



INTRODUCTION TO
CRIMINAL
JUSTICE

Fifteenth
Edition



LARRY J. SIEGEL

JOHN L. WORRALL

FIFTEENTH EDITION

Introduction to

CRIMINAL JUSTICE

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**Introduction to Criminal Justice,
Fifteenth Edition**

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This book is dedicated to my children, Eric, Andrew, Julie,
and Rachel, and to my grandchildren, Jack, Kayla, and Brooke.
It is also dedicated to Jason Macy (thanks for marrying Rachel)
and Therese J. Libby (thanks for marrying me).

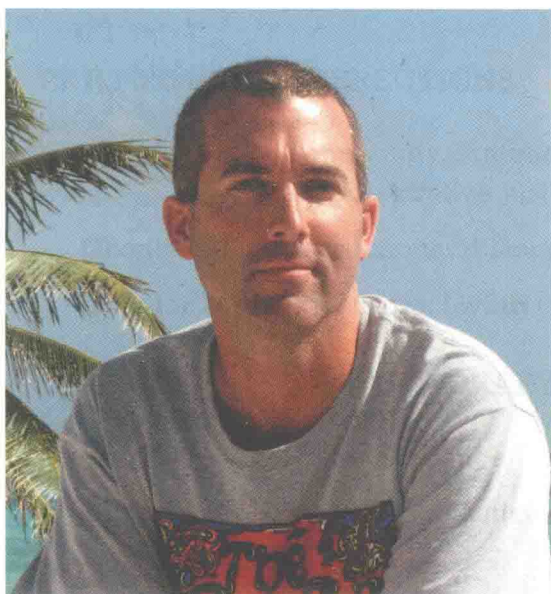
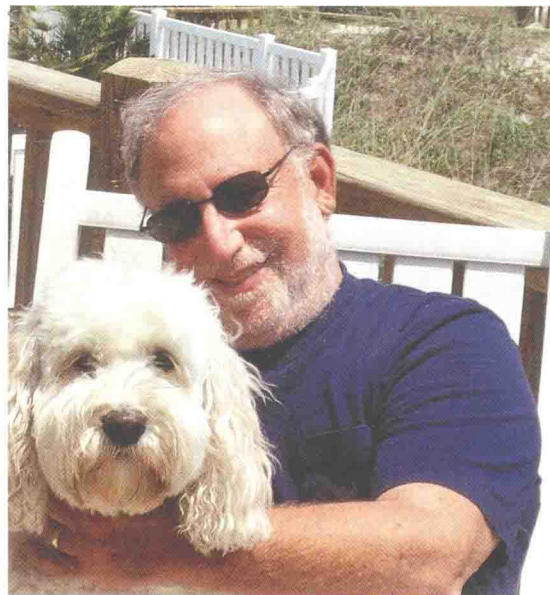
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This book is dedicated to my wife, Sabrina.
Thank you for your continued love and support.

J. L. W.

ABOUT THE AUTHORS

LARRY J. SIEGEL was born in the Bronx in 1947. While living on Jerome Avenue and attending City College of New York in the 1960s, he was swept up in the social and political currents of the time. He became intrigued with the influence contemporary culture had on individual behavior: Did people shape society or did society shape people? He applied his interest in social forces and human behavior to the study of crime and justice. After graduating CCNY, he attended the newly opened program in criminal justice at the State University of New York at Albany, earning both his M.A. and Ph.D. degrees there. After completing his graduate work, Dr. Siegel began his teaching career at Northeastern University, where he was a faculty member for nine years. After leaving Northeastern, he held teaching positions at the University of Nebraska–Omaha and Saint Anselm College in New Hampshire. He is currently a professor at the University of Massachusetts, Lowell. Dr. Siegel has written extensively in the area of crime and justice, including books on juvenile law, delinquency, criminology, criminal justice, and criminal procedure. He is a court-certified expert on police conduct and has testified in numerous legal cases. The father of four and grandfather of three, Larry Siegel and his wife, Terry, now reside in Bedford, New Hampshire, with their two dogs, Watson and Cody.



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PREFACE

He was a famous athlete known as the Blade Runner because he ran on artificial limbs; she was a beautiful model with a reality TV show. They seemed to be living a golden life with a glorious future when on February 14, 2013 police, were called to the gated community in Oscar Pistorius's hometown of Pretoria, South Africa to find that his girlfriend, Reeva Steenkamp, had been shot to death. Police arrested Pistorius on suspicion of murder and a 9mm pistol was recovered from the scene. While at first there was talk that Pistorius mistook Steenkamp for an intruder, these rumors were quashed when it turned out that she had been shot four times through a bathroom door. There were also reports that Pistorius called his father at 3:20 A.M. and asked him to come to the house. When the family arrived, Pistorius was allegedly carrying a nightgown-clad Steenkamp down the stairs, her head and arms dangling. When the police inspected Pistorius's bedroom, they found her overnight bag and iPad on the floor. A holster for a 9mm pistol was found on Oscar's side of the bed. On March 3, 2014, one of the most celebrated trials of the century began. Six months later, Pistorius was found guilty of culpable homicide, a crime similar to involuntary manslaughter. The judge in the case was convinced Pistorius did not intend to kill Steenkamp.

While the Pistorius case occurred in South Africa, it made headlines around the world. Such incidents tell the general public that crime occurs everywhere, and can occur among the rich and powerful as well as the poor and downtrodden. Because crime is everywhere and all of us are potential victims, these highly reported incidents remind us why we rely on the criminal justice system. Empowered by case law and legislation, these agencies are designed to protect us from crimes ranging from a furious boyfriend with anger management issues to international drug cartels that use sophisticated technology to launder money in overseas capitals.

The justice system has become an enterprise costing more than \$150 billion each year. It employs millions of people in law enforcement, courts, and correctional agencies. *Introduction to Criminal Justice* was written to help students interested in justice better understand this enormous and complex system and to aid their journey in introductory-level criminal justice courses. The text analyzes and describes the agencies of justice and the variety of procedures they use to apprehend, adjudicate, and treat criminal offenders. It covers what most experts believe are the critical issues in criminal justice and analyzes their impact on the justice system. The primary goals in writing this, the Fifteenth Edition, remain as they have been for previous editions:

- To provide students with a thorough knowledge of criminal justice agencies
- To be as thorough and up-to-date as possible
- To be objective and unbiased
- To challenge students to think critically about justice

Every attempt has been made to present the material in an interesting, balanced, and objective manner, making sure that no single political or theoretical position dominates the text. Instead, we present the many diverse views that shape the contemporary criminal justice system and characterize its interdisciplinary

nature. Diversity of opinion is what the study of criminal justice is all about and is the central focus of the text. We have tried to provide a text that is scholarly and informative, comprehensive yet interesting, and well organized and objective while at the same time provocative and thought provoking.

ORGANIZATION OF THE TEXT

Part One gives the student a basic introduction to crime, law, and justice—from as far back as the American Revolution into the new millennium. The first chapter briefly describes the history of criminal justice, the agencies of justice, and the formal justice process, and it introduces students to the concept of the informal justice system, which involves discretion, deal making, and plea bargains. The chapter also describes the major perspectives on justice. Chapter 2 addresses such questions as: How is crime measured? Where and when does it occur? Who commits crime? Who are its victims? What social factors influence the crime rate? Chapter 3 covers crime patterns and theories of crime. Chapter 4 provides a discussion of the criminal law and its relationship to criminal justice.

Part Two provides an overview of the law enforcement field. Four chapters cover the history and development of law enforcement, the role, organization, and function of police in modern society, issues in policing, and police and the rule of law.

Part Three is devoted to the adjudication process, from pretrial indictment to the sentencing of criminal offenders. Chapters focus on organization of the court system, an analysis of the prosecution and defense functions, pretrial procedures, and the criminal trial. Topics included range from court structure to the processing of felony cases, indigent defense systems, attorney competence, legal ethics, pretrial services, and bail reform. Part Three wraps up with a chapter on punishment and sentencing.

Part Four focuses on the correctional system, including probation, intermediate sanctions, and restorative justice. The traditional correctional system of jails, prisons, community-based corrections, and parole are also discussed at length. Such issues as technocorrections and the problem of prisoner reentry are analyzed.

Part Five covers special topics in criminal justice. The juvenile justice system chapter contains information on preventive detention of youths, waiving youths to the adult court, and recent changes in the death penalty for children. Part Five also includes a chapter on criminal justice in the new millennium. It covers topics such as corporate enterprise crime, cybercrime, transnational organized crime, and terrorism. This final chapter reflects the challenges now facing the justice system in the new millennium.

NEW IN THIS EDITION

Because the study of criminal justice is a dynamic field of scientific inquiry and the concepts and processes of justice are constantly changing and evolving, the Fifteenth Edition has been thoroughly revised. In addition to revising and updating the text, we have added two new features. One of them, a marginal feature we call Fact Check, compares students' opinions to public opinion, then pits opinion against reality by illustrating how perceptions and the "real world" are often at odds with one another. A new Global Criminal Justice feature explores crime-related issues that are international in scope. This edition of *Introduction to Criminal Justice* also includes updated and expanded web content throughout, helping readers gain further insight into the topics covered.



Chapter-by-Chapter Changes

Chapter 1: The opening vignette features the latest fallout from the 2012 Trayvon Martin case, including George Zimmerman's acquittal in 2013. Numerous CourseMate web links have been added throughout the chapter, affording readers an opportunity to more thoroughly explore certain chapter topics. The latest criminal justice system size and cost estimates are included. The chapter wraps up with a new Ethical Challenges in Criminal Justice writing assignment concerning the use of red light cameras.

Chapter 2: A new chapter opening story features the infamous Newtown, Connecticut, mass school shooting. The Careers in Criminal Justice box now features the job of crime analyst, a more attainable position than statistician, which was highlighted in the previous edition. A new section on property crimes appears in the "What Are the Different Categories of Crime?" section. Chapter 2 also contains the first of several new Global Criminal Justice features, this one comparing crime rates in the United States to those of other countries around the world. The latest crime and victimization statistics also appear throughout the chapter.

Chapter 3: In addition to being updated with the latest research on crime causation, this chapter now begins with a story featuring the 2013 Washington Navy Yard shooting, plus updates on other recent mass shootings carried out in recent years. A new Criminal Justice and Technology box explores the feasibility of brain scans for detecting signs of antisocial behavior, and the ethics assignment at the end of the chapter challenges students to decide whether nature or nurture is most important in terms of explaining crime.

Chapter 4: The justification and excuse defense sections have been revised and reorganized. For clarity of presentation, the ignorance and mistake section was moved up in the chapter and away from the "Criminal Defenses" section. Chapter 4 also contains a new Analyzing Criminal Justice Issues box featuring the controversial Florida "stand-your-ground" law. The "Reforming the Criminal Law" section now contains the latest facts on marijuana legalization in Washington and Colorado. Finally, the Criminal Justice and Technology box features the latest developments in government searches of cell phone records and the NSA's controversial metadata collection program.

Chapter 5: A new chapter opening story features the use of robotic drones in domestic law enforcement. A new "Policing Since 2000" section has been added into the police history discussion. It features changes in policing due to 9/11, the evidence-based justice movement, and the great recession of 2008. The chapter also includes the latest facts and figures on federal, state, county, and municipal police departments. A new Global Criminal Justice box features the role of INTERPOL in modern law enforcement.

Chapter 6: Police budget cuts remain a consistent problem. While the economy is rebounding, many agencies are still reeling from the effects of the 2008 recession. The revised chapter opening story highlights several of the initiatives police departments have taken to "do more with less," including the controversial strategy of public safety consolidation. The Criminal Justice and Technology box now moves beyond in-car cameras and includes body-worn cameras. A new Careers in Criminal Justice box features the position of victim advocate.

Chapter 7: Chapter 7 begins with an examination of the FBI's recent probe into shootings by officers of the Albuquerque, New Mexico, Police Department. A new Criminal Justice and Technology box features the so-called "Dazer Laser," an alternative to the popular Taser. The Careers in Criminal Justice box now features the position of intelligence analyst. The chapter has also been updated with the latest facts and figures concerning police demographics, use of force incidents, and contemporary policing problems.

Chapter 8: The chapter begins with a new opening story on the Supreme Court's decision in *Missouri v. McNeely*. The case dealt with forced, warrantless blood draws in a drunk driving context. The chapter is also updated with the latest Supreme Court decisions relevant in the world of law enforcement. Finally, a new Analyzing Criminal Justice Issues box features the constitutional rules and cases dealing with police canine searches.

Chapter 9: This chapter begins with a new story featuring St. Louis Circuit Attorney Jennifer Joyce and her use of Facebook and Twitter. It also includes the latest facts and figures on court structure and workloads, the judiciary, prosecution, and the defense bar.

Chapter 10: The chapter opens with a story on Ariel Castro, who kidnapped three women in Ohio, holding them against their will for years until one escaped. Chapter 10 also includes the latest Supreme Court cases pertaining to pretrial and trial procedure.

Chapter 11: Chapter 11 web resources have been improved. The latest in sentencing statistics and cases are also included. The capital punishment section has been updated with the latest statistics. Fact Check boxes examine public support for the current number of prisoners locked up in America and capital punishment.

Chapter 12: The chapter leads off with a new opening story featuring recent celebrity convictions and their probation sentences. A new Evidence-Based Justice box features cognitive behavioral therapy for probationers. The chapter is also updated with all the latest facts and figures related to probation and intermediate sanctions. The "Intermediate Sanctions" section has been revised to more clearly distinguish among alternatives to imprisonment, intermediate sanctions, and probation.

Chapter 13: This chapter leads off with a story featuring California's recent prison realignment, which shifted responsibility for a large number of inmates from the state to the counties. A new Analyzing Criminal Justice Issues box addresses the problem of incarcerating elderly inmates. The latest statistics on prison and jail populations are also included.

Chapter 14: Chapter 14 starts off with a new story featuring Colorado inmate Scott Howard's harrowing prison experience. A new Criminal Justice and Technology box features the latest strategies for monitoring inmates and areas within prisons. Two new Analyzing Criminal Justice Issues boxes address the problems of postrelease recidivism and reentry success. The latest data on parole success are also included.

Chapter 15: The juvenile justice chapter has been updated with the latest statistics on delinquency cases, juvenile waiver, and other matters of relevance to young offenders. Web links have been expanded and a Fact Check feature explores opinions and reality concerning the treatment of juvenile offenders as adults.

Chapter 16: The chapter begins with a new story featuring Daniel Patrick Boyd, ringleader of a group of men accused of conspiring to commit terrorism. Chapter 16 is also updated to reflect the latest developments in corporate enterprise crime, cybercrime, transnational organized crime, and terrorism.

SPECIAL FEATURES

We have created a comprehensive, proven learning system designed to help students get the most out of their first course in criminal justice. In addition to the many changes already mentioned, we have included a wealth of new



photographs to appeal to visual learners and make material more relevant and meaningful. Carefully updated tables and completely redrawn figures highlight key chapter concepts. Marginal definitions of key terms; concise, bulleted end-of-chapter summaries that align with chapter learning objectives; and a comprehensive end-of-book glossary all help students master the material. Web App links appearing in the text's margins let students explore topics further via the Internet.

Boxed Features

We have included a number of thematic boxes to introduce students to some of the field's most crucial programs, policies, and issues, providing them with an opportunity to analyze the material in greater depth.

- **Fact Check** These marginal boxes compare students' opinions on controversial criminal justice topics to the public's opinion. It then compares poll results to the reality surrounding the problem at hand. For example, the box in chapter 3 explores opinions concerning the best approach to dealing with crime, then compares those results to what we know about effective crime control policy.
- **Careers in Criminal Justice** We have updated this popular addition to the previous edition with the latest career paths in criminal justice. These boxes contain detailed information on salaries, educational requirements, and future prospects.
- **Global Criminal Justice** These boxes are aimed at helping students better understand the crime problems that know no geographical boundaries. They also offer comparative perspective. For example, the box in Chapter 2 compares U.S. crime rates to those of other countries around the world.
- **Criminal Justice and Technology** This feature focuses on some of the latest efforts to modernize the system using contemporary technological methods. For example, Chapter 8's Criminal Justice and Technology box discusses the use of GPS tagging in hot-pursuit cases.
- **Analyzing Criminal Justice Issues** This feature helps students to learn and think critically about current justice issues and practices. For example, an Analyzing Criminal Justice Issues box in Chapter 11 features efforts to reduce wrongful convictions.
- **Evidence-Based Justice** This feature summarizes the scientific evidence about the effectiveness of various criminal justice strategies and programs. For example, the Evidence-Based Justice box in Chapter 6 examines the research on the crime prevention effects of police work.
- **The Evolution of ...** This feature summarizes the evolution of key Supreme Court decisions. For example, Chapter 8 discusses the evolution of *Carroll v. United States*, the key vehicle search case, and *Miranda v. Arizona*, which of course deals with confessions and interrogations. The feature summarizes nearly every subsequent Supreme Court case that builds on, expands, or restricts the original case.
- **The Victim Experience** This feature focuses on victims' role in the criminal justice system. We have chosen important elements of justice and engaged them through the lens of the victim rather than the criminal or agent of the justice system. The idea is to give students a feel for what it is like to be a crime victim and to promote classroom discussions of victimization. Topics covered include victim advocacy, victim services, and victims' rights.

Other Important Chapter Features

We have included numerous learning tools in every chapter to aid student mastery of the material. A few of the most valuable study aids we provide are the following.

- **Ethical Challenges in Criminal Justice: A Writing Assignment** Each chapter has a writing assignment that challenges students to solve an ethical dilemma they may someday confront while working within the justice system. The dilemma in Chapter 16, for example, focuses on whether it is ethical for government officials to engage in certain surveillance activities.
- **Web Apps** These are designed to guide students to websites that provide them with additional information if they want to conduct further research on the topics covered in the text.
- **Concept Summaries** Throughout the chapters, these tables or lists summarize the content of important concepts found in the chapter so students can compare and contrast ideas, views, cases, findings, and so on. For example, in Chapter 3 a Concept Summary reviews concepts and theories of criminology.
- **Significant Cases** Several chapters contain reference to multiple Supreme Court decisions. At the end of each of these chapters is a new Significant Cases in ... feature. For example, before the chapter summary at the end of Chapter 11 is a table summarizing significant cases in punishment and sentencing. Contents of the table include the name of the case, the year it was decided, the key issue at stake, and the Supreme Court's decision. While it was impossible to summarize every significant case, we believe readers will enjoy the comprehensiveness of the case selections we have included.

ANCILLARY MATERIALS

A number of supplements are provided by Cengage Learning to help instructors use *Introduction to Criminology* in their courses and to aid students in preparing for exams. Supplements are available to qualified adopters. Please consult your local sales representative for details.

To access additional course materials, please visit www.cengagebrain.com. At the CengageBrain.com home page, search for the ISBN of your title (from the back cover of your book), using the search box at the top of the page. This will take you to the product page where these resources can be found.

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MINDTAP CRIMINAL JUSTICE from Cengage Learning represents a new approach to a highly personalized, online learning platform. A fully online learning solution, MindTap combines all of a student's learning tools—readings, multimedia, activities, and assessments into a singular Learning Path that guides the student through the curriculum. Instructors personalize the experience by customizing the presentation of these learning tools for their students, allowing instructors to seamlessly introduce their own content into the Learning Path via “apps” that integrate into the MindTap platform. Additionally, MindTap provides interoperability with major Learning Management Systems (LMS) via support for open industry standards and fosters partnerships with third-party educational application providers to provide a highly collaborative, engaging, and personalized learning experience.

INSTRUCTOR'S RESOURCE MANUAL WITH LESSON PLANS AND TEST BANK revised for the 15th edition by Sameer Hinduja of Florida Atlantic University, includes learning objectives, key terms, a detailed chapter outline, a

chapter summary, lesson plans, discussion topics, student activities, “What If” scenarios, media tools, and an expanded test bank with 30 percent more questions than the prior edition. The learning objectives are correlated with the discussion topics, student activities, and media tools.

Each chapter of the test bank contains questions in multiple-choice, true/false, completion, essay, and new critical thinking formats, with a full answer key. The test bank is coded to the learning objectives that appear in the main text, and includes the section in the main text where the answers can be found. Finally, each question in the test bank has been carefully reviewed by experienced criminal justice instructors for quality, accuracy, and content coverage so instructors can be sure they are working with an assessment and grading resource of the highest caliber.

CENGAGE LEARNING TESTING POWERED BY COGNERO This assessment software is a flexible, online system that allows you to import, edit, and manipulate test bank content from the *Introduction to Criminal Justice* test bank or elsewhere, including your own favorite test questions; create multiple test versions in an instant; and deliver tests from your LMS, your classroom, or wherever you want.

ONLINE POWERPOINT® LECTURES Helping you make your lectures more engaging while effectively reaching your visually oriented students, these handy Microsoft PowerPoint® slides revised for the 15th edition by Lisa Anne Zilney of Montclair State University outline the chapters of the main text in a classroom-ready presentation. The PowerPoint® slides are updated to reflect the content and organization of the new edition of the text, are tagged by chapter learning objective, and feature some additional examples and real-world cases for application and discussion.

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Larry J. Siegel

John L. Worrall



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THE NATURE OF CRIME, LAW, AND CRIMINAL JUSTICE 1

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