



SPHERE

Fostering Civil Discourse and Diverse Viewpoints for Every Classroom

Mass Supervision, Probation, Parole, and Excessive Fines

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GRADE LEVEL: 11TH-12TH GRADES

Overview

Students will focus their examination of the constitutional prohibition against cruel and unusual punishment ([Eighth Amendment](#)) in the context of civil liberties and civil rights concerns associated with massive supervision. Specifically, they will dive into the advent of new technologies in these cases and how that impacts criminal procedure.



Objectives

- Define the Eighth Amendment and mass supervision
- Identify the arguments for and against mass supervision
- Analyze arguments around mass supervision with new technologies
- Discuss the extent to which mass supervision with the new advancements of technology are constitutional

Materials

- Computer
- Optional printout of tables

Vocabulary

- Mass supervision
- Civil rights
- Civil liberties
- Eighth Amendment
- Parole

Prework

It is recommended to have completed Lesson 9 of this unit: Prosecutorial Discretion, Progressive Prosecutors, and Prosecutorial Misconduct. There is also a list of readings in the “Optional Extension Assignments” section at the end of this lesson.

Lesson Activities

WARM-UP (5 MINUTES)

Step 1: Read the text of the Eighth Amendment with students.

Step 2: Ask students for their interpretation of the amendment.

ACTIVITY 1: ARGUMENTS FOR AND AGAINST MASS SUPERVISION (20 MINUTES)

Step 1: Introduce the term “mass supervision.” Ask students to think about what it means in relation to criminal procedure.

Step 2: In groups, have students read “[Benefits of Supervision](#)” and Isaiah Thompson’s take on mass supervision in *Nonprofit Quarterly*.

Step 3: Ask students to discuss as they read the different perspectives they are identifying and to analyze their arguments in their group discussions.

Step 4: Discuss as a class the positions of the articles. Ask students specifically in a whole group discussion:

- How do these articles situate their understanding of mass supervision?
- How do the authors compare mass supervision with mass incarceration?

ACTIVITY 2: NEW TECHNOLOGIES AND MASS SUPERVISION (25 MINUTES)

Step 1: Define a white paper for students and describe what type of source this is. Have students in groups analyze the white paper “[Leveraging the Power of Smartphone Applications to Enhance Community Supervision](#)” in the context of the purposive incentives of industry advocacy.

Step 2: Introduce the American Civil Liberties Union’s paper “[Community Control over Police Surveillance](#).” Have students in their groups discuss the contrasting positions of the papers.

Step 3: Have students share as a class their understanding of the positions of each paper and discuss their main points.

Guide students with the following questions:

- What is the position of each paper? How does each paper support its argument?
- How does the advent of new technologies complicate or benefit the criminal procedure of mass supervision?
- Put these papers in context with the articles you just read. How does this further situate your understanding of mass supervision?

ACTIVITY 3: SOCRATIC SEMINAR (10–30 MINUTES)

Engage students in discussion about the following prompt:

To what extent is mass supervision constitutional considering the Eighth Amendment?

Optional Extension Assignments

Provide students with the following readings as prework or postwork:

- *Mass Supervision: Probation, Parole, and the Illusion of Safety and Freedom* by Vincent Schiraldi
- *Profit and Punishment: How America Criminalizes the Poor in the Name of Justice* by Tony Messenger
- *Arresting Citizenship: The Democratic Consequences of American Crime Control* by Amy E. Lerman and Vesla M. Weaver
- *Chain Gang All Stars* by Nana Kwame Adjei-Brenyah
- *Prisons of Poverty* by Loïc Wacquant