

## **America Behind Bars: Mass Incarceration, Private Prisons, and Punitive Justice**

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**Dr. Andrea Ringer**

**Spring 2019**

### **The Course**

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This course examines the history of the prison system in the United States. It traces the evolution from rehabilitative to punitive justice and pinpoints the origins of privatization. The course moves through nineteenth-century prison tourism, the turn-of-the-century Progressive impulse on jails, and the twentieth-century prisoners' rights movement. Throughout the history, underpinnings of racism emerge in legislation, prison reports, and public reactions to incarceration. We will hear the voices of prisoners who doubled as activists, alongside debates by politicians, business interests, and the public. These multiple perspectives will allow us to examine both prison culture and the impact of prisons on American culture. By examining the prison as an institution that is central to the American identity, we will make sense of its role in larger political and social debates.

We will accomplish this by analyzing a carefully curated class archive of secondary and primary sources for each weekly unit. Your secondary sources might be articles, book chapters, or a podcast. Read and listen carefully. The purpose of this class is to make you better contributing and more knowledgeable citizens. Each unit will also include a set of primary sources. Again, listen, watch, and read them carefully. This is the heart of historical research. We read, analyze, and think critically about maps, photographs, letters, songs, and other documents.

### **What It Means to Study Prison History**

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By taking this class, you have chosen to engage in a lively field that is attempting to make sense of the current prison landscape. Historians are not the only scholars invested in these conversations. Sociologists, journalists, anthropologists, philosophers, and political scientists have thought deeply about incarceration in America. As we move through the semester, you will hear leading voices from each of these fields. You will also hear the voices of incarcerated people who have both spoken during their time in prison and reflected on their experiences. The words of prisoners are not secondary to those of scholars. Instead, we will read their perspectives as indispensable in our analysis.

While each of these scholarly fields and voices will inform our thinking, we will be using a historical approach and framework in this course. History is not one thing after another, and I am not interested in how well you can recite names and dates. Instead, history is a more analytical study of the past, and I am interested in how well you can think critically and historically. So how do we practice history? Historians are not walking encyclopedias. Rather than spending our lives memorizing facts, we learn how to use facts (evidence) to make historical arguments. We do not make things up, and we do not create arguments without evidence. Historians constantly ask questions about the past. We ask what happened, why it happened, and why it matters. This is a historian's job (and now it's your job, too). After all, while you are in this class, you are all historians.

Your historical skills will be tested this semester through your ability to construct and assess historical arguments. This will be evaluated through your answers to the quizzes, our discussion, the digital exhibit, and writing assignments that ask you to construct well-reasoned arguments.

### **Learning Objectives**

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Through each of our assignments and our class discussions, you will:

- (1) Identify the important moments and developments in U.S. prison history

- (2) Assess historical statements
- (3) Construct historical arguments based on primary and secondary evidence
- (4) Ask historical questions and find implications based on evidence
- (5) Use knowledge of mass incarceration to collaborate and create a digital exhibit
- (6) Critically think about the implications of mass incarceration in Nashville

### Student Outcomes

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By the end of the course, you will:

- Develop an informed familiarity with the history of prisons in the U.S.
- Demonstrate mastery of a public history skill to contribute to the digital exhibit.
- Use your experiences on the project to write an op-ed on relevant mass incarceration issues today
- Demonstrate your knowledge in an oral reflection presentation

### Our Agreement

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If you choose to stay in this class, you agree to assume certain responsibilities. You agree to observe basic standards of classroom etiquette. You agree to not only read the assigned material, but also think about it. You agree to attend every possible class session and assume personal responsibility for any missed classes. You agree to arrive in class prepared to learn by listening to your classmates, participating in discussions, and considering your written work as an extension of this learning process. You agree to do your work with academic integrity, knowing that any plagiarism will result in a failing grade.

By choosing to offer this class, I also agree to assume certain responsibilities. I agree to try to make this a class worth attending. I agree to pose questions that challenge you, and to teach you the skills of the historian. I agree to respect your opinions and your feedback. I agree to make myself available to help you succeed, so please ask me questions before, during, and after class, during office hours, or via e-mail.

### Required Texts

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In lieu of textbooks, you will have weekly primary and secondary sources available on eLearn.

Although this course looks specifically at prisons and the prison experience in the United States, you will find that this history intersects with many larger movements and trends. You have probably taken U.S. history survey courses at some point in your academic careers. However, if you feel like you need to brush up on some of this general U.S. history, I recommend checking out The American Yawp. It is a free online textbook.

<http://www.americanyawp.com/>

### Assignments

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Quizzes (Learning Objectives 2,3): Before designated class meetings, you will have a quiz due by 10:00 a.m. that day. It will be based on the sources assigned for that day. You will need to provide your answers to the questions, as well as your reasoning behind your answers. Armed with your answers to the quiz and ALL the readings for that day, you will engage in a **class discussion** as we collectively decide on the answer to each quiz question.

Service Learning Project (Learning Objectives 5,6): Historians use many mediums to practice their craft. We will collectively create a digital exhibit. Like an exhibit you would visit in a museum, this will include a variety of mediums, such as interviews, transcripts, photographs, and archival research. We will work together and each of you will have a particular job to do to complete the exhibit. We will complete a pre-reflection prior to

starting this project to determine where you might best contribute to the project based on your knowledge and skills. This project will encompass approximately twenty hours of work time for each of you.

Reflection (Learning Objectives 5.6): As part of our service learning project, you will present your reflection on the work that you have contributed individually and collectively.

Midterm- Op-Ed (Learning Objectives 3,4): This course deals with the historical roots to a contemporary institution. Scholars have written lengthy books, articles, and papers with well-developed arguments about prisons. But some scholars have also crossed over to reach the general public. Editorials require authors to write in a slightly different voice as they convey well-reasoned arguments. For this assignment, you will write an op-ed that relates to the history and current state of prisons.

Annotated Bibliography (Learning Objectives 1,2): Before historians conduct their own research, they look at the field to see what other folks are saying about the topic. You will create an annotated bibliography of scholarly sources that shows trends and arguments in the field of mass incarceration.

Final Paper (Learning Objectives 1,3,4): In your final paper, you will use a semester's worth of knowledge to assess the debates that surround the history of mass incarceration. More assignment details are available in eLearn.

## **Grades**

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Each assignment will be graded within one week of the due date. If you do not see your grade by that time, please email me.

Quizzes: 100 points

Discussion: 125 points

Midterm Op-Ed: 50 points

Annotated Bibliography: 25 points

Final Paper: 100 points

Service Learning Project and Reflection: 100 points

The grading scale is as follows:

90-100: A

89-80: B

79-70: C

60-69: D

0-59: F

Grading Policies:

- My general policy is talk to me if you are having any issues. While you are expected to adhere to our course deadline policy and I reserve the right to enforce any of the following rules, I get that sometimes life happens. If you feel overwhelmed, let's chat BEFORE a due date or BEFORE you miss a class.
- Daily Quizzes/Attendance: You must bring me an official documented excuse from TSU One-Stop shop within ONE week of the absence.
- Writing Assignments: I will accept writing assignments up to ONE week past their due date with a ½ letter grade dock per every day late.

## **TSU Policies**

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### **ACADEMIC CONDUCT**

Except in cases of group projects so designated by the instructor, all assignments submitted in the course must be the original work of the student. In cases of plagiarism or cheating, the instructor may assign an F on the assignment or an F in the course and is also advised to report such cases immediately to both the Vice President for Student Affairs and the Vice President for Academic Affairs.

## **DISABILITY ACCOMMODATION STATEMENT**

TSU is committed to creating inclusive learning environments and providing all students with opportunities to learn and excel in their course of study. Any student with a disability or condition which might interfere with his/her class performance or attendance may arrange for reasonable accommodations by visiting the Office of Disability Services (ODS). ODS is located in Kean Hall, room 131 and can be reached at 963-7400 or [www.tnstate.edu/disabilityservices](http://www.tnstate.edu/disabilityservices). You will be required to speak with ODS staff and provide documentation of the need for an accommodation. If you qualify for an accommodation you will be provided with a document stating what type of classroom accommodations are to be made by the instructor. It is your responsibility to give a copy of this document to the instructor as soon as you receive it. Accommodations will only be provided AFTER the instructor receives the accommodation instructions from ODS; accommodations are not retroactive. You must follow this process for each semester that you require accommodations.

## **SEXUAL MISCONDUCT, DOMESTIC/DATING VIOLENCE, STALKING**

TSU recognizes the importance of providing an environment free of all forms of discrimination and sexual harassment, including sexual assault, domestic violence, dating violence, and stalking. If you (or someone you know) has experienced or is experiencing any of these incidents, there are resources to assist you in the areas of accessing health and counseling services, providing academic and housing accommodations, and making referrals for assistance with legal protective orders and more.

Please be aware that most TSU employees, including faculty and instructors, are “responsible employees”, meaning that they are required to report incidents of sexual violence, domestic/dating violence or stalking. This means that if you tell me about a situation involving sexual harassment, sexual assault, dating violence, domestic violence, or stalking, I must report the information to the Title IX Coordinator. Although I have to report the situation, you will still have options about how your situation will be handled, including whether or not you wish to pursue a formal complaint. Our goal is to make sure you are aware of the range of options available to you and have access to the resources you need.

You are encouraged to contact TSU’s Title IX Coordinator to report any incidents of sexual harassment, sexual violence, domestic/dating violence or stalking. The Title IX coordinator is located in the Office of Equity and Inclusion, McWherter Administration Building, Ste. 260 and can be reached at 963-7494 or 963-7438. For more information about Title IX and TSU’s SART or policies and procedures regarding sexual, domestic/dating violence and stalking please visit: [www.tnstate.edu/equity](http://www.tnstate.edu/equity).

If you wish to speak to someone confidentially, who is not required to report, you can contact the TSU Counseling Center, located in the basement of Wilson Hall, at 963-5611 or TSU Student Health Services, located in the Floyd Payne Campus Center room 304, at 963-5084. You may also contact the following off campus resources: Sexual Assault Center of Nashville at 1-800-879-1999 or [www.sacenter.org](http://www.sacenter.org) or the Tennessee Coalition to End Domestic & Sexual Violence at 615-386-9406 or [www.tncoalition.org](http://www.tncoalition.org).

## **HARASSMENT & DISCRIMINATION**

Tennessee State University is firmly committed to compliance with all federal, state and local laws that prohibit harassment and discrimination based on race, color, national origin, gender, age, disability, religion, retaliation, veteran status and other protected categories. TSU will not subject any student to discrimination or harassment and no student shall be excluded from participation in nor denied the benefits of any educational program based on their protected class. If a student believes they have been discriminated against or harassed because of a protected class, they are encouraged to

contact the Office of Equity and Inclusion at McWherter Administration Building, Ste. 260, 615-963-7494 or 963-7438, [www.tnstate.edu/equity](http://www.tnstate.edu/equity).

## **The Fine Print**

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### A Note on Word Choice:

In casual conversations about prisons, we tend to use some problematic terms. Inmate is a widely used term that we'll try to avoid in this class. It is medicalized language that denotes a particular type of confinement and rehabilitation not afforded to people in prisons. Like other marginalized groups, incarcerated people have begun to reclaim oppressive titles, so you might hear a prisoner today use the term inmate. Nevertheless, when referring to people living behind bars in this class, we will use terms like incarcerated people, imprisoned people, or prisoners.

## **Abbreviated Schedule**

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This is an abbreviated schedule of class meeting times and units covered each week. For a detailed description of each unit (including: primary sources, quiz questions, assignments, and due dates) please see each unit and in the "content" tab of eLearn.

### **January 14-18**

#### **Unit 1: Why Study Prison History?**

*Welcome to America Behind Bars! This week we are covering the basics. First, we'll think about what it means to be a historian (which you all are this semester). To accomplish this, you'll do the required readings and take the quiz before our first class. This is the model for all subsequent class meetings. We'll end the week by thinking about what it means to study prison history and the stakes of current debates. Historian Heather Ann Thompson's article will allow you to familiarize yourself with some contemporary musings on the American prison system and give meaning to prisons as a course of study.*

- Schedule and Assignments:
  - Assignments due this week:
    - Quiz #1 (Introduction) due 1/16 in class
  - Unit 1 Discussion Reading:
    - Heather Ann Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *Journal of American History*, 2010
  - Monday, January 14
    - Course Syllabus
  - Wednesday, January 16
    - Mass Incarceration Infographics
      - "Following the Money of Mass Incarceration"
        - <https://www.prisonpolicy.org/reports/money.html>
      - "Criminal Justice Facts"
        - <https://www.sentencingproject.org/criminal-justice-facts/>

### **January 21-25**

#### **Unit 2: Behind Bars in Early America**

*Now that we've looked at what it means to be a historian and study prison history, we'll look at incarceration in the earliest years of U.S. history. We'll examine early punishment practices, the development of solitary*

*confinement, and convict labor. This will give us the groundwork to think about how crime and punishment looks different for various people, like men, women, enslaved laborers, and immigrants.*

- Schedule and Assignments:
  - Assignments due this week:
    - Quiz #2 due 1/23 at 10:00 a.m.
  - Unit 2 Discussion Reading:
    - Thomas Blomberg, “Public Punishment in Colonial America, 1600-1790,” *American Penology: A History of Control*, 2010
  - Monday, January 21
    - MLK Day (No Class)
  - Wednesday, January 23
    - Podcast
      - *Ben Franklin’s World*, “Episode 80: Prisons and Prison Life in Early America”
        - <https://radiopublic.com/ben-franklins-world-a-podcast-abo-8jdr9W/ep/s1!5e47f>

## **January 28-February 1**

### **Unit 3: (Un)Freedom in the South**

*This week we’ll look at incarceration in the South, with a close eye on post-Reconstruction developments. Work by Susan O’Donovan will give us a framework to think about who gets written out of protective legislation, and who gets to be counted as a historical actor. Indeed, we will see that prisoners are not passive things, but instead are real historical actors in the story of prisons and mass incarceration. These histories will also demonstrate that prisons are intellectual and political spaces. Race plays a central role this week and we’ll also examine how racism is covertly embedded into laws.*

- Schedule and Assignments:
  - Assignments due this week
    - Quiz #3 Due 2/1 at 10:00 a.m.
  - Unit 3 Discussion Reading:
    - Susan Eva O’Donovan, “Universities of Social and Political Change: Slaves in Jail in Antebellum America,” *Buried Lives: Incarcerated in Early America*, 2012.
  - Monday, January 28
    - No Additional Readings
      - We’ll watch “13<sup>th</sup>” together in class
  - Wednesday, February 1
    - No Additional Readings

## **February 4-8**

### **Unit 4: Mental Illness, Asylums, and Punishments**

*The histories of mental illness and prisons in the United States are intrinsically intertwined. Today, we argue and debate about the insanity pleas in trials, but we often miss the longer history of how we have treated and punished mentally ill people who commit crimes.*

- Schedule and Assignments
  - Assignments due this week:
    - Quiz #4 due 2/4 at 10:00 a.m.

- Unit 4 Discussion Reading:
  - Molly Ladd-Taylor, “Who was Feebleminded?” *Fixing the Poor: Eugenic Sterilization and Child Welfare in the Twentieth Century*, 2017
- Monday, February 4
  - Archives Media
    - NPR, *Fresh Air*, “Behind Bars: Mentally Ill Inmates Are Often Punished for their Symptoms,” 2018
    - <https://www.npr.org/templates/transcript/transcript.php?storyId=627519801>
- Wednesday, February 6
  - No Additional Readings

## February 11-15

### Unit 5: The Progressive Impulse and the Roaring 20s

*Places of imprisonment did not escape the purview of the Progressive movement. Reformers engaged in massive reforms that shaped the way prisons looked and operated. We'll examine the sweeping changes that reformers made across the prison landscape during this era. But we'll also use Texas as a case study in how profits undercut progressive reform. While glamour and luxury might be synonymous with the 1920s, we'll use this week to examine crime culture that emerged during this decade, particularly as it was tied to prohibition.*

- Schedule and Assignments:
  - Assignments due this week:
    - Quiz #5 due 2/11 at 10:00 a.m.
  - Unit 5 Discussion Reading:
    - Lisa McGirr, “Selective Enforcement,” *The War on Alcohol: Prohibition and the Rise of the American State*, 2015
  - Monday, February 11
    - Digital Exhibit
      - “Prohibition: An Interactive History”
        - <http://prohibition.themobmuseum.org/#The-Rise-of-Organized-Crime>
  - Wednesday, February 13
    - No Additional Readings

## February 18-22

### Unit 6: Investing in Crime: The War on Drugs and the Creating of the Prison Industrial Complex

*The Prison Industrial Complex has inspired many current scholars to think critically about the history of incarceration. This week we'll examine the origins of the term, from Angela Davis and Eric Schlosser, and how it has become a central tenet of mass incarceration studies. Michelle Alexander has written one of most well-known and notable accounts of how this ties into the War on Drugs. We'll read a chapter of her book that painstakingly details how drug laws operates and who they affect.*

- Schedule and Sources:
  - Assignments due this week:
    - Quiz #6 due 2/18 at 10:00 a.m.
  - Unit 6 Discussion Reading:
    - Michelle Alexander, “The Lockdown,” *The New Jim Crow*, 2010
  - Monday, February 18

- Clip
  - *Adam Ruins Everything*, “The Shocking Way Private Prisons Make Money”
    - [https://www.youtube.com/watch?v=gX2R0b\\_mqrQ](https://www.youtube.com/watch?v=gX2R0b_mqrQ)
- Wednesday, February 20
  - No Additional Readings

## February 25-March 1 (Midterm Week)

### Unit 7: Demanding Rights and Inciting Riots

*The Attica prison riot in 1971 often becomes a stand-in for discussions about how prisoners fight for rights. This riot is a touchstone for prison activism, and we will examine similar riots that spring up around the country, including Tennessee. But we'll also see other ways that prisoners demanded reform. Lawsuits, manifestos, and editorials from prisoners will fill our conversations.*

- Schedule and Sources:
  - Assignments due this week:
    - Midterm Op-Ed Due 2/27 at 10:00 a.m.
    - Quiz #7 due 2/25 at 10:00 a.m.
  - Unit 7 Discussion Reading:
    - Dan Berger and Toussaint Losier, “Revolution: The Prison Rebellion Years, 1968-1972,” *Rethinking the American Prison Movement*, 2017
  - Monday, February 25
    - Podcast
      - *Beyond Prisons*, “Episode 9: Captive Nation feat. Dan Berger”
        - <http://beyondprison.libsyn.com/episode-9-captive-nation-feat-dan-berger-0>
  - Wednesday, February 27
    - No Additional Readings

## March 4-8

### \*\*\*Spring Break

## March 11-15

### Unit 8: Working in Mass Incarceration

*Welcome back! We're rejoining our prison scholarship with closer looks at individual people affected by mass incarceration. Sometimes when we study ethically questionable institutions, we see them as people. We forget to ask questions about the thousands of actual people who collect paychecks from these corporations and entities. People choose to work in prisons, particularly private prisons for a variety of reasons. You'll start the week by reading a journalist's experience as he went undercover in a private prison.*

- Schedule and Sources
  - Assignments due this week:
    - Quiz #8 due 3/11 at 10:00 a.m.
  - Unit 9 Discussion Reading:
    - Geoff Ward, “Punishing for a Living: More on the Cementing of Prisons,” *Social Justice*, 2004

- Monday, March 11
  - Expose
    - “My Four Months as a Private Prison Guard,” *Mother Jones*
      - <https://www.motherjones.com/politics/2016/06/cca-private-prisons-corrections-corporation-inmates-investigation-bauer/>
- Wednesday, March 13
  - No Additional Readings

## March 18-22

### Unit 9: Young and Jailed

*Young people have filled the prisons that we've examined so far. This week, we will look at their experiences more closely. Journalist Kai Wright has spent more than a year with incarcerated youth. You'll hear the voices of young people who have committed crimes and are now part of the prison landscape. Many of the themes we have visited so far this semester, like punitive justice, will also wind through the stories you will hear this week. We will also critically examine the often-cited school-to-prison pipeline.*

- Schedule and Sources
  - Assignments due this week:
    - Quiz #9 due 3/18 at 10:00 a.m.
  - Unit 10 Discussion Reading:
    - Nancy Heitzag, “Criminalizing Education: Zero Tolerance Policies, Police in the Hallways, and the School to Prison Pipeline,” *Counterpoints*, 2014
  - Monday, March 18
    - Podcasts:
      - “Oh My God, What Have I Done?” *Caught*, 2018
        - <https://www.wnycstudios.org/story/caught-podcast-oh-my-god-what-have-i-done>
      - “He Really Wants to Shoot Someone,” *Caught*, 2018
        - <https://www.wnycstudios.org/story/caught-podcast-he-really-wants-to-shoot-someone>
  - Wednesday, March 20
    - No Additional Readings

## March 25-29

### Unit 10: Experiences of Incarcerated Women

*We're turning our attention to the experiences of incarcerated women. We'll consider some top-down policies that affect women, both in and out of prison. But we'll also consider the actual experiences that women face behind bars. This will also give us a path to look at parenthood for incarcerated people.*

- Schedule and Sources
  - Assignments due this week:
    - Quiz #10 due 3/25 at 10:00 a.m.
  - Unit 10 Discussion Reading:

- Kate Luther et. al. “Restricted Motherhood: Parenting in a Prison Nursery, *International Journal of Sociology and the Family* (2011)
- Monday, March 25
  - “Film and Discussion: Mothers of Bedford”
    - <https://www.youtube.com/watch?v=gPr75vUUeog>
- Wednesday, March 27
  - No Additional Readings

## April 1-5

### Unit 11: Prison Culture: Gangs, Tattoos, Families, and Prison Economies

*So far we’ve encountered a variety of people who populate U.S. prisons. This week, we’ll take a more holistic approach to examine life behind bars. We’ll ask questions about how incarcerated people form communities and what those communities look like. While David Skarbek provides a scholarly take on the topic, the folks behind the award-winning Ear Hustle podcast will let us hear real voices and stories from incarcerated people.*

- Schedule and Sources
  - Assignments due this week:
    - Quiz #11 due on 4/1 at 10:00 a.m.
  - Unit 11 Discussion Reading:
    - David Skarbek, “Governance Institutions and the Prison Community,” *The Social Order of the Underworld: How Prison Gangs Govern the American Penal System* (2014)
  - Monday, April 1
    - Podcast
      - *Ear Hustle*, “Episode 23: Catch a Kite 3”
        - <https://www.earhustlesq.com/episodes/2018/10/24/catch-a-kite-3>
      - *Ear Hustle*, “Episode 7: Unwritten”
        - <https://www.earhustlesq.com/episodes/2017/9/13/unwritten>
  - Wednesday, April 3
    - No Additional Readings

## April 8-12

### Unit 12: Prisons in the Public Imagination

*So far, we’ve examined prisons as revolutionary places of reform and punishment. The people we’ve seen and heard from so far have felt a direct connection to these places, as prisoners or lawmakers. This week, we’ll view the public as another important piece of this history as we interrogate our outright fascination with prisons in popular culture. In doing so, we’ll push back against the idea that prisoners are culturally isolated or separate from the American identity.*

- Schedule and Sources
  - Assignments due this week:
    - Quiz #12 Due 4/12 at 10:00 a.m.
  - Unit 10 Discussion Reading:
    - Paul Wright, “The Cultural Commodification of Prisons,” *Social Justice*, 2000
  - Monday, April 8
    - No Additional Readings
      - We’ll watch some TV and movie scenes depicting prison life together in class.

- Wednesday, April 10
  - No Additional Readings

## **April 15-19**

### **Unit 13: Modern Activism and Abolition**

*Angela Davis provides much of the prison abolition groundwork that we will examine this week. As a former prisoner and long-standing activist, Davis has tremendous insight into the abolition movement. We'll also see other movements that have developed out of necessity, like ban-the-box and prisoner reintegration movements.*

- Schedule and Sources:
  - Assignments due this week:
    - Service Project Reflection due 4/19 at 10:00 a.m.
    - Service Learning Project due 4/19 at 10:00 a.m.
  - Unit 12 Discussion Readings:
    - Angela Davis, "The Challenge of Prison Abolition: A Conversation," *Social Justice*, 2000
    - Angela Davis, "Abolitionist Alternatives," *Are Prisons Obsolete*, 2003
  - Monday, April 15
    - Angela Davis on Abolishing Prisons
      - <https://www.abc.net.au/radionational/programs/drive/angela-davis-on-mass-incarceration,-black-lives-matter-and-the/7950414>
  - Wednesday, April 17
    - No Additional Readings

## **April 22-26**

### **Course Reflections**

- Schedule and Sources
  - Assignments due this week:
    - Final Paper due 4/26 at 10:00 a.m.
    - Annotated Bibliography due 4/26 at 10:00 a.m.