



SPHERE

Fostering Civil Discourse and Diverse Viewpoints for Every Classroom

The New Jim Crow: Mass Incarceration in the Age of Colorblindness

BY KELLY YOUNG - RAYMORE

GRADE LEVEL: 10TH - 12TH GRADES

Objectives

- Understand the concept of plea bargains and their role in the criminal justice system
- Analyze the advantages and disadvantages of plea bargains
- Evaluate the ethical implications of plea bargains



Vocabulary

- Mass incarceration
- Jim Crow laws
- Commute (in terms of sentencing)

Materials

- Copies (introduction chapter) of *The New Jim Crow* by Michelle Alexander
- “Prisoners of Politics: Breaking the Cycle of Mass Incarceration” video
- Whiteboard or blackboard
- Markers or chalk
- Handouts with discussion questions
- Exit ticket slips

Pework (about 2 hours)

Students must have read and annotated the introductory chapter of *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* by Michelle Alexander and watched “Prisoners of Politics: Breaking the Cycle of Mass Incarceration” interview. Encourage students to annotate the text using the annotation checklist.

Warm-Up (about 10 minutes)

Step 1: Have students read the summary of “Prison Blues: How America's Foolish Sentencing Policies Endanger Public Safety.”

Step 2: Ask students the following question: What do you think the author meant with this statement, “The seeming paradox of more prisons and less punishment for violent criminals, which means less public safety, is explained by the war on drugs?”

Step 3: Have students write or draw their answer first and then discuss in pairs. When finished, have them share their answers with the rest of the class.

Lesson Activities

ACTIVITY 1: MASS INCARCERATION VISUALIZED VIDEO DISCUSSION (ABOUT 10 MINUTES)

Step 1: Show “Mass Incarceration, Visualized” to the class. Clarify to students that while this video is eight years old it is still relevant. Explain that currently the percent of Black American in the general U.S. population is about 13%, while the percent of people in prison or jail who are Black is about 38%. In the video, the numbers are higher and the decrease is

due to President Barack Obama commuting many sentences and The First Step Act under President Donald Trump which commuted many sentences as well.

Step 2: Facilitate a whole-group class discussion and then have students compare their warm-up responses to the explanations of mass incarceration that are given in the video.

ACTIVITY 2: READING DISCUSSION (ABOUT 35 MINUTES)

Step 1: Divide students into small groups and distribute handouts with discussion questions related to the reading. Provide an overview and discussion questions of the introductory chapter of *The New Jim Crow* by Michelle Alexander, and a Summary of *Prisoners of Politics: Breaking the Cycle of Mass Incarceration* by Rachel Elise Barkow highlighting its main arguments and themes for the class. (Tip: for prework, consider using the summary for younger students instead of the full reading and video.)

Step 2: In a whole-group class discussion, go over the historical context of racial discrimination in the United States and how it has evolved into the current system of mass incarceration based on the reading. Utilize the discussion questions provided with each summary to engage students.

Optional Extension

ACTIVITY: QUOTE ANALYSIS (ABOUT 20 MINUTES)

Step 1: Display a quote on the board: "The mass incarceration of people of color in the United States is tantamount to a new form of racial control, a system that operates in a manner strikingly similar to Jim Crow."

Step 2: Ask students to reflect on the quote and write a short paragraph discussing what similarities, if any, that they have observed between mass incarceration and the Jim Crow rules of the South.

Exit Ticket (5 minutes)

Ask students to write a brief response to the following question: "What is one thing you learned today about mass incarceration and its impact on communities of color?"

Summary of Introduction to *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* by Michelle Alexander

The New Jim Crow: Mass Incarceration in the Age of Colorblindness is a groundbreaking book written by Michelle Alexander. In her book, Alexander explores the issue of mass incarceration in the United States and its impact on communities of color. She argues that the criminal justice system, through its policies and practices, has created a new form of racial control that perpetuates racial inequality.

Alexander begins by providing a historical context for understanding the current state of mass incarceration. She traces the roots of racial control back to the era of slavery and the subsequent Jim Crow laws that enforced racial segregation and discrimination. She highlights how these systems were designed to maintain white supremacy and control the black population.

One of the key factors contributing to mass incarceration, according to Alexander, is the war on drugs that was initiated in the 1980s. She says that the war on drugs disproportionately targeted communities of color, particularly black and Latino communities, which lead to a significant increase in arrests and incarceration rates for drug offenses. Alexander argues that the war on drugs was not only a failure in terms of reducing drug use but also served as a mechanism for social control and the marginalization of minority communities.

Another important aspect discussed in the introduction is the concept of colorblindness. Alexander challenges the notion that we live in a post-racial society, arguing that colorblindness actually perpetuates racial inequality. She explains how the criminal justice system, despite claiming to be colorblind, disproportionately targets and punishes people of color. Alexander points out what she considers to be the fallacy of colorblindness, and highlights what she believes to be systemic racism embedded within the criminal justice system.

Lastly, Alexander emphasizes the devastating impact that mass incarceration has on individuals, families, and communities. She discusses the collateral consequences of incarceration, such as limited employment opportunities, loss of voting rights, and barriers to housing and education. These consequences perpetuate a cycle of poverty and marginalization, further exacerbating racial inequality.

The introduction sets the stage for a comprehensive exploration of the issue of mass incarceration and its racial implications. Michelle Alexander challenges the prevailing narratives surrounding the criminal justice system and calls for a reevaluation of our approach to crime and punishment. Her work sheds new light on the urgent need for criminal justice reform through dismantling what appears to be a new Jim Crow system.

DISCUSSION QUESTIONS

- How does Alexander connect the historical context of slavery and Jim Crow laws to the current issue of mass incarceration? What are the similarities and differences between these systems of control?
- According to Alexander, what role did the war on drugs play in contributing to mass incarceration? How did this war disproportionately affect communities of color, particularly Black and Latino communities?
- Alexander challenges the concept of colorblindness and argues that it perpetuates racial inequality. How does she explain the fallacy of colorblindness within the criminal justice system? What evidence does she provide to support her claim that the system disproportionately targets and punishes people of color?
- What are some of the collateral consequences of mass incarceration that Alexander discusses?
- In the introduction, Alexander calls for a reevaluation of our approach to crime and punishment. What do you think she means by this? How can we work toward criminal justice reform so that the system is fair to everyone?
- Can you think of any potential solutions or strategies that could address the racial disparities within the criminal justice system?

Summary of Prisoners of Politics: Breaking the Cycle of Mass Incarceration by Rachel Elise Barkow

In her book *Prisoners of Politics: Breaking the Cycle of Mass Incarceration*, Barkow analyzes the complex issue of mass incarceration in the United States and offers potential solutions to address this pressing problem.

THE POLITICAL FACTORS BEHIND MASS INCARCERATION

Barkow delves into the political factors that have contributed to the growth of mass incarceration in the United States. She argues that the criminal justice system has become highly politicized, with politicians often using "tough on crime" rhetoric to gain public support. This has led to policies that prioritize punishment over rehabilitation and has resulted in the high incarceration of individuals, particularly those from marginalized communities.

For example, Barkow highlights the impact of the war on drugs policies of the 1980s and 1990s. These policies led to a significant increase in the number of individuals incarcerated for nonviolent drug offenses, contributing to the overall rise in mass incarceration.

CHALLENGING THE EFFECTIVENESS OF HARSH PUNISHMENTS

Barkow challenges the prevailing notion that longer sentences and harsher punishments are effective in reducing crime rates. She presents evidence that alternative approaches, such as community-based programs and restorative justice, can be more successful in preventing recidivism and promoting rehabilitation.

For instance, Barkow discusses the success of programs such as the Hawaii Opportunity Probation with Enforcement program, which focuses on using swift and certain sanctions for probation violations rather than lengthy prison sentences. Studies have shown that this approach has led to a significant reduction in recidivism rates and has been more cost-effective compared to traditional probation models.

THE HUMAN COST OF MASS INCARCERATION

Throughout her book, Barkow highlights the human cost of mass incarceration, discussing the impact it has on individuals, families, and communities. She emphasizes the need for a more compassionate and evidence-based approach to criminal justice, one that focuses on reducing recidivism and addressing the root causes of crime.

Barkow shares personal stories of individuals who have been affected by mass incarceration, illustrating the devastating consequences it can have on their lives. She also examines the collateral consequences of incarceration, such as limited employment opportunities and barriers to reintegration into society, which perpetuate the cycle of criminal behavior.

POLICY REFORMS TO BREAK THE CYCLE

Barkow proposes several policy reforms that could help break the cycle of mass incarceration. These include reducing mandatory minimum sentences, expanding access to education

and job training programs for incarcerated individuals, and promoting alternatives to incarceration for nonviolent offenses.

For example, Barkow highlights the success of states such as California and Texas in implementing criminal justice reforms that have led to a significant reduction in their prison populations without compromising public safety. These reforms include the use of risk-assessment tools to determine appropriate sentences, investing in rehabilitation programs, and providing support for individuals who are transitioning back into society.

Prisoners of Politics: Breaking the Cycle of Mass Incarceration is a comprehensive and thought-provoking exploration of the issue of mass incarceration in the United States. Barkow challenges conventional wisdom and offers practical solutions to address this urgent problem.

DISCUSSION QUESTIONS

- How does Barkow argue that the criminal justice system has become highly politicized? What does she think are the consequences of this politicization on the issue of mass incarceration?
- What evidence does Barkow present to challenge the prevailing notion that longer sentences and harsher punishments are effective in reducing crime rates? How do alternative approaches, such as community-based programs and restorative justice, offer a more successful path toward rehabilitation and reducing recidivism?
- Barkow emphasizes the human cost of mass incarceration. Discuss the impact of mass incarceration on individuals, families, and communities. How do the collateral consequences of incarceration perpetuate the cycle of criminal behavior?
- Barkow proposes several policy reforms to break the cycle of mass incarceration. Choose one of these reforms and discuss its potential impact on reducing the prison population while maintaining public safety. How can this reform address the root causes of crime and promote rehabilitation?
- What are Barkow's arguments for a more compassionate and evidence-based approach to criminal justice? What key principles does she recommend that should guide the reform of the criminal justice system? Discuss the potential benefits of adopting these principles in terms of reducing mass incarceration and creating a more equitable system of punishment and rehabilitation.

ANNOTATION CHECKLIST

- Use a question mark for points that are confusing or spark a question.
- Circle words and phrases you don't know.
- Use a star or highlighter to note important points.
- Write an explanation point for something surprising.
- Use of the margin to write your reactions to the text.

Common Core State Standards

- **CCSS.ELA-LITERACY.RI.9-10.1:** Cite strong and thorough textual evidence to support analysis of what the text explicitly says, as well as inferences drawn from the text.
- **CCSS.ELA-LITERACY.RI.9-10.2:** Determine a central idea of a text and analyze its development over the course of the text, including how it emerges and is shaped and refined by specific details; provide an objective summary of the text.
- **CCSS.ELA-LITERACY.RI.9-10.8:** Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is valid and the evidence is relevant and sufficient; identify false statements and fallacious reasoning.
- **CCSS.ELA-LITERACY.SL.9-10.1:** Initiate and participate effectively in a range of collaborative discussions (one-on-one, group, and teacher-led) with diverse partners on grade 9–10 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.