During his first stint as Chief of the New York City Police Department, William Bratton often claimed that the crime rate has the same meaning for a police department as profits have for a business—that the crime rate is the “bottom line” of policing. Bratton intended this claim as a practical statement about how police departments should be managed, and especially about the form that police performance measures ought to take. But like all practical statements about what criminal justice policy and practice should be, it is also a philosophical claim about the goals that should govern society’s response to crime.

In this course we will question the philosophical position that Bratton expressed, exploring the idea that concern about crime itself should and does compete with other priorities. Good criminal justice policy and practice should promote public safety, but it should also (at minimum) express appropriate censure for wrongful actions, and it should respect the ideals of individual liberty and social equity as well. It is this range of goals—not the single goal of crime reduction—that both justifies public efforts to control crime and motivates important policy actors. To make appropriate decisions about criminal justice, policymakers and practitioners need to grapple with what these goals mean and with how they can be accomplished.

In the first part of the course, we will review classic and contemporary readings in philosophy and criminal justice to explore these goals in detail. Why is each goal important? What does it demand? What are its limits in policy and practice? Who are its champions? How is it possible to tell how well a policy advances it? Obviously the answers to all of these questions are contested: “Safety”, “censure”, “liberty”, and “equality” mean different things to different people, and we do not all rank them in the same way (one person’s fair trade of liberty for order may strike another as the first step toward a police state). But by trying to answer questions like these, and by debating the different answers that we arrive at, we will develop a thorough understanding of key interests and values in this field. In the process, we will have developed a framework for drawing together the wide range of information that is relevant to any specific crime control proposal and evaluating that proposal’s merits. It is in that sense that this course aims to introduce you to one way of thinking about crime.

In the second part of the course, we will use our framework to analyze the three major criminal justice institutions—cops, courts, and corrections—focusing particularly on proposals for reform in each of these areas. In each case, we will review current research and analyses of different strategies, aiming to understand which proposals strike a tolerable balance among the competing aims of the field. The topics we will explore do not cover every institution relevant to crime control, and we can only touch on a few
aspects of each institution we do cover. But these sessions will give you experience using our analytic framework to help evaluate some of the most prominent debates about criminal justice reform today.

**Requirements**

1. Regular class attendance, participation, and preparation—*i.e.*, do the readings and be ready to talk about them. I may also ask you to prepare summaries of the readings or presentations for the class. (15%)

2. Five canvas posts; a link to the sign-up sheet is [here](#). These posts should be brief (300-500 words) but focused reactions to one of the themes covered by the session’s readings. Submit your post for each session you have chosen by 8:00 AM the morning class begins, and preferably the night before (15%).

3. One short policy memo on a topic to be assigned, due October 11. I will hand out the memo topics and requirements one week before it is due. (25%)

4. One term paper (approx. 15 pp.) analyzing a crime control strategy, due December 16 at 5:00 PM. The term paper is flexible, but in general it should focus either on (1) evaluating some particular *proposal* for addressing an important crime-related problem (*i.e.* asking whether that proposal accomplishes what any anti-crime strategy ought to accomplish), or (2) analyzing a crime-related *problem*, and asking what the best response is. The problems and proposals you examine can be as specific or general as you like—anything from the public safety challenges faced by a particular neighborhood, to broad crime policy issues at the national level. (45%)

5. A very brief proposal for your term paper (one or two paragraphs is plenty), due October 19. Your proposal should describe the subject you have chosen and how you plan to analyze it, including the kind of research you plan to do. (Usually that will mean a review of relevant academic literature; tell me which fields you expect to investigate and some examples of material that appears relevant. Occasionally you may plan to conduct interviews or analyze data, but that is not necessary.) *(required but ungraded)*

**All of the readings listed are required except where noted.** Please do all the required readings before you come to class. There is a fair amount of reading, but the rest of the course workload isn’t heavy, so the readings should be manageable. Class discussions won’t work if you don’t read. Hopefully, you will find the readings interesting and useful!

**The readings are available electronically** in the course Canvas site. The “Files” section has separate folders that contain the readings for each class session. I will alert you ahead of time if I need to make changes to the readings.

For further information about academic expectations, accommodations, and resources for student-well being and mental health in this class and elsewhere in the Ford School, please visit [http://fordschool.umich.edu/academics/expectations](http://fordschool.umich.edu/academics/expectations). Because of the nature of the topics we discuss in this course and the way we will discuss them, the Ford School’s
Statement on Inclusivity merits especially close attention. The diverse perspectives and experiences that you and your classmates bring to class are an invaluable resource for our discussions and your learning. Be open to and respectful of the contributions that others make.

Accommodations for Students with Disabilities. If you believe you need an accommodation for a disability, please let me know at your earliest convenience. Some aspects of the course may be modified to facilitate your participation and progress. As soon as you make me aware of your needs, I can work with the Services for Students with Disabilities (SSD) office to help determine appropriate academic accommodations. Any information you provide will be treated as private and confidential.

Schedule of Class Topics and Readings

September 4  Introduction

September 9  Crime and Criminal Justice through the Age of Mass Incarceration


Background Materials to Browse
FBI, Crime in the United States, 2017
Rachel Morgan and Jennifer Truman, “Criminal Victimization, 2017”

The Experience of Crime and Criminal Justice

| PART I: GOALS |
| 1. Safety |

September 11  Incapacitation

Incapacitation and the Rise of Mass Incarceration


September 16  Deterrence


September 18  Rehabilitation


September 23  **Prevention**


2. **Censure**

September 25  **Just Deserts**


September 30  **Justice for Victims**


3. Liberty

**October 2**  
**Due Process**


Jeannie Suk Gersen. “Unpopular Speech in a Cold Climate”, *The New Yorker*, March 14, 2019


*Optional: Danielle Allen. Cuz (New York: W.W. Norton, 2017), pp. 70-80*

**October 7**  
**The Reach of the Criminal Law**


*Constraining Discretion (Prosecutors’, for example)*  

4. Equality

**October 9**  
**Racial Inequality in Criminal Justice**


October 14  **No Class-Fall Study Break**

October 16  **Writing your crime policy term paper**

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**PART II: STRATEGIES**

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1. *Punishment*

October 21  **Drug Courts**


October 23  **Restorative Justice**


October 28  **Community Corrections**


*Reforming Community Corrections*


Mark A.R. Kleiman, Angela Hawken, and Ross Halperin. “We don’t need to keep criminals in prison to punish them,” *vox.com*, March 18, 2015


Vincent Schiraldi. “Parole and probation have grown far beyond resources allocated to support them”, *The Conversation*, August 16, 2018

October 30  **Scarlet Letters**


Jessica Henry and James Jacobs. “Ban the Box to Promote Ex-Offender Employment”, *Criminology and Public Policy*, vol. 6 (2007), pp. 755-762

Jennifer L. Doleac. “‘Ban the Box’ does more harm than good”, *Brookings Institution*, May 31, 2016


November 4  **Decriminalization**


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2.  **Police**

November 6  **The Police**

Peter Moskos. “911 is a Joke”, in *Cop in the Hood*. (Princeton Univ. Press, 2008), pp. 89-110

Herman Goldstein. *Problem-Oriented Policing* (McGraw-Hill, 1990), ch 4


November 11  **Stop and Frisk**


November 13 **911 and Policing**

*Guest Lecturer: Jessica Gillooly*


November 18 **The Use and Abuse of “Broken Windows”**


November 20 **Policing Drugs**


November 25  **Diversion**


David Kroman. “Misdemeanor Arrests Decline in Seattle as Racial Disparities Remain”, *Crosscut*, October 25, 2018

Albany LEAD Program. One-Year Anniversary Report. April 5, 2017

November 27  **No Class – Happy Thanksgiving!**

December 2  **Red Flag Laws**


December 4  Indigent Defense


December 9  Prosecutors


December 11  Pretrial Detention


Laura and John Arnold Foundation. “Developing a National Model for Pretrial Risk Assessment”, Nov. 2013; and “Results from the First Six Months of the Public Safety Assessment Court in Kentucky”, July 2014