range of dimensions and topics in theory and research on criminal justice.

The more specific goals of the course are to familiarize students with (1) the state of empirical and theoretical research on central criminal justice topics and issues, (2) the role of the criminal justice system in contributing to reentry challenges, (3) the range of options for improving criminal justice policy through theory and research, and (4) the tension that exists between so-called “criminological” theory versus so-called “criminal justice” theory.

The objectives and learning outcomes—what students should be able to do by the end of the semester—are to:

- recognize different approaches to undertaking theory and research on criminal justice;
- classify the diverse range of topics that fall under the umbrella of “criminal justice”;
- identify and interpret trends in crime and criminal justice in America;
- trace the historical development of punishment in America and the factors influencing not only changes in it but also in criminal justice policy more generally;
- name the variety of experiences of incarceration and reentry and how these may vary among different populations (e.g., women, juveniles, mentally ill);
- classify and evaluate the challenges associated with successful reentry and with efforts to improve other aspects of the criminal justice system (e.g., policing, courts);
- identify and assess unintended consequences of reentry policies for offenders, victims, society, and the criminal justice system;
- evaluate the merits of “criminal justice” “vs.” “criminological” theory and research; and
- provide theory- and research-based advice to researchers, practitioners, and policymakers about how to study and improve criminal justice.

Classes will be structured around discussions, through the Socratic method, that is, reliance on question-and-answer exchanges to understand and evaluate the readings. I will facilitate these discussions and ensure that we cover as full a range of issues as possible. We will rely on several books (see below) and a number of articles (which will be available via Canvas). Given

the amount of reading, you must learn to skim and focus on critical points and issues. Taking notes on your observations and discussing the readings with others will help you to absorb the material. I may include additional readings as the semester progresses. Please bring the assigned material to class, as we will collectively wrestle with specific passages in the readings. Depending on student interest, we can focus on additional or different topics of interest to the class.

REQUIRED TEXT AND READINGS

There are several required texts for the course and, separately, a set of readings that will be available online through the course library. The required books are:

Mears, Daniel P., and Joshua C. Cochran. 2015. Prisoner Reentry in the Era of Mass Incarceration. Thousand Oaks, CA: Sage Publications. ISBN-13: 9781483316727.

Heilbroner, David. 1990. Rough Justice: Days and Nights of a Young D.A. New York: Pantheon. ISBN-13: 9780394581910.

Blomberg, Thomas G., Julie M. Brancale, Kevin M. Beaver, and William D. Bales, eds. 2016. Advancing Criminology and Criminal Justice Policy. New York: Routledge. ISBN-13: 9781138829237.

RECOMMENDED TEXTS

These are a selection of books that are not required but that you might find interesting and informative in learning about criminal justice theory and research.

Deflem, Mathieu. 2012. Sociology of Law. New York: Cambridge University Press.

Farabee, David. 2005. Rethinking Rehabilitation: Why Can't We Reform Our Criminals? Washington, D.C.: The AEI Press.

Herman, Susan. 2010. Parallel Justice for Victims of Crime. Washington, D.C.: National Center for Victims of Crime.

Laub, John. 1983. Criminology in the Making: An Oral History. Boston: Northeastern University Press.

Maruna, Shadd. 2001. Making Good: How Ex-Convicts Reform and Rebuild their Lives. New York: American Psychological Association.

Mears, Daniel P. 2017. Out-of-Control Criminal Justice: The Systems Improvement Solution for More Safety, Justice, Accountability, and Efficiency. New York: Cambridge University Press.

Mears, Daniel P., and Joshua C. Cochran. 2019. Fundamentals of Criminological and Criminal Justice Inquiry: The Science and Art of Conducting, Evaluating, and Using Research. New York: Cambridge University Press.

Platt, Anthony M. 1977. The Child Savers: The Invention of Delinquency. 2nd edition.

Chicago: University of Chicago Press.

Skolnick, Jerome. 1966. Justice without Trial: Law Enforcement in Democratic Society. New York: Wiley.

Tonry, Michael H., ed. 2009. The Oxford Handbook of Crime and Public Policy. New York: Oxford University Press.

Tyler, Tom R. 2006. Why People Obey the Law. Princeton, NJ: Princeton University Press.

COURSE REQUIREMENTS

Observations (5 percent): Each week, a 1-page, single-spaced (Times New Roman, 12-point font, 1-inch margins) observation is due in class by the start of class. Each observation should discuss (1) a key idea that interested you in the assigned readings, with citations as appropriate to specific passages, *and* (2) two questions that you have about the readings that you would like the class to discuss. Observations are not due the first day of class or on exam weeks.

Exam 1 (45 percent): A take-home essay-based exam that covers material from the first part of the course.

Exam 2 (50 percent): A take-home essay-based exam that covers material from the second part of the course.

The goal of both exams is to help you understand and develop a critical perspective on the course material. In class, we will discuss the types of questions that may appear on the exam. Priority will go to questions that overlap with the readings and class discussions. The grade will be based on how well you: address all parts of each question; present the logic and evidence to support your answers; incorporate all relevant material that was assigned (including material that we discuss and material that we may not have had time to discuss in class); present your answers (i.e., the quality of writing—clear and complete sentences, word choice, etc.); adhere to the formatting requirements. The grading rubric can be found at the end of this syllabus.

GRADING SCALE

The grading scale for each element of the course and for the course overall is as follows:

A	=	93.0	to	100
A-	=	90.0	to	< 93.0
B+	=	87.0	to	< 90.0
B	=	83.0	to	< 87.0
B-	=	80.0	to	< 83.0
C+	=	77.0	to	< 80.0
C	=	73.0	to	< 77.0
C-	=	70.0	to	< 73.0
D+	=	67.0	to	< 70.0
D	=	63.0	to	< 67.0
D-	=	60.0	to	< 63.0

F = <60.0

COURSE POLICIES

- **University attendance policy.** If you miss class, you will not receive credit for the assignments unless exceptional circumstances exist or you provide prior written notice that attendance to the class is not possible for legitimate reasons, as defined by the University. Students must provide, when possible, advance notice of absences. After an absence, students must provide relevant documentation within one week of missing class; the missed assignment also must be completed within that week. The University's attendance policy will be followed in determining whether a missed assignment is due to legitimate reasons. The University's attendance policy (<https://facsenate.fsu.edu/Curriculum-Resources/syllabus-language>) states: "*Excused absences include documented illness, deaths in the family and other documented crises, call to active military duty or jury duty, religious holy days, and official University activities. These absences will be accommodated in a way that does not arbitrarily penalize students who have a valid excuse. Consideration will also be given to students whose dependent children experience serious illness.*"
- **Late assignment policy.** Late assignments will not be accepted unless: (1) Notification is provided to the instructor within 24 hours of a missed assignment, and (2) a legitimate reason is provided for why the assignment was late. Written documentation for the excuse may be required. *If you do not follow this procedure, you will receive a zero on the assignment.* When a legitimate reason exists, the assignment must be submitted within one week of the assignment's original due date.
- **Academic honor policy.** The Florida State University Academic Honor Policy outlines the University's expectations for the integrity of students' academic work, the procedures for resolving alleged violations of those expectations, and the rights and responsibilities of students and faculty members throughout the process. Students are responsible for reading the Academic Honor Policy and for living up to their pledge to ". . . be honest and truthful and . . . [to] strive for personal and institutional integrity at Florida State University" (Florida State University Academic Honor Policy, found at <http://fda.fsu.edu/academic-resources/academic-integrity-and-grievances/academic-honor-policy>).
- **Academic success.** Your academic success is a top priority for Florida State University. University resources to help you succeed include tutoring centers, computer labs, counseling and health services, and services for designated groups, such as veterans and students with disabilities. The following information is not exhaustive, so please check with your advisor or the Dean of Students office to learn more.
- **Americans with Disabilities Act.** Florida State University (FSU) values diversity and inclusion; we are committed to a climate of mutual respect and full participation. Our goal is to create learning environments that are usable, equitable, inclusive, and welcoming. FSU is committed to providing reasonable accommodations for all persons with disabilities in a manner that is consistent with academic standards of the course while empowering the student to meet integral requirements of the course. To receive academic accommodations, a

student: (1) must register with and provide documentation to the Office of Accessibility Services (OAS); (2) must provide a letter from OAS to the instructor indicating the need for accommodation and what type; and (3) should communicate with the instructor, as needed, to discuss recommended accommodations. A request for a meeting may be initiated by the student or the instructor. Please note that instructors are not allowed to provide classroom accommodations to a student until appropriate verification from the Office of Accessibility Services has been provided. This syllabus and other class materials are available in alternative format upon request. For more information about services available to FSU students with disabilities, contact the

Office of Accessibility Services
 874 Traditions Way
 108 Student Services Building
 Florida State University
 Tallahassee, FL 32306-4167
 (850) 644-9566 (voice)
 (850) 644-8504 (TDD)
oas@fsu.edu
<https://dsst.fsu.edu/oas>

- **Confidential campus resources.** Various centers and programs are available to assist students with navigating stressors that might impact academic success. These include the following:

Victim Advocate Program
 University Center A,
 Rm. 4100
 (850) 644-7161
 Available 24/7/365
 Office Hours: M-F 8-5
<https://dsst.fsu.edu/vap>

Counseling and
 Psychological Services
 Askew Student Life Center,
 2nd floor
 942 Learning Way
 (850) 644-8255
<https://counseling.fsu.edu>

University Health Services
 Health and Wellness Center
 (850) 644-6230
<https://uhs.fsu.edu>

- **Class recordings.** Students are permitted to make recordings of class lectures for a class in which the student is enrolled for personal educational use. A class lecture is defined as an educational presentation delivered by the instructor as part of a university course intended to inform or teach enrolled students about a particular subject. *Recording class activities other than class lectures—including but not limited to lab or recitation sessions; student presentations (whether individually or part of a group); class discussions (except when incidental to the lecture); clinical practica and presentations involving patient histories and other protected health information; academic exercises involving student participation; test or examination administrations; field trips; and private conversations between students in the class or between a student and the faculty member—is prohibited.* Recordings may not be used as a substitute for class participation and class attendance and *recordings may not be published or shared without the written consent of the faculty member.* Failure to adhere to these requirements may constitute a violation of FSU’s Student Code of Conduct and possibly have legal consequences. Students who record class lectures are asked to do so in ways that do not make others feel reluctant to ask questions, explore new ideas, or otherwise

participate in class. Students must monitor their recording so that they do not include participation by other students without permission. Students with disabilities will continue to have appropriate accommodations for recordings as established by the Office of Accessibility Services.

- **Courtesy, respect, and professionalism.** Please arrive at class on time prepared to discuss the materials assigned. During class, please do not be disruptive or engage in side conversations or activities. Instead, actively contribute to and engage in class discussions.
- **Free tutoring from FSU.** On-campus tutoring and writing assistance is available for many courses at Florida State University. For more information, visit the Academic Center for Excellence (ACE) Tutoring Services' comprehensive list of on-campus tutoring options—see <http://ace.fsu.edu/tutoring> or contact tutor@fsu.edu. High-quality tutoring is available by appointment and on a walk-in basis. These services are offered by tutors trained to encourage the highest level of individual academic success while upholding personal academic integrity.
- **Syllabus change policy.** Except for changes that substantially affect implementation of the evaluation (grading) statement, this syllabus is a guide for the course and is subject to change with advance notice.

COURSE CALENDAR

Readings assigned for a given week should be read by the start of class (e.g., the week 2 readings should be read by the start of class in week 2).

Week	Date	Topics and Readings
Week 1	1/10 (M)	Introduction: Criminal Justice Theory and Research (Reentry as a Vehicle for Exploring this Field)
Week 2	1/24 (M)	Introduction to Criminal Justice Theory and to Reentry Mears and Cochran (2015), chapter 1. Bernard, Thomas J., and Robin S. Engel. 2001. "Conceptualizing Criminal Justice Theory." <i>Justice Quarterly</i> 18:1-30. Gibbs, Jack P. 1997. "Seven Dimensions of the Predictive Power of Sociological Theories." <i>National Journal of Sociology</i> 11:1-28. Hagan, John. 1989. "Why Is There So Little Criminal Justice Theory? Neglected Macro- and Micro-Level Links Between Organization and Power." <i>Journal of Research in Crime and Delinquency</i> 26:116-135. Snipes, Jeffrey B., and Edward R. Maguire. 2015. "Foundations of Criminal Justice Theory." Pp. 27-54 in <i>Criminal Justice Theory: Explaining the Nature and Behavior of Criminal Justice</i> , edited by Edward R. Maguire and David E. Duffee. 2nd edition. New York: Routledge.
Week 3	1/31 (M)	Trends in C.J., Corrections, and Reentry Policy and Practice Mears and Cochran (2015), chapter 2. Manning, Peter K. 2005. "The Study of Policing." <i>Police Quarterly</i> 8:23-43. Reisig, Michael D. 2010. "Community and Problem-Oriented Policing." <i>Crime and Justice</i> 39:1-53.
Week 4	2/7 (M)	Causes of Mass Incarceration and Reentry Prosecutors and Case Processing Mears and Cochran (2015), chapter 3. Heilbroner (1990), part I, "Farebeaters . . ." (1-116).
Week 5	2/14 (M)	Profile of the Inmate Population Types of Cases "Handled" by the Criminal Justice System Mears and Cochran (2015), chapter 4. Heilbroner (1990), part II, "Madmen and Fugitives" (117-191).
Week 6	2/21 (M)	The Prison Experience Mears and Cochran (2015), chapter 5. Bottoms, Anthony E. 1999. "Interpersonal Violence and Social Order in Prisons." <i>Crime and Justice</i> 26:205-281.
Week 7	2/28 (M)	Reentry Experiences and Challenges Mears and Cochran (2015), chapter 6. Block, Fredic. 2016. Eastern State District Court, Eastern District

		<p>of New York v. Chevelle Nesbeth. Opinion 15-CR-18 (FB). May 24.</p> <p>Weiser, Benjamin. 2016. "U.S. Judge's Striking Move in Felony Drug Case: Probation, Not Prison." <u>The New York Times</u>, May 26, p. A21.</p> <p>EXAM 1 DISTRIBUTED</p>
Week 8	3/7 (M)	<p>Recidivism and Risk Prediction</p> <p>Mears and Cochran (2015), chapter 7.</p> <p>Walters, Glenn D. 2017. "Beyond Dustbowl Empiricism: The Need for Theory in Recidivism Prediction Research and Its Potential Realization in Causal Mediation Analysis." <u>Criminal Justice and Behavior</u> 44:40-58.</p>
Week 9	3/21 (M)	<p>Diverse Inmate Populations and Reentry</p> <p>Mears and Cochran (2015), chapter 8.</p> <p>Heilbroner (1990), part III, "Felons" (192-286).</p>
Week 10	3/28 (M)	<p>Law and Criminal Justice</p> <p>Engel, Robin S. 2005. "Citizens' Perceptions of Procedural and Distributive Injustice During Traffic Stops with Police." <u>Journal of Research in Crime and Delinquency</u> 42:445-481.</p> <p>Gottfredson, Michael R., and Michael J. Hindelang. 1979. "Theory and Research in the Sociology of Law." <u>American Sociological Review</u> 44:27-37.</p> <p>Johnson, Brian D., Ryan D. King, and Cassia Spohn. 2016. "Sociolegal Approaches to the Study of Guilty Pleas and Prosecution." <u>Annual Review of Law and Social Science</u> 12:479-495.</p> <p>Yoffe, Emily. 2017. "Innocence Is Relevant." <u>The Atlantic Monthly</u> 320(2):66-74.</p>
Week 11	4/4 (M)	<p>Reentry Policy and What Works to Improve Reentry Outcomes</p> <p>Mears and Cochran (2015), chapter 9.</p> <p>Mears and Cochran (2015), chapter 10.</p> <p>Cullen, Francis T., Cheryl L. Jonson, and Daniel P. Mears. 2017. "Reinventing Community Corrections: Ten Recommendations." <u>Crime and Justice</u> 46:27-93.</p>
Week 12	4/11 (M)	<p>Criminal Justice Theory</p> <p>Bernard, Thomas J., Eugene A. Paoline III, and Paul-Philippe Pare. 2005. "General Systems Theory and Criminal Justice." <u>Journal of Criminal Justice</u> 33:203-211.</p> <p>Cooper, Jonathon, and John L. Worrall. 2012. "Theorizing Criminal Justice Evaluation and Research." <u>Criminal Justice Review</u> 37:384-397.</p> <p>Crank, John P., and Blythe M. Bowman. 2008. "What Is Good Criminal Justice Theory?" <u>Journal of Criminal Justice</u> 36:563-572.</p> <p>Dooley, Brendan D., and Jason Rydberg. 2014. "Irreconcilable Differences? Examining Divergences in the Orientations of</p>

		<p>Criminology and Criminal Justice Scholarship, 1951-2008.” <u>Journal of Criminal Justice Education</u> 25:84-105.</p> <p>Kulig, Teresa C., Travis C. Pratt, and Francis T. Cullen. 2017. “Revisiting the Stanford Prison Experiment: A Case Study in Organized Skepticism.” <u>Journal of Criminal Justice Education</u> 28:74-111.</p> <p>Steinmetz, Kevin F., Brian P. Schaefer, Rolando V. del Carmen, and Craig Hemmens. 2014. “Assessing the Boundaries Between Criminal Justice and Criminology.” <u>Criminal Justice Review</u> 39:357-376.</p>
Week 13	4/18 (M)	<p>Theory, Criminal Justice, and Policy</p> <p>Mears, Daniel P. 2007. “Towards Rational and Evidence-Based Crime Policy.” <u>Journal of Criminal Justice</u> 35:667-682.</p> <p>Blomberg, Thomas G., Julie M. Brancale, Kevin M. Beaver, and William D. Bales, eds. 2016. <u>Advancing Criminology and Criminal Justice Policy</u>. New York: Routledge.</p> <p>Duffee, David E. 2015. “Why Is Criminal Justice Theory Important?” Pp. 5-26 in <u>Criminal Justice Theory: Explaining the Nature and Behavior of Criminal Justice</u>, edited by Edward R. Maguire and David E. Duffee. 2nd edition. New York: Routledge.</p> <p>Kraska, Peter B. 2006. “Criminal Justice Theory: Toward Legitimacy and an Infrastructure.” <u>Justice Quarterly</u> 23:167-185.</p> <p>Laub, John H. 2021. “Moving the National Institute of Justice Forward: July 2010 through December 2012.” <u>Journal of Contemporary Criminal Justice</u> 37:166-174.</p> <p>Review of American Society of Criminology (ASC) and Academy of Criminal Justice Sciences (ACJS) annual meeting programs.</p> <p>Concluding discussion about C.J. theory and research</p> <ul style="list-style-type: none"> • Review of recommended texts. <p>EXAM 2 DISTRIBUTED</p>

EXAM GRADING RUBRIC

Each objective below is worth a maximum of 20 percent of the exam grade (per question)	20 points =	10 points =	0 points =
1. Effectively addresses all parts of question(s).	Excellent job of directly answering all parts of question logically, completely, and in detail; reasoning is explained and defended through reference to theory, logic, and research.	Addresses only some parts of the question, the logic is incomplete, and/or provides insufficient detail.	Does not address the question being posed.
2. Cites all relevant assigned readings.	All relevant assigned readings are included in posting. Any additional material is directly relevant to the question.	Some relevant assigned readings are cited, but others are missing. Extraneous information included.	No assigned readings are cited.
3. Discusses all relevant cited and assigned readings.	All cited materials are discussed and coherently integrated into the answer. Logical and clear and complete, using theory, research, and other evidence to support answer.	Some of the cited materials are discussed, but other relevant readings not discussed. Unclear logic and incomplete explanation of argument and supporting theory, research, or other evidence.	None of the cited materials are discussed.
4. Writing is clear, concise, and professional in nature; no grammatical errors.	Clearly expressed ideas. No grammatical errors or other writing problems.	Difficult-to-follow post; disorganized; some grammatical errors and writing problems.	Major grammatical errors; incomplete sentences; difficult to understand.
5. Organization.	Exam is well-organized, using clear headings, sub-headings, and transitions. Answers flow in a linear manner that addresses the question directly.	Exam is choppy and lacks coherent organization. Limited or no headings or sub-headings or clear transitions. Question not directly answered.	Exam is difficult to follow; ideas are not well linked together. No headings, sub-heading, or transitions. Question not answered or not directly answered.
Total possible points	100 points		