

La Verne College of Law
Spring Semester, 2018
Contemporary Issues in Civil Rights: Mass Incarceration, Law 592, 2 units

Professor Placido G. Gomez

Office Location: room 227

Office Phone: 909 460-2033

E-mail Address: pgomez@laverne.edu

This syllabus contains a general plan for the course. Deviations may be necessary.

Office Hours: Mondays, Wednesdays and Fridays: 11:00 am – 1:00 pm
Tuesdays, Thursdays: 5:00 pm – 7:00 pm

Class Meeting Days and Times:

Wednesdays: 4:00 pm – 6:00 pm

Room: 203

Required Texts:

G. Hirliman, *THE HATE FACTORY: A FIRST-HAND ACCOUNT OF THE 1980 RIOT AT THE PENITENTIARY OF NEW MEXICO*, iUniverse, 2015, ISBN: 978-0-595-36669-9 (pbk.)

Michelle Alexander, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS*, The New Press, 2012, ISBN: 978-1-59558-643-8 (pbk.)

Marc Mauer, *RACE TO INCARCERATE*, The New Press, 2006, ISBN: 978-1-59558-022-1 (pbk.)

Victor M. Rios, *PUNISHED: POLICING THE LIVES OF BLACK AND LATINO BOYS*, New York University Press, 2011, ISBN: 978-0-8147-7638-4 (pbk. alk. paper)

Angela J. Davis, *ARBITRARY JUSTICE: THE POWER OF THE AMERICAN PROSECUTOR*, Oxford University Press, ISBN: 978-0-1953-8473-4

James Forman, *LOCKING UP OUR OWN: CRIME AND PUNISHMENT IN BLACK AMERICA*, Farrar, Straus and Giroux, 2017; ISBN 978-0-374-53744-9

Required Supplemental Materials:

Optional/Recommended Materials:

Course Description:

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally and internationally. I intend to combine lecture, independent research, and student presentations. Each student will produce a 10 – 15 page research paper on a topic within the phenomenon of mass incarceration. Additionally, as a group, the class will identify, discuss, develop, and implement advocacy strategies aimed at addressing issues regarding incarceration practices and conditions.

Course Objectives/Goals:

This course examines detention centers, jails, and prisons in this era of mass incarceration. I designed the course to require students to think critically about contemporary punishment practices and the social and economic consequences of our criminal justice system's focus on incarceration as punishment.

Learning Outcomes:

at the conclusion of this course, students will:

develop critical analytical skills to assess contemporary punishment practices;

develop critical analytical skills to assess the social and economic consequences of mass incarceration for those detained, their families and their communities;

identify and review evidence from a variety of academic disciplines to assess the sources of the rapid increase in incarceration from the twentieth century to the present, and the racial disparities in incarceration over this period;

evaluate the effects of administrative and legal mechanisms for constitutional regulation of incarceration;

analyze the factors that influence the lives of ex-prisoners following release from incarceration;

identify sources of information about incarceration trends and conditions;

become familiar with litigation strategies focused on incarceration practices and conditions;

Course Expectations:

Attendance/Professionalism/Other Expectations:

Please read the College of Law policy regarding attendance. There are no “excused” absences. I expect students to come to class on time, prepared, and willing to add to class discussions. I require that class discussions reflect tolerance for, and respect of, others' perspectives and views.

Evaluation:

I will evaluate students primarily on the basis of a short research paper (50%), a project/presentation (20%), reflection papers (20%), class attendance, participation and engagement in course activities (10%).

ABA Standard 310

This course is designed to satisfy the requirements of ABA Standard 310. Standard 310 requires that for each hour of in-class time, students spend two hours preparing for class (reading or completing class assignments or assessments).

Disability Accommodations

Students with disabilities should refer to the policies described at the University of La Verne Disabled Student Services Handbook which can be found on the website of the University of La Verne Disabled Student Services website (<https://sites.laverne.edu/>) or at their office. Temporary accommodations are offered on a case by case basis. All required documentation must be submitted by the student before any formal accommodations and should be made directly to the Director of Student Affairs.

Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) is asked to contact the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer, Akita Mungaray by email at amungaray@laverne.edu or by phone at (909) 460-2017. Her office is located on the first floor of the College of Law, Office # 107. You can also contact Cynthia Denne at the University of La Verne Disabled Student Services office at (909) 448-4441. The office is located at the La Verne campus Health Center. In order to be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at <https://sites.laverne.edu/disabled-student-services/>.

CONTEMPORARY ISSUES IN CIVIL RIGHTS: MASS INCARCERATION CLASS OUTLINE

Week 1, January 9 THE LOCATION

read: G. Hirliman, THE HATE FACTORY: A FIRST-HAND ACCOUNT OF THE 1980 RIOT AT THE PENITENTIARY OF NEW MEXICO

Week 2, January 16 OVERVIEW: MASS INCARCERATION

read: Michelle Alexander, THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS

Week 3, January 23 A BRIEF HISTORY

read: Marc Mauer, RACE TO INCARCERATE

Week 4, January 30 THE PROSECUTORS

read: Angela J. Davis, ARBITRARY JUSTICE: THE POWER OF THE AMERICAN PROSECUTOR

Week 5, February 6 THE DEFENDANTS

read: Victor M. Rios, PUNISHED: POLICING THE LIVES OF BLACK AND LATINO BOYS
The Old Timers (supplement)

Week 6, February 13

read: James Forman, LOCKING UP OUR OWN: CRIME AND PUNISHMENT IN BLACK AMERICA

Week 7, February 20

Week 8, February 27

Week 9, March 13

student presentations

Week 10, March 20

student presentations

Week 11, March 27

student presentations

Week 12, April 3

student presentations

Week 13, April 10

student presentations

Week 14, April 17

student presentations

Appendix of Mission, Values and Learning Outcomes

University of La Verne Mission and Values

It is the mission of the University of La Verne to provide opportunities for students to achieve their educational goals and become contributing citizens to the global community. The University of La Verne shares four core values that promote a positive and rewarding life for its students through fostering a genuine appreciation and respect for:

1. **Values Orientation.** The University affirms a philosophy of life that actively supports peace with justice, the health of the planet and its people. Therefore, in light of this affirmation, it encourages students to become reflective about personal, professional, and societal values. It also encourages values-based ethical behavior.
2. **Community and Diversity.** The University promotes the goal of community within a context of diversity. Therefore, it encourages students to understand and appreciate the diversity of cultures that exists locally, nationally, and internationally. It also seeks to promote appreciation and preservation of biodiversity by helping students understand the impact/dependence of human beings on their environment.
3. **Lifelong Learning.** The University commits itself to promoting education that facilitates lifelong learning. Therefore, it teaches students how to learn, to think critically, to do constructive research, and to access and integrate information in order to prepare them for continued personal and career growth.
4. **Community Service.** The University believes that personal service is a primary goal of the educated person. Therefore, it encourages students to experience the responsibilities and rewards of serving the human and ecological community.

University of La Verne College of Law Vision, Mission, and Values

VISION

La Verne Law is an incubator for innovation in legal education, thought, and advocacy for individuals passionate about serving their communities and promoting access and justice.

MISSION

The mission of La Verne Law is to guide our students in the discovery of law and self as they prepare for the practice of law or other professional careers. Our faculty of scholars and teachers is committed to creating an innovative, collaborative learning environment designed to develop the knowledge and skills relevant to achieving individual and professional success.

Our mission encompasses educating, as well as enhancing the professional lives of, the members of the local, regional, national, and international communities we encounter – students, faculty, staff, administrators, alumni, members of the bench and bar, and others who pursue social justice.

Our mission is grounded in the core values of the University of La Verne – life-long learning, ethical reasoning and decision-making, diversity & inclusivity, and community & civic engagement. Difference-making is our legacy.

CORE VALUES

University Values: As a College within the University of La Verne we adopt and endorse the University core values of Lifelong Learning, Diversity and Inclusivity, Community Engagement, and Ethical Reasoning.

College of Law Core Principles and Values: As an institution dedicated to teaching and training the next generation of lawyers and leaders, we operate institutionally and individually on the principles of professionalism, innovation, ethics, student centeredness and community enhancement. In our actions and interactions, we are and seek to be affirming, respectful, humble, accountable, committed, inclusive, empathetic, responsive, passionate, and positive.

University of La Verne College of Law Program Objectives

- A. Upon completion of the program of legal education, students will possess the skills and knowledge to enable them to pass any bar examination of their choosing.
- B. Upon completion of the program of legal education, students will possess those skills to participate as respected members of the legal profession.
- C. Upon completion of the program of legal education, students will model ethical, responsible, and professional behavior.
- D. Upon completion of the program of legal education, students will embrace cultural differences and civic and community engagement.

American Bar Association Standard 302: LEARNING OUTCOMES

A law school shall establish learning outcomes that shall, at a minimum, include competency in the following:

- (a) Knowledge and understanding of substantive and procedural law;
- (b) Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context;
- (c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and
- (d) Other professional skills needed for competent and ethical participation as a member of the legal profession.

In compliance with ABA Standard 302, the University of La Verne College of Law has established the following.

University of La Verne College of Law Program Learning Outcomes

1. Students shall demonstrate knowledge and understanding of substantive and procedural law.
2. Students shall demonstrate competence in legal analysis and reasoning.
3. Students shall demonstrate competence in conducting legal research.
4. Students shall demonstrate competence in problem-solving.

5. Students shall demonstrate competence in written and oral communication.
6. Students shall be able and motivated to exercise proper professional and ethical responsibilities to clients, the legal system, and the wider community.
7. Students shall demonstrate competent litigation skills.
8. Students shall demonstrate competent transactional skills.
9. Students shall apply cultural competency while exercising their legal skills.
10. Students shall demonstrate competence in answering bar-style multiple-choice, essay, and performance test questions.