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Introduction

This Instructor's Resource Guide (IRG) to accompany the tenth edition of Criminal Justice Today by Frank Schmalleger is designed to make your job more manageable. It provides a comprehensive summary of the information in the textbook and is organized so that you can use the IRG as an easy-access reference to the issues presented in the textbook and to complementary materials. This will help to make your teaching more effective. Here we provide the links from the textbook to the various supplements included in the Schmalleger package. It would be difficult for you to take advantage of the large number of learning supplements if we did not provide you with an effective road map. This resource guide is that road map.

The chapters of the resource guide correspond directly to the textbook chapters. Each chapter of the IRG has the following sections:

**Outline**   This is the same general outline as found at the beginning of each chapter in the text.

**Learning Objectives**   This section provides a list of overall learning objectives for each chapter. The objectives listed here also appear in the Student Study Guide (SSG).

**Chapter Summary**   Each chapter summary, also provided in the Student Study Guide, highlights the main points of the chapter. It includes definitions, significant cases, and important research findings. Encourage students to read the summary in the SSG before they read the chapter in the textbook, and then have them read the summary again immediately after they have read the chapter in the textbook. Doing so will reinforce their understanding and comprehension of the material.

**Teaching Outline**   The teaching outline is a detailed description of the information in each chapter of the textbook. We highlight the main topics, describe the information briefly, and provide reminders of the examples used in the textbook. In addition, all of the key terms and key cases discussed in the textbook are provided in the appropriate places in the lecture outline; they are also in the Student Study Guide. Instructional Cues are woven into each chapter’s teaching outline. They suggest points to emphasize, extra materials to include, or strategies to further discuss an issue. Also included are Instructional Cues Linked to the SSG, which use the activities of the Student Study Guide.

**Learner Activities**   The IRG contains the learner activities that appear in the Student Study Guide for each textbook chapter. You can assign these activities as homework, extra-credit activities, or research projects. Some of the activities are essay questions which require students to think more deeply about the issues.

**Learning Activities Utilizing the World Wide Web**   There are additional activities for teaching that are similar to those in the Student Study Guide, which can be used in the classroom or as out-of-class assignments. These activities (1) help students appreciate the depth of justice-related information available at their fingertips, (2) provide virtual tours of noted criminal justice agencies, (3) facilitate exploration of the wide diversity of opinion surrounding justice issues in today’s world, and (4) expand on the material covered in the textbook. Finally, there is an additional list of websites that are related to the chapter topic.
Suggested Answers to Questions for Review and Suggested Answers to Questions for Reflection  *Criminal Justice Today* contains end-of-chapter questions for review and reflection. Although students’ personal opinions may play a role in their answers to these questions, most responses can be assessed in terms of basic information and common themes found throughout the textbook. Here we suggest some answers to each of the discussion questions, keeping in mind the main points of the chapter.

**Key—Student Study Guide Questions** The *Student Study Guide* contains 30 multiple-choice, true-or-false, and short-answer questions for each chapter. This section in the IRG includes those questions and the answers.

**Key—Crossword Puzzle and Word Search** At the end of each chapter of the *Student Study Guide*, there is a crossword puzzle and a word search puzzle. We provide these puzzles as a fun way to test students’ comprehension; the wording of the clues doesn’t always echo the language of the textbook but expresses the concepts students must identify. The puzzles with their answers are in the last section of each chapter of the IRG.

In Appendix A, you will find Popular Media in the Classroom. There are so many resources from which to choose in current popular media. In this section of the IRG are suggestions, grouped by chapter, from which you can choose as you prepare for your classroom teaching. The list of media can be endless! The challenge remains only in choosing the best media, from those that are relevant to the topic, to support your teaching.

Appendix B of this guide, “Teaching with ABC News DVDs,” includes suggestions for use by chapter, a summary, and discussion prompts. There are also websites that can be accessed for further information on the topic.

Appendix C has information about using the PowerPoint presentation, accessing *Criminal Justice Today* websites, and using the *Time* magazine supplement. Appendix D is the Constitution of the United States.

We hope that the materials in this resource guide are useful and contribute to your enjoyment of teaching about criminal justice today.

If you have any suggestions on how this *Instructor’s Resource Guide* can be more helpful to you, please send your comments to:

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The Justice Research Association
The following is a sample syllabus that can be used with *Criminal Justice Today*, tenth edition. In general, a syllabus should contain information about the course (name, number, section, location, and meeting times), the instructor (name, contact information, office hours, and office location), and course materials (required readings, course description, assignments, grading, other class policies, and a reading schedule).

**Syllabus: Fall 2009**

**Course Information**

Course Name: Introduction to Criminal Justice  
Course Number: CJ110  
Section Number: 0003  
Meeting Times: Tuesday and Thursday 9:30–11 A.M.  
Meeting Location: Dickson Hall 242

**Instructor Information**

Instructor Name: Melina Grace, Ed.D.  
Office Location: Fusselman Hall 103  
Office Hours: Monday and Wednesday, 11 A.M.–1 P.M.  
Telephone Number: 000-876-500  
E-mail Address: mgrace@university.com

**Course Materials**

Required Readings


**Course Description**

This course provides an introduction to the criminal justice system. The primary goal of this course is to develop a general understanding of the criminal justice system's response to crime in society. It is important to note that the general theme of this course involves the delicate balance between community interests and individual rights that criminal justice decision-making requires. We will explore this theme by examining the criminal justice process in some detail, focusing on how the system is structured to respond to crime. This requires an understanding of the core elements of the criminal justice system: police, courts, and corrections.

We will explore the criminal justice system in five parts.

**Part 1** In Part 1 we will examine crime in America. We will briefly touch on the basic functions of each component of the criminal justice system, discuss
the definition of crime and different kinds of crime, and then explore the
causes of crime.

**Part 2** This part of the course will focus on the beginning stages of the
criminal justice process, exploring policing and police decision making. We
will explore the history and structure of policing, police management, and
legal aspects of policing.

**Part 3** This section of the course will address adjudication. Here we will
explore the operation of the court system by examining the courtroom work
group, all stages of the court process, and progression of cases through the
system.

**Part 4** This section of the course will explore corrections. We will discuss
probation, parole, community corrections, prisons, and jails. We will also give
considerable attention to life in male and female institutions.

**Part 5** In the final section of the course, we will examine special criminal
justice issues. These issues include juvenile justice, drugs and crime, multi-
national criminal justice, and the future of criminal justice.

**Course Requirements**

- Five Examinations (100 points each)
- Ten Homework Assignments (20 points each)
- Attendance and Participation (50 points)

**Grading Scale**

It is very important that you describe clearly the method you will use to assign
grades. If you prefer using a straight percentage scale (e.g., 90%, 80%, etc.), be sure
to highlight the point totals that fall above and below each cutoff. Similarly, if you
assign plus and minus grades, it is best to state the distribution completely. Finally,
you should include information on whether you use a curve to assign examination
or final grades.

**Description of Course Requirements**

**Examinations** There will be five multiple-choice and true-or-false exami-
nations. We will have an examination after we complete each part of the
course. There will be 50 questions on an examination (each question will be
worth two points), and the examination will cover materials presented in lec-
tures and the textbook.

**Homework Assignments** Each chapter of the *Student Study Guide* has
four student activities and an Internet activity, which involve analyzing the
information provided in the textbook. You should have at least two of these
activities completed before we finish that chapter. I will randomly collect ten
of these activities during the course of the semester. Each assignment will be
worth up to 20 points. (*Note:* If you prefer not to use this “pop quiz” method,
you can assign the activities that suit your teaching style and your class.)

**Attendance and Participation** A portion of your final grade will be
based on your attendance and participation in the class. Read the textbook
before class, and be prepared to ask and answer questions.

**Policies and Procedures**

Policies are discretionary items, but often a written statement is an effective way to
avoid ambiguity and problems. Policies and procedures you might address in this
section include attendance, make-up examinations or missed assignments, participa-
tion, academic integrity, and classroom civility.
# Course Reading Schedule

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Supplements

Instructor Supplements

Instructor's Resource Guide
Instructor's Resource Guide*
(download only)
TestGen* (download only)
Instructor's Resource CD with PowerPoints and TestGen
PowerPoints* (download only)
Test Item File for BlackBoard* (download only)
Test Item File for WebCT* (download only)
Classroom Response System PowerPoints*
(download only)
ABC News/PH Video Library

*Files also available at the Instructor's Resource Center, www.prenhall.com/irc

Student Supplements

Student Study Guide
Careers in Criminal Justice CD-ROM
Ethics in Criminal Justice CD-ROM
CJ Simulations CD-ROM
CJ Student Writer's Manual, 4/e
CJ Pocket Dictionary
CJ Systems Chart Poster
DNA Evidence CD-ROM
Crime Time DVD
The Cybrary Online Research Portal

State Specific Supplements

CHAPTER 1

What Is Criminal Justice?

CHAPTER OUTLINE

- Introduction
- A Brief History of Crime in America
- The Theme of This Book
- Social Justice
- American Criminal Justice: System and Functions
- American Criminal Justice: The Process
- Due Process and Individual Rights
- The Role of Research in Criminal Justice
- Multiculturalism and Diversity in Criminal Justice

LEARNING OBJECTIVES

After reading this chapter, you should be able to

- Provide a brief history of crime in America.
- Identify the theme on which this textbook builds and highlight the differences between the individual-rights and public-order perspectives.
- Explain the structure of the American criminal justice system in terms of its major components and the functions they serve.
- Describe the process of American criminal justice, including the stages of criminal case processing.
- Explain the meaning of due process of law, and identify where due process guarantees can be found in the American legal system.
- Describe the role of research in contemporary criminal justice.
- Explain how multiculturalism and diversity present special challenges to, and opportunities for, the American system of criminal justice.
Chapter 1 discusses several important issues. First, it highlights how the American experience with crime during the last half century has significantly shaped the criminal justice system of today. Second, it describes the major theme of the book. Third, it discusses the issues of justice and social justice. Fourth, it describes how the criminal justice process functions as a system. Fifth, it provides an overview of the textbook and criminal case processing. Sixth, it discusses the principle of due process. Seventh, it discusses the study of criminal justice as an academic discipline and explains the differences between criminology and criminal justice. Finally, it explains how multiculturalism presents unique challenges and opportunities for the criminal justice system.

The author describes the major theme that will be revisited throughout the textbook. This theme, individual rights versus public order, provides a framework for thinking about difficult criminal justice issues. This framework involves balancing individual rights (i.e., the right of individuals to be protected from overzealous and intrusive government agents) against community interests (i.e., the right of society to feel secure from crime). Individual rights and community interests are delicately balanced in our criminal justice system. When a movement is made to expand individual rights, such as in the 1960s, community interests are affected. Conversely, and more recently, as community interests have expanded, individual rights have been limited. To help put these “shifts of the pendulum” in perspective, this chapter discusses a series of celebrated cases, like the Oklahoma City bombing and the September 11, 2001, attacks. The way one balances these two competing interests revolves around each person's conception of justice. What is fair? Can the system be fairer? Everyone—including politicians, victims, defendants, police officers, prosecutors, and judges—attempts to balance individual and community interests, which affects how justice is applied. Individuals who prefer to protect freedoms and liberties are called individual-rights advocates. Individuals who believe that the interests of society should take precedence over liberties are called public-order advocates. It is important to realize that (1) understandings of justice are different for everyone and (2) our definitions are molded by our life experiences. Social justice is defined as embracing all aspects of civilized life and is linked to fundamental notions of fairness and to cultural beliefs about right and wrong.

The criminal justice system is the mechanism in place for meting out justice when violations of criminal law occur. Yet does the criminal justice system function as a system? Supporters of a consensus model of justice say yes. This model argues that the system is predictable, that there is a high level of cooperation among agencies and individuals in the system, and that the components of the system—police, courts, and corrections—operate without conflict. Conversely, the conflict model of criminal justice views the operation of these components from a different perspective. Supporters of this model argue that the goals of criminal justice agencies and the individuals working within them differ, and that the system's processes are affected by outside influences such as political pressure, informal arrangements, media coverage of high-profile cases, and discretion.

Both models have some value in helping understand the operation of the criminal justice system. There are times when the agencies of criminal justice work closely together, representing a consensus model. For example, when criminal justice crises arise, such as when the federal building in Oklahoma City was bombed or the World Trade Center and the Pentagon were attacked, all components were focused on similar goals. However, at other times, the goals of each agency conflict. For example, a prosecutor may want police officers to crack down on juvenile crime. Police officers, however, may feel that other crimes, perhaps drunk driving, should take priority.

The author provides an overview of the book and introduces you to the stages in the justice process. It is important that you familiarize yourself with these stages.
In general the criminal justice process starts when a citizen (victim or witness) calls the police to report a crime. The police are responsible for conducting the investigation, making an arrest (if they can establish probable cause), and booking the suspect. The court process begins when this suspect appears before a judge at the first appearance. Here, the judge decides what should be done with the suspect pending the outcome of the case. A grand jury or preliminary hearing will then be conducted to determine whether the criminal justice process should continue. An information can result from a preliminary hearing, and an indictment can result from a grand jury hearing. The suspect then will be arraigned on the charges. A trial will be held, and if the person is found (or pleads) guilty, then sentencing occurs. It is then the responsibility of the corrections component of the criminal justice system to carry out the sentence.

This chapter also discusses Herbert Packer’s two models of the criminal justice system. The first model is the crime-control model, which prioritizes efficiency in order to maintain social order. In contrast, Packer’s due process model prioritizes individual rights and protection of innocent citizens. In addition, it highlights how the academic discipline of criminal justice has become increasingly professional.

Teaching Outline

I. Introduction (p. 6)
   • Recent events such as Hurricane Katrina (August 29, 2005) and the terrorist attacks of September 11, 2001, have had a major impact on society. Highlight the role that the criminal justice system has in responding to crime associated with these events.
   • Discuss the meaning of crime, and highlight the role that the criminal justice system has in responding to crime.

II. A Brief History of Crime in America (p. 7)

Individual Rights  The rights guaranteed to all members of American society by the U.S. Constitution (especially those found in the first ten amendments to the Constitution, known as the Bill of Rights). These rights are particularly important to criminal defendants facing formal processing by the criminal justice system. (p. 8)

INSTRUCTIONAL CUE

A good strategy to help students understand the dichotomy of individual-rights advocates and public-order advocates is to hold a debate in class. Divide the class in half and assign one half to be individual-rights advocates and the other to be public-order advocates. A good issue for them to take a position on is drunk driving. Explain to students how the criminal justice system’s response to drunk driving has evolved significantly during the last 30 years. Emphasize that drunk driving was virtually ignored in the 1970s; when an incident came to the attention of the criminal justice system, either it would be ignored or the drunk driver would receive a short sentence. Today drunk driving is considered a serious crime and is given high priority in many cities. Ask the half of the class that represents the individual-rights advocates to argue that the new emphasis on drunk driving is excessive. Ask the half of the class viewing the issue as public-order advocates to provide reasons that strict enforcement of drunk-driving laws is a reasonable criminal justice response.
INSTRUCTIONAL CUE LINKED TO THE STUDENT STUDY GUIDE

Use Student Activity 1 in the Student Study Guide to highlight the differences between individual-rights advocates and public-order advocates. This is a good activity to generate class discussion. After students have completed this assignment, ask the group to identify the strategies they would use to respond to terrorism. After you have a good list of various strategies, ask the students which ones are consistent with public-order advocates and which are consistent with individual-rights advocates. For example, a public-order advocate might recommend increasing the length of sentences for terrorists. On the other hand, an individual-rights advocate might be concerned about the impact that the USA PATRIOT Act will have on civil liberties.

INSTRUCTIONAL CUE LINKED TO THE STUDENT STUDY GUIDE

Use the second student activity in the Student Study Guide to illustrate the difficulties of balancing individual and community rights. This could be either an in-class writing assignment or a homework assignment. After students complete this assignment, use the exercise to generate discussion. First, brainstorm with the students to generate various definitions of justice. For example, you might have several students write their definitions of justice on a board or transparency. Second, generate discussion about the case provided in the Student Study Guide. You might want to refresh their memories on the facts of the case. Ask students whether the sentence was just. Then change the situation. For example, explain how Dale Parak had an extensive criminal record, including a prior murder conviction (he served 14 years for this conviction). Was the sentence just? Or tell them that Dale Parak also had cancer and had about two years to live. Was the sentence just?

- Provide students with a historical perspective of crime in the last half century. An effective way to highlight the changes is to simply provide a timeline of critical events—those discussed in this section. Discuss the importance of these high-profile cases and how they influence public understanding of criminal justice. Ask students what other high-profile crime events they remember.
- Engage students in a discussion of why crime and criminal justice are such important political issues. Ask them how the political process can be influenced by high-profile media events, such as any of the incidents discussed at the beginning of the chapter. Discuss the September 11 attacks with students, and then describe how politicians responded by enacting the USA PATRIOT Act of 2001.

USA PATRIOT Act of 2001 A federal law (Public Law 107-56), enacted in response to terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001. The law, officially titled the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act, substantially broadens the investigative authority of law enforcement agencies throughout America and is applicable to many crimes other than terrorism. The law was slightly revised and reauthorized by Congress in 2006. (p. 10)

III. The Theme of This Book (p. 10)

- Discuss the major focus of the book, which is the recognition by society of the need to balance (1) the rights of individuals faced with criminal prosecution against (2) the valid interests of society in preventing crimes and in reducing the harm caused by criminal activity (individual rights versus public order).
- Highlight the key differences between individual-rights advocates and public-order advocates.
**Individual-Rights Advocate**  One who seeks to protect personal freedoms within the process of criminal justice. (p. 12)

**Public-Order Advocate**  One who believes that under certain circumstances involving a criminal threat to public safety, the interests of society should take precedence over individual rights. (p. 12)

IV. Social Justice (p. 13)
- Discuss justice, and ask students what justice means to them.

**Justice**  The principle of fairness; the ideal of moral equity. (p. 15)
- Explain the differences between criminal justice and social justice. Contrast the focus of criminal justice (violations of the criminal law) and civil justice (fairness in relationships among citizens, government agencies, and businesses in private matters).

**Social Justice**  An ideal that embraces all aspects of civilized life and that is linked to fundamental notions of fairness and to cultural beliefs about right and wrong. (p. 15)

**Civil Justice**  The civil law, the law of civil procedure, and the array of procedures and activities having to do with private rights and remedies sought by civil action. Civil justice cannot be separated from social justice because the kind of justice enacted in our nation's civil courts is a reflection of basic American understandings of right and wrong. (p. 15)

**Criminal Justice**  In the strictest sense, the criminal (penal) law, the law of criminal procedure, and the array of procedures and activities having to do with the enforcement of this body of law. Criminal justice cannot be separated from social justice because the kind of justice enacted in our nation’s criminal courts is a reflection of basic American understandings of right and wrong. (p. 15)
- Discuss the concept of the administration of justice and stress justice as the ultimate goal of criminal justice.

**Administration of Justice**  The performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or other criminal offenders. (p. 15)

V. American Criminal Justice: System and Functions (p. 16)
A. The Consensus Model (p. 16)
- Explain the criminal justice system in terms of its component subsystems: law enforcement, courts, and corrections.

**Criminal Justice System**  The aggregate of all operating and administrative or technical support agencies that perform criminal justice functions. The basic divisions of the operational aspects of criminal justice are law enforcement, courts, and corrections. (p. 16)

**Consensus Model**  A criminal justice perspective that assumes that the system’s subcomponents work together harmoniously to achieve the social product we call justice. (p. 17)

B. The Conflict Model (p. 17)
- Stress that the consensus model envisions the subcomponent agencies as all functioning in order to achieve the goal of justice and the conflict model envisions the components as serving their own interests.
Conflict Model  A criminal justice perspective that assumes that the system's components function primarily to serve their own interests. According to this theoretical framework, justice is more a product of conflicts among agencies within the system than it is the result of cooperation among component agencies. (p. 17)

INSTRUCTIONAL CUE
An effective way to illustrate differences between the consensus and conflict models is to discuss the criminal justice system in general and in specific terms. In general, the goals of the system include responding to crime in society, fairness, and justice. One could argue that the subcomponents are in consensus by including these general goals as part of their mandate. However, the subcomponents also approach these goals in very different ways; thus, there is conflict. Police focus on putting people behind bars; a prosecutor is willing to plea-bargain to increase the efficiency of the system, frequently resulting in the release of convicted offenders to the community; and correctional institutions are concerned with overcrowded facilities.

INSTRUCTIONAL CUE LINKED TO THE STUDENT STUDY GUIDE
Use Student Activity 3 in the Student Study Guide to help illustrate the disagreement in goals that is characteristic of the conflict model. This activity can be a class project or a group assignment. It is a good assignment to help students understand the conflict and consensus models better, and they will also gain a broader appreciation for the various activities of the system.

VI. American Criminal Justice: The Process (p. 17)
A. Investigation and Arrest (p. 18)

INSTRUCTIONAL CUE
Use a hypothetical couple and criminal activity to walk through the criminal justice process. For example, John (20 years old) and Jane (14 years old) rob a liquor store. Discuss the likelihood that because Jane is a juvenile she will be processed through the juvenile justice system (discussed at length in Chapter 15). John Doe, however, will be processed in the adult system.

- Explain arrest warrants.

Warrant  In criminal proceedings, a writ issued by a judicial officer directing a law enforcement officer to perform a specified act and affording protection from damages if he or she performs it. (p. 18)

- Present a short history of limits to freedom when arrested and the resultant U.S. Supreme Court decision, *Miranda v. Arizona*.

1. Booking

Booking  A law enforcement or correctional administrative process officially recording an entry into detention after arrest and identifying the person, the place, the time, the reason for the arrest, and the arresting authority. (p. 18)

B. Pretrial Activities (p. 18)

1. First Appearance

- Explain how the court process begins, and discuss what occurs at the first appearance. Discuss the bail process.

Bail  The money or property pledged to the court or actually deposited with the court to effect the release of a person from legal custody. (p. 18)

2. Preliminary Hearing
Preliminary Hearing  A proceeding before a judicial officer in which three matters must be decided: (1) whether a crime was committed, (2) whether the crime occurred within the territorial jurisdiction of the court, and (3) whether there are reasonable grounds to believe that the defendant committed the crime. (p. 19)

Probable Cause  A set of facts and circumstances that would induce a reasonably intelligent and prudent person to believe that a particular other person has committed a specific crime. Also, reasonable grounds to make or believe an accusation. Probable cause refers to the necessary level of belief that would allow for police seizures (arrests) of individuals and full searches of dwellings, vehicles, and possessions. (p. 19)

3. Information or Indictment
   • Explain the difference between an indictment and an information.

Indictment  A formal written accusation submitted to the court by a grand jury, alleging that a specified person has committed a specified offense, usually a felony. (p. 19)

Information  A formal written accusation submitted to a court by a prosecutor, alleging that a specified person has committed a specified offense. (p. 19)

Grand Jury  A group of jurors who have been selected according to law and have been sworn to hear the evidence and to determine whether there is sufficient evidence to bring the accused person to trial, to investigate criminal activity generally, or to investigate the conduct of a public agency or official. (p. 19)

4. Arraignment

Arraignment  Strictly, the hearing before a court having jurisdiction in a criminal case, in which the identity of the defendant is established, the defendant is informed of the charge and of his or her rights, and the defendant is required to enter a plea. Also, in some usages, any appearance in criminal court prior to trial. (p. 20)

C. Adjudication (p. 20)
   • Introduce the concept of precedent as understandings built up through common usage and also as decisions rendered by courts in previous cases.

Trial  In criminal proceedings, the examination in court of the issues of fact and relevant law in a case for the purpose of convicting or acquitting the defendant. (p. 20)

D. Sentencing (p. 20)
   • Discuss the difference between consecutive and concurrent sentences.

Consecutive Sentence  One of two or more sentences imposed at the same time, after conviction for more than one offense, and served in sequence with the other sentence. Also, a new sentence for a new conviction, imposed upon a person already under sentence for a previous offense, which is added to the previous sentence, thus increasing the maximum time the offender may be confined or under supervision. (p. 21)

Concurrent Sentence  One of two or more sentences imposed at the same time, after conviction for more than one offense, and served at the same time. Also, a new sentence for a new conviction, imposed upon a person already under sentence for a previous offense, served at the same time as the previous sentence. (p. 21)
E. Corrections (p. 21)
   • Discuss sentencing options.
      1. Probation and Parole

INSTRUCTIONAL CUE LINKED TO THE STUDENT STUDY GUIDE

Use Student Activity 4 in the Student Study Guide to help illustrate the stages of the criminal justice process.

VII. Due Process and Individual Rights (p. 21)

Due Process A right guaranteed by the Fifth, Sixth, and Fourteenth Amendments of the U.S. Constitution and generally understood, in legal contexts, to mean the due course of legal proceedings according to the rules and forms established for the protection of individual rights. In criminal proceedings, due process of law is generally understood to include the following basic elements: a law creating and defining the offense, an impartial tribunal having jurisdictional authority over the case, accusation in proper form, notice and opportunity to defend, trial according to established procedure, and discharge from all restraints or obligations unless convicted. (p. 21)

   A. The Role of the Courts in Defining Rights (p. 22)
      B. The Ultimate Goal: Crime Control through Due Process (p. 23)

Crime-Control Model A criminal justice perspective that emphasizes the efficient arrest and conviction of criminal offenders. (p. 23)

Due Process Model A criminal justice perspective that emphasizes individual rights at all stages of justice system processing. (p. 23)

INSTRUCTIONAL CUE

A good way to illustrate the due process model is by discussing a case of a defendant who was wrongfully convicted. Highlight how DNA technology has assisted law enforcement on the one hand but also helped innocent people who were convicted. You could also discuss the case of Rubin “Hurricane” Carter, who is the subject of the movie The Hurricane.

Social Control The use of sanctions and rewards within a group to influence and shape the behavior of individual members of that group. Social control is a primary concern of social groups and communities, and it is their interest in the exercise of social control that leads to the creation of both criminal and civil statutes. (p. 24)

INSTRUCTIONAL CUE

Provide a list of criminal justice issues, for example, habitual offender statutes such as three-strikes laws, the Miranda warnings, the exclusionary rule, mandatory domestic violence arrests, speedy trials, police crackdowns, drunk-driving roadblocks, and providing of attorneys to indigents. Discuss whether each issue is more consistent with the due process model or the crime-control model.

VIII. The Role of Research in Criminal Justice (p. 24)

   • Explain the differences between criminal justice (p. 15) and criminology.

Criminology The scientific study of the causes and prevention of crime and the rehabilitation and punishment of offenders. (p. 24)

   • Discuss the study Preventing Crime: What Works, What Doesn’t, What’s Promising by Larry Sherman.
IX. Multiculturalism and Diversity in Criminal Justice (p. 25)
- Define multiculturalism, and highlight the importance of multiculturalism to criminal justice processes.

**Multiculturalism** The existence within one society of diverse groups that maintain unique cultural identities while frequently accepting and participating in the larger society’s legal and political system. Multiculturalism is usually used in conjunction with the term *diversity* to identify many distinctions of social significance. Adapted from Robert M. Shusta et al., *Multicultural Law Enforcement*, 2d ed. (Upper Saddle River, NJ: Prentice Hall, 2002), p. 443. (p. 26)

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**Learner Activities**

**Activity 1**

One of the most important issues faced by the criminal justice system is how best to respond to terrorism. Since the attacks of September 11th, the public believes that terrorism is a significant threat in the United States. What do you think? Answer questions in the space provided below. You may want to look at the following websites for background information: Prentice Hall’s Criminal Justice Cybrary at http://www.cybrary.info has an extensive collection of articles on terrorism posted; also the National Criminal Justice Reference Service, at http://www.ncjrs.org, has information on terrorism.

1. Is terrorism a serious problem in this country? Why or why not?

2. What five things can the criminal justice system do to respond to terrorism?

3. Of the five items you cited, which one do you think might be most effective? Why?
Activity 2

What is your definition of justice? Consider the facts of the following case:

Dale and Mike Parak were twin brothers and best friends. They spent their entire lives looking out for each other's interests. When growing up, the two were inseparable. They played sports together, double-dated frequently, and attended the same university. They grew closer as they aged, they got married at about the same time, and eventually both were divorced. After they retired from their jobs, they decided to live together to save money and because they still enjoyed each other's company.

When he was 70 years old, Mike was diagnosed with cancer. Doctors predicted that he had about six months to live. The brothers, however, agreed that Mike should not suffer. Mike and Dale wrote and signed a note stating that they decided to commit suicide. Dale broke 20 tranquilizers into Mike's evening meal and watched as he ate it. Yet when Dale checked on Mike one hour later, Mike was still alive. Dale panicked. He took a .38-caliber revolver from his desk and shot Mike, killing him instantly. Dale then went into the kitchen and took a handful of tranquilizers. He did not die. He awoke the next morning as somebody pounded on the front door. It was a neighbor who, seeing that Dale was dazed and confused, decided to call an ambulance and the police.

The responding police officer conducted an investigation, and Dale was arrested and charged with the murder of his brother, Mike. The prosecutor, although noting it to be a difficult case, pursued the case because she thought no citizen had the right to decide when someone should die. Dale Parak pled guilty to first-degree manslaughter and was sentenced to five years in a maximum-security prison. (Note that this was the lowest sentence that could be given to a defendant convicted of his crime.)

1. According to the definition of justice you provided, was this sentence just? Why or why not?
2. If you were the prosecutor in this case, would you have charged Dale Parak? Why or why not?

3. If you were the judge in this case, how would you have sentenced Dale Parak? Why?

Activity 3

An effective way for you to understand the conflict of goals that is characteristic of the different criminal justice components is to talk to criminal justice professionals about their priorities and expectations. This assignment requires you to interview at least one representative of law enforcement, one of the court, and one of a correctional agency. For example, you could interview a police officer, a prosecuting attorney, and a corrections officer. Or you could interview a sheriff's deputy, a judge, and a probation officer. Any combination of representatives would be fine. Prepare questions in advance to find out about the background characteristics of these individuals, why they chose their careers, and the types of activities they do in a typical day. Finally, ask them about the organization's goals. For example, you could ask: What would you say are the five most important goals of this organization?

When you complete your interviews, discuss what you discovered in the space below. Did the three people you interviewed have the same goals? If so, were these goals prioritized in the same manner?
Activity 4

Crime and justice are subjects that are frequently presented on television. Prime-time television shows, soap operas, music videos, and cartoons often portray images of crime and criminal justice.

In the space below, list at least three television shows that you have seen that depict the police, courts, and correctional components of the criminal justice system (three television shows for each component). How do these shows present each component? Are the images positive or negative? What stages of the process are depicted? Do you think these images are fair representations of criminal justice? Why or why not?

Internet Activity

Visit the National Consortium for the Studies of Terrorism and Responses to Terrorism website at http://www.start.umd.edu/. Read one of the research briefs posted under the publications tab. Provide a summary of the findings from the research discussed.

Distance Learning Activity

Visit the World Wide Web or Prentice Hall's Criminal Justice Cybrary at http://www.cybrary.info to collect information on the criminal justice system's response to terrorism after the World Trade Center and Pentagon attacks. Find at least one article that highlights individual-order concerns and one that highlights public-order concerns. After you have completed the assignment, participate in a class discussion to compare and contrast the findings from the different essays if your instructor asks you to do so.
Learning Activities Utilizing the World Wide Web

There are student-based activities in the Student Study Guide (Internet Activity, Distance Learning Activity, CJ Today on the World Wide Web) that are similar in focus to those that follow. However, the following are presented as instructor-led activities, to be used in a classroom with online access.

Visit the Prentice Hall Cybrary at http://www.cybrary.info. Choose a topic that is relevant to the material provided in Chapter 1. In class, display the types of resources available on that topic.

Visit the Prentice Hall Cybrary at http://www.cybrary.info. Collect information on the criminal justice system's response to terrorism after the attacks at the World Trade Center and the Pentagon. Find at least one article that highlights individual-order concerns and one that highlights public-order concerns. In class, display (or duplicate) the articles, and have students compare and contrast the findings from the different articles.


Other websites for organizations and agencies related to the material in Chapter 1 include:

<table>
<thead>
<tr>
<th>WEBSITE</th>
<th>URL</th>
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<tr>
<td>American Civil Liberties Union (ACLU)</td>
<td><a href="http://www.aclu.org">http://www.aclu.org</a></td>
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<tr>
<td>Justice for All</td>
<td><a href="http://www.jfa.net">http://www.jfa.net</a></td>
</tr>
<tr>
<td>U.S. Department of Justice</td>
<td><a href="http://www.usdoj.gov">http://www.usdoj.gov</a></td>
</tr>
<tr>
<td>Bureau of Justice Statistics</td>
<td><a href="http://www.ojp.usdoj.gov/bjs">http://www.ojp.usdoj.gov/bjs</a></td>
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<tr>
<td>National Criminal Justice Reference Service</td>
<td><a href="http://www.ncjrs.org">http://www.ncjrs.org</a></td>
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<tr>
<td>Terrorism Files</td>
<td><a href="http://www.terrorismfiles.org">http://www.terrorismfiles.org</a></td>
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<tr>
<td>National Center for Victims of Crime</td>
<td><a href="http://www.ncvc.org">http://www.ncvc.org</a></td>
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</tr>
<tr>
<td>Violence, Public Health, and the Media</td>
<td><a href="http://www.annenberg">http://www.annenberg</a>. northwestern.edu/pubs</td>
</tr>
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Suggested Answers to Questions for Review

1. Describe the American experience with crime during the last half century. What noteworthy criminal incidents or activities can you identify during that time, and what social and economic conditions might have produced them?

   In the 1960s and 1970s, during the civil rights era, there was a strong emphasis on individual rights. This led to the recognition of previously denied personal rights that were denied on the basis of race, ethnicity, gender, sexual orientation, or disability. During the same time, American criminal justice sought to understand the root causes of crime and violence. During the more recent past, interest has increased in keeping an ordered society, ensuring
the public safety and providing for the rights of victims. Currently, the focus is on accountability with a "get tough on crime" attitude. The change during the past century was due to a societal frustration. There was an inability of the system to prevent crimes. The events of September 11, 2001, led to increased conservatism in public policy.

2. What is the theme of this book? According to that theme, what are the differences between the individual-rights and the public-order perspectives?

The main theme of Criminal Justice Today is individual rights versus public order. The theme stresses the need to balance the protection of each individual’s constitutional rights with the protection of society as a whole. Ensuring that the basic rights of individuals are not infringed upon while society is protected through the maintenance of public order requires a delicate balancing act. The central feature of the individual-rights perspective is the focus on its protection of personal freedoms. This perspective is concerned about unnecessarily restrictive government actions that limit or eliminate these freedoms. The central feature of the public-order perspective is in the acknowledgment that the interests of society should take precedence over individual rights. These perspectives are in conflict. The individual-rights perspective is willing to sacrifice public safety in order to protect important personal freedoms. The public-order perspective is willing to eliminate or limit rights to increase public safety.

3. What is justice? What aspects of justice does this chapter discuss? How does criminal justice relate to social justice and other wider notions of equity and fairness?

Justice focuses on the principle of fairness and the ideal of moral equity. The chapter focuses on social justice, criminal justice, and civil justice. Social justice embraces all aspects of civilized life and is linked to broader notions of fairness and right and wrong. Criminal justice is one aspect of this wider form of justice. Criminal justice is an important mechanism by which justice can be achieved. Not only do victims, defendants, and others seek and expect fairness from the criminal justice system, but the activities and actions of the criminal justice system often spark society to consider what is considered equal justice.

4. What are the main components of the criminal justice system? How do they interrelate? How might they conflict?

The criminal justice system encompasses three main components: police, courts, and corrections. These three components interrelate in several ways. First, they interact in the processing of specific cases. For example, police officers conduct investigations and make arrests. Offenders then must be processed by the court system, but police officers play a critical role in this process, as they might confer with prosecutors or testify at motion hearings or trials. If an offender is convicted, prosecutors might recommend the sentence and judges may consider prison overcrowding issues when deciding the final sentence. Second, these components interact at a policy level. The formal and informal decision-making processes of each component can impact the strategies and priorities of the other components. Third, the components are increasingly working together in various ways to respond to specific types of crimes. For example, drug, gun, and violent crime task forces often include line-level and command staff from the different components. The interactions between components often result in conflict. Each component focuses on achieving different goals, and the priorities of the different components may not be consistent. A new criminal justice strategy might be implemented by one component, but the goals of that program may not be consistent with the other components.
5. List the stages of case processing that characterize the American system of criminal justice, and describe each stage.
   a. *Investigation, arrest, and booking.* The process generally begins with the investigation of a crime. A witness or victim might report a crime, a patrol officer may discover a crime, or police officers might use undercover operations to discover crime. An arrest involves taking a person into custody. Booking involves taking pictures and fingerprints and recording personal information.
   b. *First appearance, preliminary hearing, and arraignment.* At the first appearance, the judge tells suspects of the charges, advises them of their rights, and decides bail. The purpose of the preliminary hearing is to determine whether there is sufficient evidence to continue the criminal justice process. At the arraignment, the suspect hears the charges and is asked to enter a plea.
   c. *Adjudication.* Cases are resolved by either plea bargaining or trial. Cases that go to trial are governed by the rules of evidence, procedural law, and precedent. Trials are best thought of as a contest between prosecuting and defense attorneys.
   d. *Sentencing.* Once a person pleads guilty or is convicted at trial, the judge must impose a sentence. Judges have a wide range of sentences available to them, but their discretion is limited by statute and guidelines. Defendants do have the right to appeal.
   e. *Corrections.* Corrections begin after a sentence is imposed. Among the options available to judges are prison and probation.

6. What is meant by “due process of law”? Where in the American legal system are guarantees of due process found?
Due process means procedural fairness. Due process of law includes a law creating and defining an offense, an impartial tribunal, accusation in proper form, notice and opportunity to defend, trial according to established procedures, and discharge or conviction. These rights are guaranteed by the Fifth, Sixth, and Fourteenth Amendments.

7. What is the role of research in criminal justice? What is meant by the term “evidence-based practice?” How can research influence crime-control policy?
Research has become a major component of criminal justice and has served to increase professionalism, in practice and in theory. Evidence-based practice comes from sound research. Whereas evidence usually refers to a crime, here it refers to findings that are supported by research studies. Criminal justice research influences policy by providing sound research on which policy can be based.

8. What is multiculturalism? What is social diversity? What impact do multiculturalism and diversity have on the practice of criminal justice in contemporary American society?
*E pluribus unum*—out of many, one. The familiar American motto suggests a homogenized society bonded together as a unified national community. That ideal is most often visible in times of crisis, such as during America’s involvement in the Second World War or following the 1995 bombing of Oklahoma City’s Murrah Federal Building.

On a daily basis, however, the reality is that American society is an amalgam of ethnic, racial, religious, and cultural influences. What else could be expected in a nation of immigrants? Now, in these early days of the twenty-first century, we are seeing these influences gain strength because of the dramatic social changes wrought by the civil rights movement of the mid-twentieth century and the emergence of the Information Age in the late...
twentieth century. As a result, American society now has a much greater awareness of both the realized and potential contributions of the diverse elements from which it grew, as well as increasing respect for, and sensitivity to, these differences.

The text defines multiculturalism as the existence within one society of diverse groups that maintain unique cultural identities while frequently accepting and participating in the larger society's legal and political system. Diversity is simply the condition of being different. The diversity within American society, then, makes the United States a textbook example of multiculturalism.

Few governmental systems are as impacted by multiculturalism and diversity as is the criminal justice system. Perhaps the most dramatic effects are noted in the field of law enforcement. Continuing revelations of past or current wrongs committed by police against individual members of the public—wrongs unarguably shown to have been motivated by racial or ethnic bias—have significantly eroded public trust in policing agencies. Some current policing methods, particularly racial profiling, are thought by many to reflect ongoing institutional bias and are increasingly being successfully challenged in court.

That is not to suggest that law enforcement administrators are negligent or insensitive to issues arising from our diversity. To the contrary, significant strides have already been made in many agencies and continue at all jurisdictional levels. New York City police responses in the wake of the World Trade Center attacks in 2001, for example, were notably restrained when compared to law enforcement responses following the bombing of the Murrah Federal Building. In the latter case, an almost universal presumption that Arab terrorists were the likely perpetrators led to equally universal embarrassment when the actual bomber turned out to be a non-Muslim homegrown military veteran. In the New York instance, however, civic leaders and police administrators moved quickly to quash reprisals against Arab Americans and to foster impartiality among investigators pursuing leads in the case.

The courts, too, particularly at the appellate level, are confronted with multicultural factors that demand consideration as rulings are made. A ruling against an offender charged with violating American law by practicing an ethnic or religious tradition can create backlash within the affected ethnic community. The centuries-old practice of female circumcision, for example, typifies the kind of issue that presents a clear conflict between American law and cultural tradition.

Corrections leaders must also address multiculturalism on a daily basis. Even such a seemingly benign activity as developing the daily menu for feeding the inmate population, for example, can present serious problems. In the face of endless lawsuits and court rulings, leaders must sometimes scramble to meet inmates’ religious or ethnic needs while trying to operate within the constraints of limited budgets.

Challenges facing justice professionals include such complex issues as how to police communities or neighborhoods with values different from those of mainstream society; whether immigrants and foreign national visitors can be justly judged in court proceedings that apply standards and laws that may be completely foreign to them; the widespread—and growing—need for language translation (certainly a ripe opportunity for the adaptation of technological innovations); the problem of gang influences in prison populations comprised of vastly different cultural groupings; and the need for cultural sensitivity among criminal justice practitioners. Justice professionals will face these and innumerable additional challenges in the pursuit of equity for all members of our complex society.

Multiculturalism presents both profound problems and significant opportunities for American justice administrators. While some argue that oversensitivity to multiculturalism and diversity has a corrosive effect that weakens the justice system, others see our growing social awareness as a catalyst for change that will yield greater justice for all.
Like all segments of society—business and industry, education, the military, and so on—the criminal justice system’s adoption of functional changes to accommodate evolving social concerns is a complex process that inevitably moves far too slowly for some and way too fast for others. It is critical to note, though, that the process has begun and is continuing.

Suggested Answers to Questions for Reflection

1. **Reiterate the theme of this textbook.**
   
The main theme of Criminal Justice Today is individual rights versus public order. The theme stresses the need to balance the protection of each individual’s constitutional rights with the protection of society as a whole. Ensuring that the basic rights of individuals are not infringed upon while society is protected through the maintenance of public order requires a delicate balancing act.

2. **How might this book’s theme facilitate the study of criminal justice?**
   
The study of criminal justice involves examination of the processes by which the various components of the system interact to maintain the balance between individual rights and public order. In considering the impact of social issues and technological changes on future crime, administrators must also address systemic changes mandated by increased social awareness of and sensitivity to the multicultural makeup of American society.

   2. **Why is public order necessary? Do we have enough public order or too little? How can we tell?**
   
   Public order provides a firm footing for interpersonal and interinstitutional relationships, hence contributing to social and economic growth and stability. Laws lend predictability to society and allow for effective planning within society’s legal framework.

   Without order, predictability evaporates—and along with it go safety and security. Individuals and organizations would find themselves unable to plan or to function in consort with one another. The strongest would rule, and the weak would be subject to their whims. Threats and the fear engendered by potential threats would take the place of law. Similarly, in a disordered society, America’s declared belief that “all men are created equal” would be a hollow notion, as the lack of order would negate society’s ability to ensure equality in the treatment of its members. Unequal treatment of any social group is oppressive, and history has shown that such oppression, over time, sparks rebellion and may even lead to anarchy or a new social order.

   As with some of the preceding discussion questions, this question is a matter of perspective. Residents of high-crime, gang-ruled urban areas in south-central Los Angeles, Detroit, and elsewhere might well argue that public order is virtually nonexistent in their experience. Interestingly, those same residents might also complain that too much public order invades their lives—in the unwanted form of order imposed by gangs.

   Likewise, deadbeat dads arrested for failing to pay court-ordered child support might believe that public order is out of control and invasive. Meanwhile, fugitive felons brazenly walking the streets knowing that the overloaded system helps them remain free are certain that there is just enough public order to suit them.

   Our sense of whether there is too much or too little public order, then, is driven by our personal experiences with the systems and agencies that impose public order on each of us.
What might a large, complex society like ours be like without laws and without a system of criminal justice? Would you want to live in such a society? Why or why not?

Most people would view the abolition of law and the dismantling of government as regression to a less civilized state. The term lawlessness, commonly used to describe riots and other forms of social disorder, generally evokes an image of an undesirable social state.

Popular fiction writers often employ the theme of a lawless society without governmental agencies to maintain order as the premise of their books and movies. Usually, the social state is depicted as having deteriorated to near-anarchy, with the predatory strong ruling the powerless weak. In such scenarios, a crude criminal justice system is typically depicted as a vigilante system used arbitrarily by the strong with little regard for justice.

There are those, however, who yearn for release from governmental controls. Real-life antigovernment militia members and radical antitax advocates, such as the Montana Freemen political group, seem to view a lawless society as a virtual utopia. They oppose intrusion by the various levels of government and the laws each level imposes. Such intrusion, they believe, inherently denies them the right to live as free men and women unencumbered by externally mandated social obligations that they are forced to honor. The theme of the strong ruling the weak is accepted in these circles as the natural order (e.g., the “survival of the fittest”).

3. What must we, as individuals, sacrifice to facilitate public order?

True and complete freedom means living without constraints of any kind. Public order, however, relies on a social bond between society and the individual. That bond involves the submission of society’s members to controls imposed by laws, governmental regulations, and social customs. Although society protects us through its laws and through the mechanisms it establishes to enhance security (such as the justice system), it is our duty to responsibly follow the law and to contribute to public safety.

Do we ever give up too much in the interest of public order? If so, when?

History is replete with examples of citizens giving up too much to achieve order. Within the context of their limited society, the citizens of Nazi Germany may have considered the stringent controls imposed by the Nazi state—including the extermination of German Jews—to be essential to their way of life. In the greater context of the world community, however, those controls were seen as excessive and horrific.

Ethnic cleansing programs in various countries during the second half of the twentieth century, as well as the infamous apartheid laws formerly practiced in South Africa, exemplify the efforts of oppressive regimes to achieve their own forms of public order. Such activities typically evoke condemnation as a world response, on grounds that they violate elemental human rights. The practitioners of such activities, however, argue that the pursuit of their narrowly defined state of public order justifies their abhorrent practices.

4. This chapter describes two models of the criminal justice system. What are they, and how do they differ?

This chapter describes the consensus model, which assumes that the component parts of the criminal justice system strive toward a common goal, and that the movement of cases and people through the system is smooth due to cooperation between the various components of the system; and the conflict model, which says that criminal justice agency interests tend to make actors within the system self-serving and that pressures for success, promotion, pay increases, and general accountability fragment the efforts of the system as a whole, leading to a criminal justice nonsystem.
Which model do you think is more useful? Which is more accurate? Why?

Given the great variation in attitudes about crime and punishment, varying propensities toward liberalism or conservatism, the strength of local government leadership, the degree of citizen activism or ambivalence, etc., it would be difficult to label either model as “more accurate” than the other. To a large extent, it is a matter of perspective.

For example, many view the consensus model as the ideal of the criminal justice system and the conflict model as the reality. An incumbent state attorney general running for reelection, therefore, might well depict the criminal justice system within his/her state as a shining example of the consensus model at its best—while his/her opponent depicts it as a chaotic example of the conflict model at its worst.

Many academicians, in contrast, will say that the conflict model is the most accurate—that is, it depicts the criminal justice system in terms of its everyday realities. In fact, the various agencies that make up the justice system are often at odds and are concerned only with their own interests rather than with systemwide goals. Similarly, individual agencies rarely focus on society-wide values such as social justice and procedural fairness, but instead are primarily concerned with meeting legislative, budgetary, and administrative requirements.

Student Study Guide Questions

True or False

____ 1-1. A preliminary hearing involves a group of jurors selected from the community. (False, p. 19)

____ 1-2. Expanding the rights of defendants to protect them from injustice would be most closely associated with a crime-control model of criminal justice. (False, p. 23)

____ 1-3. The *Miranda* decision only requires that police personnel advise a person of his or her rights at the time of the arrest. (False, p. 18)

____ 1-4. Parole differs from probation in that paroled offenders serve a portion of their prison sentences before being released. (True, p. 21)

____ 1-5. Criminal justice is narrower than social justice because it is concerned only with violations of criminal law. (True, p. 15)

____ 1-6. The consensus model of the study of criminal justice assumes that the system’s subcomponents function primarily to serve their own interests. (False, p. 17)

____ 1-7. Bail is a mechanism that defendants use to avoid advancing into the later stages of the criminal justice process. (False, p. 18)

____ 1-8. Indictments are filed on the basis of the outcome of a preliminary hearing. (False, p. 19)

____ 1-9. A concurrent sentence is a sentence that requires an offender who has been found guilty of more than one charge to serve one sentence after another is completed. (False, p. 21)

____ 1-10. Criminology is the application of scientific techniques to the investigation of a crime. (False, p. 24)
Multiple Choice

1-11. What decision(s) is (are) made at a suspect’s arraignment?
   a. The suspect is required to enter a plea.
   b. The suspect is informed of the charges against him or her.
   c. The suspect is informed of his or her rights.
   d. All of the above are decisions made at arraignment. (p. 20)

1-12. Which of the following models assumes a systems model of criminal justice?
   a. due process model
   b. individual-rights model
   c. conflict model
   d. consensus model (p. 17)

1-13. Who would suggest that under certain circumstances involving criminal threats to public safety, the interests of society should take precedence over individual rights?
   a. a crime-control advocate
   b. a justice-ideal advocate
   c. an individual-rights advocate
   d. a public-order advocate (p. 12)

1-14. Who would support the full protection of personal freedoms and civil rights within the criminal justice process?
   a. a crime-control advocate
   b. a justice-ideal advocate
   c. an individual-rights advocate (p. 12)
   d. a public-order advocate

1-15. In the criminal justice process, a(n) ___________ has to occur before a(n) ___________.
   a. arraignment; preliminary hearing
   b. sentencing; trial
   c. arrest; first appearance (p. 18)
   d. booking; arrest

1-16. Upon being convicted of robbery and burglary, Jalen Arow is sentenced to seven years for the robbery and five years for the burglary. The sentence for burglary will be served right after the robbery sentence. This is an example of
   a. an unfair sentence.
   b. a discriminatory sentence.
   c. a consecutive sentence. (p. 21)
   d. a concurrent sentence.

1-17. Who is credited with creating the crime-control model of criminal justice?
   a. Earl Warren
   b. Jerome Skolnick
   c. Colin Ferguson
   d. Herbert Packer (p. 23)

1-18. A ___________ is a group of jurors selected to hear the evidence and to determine whether there is sufficient evidence to bring the accused person to trial.
   a. jury
   b. public forum
   c. grand jury (p. 19)
   d. preliminary hearing
1-19. The conflict model of criminal justice
   a. assumes that the efforts of the component parts of the system are fragmented, leading to a criminal justice nonsystem. (p. 17)
   b. assumes that the movement of cases and people through the system is smooth due to cooperation among components of the system.
   c. assumes that all parts of the system work together toward a common goal.
   d. assumes that police officers are the dominant actors in the criminal justice system.

1-20. A(n) _______________ is a writ issued by a judicial officer directing a law enforcement officer to perform a specified act and affording the officer protection from damages if he or she performs it.
   a. indictment
   b. warrant (p. 18)
   c. pretrial release order
   d. information

Fill-In

1-21. Under certain circumstances involving criminal threats to public safety, _______________ suggest that the interests of society should take precedence over individual rights. (public-order advocates, p. 12)

1-22. The _______________ is a perspective on the study of criminal justice that assumes that the system’s subcomponents work together harmoniously to achieve that social product we call justice. (consensus model, p. 17)

1-23. The crime-control model was first brought to the attention of the academic community by _______________. (Herbert Packer, p. 23)

1-24. _______________ are those who seek to protect personal freedoms within the process of criminal justice. (Individual-rights advocates, p. 12)

1-25. Jerome Skolnick’s classic study of clearance rates provides support for the idea of a(n) _______________. (criminal justice nonsystem, p. 17)

1-26. _______________ is the step of the criminal justice process that occurs immediately after arrest. (Booking, p. 18)

1-27. _______________ is an ideal that embraces all aspects of civilized life and that is linked to fundamental notions of fairness and to cultural beliefs about right and wrong. (Social justice, p. 15)

1-28. _______________ is a legal criterion residing in a set of facts and circumstances that would cause a reasonable person to believe that another person has committed a specific crime. (Probable cause, p. 19)

1-29. The money or property pledged to the court to effect the release of a person from legal custody is called _______________. (bail, p. 18)

1-30. The _______________ assumes that the criminal justice system’s subcomponents function primarily to serve their own interests. (conflict model, p. 17)
## Crossword Puzzle

### Across

3. Term usually used in conjunction with diversity.
9. Scholar responsible for creating the crime-control model and due process model.
10. “The first appearance of the defendant before the court that has the authority to conduct a trial.”
11. Legal basis for an apprehension by the police.
12. Type of sentence that runs at the same time.
13. Constitutional requirement of fairness and equity.
14. Model emphasizing a systems perspective.
15. A grand jury returns a(n) ________.
16. Act of a law enforcement official recording an entry into detention after arrest.

### Down

1. Money or property pledged to the court to effect the release of a person from legal custody.
2. Type of sentence where offenders are ordered to serve one sentence after another.
5. Principle of fairness.
6. Use of sanctions and rewards within a group to influence and shape the behavior of individual members of that group.
7. Scientific study of the causes and prevention of crime and the rehabilitation and punishment of offenders.
8. Also called the preliminary examination.
11. Type of advocate that stresses the interests of society.
Word Search Puzzle

Arraignment  Bail  Booking  Concurrent Sentence  Conflict Model  Consecutive Sentence  Consensus Model  Crime  Crime-Control Model  Criminal Justice  Criminology  Evidence-Based Practice  Grand Jury  Indictment  Individual-Rights Advocate  Justice  Multiculturalism  Preliminary Hearing  Probable Cause  Public-Order Advocate  Trial  USA PATRIOT Act

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