

ETHNICITY, RACE, AND JUSTICE (FALL 2024)

Sociology / Chican@ and Latin@ Studies / Legal Studies 440

Monday / Wednesday 4:00 – 5:15pm

Sewell Social Sciences Building 5208

University of Wisconsin, Madison



Instructor: Michael Light, PhD, Professor of Sociology

Office: 7101 Sewell Social Sciences Building

Office Hours: Monday 2:00-3:00pm & appointment (in-person or via [Zoom](#))

Email: milight@ssc.wisc.edu

Instructional Mode: Face-to-Face

Canvas site: <https://canvas.wisc.edu/courses/426263>

Credits: 3. This class meets for two 75-minute class periods each week over the fall/spring semester and carries the expectation that students will work on course learning activities (reading, writing, studying, etc) for about 3 hours out of classroom for every class period. The syllabus includes more information about meeting times and expectations for student work.

Course Description

“Every cobbler thinks leather is the only thing, and for better or worse, I am a sociologist.”

C. Wright Mills (1959)

“The Problem of the 20th century is the problem of the color line.”

W.E.B. Du Bois (1899)

This course utilizes a variety of theoretical and empirical tools from social and legal research to examine four interconnected domains surrounding the intersection of ethnicity, race, and justice: 1) racial and ethnic relations in society 2) racial and ethnic differences in crime and violence, 3) racial and ethnic disparities in the criminal justice system, and 4) race and ethnicity under the law. A variety of specific topics will be addressed, including sociological theories of racial/ethnic differences in violence, disparities in punishment (including the death penalty), and the consequences of mass incarceration for racial/ethnic inequality. Given the voluminous amount of legal research specific to racial differences, a major focus of this course will be to move beyond the black/white dichotomy, with a specific emphasis on US Latinos – the largest minority group in the United States.

Learning Objectives

1. Students will develop an empirically grounded understanding of ethnic and racial differences in crime and criminal justice outcomes and be able to analyze these patterns through the application of theory in the social sciences.
2. Students will engage major theoretical debates in social and legal scholarship. Why are there racial/ethnic disparities in crime and violence? How and why have these disparities changed over time? Are minorities treated differently by legal officials? Has mass

incarceration mitigated or exacerbated racial and ethnic inequality? How has the Supreme Court viewed issues of ethnicity, race, and the law?

3. Students will competently interpret representations of data and critically analyze study design in published research on ethnicity, race, and justice.
4. Through engagement with course readings and class discussion, students will establish a foundation for critically assessing the often controversial issues surrounding ethnicity, race, crime, and the law in society.

Required Materials

All course readings are available on canvas or hyperlinked in the syllabus. I highly encourage you to download a free copy of the recent National Academic report *[Reducing Racial Inequality in Crime and Justice](#)* (or buy a hard copy if you prefer to have the book). We will reference this book throughout the course.

It is VERY important that you do the readings and participate in class. The class size is ideal for generating good discussions and I will count on you all to be able to speak knowledgeably about course materials.

PARTICIPATING IN CLASS

All classes will be held in-person. In the case of a suspension of in-person classes at UW-Madison, classes will be held entirely via Zoom. When you go on Canvas, there is a tab on the left side that says "Zoom." There you will see our planned sessions. These classes will be held on the same day and time as our normal class meetings (**Mondays/Wednesdays, 4:00-5:15pm**).

Course Grading

Your grade is based two exams, two written evaluations of articles published in peer-reviewed journals, one data write-up and participation.

Exam I	25%
Exam II	25%
Article Eval. I	20%
Article Eval. II	20%
Data Write-Up	5%
Participation	5%

Grading: The standard UW grading scale will be used.

Total Percent	Grade	Total Percent	Grade
93-100	A	70-76.99	C
87-92.99	AB	60-69.99	D
83-86.99	B	<60	F
77-82.99	BC		

Participation: Your participation is gauged by your attendance. You are allowed to miss **three classes** without penalty. More than three unexcused absences will adversely affect your grade. We will be using the **Acadly** to take attendance. You will need to download this app to your phone (there is a \$3 charge; but since there is no required texts for this course, this seems like a fair trade). **The join code is LBSZF1.**

Data Write-Up: How many people were shot and killed by the police in 2020? How many of them were unarmed? What was the racial composition of those killed by the police in 2020? Your assignment is to examine the *Washington Post*'s Fatal Force database to answer these three questions, available at <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>. I recommend you download the raw data available here: <https://github.com/washingtonpost/data-police-shootings>. Your assignment should be brief (~a paragraph) and submitted via Canvas in the Week 2 folder by **Sept. 11th, 2023**.

Exams: There will be two exams in this course. You are responsible for all material from lectures and the assigned readings for the exams. The exams will be some combination of multiple choice, short answer, and essays. The exams will not technically be cumulative, but there are concepts that will carry over from the previous parts of the course for which you will be responsible. There will be *no makeup exams* without a valid, documented excuse. **Exam #1** will be on **October 30, 2024** and **Exam #2** will be on **December 19, 2024**.

Article Evaluations: The ability to evaluate evidence is a central and necessary skill. In these assignments your goal is to systematically evaluate the strengths and weaknesses of two peer-reviewed articles, both of which examine critical issues in race, ethnicity, and justice. These written evaluations should be approximately 3 *single-spaced* pages (or 6 double-spaced pages if you prefer) and contain the following sections:

- 1) *Research Question:* what is the research question(s) being examined?
- 2) *Research Gap:* Explain the gap that this article seeks to fill? How do they plan to do that?
- 3) *Evaluation:* what do they conclude? Do they offer convincing evidence for their conclusion? The question to ask yourself is this: do you buy it? If so, why? If not, tell me why you think that? (**note:** this should be the biggest section of the essay)
- 4) *Further Research:* what is left unanswered? How could *this* study be improved (don't tell me you want a different study)?

Evaluation I: due October 9, 2024

Fryer, Roland D. 2019. "An Empirical Analysis of Racial Differences in Police Use of Force." *Journal of Political Economy* 127: 1210-1261.

Evaluation II: due November 27, 2024

Light, Michael T. and Julia Thomas. 2019. "Segregation and Violence Reconsidered: Do Whites Benefit from Residential Segregation?" *American Sociological Review* 84: 690-725.

COURSE OUTLINE

Readings will be made available online at this course's Canvas site:

<https://canvas.wisc.edu/courses/426263>. Readings can be found by clicking on the tab for that week in the semester. It is expected that readings will be done **prior to** the first meeting each week.

Week 1: Introduction (Sept. 4th)

Wall Street Journal. "[Far From the Protests, Some Students Try to Meet in the Middle.](#)"
The Chicago Statement. [Report of the Committee on Freedom of Expression.](#)

Week 2: Overview and Empirical Reality (Sept. 9th & 11th)

Chapter 2 in [Reducing Racial Inequality in Crime and Justice](#). "Racial Disparities in Victimization, Offending, and Involvement with the Criminal Justice System. Prison Policy Initiative. "[Mass Incarceration: The Whole Pie 2024.](#)"
Pew Center for the States. 2008. "One in 100: Behind Bars in America 2008." Washington, D.C. Sabol, William J., Thaddeus L. Johnson, and Alexander Caccavale. 2019. *Trends in Correctional Control by Race and Sex*. Washington, D.C.: Council on Criminal Justice.
Zatz and Rodriguez (2006). "Conceptualizing Race and Ethnicity in Studies of Crime and Criminal Justice." Pp. 39-53 In *The Many Colors of Crime* (eds) (optional)
Rodriguez, C. (2000). "The Idea of Race." Chapter 2 In *Changing Race*. (recommended).

Week 3: Racial/Ethnic Stratification (Sept. 16th & 18th)

Mather, Mark and Beth Jarosz. 2014. *The Demography of Inequality in the United States*. Population Reference Bureau.
Massey, Douglas and Karen Pren. 2012. "Origins of the New Latino Underclass." *Race and Social Problems* 4(1):5-17.
Telles, Edward E. and Vilma Ortiz. 2008. *Generations of Exclusion: Mexican Americans, Assimilation, and Race*. Russell Sage Foundation. Chapter 11 (recommended)

Week 4: Stratification and Crime (Sept. 23rd & 25th)

Sampson, Robert J. and William Julius Wilson. 1995. Toward a Theory of Race, Crime, and Urban Inequality. Pp. 37-54 in Hagan and Peterson eds. *Crime and Inequality*. Stanford University Press.
Sampson, Robert J. and Roland Neil. 2024. "The social foundations of racial inequalities in arrest over the life course and in changing times." *Criminology* 62: 177-204.
Light, Michael T. and Jeffery T. Ulmer. 2016. "Explaining the Gaps in White, Black and Hispanic Violence since 1990: Accounting for Immigration, Incarceration, and Inequality." *American Sociological Review* 81: 290-315.

- Maria B. Velez. 2006. "Toward an Understanding of the Lower Rates of Homicide in Latino versus Black Neighborhoods: A look at Chicago." Pp. 91-107 in *The Many Colors of Crime*. (recommended)
- Peterson, Ruth D. and Lauren J. Krivo. 2005. "Macrostructural Analyses of Race, Ethnicity, and Violent Crime: Recent Lessons and New Directions for Research." *Annual Review of Sociology* 31: 331-356. (recommended)
- Sampson, Robert J., Jeffery Morenoff, and Stephen Raudenbush. 2005. "Social Anatomy of Racial and Ethnic Disparities in Violence." *American Journal of Public Health* 95: 224-232. (optional)

Week 5: Immigration and Crime (Sept. 30 & Oct. 2nd)

- Light, Michael T., Jingying He and Jason Robey. 2020. "[Comparing crime rates between undocumented immigrants, lawful immigrants, and native-born U.S. citizens in Texas.](#)" *Proceedings of the National Academy of Sciences*.
- Sampson, Robert. 2008. "Rethinking Crime and Immigration." *Contexts* 7:28-33
- Ousey, Graham C., and Charis E. Kubrin. 2018. "Immigration and Crime: Assessing a Contentious Issue." *Annual Review of Criminology* 1: 63-84.
- Berardi, Luca and Sandra M. Bucerius. 2014. "Immigrants and their Children: Evidence on Generational Differences in Crime." Pp. 551-583 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*. (read pp. 560-566).

Week 6: Crime and Criminal Justice beyond White, Black, and Hispanic (Oct. 7th & 9th)

- Yue Zhuo and Sheldon Zhang. 2018. "Crime and Delinquency among Asian American Youth." Pp. 129-146 *The Handbook of Race, Ethnicity, Crime, and Justice*.
- Johnson, Brian, and Sara Betsinger. 2009. "Punishing the "Model Minority": Asian-American Criminal Sentencing Outcomes in Federal District Courts." *Criminology* 47: 1045-1090.
- Ulmer, Jeffery T. and Mindy S. Bradley. 2019. "Criminal Justice in Indian Country: A Theoretical and Empirical Agenda." *Annual Review of Criminology* 2:337-57.
- Prison Policy Initiative. [What data exists about Native American people in the criminal justice system?](#)
- See also "Tribal Crime Data-Collection Activities, 2020" (*Bureau of Justice Statistics*)
- Russel, Kathryn. 2004. "American Indians and Crime" Chapter 2. *Underground Codes*. NYU Press. (recommended)
- McNulty, Thomas L., and Paul E. Bellair. 2003. "Explaining racial and ethnic differences in serious adolescent violent behavior." *Criminology* 41:709-48. (optional)

Week 7: Race/Ethnicity and the Politics of Crime and Incarceration (Oct. 14th and 16th)

- Forman Jr., James. 2012. "Racial Critiques of Mass Incarceration: Beyond the New Jim Crow." *New York University Law Review* 87: 101-146.

- Lerman, Amy E. and Vesla M. Weaver. 2014. "Race and Crime in American Politics: From Law and Order to Willie Horton and Beyond." Pp. 41-69 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*.
- Gottschalk, Marie. 2015. *Caught: The Prison State and the Lockdown of American Politics*. Princeton University Press. (Chapter 10).

Week 8: Perceptions of Fairness and Justice (Oct. 21st & 23rd)

- Hagan, J., Shedd, C., & Payne, M. R. (2005). "Race, ethnicity, and youth perceptions of injustice." *American Sociological Review*, 70, 381–407.
- Krogstad, Jens Manuel. 2014. *Latino confidence in local police lower than among whites*. Pew Research Center.
- Desilver, Drew, Michael Lipka, and Dalia Fahmy. 2020. *10 things we know about race and policing in the U.S.* Pew Research Center.
- Tyler, Tom R. 1990. *Why People Obey the Law*. New Haven: Yale University Press. (Chapters 12 & 13)
- Hurwitz and Peffley. 2005. Explaining the Great Racial Divide: Perceptions of Fairness in the US Criminal Justice System. *Journal of Politics* 67: 762-783. (recommended)

Week 9: Catch up and Mid-Term (Oct. 28th & 30th)

No Readings!

Exam #1 is on Wednesday Oct. 30th

Week 10: Disparities in Policing and Prosecution (Nov. 4th & 6th)

- Gellman, Andrew, Jeffrey Fagan, and Alex Kiss. 2007. "An Analysis of the New York City Police Department's 'Stop-and-Frisk' Policy in the Context of Claims of Racial Bias." *Journal of the American Statistical Association* 102: 813-823.
- Fryer, Roland D. 2019. "An Empirical Analysis of Racial Differences in Police Use of Force." *Journal of Political Economy* 127: 1210-1261.
- Knox, Dean, Will Lowe and Jonathan Mummolo. 2020. "Administrative Records Mask Racially Biased Policing." *American Political Science Review*.
- Kutateladze, B., Andiloro, N., & Johnson, B. (2016). "Opening Pandora's Box: How Does Defendant Race Influence Plea Bargaining Outcomes?" *Justice Quarterly* 33(3), 398-426.

Week 11: Race/Ethnicity and Punishment (Nov. 11th & 13th)

- Light, Michael T., Jason Robey and Jungmyung Kim. 2023. "Noncitizen Justice: The Criminal Case Processing of non-U.S. Citizens in Texas and California." *American Journal of Sociology* 129: 162-226.
- King, Ryan D. and Brian D. Johnson. 2016. "A Punishing Look: Skin Tone and Afrocentric Features in the Halls of Justice." *American Journal of Sociology*.

Light, Michael T. 2022. "The Declining Significance of Race in Criminal Sentencing: Evidence from U.S. Federal Courts." *Social Forces* 100(3): 1110-1141.

Baldus and Woodworth (2003). "Race Discrimination and the Legitimacy of Capital Punishment: Reflections on the Interaction of Fact and Perception." *DePaul Law Review* 53: 1411-1496 (read Section VI).

Steffensmeier, D., J. Ulmer, and J. Kramer (1998). "The Intersection of Race, Gender, and Age in Criminal Sentencing" *Criminology* 36. (optional)

Week 12: Mass Incarceration (Nov. 18th & 20th)

Pager, Devah, Bruce Western, and Bart Bonikowski. 2009. "Discrimination in a Low-Wage Labor Market: A Field Experiment." *American Sociological Review*.

Pettit, Becky. 2012. *Invisible Men: Mass Incarceration and the Myth of Black Progress*. Russell Sage Foundation. (Chapter 4)/

Jason Robey, Michael Massoglia and Michael T. Light. 2023. "A Generational Shift: Race and the Declining Lifetime Risk of Incarceration." *Demography* 60 (4): 977–1003

Massoglia Michael and Jason Schnittker. 2009. "No Real Release: The Health Effects of Incarceration." *Contexts*, 8:38-42.

Manza, Jeff and Christopher Uggen. 2008. *Locked Out: Felon Disenfranchisement and American Democracy*. (recommended: Chapter 2).

Week 13: THANKSGIVING BREAK

- **No class Nov. 25th & 27th (you're welcome!)**



Week 14: Race & the Law (Dec. 2nd & 4th)

Kennedy, Randall. 1997. *Race, Crime, and the Law*. Vintage Press. (Chapter 3)

Provine, Doris Marie. 2007. *Unequal under Law: Race in the War on Drugs*. University of Chicago Press. (Chapter 6)

Week 15: Latinos & the Law (Dec. 9th & 11th)

Soltero, Carlo R. 2006. *Latinos and American Law*. University of Texas Press. (Chapters 9 and 10)

United States v. Gustavo Carillo-Lopez (D. Nev. Aug. 18, 2021)

Appealed: *United States v. Gustavo Carillo-Lopez* (9th Circuit, May 22, 2023)

- **During Week 15, we will also plan a review for the Final Exam.**
- **Your final exam will be December 19, 2024 from 7:45-9:45am (location TBD)**

PRIVACY OF STUDENT RECORDS and the USAGE of AUDIO RECORDED LECTURES

See information about [privacy of student records and the usage of audio-recorded lectures](#).

Usage of Audio Recorded Lectures Statement

Lecture materials and recordings for SOC 440 are protected intellectual property at UW-Madison. Students in this course may use the materials and recordings for their personal use related to participation in this class. Students may also take notes solely for their personal use. If a lecture is not already recorded, you are not authorized to record my lectures without my permission unless you are considered by the university to be a qualified student with a disability requiring accommodation. [Regent Policy Document 4-1] Students may not copy or have lecture materials and recordings outside of class, including posting on internet sites or selling to commercial entities. Students are also prohibited from providing or selling their personal notes to anyone else or being paid for taking notes by any person or commercial firm without the instructor's express written permission. Unauthorized use of these copyrighted lecture materials and recordings constitutes copyright infringement and may be addressed under the university's policies, UWS Chapters 14 and 17, governing student academic and non-academic misconduct.

STUDENTS' RULES, RIGHTS & RESPONSIBILITIES

Digital Course Evaluation (AEFIS)

UW-Madison now uses an online course evaluation survey tool, [AEFIS](#). In most instances, you will receive an official email two weeks prior to the end of the semester when your course evaluation is available. You will receive a link to log into the course evaluation with your NetID where you can complete the evaluation and submit it, anonymously. Your participation is an integral component of this course, and your feedback is important to me. I strongly encourage you to participate in the course evaluation.

ACADEMIC CALENDAR & RELIGIOUS OBSERVANCES

- See: <https://secfac.wisc.edu/academic-calendar/#religious-observances>

ACADEMIC INTEGRITY STATEMENT

By virtue of enrollment, each student agrees to uphold the high academic standards of the University of Wisconsin-Madison; academic misconduct is behavior that negatively impacts the integrity of the institution. Cheating, fabrication, plagiarism, unauthorized collaboration, and helping others commit these previously listed acts are examples of misconduct which may result in disciplinary action. Examples of disciplinary action include, but is not limited to, failure on the assignment/course, written reprimand, disciplinary probation, suspension, or expulsion.

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES STATEMENT

The University of Wisconsin-Madison supports the right of all enrolled students to a full and equal educational opportunity. The Americans with Disabilities Act (ADA), Wisconsin State Statute (36.12), and UW-Madison policy (Faculty Document 1071) require that students with disabilities be reasonably accommodated in instruction and campus life. Reasonable accommodations for students with disabilities is a shared faculty and student responsibility. Students are expected to inform faculty [me] of their need for instructional accommodations by

the end of the third week of the semester, or as soon as possible after a disability has been incurred or recognized. Faculty [I], will work either directly with the student [you] or in coordination with the McBurney Center to identify and provide reasonable instructional accommodations. Disability information, including instructional accommodations as part of a student's educational record, is confidential and protected under FERPA. (See: [McBurney Disability Resource Center](#))

DIVERSITY & INCLUSION STATEMENT

[Diversity](#) is a source of strength, creativity, and innovation for UW-Madison. We value the contributions of each person and respect the profound ways their identity, culture, background, experience, status, abilities, and opinion enrich the university community. We commit ourselves to the pursuit of excellence in teaching, research, outreach, and diversity as inextricably linked goals.

The University of Wisconsin-Madison fulfills its public mission by creating a welcoming and inclusive community for people from every background – people who as students, faculty, and staff serve Wisconsin and the world.

Course Policies and Friendly Reminders

- **Classroom Civility**. The study of race/ethnicity and crime requires discussing sensitive and often controversial topics that may be uncomfortable for some students. I encourage both good discussions and critical assessment of issues, however, I require that students will respect their peers and inflammatory remarks will be dealt with accordingly. The University of Wisconsin is committed to fostering diversity and inclusion and welcomes individuals of all ages, religions, sex, sexual orientations, races, nationalities, languages, military experience, disabilities, family statuses, gender identities and expressions, political views, and socioeconomic statuses. Behaviors that threaten, harass, discriminate or that are disrespectful of others will not be tolerated. Inappropriate behaviors will be addressed with disciplinary action, which may include being referred to the Dean of Students Office. Please visit [UW's Nondiscrimination policy](#) for more information.
- **Other Issues**. It is important that YOU stay on top of issues as it relates to the class. The worst thing you can do is come to me at the end of the semester and bring up issues that happened weeks and months earlier.

HELPFUL RESOURCES

- [University Health Services](#)
- [Undergraduate Academic Advising and Career Services](#)
- [Office of the Registrar](#)
- [Office of Student Financial Aid](#)
- [Dean of Students Office](#)

Departmental notice of grievance and appeal rights. The Department of Sociology regularly conducts student evaluations of all professors and teaching assistants near the end of the semester. Students who have more immediate concerns about this course should report them to the instructor or to the chair, 8128 Social Science.

Department learning objectives. Beyond the specific substantive and methodological content described above, the course is designed to achieve the following instructional objectives designated as priorities by the Department of Sociology:

Critically Evaluate Published Research. Sociology graduates will be able to read and evaluate published research as it appears in academic journals and popular or policy publications.

Communicate Skillfully: Sociology majors write papers and make oral presentations that build arguments and assess evidence in a clear and effective manner.

Critical Thinking about Society and Social Processes: Sociology graduates can look beyond the surface of issues to discover the "why" and "how" of social order and structure and consider the underlying social mechanisms that may be creating a situation, identify evidence that may adjudicate between alternate explanations for phenomena, and develop proposed policies or action plans in light of theory and data.