

Dr. Inger J. Sagatun-Edwards,
Chair, Justice Studies Department
JS 201 Th 17.30-20.15, MH 510, F 2004
Office: MH 509, Phone: 408- 924-2945; FAX 408-924-2953; isagatun@email.sjsu.edu
Office hrs.: W 11.00- 5.00; Th: 2.30-5.30

SEMINAR IN THEORIES OF CRIMINAL JUSTICE
JS 201, Fall, 2004

Pre-requisites: JS (AJ) 118 or the equivalent. JS (AJ) 118 cannot be taken concurrently/must be taken prior to this class.

Course Description

Analysis of theories of causes of crime and theories of crime control and crime prevention. Evaluations of various control and prevention strategies in juvenile and criminal justice, and a discussion of current issues.

Course Objectives

The objectives of the course are to:

1. Give an overview of the history and development of theories of crime causation and crime control.
2. Draw the connection between different theories of crime causation (criminology) and crime control (penology).
3. Discuss and evaluate the different levels of crime causation theories, such as biological, psychological, social context, and structural theories of crime.
4. Enable the students to discuss and evaluate the major theories of criminal justice, such as retribution, incapacitation, deterrence, rehabilitation, prevention and societal reform.
5. Discuss major current issues in crime control and the criminal justice system and relate these issues to the theories discussed in class.
6. Evaluate future needs for criminal justice theory in research and policy decisions.

As a graduate seminar, the course's emphasis is on reading, discussion, and oral and written analysis. A significant part of your grade is based on class participation, so it will be essential for you to keep up with reading, attend class regularly, and contribute constructively to class discussions.

Required :

Book:

Akers, R.L. (2004). Criminological theories: Introduction and evaluation. 4th ed. Los Angeles: Roxbury Publishing Comp.

Course Reader (Collection of articles and book chapters)

Additional articles and chapters are required and listed under each subject heading. A collection of these are available in a course reader from *Maple Press*.

Course Requirements

1) Class Participation

Students are expected to attend class and participate actively and constructively in class discussions. Assigned materials should be read prior to each class meeting. Discussion should indicate knowledge of the subject matter, familiarity with the readings and ability to ask and answer probing questions. Students are encouraged to keep informed about current issues, and bring such issues to the class discussion. Grading on class participation will depend on how well the student participates in class discussions. Obviously, attendance is necessary for getting credit for participation. Attendance and participation will be recorded for each class meeting. Students must call in with an explanation if they are unable to attend a class meeting. Everyone is required to turn in five written discussion questions based on that week's readings, at the start of the class or preferably prior to class time. These can be emailed or faxed.

Outside Readings Class Presentation and Discussion, with Short Written Report

Each student must make an oral presentation, lead a class discussion, and turn in a written report on one of the assigned class topics. Students may select a sub-area within an assigned topic and must base the report on **five outside sources, i.e. not included in the course readings**. The report is intended as an interesting augmentation of the assigned class materials. The five sources must come from professional literature, and all must be date from 1998 to 2004. The brief written report must be typed, double-spaced, 12 font, and turned in on the day of the presentation (min. 4 pages, max 5 pages, not including the references, with all references listed in correct APA, 5th edition format). Since this is a class on theory, the class presentation and short report must focus on theory; for example how a particular substantive topic can be explained from the assigned theoretical perspective, or how two different theories can be compared, or a discussion of recent empirical studies related to a the assigned theoretical topic.

The oral presentation should last 10-15 minutes. Students will not be allowed to present for more than the allotted time, but should be prepared to answer questions from other students, following the presentation. The grade for the class presentation/short report will be based equally on the oral and written parts.

Presentation dates will be assigned by the instructor. Depending on how many students are in the class, there may be more than one presenter for each class period.

The student(s) making class presentation(s) will also be responsible for leading a class discussion of that week's readings, and relating the outside source presentation to the assigned readings.

3) Term Paper

Each student must prepare a term paper on a self-selected, but approved topic within the subject areas of the course. The paper must include a review of the relevant *theoretical* literature, summarize and analyze the state of knowledge in the area, and

suggest problems, dilemmas, future trends, research and policy needs. Papers will be graded on their clarity, coherence and creativity. A simple literature review is not adequate. The paper must be typed, double-spaced, 12 font; maximum 20 pages and minimum 10 pages.

Each student must make a brief oral presentation of the term paper project on the last day of class. This presentation should last from 5 to 10 minutes. The term paper and the oral presentation can both be within the same general topic area, but the short report cannot simply be incorporated into the term paper .

The paper must be written specifically for this class, and based on materials/issues discussed in JS 201. All paper topics must be approved by the instructor, and students must provide a typed outline and 10 or more professional references in APA format by Nov. 4, 2004. At least eight of the references must be from 1995 or more recent. The paper is due on Dec.16, 2004 by 5. 30 p.m., and will be downgraded ½ grade for each late date. Papers and references must conform to the APA standards, 5th edition. Papers that do not conform will be downgraded.

The following standards apply to the term paper:

- Typewritten and double-spaced, 12 font
- Correct punctuation, spelling and mechanics
- Properly footnoted or end-noted (where appropriate)
- Appendices where appropriate
- American Psychological Association (APA) reference format, 5th ed., in text and reference list.
- All references in the paper must be in the reference list, and vice versa.

Grade Evaluation

The course grade will be assigned according to the following weight distribution:

| | |
|-------------------------------------------------------------------|-----|
| Overall Class Participation: | 1/3 |
| Class Presentation, Leading Class Discussion, and Written Report: | 1/3 |
| Term Paper: | 1/3 |

Grading will conform to university regulations. Two thirds of the course must be completed and permission from the instructor must be obtained in advance to get an Incomplete (“I”). A “U” will be given for unauthorized withdrawal; this will count as an “F” in the GPA. A “U” is given when a student stops attending the class, without filing the necessary drop papers. An automatic “F” is given for plagiarism or cheating.

Note: In order to satisfy the writing requirements for the M.S. in Criminal Justice Administration, JS 201 must be passed with a minimum grade of B.

JS 201, Fall, 2004
COURSE SCHEDULE

Aug. 26 Overview of course outline. Explanation of course mechanics.

PART I. THE PROBLEMS OF CRIME AND CRIME CONTROL

A. Introduction to Theories of Criminal Justice

Akers, ch. 1: Introduction to criminological theories

Huff, C.R. (1978). Historical explanations of crime: From demons to Politics; *Course Reader*.

Bernard, T., & Engel, R.S. (2001). Conceptualizing criminal justice theory. *Justice Quarterly*, 18(1), 1-30; *Course Reader*

Sept. 2 **B. Historical Perspective and Current Problems**

Friedman, L. (1997). Dead Hands: Past and present in criminal justice policy. *Cumberland Law Review*, 27(3), 903-926. *Course Reader*.

Zimring & Hawkins: ch. 1. What Americans fear

Laub, J. (2004). The life course of criminology in the United States: The American Society of Criminology 2003 Presidential Address. *Criminology* (1) 42, 1-26; *Course Reader*.

II. THEORIES OF CAUSES OF CRIME

Sept. 9 **A. Biological Theories**

Akers: ch. 3: Biological theories

Brennan, Mednick & Volavka (1995). Ch. 4: Biomedical factors in crime. In Wilson, J. & Petersilia, J. (Eds.) *Crime*, San Francisco: ICS Press, p. 65-91; *Course Reader*

Ellis, L. & Walsh, A. (1997). Gene-based evolutionary theories in Criminology. *Criminology*, 35(2), 229-275; *Course Reader*

Rowe, D. (2002). Does the body tell? Biological characteristics of Criminal disposition. Ch. 5 in Rowe, D. (2002). *Biology and crime*. Los Angeles: Roxbury Publishing Comp; *Course Reader*

Sept 16 **B. Psychological and Social-Psychological Theories**

Akers: Ch. 4: Psychological theories, ch. 5: Social learning theories; ch. 6: Social bonding and control theories;

Matsueda, R. (1988). The current state of differential association theory.

Hirschi, T. (1977). Causes and prevention of juvenile delinquency; *Course Reader*

Farrington, D. (2003). Developmental and life-course criminology: Key theoretical and empirical issues- The 2002 Sutherland Award Address. *Criminology* (2) 41, 221-255; *Course Reader*

Student Presentations/Short reports/Discussion

Sept 23 **C. Social Context Theories of Crime**

Akers: ch. 7: Social disorganization, anomie, and strain theories,
Ch. 11: Feminist theories
Simpson, S. (1989). Feminist theory, crime and justice;
Sampson, R., & Wilson, W. J. (1995). Toward a theory of race,
crime and urban urbanity;
Merton, R. (1938). Social structure and anomie;
Merton, R. (1997). On the evolving synthesis of differential association
and anomie theory: Criminology, (3) 35, 517-524;
Sampson, R. (2002). Transcending tradition: New directions in community
research, Chicago Style. Criminology, (2) 41, 213-227.
Warner, B. (2003). The role of attenuated culture in social disorganization
Theory. Criminology (1) 41, pp 73-97; all in *Course Reader*.

Student Presentations/Short Reports/Discussion

Sept. 30 **D. Structural and Conflict Theories of Crime**

Akers: Ch,7, Labeling theory; ch. 9: Conflict theory; ch. 10: Marxist and
critical theories
Braitwaite, J. (1989). The family model of reintegrative shaming.
Chambliss, W. (1975). Crime and structural contradictions;
Chambliss, W (2004). On the symbiosis between criminal law and criminal
behavior. Criminology (42)2, 241-251;
Quinney, R. (1980). Class, state and crime. (excerpt). New York: Longmann;
All in *Course Reader*.

Student Presentations/Short Report/Discussion

PART III. THEORIES AND MODELS OF CRIME CONTROL

Oct. 7 **A. Theoretical Models of Criminal Sanctions**

Packer, H. (1966). Two models of the criminal sanction. In Packer, H. The
limits of the criminal sanction. Palo Alto: Stanford University Press.
Feely, M. & Simon, J. (1992). The new penology: Notes on the emerging
strategy of corrections and its implications. Criminology, 30(4), 449-475.
Simon, J. & Feeley, M. (1995). True Crime: The new penology and public
discourse on crime. In Blomberg, T.& Cohen, S. (eds). Punishment and
social control. New York: Aldine de Gruyter.
Grupp, S. (ed). (1971). Theories of punishment. Introduction.
Bloomington: Indiana University Press; all in *Course Reader*.

Student presentations/Short Topics/Discussion

Oct. 14 **B. Revenge and Retribution Theories**

Ellis, K. and Ellis, C. (1989). Ch. 3: The beauty of "punishment" revisited.
In Theories of criminal justice. Wakefield, New Hampshire: Longwood
Academic.
Lyons, D. Punishment as retribution; Morris, H. Punishment
and fairness; Ten, C. L. Is punishment fair? In M. Gorr & Harwood, S.

(eds.). (1995). Crime and punishment. Boston: Jones and Bartlett Publs.;

Hawkins, D.B.J. (1944). Punishment and moral responsibility. The Modern Law Review, 7, 205-208;

Braithwaite, J. & Pettit, P. (1990). Retributivism: An inferior theory, ch. 8; Retributivism: An inferior practice, Oxford: Clarendon Press;

Van den Haag, E. (1986). The ultimate punishment: A defense; and

Greenberg, J. (1996). Against the American system of capital punishment. Both in The death penalty: Pro and con. Harvard Law Review Association; All in *Course Reader*.

Student presentations/Short Reports/Discussion

Oct. 21 **C. Deterrence and Incapacitation Theories**

Akers: ch. 2: Deterrence and rational choice theories, p. 17-32

Wilson, J. Q. (1983). Thinking about crime. (excerpts on deterrence). New York: Basic Books, 117-123; 142-4.

Zimring, F. & Hawkins, G. (1973). Deterrence, ch. 3: Definition; Chicago: The University of Chicago Press.

Zimring, F. & Hawkins, G. (1995). Incapacitation, Ch. 3: Elements of theory; ch. 4: The jurisprudence of incapacitation. New York: Oxford University Press.

Zimring, F., Hawkins, G., & Kamin, S. Punishment and democracy: Three strikes and you're out in California. Ch: 1: Three strikes come to California; ch. 2: The largest penal experiment in American history;

Kovandzic, T., Sloan, III, J., & Vieraitis, L. (2004). "Striking out" as Crime reduction policy: The impact of "Three Strikes" laws on crime Rates in U.S. Cities, Justice Quarterly, 21 (2), 207-241.

Radelet, M. & Akers, R. (1996). Deterrence and the death penalty: The view of the experts. The Journal of Criminal Law and Criminology, 87(1), 1-15; All in *Course Reader*.

Student Presentations/Short Reports/Discussion

Oct. 28 **D. Rehabilitation, Restoration and Victims' Rights Theories**

Cullen, F. & Gilbert, K. (1982). Reaffirming rehabilitation, The value of rehabilitation. Cincinnati: OH.: Anderson, 247-63.

Gebelein, R. (2000). The rebirth of rehabilitation: Promise and perils of drug courts. Sentencing and Corrections, 6, U.S. Department of Justice, 1-8.

Braithwaite, J. (2002). Restorative justice and responsive Regulation. Ch. 1: The fall and rise of restorative justice; Ch. 4: Theories that might explain why restorative justice works. New York: Oxford University Press.

Karmen (1997). Ch. 4. Victims and the criminal justice system. In Crime victims. 3d ed. Belmont, CA: Wadsworth Publishing Comp; all in *Course Reader*.

Student Presentations/Short Reports/Discussion

- Nov. 4. **E. Crime Prevention Theories**
 Rosenbaum, D.P. Lurigio, and Davis: ch. 1: A thirty year war on crime: Finding a place for crime prevention; Ch. 11. Some concluding thoughts on crime prevention. In Rosenbaum , D.P. (1996). Crime Prevention.
 Sherman, L. (2003). Reason for emotion: Reinventing justice with theories, innovations and research- the American Society of Criminology 2002 Presidential address, Criminology (1) 41, 1-37; all in *Course Reader*
Student presentations/Short Reports/Discussion
One page outline and 10 references (APA, 5th ed) for term paper is due
- Nov. 11 **F. Rational Choice and “Hot Spots” Prevention theories.**
 Akers (2000). Ch. 2, Rational choice theories, 33-41.
 eisburd, J. (1997). Reorienting crime prevention research and policy: From the causes of criminality to the context of crime. Washington D.C.: National Institute of Justice.
 Clarke, R. (1980). “Situational” crime prevention: Theory and practice. British Journal of Criminology, 20(2), 136-147; All in *Course Reader*.
Recommended: Felson, M. (1998). Crime and everyday life. Thousand Oaks, CA: Pine Forge Press.
Student presentations/Short Reports/Discussion
- Nov. 18 **American Society of Criminology meetings**
 Library Assignment: Work on term paper (no class)
- Nov. 25 **Thanksgiving Holiday**
- Dec. 2 **Term Paper Assignments (no class)**
- Dec. 9 **PART IV: CONCLUSION AND EVALUATION: APPLICATION TO SOCIAL POLICY AND FUTURE RESEARCH**
 Akers, ch. 12: Integrating criminological theories
 : Zimring, F., Hawkins, G., & Kamin, S. (2002). Punishment and democracy. Ch. 10: Democracy and the governance of criminal punishment. New York: Oxford University Press
Student Presentations of Term Paper Research
- Dec. 16: **Term Paper is Due by 5. 30 p.m.**
(Papers may be turned in earlier to my mail box; Late papers will be downgraded one half grade for each late day).

HAVE A GREAT VACATION!