



Contemporary Justice Review

Issues in Criminal, Social, and Restorative Justice

ISSN: (Print) (Online) Journal homepage: <https://www.tandfonline.com/loi/gcjr20>

Designing engagement: a student-based perspective of the economics of crime

Madhavi Venkatesan, Noah Alper, Alexis Baker, Stephen Bernard, Paolo Lichtenthal, Katherine Murphy, Jacklyn Peterson, Rayana Radueva & Anthea Simon

To cite this article: Madhavi Venkatesan, Noah Alper, Alexis Baker, Stephen Bernard, Paolo Lichtenthal, Katherine Murphy, Jacklyn Peterson, Rayana Radueva & Anthea Simon (2023): Designing engagement: a student-based perspective of the economics of crime, Contemporary Justice Review, DOI: [10.1080/10282580.2023.2181289](https://doi.org/10.1080/10282580.2023.2181289)

To link to this article: <https://doi.org/10.1080/10282580.2023.2181289>



Published online: 24 Feb 2023.



Submit your article to this journal [↗](#)



Article views: 7



View related articles [↗](#)



View Crossmark data [↗](#)

ARTICLE



Designing engagement: a student-based perspective of the economics of crime

Madhavi Venkatesan , Noah Alper, Alexis Baker, Stephen Bernard, Paolo Lichtenthal, Katherine Murphy, Jacklyn Peterson, Rayana Radueva and Anthea Simon

Department of Economics, Northeastern University, Boston, Massachusetts, USA

ABSTRACT

This paper, developed by participants in an Economics of Crime course at Northeastern University in conjunction with their professor, highlights student perspectives of the relationship between the economic system, its operations and institutions, and the marginalization and victimization of Black people. The paper addresses specific attributes of the course curriculum that facilitated student understanding of these topics, and in doing so suggests an alternative pedagogy for discussing crime from an economics disciplinary perspective. The inclusion of historical context in the criminalization of race and poverty aligns to bell hooks' *Teaching to Transgress*, as course engagement centers on social context and responsibility while also critically assessing economic models of crime that have arguably obscured the relationship between racial discrimination, economic opportunity, legitimized slavery, and monetization of human life, and instead have provided credibility to economic incentives for crime by assuming rational behavior and free will. Additionally, inclusion of the causes and criminalization of groups and resulting student outcomes from the course provide an example of bell hooks' learning community and reflects the engagement between students and their professor.

ARTICLE HISTORY

Received July 27, 2022
Accepted November 16, 2022

KEYWORDS

Economics of Crime; race; student engagement; learning environment; classroom collaboration

Introduction

the students I encounter seem far more uncertain about the project of self-actualization than my peers and I were twenty years ago. They feel that there are no clear ethical guidelines shaping actions. Yet, while they despair, they are also adamant that education should be liberatory. They want and demand more from professors than my generation did. There are times when I walk into classrooms overflowing with students who feel terribly wounded in their psyches (many of them see therapists), yet I do not think that they want therapy from me. They do want an education that is healing to the uninformed, unknowing spirit. They do want knowledge that is meaningful. They rightfully expect that my colleagues and I will not offer them information without addressing the connection between what they are learning and their overall life experiences
(Hooks, 1994, p. 19).

As an economics professor, my students vary significantly from the student in the humanities. Economics has not been taught with a critical lens and introductory courses

CONTACT Madhavi Venkatesan  m.venkatesan@northeastern.edu  Department of Economics, Northeastern University, 360 Huntington Avenue, Boston, Massachusetts 02115, USA

© 2023 Informa UK Limited, trading as Taylor & Francis Group

rarely encourage discourse. In fact, my discipline has become commoditized at the introductory level, limiting teaching to the tools available in the textbooks that dominate the introductory course market, with assessments increasingly computerized, limiting testing to adoption of theory without question and tactical knowledge defined as equation solving and graphical movements. For these latter items, the intuitive understanding of the student is second to non-existent relative to memorization of specific prompts. Given that economics affects not only how we frame our world but also how we define ourselves within it, it is disappointing that so many students enter and end their courses without a clear connection between what they study in the classroom and the operating system tangible in their daily lives.

The reality of the disconnect between the teaching and application, as well as the inter-temporal formation of social norms formed the basis for the development of my version of Economics of Crime, which indeed is also a standard introductory economics course. Given the historical roots of race and the attribution of the concept to the nineteenth century U.S. and the continued marginalization of non-white individuals into the twentieth century, a discussion of crime without a discussion of race, reduces the discourse to correlations between racialized variables (e.g. income by race, education by race) and crime. On the surface these may appear useful but, the use of data alone, only obscures the causality and limits social responsibility in the present. In my desire to provide context, I have incorporated both a discussion of slavery and regulatorily enabled discrimination and legitimacy of violence against Black people in setting the foundation for the discussion of crime (see Appendix for readings and a complete course topic list). I believe my approach, which has been documented in exit surveys by students across four years, has affected both student understanding of the limitations and power of economic tools and also the significance of context and social construction in observable outcomes.

My Economics of Crime course naturally aligns with *Teaching to Transgress* (Hooks, 1994), the themes of critical engagement, democracy in the classroom, and education with vulnerability are addressed to provide direct relevance of bell hooks in fostering a collaborative classroom. These are presented in sections that follow, which also serve as a curriculum map for fostering an understanding of the relationship between crime, poverty, and race. Topics include economic incentives and societal welfare; lobbying, policy, and profits; and bounded rationality and free will. Each section represents a contribution by a student co-author, who determined the topic based on what affected them the most during their time as a course participant. The discussion concludes with qualitative responses of students (non-authors) exiting the course and provides their perceptions of how the course affected their understanding of the relationship between race and crime. These outcomes are attributed with highlighting the significance of context in economic assessment and what bell hooks described as 'knowledge that is meaningful' (Hooks, 1994, p. 19). The period reviewed in this discussion includes course participants from 2019 to 2022.

Policing in context

In economics, police are viewed as a deterrent; rarely if ever is their behavior assessed as aggressive or violent or is the action of the police qualitatively addressed as a cost to groups that have been historically criminalized. To even lesser a degree, the discussion of

the normalization of police brutality or racially discriminatory policing practices is not included in evaluating the relationship between race and crime. In limiting acknowledgement of these issues, the evaluation of data alone promotes a racialized view of crime as is evident in the use of machine learning. Machine learning relies on data and as a result using machine learning can provide accessible evidence of implicit bias. Past discrimination becomes the basis of present decisions and can promote a stereotype of a racial dimension to crime that arguably has been socially constructed and maintained. Critical engagement and corrective policy require context (Venkatesan, 2021).

It is for this reason that I deviate from standard economics of crime texts and begin my course by providing context. Without an understanding of history, the student can easily default to current social norms to understand what they observe, eliminating an understanding of both the complexity and social change that may be embedded in an observation. Further, historical context provides students with an opportunity to engage, participate in the deliberation of how the past is connected to the present, and see themselves as facilitators of social change. As noted by Hooks (1994), in providing context, I look to establish student engagement and create an excitement in discussion rather than providing a passive learning experience (p.14). It is significant to note that context is not necessarily incorporated into economics and similarly economics courses are more aligned to a passive educational experience. This section serves as an overview of how policing is addressed in my class and includes how the traditional economic evaluation of policing as a deterrent can veil the issue of what defines crime.

Historical progression of policing

Policing has its origins in the night watch in the North and slave patrols in the South. At its inception the legitimacy of policing was communally defined and mimicked prevailing social norms. As a result, given the historical marginalization of non-white peoples in the U.S., racial bias was embedded in the culture of policing. Further, segregation and the effects of intergenerational inequity affected observable residential and socio-economic patterns, making race and poverty highly correlated. This in turn, fostered statistics that seemingly legitimized discrimination-aligned stereotypes, including predisposition to crime (Covington, 1999). Facial features and racial hierarchy were legitimized by science as markers for criminal predisposition (Lombroso, 1897, 2006). The latter characteristic legitimized implicit bias, and statistical discrimination, and completed a vicious cycle, reinforcing and providing credibility to pre-existing socially constructed racial stereotypes (Kleider et al., 2012).

The history of policing in post-20th century America is complicated and heavily intertwined with the politics of racial segregation under the Jim Crow system, nearly 150 years in the past. Kelling and Moore (1988) identify three eras of policing: political, reform, and community. From its origins to the early 20th century, the institution of policing was rife with corruption, political lever-pulling, and mistrust. Police departments became actively engaged in the day-to-day activities of the communities they served, though in many cases solely for the purpose of expanding their lucrative networks of political corruption.

In response to public pressure that began mounting in the 1920s, American policing entered a 'reform' era (Kelling & Moore, 1988; Reisig, 2010). Police departments began

adopting a more 'professional' approach to law enforcement, placing social distance between police officers and the communities they served. As a result of this more strategic, objective approach to crime prevention, aggressive preventive patrols and increased police presence became commonplace. Despite intentions, the ultimate results of this era of policing were increased crime rates, social unrest, and racial tensions that reached a tipping point in the late 1960s.

Public backlash to highly publicized police killings at Jackson State and Kent State ushered in the era of community-focused policing. Above all, this approach emphasized 'good relations with local communities' (Treverton, 2011; Worden & McLean, 2017). Moreover, by instilling a sense of personal service in the policing profession and expanding the role of the police to include broader social functions aimed at promoting public safety, this approach to policing sought to foster trust and cooperation between police and the communities they serve. In theory, community policing allowed law enforcement to control crime through a closer understanding of the communities they serve and the cooperation of civilians, while prompting a favorable public reputation. In practice, however, some tenets of community policing have been used to justify punitive law enforcement policies which contribute to the current crisis.

'Order Maintenance Policing' (OMP) is often tethered to community policing because it seeks to prevent crime by managing the social and cultural factors which foster an environment conducive to criminal behavior within communities. Some proponents of OMP conclude that more serious offenders will be deterred if police crackdown on minor offenses. To that end, Reisig (2010) observes that New York City Mayor Rudy Giuliani and Police Commissioner William Bratton enforced OMP to an extreme degree, resulting in 'an explosion of misdemeanor arrests'. Analyses of this effort conducted by G. Kelling and Sousa (2001), Corman and Mocan (2002), and Harcourt and Ludwig (2006), among others, have generally concluded that it contributed to modest crime reductions in New York City, although this has been contested and remains inconclusive. Citing Meares (1998), Greene (2000), and (2001), Reisig warns that 'implementing police crackdowns on public order offenses...can further alienate residents who already distrust and question the legitimacy of the police' in disadvantaged communities (p. 31).

These sentiments have been stated numerous times over the past few years, given increased public interest in the relationship between race and police brutality. Nikole Hannah-Jones reflecting on why Black America fears the police notes, 'For those of you reading this who may not be [B]lack, or perhaps Latino, this is my chance to tell you that a substantial portion of your fellow citizens in the United States of America have little expectation of being treated fairly by the law or receiving justice. It's possible this will come as a surprise to you. But to a very real extent, you have grown up in a different country than I have' (Hannah-Jones, 2015, para. 13).

As the culmination of the 'Law and Order' and 'War on Drugs' rhetoric employed by Presidents Reagan, Bush, and Clinton, the Violent Crime Control and Law Enforcement Act of 1994 (Act of 1994) was a significant enabler of punitive law enforcement practices like those seen under Giuliani. On paper, the bill drew upon concepts of community policing by supporting de-escalation training for officers and social programs such as addiction treatment for drug users. However, the reality was that police officers were trained to use force, de-escalation was an afterthought. A Police Executive Research Forum study of 281

police departments ‘found new recruits received an average of 58 hours of firearms training and just eight hours of de-escalation training’ (Gilbert, 2017).

Furthermore, the Act of 1994 was plagued by incentive misalignments. For example, it provided \$12.5 billion to fund the construction of new prisons, and financially encouraged municipalities to increase arrests, convictions, and incarcerations (Eisen, 2019). Coupled with the bureaucracy of police departments, these misaligned incentives fostered an environment where law enforcement was dependent on crime and incentivized to fabricate or actively seek out crime for their own survival. Not only did this represent a tremendous waste of resources, but also a perversion of purpose – under the incentive structure, police forces were not directed to crack down on crime to protect the communities they serve, rather they were incentivized to seek out crime to protect themselves. Less evident but related to the inconsistency is the relationship between policing incentives, incarceration, and corporate interests cemented by lobbying influence and the work of one conservative organization: the American Legislative Exchange Council (ALEC).

Policing though more formalized today has in essence retained some similarities with its founding. Fear and control form both the justification for its existence but have migrated to embedded cultural attributes. Further, the criminalization of Black men has fostered racial differences in public perception of the police (Worden & McLean, 2017) and as Meeks (2006) highlights a ‘war on the underclass’ guised as a war on crime (p. 36). Given the access of video, the seemingly incessant attack on the poor, urban, and specifically the heightening awareness of the disproportionate brutalization by the police of Black males, perception toward criminal justice has arguably started to change (Gamal, 2016). Racial bias, the relationship between prison, post-incarceration, poverty and education are topics of discussion fostered by best-selling books (Alexander, 2010; Kendi, 2016) while prison abolition and decriminalization have entered public discourse. Further, evaluation of crime and punishment are increasingly questioning whether the punishment fits the crime. This has resulted in assessment of more than the superficial aspects of police brutality and includes evaluation of the criminal justice system to ensure justice.

From a student perspective, discussion of the history and culture of policing fostered credibility for history, as one student stated at the completion the policing module,

Naturally, the history of policing is bound to affect the culture of policing today. Considering what we know about how racially and politically biased the police force is in 2022 (just from observing the news), considering this quote is startling: “Early American police departments shared two primary characteristics: they were notoriously corrupt and flagrantly brutal” (Potter, n.d.). When the police force is groomed to be corrupt and brutal, akin to a parent and a child, the resulting action will be what is taught. Given that the culture of police education almost certainly affected behavioral tendencies, we have a great place to start in any effort to help make interactions between minorities and police officers safe for minorities, in particular young [B]lack men. This, in part, is why this history matters

(Student course exit comment).

As is evident in this comment, historical context can impact the perception and understanding of issues related to policing exhibited in the present. This connection provides the opportunity to understand the significance of workplace culture, employee self-selection bias, and potential levers for change specific to the two, which may not have been evident by just analyzing the relationship between police force size and crime. Further, the evaluation of statistics is unfortunately the basis of economic assessment of

police efficacy and the causality between police force size and crime is subjective, being based on the preconceptions of the economic modeler. Without understanding of these limitations, students may gain only a superficial understanding of the relationship between police and crime. Student comments on their course learnings highlighted how the curriculum, which addressed these limitations affected their understanding.

It is important to be aware of this history, and its relationship to present culture, in part to give context to the arbitrary nature of certain enforcements, better allowing us to decide what to remove from the doctrine. Further, a culture that rewards officers for “numbers”, whether through arrest quotas or incentivizing officers to make an arrest near the end of their shift to earn overtime pay, leads to a plethora of unnecessary arrests being made which materially impact the quality of life and prospects of those picked up for ultimately trivial violations
(Student course exit comment).

... in studying relationships between various factors and crime, the implicit biases of researchers can affect their results, even when on the surface they appear unbiased, because the very decision of which factors to study and which to omit from consideration is a biased one which impacts the outcome of the study
(Student course exit comment).

The next section provides an overview of how quantitative assessments limits an understanding of the holistic impacts of incarceration.

Economic incentives and societal welfare

As hooks noted, education is not without bias and often we as educators inherent the bias of our instruction and may be guilty of passing this to our students (Hooks, 1994, p. 37). This bias is easily observed in economics, which in current instruction can be attributable to White men. In turn, the use of metrics related to profitability may obscure social welfare. For example, if individuals are assumed to be rational, which is an underpinning of economic theory, their actions are assumed to reflect their preferences and an internal cost-benefit assessment. However, rational thinking is affected by social conditions and opportunity, as not all choices, even if preferred are accessible by all individuals. Though not reflective of reality the assumption of rational thinking eliminates social responsibility and places complete responsibility on the individual. This allows for a siloed approach to profits, as firm behavior too is considered rational and aligned to fiduciary responsibility, which is limited to profit making and has no constraint related to social responsibility.

Our economic system has essentially framed our cultural identity. Assumptions inspiring individual behavior (i.e. self-gratification and insatiability) have been endogenized into reflex reaction. Profit maximization on the part of firms reflects quantitative assessment that excludes the costs of environmental and social externalities, in turn exacerbating economic inequity. The perversion in this framework is that it essentially neglects the qualitative parameters that may best define quality of life. An often-neglected example of this is the United States (U.S.) Criminal Justice System. The vast network of companies that profit from the U.S. prison and detention system is referred to as the Prison Industrial Complex (Davis, 1998; Schlosser, 1998). This system represents a direct outcome of incarceration as a deterrent to crime and is also historically linked to profiting from inmate labor, therefore creating a profit-driven rationale for criminalizing specific groups. Today, due to both the privatization and need for prison support services (i.e. food services,

uniforms, etc.) along with increasing prison populations, the U.S. prison system is a multibillion-dollar industry with thousands of companies profiting within its network. The cost-benefit of incarceration, however, only considers the market costs and benefits of incarceration. The rationale and social responsibility for the cause of crime as well as the impact of incarceration on targeted communities is excluded, meaning that the economic basis for criminal activity is not addressed in lieu of the monetization of criminal activity through mass incarceration.

The War on Drugs and resulting mass incarceration efforts beginning in the 1980's led to a significant spike in prison populations, putting a burden on the public prison sector. As a result, the blueprint for private prisons was created. A for-profit company, substituted for public management alone (Justice Policy Institute, 2011, p. 4).

The Federal Bureau of Prisons maintains the nation's highest number of people managed by private prison contractors. Since 2000, its use increased 77%. The number of people in private federal custody, which includes prisons, half-way houses and home confinement, totaled 27569 in 2017. 73% of immigrants detained in 2017 or 26,249 individuals were held in private prison facilities. The largest private prison companies operating today are GEO Group and CoreCivic. These two companies manage over half of all private prison contracts in the United States but operate as Real Estate Investment Trusts (REITs) and as a result receive preferential tax status, the loss of which they state as being a risk to investors (CoreCivic, 2020; GEO Group, 2020). In 2019, the companies earned a combined annual revenue of approximately \$4.5 billion (CoreCivic, 2020; GEO Group, 2020). With their revenue tied to government contracts, private prisons have invested heavily in both lobbying efforts and candidate contributions. Estimates are that at least \$812,500 was spent by the industry in federal lobbying efforts in the first quarter of 2018 (Horn, 2018). Though the direct relationship between lobbying efforts and political policy remains an inference, in 2017, GEO Group changed the location of its annual meeting from a resort in Boca Raton, Florida to the Trump National Doral Golf Club in Miami. This club is reported to be the 'single biggest contributor to Trump's cash flow' (Brittain & Harwell, 2017). With the Trump Administration's stance on border crossings, both CoreCivic and GEO Group saw an increase in profits as demand for private detention centers increased. For every 100 immigrant detainees, 32 were in GEO Group facilities, and 21 in CoreCivic facilities (Pauly, 2018). At an average cost of \$148 per day, private prisons were able to generate taxpayer funded revenue to the private sector of \$2.7 billion in 2018. This compares with \$4 per day cost in an alternative detention facility, which is equivalent to a more modest taxpayer expense of \$73 million (Pauly, 2018).

Private prison companies' fiduciary responsibility is to their shareholders who have invested their money under the belief that there will be a positive return, meaning that these companies have an obligation to generate profit. This creates a fundamental flaw with privatization. If government outsourcing is primarily based on cost-containment, private prisons are not incentivized with respect to prison outcomes and instead both ensure contracts and profit taking by reducing expenses. This is most clearly reflected in operating costs, which often come at the expense of the safety and quality of life within the facility. Private prisons employ mostly non-union and low skilled workers at lower salaries and with far fewer benefits in comparison to government funded public prisons. In the United States, corrections officers employed in private prisons earn an average salary of \$30,460, significantly less than the \$53,400 average salary of officers working in

federal facilities. Correctional officers in state and locally funded prisons also earn much more, both earning average salaries of over \$40,000 (Corrections Officer Salary, n.d.). Furthermore, evidence suggests that private prisons invest less resources in the training of facility personnel. The combination of low pay and lack of proper training has been correlated with increased violence and has heightened safety concerns in evaluations of institutional performance (Department of Justice, 2016; Eisen, 2017; Gotsch & Basti, 2018, p. 10).

Perhaps an even more concerning aspect of private prisons is their negotiated capitulation rates, meaning that prisons receive a government stipend per prisoner. Essentially, private prisons rely on a continuous flow of new inmates in order to maintain their revenue stream and the most vulnerable communities are often the most commonly exploited. In evaluating the varying incentives among stakeholders in the prison system, it becomes clear that a common social good does not align them. Instead, the seeking to maximize individual self-interest is the goal and common societal interests remain undefined.

In discussing the private prison system and the monetization similarities it shares with the public system (i.e. vendor contracts) students become aware of the complexity and financial interests that limit the social welfare and benefit from incarceration. More significantly they can understand how Adam Smith's, perception of the pursuit of self interest implicitly included an interconnection between economic agents that tied their individual welfare to one another. If individual welfare is pursued without inclusion of the welfare of others as in our present society where size of corporations foster anonymity, social welfare may be sacrificed for profit. The inclusion of these details affected student understanding as noted in the following student observations.

Prior to taking this course, I had never thought to understand economics and crime in relation to each other. Therefore, I feel that this course was essential in learning about and understanding the interconnectedness of economics, crime, and policy. As a finance and econ student, I had most definitely understood policy in relation to economics, but more so along the lines of financial/fiscal policy (in other words, economics in the traditional sense) ... Economic assumptions absolutely affect the evaluation of crime, creating limitations stemming from the inherent biases that these assumptions provide. Accordingly, it is important to not just accept economic and empirical evaluation at face value; it is exceedingly important to recognize possible assumptions and biases before applying evidence to a greater argument
(Student course exit comment).

Perhaps the greatest limitation of the rational crime model which we used to economically evaluate situations in this class, is the implicit assumption of rational thought. Even extending beyond the fairly consistent irrationalities presented by behavioral economic principles, the marginal and often most heinous crimes are committed by those far beyond the realm of rational description
(Student course exit comment).

Evidence suggests that the criminalization of race and poverty in our society has become incredibly normalized (Gamal, 2016; Meeks, 2006), primarily due to both historical biases and stereotype and limited access to advocates and legal defense. As a result, economically distressed communities, particularly those of color, have continued to be incarcerated at disproportionately high rates (Arabella Advisors, 2018, p.5). The reliance on prisoners as a revenue source for private prisons has essentially led to a perverse dependency on the continuation of mass incarceration and gives prisons no incentive to try to reduce

recidivism risk. There is a clear conflict in the fact that the financial interests of these companies are directly at odds with social justice and societal improvement. To promote their interests, private prison companies have teamed up with lawmakers, politicians and interest groups in order to advocate for expanded privatization as well as stronger sentencing and crime policies. This has led to the formation of strong ties between the private prison sector and the political landscape as is illustrated by the creation of groups such as the American Legislative Exchange Council (ALEC) which receives contributions from many companies that directly benefit from the prison industrial complex. ALEC has successfully created and implemented policies such as the three-strike rule and the truth in sentencing act (The Prison Payoff, Justice Policy Institute, 2011) which are directly attributed to the growth in mass incarceration that disproportionality affects people of color and impoverished people. With decades of destructive policies in place, the question of where we go from here becomes a vital one in a world where lobbyists and corporate interests appear to be both the primary writers and beneficiaries of public policy.

Lobbying, policy and profits

ALEC characterizes itself as on being the ‘largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of limited government, free markets and federalism.’ (ALEC, 2020) ALEC is comprised of 40% of state legislators, the majority of whom are part of the Republican Party, as well as corporate giants of all interests. (The Prison Payoff; Cooper et al., 2016) The goal of ALEC is to influence policy to the benefit the organization’s members.

With ALEC’s extensive and notable donor list including David and Charles Koch, who have funded ALEC since its creation, as well as well-known consumer products companies such as Coors, ExxonMobil, Altria (formerly Phillip Morris), AT&T, GlaxoSmithKline, Peabody Energy, and State Farm, legislation facilitated and drafted by the organization serves one single purpose: to line the pockets of these corporations at the expense of all other Americans. Given the profits related to mass incarceration, ALEC has been leading the charge to expand the prison industrial complex. Corporations directly benefit from providing services to prisons but also from the opportunity afforded by incarceration to hire prison labor at wages significantly lower than domestic and foreign labor rates. These actions alone are arguably inconsistent with supporting public welfare for a variety of reasons, the most obvious being the promotion of punishment in lieu social programs that address the basis of a defined crime. However, it is the racially biased nature of ALEC’s policies that are garnering the most recent scrutiny. The National Association for the Advancement of Colored People (NAACP) Boston Chapter, Massachusetts AFL-CIO Racial Justice Committee, along with other social justice organizations, referenced ALEC’s white supremacist agenda, and its documented alignment with white supremacist politicians (Community Labor United, 2020). By having their members implementing legislation such as the Truth in Sentencing Act and Three Strikes You’re Out Act, ALEC has infiltrated the criminal justice system and has influenced the disproportionate racial representation in prisons (Bender, 2000; Cooper et al., 2016; Scott, 2020).

Special interest groups, such as ALEC, have a strong hold on the government because of the financially inspired symbiotic relationship between corporations and political

representation. Unfortunately, due to the nature of negotiations and political contributions, transparency is limited (Cooper et al., 2016). Additionally, though taxpayers collectively are enabling the profitability of private prisons, the individual contribution from a given taxpayer is not significant enough to incentivize individual taxpayer evaluation. Further, the perception of prisoners as deserving punishment, means that actions affecting them, and their welfare are often limited (Tomlin, 2014). The marketing of public safety as being aligned to incarceration has affected public interest in spite of publicized cases of implicit bias, punishment in excess of the crime, and sentencing of innocent people (Chase, 2015; Jefferson-Bullock, 2016)

While scholars argue that ethical lobbying is simply faithfully advocating for their interests' groups wants, (Holyoke, 2015) should there not also be an ethical responsibility attached to the purpose of lobbying? Public policy advocated by ALEC and enacted by its conservative members are linked to increased incarceration rates and punishment in lieu of rehabilitation or social justice. The latter two are aligned to treating the social conditions that affect crime whereas, the former creates demand for services provided by ALEC's corporate members. ALEC devised and successfully lobbied for the Prison Industries Act, which essentially allowed private prisons to exploit inmates for labor and double-dip in profit-taking. Private prisons were allowed to pay minimum wages but also to deduct expenses associated with incarceration, an expense they were already compensated for by the government. In net, the funds collected supported expansion of the private prison system (Elk & Sloan, 2011).

Prison labor

Prison labor has received widespread attention, partially credited to the success of '13th' by Ava Duvernay and Moran (2016) – a Netflix documentary which highlights the history of mass incarceration and rapid development of the prison industrial complex throughout the 19th and 20th century. Companies across a wide array of industries such as Victoria's Secret, AT&T, and Starbucks have all come under public scrutiny for their reliance on prison labor as a part of their supply chain. Government leaders such as Gavin Newsom and Andrew Cuomo, Governors of California and New York respectively, have also been heavily criticized for their use of prison labor for tasks such as extinguishing wildfires and creating hand sanitizer to support ongoing efforts to reduce the spread of COVID-19. The use of prisoner labor is aligned with cost minimization and to the extent that it has been unnoticed, has enabled exploitation and even fostered dependence on the same. As Cynthia Young describes in *Punishing Labor: Why Labor Should Oppose the Prison Industrial Complex*, today 'prison labor represents an employer paradise where premodern labor conditions undo the hard-won gains of labor unions – the minimum wage, forty-hour work weeks, arbitration, and so on' (Young, 2000, p. 42).

Given that prison labor is legal due to the incarcerated status of the individuals, many companies find a financial incentive in partnering with prisons, cheap labor. However, it is crucial to consider both the qualitative and quantitative implications of utilizing prison labor. Depending on whether they work for the prison itself or a prison factory, most incarcerated individuals, after deductions, earn somewhere between 12 cents to \$1.15 per hour of labor (Decker, n.d.). This may not be enough to make a weekly phone call to family, as the cost of contacting a loved one from inside prison

can be incredibly expensive, often four or five times what might be earned in an hour (Wager & Jones, 2019). Further, as calculated, prison wages severely undercut the federal minimum wage of \$7.25. On a broader scale, this means that prisons may put local factories and other enterprises out of business. Even more concerning, the use of prison labor may act as an incentive, encouraging private prisons to increase their labor supply to meet the demand for cheap manufacturing. Ironically, given that most prisons are tax-funded, this means that working Americans are subsidizing the profits derived from the use of prison labor.

Prison labor directly competes with non-prison labor, both domestic and international, and this brings into question whether there is a misalignment between the rationale for prison and the incarceration of individuals. While advocates of prison labor claim that it is an effective method to drive down costs while teaching incarcerated people crucial life skills, opponents claim that the practice is entirely exploitative and harms people of color who are disproportionately incarcerated at higher rates than their white counterparts (Browne, 2007; Smith & Hattery, 2008). Additionally, some prisons have been shown to force prisoners to work ‘under the threat of punishment as severe as solitary confinement’ (Campbell, 2018). In terms of the qualitative costs that this imposes, it may have a severe impact on the mental and emotional health of the incarcerated.

Low-income individuals may complete their entire sentence with little to no savings despite long work weeks – this often leaves individuals in an incredibly vulnerable position financially upon release. Although it is often stated that incarcerated individuals gain valuable life and employment skills during their time in prison, with a felony record, job prospects are grim upon release. Discrimination against formerly incarcerated individuals is rampant, and the unemployment rate for formerly incarcerated individuals is around 27% (Couloute & Kopf, 2018). With poor future employment prospects and no savings, many previously incarcerated individuals may engage in economically incentivized crime to provide for their basic needs. Essentially the punitive nature of the criminal justice system promotes recidivism; this is not evident without deeper assessment of the incentives of the stakeholders involved. The discussion of these factors caused students to think deeper about the relationship between crime and economic circumstances and fundamentally societal responsibility.

In economics, we tend to look at the costs and benefits of a situation a lot. There are a lot of implications that come with taking a micro issue and putting it under a macro lens. One of the most profound things I learned this semester is that you cannot ever fully quantify people and that you need quantitative and qualitative assessment in order to make better conclusions
(Student course exit comment).

The next section addresses how socio-economic factors influence perception of the future and opportunities in the present and essentially that individuals are influenced by their circumstances, which are not necessarily of their choice. The latter is an assumption in economics, essentially dismissing societal responsibility with the assumption that all individuals make rational choices. However, this is inconsistent with the reality of basic information asymmetries, which would be expected to increase in relation to income barriers.

Bounded rationality and free will

The U.S. criminal justice system is based off the notion that those who commit crimes choose to commit them, this directly aligns to the attributional of rational agency as noted in the discussion of economics. As a result, why a crime was committed is often disregarded, as there is very little to absolve people of their crimes beyond the proclamation of self-defense or governmental intervention. Therefore, the underlying premise of criminal justice is the need to augment behavior so individuals who have been observed as breaking the law no longer have the desire to do so, while simultaneously, due to its punitive nature, criminal justice provides an example for the rest of the public. Theory after theory has a common theme, human beings can choose – everyone has free will. Free will is the footing for teachings of economics, political science, criminal justice, and many other disciplines that contribute to society and the collective morality of humanity. However, what if the capacity for free will is conceptual but bounded rationality is what is tangible?

In academia, the concept of free will has long been a topic of debate. The discourse has ranged from the limitations of bounded rationality on the exercise of free will to the imposition of *de facto* rational choice as being reflected in observed action. According to Kevin J. Murtagh, the rational choice model used to explain human behavior is undoubtedly flawed. This rational choice model, which is heavily relied on within economics, psychology, and criminal justice alike, theorizes that individuals examine the potential benefits and costs that each option available to them would entail (Mehta, 2013, p. 1246.) In his critique, Murtagh references different classes of free will deniers, all of which hold the overarching belief that humans do not encompass the level of free will required to take moral responsibility. This includes hard determinism and hard incompatibilism, specifically. Hard determinism can be effectively summarized as the theory that causal determinism, the view that all events are determined by preceding events, is accurate, therefore, no one has free will (Murtagh, 2013, p. 224.) Hard incompatibilism, on the other hand, theorizes that humans do not possess the free will that is necessary for moral responsibility, regardless of the truth or existence of causal determinism (Murtagh, 2013, p. 224.) Hence, there are multiple groups of people which believe that human beings do not have the capacity to make decisions through the employment of free will, therefore, many believe that humans cannot be held morally responsible for the decision that they make. Similarly, Judith Mehta has acknowledged special cases where she reflects that rationality is bounded (Mehta, 2013, p. 1248.) In instances when decision heuristics are used, which are essentially strategies that speed up decision-making, they can ‘introduce systematic biases,’ limiting the ability of the individual to achieve the best possible outcome, and, therefore, limiting rational thinking (Mehta, 2013, p. 1249.) With the influence of decision heuristics on rationality in mind, the likelihood of free will being innate can be called into question, as well as the well-established and widespread belief of moral responsibility (Murtagh, 2013, p. 224.)

Regardless of the discourse on free will and rationality in academia, both concepts are still relied upon heavily within society and law. As researchers continue to further the world’s understanding of the reality of human rational thought, attention should also be drawn to how the assumption of rationality has potentially harmed certain demographics over time. Criminal justice policy incorporates a fixed perspective, devoid of context and

circumstance in its definition. An ongoing criticism of this viewpoint is how social and economic hardships diminish the human capacity for free will, which is an essential viewpoint to consider when assessing how the assumption of free will can be harmful. The conundrum with applying the theories that support free will is the inequities within the communities that policies incorporating such a theory may affect. This limitation often sets a standard for the 'normal' level of capacity for rationality, which does not represent many demographics, especially those experiencing oppression. If decision heuristics are accompanied by systematic biases, this means they likely are influenced by the resources and environment an individual grows up with or has access to. This introduces a potential obstacle to rational thinking for individuals and communities that are not provided with the same resources, standards of living, and support that many others receive. This perspective of course discussion, allowed students to question economic assumptions. As one student noted in their exit survey, 'Economic assumptions do affect the evaluation of a situation. For example, a common economic assumption is that everyone is a market is a rational actor. This presents a huge limitation, because the situation then is only analyzed through the lens that participants are fully rational, which may not be the case.'

In *Our Mind, Our Selves*, cognitive psychology professor Keith Oatley acknowledges that it is up to chance 'to be born with these parents rather than those,' or 'with one set of abilities rather than those,' therefore, the situations certain people must grow up in or rely on for development can be a source of inequity (Oatley, 2018, p. 62.) Systemic biases can impact the decision-making process, and one of the most detrimental and extensive sources of inequity in humanity is poverty. It is known that components of poverty include a lack of proper resources that are standard for a society, or relative deprivation, as well as an unequal distribution of those resources across communities (Bradshaw, 2011, p. 94.) And, as explained by social policy professor Jonathan Bradshaw, 'relative deprivation and indeed inequality are important because they have an impact on well-being or happiness,' both of which are mental states that can influence the decision-making process (Bradshaw, 2011, p. 97.) Additionally, it has been found that childhood poverty impairs cognitive development as well as 'socioemotional processing,' further indicating that experiencing poverty has bearing on the mental processes involved in rational thinking (Kolb & Gibb, 2015, p. 215.) However, more research needs to be done on the relationship between poverty and subjective well-being before we can truly understand the lengths to which poverty diminishes overall life satisfaction and contributes to cognitive impairments (Bradshaw, 2011, p. 97.) Without a deeper acknowledgement of the roots of rational thinking and how circumstances influence its development, there will not be equality in the treatment of individuals with obstacles that impede their rationality and free will.

The interconnection between poverty, education, nutrition, cognitive development, and economic prospects provided an opportunity for inclusion of multidisciplinary in course discussion and an understanding of the arbitrariness of disciplinary silos along with the limitations of the same. To some extent this discussion aligns with Hooks (1994) discussion of disciplinary inclusion in fostering a democratic and inclusive classroom by simply including areas of study that may be in an individual student's concentration (p.38). Similarly, interdisciplinarity shifts the power dynamic in the classroom, providing the student with the status of teacher and the teacher the role of student; a vulnerability

also addressed by hooks to foster an engaged learning environment (Hooks, 1994, p. 21). A discussion of how childhood poverty relates to crime follows.

Childhood poverty

Child poverty is a major issue within the U.S. Given the fact that children have no control over their socio-economic status, the vicious cycle of poverty appears the most unfair when evaluated from the lens of their vulnerability. Compounding the economic status of poverty and the social stigma associated with it is the racialization of poverty. Unfortunately, due to historical discrimination, stereotyping and institutionalization of the same, there is racial bias in those classified as poor, as is evident of Black Americans. In 2006, 33% of Black children under the age of eighteen were in poverty (Cancian & Danziger, 2009) and the proportion increased by the 2013 Census. Children were found to 'make up 27 [percent] of the Black population, but 38 [percent] of Blacks in poverty' (Patten and Krogstad (2015). In 2019, Child Trends based on data from the 2017 Census, reported that 57% of Black children were classified as low income, while 25% were in poverty and nearly 11% in deep poverty; in all classification being more highly represented as a proportion of their racial classification than any other grouping. There is also an observable relationship between poverty and two parent homes (Child Trends Databank, 2019). 43% of Black children living in single-mother families lived in poverty in 2017 compared with 10% for those living in a married two-parent household (Child Trends Databank, 2019).

Based on average length of time in poverty, research indicates that the average Black child is poor for roughly 5.5 years, while the average white child is poor for less than a year (Cancian & Danziger, 2009). This disparity plays a major role in the accessibility and affordability of quality childcare and education, as well as general childhood development. While research acknowledges that not every Black child receives low quality childcare and education, as determined "based on observations of providers' sensitive and responsive interactions, health and safety practices, and the frequency of language/literacy and math/numeracy activities offered to children," over 10% are enrolled in programs providing inadequate quality care (Iruka & Morgan, 2014). High quality childcare has been shown to improve future health, productivity, education, and pay, increasing the chances of a child's future success (The Raising of America, (n.d.)). It has also been demonstrated that poor socio-economic status can negatively affect development, as the caretakers of a child might not be able to supply them with the adequate time or monetary investment (e.g. books, materials, safe housing, and enriching learning experiences) (Cancian & Danziger, 2009). These investments help children to grow cognitively, increasing the number of words known and reading level, as well as socially, helping them receive the attention and emotional responses they need to develop properly. However, limited parental interaction due to poverty as well as school funding related to the residential distribution of the poor are related and exacerbating influences on adverse childhood outcomes and can essentially be referenced as compounding factors to the negative relationship between cognitive development and poverty (Gordon & Cui, 2014).

Given that parental sensitivity and quality of schooling is strongly correlated to income, children from low-income households, especially children of color, are placed at an inherent disadvantage when compared to their wealthier peers. Long before their

schooling begins, parental stress related to finances impacts the child, potentially hindering their social and emotional development. Further, supposing a parent is positively involved in their child's schoolwork, their potential impact can be negated by a poor school system. Low-income communities tend to lack school funding, and this lack of funding often leads to poorer education. This demonstrates that, while child development starts in the home, the impact of the community also shapes development. Additionally, poverty has negative effects on the larger community and government. Poor health caused by poverty can lower productivity as well as put a strain on the healthcare system. Moreover, the lack of job opportunities further lowers productivity, reducing overall social welfare. In order to facilitate positive parenting and quality early life experiences, it is paramount that parents have access to jobs that pay a living wage, as well as access to affordable, quality childcare. For many negative life outcomes, poverty is the foundational problem. In addressing this connection, student understanding of the potential for economic intervention surfaced,

One of my biggest takeaways from this course was that in many cases people commit crimes because they do not feel they have alternatives, or in a broader sense, they fall out of our economic system and feel the negative impacts from that *(Student course exit comment)*.

Healing the uninformed

The outcome of the understanding the context of the racialization of poverty and crime and the complexity of the impact of both on social conditions, individual and community development, as well as the institutionalization of the criminalization of race, all within the assumptions that have guided the economic evaluation of crime, rational behavior and free will, provided the students involved in this project an opportunity to connect context with the conditions that have been normalized by media and in economics. Specifically, for student course participants, whose comments have framed the topics of this paper, the course and curriculum evaluation of the limitations of economics and the need to include qualitative assessment, historical and contextual understanding, and ultimately question assumptions including the use of macro assessment in lieu of micro analysts affected their perception and understanding.

Further, selected course exit surveys provided below and noted throughout this discussion capture the learning objectives for the course. These are differentiated from standard objectives (e.g. Understand how the tools of economic analysis can be used to understand various aspects of crime, use theories about institutions and governance to understand various aspects of organized crime, analyze how different criminal markets are governed, and understand the implications of economic analysis for public policy on crime) as they target how social factors affect crime, including normalized discrimination and also, question the validity of economic assumptions.

Economic assumptions can introduce bias into an evaluation that may be seen as objective when it is not. This can then perpetuate bias and create a cycle that reinforces potentially false information, which is a limitation of economic evaluations *(Student course exit comment)*.

One thing I will remember from this class going forward is that policymaking takes a personal approach to evaluate an impersonal issue. The desire of a few lawmakers to change and

reform is so passionate but tries to paint the picture with one large brushstroke when really a combination of tinier strokes is needed. Thus, while useful, the economic approach (nor any lone approach for that matter) will not be sufficient in effectively solving critical societal issues in the long run
(Student course exit comment).

There were two main perspectives missing from my understanding of the relationship between Economics and Crime Analysis under the 'Rational Crime' model, which I believe this class enlightened me to. The first is considering how socioeconomic standing changes the cost of crime, not only the benefit. While it seems obvious in retrospect, I hadn't considered that those who are socioeconomically disadvantaged not only have more to gain from certain types of crime, but also have the least to lose if caught. Likewise, I have only just recently begun to consider the principle of expected value and found it interesting to learn how both the severity and certainty of a given punishment factor into the rationale of a would-be criminal
(Student course exit comment).

Economic evaluations do affect the evaluation of a situation and presents limitations to the proper analysis of a situation. Often, economics doesn't account for and assumes things that may not be true. If you limit yourself to cost-benefit analysis or just the economics of a crime

you leave out important factors and externalities that play into a situation
(Student course exit comment).

An idea that was repeated throughout this class was that assigning a monetary value to individuals is a dangerous concept. For instance, once we see individuals as having little to no monetary value, we open a gateway to see them as disposable. I loved this idea in *Nobody* that we read. When we see poor people as poor and thus having no value for the economy, we render them as disposable. But human life is not disposable, and no sort of reasoning can justify it
(Student course exit comment).

These comments highlight the outcome of readings, discussion, and instructor engagement to create a learning environment. As hooks noted, fostering a learning environment requires the professor to be vulnerable to the learning experience and at times be the first to share how the curriculum affects them to open the opportunity for students to allow a connection with the same (Hooks, 1994, p. 21). This practice of engagement was incorporated within the class meetings, and vulnerability was acknowledged as I was always aware of course evaluations and the potential impact of student dislike for a non-traditional instruction style related to the teaching of economics. Further and related, in order to facilitate discussion and also create a safe environment for potentially challenging and polarizing topics, I provided personal examples, allowing for engagement on a more personal level that yielded to a more collaborative classroom. However, age and maturity of students can affect how this freedom is exercised and can diminish an instructor as some students may challenge authority with the conveyance of collaboration. Ensuring and maintaining a respectful environment is therefore requisite to establishing a collaborative classroom experience. I was able to create this by starting slow and integrating discussion with lecture and slowly moving the course discussion to the class participants through group presentation assessments and group projects. These both assisted in establishing micro collaborations that promoted trust within the classroom and yielded more discussion as the semester progressed.

My motivation for teaching is simply related to what I view as the significance of what I have to share. However, without engagement and inclusion of my students, I risk providing a limited perspective for us all. Every time I communicate, I learn as

I generate ideas in my desire to connect but I also learn. My learning is not limited to in-class voicing of students' opinions, backgrounds, and academic perspectives that often include learnings from other courses but is also found in the resources that they share with me as they develop a connection with me during the term. Implicitly, I have implicitly aligned to hooks' *Teaching to Transgress* (1994) and cannot see any alternative to teaching.

Disclosure statement

No potential conflict of interest was reported by the authors.

ORCID

Madhavi Venkatesan  <http://orcid.org/0000-0001-9780-5865>

References

- ALEC. (2020). About us. <https://www.alec.org/about/>
- Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. The New Press.
- Arabella Advisors. (2018). *Understanding and confronting the prison industrial complex: A guide for philanthropists*. <https://www.arabellaadvisors.com/wp-content/uploads/2018/11/Understanding-and-Confronting-the-Prison-Industrial-Complex.pdf>
- Bradshaw, J. (2011). Poverty. In A. Walker, A. Sinfield, & C. Walker (Eds.), *Fighting poverty, inequality and injustice: A manifesto inspired by Peter Townsend* (pp. 91–110). Bristol University Press.
- Brittain, A., & Harwell, D. (2017, October 25). Private-prison giant, resurgent in trump era, gathers at president's resort. *The Washington Post*. https://www.washingtonpost.com/politics/with-business-booming-under-trump-private-prison-giant-gathers-at-presidents-resort/2017/10/25/b281d32c-aade-11e7-a908-a3470754bbb9_story.html?utm_term=.4534b392073e
- Browne, J. (2007). Rooted in slavery: Prison labor exploitation. *Race, Poverty & the Environment*, 14(1), 42–44.
- Campbell, A. F. (2018, August 24). The federal government markets prison labor to businesses at the "best-kept secret." <https://www.vox.com/2018/8/24/17768438/national-prison-strike-factory-labor>
- Cancian, M., & Danziger, S. (2009). *Changing poverty, changing policies*. Russell Sage Foundation.
- Chase, R. (2015). We are not slaves: Rethinking the rise of carceral states through the lens of the prisoners' rights movement. *Journal of American History*, 102(1), 73–86. <https://doi.org/10.1093/jahist/jav317>
- Child Trends Databank. (2019). Children in poverty. <https://www.childtrends.org/?indicators=children-in-poverty>
- Community Labor United. (2020 October 30). Pioneer institute letter. <https://commonwealthmagazine.org/uncategorized/pioneer-institute-letter/>
- Cooper, R., Heldman, C., Ackerman, A. R., & Farrar-Meyers, V. A. (2016). Hidden corporate profits in the U.S. prison system: The unorthodox policy-making of the American legislative exchange council. *Contemporary Justice Review*, 19(3), 380–400. <https://doi.org/10.1080/10282580.2016.1185949>
- CoreCivic. (2020). 2019 10K- form. <http://ir.corecivic.com/static-files/acc01462-f138-4e80-a699-10db834fec73>
- Corman, H., & Mocan, N. (2002). Carrots, sticks, and broken windows. The National Bureau of Economic Research, Working Paper No. 9061.
- Corrections Officer Salary. (n.d.). <https://www.correctionalofficeredu.org/salaries/>

- Couloute, L., & Kopf, D. (2018, July). Out of prison & out of work: Unemployment among formerly incarcerated people. Retrieved August 1, 2020, from <https://www.prisonpolicy.org/reports/outofwork.html>
- Covington, J. (1999). African-American communities and violent crime: The construction of race differences. *Sociological Focus*, 32(1), 7–24. <https://doi.org/10.1080/00380237.1999.10571121>
- Davis, A. Y. (1998). Masked racism: Reflections on the prison industrial complex. *Colorlines Magazine*.
- Decker, C. (n.d.). Time to reckon with prison labor. Retrieved August 1, 2020, from <https://isps.yale.edu/news/blog/2013/10/time-to-reckon-with-prison-labor-0>
- Duvernay, A., & Moran, J. (2016). 13TH. <https://www.netflix.com/search?q=13&jbv=80091741>
- Eisen, L. B. (2017). Private prisons lock up thousands of Americans with almost no oversight. *The Time*. <https://time.com/5013760/american-private-prisons-donald-trump/>
- Eisen, L. B. (2019). *The 1994 crime bill and beyond: How federal funding shapes the criminal justice system*. The Brennan Center for Justice.
- Elk, M., & Sloan, B. (2011, August 1). *The hidden history of ALEC and prison labor*. The Nation. Retrieved from <http://www.thenation.com/article/hidden-history-alec-and-prison-labor/>
- Gamal, F. (2016). The Racial Politics of Protection: A Critical Race Examination of Police Militarization. *California Law Review*, 104(4), 979–1008. <http://www.jstor.org/stable/24758742>
- Geo Group. (2020). 2019 10-K form. <https://fintel.io/doc/sec-geo-geo-group-10k-annual-report-2020-february-26-18319>
- Gilbert, C. (2017 May 5). Not trained to not kill. AMPreports. <https://www.apmreports.org/story/2017/05/05/police-de-escalation-training>
- Gordon, M., & Cui, M. (2014). School-related parental involvement and adolescent academic achievement: The role of community poverty. *Family Relations*, 63(5), 616–626. <https://doi.org/10.1111/fare.12090>
- Gotsch, K., & Basti, V. (2018). Capitalizing on mass incarceration U.S. Growth in Private Prisons. *The Sentencing Project*.
- Greene, J. R. (2000). *Community policing in America: Changing the nature, structure, and function of the police*. U. S. Department of Justice, Office of Justice Programs. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/community-policing-america-changing-nature-structure-and-function>
- Hannah-Jones, N. (2015, March 15). A letter from Black America. *Politico Magazine*. <https://www.politico.com/magazine/story/2015/03/letter-from-black-america-police-115545/>
- Harcourt, B., & Ludwig, J. (2006). Broken windows: New evidence from New York city and a five-city social experiment. *University of Chicago Law Review*, 73(1), 271–320.
- Holyoke, T. (2015). *The ethical lobbyist: Reforming Washington's Influence Industry*. Georgetown University Press.
- Hooks, B. (1994). *Teaching to transgress: education as the practice of freedom*. Routledge.
- Horn, S. (2018). Private prison firms use revolving door lobbying, generous campaign donations. Prison Legal News. <https://www.prisonlegalnews.org/news/2018/aug/6/private-prison-firms-use-revolving-door-lobbying-generous-campaign-donations/>
- Iruka, I. U., & Morgan, J. (2014). Patterns of quality experienced by African American children in early education programs: Predictors and links to children's preschool and kindergarten academic outcomes. *The Journal of Negro Education*, 83(3), 235–255. <https://doi.org/10.7709/jnegroeducation.83.3.0235>
- Jefferson-Bullock, J. (2016). Taking a closer look: A case for sentencing reform. *Federal Sentencing Reporter*, 28(3), 221–224. <https://doi.org/10.1525/fsr.2016.28.3.221>
- Justice policy Institute. (2011). *Gaming the system: How the political strategies of private prison companies promote ineffective policies*.
- Kelling, G. L, and Moore, M. H. (1988). "The Evolving Strategy of Policing". National Institute of Justice, U.S. Department of Justice.
- Kelling, G., & Sousa, W. (2001). Do police matter? An analysis of the impact of New York city's police reform. Civic Report, No. 22.
- Kendi, I. X. (2016). *Stamped from the beginning: The definitive history of racist ideas in America*. Nation Books.

- Kleider, H. M., Cavrak, S. E., & Knuycky, L. R. (2012). Looking like a criminal: Stereotypical black facial features promote face source memory error. *Memory & Cognition*, 40(8), 1200–1213. <https://doi.org/10.3758/s13421-012-0229-x>
- Kolb, B., & Gibb, R. (2015). Childhood poverty and brain development. *Human Development*, 58(4/5), 215–217. <https://doi.org/10.1159/000438766>
- Lombroso, C. (1897). Why homicide has increased in the United States. I. *The North American Review*, 165(493), 641–648.
- Lombroso, C. (2006). *Criminal man*. Duke University Press.
- Mearns, T. L. (1998). Place and crime. *Chicago Kent Law Review*, 73(2), 669–705.
- Meeks, D. (2006). Police Militarization in Urban Areas: The Obscure War Against the Underclass. *The Black Scholar*, 35(4), 33–41. <https://doi.org/10.1080/00064246.2006.11413331>
- Mehta, J. (2013). The discourse of bounded rationality in academic and policy arenas: Pathologising the errant consumer. *Cambridge Journal of Economics*, 37(6), 1243–1261. <https://doi.org/10.1093/cje/bet040>
- Murtagh, K. (2013). Free will denial and punishment. *Social Theory and Practice*, 39(2), 223–240. <https://doi.org/10.5840/soctheorpract201339213>
- Oatley, K. (2018). *Our minds, our selves: A brief history of psychology*. Princeton University Press.
- Patten, E., & Krogstad, J. M. (2015). Black child poverty rate holds steady, even as other groups see declines. Factank, Pew Research Center. <https://www.pewresearch.org/fact-tank/2015/07/14/black-child-poverty-rate-holds-steady-even-as-other-groups-see-declines/>
- Pauly, M. (2018). Trump's immigration crackdown is a boom time for private prisons. *Mother Jones*. <https://www.motherjones.com/politics/2018/05/trumps-immigration-crackdown-is-a-boom-time-for-private-prisons/>
- Potter, G. (n.d.). The history of policing in the United States. <https://plsonline.eku.edu/sites/plsonline.eku.edu/files/the-history-of-policing-in-us.pdf>
- The raising of America - early childhood and the future of our nation. (n.d.). <https://northeastern.kanopy.com/video/raising-america-4>
- Reisig, M. (2010). Community and problem-oriented policing. *Crime and Justice*, 39(1), 1–53. <https://doi.org/10.1086/652384>
- Schlosser, E. (1998). The Prison-Industrial Complex. *The Atlantic Monthly*.
- Scott, D. (2020). The social and intellectual origins of 13thism. *Fire!*, 5(2), 2–39.
- Smith, E., & Hattery, A. (2008). Incarceration: A tool for racial segregation and labor exploitation. *Race, Gender & Class*, 15(1/2), 79–97.
- Thacher, D. (2001). Conflicting values in community policing. *Law & Society Review*, 35(4), 765–798. <https://doi.org/10.2307/3185416>
- Tomlin, P. (2014). Time and retribution. *Law and Philosophy*, 33(5), 655–682. <https://doi.org/10.1007/s10982-013-9196-z>
- Treverton, G. F. (2011). *Moving toward the future of policing*. RAND, National Security Research Division.
- U.S. Department of Justice. (2016). Review of the federal bureau of prisons' monitoring of contract prisons. <https://oig.justice.gov/reports/2016/e1606.pdf>
- Venkatesan, M. (2021). Algorithm and blues: Whose tune do we dance to? *The Mint*. <https://www.themintmagazine.com/algorithm-and-blues-whos-tune-do-we-dance-to>
- Wager, P., & Jones, A. (2019, February). State of phone justice: Local jails, state prisons and private phone providers. https://www.prisonpolicy.org/phones/state_of_phone_justice.html
- Worden, R. E., & McLean, S. J. (2017). *Mirage of Police Reform: Procedural Justice and Police Legitimacy* (1st ed.). University of California Press. <http://www.jstor.org/stable/10.1525/j.ctt1w8h1r1>
- Young, C. (2000). Punishing labor: Why labor should oppose the prison industrial complex. *New Labor Forum*, 107(7), 40–52.

Appendix

Topic 1:

Economics, Rationality and Crime

1. More prison, less crime?

Chapter 1-2: Economics of Crime, Harold Winter

Drago, F., Galbiati, R., and Vertova, P. (2009). The deterrent effects of prison: Evidence from a natural experiment. *Journal of Political Economy*. 117(2), 257- 80.

Levitt, Steven D. (1996). The effect of prison population size on crime rates: Evidence from prison overcrowding litigation. *Quarterly Journal of Economics*. 111(2), 319-351.

2. Estimating costs and benefits of crime prevention

Charles, K. K. and Luoh, M. C. (2010). Male incarceration, the marriage market, and female outcomes. *Review of Economics and Statistics*. 92(3), 614-27.

Cohen, M. A., Rust, R. T., Steen, S. and. Tidd, S. T. (2004). Willingness to pay for crime control programs. *Criminology*. 42(1): 55-88.

3. Do we have too many or too few people in prison?

Donohue, John J. (2009). Assessing the Relative Benefits of Incarceration: The Overall Change Over the Previous Decades and the Benefits on the Margin, in Steven Raphael and Michael Stoll, eds., *“Do Prisons Make Us Safer? The Benefits and Costs of the Prison Boom,”* p. 269-341.

Mueller-Smith, M. (2014). The criminal and labor market impacts of incarceration. <http://www.columbia.edu/~mgm2146/incar.pdf>

Cantor, N. (1933). The Causes of Crime. *Journal of Criminal Law and Criminology* (1931-1951), 23(6), 1029-1034.

Topic 2:

Policing

1. Historical background

Potter, G. (n.d.). *The History of Policing in the United States, Part 1 – 6*. Eastern Kentucky University, Police Studies Online. <https://ekuonline.eku.edu/blog/police-studies/the-history-of-policing-in-the-united-states-part-1/>

[Read all 6 links; all six parts]

Harris-Perry, M. (2015, January 4). *A History of Policing in America*.MSNBC. <https://www.msnbc.com/melissa-harris-perry/watch/a-history-of-policing-in-america-379825219549>

2. Policing and Institutionalized Racism

Netflix. (2020, April 17). *13th documentary* [Video] YouTube. <https://www.youtube.com/watch?v=krfcq5pF8u8>

Film themes:

Whose life do we recognize as being valuable. As one of the astute commentators within 13TH states, this is really what the Black Lives Matter movement has been about: the re-humanization of African Americans.

3. Historical Cases of Institutionalized Racism

Emmett Till

Raymond, G. (2018, July 12). *The Justice Department Has Reopened Its Investigation of Emmett Till’s Murder. Here Are 5 Things to Know About the Case*. Time. <https://time.com/5336879/original-emmett-till-case-reopened/>

PBS NewsHour (2018, July 12). *The brutal Emmett Till murder case is being reopened. Here’s what we know* [Video]. YouTube. https://www.youtube.com/watch?v=NHYazwFI_uQ&feature=emb_logo [You will have to login to verify your age.]

Eric Garner

Baker, A., Goodman, D. J. and Mueller, B. (2015, June 13). *Beyond the Chokehold the Path to Eric Garner’s Death*. New York Times. <https://www.nytimes.com/2015/06/14/nyregion/eric-garner-police-chokehold-statenisland.html?action=click&module=RelatedCoverage&pgtype=Article®ion=Footer>

Remnick, N. (2015, July 7). *Cuomo to Appoint Special Prosecutor for Killings by Police*. The New York Times. <https://www.nytimes.com/2015/07/08/nyregion/cuomo-to-appoint-special-prosecutor-for-killings-by-police.html?action=click&module=RelatedCoverage&pgtype=Article®ion=Footer>
[PDF Attached]

Goodman, D. J. (2015, July 13). *Eric Garner Case Is Settled by New York City for \$5.9 Million*. New York Times. <https://www.nytimes.com/2015/07/14/nyregion/eric-garner-case-is-settled-by-new-york-city-for-5-9-million.html>

[PDF Attached]

The Marshall Project. (n.d.) *We are witnesses*. <https://www.themarshallproject.org/witnesses?page=home> [Watch the segments on Erica Gardner and Steve Osbourne]

Kalief Browder

Gonnerman, J. (2015, April 23). *Exclusive video: Violence inside Rikers*. The New Yorker. <https://www.newyorker.com/news/news-desk/exclusive-video-violence-inside-rikers>

Gonnerman, J. (2015, June 13). *Kalief Browder, 1993–2015*. The New Yorker. <https://www.newyorker.com/news/news-desk/kalief-browder-1993-2015>

The Marshall Project. (n.d.) *We are witnesses*. <https://www.themarshallproject.org/witnesses?page=home> [Watch the segment on Venida Browder]

4. Policing as an Institution

Worden, R., & McLean, S. (2017). Police Departments as Institutionalized Organizations. In *Mirage of Police Reform: Procedural Justice and Police Legitimacy* (pp. 14-41). Oakland, California: University of California Press.

Santhanam, L. (2019, August 9). *After Ferguson, black men still face the highest risk of being killed by police*. PBS NewsHour. <https://www.pbs.org/newshour/health/after-ferguson-black-men-and-boys-still-face-the-highest-risk-of-being-killed-by-police>

Holpuch, A. (2015, February 12). *FBI director says racism not epidemic in police but is 'cultural inheritance' of US*. The Guardian. <https://www.theguardian.com/us-news/2015/feb/12/fbi-director-racism-police-james-omey-cultural-inheritance>

5. Stop and Frisk: Racial Profiling

White, M., & Fradella, H. (2016). Two Tales of Stop and Frisk. In *Stop and Frisk: The Use and Abuse of a Controversial Policing Tactic* (pp. 1-16). New York: NYU Press.

[PDF Attached]

Loiaconi, S. (2018, October 9). *Trump seeks more stop-and-frisk in Chicago, but experts see little impact*. WJLA. <https://wjla.com/news/nation-world/trump-endorses-stop-and-frisk-in-chicago-but-experts-see-little-impact>

[Read article and watch all videos embedded in the text]

CBS. (2018, October 8). *Trump wants Chicago to consider stop-and-frisk program*. <https://www.cbsnews.com/video/donald-trump-stop-and-frisk-program-orlando-florida-police-chiefs-convention/>

Zorthian, J. (2016, September 22). *New York City Mayor Bill de Blasio Criticizes Donald Trump's Support of Stop-and-Frisk*. Time. <https://time.com/4504190/mayor-bill-de-blasio-stop-and-frisk-donald-trump/>

6. Institutionalized discrimination in policing

Hassett-Walker, C. (2019, June 4). *The racist roots of American policing: From slave patrols to traffic stops*. The Conversation. <https://theconversation.com/the-racist-roots-of-american-policing-from-slave-patrols-to-traffic-stops-112816>

Butler, P. (2017, October 11). *Why the Fraternal*

Order of Police Must Go. The Marshall Project. <https://www.themarshallproject.org/2017/10/11/why-the-fraternal-order-of-police-must-go>

Jones, D. K. (2018, September 6). *Black Law Enforcement response to the Fraternal Order of Police over the Nike, Kaepernick Endorsement*. Blacks in Law Enforcement of America. <https://www.bleausa.org/black-law-enforcement-response-to-the-fraternal-order-of-police-over-the-nike-kaepernick-endorsement/>

7. Solution to Institutionalized Discrimination in Community Policing

Roberts, H. (2020, January 29). *Slaton Police Officers keep an eye on businesses overnight*. KCBD. <https://www.kcbd.com/2020/01/29/slaton-police-officers-keep-an-eye-businesses-overnight/>

City of Moscow Idaho. (n.d.) *Community Police Officer—Make a Difference*. https://www.ci.moscow.id.us/681/Community-Police-Officer?fbclid=IwAR1hMwciM-umLTesv6ax_ulG4VZESTcZdzg7hY9ymMX_KhdBfp2rJyTuXw

WCVB. (2018, September 24). *Boston police unveil Bureau of Community Engagement*. <https://www.youtube.com/watch?v=Qee8ezfixDk>

8. Data

Bureau of Prisons. (2020, May 2). *Inmate Race*. https://www.bop.gov/about/statistics/statistics_inmate_race.jsp

[Adjust these data by the proportion of each ethnic group in the general population to determine disproportionate prison representation by non-whites]

Nellis, A. (2016, June 14). *The Color of Justice Racial and Ethnic Disparity in State Prisons*. The Sentencing Project. <http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

Topic 3:

Race and Crime

Chapter 5: Economics of Crime, Harold Winter

Donohue, John J. and Steven D. Levitt (2001) "The impact of race on policing and arrests." *Journal of Law and Economics*. 44(2): 367-94.

Grogger, Jeffrey and Greg Ridgeway (2006) "Testing for racial profiling in traffic stops behind a veil of darkness." *Journal of the American Statistical Association*. 101(475): 878-87.

Persico, Nicola "Racial profiling? Detecting bias using statistical evidence." *Annual Review of Economics*.

Topic 4:

Gun policy

1. More guns, less crime?

Chapter 6: Economics of Crime, Harold Winter

Cook, Philip J. and Jens Ludwig (2006) "The social costs of gun ownership." *Journal of Public Economics*. 90(1-2): 379-91.

Duggan, Mark (2001) "More guns, more crime." *Journal of Political Economy*. 109(5): 1086-14.

Lott, John R. (2010) *More Guns, Less Crime: Understanding Crime and Gun Control Laws (3rd Edition)*. Chicago: University of Chicago Press. Chapters 1-3.

2. Gun control

Lott, John R. (2010) *More Guns, Less Crime: Understanding Crime and Gun Control Laws (3rd Edition)*. Chicago: University of Chicago Press. Chapters 1-3.

Ludwig, Jens and Philip J. Cook (2000) "Homicide and suicide rates associated with implementation of the Brady handgun violence prevention act." *JAMA*. 284(5): 585-91.

3. Right to carry

John J. Donohue III, Abhay Aneja, and Kyle D. Weber, "Do Handguns Make Us Safer? A State- Level Synthetic Controls Analysis of Right-to-Carry Laws." July 15, 2016, Stanford University Working Paper.

Lott, John R. (2010) *More Guns, Less Crime: Understanding Crime and Gun Control Laws (3rd Edition)*. Chicago: University of Chicago Press. Chapters 4, 7-10.

Topic 5:

White collar crime

HEWITT, J. (2016). Fifty Shades of Gray: Sentencing Trends in Major White-Collar Cases. *The Yale Law Journal*, 125(4), 1018–1071. <http://www.jstor.org/stable/43893860>

Schanzenbach, M., & Yaeger, M. L. (2006). Prison Time, Fines, and Federal White-Collar Criminals: The Anatomy of a Racial Disparity. *The Journal of Criminal Law and Criminology* (1973-), 96(2), 757–793. <http://www.jstor.org/stable/40042780>

Steffensmeier, D. J., Schwartz, J., & Rochea, M. (2013). Gender and Twenty-First Century Corporate Crime: Female Involvement and the Gender Gap in Enron-Era Corporate Frauds. *American Sociological Review*, 78(3), 448–476. <http://www.jstor.org/stable/23469220>

Topic 6:

Drug policy

Chapter 7: Economics of Crime, Harold Winter

Donohue, John J., Benjamin Ewing and David Peloquin (2011) "Rethinking America's Illegal Drug Policy." In *Controlling Crime: Strategies and Tradeoffs*. Edited by Philip J. Cook, Jens Ludwig and Justin McCrary. Chicago: University of Chicago Press.

Ilyana Kuziemko and Steven D. Levitt (2004) "An empirical analysis of imprisoning drug offenders." *Journal of Public Economics*. 88: 2043-66.

Owens, Emily G. (2011) "Are Underground Markets Really That Violent? Evidence from Early 20th Century America," *The American Law and Economics Review*. 13(1) 1–44.

Topic 7:

Social conditions and crime

1. Poverty and crime

Jacob, Brian, Max Kapustin and Jens Ludwig (2015) "The impact of housing assistance on child outcomes: Evidence from a randomized housing lottery." *Quarterly Journal of Economics*. 130(1): 465-506.

Jacobs, Erin (2012) *Returning to Work After Prison: Final Results from the Transitional Jobs Reentry Demonstration*. New York: Manpower Demonstration Research Corporation.

Kling, Jeffrey R., Jens Ludwig and Lawrence F. Katz (2005) "Neighborhood effects on crime for female and male youth: Evidence from a randomized housing voucher experiment." *Quarterly Journal of Economics*. 120(1): 87-130.

2. Abortion and crime

Donohue, John J. and Steven D. Levitt (2001) "The impact of legalized abortion on crime." *Quarterly Journal of Economics*. 116(2): 379-420.

Donohue, John J. and Steven D. Levitt (2008) "Measurement error, legalized abortion, the decline in crime: A response to Foote and Goetz (2005)." *Quarterly Journal of Economics*. 123(1): 425-440.

Foote, Christopher L. and Christopher F. Goetz (2008) "the impact of legalized abortion on crime: Comment." *Quarterly Journal of Economics*. 123(1): 407-23.

3. Cognitive development and crime

Reyes, Jessica W. (2007) "Environmental policy as social policy? The impact of childhood lead exposure on crime." *BE Journal of Economic Analysis and Policy*. 7:1.

Reyes, Jessica W. (2015) "Lead exposure and behavior: Effects on aggression and risky behavior among children and adolescents." *Economic Inquiry*. 53(3): July. 4. Education and crime

Lochner, Lance and Enrico Moretti (2004) "The effect of education on crime: Evidence from prison inmates, arrests, and self-reports." *American Economic Review*. 94(1): 155-89.

Oreopoulos, Philip (2004) "Estimating average and local average treatment effects of education when compulsory schooling laws really matter." *American Economic Review*. 96(1): 152-75.

Clive R. Belfield, Milagros Nores, Steve Barnett and Lawrence Schweinhart (2006) "The High/Scope Perry Preschool Program: Cost Benefit-Analysis Using Data from the Age-40 Followup." *Journal of Human Resources*. 41(1): 162-190.

Garces, Eliana, Duncan Thomas and Janet Currie (2002) "Longer-Term Effects of Head Start." *American Economic Review*. 92(4): 999-1012.

Campbell, Frances A., Craig T. Ramey, Elizabeth Pungello, Joseph Sparling, Shari Miller- Johnson (2002) "Early childhood education: Young adult outcomes from the Abecedarian project." *Applied Developmental Science*. 6(1): 42-57.

Topic 8:

Behavioral economics and crime

Chapter 8: Economics of Crime, Harold Winter

Congdon, William J., Jeffrey R. Kling and Sendhil Mullainathan (2011) *Policy and Choice*.

Washington, DC: Brookings Institution. Chapters 1-3.

Mullainathan, Sendhil, Joshua Schwartzstein and William J. Congdon (2012) "A reduced-form approach to behavioral public finance." *Annual Review of Economics*. 4: 511-40.

Ludwig, Jens and Anuj Shah (2015) "Behavioral economics and crime." Working Paper, University of Chicago.