

**UNIVERSITY OF OREGON**  
**CONFLICT AND DISPUTE RESOLUTION MASTER'S PROGRAM**

**CRES 445/545: CONFLICTS OF INCARCERATION**  
**CRN 31665/31670**

**SPRING 2018**

Class Meetings:	Mondays, 4:00 p.m. – 6:50 p.m.
Location:	Knight Law School 282
Instructor:	Nathaline Frener
Office Hours:	By Appointment
Phone:	N/A
E-mail:	<a href="mailto:nfrenner@uoregon.edu">nfrenner@uoregon.edu</a>
Course website:	Canvas

**COURSE DESCRIPTION**

This course is organized around the issues of crime, incarceration, and justice within the Western context. The central aim of the class is to foster critical reading and thinking about crime and incarceration, taking note of the impact of crime on victims, offenders, their respective families, and our communities. This course will also provide an introduction to the principles and practices of restorative justice including the needs and roles of those impacted by crime. Assumptions about victims, offenders, crime and justice will be examined. Students will be expected to critically engage in discussions as the class explores the role and impact of incarceration in our society.

**LEARNING OBJECTIVES**

As a result of taking this course, students will be able to:

- Identify the impact of corrections on individuals and communities;
- understand the goals of punishment and be familiar with the different forms of criminal sanctions;
- understand, when crimes occur, the experiences of, impact on, and needs of the victims, offenders, and communities;
- articulate the reasons (personal and social) why some people commit crimes;
- discuss the conflicts related to unjust punishments
- define community justice and show how it differs from criminal justice

## **COURSE TEXTS**

### **Required**

1. *American Corrections (Tenth Edition)*, Todd R. Clear, et al. (624 pages)
2. *Life Without Parole: Living and Dying in Prison Today*, Victor Hassine, Robert Johnson and Sonia Tabriz (196 pages)
3. *Locking up Our Own: Crime and Punishment in Black America*, James Forman, Jr. (320 pages)
4. *Picking Cotton: Our Memoir of Injustice and Redemption*, Jennifer Thompson-Cannino, Ronald Cotton and Erin Torneo (312 pages)
5. *The Little Book of Restorative Justice*, Howard Zehr (74 pages)

Required books are available for purchase at the Duck Store.

### **Canvas**

The course website is located on the University of Oregon's Canvas system and can be accessed by using your Duck ID as your username and corresponding password. The class syllabus, announcements and other materials will be posted on the Canvas site. Please check the course website frequently for updates.

## **COURSE POLICIES**

**Accessible Education for All Students:** The University of Oregon works to ensure inclusive learning environments for all students. We recognize that students bring a variety of learning styles to the course, and that some learning styles may require adjustment to course structure. We are happy to talk with you about such adjustments. Please be in touch with the professor if there are aspects of the instruction or design of this course that result in barriers to your participation as a result of learning style or diagnosed disability. For more information, you are also encouraged to contact the Accessible Education Center (formerly Disability Services) in 164 Oregon Hall at 346-1155 or [uoaec@uoregon.edu](mailto:uoaec@uoregon.edu).

**Inclusion and Collegiality:** Our community that values inclusion. We are committed to equal opportunities for all faculty, staff, and students to develop individually, professionally, and academically regardless of ethnicity, heritage, gender, sexual orientation, ability, socio-economic standing, cultural beliefs and traditions. We are dedicated to an environment that is inclusive and fosters awareness, understanding, and respect for diversity. If you feel excluded or threatened, please contact Associate Dean of Students Jennifer Espinola. The University Bias Response Team is also a resource that can assist you. See <http://bias.uoregon.edu> or call 541-346-2037.

**Academic Integrity:** Students are expected to demonstrate high levels of academic integrity and professionalism, and are prohibited from committing or attempting to commit any act that constitutes academic misconduct. Plagiarism and other forms of academic dishonesty will be grounds for automatic failure in the course. If you have questions about conduct please ask your instructor or review the University Student Conduct Code (available at <http://conduct.uoregon.edu>).

**Attendance:** Attendance is mandatory. See Grading Rubric for details.

**Participation:** Participation is mandatory. See Appendix 1 for details.

**Computer Use:** Computers and mobile devices cannot be used in the class unless you have a documented disability for which one is necessary. Texting and any other phone use while in class is not allowed. If you use a phone or texting device in class, I will ask you to leave class for the day and you will be marked as absent. If you are anticipating an emergency phone call, you must notify me prior to the start of class.

**Email Guidelines:** Expect a 24-hour response time for my reply to your email. Emails must be written in a professional manner with correct capitalization, grammar, and punctuation.

**What You Can Expect from me:**

- plan and facilitate learning opportunities that will help you meet the course goals and objectives
- provide constructive feedback on your performance
- be open to constructive feedback on my performance
- bring my teaching expertise and experience into the classroom
- be open-minded in responding to your ideas and suggestions
- allow you to wrestle with ideas to shape your own conclusions

## COURSE ASSIGNMENTS AND GRADING

Your grade will, in large part, be a reflection of your commitment to being present in the class (actively engaging the material and interacting with your classmates). The assigned readings are to be done prior to the class, according to the below schedule. There are approximately 150 pages of reading each week so be sure to plan your time accordingly. You need to come to class prepared to actively engage in discussions related to each reading.

Term Grade Distribution (there is no rounding up)	
A	95-100 points
A-	90-94 points
B+	87-89 points
B	83-86 points
B-	80-82 points
C+	77-79 points
C	73-76 points
C-	70-72 points
D	60-69 points
F	Below 60 points

Graduate Grade Breakdown	
Attendance	10
Participation	10
Written Assignments	30
Term Paper	40
Term Paper Presentation	10
<b>Total</b>	<b>100</b>

Undergraduate Grade Breakdown	
Attendance	10
Participation	10
Written Assignments	30
Weekly Quizzes	50
<b>Total</b>	<b>100</b>

### Grading Rubric

#### Attendance = 1 point per class

Attendance is mandatory and will be taken attendance at every class. Arriving late or leaving early may count as being absent. You are expected to come to class on time and stay until the bitter end. Please let me know before class if you need to leave early; sit near the door in order to leave unobtrusively. Please use the restroom before class or during the break to minimize class disruption.

#### Participation = Up to 10 points awarded at end of term (See Appendix 1 and 4)

I expect all students to respect other students in all of our class discussions. Active participation is the key process. As a group, we will be discussing all sorts of issues, some which may be controversial in nature. We are all—everyone involved—challenged to say what we think, even if it is not a popular point of view. For this experience to be the quality education opportunity it is meant to be, we each have to take responsibility for

the direction and depth of the discussion. While listening is vitally important and necessary to this process, sitting back to JUST listen is not acceptable. Everyone must be fully involved for this to work. **When we have guest speakers, all students will be required to bring three well-thought out questions to pose to the speaker.** In addition, you will be required to write a thank you note to the staff person conducting our jail tour.

### **Written Assignments = 10 points each (See Appendix 3, 5, 6, 7)**

There are three written assignments based on three of the course texts. See Appendix 3 for the writing requirements, and appendices 5, 6, 7 for the specific assignment. In all written assignments, exact quotes must be placed in quotation marks, and the source of the quote must be cited in full. All ideas that come from another source—other than your own thoughts--must also be cited in full. These include ideas you have paraphrased or rephrased but which originated in someone else's writing or expression. See the following guide to what constitutes plagiarism <http://libweb.uoregon.edu/guides/plagiarism/students/>.

### **Graduate Students (50 points)**

- **Term Paper = 40 points (See Appendix 3)** You will write a 20-page double spaced term paper investigating a topic related to incarceration that intrigues or interests you, combining some literature review/research, your own perspectives, and any related material we covered during the course. Your research must include a minimum of five articles or books related to your paper's subject. Include brief annotation (one to two paragraphs) for each source in your reference section. You must receive approval for your final paper topic from the course instructor.
- **Term Paper Presentation = 10 points (See Appendix 2)**  
You will give a 30-minute class presentation on your term paper.

### **Undergraduate Students (50 points)**

- **Weekly Quizzes = .20 for each correct answer**  
Quizzes will be used as tools for checking general comprehension, stimulating critical thinking and to ensure that you're keeping up with your reading. Quizzes will be multiple choice, true/false, and fill in the blanks. Points will be awarded for correct answers. Quizzes are located on Blackboard under Assignments. You will have two attempts per quiz, with the highest grade standing. No late submissions accepted. There are 7 questions in chapters 1-3, ten questions in chapters 4-15, fifteen questions in chapters 16-21, and nineteen questions in chapter 22.

### **Extra Credit = maximum 5 points**

Students may earn up to five points in extra credit. For each point of extra credit, you'll watch one of the films listed below and then write a one to two-page, double-spaced reflection on the movie or event. Extra credit reflection papers are due no later than the start of class in week 10. See Appendix 8 for approved films.

## COURSE SCHEDULE

*I reserve the right to change the schedule as necessary. Any changes will be announced in class or posted on Blackboard. You are responsible for being aware of any changes, even if you missed class.*

*AC = American Corrections*

*LWP = Life Without Parole*

*LUO = Locking up Our Own*

*PC = Picking Cotton*

*LBRJ = Little Book of Restorative Justice*

(WEEK)DATE	TOPIC	READING CHAPTERS (Quizzes on AC Readings)	QUIZ OPENS	QUIZ CLOSES 4PM	DUE
(1) Apr 2	Class Overview & Introduction		4/2	4/9	
(2) Apr 9	History, Thoughts and Practices of Corrections	AC 1, 2, 3 LWP 1-8	4/2	4/9	
(3) Apr 16	Punishment, Law, Correctional Clients	AC 4, 5, 6 LWP 9-15	4/2	4/16	
(4) Apr 23	Jails, Probation, Intermediate Sanctions	AC 7, 8, 9 LOU 1-3	4/2	4/23	Life without Parole
(5) Apr 30	Incarceration, Prison Experience, Women in Prison	AC 10, 11, 12 LOU 4-6 RPMI	4/2	4/30	
(6) May 7	Institutional Management, Programs, Release <b>LANE COUNTY JAIL TOUR</b>	AC 13, 14, 15	4/2	5/7	Locking Up Our Own
(7) May 14	<b>NO CLASS – FILM ASSIGNMENT</b> Supervision, Corrections for Juveniles	AC 16, 17 PC 1-9	4/2	5/14	
(8) May 21	Trends & Race, Ethnicity, and Corrections	AC 18, 19 PC 10-19	4/2	5/21	Graduate Presentations
(9) May 28 NO CLASS	Death Penalty & Community/Restorative Justice <b>NO CLASS – MEMORIAL DAY</b>	AC 20, 21 LBRJ (all)	4/2	5/28	
(10) Jun 4	The Future of Incarceration <b>JUVENILE DEPARTMENT TOUR</b>	AC 22	4/2	6/4	Picking Cotton; Extra Credit Due Graduate Paper

## APPENDIX 1: PARTICIPATION RUBRIC

Points Available	Far Below Standards	Satisfactory	Good	Excellent
	<b>0-0.625</b>	<b>1.25</b>	<b>1.875</b>	<b>2.5</b>
<b>Peer Interaction</b>	Virtually no interaction with peers	Limited interaction with peers	Makes a sincere effort to interact with peers (ongoing)	Actively Supports, engages and listens to peers throughout term
<b>Participation</b>	Comments vague if given at all; frequently demonstrates a lack of interest	Sometimes participates constructively in group work and class discussions, sometimes goes on auto-pilot	Participates constructively in group work and class discussion throughout the term	Plays an active, dynamic role in discussions and group work throughout the term
<b>Contributions to Class</b>	Demonstrates a noticeable lack of interest on occasion	Comments are sometimes irrelevant and/or do not advance level and depth of class dialogue	Comments in class discussions are relevant and based on assigned material, and generally help the dialogue along	Comments consistently advance level and depth of dialogue in class discussions
<b>Group Dynamics</b>	Group dynamic and level of discussion are often notably disrupted by student's presence	Group dynamic and level of discussion are sometimes disrupted by student's presence	Group dynamic and level of discussion are often enhanced, but never made less effective because of student's presence and contributions	Group dynamic and productivity are always enhanced by student's presence and contributions

## APPENDIX 2: TERM PAPER PRESENTATION RUBRIC – GRADUATE

POINTS (10):	CRITERIA			
	0	1	2	3-3.5
<b>Content</b> <i>Did the presentation have valuable material?</i>	Presentation contained little to no valuable material.	Presentation had moments where valuable material was present but as a whole content was lacking.	Presentation had a good amount of material and benefited the class.	Presentation had an exceptional amount of valuable material and was extremely beneficial to the class.
<b>Organization</b> <i>Was the presentation well organized and easy to follow?</i>	The presentation lacked organization and had little evidence of preparation.	There were minimal signs of organization or preparation.	The presentation had organizing ideas but could have been much stronger with better preparation.	The presentation was well organized, well prepared, and easy to follow.
<b>Presentation</b> <i>Did the presenters speak clearly? Did they engage the audience? Was it obvious the material had been rehearsed?</i>	Presenters were unconfident and demonstrated little evidence of planning prior to presentation.	Presenters were not consistent with the level of confidence/preparedness they showed the classroom but had some strong moments.	Presenters were occasionally confident with their presentation however the presentation was not as engaging as it could have been for the class.	Presenters were all very confident in delivery and they did an excellent job of engaging the class. Preparation is very evident.

### **APPENDIX 3: WRITTEN ASSIGNMENTS**

Papers must be double-spaced, 12 point Times New Roman font, black ink, one-inch margins all the way around. Printing on both sides of the paper is fine. Your name must be on the front page, top right corner, and your paper must be stapled. Failure to follow these requirements will negatively affect your grade.

I will use the grading standards articulated below in grading your written assignments:

*Excellent = 90% or 100% of allocated points*

Written work is presented at a mature level, organized well and carefully edited, with correct grammar, good vocabulary, and high quality of careful and informed thinking. Meets all course expectations timely and completely. Shows thorough and active grasp of concepts and demonstrates exceptional ability to synthesize course lectures and materials.

*Good = 80% of allocated points*

Written work is presented at the college level, with good grammar, vocabulary, and thought, with good command of content and organization and only a few minor flaws. Meets course expectations timely and completely. Shows good grasp of concepts and ability to synthesize course lectures and materials, but does not rise to the level of being exceptional.

*Satisfactory = 70% of allocated points*

Written work is presented at college level with adequate grammar, vocabulary, and thought, but with frequent flaws, problems with organization, weak or minimal grasp of concepts, and limited ability to synthesize the course lectures and materials.

*Minimal Credit = 60% of allocated points*

Written work is marred by serious problems of grammar, vocabulary, disorganization or unclear expression. Fails to meet basic minimum course expectations in a timely way. Grasp of concepts is incomplete or uncertain, and student does not adequately synthesize lecture and course materials.

*Far Below Standard Expectations = 0-50% of allocated points*

Written work does not achieve college level grammar, vocabulary, organization, and thought. Does not master concepts and lacks the ability to synthesize the lecture and course materials.

## APPENDIX 4: LANE COUNTY JAIL TOUR

### **MONDAY, MAY 8 – MEET AT 5:15 P.M. AT LANE COUNTY JAIL**

We will meet in the Lane County Jail downstairs lobby, 101 West 5<sup>th</sup> Avenue. Do not be late. If you are driving plan to bring change for the parking meters.

**Jail Rules: While there are bus station type property lockers just outside the main entrance (which cost .25) it is best to not bring anything other than your government-issued ID and keys for the vehicle you drove. These are prohibited items.**

1. Cell phones
2. Pocket knives
3. Any audio equipment
4. Any photographic equipment
5. Medicine (unless medically required to have on person – prescription copy required)
6. Open toed shoes
7. Head covers (caps, hats)
8. Dark eye glasses
9. Dangling jewelry/chains

**All students will be required to submit to a metal detector search and or wand. This search is very similar to an airport screening and is very sensitive. Please limit any metal objects. Shoes may need to be asked for removal and inspection in unable to pass metal detector with them on.**

#### **I will need the following for each student by Week 2 of class:**

- Last name, first name, full middle name
- Any previously used names
- DOB (yyyy/mm/dd)
- Driver's license number and issuing state
- Social Security number
- Any previous arrests

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#### **RETURN TO NATHALINE WEEK 1:**

Legal Last Name: \_\_\_\_\_

Legal First Name: \_\_\_\_\_

Legal Middle Name: \_\_\_\_\_

Any previously used names: \_\_\_\_\_

DOB (yyyy/mm/dd): \_\_\_\_\_

Driver's license and issuing state: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Any previous arrests: \_\_\_\_\_

## **APPENDIX 5: WRITTEN ASSIGNMENT – LIFE WITHOUT PAROLE**

*Life Without Parole: Living and Dying in Prison Today*  
by Victor Hassine, Robert Johnson and Sonia Tabriz

The paper shall be three pages total, no more, no less.

### **Prompt:**

Your essay needs to address the questions below. Your essay must integrate your own critical analysis and insights into the reading. This is not a book report.

1. The effects of prison crowding on both criminals and correctional administrators;
2. Compare and contrast the prisons Hassine inhabited as both living environments and as institutions of punishment;

### **Formatting:**

Assignments must be double spaced, 12 point Times New Roman font, black ink, one-inch margins all the way around. Printing on both sides of the paper is fine. Your name must be on the front page, top right corner, and your paper must be stapled. To maximize writing space, your paper should start with only one line between your name and the start of your text. Failure to follow these requirements will negatively affect your points.

### **Reminder:**

I do not accept assignments via email. All written assignments are due in class at the beginning of the class period. Late work will be accepted only at my discretion and will be marked down accordingly. If you find that you must be absent, turn in the assignment before the due date.

## APPENDIX 6: WRITTEN ASSIGNMENT – LOCKING UP OUR OWN

*Locking Up Our Own*  
James Forman Jr.

The paper shall be three pages total, no more, no less.

### **Prompt**

Your essay needs to address the questions below. Your essay must integrate your own critical analysis and insights into the reading. This is not a book report.

1. What political, cultural and social influences converged to shape tough-on-crime crime attitudes in the black community?
2. What arguments does Forman make in explaining how a majority-black jurisdiction ended up incarcerating so many of its own?

### **Formatting**

Paper must be double spaced, 12 point Times New Roman font, black ink, one-inch margins all the way around. Printing on both sides of the paper is fine. Your name must be on the front page, top right corner, and your paper must be stapled. To maximize writing space, your paper should start with only one line between your name and the start of your text. The paper shall be three-pages long, no more, no less. Failure to follow these requirements will negatively affect your points.

### **Reminder:**

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## APPENDIX 7: WRITTEN ASSIGNMENT – PICKING COTTON

### *Picking Cotton*

Jennifer Thompson-Cannino and Ronald Cotton

#### **Prompt**

Your essay needs to address the questions below. Your essay must integrate your own critical analysis and insights into the reading. This is not a book report.

1. Were you surprised by how easily Ronald Cotton was convicted?
2. Did Picking Cotton change any opinions you held about the criminal justice system?
3. How do you think Ronald was able to forgive Jennifer?

#### **Formatting**

Paper must be double spaced, 12 point Times New Roman font, black ink, one-inch margins all the way around. Printing on both sides of the paper is fine. Your name must be on the front page, top right corner, and your paper must be stapled. To maximize writing space, your paper should start with only one line between your name and the start of your text. The paper shall be three-pages long, no more, no less. Failure to follow these requirements will negatively affect your points.

#### **Reminder:**

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## **APPENDIX 8: EXTRA CREDIT—APPROVED FILMS**

### **A Hard Straight (74 minutes)**

A gang member, a mother, and a small-time dealer. They served their sentences, they're on parole. Now they're about to discover that walking out the prison gates is just the beginning. A Hard Straight is a documentary about doing time on the outside. A Hard Straight tells the story of what it is really like for a person to make the radical transition from prison life to society. The film interweaves the stories of two men and one woman as they begin to construct new lives on the outside. We see them from the ecstatic moment of their first taste of freedom, to the inevitable frustrations, joys, and banality of life outside of prison. And finally, we see the people in either a successfully established life on the outside or a return to prison.

### **Central Park Five (2 hours)**

Filmmakers Ken Burns, Sarah Burns and David McMahon examine a 1989 case of five teenagers who were wrongfully convicted of raping a woman. After they had spent from six to 13 years in prison, a serial rapist confessed to the crime.

### **Cruel and unusual (transgender women in prison) (65 minutes)**

A documentary about transgender women convicted and incarcerated in men's prisons in the United States. Interviews with lawyers and prison custodians reveal the level of violence these women have to face from the inmates, as well as from the authorities which do not recognize their condition as a medical disorder.

### **Dead Man Walking (2 hours, 2 minutes)**

As death row inmate Matthew Poncelet (Sean Penn) nears his execution date, he calls upon Sister Helen Prejean (Susan Sarandon) to help him with one last appeal, maintaining that he is innocent of the murders of a young couple. Poncelet begins to form a bond with Prejean, and she visits both his family and the relatives of the victims, hoping to learn more about the case. As things begin to look bleak for Poncelet, Prejean does all that she can to comfort and console the hardened convict.

### **Guilty Except for Insanity (85 minutes)**

In Guilty Except for Insanity, Director and Professor of Psychology Jan Haaken goes behind the walls of the Oregon State Hospital, the location of One Flew Over the Cuckoo's Nest, and recounts the stories of real patients who enter this famous hospital for the "criminally insane." Their stories reveal the craziness of an American System where one must commit a crime to receive psychiatric help. The documentary probes this maddening world and uncovers deeper psychological truths about the human need for care and connection, as well as for freedom.

### **Life of David Gale (2 hours, 10 minutes)**

David Gale (Kevin Spacey) is a man who has tried hard to live by his principles but in a bizarre twist of fate, this devoted father, popular professor and respected death penalty opponent finds himself on Death Row for the rape and murder of fellow activist Constance Hallaway (Laura Linney). With only three days before his scheduled execution, Gale agrees to give reporter Bitsey Bloom (Kate Winslet) the exclusive interview she's been chasing

### **Shawshank Redemption (2 hours, 22 minutes)**

Andy Dufresne (Tim Robbins) is sentenced to two consecutive life terms in prison for the murders of his wife and her lover and is sentenced to a tough prison. However, only Andy knows he didn't commit the crimes. While there, he forms a friendship with Red (Morgan Freeman), experiences brutality of prison life, adapts, helps the warden, etc., all in 19 years

**Sin by Silence (49 minutes)**

Women incarcerated in the California Institution for Women advocate for a future free of domestic violence.

**The Farm: Life Inside Angola Prison (1 hour, 28 minutes)**

Liz Garbus and Jonathan Stack co-directed this documentary, which explores life behind the bars of Louisiana's notorious maximum-security prison, Angola. Stationed on an old slave plantation, Angola is populated overwhelmingly by black inmates, and staffed by a white administration. The stories of various inmates convey the injustice and futility but also the hope that is part of prison life. A prisoner puts forth exonerating evidence to the parole board, and another speaks prior to execution.

**The House I Live In (110 minutes)**

A call to national conscience, the activist documentary “The House I Live In” is persuasively urgent.

Directed with heart by Eugene Jarecki, the movie is an insistently personal and political look at the war on drugs and its thousands of casualties, including those serving hard time for minor offenses. It is, Mr. Jarecki asserts — as he sifts through the data, weighs the evidence and checks in with those on both sides of the law — a war that has led to mass incarcerations characterized by profound racial disparities and that has created another front in the civil rights movement.

**Sentence for Two (58 minutes)**

Christina, Trisha and Kristin are pregnant, and are facing years behind bars. Their newborns will face an uncertain future. The three women share the personal details of their pregnancies, incarceration and deliveries as they struggle with the agonizing search for safe and healthy homes for their babies — and as one plan after another falls apart. A fourth inmate, Tangerine, adds the perspective of someone who has already been through it.

**Concrete Steel and Paint (55 minutes)**

CONCRETE, STEEL & PAINT tells the complex story of men in prison, victims of crime, and an artistic partnership that helps break down barriers between them. As prisoners, victims, and victim advocates collaborate on a mural about healing from crime, their views on punishment, remorse and forgiveness collide, sometimes harshly. But as the project progresses, mistrust begins to give way to surprising moments of human contact and common purpose. The project challenges both sides to recognize and respect each other’s essential humanity and worth – a small, but significant step toward a more healing and restorative form of justice. In telling this story, the film raises important questions about crime, justice and reconciliation - and dramatically illustrates the power of art as a catalyst to facilitate dialogue about these difficult issues.

**Beyond conviction (victim offender mediation) (97 minutes)**

Beyond Conviction follows three pairs of survivors and perpetrators as they go through this emotionally intense program. This powerful documentary provides a rare glimpse into the lingering pain, questions and regrets for both sides and reveals the bold and difficult path to redemption and reconciliation.

**13th (100 minutes)**

Filmmaker Ava DuVernay explores the history of racial inequality in the United States, focusing on the fact that the nation's prisons are disproportionately filled with African-Americans.