CRIMINAL JUSTICE THIRD EDITION LAWRENCE F. TRAVIS III



INTRODUCTION TO CRIMINAL JUSTICE THIRD EDITION

LAWRENCE F. TRAVIS III UNIVERSITY OF CINCINNATI

Introduction to Criminal Justice, Third Edition

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Preface

The third edition of *Introduction to Criminal Justice* contains revision and updating of the topics covered in the previous edition while retaining what was most beneficial. As in the previous editions, the guiding purpose was to provide students with a relatively brief, affordable and comprehensible introduction to the field of criminal justice. Thus, this edition retains the focus on a systems perspective and the conflict between concerns for due process and concerns for crime control that were central in the second edition.

The basic format of the text remains unchanged. Four chapters set the context for studying criminal justice, 10 chapters are devoted to analyzing the justice process, and the final chapter looks to the future. As with the earlier editions, the style and vocabulary have been keyed to the reading level of the typical college freshman. The presentation of key terms at the start of each chapter, review questions and a glossary were all repeated to help students/readers master the language and concepts of criminal justice.

New in the Third Edition

The most apparent changes in the third edition are in the presentation of the information. The text is now more visually attractive with the inclusion of photographs and an increased number of figures. Wherever possible, detailed data tables have been transformed into bar charts or pie charts to better communicate data to the reader. The increased number of visual aids helps to make reading more enjoyable. Studying and working in the criminal justice field have always been fascinating and "fun" for me, I hope that reading about the field can be exciting for students as well.

Less noticeable, perhaps, has been the expansion of coverage of some topics, and the addition of others. In a basic survey course, it is always difficult to determine what to include and what to leave for later courses. In writing this edition, the increasing importance of community to criminal justice required an expansion of coverage so that the text contains mentions of community policing, community courts, community corrections and community justice. So too, the increasingly important role of the federal government in criminal justice has required additional attention throughout the book.

These changes are intentionally less noticeable. The goal of this text is to assist students in developing a perspective on criminal justice as a wide-ranging social institution. Rather than focus on specialized topics and hope the reader can integrate them into a comprehensive view, this book continues to provide a comprehensive overview, relying on the instructor and reader to seek additional information about those topics they find most important or interesting. The book is designed for student use. It is written to provide a grounding in criminal justice that will both encourage the student reader to raise questions, and enable the reader to begin to find answers. I expect that this edition, like its predecessors, will pass the ultimate test of student use.

Acknowledgments

This is the second time I have revised this introductory textbook. Each revision adds to the list of those to whom I owe a debt of gratitude. I cannot possibly list all of those whose comments, suggestions and assistance have found their way into this book. Several people, however, deserve special thanks.

From Anderson Publishing, Bill Simon, Mickey Braswell and Susan Braswell were instrumental in the completion of the first edition, and my debt to them remains even in the third edition. Kelly Grondin has been very supportive of this effort. In the trenches, however, has been Ellen Boyne, my editor. This is a better book because of her efforts, and I am a better writer. I may have completed a revision of this book without Ellen's help and contribution, but it would not have been as thorough.

My colleagues at the University of Cincinnati also deserve special recognition. It is a pleasure to cite their work, and it is relatively easy to keep abreast of a rapidly changing field when surrounded by scholars of their caliber. Jo Belknap, Sandra Browning, Mitch Chamlin, Jim Frank, Ed Latessa, Lorraine Green Mazzerolle, Paul Mazzerolle, Pat Van Voorhis and John Wooldredge are thanked for their help and insights. Frank Cullen, Distinguished Research Professor, as always, is thanked for being my defender—I still have never taken longer on a writing project than Frank; his record is unbreakable.

I have also relied on the able assistance of my professional colleagues. Steve Lab and John Whitehead wrote Chapter 14 on juvenile justice. Bob Langworthy, George Wilson and others too numerous to

mention have made a lasting impression. My own professors, including the late Donald Newman, Rita Warren, Hans Toch, Leslie Wilkins and Vincent O'Leary, have left an indelible mark. My students have influenced me as well. I feel proud (and old) to cite their works in the book.

My greatest thanks go to my family who have supported me in this effort. My sons, Larry IV, Chris and Greg, prevented me from becoming a hermit and encouraged me in their own ways. Larry actually used the text (he got a great discount) as a student at Bowling Green State University. He paid me the highest compliment, rating the book as "pretty interesting." My hopes for them, however, have been dashed. Each has now had official contact with the justice system. The youngest got his first traffic ticket last year. My wife, Pat, did much of the editorial work, participating in a marathon effort to write the indices. In the text revision effort, I may get a Bronze Medal, the Gold belongs to her. Thank you, Pat, I love you.

As always, while I have written this book and am ultimately responsible for any errors it contains, I deny that responsibility. Any mistakes are clearly the product of my trusting nature and the failures of those named above.

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1

CHAPTER

Criminal Justice Perspectives

Imagine that you are standing on a busy street corner. You look at the people around you. What do you see?

A woman drops a postcard in a mailbox.

Across the street, a man carrying a small suitcase steps off a bus.

Several feet away from you a couple is arguing about something.

A police car slowly passes through the intersection. Less than a half a block away, someone is "jay-walking" while a small child nearby is reading a street sign.

A man deposits money in a nearby parking meter. A stranger approaches you and asks that you sign a petition in support of seat belt legislation.

KEY TERMS

closed system
crime control model
due process model
family model
federalism
functions
level of abstraction
local autonomy
open system
separation of powers
social control
system

What you probably do not see is that the mix of pedestrian and vehicular traffic is orderly. You do not notice that almost everyone watches the police car, at least briefly. You do not realize that all of these strangers at the intersection are going about their own business, apparently unaware of each other. Yet, in a well-rehearsed routine, they stop and go on cue from the traffic light. You probably do not see a crime (with the possible exception of the jaywalker).

Without realizing it, you have observed the criminal justice system in action. What you did not know is that the postcard was a monthly report the woman was sending to her probation officer. Nor was it clear that the man with the suitcase just left the state penitentiary on parole. The arguing couple may be tonight's (or last night's) domestic distur-

bance. The slow-moving police car is searching for the small child, who is reading the street signs because he is lost. The jaywalker crossed the street to avoid walking past a group of teens gathered on the sidewalk. The man at the parking meter wants to avoid a citation. The person with the petition hopes to ensure that motorists wear their seat belts.

The entire street corner scene just described, and all of the individuals in it, are affected by the workings of the criminal justice system. Interestingly, the individuals also directly affect the workings of that system. Should the argumentative couple become too boisterous, the shopper fail to deposit the correct coins in the parking meter, the woman not mail the postcard, etc., you would expect some sort of official response from the justice system. Thus, criminal justice is an integral part of our society and social living.

Sociologists often speak of the purposes of social institutions as "functions" (Parsons, 1966). Functions are the goals served by a social institution. For instance, schools serve the function of education. Institutional functions can be classified as either manifest or latent. Manifest functions are the stated purposes of the institution, while latent functions are the unstated or hidden goals. For example, schools serve the manifest function of education through teaching students various academic subjects. They also meet the latent functions of providing child care and controlling the workforce by otherwise occupying millions of young people.

Social Control

Albert Cohen (1966:3) observed that "if human beings are to do business with one another, there must be rules, and people must be able to assume that, by and large, these rules will be observed." The making and enforcement of rules is a requirement for organized social living. Social control is the label given to the processes and structures that seek to limit rule-breaking behavior, or deviance.

As we shall see, there are a number of instruments of social control in any society, of which the law and criminal justice process are only one. Most discussions of social control attempt to classify the different means by which conformity is achieved (Black, 1976; Langworthy & Travis, 1994; Ross, 1926). These classifications focus on the procedures and processes by which conformity is supported. The social control mechanisms existing in a society or community can influence individual behavior by assigning "blame" and sanctions, or by prevention and education.