

*Annual Editions*  
**CRIMINAL  
JUSTICE  
91/92**



# CRIMINAL JUSTICE 91/92

Fifteenth Edition

**Annual Editions**  
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**Editor**

**John J. Sullivan**  
Mercy College, Dobbs Ferry, New York

John J. Sullivan, professor and former chairman of the Department of Law, Criminal Justice, and Safety Administration at Mercy College, received his B.S. in 1949 from Manhattan College and his J.D. in 1956 from St. John's Law School. He was formerly captain and director of the Legal Division of the New York City Police Department.

**Editor**

**Joseph L. Victor**  
Mercy College, Dobbs Ferry, New York

Joseph L. Victor is professor and chairman of the Department of Law, Criminal Justice, and Safety Administration at Mercy College, and coordinator of Criminal Justice Graduate Study at the Westchester Campus of Long Island University. Professor Victor has extensive field experience in criminal justice agencies, counseling, and administering human service programs. He earned his B.A. and M.A. at Seton Hall University, and his Doctorate of Education at Fairleigh Dickinson University.



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# To the Reader

In publishing ANNUAL EDITIONS we recognize the enormous role played by the magazines, newspapers, and journals of the *public press* in providing current, first-rate educational information in a broad spectrum of interest areas. Within the articles, the best scientists, practitioners, researchers, and commentators draw issues into new perspective as accepted theories and viewpoints are called into account by new events, recent discoveries change old facts, and fresh debate breaks out over important controversies.

Many of the articles resulting from this enormous editorial effort are appropriate for students, researchers, and professionals seeking accurate, current material to help bridge the gap between principles and theories and the real world. These articles, however, become more useful for study when those of lasting value are carefully collected, organized, indexed, and reproduced in a low-cost format, which provides easy and permanent access when the material is needed. That is the role played by *Annual Editions*. Under the direction of each volume's Editor, who is an expert in the subject area, and with the guidance of an Advisory Board, we seek each year to provide in each ANNUAL EDITION a current, well-balanced, carefully selected collection of the best of the public press for your study and enjoyment. We think you'll find this volume useful, and we hope you'll take a moment to let us know what you think.

During the 1970s, criminal justice emerged as an appealing, vital, and unique academic discipline. It emphasizes the professional development of students who plan careers in the field, and attracts those who want to know more about a complex social problem and how this country deals with it. Criminal justice incorporates a vast range of knowledge from a number of specialties, including law, history, and the behavioral and social sciences. Each specialty contributes to our fuller understanding of criminal behavior and of society's attitudes toward deviance.

In view of the fact that the criminal justice system is in a constant state of flux, and because the study of criminal justice covers such a broad spectrum, today's students must be aware of a variety of subjects and topics. Standard textbooks and traditional anthologies cannot keep pace with the changes as quickly as they occur. In fact, many such sources are already out of date the day they are published. *Annual Editions: Criminal Justice 91/92* strives to maintain currency in matters of concern by providing up-to-date commentaries, articles, reports, and statistics from the most recent literature in the criminal justice field.

This volume contains units concerning crime and justice in America, victimology, the police, the judicial system, juvenile justice, and punishment and corrections. The articles in these units were selected because they are informative as well as provocative. The selections are timely and useful in their treatment of ethics, punishment, juveniles, courts, and other related topics.

Included in this volume are a number of features designed to make it useful for students, researchers, and professionals in the criminal justice field. These include a topic guide, for locating articles on specific subjects; the table of contents abstracts, which summarize each article and feature key concepts in bold italics; and a comprehensive bibliography, glossary, and index. In addition, each unit is preceded by an overview which provides a background for informed reading of the articles, emphasizes critical issues, and presents challenge questions.

We would like to know what you think of the selections contained in this edition. Please fill out the article rating form on the last page and let us know your opinions. We change or retain many of the articles based on the comments we receive from you, the user. Help us to improve this anthology—annually.

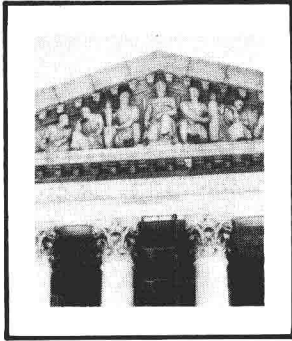


John J. Sullivan



Joseph L. Victor  
Editors



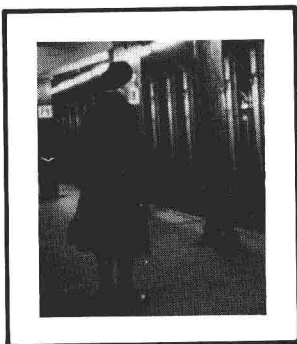


## Unit 1

### Crime and Justice in America

Eight selections focus on the overall structure of the criminal justice system in the United States. The current scope of crime in America is reviewed; topics such as criminal behavior, drugs, and organized crime are discussed.

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| Overview   | 4  |
| 1. <b>An Overview of the Criminal Justice System, Report to the Nation on Crime and Justice, Bureau of Justice Statistics, U.S. Department of Justice, March 1988.</b>   | 6  |
| What is the sequence of events in the <b>criminal justice system</b> ? This report reveals that the response to crime is a complex process, involving citizens as well as many agencies, levels, and branches of government.                                       |    |
| 2. <b>What Is Crime? Report to the Nation on Crime and Justice, Bureau of Justice Statistics, U.S. Department of Justice, March 1988.</b>  | 11 |
| This federal report gives the definition and characteristics of the most common and serious <b>crimes</b> , including homicide, rape, and robbery. <b>Organized crime</b> and <b>white-collar crime</b> are also explored.   |    |
| 3. <b>Are Criminals Made or Born? Richard J. Herrnstein and James Q. Wilson, The New York Times Magazine, August 4, 1985.</b>  | 15 |
| Two eminent criminologists propose that the <b>causes of crime</b> lie in a combination of predisposing <b>biological traits</b> channeled by <b>social circumstances</b> into <b>criminal behavior</b> .  |    |
| 4. <b>Number of Killings Soars In Big Cities Across U.S., Michael deCourcy Hinds, The New York Times, July 18, 1990.</b>   | 19 |
| Statistics indicate that the <b>number of killings in the United States</b> is on the rise and experts attribute the increase to drug disputes, deadlier weapons, and a tendency among young people to start careers in crime with guns.                           |    |
| 5. <b>New Faces of Organized Crime, Edwin J. Delattre, The American Enterprise, May/June 1990.</b>   | 21 |
| As the criminal empire of <b>La Cosa Nostra</b> in the United States unravels, an array of nontraditional organizations are arising to take its place.   |    |
| 6. <b>New Strategies to Fight Crime Go Far Beyond Stiffer Terms and More Cells, Andrew H. Malcolm, The New York Times, October 10, 1990.</b>   | 26 |
| Faced with <b>the growth of violent crime</b> and the political pressures of even faster growing citizen fears about crime, the nation's law enforcement agencies are designing an array of new strategies that are changing the American criminal justice system. |    |
| 7. <b>RICO: A Racketeering Law Run Amok, Rick Boucher, USA Today Magazine (Society for the Advancement of Education), November 1989.</b>   | 30 |
| <b>The flood of civil RICO cases</b> has become a torrent. Virtually every kind of controversy, from the most common to the truly bizarre, has come to serve as the basis for litigation under this statute.   |    |
| 8. <b>Radical Right vs. Radical Left, Thomas Strentz, The Police Chief, August 1990.</b>   | 32 |
| Left-wing and right-wing <b>terrorist groups</b> represent outrageous and illegal expressions of diverse and legitimate political perspectives. This article explores some of the sociological, sexual, and political factors that make up these groups.           |    |

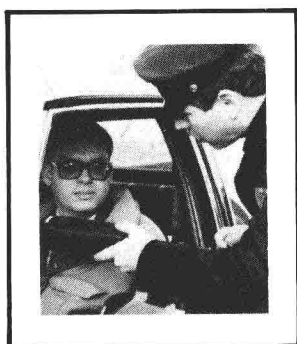


## Unit 2

### Victimology

Six articles discuss the impact of crime on the victim.

Topics include the rights of crime victims, the consequences of family violence, and the legal complications of AIDS testing in rape cases.



## Unit 3

### Police

Seven selections examine the role of the police officer. Some of the topics discussed include police response to crime, utilization of policewomen, and managing police corruption.

#### Overview

9. **The Fear of Crime**, *Report to the Nation on Crime and Justice*, Bureau of Justice Statistics, U.S. Department of Justice, March 1988.

This report, in two parts, tells how the **fear of crime** affects many people, including some who have never been victims of crime, and describes the effects crime has on its **victims**.

10. **The Implementation of Victims' Rights: A Challenge for Criminal Justice Professionals**, Andrew Karmen, from *Issues in Justice*, edited with contributions by Roslyn Muraskin, 1990.

The implementation of **victims' rights** poses a challenge to criminal justice professionals. How they respond, as revealed by this evaluation research, to the demands by victims for fair treatment will resolve many controversies and provoke new ones.

11. **Battered Families: Voices of the Abused; Voices of the Abusers**, Ellen Steese, *The Christian Science Monitor*, July 14 & 15, 1988.

This two-part essay on **battered families** focuses first on mistreated wives, who tell their stories of physical abuse, and then on husbands who have mistreated their wives, discussing their need for help.

12. **AIDS and Rape: Should New York Test Sex Offenders?** Jan Hoffman, *The Village Voice*, September 12, 1989.

The issue of testing **sex offenders** for AIDS is loaded and complex. Most groups who have grappled with it—legislators, jurists, public health officials, victim advocates, and AIDS activists have only been able to come up with contorted, incomplete rationales for their positions.

13. **Can a Marriage Survive Tragedy?** Sherrye Henry, *Parade Magazine*, July 15, 1990.

Many relationships are destroyed after a loved one becomes the victim of a **violent assault**. Experts are seeking ways to help.

14. **Prostitutes and Addicts: Special Victims of Rape**, Jane Gross, *The New York Times*, October 12, 1990.

**Drug addicts and prostitutes** are being raped with increased frequency and brutality in American cities and towns, but they rarely report the assaults, often disappear during an investigation, or are disregarded by the criminal justice system.

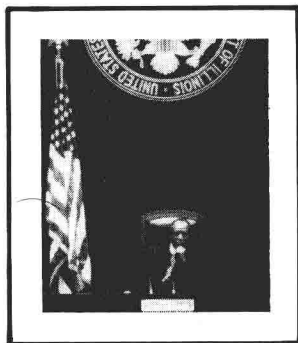
#### Overview

15. **Police Response to Crime**, *Report to the Nation on Crime and Justice*, Bureau of Justice Statistics, U.S. Department of Justice, March 1988.

This report examines the primary and secondary roles of the **police** in law enforcement. In addition, it reviews the contributions of various public agencies and **private security**.

16. **The Police in the United States**, Beverly Sweatman and Adron Cross, *C.J. International*, January/February 1989.

This article briefly outlines the functions of various **police** agencies on both the local and federal levels.



# Unit 4

## The Judicial System

Eight selections discuss the process by which the accused are moved through the judicial system. Prosecutors, courts, the jury process, and judicial ethics are reviewed.

17. **Women On the Move? A Report on the Status of Women in Policing**, Susan E. Martin, *Police Foundation Reports*, May 1989. 74

In the years following the passage of the 1972 Amendments to the Civil Rights Act, **policing** made significant progress in eliminating **discrimination** in the hiring and promotion of **women**. This report reviews some of the progress that has been made, but points out that there is still much to be done.

18. **Making Neighborhoods Safe**, James Q. Wilson and George L. Kelling, *The Atlantic*, February 1989. 83

Sometimes fixing broken windows does more to reduce **crime** than conventional "**incident-oriented**" **policing**. This article discusses the advantages of **community-oriented policing**, in which the **police** respond to community problems and not just to reported incidents.

19. **Community Policing: A Practical Guide for Police Officials**, Lee P. Brown, *Perspectives on Policing*, U.S. Department of Justice, September 1989. 89

A leading police official outlines some of the positive and negative reasons for the implementation of **community policing**.

20. **Police, Hard Pressed in Drug War, Are Turning to Preventive Efforts**, Robert Reinhold, *The New York Times*, December 28, 1989. 99

Frustrated by the overwhelming numbers of drug offenders and an almost infinite supply of **illicit drugs**, more and more police officers are talking like social workers and trying to prevent drug use.

21. **The Abortion Protesters and the Police**, John Leo, *U.S. News & World Report*, August 6, 1990. 101

This article discusses allegations of **police brutality** in the handling of **antiabortion demonstrators** in West Hartford, Connecticut, in 1989. It points out some of the difficulties in policing such volatile demonstrations and in sorting out allegations of brutality.

- Overview 104

22. **The Judicial Process: Prosecutors and Courts**, *Report to the Nation on Crime and Justice*, Bureau of Justice Statistics, U.S. Department of Justice, March 1988. 106

This report outlines the roles of **prosecutors**, **defense counsel**, and the **courts** in the **criminal justice system**. It also examines the rights of defendants and the defense of indigents.

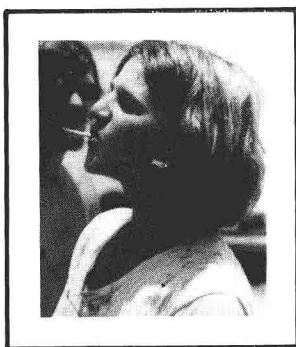
23. **Public Defenders**, Agnes A. Serpe, *Case & Comment*, September-October 1989. 110

This article explores the role of the **public defender** and some of the problems with the system.

24. **The Prosecutor as a 'Minister of Justice'**, Bennett L. Gershman, *New York State Bar Journal*, May 1988. 116

The author contends that the **prosecutor's** role is not that of justice-giver, but that of advocate, or "champion of the people." Gershman explores the various duties and responsibilities of the prosecutor, and the conflicts that can arise in carrying them out.



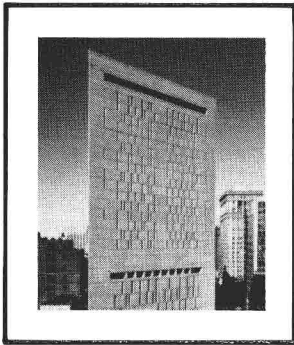


## Unit 5

### Juvenile Justice

Five selections review the juvenile justice system. The topics include effective ways to respond to violent juvenile crime, juvenile detention, female delinquency, and the impact of teenage addiction.

25. **Pretrial Diversion: Promises We Can't Keep**, William G. Matthews, from *Journal of Offender Counseling, Services & Rehabilitation*, Spring 1988. 121  
The author contends that **pretrial diversion** has not achieved the reforms or goals originally formulated and that it has become a political issue rather than a help to the offender.
26. **The Myth of the General Right to Bail**, Robert F. Nagel, *The Public Interest*, Winter 1990. 126  
Are we releasing too many **dangerous offenders on bail** because of misconceptions about the constitutional right to bail? This article argues that we should assume the risk that some innocent people will be incarcerated rather than continue the release of dangerous offenders.
27. **Convicting the Innocent**, James McCloskey, *Criminal Justice Ethics*, Winter/Spring 1989. 132  
An attorney argues that our system makes it too easy for **innocent persons** to be convicted. He decries the lack of adequate representation by competent **counsel** and the attitude that "where there is smoke there is fire."
28. **When Criminal Rights Go Wrong**, Paul Savoy, *The Washington Monthly*, December 1989. 139  
This article is critical of the broad spectrum of **constitutional rights** afforded people accused of crime. It reviews the conflict surrounding the **exclusionary rule** and the **right to remain silent**.
29. **Defendants Lose As Police Power Is Broadened**, Ira Mickenberg, *The National Law Journal*, August 13, 1990. 146  
This article reviews the 1989-90 term of the Supreme Court of the United States, and it is critical of those decisions that broadened police powers in areas such as **search and seizure and interrogation**. The author feels these decisions reduced the **constitutional rights** of the accused.
- Overview 150
30. **Handling of Juvenile Cases**, *Report to the Nation on Crime and Justice*, Bureau of Justice Statistics, U.S. Department of Justice, March 1988. 152  
This report, in three parts, reveals that cases involving **juveniles** are handled much differently from adult cases, under certain circumstances juveniles may be tried in criminal courts, and juveniles receive dispositions rather than sentences.
31. **The Evolution of the Juvenile Justice System**, Barry Krisberg, *The World & I*, April 1990. 155  
The **juvenile justice system** has evolved into a system quite removed from the original purpose for which it was conceived—the protection of young people from unwarranted punishment. The author describes three revolutions in the history of the juvenile justice system.
32. **Girls' Crime and Woman's Place: Toward a Feminist Model of Female Delinquency**, Meda Chesney-Lind, *Crime and Delinquency*, January 1989. 163  
The author argues that existing **delinquency causation theories** are fundamentally inadequate to explain **female delinquency** and official reactions to girls' deviance. She contends that even the academic study of delinquent behavior has, for all intents and purposes, been the study of male delinquency alone.



# Unit 6

## Punishment and Corrections

Ten selections focus on the current state of America's penal system, and the effects of sentencing, probation, overcrowding, and capital punishment on criminals.

33. **Juvenile Crime: Who Is Responsible?** Robert E. Shepherd Jr., *The World & I*, April 1990. 172  
The prevailing "get tough" approach toward **juvenile crime** focuses concern on the issue of responsibility for minors' criminal actions. This translates into two proposals: (1) making young people more accountable for their acts by transferring the cases of young offenders from juvenile to adult courts, and (2) holding parents responsible for the crimes of their children.
34. **Teenage Addiction**, Martin N. Buxton and Matthew C. Green, from *When Children Need Help*, Manisses Communications Group, 1987. 175  
The authors present information regarding **teenage drug addiction**, recommend treatment techniques, suggest how schools can be avenues for change for drug-using teenagers, and list indicators of chemical abuse.
- Overview 184
35. **Sentencing and Corrections, Report to the Nation on Crime and Justice**, Bureau of Justice Statistics, U.S. Department of Justice, March 1988. 186  
Through **sentencing**, society attempts to express its goals for the **correctional process**. These objectives are retribution, incapacitation, deterrence, rehabilitation, and restitution. In addition to discussing sentencing strategies, this article addresses forfeiture, a relatively new sanction.
36. **Women in Jail: Unequal Justice**, *Newsweek*, June 4, 1990. 190  
Officials have begun to acknowledge the enormous disparity in the treatment of men and **women in prison**. Many women have been subjected to greater restrictions than their crimes warrant. Overcrowded conditions and lack of rehabilitation programs are the norm.
37. **Some Observations of the Status and Performance of Female Corrections Officers in Men's Prisons**, Judith D. Simon and Rita J. Simon, from *Issues in Justice*, edited with contributions by Roslyn Muraskin, 1990. 192  
This article maintains that **women corrections officers** carry their weight in men's prisons and that most of the inmates favor having female officers around. They humanize the institution.
38. **You're Under Arrest—AT HOME**, Fred Scaglione, *USA Today Magazine* (*Society for the Advancement of Education*), November 1988. 195  
As the nation's **penal system** staggers under the weight of an ever-increasing inmate population, corrections officials are taking a new high-tech look at an age-old technique—**house arrest**.
39. **Difficult Clients, Large Caseloads Plague Probation, Parole Agencies**, Randall Guynes, *Research in Action* (National Institute of Justice), U.S. Department of Justice, August 1988. 198  
Despite greater financial resources in American **probation and parole systems**, personnel increases are not keeping pace with rising caseloads of clients with serious problems.

|  |     |
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| 40. <b>Learning to Live With AIDS in Prison</b> , <i>Newsweek</i> , February 13, 1989.   | 205 |
| <i>Prisons</i> , sometimes prodded by lawsuits filed by prisoner-rights organizations, are beginning to adopt enlightened policies toward convicts with <i>AIDS</i> .  |     |
| 41. <b>Of Crimes and Punishment</b> , Dominic R. Massaro, <i>New York State Bar Journal</i> , February 1989.   | 207 |
| A noted jurist discusses the philosophy and influence of Cesare Beccaria on the <i>American criminal justice system</i> . Known as the "father of criminology" and one of the founders of the classical school, Beccaria's major work was "Essay on Crimes and Punishment."                                    |     |
| 42. <b>Turn the Jailhouse Into a Schoolhouse</b> , Andrew James, <i>Newsday</i> , August 31, 1990.   | 216 |
| A former inmate offers his views about turning jails into " <i>correctional schools</i> "—where young inmates pass tests, not time.  |     |
| 43. <b>Family Violence Program at Bedford Hills . . . Feeling 'Free and Safe' in Prison</b> , <i>DOCS Today</i> , Spring 1990.   | 218 |
| This essay tells of a unique prison program developed to meet the special <i>needs of women in prison</i> who struck back, killing the men in their lives who had brutalized them.   |     |
| 44. <b>'This Man Has Expired,'</b> Robert Johnson, <i>Commonweal</i> , January 13, 1989.   | 222 |
| The focus of Robert Johnson's research is on the <i>executioners</i> themselves as they carry out typical executions. He draws upon their words to describe the death work they carry out in our name. Serving as an <i>official witness</i> , Johnson describes his experience at the execution of an inmate. |     |
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# Topic Guide

This topic guide suggests how the selections in this book relate to topics of traditional concern to students and professionals involved with the study of criminal justice. It can be very useful in locating articles that relate to each other for reading and research. The guide is arranged alphabetically according to topic. Articles may, of course, treat topics that do not appear in the topic guide. In turn, entries in the topic guide do not necessarily constitute a comprehensive listing of all the contents of each selection.

| TOPIC AREA                   | TREATED IN:  | TOPIC AREA               | TREATED IN:  |
|------------------------------|--|--------------------------|--|
| <b>Abortion</b>              | 21. Abortion Protesters and the Police   | <b>Criminal Behavior</b> | 3. Are Criminals Made or Born?   |
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| <b>Attorneys</b>             | 23. Public Defenders<br>24. Prosecutor as a "Minister of Justice"<br>27. Convicting the Innocent   | <b>Death Penalty</b>     | 44. 'This Man Has Expired'   |
| <b>Battered Families</b>     | 11. Battered Families<br>43. Family Violence Program at Bedford Hills  | <b>Defense Counsel</b>   | 26. Public Defenders   |
| <b>Beccaria, Cesare</b>      | 41. Of Crimes and Punishment   | <b>Delinquency</b>       | See Juveniles  |
| <b>Children</b>              | See Juveniles  | <b>Discrimination</b>    | 17. Women On the Move?   |
| <b>Constitutional Rights</b> | 26. Myth of the General Right to Bail<br>27. Convicting the Innocent<br>28. When Criminal Rights Go Wrong<br>29. Defendants Lose As Police Power Is Broadened                      | <b>Drugs</b>             | 14. Prostitutes and Addicts: Special Victims of Rape<br>20. Police Hard Pressed in Drug War<br>34. Teenage Addiction   |
| <b>Corrections</b>           | 35. Sentencing and Corrections<br>36. Women in Jail<br>38. Under Arrest—At Home<br>40. AIDS in Prison<br>41. Of Crimes and Punishment<br>42. Turn the Jailhouse Into a Schoolhouse | <b>Ethics</b>            | 24. Prosecutor as "Minister of Justice"  |
| <b>Courts</b>                | 22. Judicial Process<br>23. Public Defenders<br>24. Prosecutor as a "Minister of Justice"<br>26. Myth of the General Right to Bail   | <b>Family Violence</b>   | 11. Battered Families<br>43. Family Violence Program at Bedford Hills  |
| <b>Crime</b>                 | 1. Overview of the Criminal Justice System<br>2. What Is Crime?<br>3. Are Criminals Made or Born?<br>4. Number of Killings Soar in Big Cities<br>6. New Strategies to Fight Crime  | <b>Fear of Crime</b>     | 9. Fear of Crime   |
| <b>Crime Victims</b>         | See Victimology  | <b>House Arrest</b>      | 38. Under Arrest—At Home   |
|                              |  | <b>Jails</b>             | 36. Women in Jail<br>42. Turn the Jailhouse Into a Schoolhouse   |
|                              |  | <b>Judges</b>            | 22. Judicial Process   |
|                              |  | <b>Juveniles</b>         | 30. Handling of Juvenile Crime<br>31. Evolution of the Juvenile Justice System<br>32. Girls' Crime and Woman's Place<br>33. Juvenile Crime: Who Is Responsible?<br>34. Teenage Addiction |



| TOPIC AREA             | TREATED IN:   | TOPIC AREA             | TREATED IN:  |
|------------------------|---|------------------------|--|
| <b>Law Enforcement</b> | See Police  | <b>Public Defender</b> | 23. Public Defenders   |
| <b>Mafia</b>           | See Organized Crime   | <b>Punishment</b>      | See Corrections  |
| <b>Narcotics</b>       | See Drugs   | <b>RICO</b>            | 7. RICO: A Racketeering Law Run Amok   |
| <b>Organized Crime</b> | 5. New Faces of Organized Crime   | <b>Sentencing</b>      | 35. Sentencing and Corrections<br>41. Of Crimes and Punishment   |
| <b>Parole</b>          | 39. Difficult Clients, Large Caseloads<br>Plague Probation, Parole Agencies   | <b>Sex Offenders</b>   | 12. AIDS and Rape  |
| <b>Police</b>          | 15. Police Response to Crime<br>16. Police in the United States<br>17. Women On the Move?<br>18. Making Neighborhoods Safe<br>19. Community Policing<br>20. Police, Hard Pressed in Drug War<br>Are Turning to Preventive Efforts<br>21. Abortion Protesters and the Police | <b>Victimology</b>     | 9. Fear of Crime<br>10. Implementation of Victims' Rights<br>11. Battered Families<br>12. AIDS and Rape<br>13. Can a Marriage Survive Tragedy?<br>14. Prostitutes and Addicts: Special<br>Victims of Rape                    |
| <b>Prisons</b>         | 40. AIDS in Prison  | <b>Women</b>           | 11. Battered Families<br>17. Women On the Move?<br>36. Women in Jail: Unequal Justice<br>37. Status and Performance of Female<br>Corrections Officers in Men's<br>Prisons<br>43. Family Violence Program at<br>Bedford Hills |
| <b>Probation</b>       | 38. Under Arrest—At Home<br>39. Difficult Clients, Large Caseloads<br>Plague Probation, Parole Agencies   |                        |  |
| <b>Prosecution</b>     | 22. Judicial Process<br>24. Prosecutor as a "Minister of<br>Justice"  |                        |  |
| <b>Prostitutes</b>     | 14. Prostitutes and Addicts: Special<br>Victims of Rape   |                        |  |

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# Crime and Justice in America

Crime continues to be a major problem in the United States. Court dockets are full, our prisons are overcrowded, the probation and parole caseloads are overwhelming, and our police are being urged to do more. The bulging prison population places a heavy strain on the economy of the community.

Crime is a complex problem that defies simple explanations or solutions. While the more familiar crimes of murder, rape, and assault are still with us, drugs are an ever-increasing scourge, and international crime is an issue to be dealt with.

The articles presented in this section are intended to serve as a foundation for the materials that are presented in subsequent sections. "An Overview of the Criminal Justice System" charts the sequence of events in the administration of justice. "What Is Crime?" offers definitions and characteristics of the most common serious crimes.

Why do people commit crimes? In spite of the best efforts of experts, human behavior is still not fully understood. Although there is much diversity of opinion as to the causative factors of criminal behavior, the article "Are Criminals Made or Born?" is presented to stimulate discussion and thought.

Murder is on the rise in the United States, and the article "Number of Killings Soars In Big Cities Across

U.S." indicates that the increase in drug trafficking and in the availability of weapons to the young are contributing factors.

Is the Mafia or La Cosa Nostra, as we once knew it, on the wane only to be replaced by a new and even more vicious group of organized criminals? "New Faces of Organized Crime" discusses the new criminal organizations arising in the United States. "RICO: A Racketeering Law Run Amok" presents a critical look at the new Federal law designed to stem the illegal activities of organized crime.

Traditional methods of fighting crime are no longer effective in fighting violent crime and "New Strategies to Fight Crime Go Far Beyond Stiffer Terms and More Cells" discusses new efforts being utilized. It is difficult to determine from which side terrorist activity may originate. In "Radical Right vs. Radical Left" the composition and characteristics of these diverse groups are analyzed.

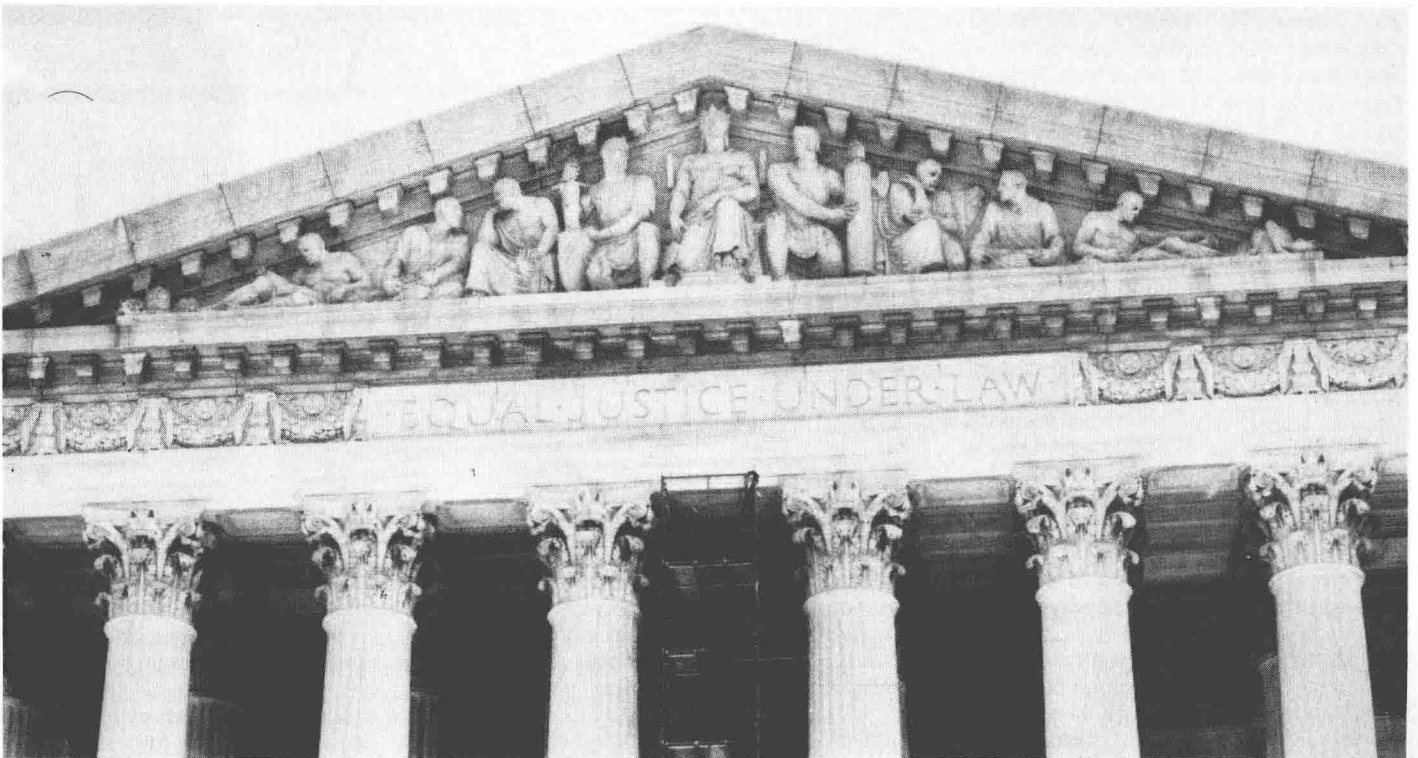
## Looking Ahead: Challenge Questions

What is crime?

What is the sequence of events in the criminal justice system?

Is the RICO law being abused by the Federal government?

# Unit 1



# An Overview of the Criminal Justice System

The response to crime is a complex process that involves citizens as well as many agencies, levels, and branches of government

## The private sector initiates the response to crime

This first response may come from any part of the private sector: individuals, families, neighborhood associations, business, industry, agriculture, educational institutions, the news media, or any other private service to the public.

It involves crime prevention as well as participation in the criminal justice process once a crime has been committed. Private crime prevention is more than providing private security or burglar alarms or participating in neighborhood watch. It also includes a commitment to stop criminal behavior by not engaging in it or condoning it when it is committed by others.

Citizens take part directly in the criminal justice process by reporting crime to the police, by being a reliable participant (for example, witness, juror) in a criminal proceeding, and by accepting the disposition of the system as just or reasonable. As voters and taxpayers, citizens also participate in criminal justice through the policymaking process that affects how the criminal justice process operates, the resources available to it, and its goals and objectives. At every stage of the process, from the original formulation of objectives to the decision about where to locate jails and prisons and to the reintegration of inmates into society, the private sector has a role to play. Without such involvement, the criminal justice process cannot serve the citizens it is intended to protect.

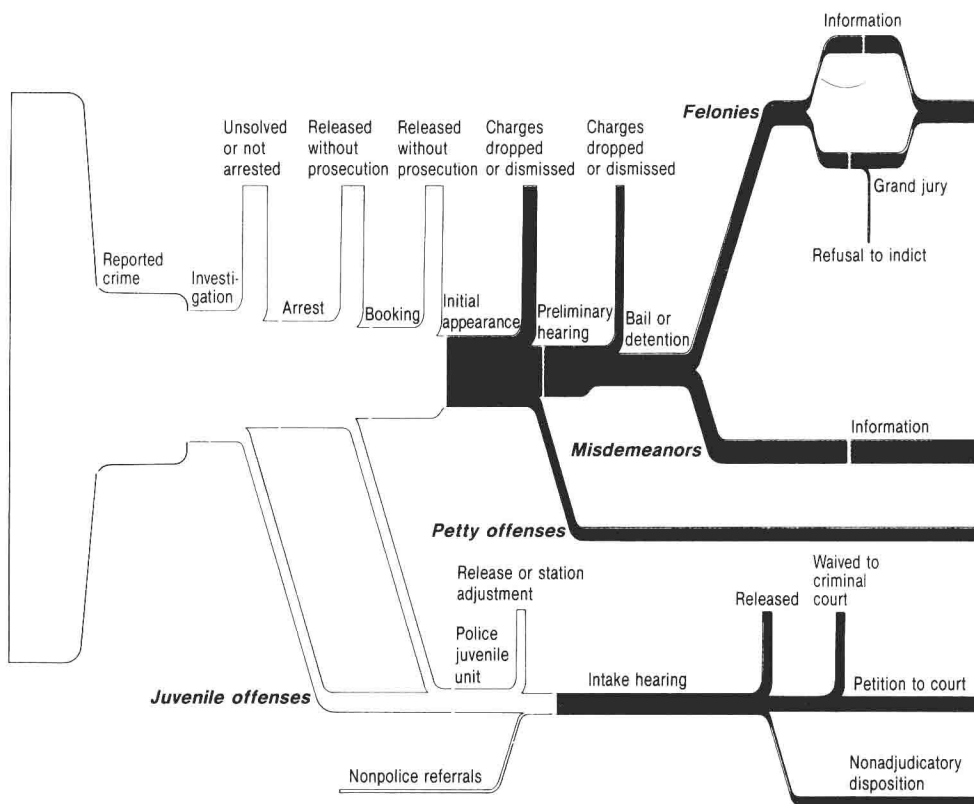
## The government responds to crime through the criminal justice system

We apprehend, try, and punish offenders by means of a loose confederation of agencies at all levels of government. Our American system of justice has evolved from the English

### What is the sequence of events in the criminal justice system?

#### Entry into the system

#### Prosecution and pretrial services



Note: This chart gives a simplified view of caseload through the criminal justice system. Procedures vary among jurisdictions. The weights of the lines are not intended to show the actual size of caseloads.

common law into a complex series of procedures and decisions. There is no single criminal justice system in this country. We have many systems that are similar, but individually unique.

Criminal cases may be handled differently in different jurisdictions, but court

decisions based on the due process guarantees of the U.S. Constitution require that specific steps be taken in the administration of criminal justice.

The description of the criminal and juvenile justice systems that follows portrays the most common sequence of events