



## **Discussion Questions**

### ***The New Jim Crow*, by Michelle Alexander**

1. The author highlights how the interpretation of the Fourth Amendment by the Supreme Court has effectively eviscerated search and seizure protections, particularly in the drug context. Considering movements around other constitutional protections, like the Second Amendment, why do you think there has been relatively little public outcry over the restriction of Fourth Amendment rights?
2. Discuss problems within the legal system, including inadequate representation, mandatory minimum sentencing, and three strikes laws. How do these violate constitutional and human rights?
3. How have the incentives created by the War on Drugs' grant programs and laws about forfeiting property affected policing strategies and African American communities?
4. The author documents bias at all levels of the legal system, from deciding who to arrest, what to charge, and the length of sentence. However, most claims of systemic racial bias have been dismissed by the courts due to lack of overt intent to discriminate. What can be done to ensure a non-discriminatory system?
5. The author addresses voter disenfranchisement as another form of social exile of African Americans. She also highlights the following ironic effect; "The Census Bureau counts imprisoned individuals as residents of the jurisdiction in which they are incarcerated. Because most new prison construction occurs in predominately white, rural areas, white communities benefit from inflated population totals at the expense of the urban, overwhelmingly minority communities from which the prisoners come. This has enormous consequences for the redistricting process. White rural communities that house prisons wind up with more people in state legislatures representing them, while poor communities of color lose representatives because it appears their population has declined" (p. 193). What should be done to ensure the right to vote and be represented in government?
6. Economic, cultural, and social rights have encountered resistance in receiving the same level of recognition in the United States as other fundamental rights, such as freedom of religion, non-discrimination, and legal access. How does the book demonstrate the interconnectedness of rights, and how might a robust affirmation of these rights improve the situation for African Americans?
7. The author says, "The genius of the current caste system, and what most distinguishes it from its predecessors, is that it appears voluntary. People choose to commit crimes and that's why they are locked up or locked out, we are told"(p. 215). Additionally, "Criminals, it turns out, are the one social group in America we have permission to hate" (p. 141). How is this classification used to justify discrimination?
8. In the conclusion the author notes that one day we may be "embarrassed by how long it took to move out of denial and do the hard work necessary to end mass incarceration." She goes on to highlight the unconscious racial bias and stereotypes we all hold that play a role. How can we address our own racial bias in order to challenge this system?