

## CRIM 741: Conduct of Justice Organizations at the Street-Level, Spring 2019

**Instructor:** Danielle S. Rudes  
**Office:** Center for Advancing Correctional Excellence (ACE!) 4<sup>th</sup> floor, 4087 University Dr.  
**E-mail:** [drudes@gmu.edu](mailto:drudes@gmu.edu) (*best method of communicating with me*)  
**Phone:** 714.642.8141 (cell)  
**Class Time:** Monday, 1:30-4:10 p.m. in Planetary Hall, #127  
**Office Hrs:** By appointment  
**Course Blackboard:** [mymason.gmu.edu](http://mymason.gmu.edu)

---

### COURSE DESCRIPTION AND OBJECTIVES

---

In this course, we examine street-level organizations and workers within the criminal justice system. In turn, we explore how the discretionary decisions of these organizations *and* organizational actors shape the nature and quality of justice in America. Beginning with Weber's concepts of bureaucracy and rationalization we continue into Lipsky's Street Level Bureaucracies where "workers interact with and have wide discretion over the dispensational benefits or the allocation of public sanctions" (1980:xi). We will study discretionary decision making as a cornerstone of street-level organizations using literature on situationally bounded decision-making models (March & Simon 1958). Scholars working in this area argue that categorization or classification (McCleary 1992; Simon 1993; Van Maanen 1978) becomes a necessary way workers adapt the formal organizational policies and procedures to the real life routines they engage on the street. These workers simultaneously face scarce resources, overwhelming workloads, and an extreme number of rules. In this environment, street-level bureaucrats profess to do their best to get as much accomplished in the work hours as possible and make decisions to maximize performance, sometimes at the expense of themselves and/or their clients. Ultimately, this course ties together organizational, sociological, criminological and social-psychological literatures in a way that is not often presented through other courses while providing a theoretically grounded look at modern-day institutions and social structures. By examining street-level bureaucracies using both macro- and micro-level theories the course will present an alternative way of looking at justice organizations and the workers who are in charge of fulfilling their organizational mission.

### COURSE OBJECTIVES

- (1) Learn the basic elements of organizational and individual (within organizations) decision making including emphasis on street-level bureaucracy and discretion
- (2) Understand the utility of organizational analysis;
- (3) Apply organization decision making theory to critically analyze central challenges faced by criminal justice and/or legal organizations
- (4) Translate academic research for yourself and a wider audience or practitioners, scholars, researchers, teachers, trainers and laypeople.

### COURSE READINGS

---

The readings are selected to complement each other and to serve as the basis for discussions. Therefore, you should complete the readings **before** the class session for which they are assigned in order to gain maximum benefit from the course.

In addition to the two books there are required readings assembled on the course blackboard page. To access these readings go to our blackboard page and scroll down the page until you see the course readings section. All readings are in PDF format, which requires you to have Adobe Acrobat Reader on your computer. You can read the readings on the screen or you can print them out.

## Assigned Books

Lipsky, M. (1980). *Street-level bureaucracy: Dilemmas of the individual in public services*. New York: Russell Sage Foundation.

Thornton, P. H., Ocasio, W., & Lounsbury, M. (2012). *The institutional logics perspective: A new approach to culture, structure, and process*. Oxford University Press on Demand.

## CLASS OUTLINE

---

### Class One: Introduction course (1/28)

Gerth, H.H. & Mills, C.W. (1946). Bureaucracy. Pp. 196-198, 228-229, 232-233, & 240 in *From Max Weber: Essays in Sociology*. New York: Oxford University Press.

### Class Two: Decision Making Theory (2/4)

Pfeffer, J. (1980). Rational choice models. Pp. 18-22 in *Power in organizations*. Boston: Pitman.

Simon, H. (1945, 1997). The psychology of administrative decisions. Pp. 92-117 in *Administrative Behavior: A study of decision making processes in administrative organizations*. New York: Free Press.

Cohen, M. D., March, J. G., & Olsen, J. P. (1972). A garbage can model of organizational choice. *Administrative science quarterly*, 1-25.

Lindblom, C. E. (1959). The science of muddling though. *Public Administration Review*, 19(2), 79-88.

Gigerenzer, G., & Gaissmaier, W. (2011). Heuristic decision making. *Annual review of psychology*, 62, 451-482.

Lipshitz, R., Klein, G., Orasanu, J., & Salas, E. (2001). Taking stock of naturalistic decision making. *Journal of behavioral decision making*, 14(5), 331-352.

### Class Three: Decision Making Theory **NO CLASS TODAY, Dr. Rudes out of town** (2/11)

Feldman, M. S., & March, J. G. (1981). Information in organizations as signal and symbol. *Administrative science quarterly*, 171-186.

March, J. G. (1978). Bounded rationality, ambiguity, and the engineering of choice. *The Bell Journal of Economics*, 587-608.

March, J.G. (1988). The power of power. (Chapter 6). Pp. 116-149 in *Decisions and Organizations*, Oxford, UK: Basil Blackwell.

Baier, V.E., March, J.G., & Saetren, H. (1988). Implementation and ambiguity. (Chapter 7). Pp. 150-164 in *Decisions and Organizations*, Oxford, UK: Basil Blackwell.

March, J.G. (1988). The technology of foolishness. (Chapter 12). Pp. 253-265 in *Decisions and Organizations*, Oxford, UK: Basil Blackwell.

### Class Four: Translating Science into Sense Workshop (2/18)

Higgins, C. A. (2001). *Effective and efficient research translation for general audiences: Literature review and recommendations*. Lawrence, KS: The University of Kansas, Research and Training Center on Independent Living.

**Class Five: Street Level Bureaucracy & People Processing (2/25)**

Lipsky, M. (1980). *Street-level bureaucracy: Dilemmas of the individual in public services*. New York: Russell Sage Foundation.

Hasenfeld, Y. (1972). People processing organizations: An exchange approach. *American Sociological Review*, 37:256-263.

Prottas, J.M. (1978). The power of the street-level bureaucrat in public service bureaucracies. *Urban Affairs Quarterly*, 13:3:285-312.

Portillo, S., & Rudes, D. S. (2014). Construction of justice at the street level. *Annual Review of Law and Social Science*, 10, 321-334.

**Class Six: Discretion and Power (3/4)**

Hawkins, K. (1992). The use of legal discretion: Perspectives from law and social science. Pp. 11-46 in Keith Hawkins' (ed.) (1992). *The Uses of Discretion*. Oxford: Clarendon Press.

Feldman, M. (1992). Social limits to discretion: An organizational perspective. Pp. 161-183 in Keith Hawkins' (ed.) (1992). *The Uses of Discretion*. Oxford: Clarendon Press.

Maynard-Moody, S. & Musheno, M. (2000). State agent or citizen agent: Two narratives of discretion. *Journal of Public Administration Research and Theory*, 2, 329-358.

Mechanic, D. (1962). Sources of power of lower participants in complex organizations. *Administrative Science Quarterly*, 73, 349-364.

Morrill, C., Buller, D. B., Buller, M. K., & Larkey, L. L. (1999). Toward an organizational perspective on identifying and managing formal gatekeepers. *Qualitative Sociology*, 22(1), 51-72.

**NO CLASS MONDAY, MARCH 12<sup>th</sup>—SPRING BREAK!!!**

**Class Seven: Emerson on Decision Making & Weick on Sensemaking (3/18)**

Emerson, R. (1981). On last resorts. *American Journal of Sociology*, 87(1), 1-22.

Emerson, R. (1983). Holistic effects in social control decision making. *Law & Society Review*, 17(3), 425-455.

Emerson, R. (1991). "Case processing and interorganizational knowledge: Detecting the "real reasons" for referrals." *Social Problems*, 38(2), 1991.

Weick, K. E., Sutcliffe, K. M., & Obstfeld, D. (2005). Organizing and the process of sensemaking. *Organization science*, 16(4), 409-421.

**Class Eight: Police (3/25)**

Van Maanen, J. (1978). The Asshole. Pp. 221-238 in *Policing: A View From the Street*, edited by Peter K. Manning & John Van Maanen. Santa Monica, CA: Goodyear Publishing Co.

King, W. R. & Dunn, T.M. (2004). Dumping: Police-initiated transjurisdictional transport of troublesome persons. *Police Quarterly*, 7(3), 339-358.

Tyler, T. R., Callahan, P.E. & Frost, J. (2007). Armed, and dangerous(?): Motivating rule adherence among agents of social control. *Law & Society Review*, 41(2), 457-492.

Oberweis, T. & Musheno, M (1999). Policing identities: Cop decision making and the constitution of citizens. *Law & Social Inquiry*, 24(4), 897-923.

Mastrofski, S. (2004). Controlling street-level police discretion. *The Annals of the American Academy of Political & Social Science*, 593, 100-118.

Bittner, E. 1967. The police on skid row: A study of peace keeping. *American Sociological Review*, 32(5), 699-715.

#### **Class Nine: Parole/Probation (4/1)**

Feely, M. M. & Simon, J. (1992). The new penology: Notes on the emerging strategy of corrections and its implications. *Criminology*, 30(4), 449-474.

Lynch, M. 1998. Waste managers? The new penology, crime fighting and parole agent identity. *Law & Society Review*, 32(4), 839-870.

Erez, E. (1992). Dangerous men, evil women: Gender and parole decision making. *Justice Quarterly*, 9(1), 105-126.

Viglione, J. (2017). Street-Level Decision Making: Acceptability, Feasibility, and Use of Evidence-Based Practices in Adult Probation. *Criminal Justice and Behavior*, 44(10), 1356-1381.

Rudes, D. S. (2012). Framing organizational reform: Misalignments and disputes among parole and union middle managers. *Law & Policy*, 34(1), 1-31.

#### **Class Ten: Prison (4/8)**

Marquart, J. W. (1986). Prison guards and the use of physical coercion as a mechanism of prisoner control. *Criminology*, 24(2), 347-366.

Hicks, A. M. (2008). Role fusion: The occupational socialization of prison chaplains. *Symbolic Interaction*, 31(4), 400-421.

Cochran, J. C., Toman, E. L., Mears, D. P., & Bales, W. D. (2017). Solitary Confinement as Punishment: Examining In-Prison Sanctioning Disparities. *Justice Quarterly*, 1-31.

Thornton, P. H., Ocasio, W., & Lounsbury, M. (2012). *The institutional logics perspective: A new approach to culture, structure, and process*. Oxford University Press on Demand.

#### **Class Eleven: Courts & Law (4/15)**

Feely, M. (1979, 1992). Pp. 3-34, 199-243 & 244-277 in Malcolm M. Feeley's *The Process is the Punishment*. New York: Russell Sage. (Chapters 1, 7, and 8)

Frohmann, L. (1997). Convictability and discordant locales: Reproducing race, class and gender ideologies in prosecutorial decision making. *Law & Society Review*, 31(3), 531-555.

Harris, A. (2007). Diverting and abdicating judicial discretion: Cultural, political, and procedural dynamics in California juvenile justice. *Law & Society Review*, 41(2), 387-427.

Sudnow, D. (1964). Normal Crimes. *Social Problems*, 12, 254-64.

#### **Class Twelve: (4/22)**

CRIM 541 students will present mini versions of their training class for feedback (15 minutes MAX) each.

### **Class Thirteen: (4/29)**

CRIM 741 students will present their proposal ideas for feedback. To do this, each students should prepare a one-page overview of their research proposal ideas in outline form. Make copies of this for everyone in the class. Plan to present your ideas to the class for roughly ten minutes. Have a list of questions you need help with or ideas you would like help fleshing out. We will spend roughly five minutes on Q&A for each presentation.

### **GRADING**

---

Your final grade will be calculated as follows (total 100%): 1000 Total Points Possible

|   |                |     |     |
|---|----------------|-----|-----|
| 2 Abstracts   | (75 pts each)  | 150 | 15% |
| Discussion leadership                                       |                | 150 | 15% |
| 2 Science to Sense Podcast Scripts                          | (150 pts each) | 300 | 30% |
| Presentation of research proposal or mini training in class |                | 50  | 5%  |
| Research proposal OR Training Class                         |                | 350 | 35% |

### **Grading Scale**

|             |                |                |         |   |
|-------------|----------------|----------------|---------|---|
| 96-100 = A+ | 86.5-89.9 = B+ | 76.5-79.9 = C+ | 60-69.9 | D |
| 93-95.9 = A | 83.5-86.4 = B  | 73.5-76.4 = C  | <59.9-- | F |
| 90-92.9 A-  | 80-83.4 = B-   | 70-73.4 = C-   |         |   |

### **EXPECTATIONS OF STUDENTS**

---

#### **Academic Integrity**

Students must be responsible for their own work, and students and faculty must take on the responsibility of dealing explicitly with violations. The tenet must be a foundation of our university culture. [See <http://academicintegrity.gmu.edu/distance>].

#### **Honor Code**

Students must adhere to the guidelines of the George Mason University Honor Code [See <http://academicintegrity.gmu.edu/honorcode>].

#### **MasonLive/Email (GMU Email)**

Students are responsible for the content of university communications sent to their George Mason University email account and are required to activate their account and check it regularly. All communication from the university, college, school, and program will be sent to students solely through their Mason email account. [See <https://thanatos.gmu.edu/masonlive/login>].

#### **Patriot Pass**

Once you sign up for your Patriot Pass, your passwords will be synchronized, and you will use your Patriot Pass username and password to log in to the following systems: Blackboard, University Libraries, MasonLive, myMason, Patriot Web, Virtual Computing Lab, and WEMS. [See <https://thanatos.gmu.edu/passwordchange/index.jsp>].

#### **Responsible Use of Computing**

Students must follow the university policy for Responsible Use of Computing. [See <http://universitypolicy.gmu.edu/1301gen.html>].

## **SCIENCE TO SENSE PODCASTS (CRIM 541 & CRIM 741 Students)**

---

All students will prepare **TWO** scripts for an ACE! Turning Science to Sense Podcast. You can do this for either or both of the articles you abstract or any others you choose. They must relate to corrections (prison, parole, probation, jail, treatment, or problem solving courts) to be considered for an actual ACEdit! Podcast. The article must be from 2014 or newer and it must be from an academic journal or book with a scholarly publisher (not a textbook) (and, not a Law Review article, report, brief or from any training materials). Please feel free to email me your selection for your podcast anytime for approval (although this is not necessary). I will grade your script as you write it. I am looking for clarity, simplicity, interesting delivery, creativity and good writing. If your script is good enough, we may record it for an ACEdit! Podcast and will give you credit for writing it (we reserve the right to edit as needed though). Dr. Rudes will conduct a “how to” workshop for these podcasts during class time on 2/18. You should have a good handle on what this is and how it works after that session. If you have additional questions, though, Dr. Rudes will arrange to meet with you outside class hours. **Both of your podcast scripts are due via BlackBoard by 5 p.m. on Friday, April 26<sup>th</sup>, but you can turn them in earlier.**

## **ABSTRACTS**

---

You are also required to find **TWO** outside readings academic/scholarly articles or books for this class that relate to our general topic area and/or specifically relate to the proposal you or one of your classmates are working on. You will write your own short abstract of this reading detailing what the work is about. Please write your abstract in just **1 to 2 short paragraphs** using language that would be assessable to a layperson (non-academic). [Under no circumstance should your abstract be longer than one page.] Please paraphrase and do not rely on direct quotes from the article. This is about you synthesizing academic writing into everyday language. Make a copy of your abstract for everyone in the class (including me). Also, if you have found an article that is in PDF format please send it to me in an email attachment so that I may make it available to anyone who wants it.

**You will choose any topic week to do these abstracts but the topic must relate to the other readings presented that week in some way AND the publication date must be 2015 through today. You must do one before (by 3/8) and one after spring break (by 5/3) AND you cannot do one on the week when you are the discussion leader.** You *can* do this assignment for the two podcast scripts or any of the readings you are doing for your research proposal or training class. Abstracts do not need a cover page. Please use 12 point font, *single*-spacing, black ink, and 1 inch margins. You will submit these via Blackboard.

## **LEADING & FACILITATING CLASS DISCUSSION (CRIM 741 students partnered with CRIM 541 students)**

---

Class sessions are intended to ensure that students understand and critically explore the ideas raised in the readings. I also welcome students linking ideas raised in the readings to their own research concerns. Students will lead discussions once during the semester based on the readings in the course.

Discussion assignments will be chosen on the first day of class. For each week, I will provide a brief introduction to the readings and will interject points throughout the session. Ideally, discussion leaders should facilitate illuminating, constructive, and critical explorations of the readings and related topics. ***Written outlines, PowerPoints, handouts, charts/diagrams/graphs and summaries of central issues and questions for each assigned reading are useful in this regard.*** All students are also expected to arrive at class with questions and issues to be raised for discussion. Discussion leaders are welcome to meet with me prior to the classes for which they are responsible, but it is not required.

When it is your turn to be discussion leader, please consider the following questions regarding ALL the readings for the week. Try to synthesize when possible and engage your audience. You should be leading a discussion (with some lecture if you must) but you should NOT be lecturing the whole time. Please assume the other students have done the readings and are ready to talk out their ideas/thoughts, too.

- 1) What is the **main point** or argument the author(s) for this week's readings is/are trying to convey? How do the articles connect? What questions do they collectively answer? What questions to they raise?
- 2) How do these readings **advance our thinking** about the way organizations organizational actors think about things, make decisions and/or act on those decisions?
- 3) How do these readings **contribute to the overall theme for the week and/or the course generally?** (i.e., how does it connect with other readings from this week/topic?)
- 4) How do these readings **help you answer a particular question or set of questions** about a relevant topic in policing, courts, corrections, or juvenile justice related to decision making?

### **DESIGN A TRAINING ON DECISION MAKING (CRIM 541 Students)**

---

You will develop a one hour training class for a group of criminal justice workers (of your choosing) that teaches them about what we know about decision making and how (in what ways) they can use this information in their day-to-day practice. Your training class will have the following components:

- A **lecture** portion complete **with PP slides**: Your lecture must include information about 1) a key theory or theories on decision making and 2) information from at least five empirical articles from the scholarly literature that provides useful information for them.
- A **handout** (at least one) (this can summarize key information, provide a logic model, provide a set of steps or guidelines, and/or whatever else you deem useful.)
- An **interactive exercise** for them to do within the class (i.e., role play, small group discussions, flip chart exercise, etc.) *Get CREATIVE!*
- A set of **readings** for them to read pre-class (any/all you think are relevant, can be scholarly, from media, can also be videos, links to websites, etc. )
- A **homework assignment** (to do before or after the class)
- An **assessment** of their pre-post knowledge
- A **certificate of completion** available to all participants who successfully complete your class.

You will present a mini-version of your course (15 minutes) during week 12 to elicit feedback from your student peers and perhaps give you ideas on any part of the training that boggles you. **This assignment is due Friday, May 10<sup>th</sup> at midnight via BB.**

### **YOUR RESEARCH PROPOSAL (CRIM 741 Students)**

---

You will develop a research proposal that deals in some way with the conduct of justice organizations at the street level. Your research proposal should be short, **no more than 10-12 double-spaced pages**. Ideas may come from questions or criticisms developed from the analytic memos and from information gleaned from outside readings that you abstracted or not. Students may feel free to consult with the professor for guidance on developing research projects/ideas anytime throughout the semester.

The format of the research design may vary depending on the proposed methodology. However, students must propose a more concrete design than simply planning to immerse oneself in an interesting context. Though I am less concerned with the specifics of your methodological approach, your project has to: 1) make sense given your research questions/hypotheses; 2) be do-able, and 3) relate to & incorporate some of our course topic/materials/concepts/theories.

- A quantitative research design should specify the dependent variable (the thing to be explained) and the set of independent variables (the variables that will explain). The independent variables should be connected to hypotheses. The research design ought to consider issues such as the representativeness of the data and possible sources of bias.
- A qualitative research design might require the selection of a case. The research design should give a rationale for the selection of the case. Depending on the method – interview, participant observation, etc. – the researcher might give consideration as to how to gain the trust of the participants or ensure objectivity (or not).

Your research proposal will ultimately include a theoretical overview, an identification of key questions/hypotheses, and a method for answering those questions. This is excellent groundwork for a Master’s thesis, doctoral dissertation or a conference paper you may one day publish.

Proposals do not need a cover page. Please use 12 point font, double spacing, black ink, and 1 inch margins. You DO need a reference list for everything you cite in your proposal including any outside materials you use. You also need to use proper in-text citation throughout your proposal. **This assignment is due Friday, May 10<sup>th</sup> at midnight via BB.**

**DISCUSSION LEADER SCHEDULE (max one CRIM 741 and one CRIM 541 student each class)**

---

|      |                                   |                 |
|------|-----------------------------------|-----------------|
| 3/4  | Discretion and power              | Lauren (maybe)  |
| 3/18 | Emerson/Weick and decision making | Chelsea & Sasha |

**SPRING BREAK**

|      |              |                    |
|------|--------------|--------------------|
| 3/25 | Police       | Rachel & Nikki     |
| 4/1  | Parole       | LaTosha & Kasey    |
| 4/8  | Prison       | Daniela & Alex     |
| 4/15 | Courts & Law | Taylor & MacKenzie |