



*A project of the Riverside Church Prison Ministry*

“No to Prisons, Yes to Caring Communities”

*A Study Guide*

**THE NEW JIM CROW:**  
**MASS INCARCERATION IN**  
**THE AGE OF**  
**COLORBLINDNESS**

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*"Personally, my vision is for a grassroots, bottom-up human rights movement that is committed to ending mass incarceration entirely (which means more than just going back to 1970s rates of incarceration; it means a fundamental shift from a punitive model to a restorative model of justice -- one that does not criminalize people for public health problems like drug addiction, nor does it criminalize poverty.) The movement is rooted in the awareness that every human being has value and dignity, and is entitled to basic civil and human rights, including the right to vote, the right to work, the right to shelter, the right to education, the right to health care, and the right to food. In my vision, we as a nation finally come to embrace basic civil and human rights for all people, no matter who they are or what they have done. This movement carries with it a vision of a society in which we value education over incarceration; jobs over jails; a society that knows there are better uses for 1 trillion dollars than waging a drug war on its poorest and most vulnerable members. It is a movement in which the voices of those who have been locked up, locked out, and left behind can be heard loud and clear, and where non-violent strategies for large-scale change are employed boldly, inspiring others through deeds not just words. I envision a movement in my lifetime that brings the system of mass incarceration to its knees, and then we lay it to rest. In its place, I see a multi-racial, multi-ethnic democracy that truly provides liberty and justice for all, a society in which the basic human rights of all are respected and honored. This is not a nirvana; it will be a long-term work-in-progress, but we will have established a deep moral consensus about the basic principles and human rights commitments that will guide us in the years to come. That's my big picture vision. Figuring out how to get there, of course, is the hard part."*

**Michelle Alexander**

## WHY STUDY THIS BOOK IN A GROUP?

*It helps to answer important questions and discussion may bring out information and new points of view on questions like:*

- 1. Why does the United States have the highest rate of incarceration in the world?*
- 2. It costs \$55,000 a year to incarcerate a person for a year in NY State. Is this the way we want our society to allocate its resources?*
- 3. Why are more African American males under the control of the criminal justice system now than were enslaved in 1850?*
- 4. What Supreme Court decisions have eviscerated the 4<sup>th</sup> amendment, which protects us from search and seizure?*
- 5. Why did the War on Drugs not make you safer?*

## ASSEMBLING A GROUP

- 1. A group of 12 to 18 people is a good number to aim for.*
- 2. A diverse group will stimulate discussion and offer different points of view. This might be achieved by combining 2 churches, a church and a community group, 2 different colleges or universities, or simply having a core group invite friends.*
- 3. It is helpful to have a space where people can see one another as they speak: a circle or a square rather than rows.*

## RUNNING THE GROUP

- 1. Each meeting should have a facilitator. The job can be rotated or the same person may lead the group throughout.*
- 2. It may be helpful to have the group generate the guidelines for discussion.*
- 3. A minimum of 4 meetings is needed to fully discuss the topics, but 5 meetings seem to us to be optimal, the last two devoted to Chapter 6 and future actions.*
- 4. Aim for a meeting no more than 2 hours in length. People tend to lose focus after that time span.*
- 5. To begin discussion, several techniques might be helpful.*
  - a. Have people read a short passage from the book that struck them as important with no comment. This may help people who are shy feel more comfortable about participating. It is important to be sensitive to the possibility that all members of the group may not have strong reading skills.*
  - b. Have people read some passages that seemed important to them but limit discussion to a half hour of the allotted time.*
- 6. During discussions it is important to encourage the participation of all members of the group.*
  - a. Call on people in turn, with the facilitator letting people know the goal is to maximize participation.*
  - b. With the agreement of the group, it may be helpful to have a time limit for responses to questions. 3 minutes is a reasonable time limit. The timekeeper should not be the facilitator.*

## SUPPLEMENTARY MATERIALS

Video of Michelle Alexander speaking at Riverside Church in May 2011 (available for a \$10 requested donation by contacting Lewis Webb Jr. at [lwebb@afsc.org](mailto:lwebb@afsc.org))

[www.sentencingproject.org](http://www.sentencingproject.org) gives statistics on incarceration and the imprisonment ratios of Blacks to Whites and Hispanics to Whites for each state in the U.S.

[www.cepr.net/documents/publications/incarceration-2010-06.pdf](http://www.cepr.net/documents/publications/incarceration-2010-06.pdf) is an article discussing the need for change in the prison system. There are excellent charts within the article and comparisons made between the U.S. and other countries in the world.

[www.drugpolicy.org/news/pressroom/pressreleases/pr021011.cfm](http://www.drugpolicy.org/news/pressroom/pressreleases/pr021011.cfm) "2010 NYC Marijuana Arrest Numbers Released" This article is a specific example of how the use of stop and frisk impacts communities of color.

[www.c-spanvideo.org/program/ByAn](http://www.c-spanvideo.org/program/ByAn) A description of the Old Jim Crow, 73 minutes

Private prisons are present in the majority of states in the U.S. They have had an impact on mass incarceration that is important for the public to understand. Not covered extensively in Michelle Alexander's book, it might be helpful to have someone in the group do some research and present to the group. Wikipedia has an article on private prisons that is helpful but must be supplemented.

[www.globalsearch.ca/index.php?context=va&aid=8289](http://www.globalsearch.ca/index.php?context=va&aid=8289) "The Prison Industry in the United States: Big Business or a New Form of Slavery," by Vicky Pelaez, *El Diario-La Prensa*

[www.npr.org/templates/story/story.php?storyid=130833741](http://www.npr.org/templates/story/story.php?storyid=130833741) "Prison Economics Help Drive Arizona Immigration Law"

[www.correctionsproject.com/corrections/pris\\_priv.htm](http://www.correctionsproject.com/corrections/pris_priv.htm) "Private Prisons Are Back." This article helps to make the connection between the old Jim Crow and the New.

### **New sites**

[www.thenation.com/article/162478](http://www.thenation.com/article/162478) The Hidden History of ALEC & Prison Labor, by Mike Elk & Bob Sloan, August 1, 2011

[www.dailykos.com/story/2010/12/14/928611](http://www.dailykos.com/story/2010/12/14/928611) "Insourcing: Identifying Businesses Involved in Prison Labor"

## **THE NEW JIM CROW: STUDY QUESTIONS FOR INTRODUCTION AND CHAPTER 1**

*The questions are divided into questions that focus on the content of the book and discussion questions. Not all issues presented in the Introduction are followed up by questions because later chapters deal with the material in more depth. As you read, it may be helpful to keep a list of rights to which people convicted of drug and other crimes no longer have access.*

### **Content Questions**

1. *What is Michelle Alexander's main idea as expressed in the Introduction?*
2. *What is the rate of incarceration in the US and how does it compare to other countries?*
3. *What facts about drug use are important when assessing the timing of the War on Drugs?*
4. *What factors undermined the "Old" Jim Crow system?*
5. *How does Michelle Alexander assess the impact of the Clinton Presidency on African Americans?*
6. *What changes were taking place in the African American community and other communities of color that made them particularly vulnerable to the War on Drugs?*

### **Helpful Terms, Concepts to Know**

1. *Racialized Caste System*
2. *Racial Bribe*
3. *Reconstruction*

### **Discussion Questions**

1. *What reasons would you have for deciding that the increase in the rate of incarceration reflects the racism in US society?*
2. *Why have Civil Rights organizations not focused on or have been slow to focus on the issue of racial justice?*
3. *What strategies have wealthier whites used to divide poor whites from African Americans in the past and in the present?*
4. *"The current system of control depends on black exceptionalism; it is not disproved or undermined by it." (p. 14) Do you agree or disagree?*

## THE NEW JIM CROW: STUDY QUESTIONS FOR CHAPTERS 2 & 3

### **Content Questions**

1. *What myths and assumptions does the general public believe about the criminal justice system?*
2. *How have the courts weakened the Fourth Amendment since 1982? Both chapters describe important decisions. It would be a good idea to have a list of specific decisions. you might find them useful in future discussions.*
3. *What are the problems with pretextual traffic stops? Especially with regard to Operation Pipeline?*
4. *Why do police departments in the various states prioritize drug arrests?*
5. *Both the police and prosecutors have a great deal of discretion in their roles. How has this discretion been used?*
6. *In what ways is jury selection biased?*

### **Helpful Terms/Concepts to Know**

1. *“War on Drugs”*
2. *14<sup>th</sup> Amendment to the Constitution*
3. *Mandatory minimum sentence*
4. *Pretext stops*
5. *Consent searches*
6. *Racial profiling*
7. *McKlesky vs Kemp*
8. *Alexander vs Sandoval*
9. *Purkett vs Elm*

### **Discussion Questions**

1. *What has been the role of the Supreme Court in addressing racial bias since the beginning of the Drug War?*
2. *Compare the “Old Jim Crow” system to the “New Jim Crow” system. What similarities? What differences? Purposes? Methods?*
3. *What do we feel is a reasonable response to those in possession of drugs currently defined as illegal? To those currently selling drugs that are currently defined as illegal?*

## ***THE NEW JIM CROW, STUDY QUESTIONS FOR CHAPTERS 4 & 5***

### **Content Questions**

1. *What rights may be taken away as a result of a felony conviction?*
2. *What are the effects of mass incarceration on the communities which have high incarceration rates?*
3. *How does Michelle Alexander interpret the development of “gangsta culture?”*

### **Helpful Terms/Concepts to Know**

1. *Anti-Drug Abuse Act of 1988*
2. *Quality Housing and Work Responsibility Act of 1978*
3. *Housing & Urban Development’ “One Strike Guide.”*
4. *Debt bondage*
5. *Invisible punishment*
6. *Racial indifference*
7. *Political disenfranchisement*

### **Discussion Questions**

1. *What are the similarities and differences between the “old” and “new” Jim Crow? What differences would be important to take into account when organizing a movement?*
2. *Alexander summarizes the social meaning of slavery as exploitation, Jim Crow as subordination and Mass Incarceration as marginalization. Does this seem to be an accurate summary and if so, how can marginalization be addressed?*
3. *How might the social silence around incarceration affect a movement for change? What factors does Alexander feel have caused Americans to deny the fact of mass incarceration of people of color? In what ways might a movement for change want to address them?*

## **THE NEW JIM CROW, STUDY QUESTIONS FOR CHAPTER 6**

### **Content Questions**

1. *Why does the success in changing the charges against the Jena 6 not apply to the New Jim Crow?*
2. *Why have the civil rights organizations been slow to acknowledge the New Jim Crow?*
3. *What are the problems Michelle Alexander sees with the emphasis of the Civil Rights Movement on affirmative action?*
4. *What aspects of the Drug War does Michelle Alexander say must be dismantled?*
5. *Why does Michelle Alexander believe that conventional strategies for change will not work?*

### **Helpful Terms/Concepts to Know**

1. *Jena 6*
2. *Black Exceptionalism*
3. *Affirmative Action*

### **Discussion Questions**

1. *Do we agree that that colorblindness is part of the problem? If so, how can this be addressed?*
2. *What are our thoughts about Alexander's idea of no longer pursuing affirmative action?*
3. *Why does Alexander believe that when building a movement the focus should shift from Civil Rights to Human Rights?*
4. *What kinds of strategies can be effective in including all, especially poor whites?*
5. *Is punishment the best or necessary response to crime?*
6. *How do we change the power structure?*
7. *What prevents justice from being administered equally and fairly in the United States?*
8. *How do we engage people in promoting change whose interests are not so immediately involved in dismantling the system of mass incarceration?*
9. *In what ways may we help those who have been incarcerated reintegrate into our communities?*
10. *What next steps do we feel we should take?*

**NEW YORK BASED ORGANIZATIONS WORKING ON MASS INCARCERATION AND ITS IMPACTS**

*American Friends Service Committee – New York Metropolitan Regional Office*  
[www.afsc.org](http://www.afsc.org)

*Campaign to End the New Jim Crow*  
[www.endnewjimcrow.org](http://www.endnewjimcrow.org)

*All Things Harlem*  
[www.allthingsharlem.org](http://www.allthingsharlem.org)

AND OTHERS