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WILLARD M. OLIVER

THE PUBLIC POLICY OF CRIME AND CRIMINAL JUSTICE

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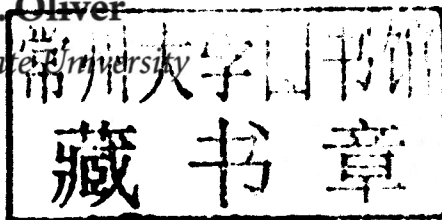
THE PUBLIC POLICY OF CRIME AND CRIMINAL JUSTICE

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**THE PUBLIC POLICY
OF CRIME AND CRIMINAL JUSTICE**

This book is dedicated to my parents and the JAM-D Club.

—N.E.M.—

*This book is dedicated to my son James, who can now say he
has his own book again!*

God continues to smile on me when you smile, James.

—W.M.O.—

PREFACE

NEW TO THIS EDITION

- Updated tables & charts
- New photos to reflect current administration
- Contemporary examples have been incorporated into the text
- Minor errors, omissions, etc. have been rectified
- Stronger focus on state and local criminal justice agencies
- Three years of research incorporated into text

Public policy is the study of the choices the government makes in dealing with a problem. Criminal justice is the study of the organization, function, and processes of the agencies that deal with the problem of crime, namely, the police, courts, and corrections. While the study of public policy is not relegated to any particular discipline or field, the study of criminal justice is in reality a discipline that pulls from many other disciplines, such as sociology/criminology, public administration, and law. Combining these two areas of study, public policy and criminal justice, we are then talking about the study of the choices that government makes in dealing with the problem of crime through policy that impacts the criminal justice system.

The study of the public policy of crime and criminal justice is important for all citizens but especially for the student of criminal justice, for it helps us understand the process by which public policy is made and why we have the crime policy we have today. Understanding the public policy process, how the various actors influence public policy, and ultimately how this comes to impact the criminal justice system serves to remind us that our democratic system of government and its policies constitute a political process. And there can be little dispute that crime has become a major political issue of our day. Recognizing that the formation of crime policy is indeed a political process not only helps us understand current criminal justice policies but also points us in the direction for how best to shape future crime policy in America.

Although there have been many criminal justice journal articles addressing the public policy of crime and criminal justice, there has been a dearth of books related to this subject. While there have been some edited readers and books that provide a scanty overview of the topic, this is the first serious attempt at a definitive textbook detailing the public policy process as it relates to crime and criminal justice. It is our hope that this book will help fill a gap in our collective knowledge and that it will serve the students of criminal justice well.

To that end, the book is divided into four parts. Part 1 deals with the criminal justice policy process by providing an overview of criminal justice and public policy in chapter 1, explaining the important role that ideology plays in chapter 2, and then conveying the policy process and the different perspectives in regard to this process in chapter 3. Part 2 then analyzes the important actors and the roles they play in the public policy process. Individual chapters are dedicated to the executive, legislative, and judicial branches of government as well as the bureaucracies, public opinion and the media (collectively in one chapter), and interest groups. Part 3 focuses on the role that the criminal justice system plays in the public policy process with chapters dedicated to the police, courts, and corrections as well as the juvenile justice system. Finally, Part 4, with only one chapter, provides an in-depth case study to walk the reader through a specific real-world

example of a policy that has had a significant impact on criminal justice in America, namely, the Violent Crime Control and Law Enforcement Act of 1994, with its focus on community policing and the "100,000 Cops" program.

Nancy E. Marion

Willard M. Oliver

ACKNOWLEDGMENTS

There is no such thing as the lone author writing in a vacuum, devoid of any assistance from the outside world. Even when two authors collaborate, as we have done here, a book can never be solely the fruits of the authors' labors. Rather, writing is the culmination of lifelong learning and influence from others as well as the direct assistance by those around us. We would therefore like to acknowledge all of those who have had an influence on us and have participated directly in the production of this book. Oddly enough, we must start with each other:

If it were not for the work of Nancy Marion, my doctoral work would not have been possible. Nancy laid the groundwork for what would become my dissertation, later published as *The Law and Order Presidency* (Prentice Hall, 2003). This led to a friendship with someone I highly respect and now the second edition of this book.

—W.M.O.—

And I would like to acknowledge Will Oliver for asking me to coauthor this book and without whom this book would never have happened.

—N.E.M.—

In addition, we would like to thank our families for their patience and understanding in regard to the time it takes to write a book such as this. We both appreciate the love and support of our families.

Moreover, we both must acknowledge the people and institutions that served to shape our thinking about the public policy field. For Nancy it was the School of Justice at American University and their justice program as well as all the faculty, especially Barbara Ann Stolz and Richard Bennett. For Will it was the criminal justice program at Radford University and particularly Paul Lang's (currently of Northern Michigan University) public policy class as well as West Virginia University's Political Science Program, specifically with the tutelage of Kevin Leyden, John Kilwein, Jeff Worsham, Robert DiClerico, Bob Duval and Chris Mooney. We thank all of you for making this book possible.

The authors would like to thank Daniel Stewart, a graduate student at Sam Houston State University, for his work on many of the ancillaries and the Sam Houston State University Writing Center, especially Delma J. Talley and Dr. Diane Dowdey, for greatly improving our writing (although all mistakes are still clearly ours). We would like to thank all of the Prentice Hall editors we have worked for in regard to this book—Frank Mortimer, Tim Peyton, and Eric Krassow—their dedication and faith in this project has remained consistent through all three editors, which reflects highly not only on themselves, but on Prentice Hall as well. We would also like to thank Steve Robb for his work on this edition of the book.

We thank all reviewers for their suggestions and comments. Our personal reviewer has been Marvin Zalman of Wayne State University, who has continued to challenge us with his many e-mails and edits, so much so that we feel he is in many ways a third author on this book. We would also like to thank the reviewers of the second edition manuscript: Kevin L. Daugherty, Central New Mexico Community College; Helen T. Green, Texas Southern University; Richard M. Hough, Sr., University of West Florida; Arrick Jackson, University of North Texas; and Johnny McGaha, Florida Gulf Coast University.

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**THE PUBLIC POLICY
OF CRIME AND CRIMINAL JUSTICE**

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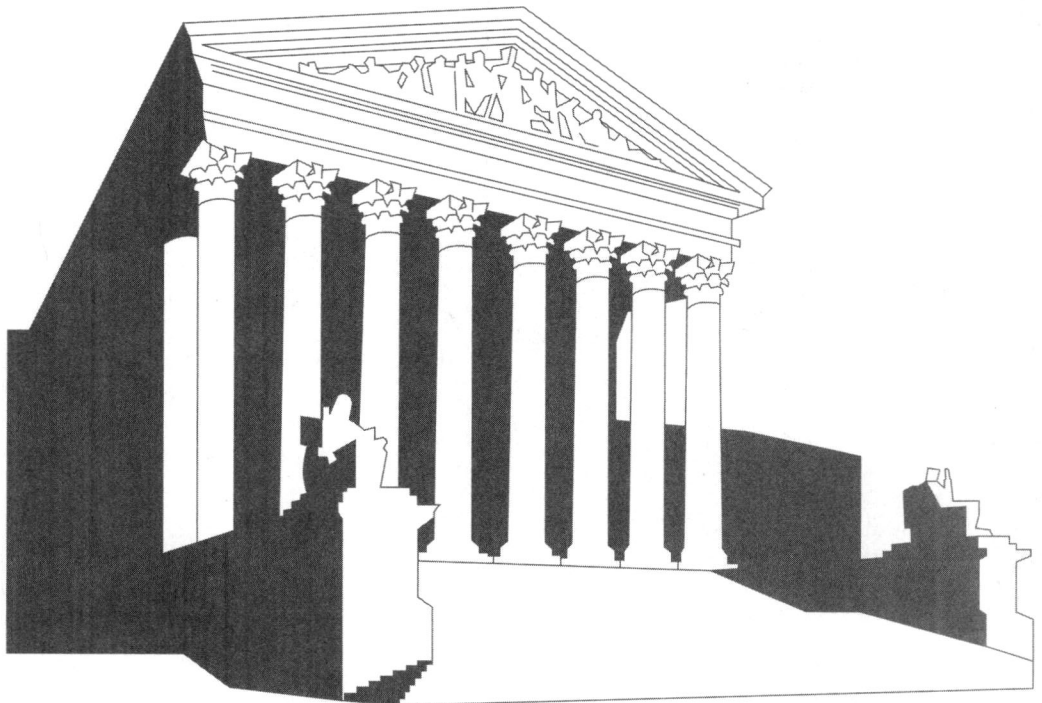
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PART ONE

The Criminal Justice Policy Process



Criminal Justice and Public Policy

