

VOICES FROM CRIMINAL JUSTICE

Thinking and Reflecting on the System



Edited by **Heith Copes**
and **Mark R. Pogrebin**

ROUTLEDGE

voices from criminal justice

thinking and reflecting
on the system

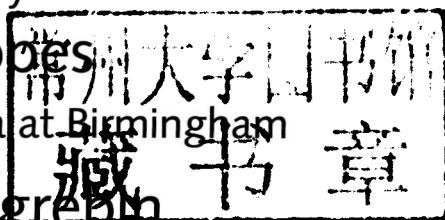
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voices from criminal justice

This innovative text/reader for undergraduate criminal justice courses in the United States provides a companion or alternative to traditional texts. Instead of providing a “catalog of information” this book gives students rich insights into what it is like to work within the system (as practitioners) as well as from those who experience criminal justice as outsiders (as citizens, clients, jurors, probationers, or inmates). By providing qualitative and teachable articles from the perspective of those who experience the three components of the criminal justice system students will be better informed about the realities of the day-to-day job of criminal justice professionals. A second, but equally important, part of the readings asks that students look beyond the actual content of the articles and use a “critical thinking” perspective to develop their own thoughts about the functions of the criminal justice system on a broader societal level. The editors have used these articles and this approach very successfully in their large undergraduate criminal justice classes.

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Heith Copes To Otha Lee Copes, my grandmother, who helped to keep me grounded.

Mark R. Pogrebin To my parents, Abraham and Esther Pogrebin, for teaching me about fairness and justice. You are greatly missed.

Preface

This book came about when the two of us were discussing the value of ethnographic research for conveying the lived experiences of people. We recognized that many criminal justice students have never worked in the field and may have misguided notions of what it is like being a police officer, attorney, or correctional officer. The nature of most college courses dictates that students would not have the opportunity to learn what it is really like. This book fills this gap in the education of criminal justice students by presenting the perspectives of those who work within the criminal justice system (i.e., practitioners) and from those who experience it as outsiders (i.e., citizens, clients, jurors, probationers, or inmates).

In deciding which articles to include in the book, we evaluated them on their methodological rigor, ability to artfully portray the perspective of those being studied, and readability for students. By providing firsthand experiences of those who work in or are affected by the criminal justice system these articles will inform readers about what they should expect when selecting a career in criminal justice. In addition, these articles are precisely the types of scholarly work that students enjoy reading. It has been our experience that students are much more receptive and willing to consume research that provides firsthand accounts of those being studied than they are general textbooks or research involving complex statistical models. Thus, those who adopt the book can expect and assume that students will read the assigned text.

We also believe that these articles will allow professors to better develop students' abilities to think critically about criminal justice issues. To foster such critical thinking we have included questions after each article. These questions are designed to stimulate course discussion and to encourage students to make connections among the other articles and their own experiences. We recognize that sometimes it is necessary to test students to ensure that they have read the articles. Thus, we have also developed "fact based" questions to supplement the book. For those interested in copies of these questions please contact saleshss@taylorandfrancis.com.

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Introduction: Thinking and Reflecting on Criminal Justice Issues

Heith Copes and Mark R. Pogrebin

In the past several decades the size of the criminal justice system and the number of people interested in pursuing criminal justice careers has grown tremendously. Each year more and more students are majoring in criminal justice or enrolling in criminal justice classes. Introductory courses, once small and filled typically with majors, now seat large numbers of students from a variety of disciplines. In addition, the number of universities in the United States with doctoral programs in criminal justice and/or criminology has grown from 20 to 36 in the past 15 years. More people are graduating with doctorates in criminal justice/criminology than at any time in history. Correspondingly, the amount of research on criminal justice related topics has increased dramatically. We now know more about the function of criminal justice bureaucracies and those who work in them than ever before.

While this rise in attention to criminal justice has brought about many positive changes, there is also a downside. With more majors and more information to cover in criminal justice courses, the amount of in-depth, critical examinations of the system, which is vital for effective teaching, has been hampered. Those who teach introductory courses in criminal justice typically rely on large textbooks that cover a wide range of topics, but with little depth (Withrow, Weible and Bonnett 2004). Such textbooks eschew in-depth understanding of criminal justice occupations and issues and critical thinking for summary overviews. This trend is neither desired nor necessary.

In response to the changing nature of criminal justice courses we have put together this reader with two goals in mind. The first goal is to provide students with a richer, more realistic understanding of the lived experiences of those who work in the criminal justice system and those who find themselves in the system in roles (i.e., citizens, victims, or offenders). We think it is important that students of criminal justice know what it is really like to work in one of the three core components of the criminal justice system (policing, courts, and corrections). Traditional textbooks rarely provide insights into the day-to-day experiences of the people who make up the criminal justice system (as employees). The articles we have selected buck this trend by using ethnographic methods to understand the system from those within it.

The second goal is to encourage more critical thinking about criminal justice issues. Traditional textbooks are geared primarily to provide summary overviews of knowledge in a given field. Textbook writers are forced to forgo depth of coverage so that they can include the large amount of material for a subject. Such styles of textbooks

lend themselves to multiple choice, true/false, and short answer questions. Thus, the ability to think critically and move beyond rote memorization is devalued. To overcome this limitation of most textbooks we place a stronger emphasis on making connections among the readings and on thinking about the root causes and unintended consequences of criminal justice issues and policies.

In selecting articles for this reader we sought to find those that could best help us reach our goals. With little doubt there are a number of methodologies that can offer insights into what it is like for police officers to arrest suspects, attorneys to defend clients they know are guilty, and for families of inmates to try and make sense of the confinement of their loved ones. We think, however, that the best suited methodology involves allowing study participants the opportunity to express their ideas, concerns, and thoughts in their own words. Instead of asking them to fill in boxes to predetermined categories on pen and paper questionnaires, we see greater value in letting individuals tell their own stories of their own volition. Thus, the articles we selected all focus on ethnographies. Additionally, all articles were trimmed for readability and to save space.

Providing Lived Experiences

Students majoring in criminal justice or criminology do so primarily to obtain an edge in landing a job as police officers, correctional officers, attorneys, probation officers, or some other criminal justice position. Except for those few who worked as interns during their college career most are unfamiliar with the day-to-day aspects of the job. Most educators would agree that it is important for students to understand what to expect when choosing or starting a new career. This compilation of articles includes information about what the day-to-day aspects of the job are like and how they are viewed by those outside their profession. While college textbooks provide some insights into what the job may be like, they seldom provide an insider's perspective. When they do it usually appears in small boxes separated from the text. Thus, professors are assigned the task of conveying what these jobs entail. A task that often proves difficult, given that many professors have not worked as a criminal justice professional in the field.

One of the primary goals of this reader is to fill this gap in the education of criminal justice students. Specifically, we have selected articles that provide insights into the three major aspects of criminal justice (policing, courts, and corrections) by presenting the perspectives of those who work within the system (i.e., practitioners) and from those who experience it as outsiders (i.e., citizens, clients, jurors, probationers, or inmates). All of the included articles use ethnographic and/or fieldwork methodologies because such methods are ideally suited to articulate how actors (in this case criminal justice practitioners and outsiders) make sense of and understand their worlds (Spradley 1979, 1980). That is, each article provides the words and lived experiences of those who work in or who are affected by the criminal justice system. We have selected each article for their methodological rigor, ability to artfully portray the perspective of those being studied, and readability for students.

By providing empirical research from the perspective of those who experience the three components of the criminal justice system, students (and possibly professors)

will be better informed about the realities of the day-to-day job of criminal justice professionals. This includes discussing what it is “really” like to work as a police officer after going through formal training, how detectives handle the emotions of dealing with death, how probation officers determine if their clients are telling the truth, how prosecutors discredit witnesses to win decisions, and how women who work in jail deal with the stress and strains of doing so. In addition, these readings will provide insights into what it is “really” like for young minorities to interact with police, how victims of domestic violence interpret the actions and demeanor of responding officers, how jurors view various types of attorneys and how this influences their decisions, how women experience incarceration, how juveniles experience probation, and what sex offenders think about their sentencing.

Too often when studying the various components of the criminal justice system people focus solely on the experiences of those who work in such positions. While much can be gained from their perspective, it does not provide a full picture of what happens in each stage of the criminal justice system. As such, if we are to understand the role of police, courts, and corrections in society it is important to understand how practitioners in each are viewed by those they come in contact with. One may ask, why should we care what the public, especially the offending public, thinks about police, courts, or corrections? The answer is simple. By allowing these types of people to present their perspectives, police, judges, attorneys, and correctional officers (and others) can better evaluate the impact and efficacy of their policies and perspectives, a goal for which all criminal justice organizations should aspire. In addition, understanding the perspective of others will provide those working in the criminal justice system insights into how their actions will affect the people over which they have power. Knowing how bureaucratic policies are experienced by outsiders will likely go a long way in maintaining, or establishing, legitimacy of the criminal justice system.

Critical Thinking

A second, but equally important, part of the readings requests that the students look beyond the actual content of the articles and use a “critical thinking” perspective to develop their own thoughts about the functions of the criminal justice system on a broader societal level. Critical thinking is not an easily defined concept. We all “know” what it means, but have a hard time describing it when asked directly. To get some clarity on the issue we use the American Philosophical Association’s (Facione 1990) conceptualization, which says:

We understand critical thinking to be purposeful, self-regulatory judgment which results in interpretation, analysis, evaluation, and inference, as well as explanation of the evidential, conceptual, methodological, criteriological, or contextual considerations upon which that judgment is based. CT [Critical Thinking] is essential as a tool of inquiry. As such, CT is a liberating force in education and a powerful resource in one’s personal and civic life. While not synonymous with good thinking, CT is a pervasive and self-rectifying human phenomenon.

In short, “The successful application of these core CT skills requires that one take into reasoned consideration the evidence, methods, contexts, theories, and criteria which,

in effect, define specific disciplines, fields, and areas of human concern” (Facione 2000:65). Few of us have inherently developed these characteristics. Instead, they are learned and cultivated. This implies that anyone, and everyone, has the potential to think critically if encouraged and reinforced to do so.

One of our goals when constructing this reader was to encourage readers to develop and hone their critical thinking skills, especially when thinking about the criminal justice system. We think it is important for readers to analyze how all of the components of the criminal justice system affect the larger society they operate in. Thus, we encourage readers to think bigger and more abstractly about the readings. While much can be gained simply from reading each article on its own, we think greater pedagogical benefits come when people seek to make connections among the various articles and other issues raised in class.

Consider the following example. Two articles in the policing section (Stenross and Kleinman and Stephens and Sinden) give insights into police-victim interactions, but from different perspectives. Stephens and Sinden interviewed victims of domestic violence to determine their perceptions of police. They found that victims of domestic abuse became increasingly disillusioned by police officers with each interaction. Victims claimed that police were often detached and demeaning during the interactions. While these findings may paint a negative portrait of police, such attitudes are more easily understood when considering the findings of Stenross and Kleinman. They showed that police officers found the emotional labor of dealing with victims to be quite difficult. It was difficult because they could not easily dismiss the feelings and emotions of victims. Thus, upset victims often took an emotional toll on officers. So much so, that they often tried to shield themselves from the victims. This is but one example of how the various readings relate to one another and how readers should be looking for connections among them.

To encourage critical thinking, we offer brief comments after each article that will introduce readers to issues to think about and reflect on when using a critical eye. We do not mean for these passages to be exhaustive in their questioning. Instead, they are designed to whet the appetite for thinking critically and to stimulate discussion in class. Consistent with the dictates of critical thinking we expect that students and professors are bringing their own experiences and interpretations to the readings and, thus, will be able to provide their own unique insights and connections as they read the articles.

Using This Anthology

The size of introductory criminal justice classes should not prevent professors from incorporating a book of readings that will enhance the descriptive information found in the majority of introductory texts. The purpose of this anthology and the advantages for exposing students to the in-depth content for each component of the criminal justice system has been discussed in the preceding pages. However, before being found guilty of redundancy, we turn to recent thoughts on teaching lower-level criminal justice classes by Garcia (2011), who discusses her insightful goals for students: