Sul Ross State University

Criminal Justice 3300
History of Criminal Justice
Spring 2019

Professor: Martin Guevara Urbina, Ph.D.
Classroom: Del Rio: 109; Eagle Pass: B112; Uvalde: B114c
Class Meeting: Monday, 6:00—8:45p.m.
Office: 201 (Faculty Building)
Phone: 830-703-4820 (direct line)
Hours: Monday and Tuesday, 12:00 to 5:00. At times other than the specified days you are welcome to visit the Professor’s office.
E-mail: murbina@sulross.edu

Student Learning Outcomes (SLOs):
1. Demonstrate proficiency in the application of legal concepts, theoretical applications, scientific principles, and historical trends in the criminal justice arena.

2. Demonstrate competency in the application of basic research methods, to include: research design, statistical analysis, and uses of empirical findings and interpretations.

3. Demonstrate the application of organizational principles, cultural, social and behavioral knowledge, critical thinking skills and cognitive thought processes within the criminal justice arena.

Course (Catalog) Description: A survey of criminal justice history; a study relating to the developments in American law, police practice and penology in western civilization. Major American and European theories of criminal justice are studied.

Objective: History of Criminal Justice will offer a holistic analysis of the history of the US criminal justice system, to include law enforcement, the judicial system, and the penal system, combined with a sociological, theoretical, criminological, and legal examination of the historical dynamics of America’s criminal justice system. While the focus will be primarily, but not exclusively, on the history of criminal justice and criminology, structural and ideological historical forces governing the state of the criminal
justice system, particular attention will be given to what I call a symbiotic triangle (society, law, and justice), giving us insight into the nature of human behavior, legal systems, social institutions, and international legal arrangements. Some social scientists approach the criminal justice system, as an institution of social control, from an outside rather an inside perspective, which focus on the violation of adopted laws as seen from inside the American society, often in an idealized form of social control and punishment. Specifically, the intent of this course is to provide the student with a detailed understanding of 10 main topics, which are best expressed in the following questions:

1. What is the MAIN objective for the study of the criminal justice system? What are the main benefits for an historical exploration of criminal justice and criminology?

2. Historically, how could criminal justice be defined within the context of law, order, justice, jurisdiction, and time? For instance, from having almost no law in the early days in the US, the US is now the country with the most law in the world; yet, we are currently the country with the highest crime rates among the developed world?

3. Pragmatically, philosophically, politically, economically, culturally, and socially, how could one possibly characterize the motive of criminal justice? Please think critically! For instance, have crime rates changed much since the early days in America, going back to 1492? How would you explain the fact that the US is currently the #1 incarcerator in the world!

4. What are the most influential theoretical and philosophical ideologies (or mentalities) shaping and re-shaping the pages of history in criminal justice and criminology? How has the American criminal justice system, in the context of social control vis-à-vis policing, punishment, and institutionalization, particularly in regards to gender, race, ethnicity, and class, evolved in the US? What are the links between gender, class (SES), race, ethnicity, national origin, employment, poverty, time, jurisdiction, and space?

5. What FORCES have driven and/or continue to drive the dynamics, mechanisms, benefits, ramifications, implications, and manifestations of the criminal justice system, within an historical context? What role do politics, the media, symbolism, power, social norms, and society play in the evolution of criminal justice and criminology, shaping criminal justice history? Likewise, what role have historical EVENTS played in shaping, re-shaping, and defining the pages of criminal justice history?

6. Historically, what role does sensitive issues like culture, religion, and morality play in the evolution of criminal justice? How influential are subtle factors, like fear, greed, revenge, and vindictiveness in shaping, reshaping, and defining criminal justice and, by extension, criminal justice history?

7. WHO has played the most significant role in “shaping, re-shaping, and defining” what is now considered criminal justice history?

8. What is the scope and nature of “critical” issues currently confronting the criminal justice system, which are soon to be written, maybe, into criminal justice history?

9. Can you think of historical data that did NOT make it into the pages of criminal justice history?

10. How do you foresee the future of criminal justice and criminology, history in the making?
The next set of questions is essentially definitional in nature. It is essential that we share the same definitions of issues, events, situations, or problems if we are to come to a common understanding of both the problem and any possible solutions/remedies. As such, the class’s first segment deals with defining the concept of criminal justice history and placing it in a global context, as we are now dealing with transnational crime and legal systems that transcend boundaries and borders.

The last set of questions is more analytical. A particular truism about criminal behavior, law enforcement, jurisprudence, penology, criminological, sociological, and theoretical aspects of the nature of society is as follows: There are many typologies of policing, jurisprudence, penology, criminological, sociological, and legal theories as there are authors writing textbooks about the subject. The five-fold approach we will take is an amalgam of several such typologies:

**History**—More than any other class, we will make use of historical events, situations, and circumstances to better understand the subject matter by its totality. It is essential that we obtain an understanding and appreciation for historical ruptures and discontinuities as we try to bridge existing gaps. According to an African proverb, “Until lions have their own historians, histories of the hunt will glorify the hunter.”

**Theory**—Theoretically, we must investigate which theories provide the best guidance in our search for “truth and reality.”

**Law and Society**—In a society where most behavior is governed by some type of law, it is vital that we explore the relationship between law and society. To some scholars, laws are a measure of culture; crime, another element of all known cultures, is the violation of those laws. In essence, why do we have laws? Do we need laws? Does law make a difference?

**Philosophy**—While penal, legal, sociological, and criminological theories might serve as “road maps” to everyday life, philosophy gives “meaning” to human existence. It enables us to better appreciate what matters most at the END of the day.

**Poetry**—Even though poetry is one of the oldest forms of dialogue, it is seldom mentioned in academic discussions. Yet, poetry allows us to transcend the unknown … it allows us to dream the impossible … to dream the impossible dream. “Invent the age, invent the metaphor. Without a credible structure of law a society is inconceivable. Without a workable poetry no society can conceive a [person].” -- Archibald MacLeish, Apologia, 1972.

The final question has policy overtones. First, we must briefly look at the nature and process of human behavior, criminal behavior, and the US criminal justice system within an historical context, with a focus on public safety, practicality, and justice. Next, we turn to the more difficult task of linking criminal justice policy, sociological, psychological, legal, and criminological theory, particularly those we will review, to criminal behavior, legal rights, research, and practice, from an historical standpoint.

Overall, this course is designed to introduce you to the evolution and dynamics of criminology and criminal justice history, and placing our analysis within the broader sphere of the globalization of knowledge. By introducing you to influential issues that provide the frameworks to studying a wide variety of phenomena, I intend this course to be a basis for further, more in-depth study in the areas that interest you.
**Course Context:** As an upper-level course, this class may include controversial, sensitive, and/or adult material. For instance, an historical examination will explore the influence of conquest, colonialism, slavery, and lynching? Students are expected to have the mentality and readiness for upper-level content and rigor.

**Required Texts:**

[ISBN: 978-0195074512]

**Optional Readings:**


Fogel, David (1979). “... we are the living proof”: *The justice model of corrections.* Cincinnati: Anderson.


**Recommended Readings:**

**Books:**


**Book Chapters:**


Refereed (Peer-Reviewed) Journal Articles:


**Encyclopedia, Magazine, and Other Publications:**


**Attendance/Class Participation:** Please complete the reading assignments before coming to class because there will be in-class group discussion on the assigned material. Each student will also be assigned readings and asked to discuss them in class. The 100 participation points are NOT based solely on attendance. Along, with “regular” attendance, I equate all aspects of diction to determine the participation grade. Overall, I consider whether the content of the participation is thoughtful, creative, original, and mature.

**Weekly Assignments:** There will be ten (10) Weekly Assignments, each worth 10 points for a total of 100 points. The Weekly Assignments will be discussed further the first week of class.

**Reviews (Book, Article, Movie):**

**Book Review** (50 points): For your Book Reviews you are asked to read and make critical judgment about one book (50 points). Here is the complete citation for the required book review:


The Book Review is limited to 3 to 5 typed pages. The logistics of the Book Reviews will be discussed in class and handouts will be provided to assist you with the writing assignments.

**Article Review** (50 points): An article will be provided (or posted online) your review and assessment.

**Movie Review** (50 points): A movie title will be provided (or posted online) for your review and assessment.

**Exams:** There will be two essay exams (midterm and final), each worth 100 points. Please arrange for make-up examinations prior to the date of the exam. The examinations will cover lecture materials, films, and reading assignments. Exams will contain open-ended questions (and a series of secondary questions), so please bring a blue book and a pencil/pen to each exam.

**Required Project:** The logistics of the project, which will be submitted as a formal paper, will be discussed in detailed in class. Illustration: many agencies allow citizens to go in
and observe. Some law enforcement agencies, for instance, allow “ride alongs.” Hence, you could arrange to participate in a series of “field” activities. At the end of the shift/session, write down what you observed. Describe how it compares with elements of what you have learned in class (like criminal behavior, perceptions, gender, race, ethnicity, social class, age, imprisonment, and justice within an historical context). For instance, based on your observations, what are the links between criminal behavior, law, punishment, imprisonment, justice, research, and practice?

Your project, which is **required** (100 points), will be **presented at the end of the semester**, if time allows. Papers (approximately 8 to 12 pages in length) must be typed. Late papers will **not** be accepted. Do not turn in your only copy of any paper in case assignments are lost or destroyed.

**Mini-project:**

This should be a fun exercise that allows you to explore (critically) some aspect of human behavior as it pertain to the **history of criminal justice** in greater depth with less evaluation anxiety than you would have in a full-length paper assignment. I would like you to try to and choose a project that you will enjoy, and that will stimulate your thinking about the concepts covered in this course.

Mini-projects are **optional**. You will receive “extra credit” points for completing mini-projects. If your mini-project is **adequate**, you will receive one percentage point. This point will be added on to your final grade at the end of the semester.

You may turn in your mini-projects any time during the semester. The projects will be of greater value if they are done thoughtfully. Thus, you may not submit more than **three** mini-projects.

There is no minimum or maximum length requirement. Typically you will submit a three to five page typed paper as the final product of each mini-project. Some projects, however, may require longer (or shorter) write-ups. Your analysis should illustrate or explore some phenomenon relevant to the course, while knowledgeably using concepts, principles, and language in the context of criminal justice history.

Attached to the end of the syllabus are descriptions of some mini-project options. Some of them will make more sense to you as we progress through the course. If you think of an **alternative** you would like to do as a mini-project, please feel free to ask me about it. Again, I am looking for you to implement class material—especially critical issues/perspectives—when describing the phenomena you choose to explore.
Grades: There are a total of 560 points available in this course. Grades will be based on the total points for the semester. Specifically, grades will be assigned by comparing your performance to the best possible score (650) as follows:

Exams: 200 points  
Weekly Assignments: 100 points*  
Reviews: 150 points  
Required Project: 100 points  
Attendance/Participation: 100 points**  

Total........................................650 points

*Tentatively, weekly assignments will count for 100 points. However, it is possible that the total possible points (i.e., 100) will be increased, or reduced. If increased, the TOTAL POSSIBLE points discussed herein (i.e., 650) will add to more than 650 points. If reduced, the TOTAL POSSIBLE points discussed herein (i.e., 650) will add to less than 650 points.

**Similarly, if the 100 participation points are either increased or reduced, only the total possible points for participation that are utilized will be equated in the final grade distribution. In such case, the TOTAL POSSIBLE points discussed herein (i.e., 650) will add to less (or more) than 650 points.

Grade Distribution:
90-100% = A (Excellent)  
80-89% = B (Better than Average)  
70-79% = C (Average)  
60-69% = D (Below Average)  
Below 60% = Failing

Note: Mini-project points will be added to your point total at the end of the course.

Please be aware of class expectations, rules, and University/College Policies, which follow:

Attendance Policy This course is designed to be both lecture and discussion. Thus, it is to your advantage to attend class regularly. For instance, if you do not attend class, you cannot learn the discussed material. Additionally, you will not be able to discuss the assigned readings. Much of the learning in class is through interaction, especially in small group discussions. In the process, you will be given the opportunity to express your views and ask questions that might enhance our understanding of the dynamics of criminal justice history in the US. Also, do not hesitate to share experiences that may help to enhance our understanding of the nature and significance of crime and punishment within the context of the criminal justice system, historically. (Please reference Sul Ross State University—Rio Grande College Catalog for additional information.)

Punctuality is of extreme importance. “Tardiness” is extremely disruptive to fellow students and myself. As such, try to be on time. I
understand that it is not possible at times, but please do not make it a routine.

**Tobacco/Cell Phone/Beepers.** Tobacco is not allowed in the classroom. *Cell phones* and beepers must be turned **off** for the entire duration of the class.

**Classroom etiquette.** Above all, always respect yourself and others; be patient; be willing to explore new ideas (perspectives), avoid reading newspapers/books and side conversations, they are distracting to fellow students and myself; and restrict questions and comments to the tabled topic.

**Incomplete Grades:**
PLEASE AVOID INCOMPLETE GRADES. ALL ASSIGNMENTS AND TESTS ARE DUE ON THE DATES OUTLINED IN THE SYLLABUS. It is the responsibility of students to notify the Professor if you cannot make a test or will not be in class. Please call me (830/758-5017) if you do not plan to attend a class session or feel you will be missing an exam. If I do not hear from you prior to class, I will not allow an excuse for the absence.

**Class Responsibilities and Conduct:**
You will be responsible for the films shown in class and for material presented by any guest speakers. You will be responsible for getting the notes for any classes you may have to miss. Any student who is intentionally disruptive will be asked to leave for the remainder of that class period. Any student who has been asked to leave twice will be reported to the Department Chair or Academic Dean. Disruptive behavior includes but is not limited to the following: cell phone disruptions, being repeatedly late; leaving early without prior permission; talking or otherwise disturbing class discussions; leaving the room during class, video presentation, or guest speakers. You are expected to show respect to yourself, other students, and your Professor.

**Academic Honesty (Reference Sul Ross State University—Rio Grande College Catalog):**
Rio Grande College expects its students to maintain high standards of personal and academic conduct. Students who take part in academic dishonesty are subject to disciplinary action. Academic dishonesty includes, but is not limited to, cheating on an examination or other academic work, plagiarism, collusion, and the abuse of resource materials. The faculty member is responsible for initiating action for each case of academic dishonesty. Discover any academic dishonesty by a student, may be reported to the Department Chair or Academic Dean.

**Disability Services:**
Students who have special instructional needs because of a physical handicap or a learning disability should discuss their special needs with the office of Student Disabilities Services. You may also see the University/College Catalog for additional information. Please do so before the end of the first week of class.

Contact person for ADA:
Mary Schwartz, M.Ed., LPC
Accessibility Services Coordinator
Drop Policy:
If you discover that you need to drop this class, you must contact the Records Office and ask for the necessary paperwork. Professors cannot drop students; this is always the responsibility of the student. The record’s office will give a deadline for which the paperwork and form, if required, must be returned, complete and signed. If you discover that you are still enrolled, FOLLOW-UP with the Records Office immediately. You are to attend class until the procedure is complete to avoid penalty for absence. Should you miss the deadline or fail to follow the procedure, you will receive an F in the course.

Library Services:
Library information and technology focus on research skills that prepare individuals to live and work in an information-centered society. Librarians will work with students in the development of critical reasoning, ethical use of information, and the appropriate use of secondary research techniques including: exploring information resources such as library collections and services, identify sources such as subject databases and scholarly journals, executing effective search strategies, retrieving, recording, and citing relevant results correctly, and interpreting search results and deciding whether to expand the search.

The Rio Grande College Quality Enhancement Plan (QEP):
Sul Ross State University Rio Grande College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS). As part of the reaffirmation process, SACS requires every institution to develop a Quality Enhancement Plan (QEP) that enhances student learning. Rio Grande College has developed a QEP called Putting Your Words to Work that requires students to write different kinds of papers and deliver oral presentations for courses in all departments. Rio Grande College is committed to enhancing students’ written and oral communication skills which means that students should be writing and speaking significantly more in courses across all departments.

To prepare for the increased number of written assignments, students should make every effort to enroll in English 3312 in their first semester at RGC. Students should expect to write and speak professionally in all courses, not just English classes. In this course, History of Criminal Justice, students will write various papers and present student work to other students and the Professor, as discussed herein.

Again, I want this class to be useful to you in your future careers. As such, if I can assist you in any way, please stop by and see me or call/email me. If a problem is to arise during the semester, please contact me immediately so that we can work out a solution. Do not wait until it is too late to remedy the problem.
# Tentative* Schedule of Classes and Assignments

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<thead>
<tr>
<th>Week</th>
<th>Topic</th>
<th>Reading</th>
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<tr>
<td>Week 1</td>
<td><strong>Lecture focus:</strong> Detail class expectations; provide a foundation for the study of the history of the U.S. criminal justice system and related issues; &amp; provide an introduction &amp; broad overview of the subject matter: history of criminal justice.</td>
<td>The “Urbina Links” will be provided!</td>
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<td></td>
<td>Explore “Urbina Links”:</td>
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<tr>
<td>Week 2</td>
<td>Crime &amp; social control in colonial America; New forms of social control: The modern police</td>
<td>Walker: Chapters 1 &amp; 2</td>
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<td></td>
<td><strong>Lecture focus:</strong> Explore major historical forces defining and shaping the nature of social control in the U.S.: theoretical, cultural, financial, political, philosophical, ideological, and so forth.</td>
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<td>Week 3</td>
<td>The prison &amp; other new instruments of control; Completing the system: Reform in the progressive era</td>
<td>Walker: Chapter 3 &amp; 4</td>
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<td></td>
<td><strong>Lecture focus:</strong> Analyze the evolution of social control mechanisms, criminal laws, and social movements.</td>
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<tr>
<td>Week 4</td>
<td>Consolidation &amp; change; National crises over crime and justice</td>
<td>Walker: Chapters 5 &amp; 6</td>
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<td><strong>Lecture focus:</strong> Examine the realities of crime, punishment, and justice. Explore major historical fractures, ruptures, and discontinuities in the criminal justice system and society.</td>
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<tr>
<td>Week 5</td>
<td>Criminal justice in a conservative era; Race, control, &amp; punishment</td>
<td>Walker: Chapter 7</td>
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<td></td>
<td><strong>Lecture focus:</strong> Explore the dynamics of crime, race, and punishment in the context of the current penology and the globalization of crime and punishment.</td>
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<tr>
<td>Week 6</td>
<td>“Ethnic Constructions: The Making of the Upcoming Majority, Mexican Americans”</td>
<td>Urbina et al.: Foreword and Chapter 1</td>
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<td><strong>Lecture focus:</strong> Analyze the historical significance of race, ethnicity, and gender over time, within the context of multiculturalism, focusing on policing, as one of the three major components of the U.S. criminal justice system.</td>
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<td>Week 7</td>
<td><strong>“Reflection Week”</strong>:</td>
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<td><strong>Focus:</strong> “Reflection Week” is designed to give students the opportunity to reflect (think and act) on what has transpired during the first half of the semester, and, more fundamentally, how things “fits” into their broader academic career, professional life, and personal life.</td>
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<tr>
<td>Week 8</td>
<td>“Situating Conquest, Colonialism, Slavery, Ethnic Identity Formation, Citizenship, and Criminal Law in America”</td>
<td>Urbina et al.: Chapter 2</td>
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<td></td>
<td><strong>Lecture focus:</strong> Examine a series of historical forces impacting the ethnic and overall American experience, paying particular attention to issue of diversity and multiculturalism.</td>
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<tr>
<td>Week 9</td>
<td>“The Mexican Conquest: Ethnic Realities under Colonialism”</td>
<td>Urbina et al.: Chapter 3</td>
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<td></td>
<td><strong>Lecture focus:</strong> Detail the dynamics, implications, and ramifications of colonialism, placing the ethnic and racial experience within an historical, global, and multicultural context.</td>
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<tr>
<td>Week 10</td>
<td>“The Invisible Empire: Mexican Americans and the Fiery Cross, in the Shadows of the Night”</td>
<td>Urbina et al.: Chapter 4</td>
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<td>Lecture focus:</td>
<td>Explore the Mexican and overall Latina/o experience under “hooded” America, with corresponding legal and law enforcement elements.</td>
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<td>Week 11</td>
<td>“Mexicans, the KKK, and Religion: The Power to Exclude and Oppress”</td>
<td>Urbina et al.: Chapter 5</td>
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<td>Lecture focus:</td>
<td>Analyze the significance and implications of religious views by the KKK in its anti-minority movement.</td>
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<tr>
<td>Week 12</td>
<td>“Criminalizing Mexican Identity: Privilege, Power, and Control Over Time”</td>
<td>Urbina et al.: Chapter 6</td>
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<tr>
<td>Lecture focus:</td>
<td>Detail the contours and dynamics of privilege, power, and control in America, as exercise by America’s main institutions, to include the legal, political, and educational system.</td>
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<td>Week 13</td>
<td>“Borders and Dreams: The Chicano Fight for Equality and Justice”</td>
<td>Urbina et al.: Chapter 7</td>
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<td>Lecture focus:</td>
<td>Examine the historic Chicano Movement and the overall Latina and Latino movement for equality in all segments of social life.</td>
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<tr>
<td>Week 14</td>
<td>“The Last Frontier: Mexican Americans and Education in the New Millennium”</td>
<td>Urbina et al.: Chapter 8</td>
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<td>Lecture focus:</td>
<td>Document the ethnic and racial experience within the context of criminal justice and education.</td>
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<tr>
<td>Week 15</td>
<td>“Mexican Americans in 21st Century Globalization”</td>
<td>Urbina et al.: Chapter 9 and Afterword</td>
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<tr>
<td>“THE FUTURE OF MEXICAN AMERICANS IN THE 21ST CENTURY”</td>
<td>Lecture focus: Examine the American experience within the context of multiculturalism and globalization.</td>
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<td><strong>Final Exam: TBA</strong></td>
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*The syllabus is likely to be amended during the semester at the discretion of the Professor!*

**Note:** Projects will be due at the beginning of the class, and no late assignments will be accepted.
Mini-Project Suggestions

1. With fellow students, family members, or friends, discuss the **making** of criminal justice history in the US, within the context of **truth** and **reality**. THINK and REFLECT!

2. With fellow students, family members, boy-friends, or girl-friends, discuss the issue of whether issues like poverty, race, ethnicity, gender, culture, religion, prejudice, discrimination, and morality are influential in the **pages** of criminal justice history. WHY? Or, WHY NOT?

3. Make observations (look and listen) of HOW people describe the past, history in the making, and see if you notice variation with noted material in class. Keep a diary of your experience.

4. Find interesting stories in newspapers and magazines pertaining to criminal justice history and detail a brief report. Explain what you find interesting about the stories, as projected through the lens of the media.

5. Watch a documentary, video, or movie that vividly documents that history of American criminal justice and write a brief reaction paper. My favorite documentary: *A Class Apart.*