

PRINCIPLES OF

# LAW ENFORCEMENT

AN OVERVIEW OF THE  
JUSTICE SYSTEM 3 ED.

EDWARD ELDEFONSO

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## An Overview of the Justice System

THIRD EDITION

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# Preface

The third edition of *Principles of Law Enforcement*, like the first and second, continues the philosophy of total involvement on an introductory level; this edition, also like the previous two, introduces the student to all facets of police work. The genre and content of this new edition, however, have been altered significantly. Although police work is still the focal point of the third edition, the authors have *maximized* discussion of the two other components of the criminal justice system—the *judicial* and *correctional* processes—so that they play a much more prominent role. The authors have taken the position that criminal justice administration in the United States can succeed only if there is an interdependent relationship among *police*, *courts*, and *corrections*. Therefore, it seems that law enforcement education must attempt to defractionalize these three major components of the criminal justice system. We believe our volume is a step in the right direction. In recognition that all three components must work together in order to eradicate the problem of crime in America, a subtitle has been added to the third edition: *An Overview of the Criminal Justice System*.

This thoroughly updated and expanded third edition of a comprehensive examination of the criminal justice system introduces the student to the historical and theoretical, as well as the human and scientific aspects of police, court, and correctional work. It deals with many general topics rather than a few topics in great depth, thus offering the student an introduction to the principles of law enforcement as well as an overview of the criminal justice system.

In keeping with the academic philosophy of providing opportunities for expanded research, the student will find annotated references at the end of each chapter, as well as appendixes which will enhance the possibilities of gaining expertise in a given area of criminal justice.

In order to focus more clearly on current criminal justice activities and problems, the book begins with a historical look at the evolution of criminal justice in relation to deviant behavior. In the second part of the book, the authors consider contemporary activities, problems, and influences relating to the administration of criminal justice within the community. In the third part

of this expanded edition, the authors pay particular attention to management, organization, fragmentation, and practitioners in the field of criminal justice. The final chapter is an in-depth exploration of future trends in criminal justice. This chapter presents valuable information not only about enforcement problems to be faced, but also about sociological and psychological change, and the concomitant problems to be inherited by the criminal justice system—a system already inundated with the realities of law enforcement in a rapidly changing society.

The third edition takes into consideration that sciences are only a part of enforcing laws in a democratic society. *People* staff criminal justice agencies, providing the support that enables these agencies to function effectively. And, of course, people break the laws of society. Law enforcement, then, consists of people interacting with people. This volume, in discussing each segment of the criminal justice apparatus, does not lose sight of human relations as an important concern of any criminal justice organization. The *impact* of law enforcement is, in essence, a very important ingredient of every chapter in this book.

The American system of criminal justice may prove to be the only hope of integrating the diverse freedom and will of so many people within a complex society. With this in mind, it is hoped that the interrelationships among the various criminal justice segments will remain clear, even though each is isolated and presented separately. With regard to these subject areas, there are entire volumes and even series of volumes in the literature. For example, publications on the subject of organization of criminal justice agencies presented in Chapter 11 could practically fill a library. With this in mind, the authors gauged the “depth” of discussion of any one subject solely by its relation to the *overall* system of criminal justice. In other words, one could say much more about each of these topics; in fact, the student will be taking separate courses in most of the areas discussed in this book. Our aim here, however, is to show how the individual segments are related and how they depend on each other for success. We have also attempted to indicate the many opportunities available in our profession. We hope that this book will be a starting point for a successful and rewarding career in the field of criminal justice.

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E.E.

A.C.

R.G.

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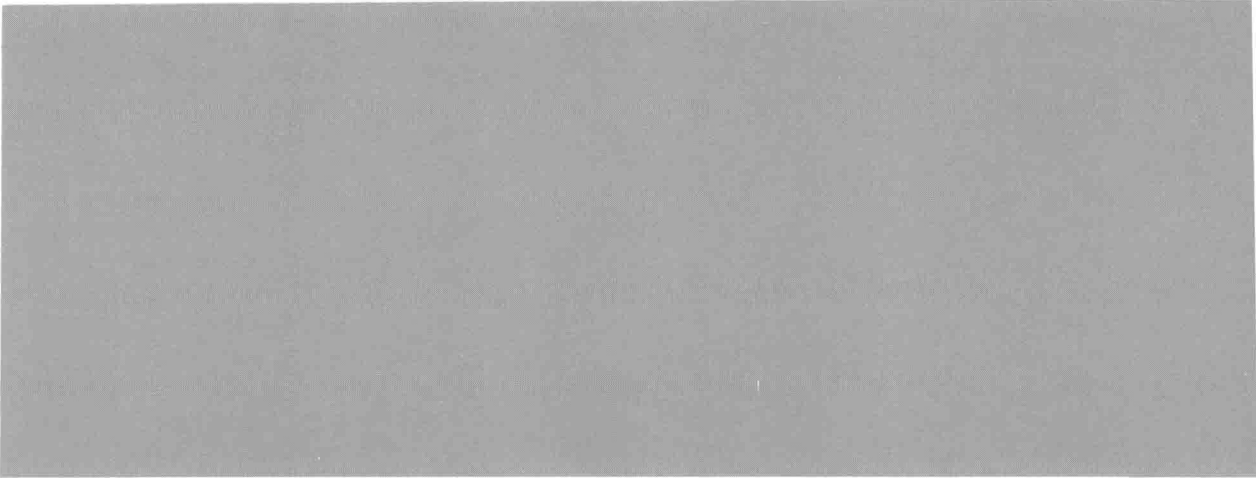
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  - CHAPTER 2** Police: A Historical Perspective
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  - CHAPTER 5** Genesis of Crime and Delinquency

# PART ONE

## The Evolution of Criminal Justice in Relation to Deviant Behavior





# 1

## Philosophy and History of Enforcing Laws

Many years ago, a student of nature stated that to isolate a small child from human society would likely produce a hairy individual who walked on all fours and had no intelligible language. This statement was made by the Swedish naturalist Linnaeus, who used the term *Homo ferus* for a human so independent of society. Cases of such isolation are recorded from time to time that seem to prove Linnaeus correct. But in terms of the philosophy of enforcing laws, the individual human should be thought of as a talking member of society who walks upright like other humans and who depends on society for survival and for law and order.

Entire volumes have elaborated the variety of ways the individual depends on society for survival. One of the most obvious concerns society's regulation of human behavior. The relationship between such regulation and the philosophy of enforcing laws might be illustrated by an example. The Biblical Cain's assault on his brother Abel posed (at least from Abel's point of view) an urgent need for society to regulate behavior in order for Abel to survive. To say the least, the absence of such regulation proved grossly unfortunate for Abel. Today's criminals are, of course, just as willing to use violence or deceit to achieve their goals, so there is still a need to regulate behavior.

An individual's relationship to a society then is one of dependence. The individual is, or should be, motivated to accept that dependence on regulation of behavior in exchange for society providing *personal safety*. Rarely in history has personal safety not depended at least in part on regulations set up by the society. In this sense, the society is an enforcer (although in a slightly broader perspective than the *enforcement* concepts discussed in Chapters 3 and 4). And because humans vary greatly in their willingness to accept regulations of behavior (in spite of the motivation to gain personal safety), the enforcement function of society becomes necessary in order for society to exist.

### Philosophy of Enforcing Laws: Personal Safety

Regulating behavior is necessary because individuals striving for survival and other needs tend to jeopardize each other's personal safety. How striving for