

The background is a textured, painterly illustration. It features a wooden table with a magnifying glass resting on it. The magnifying glass has a red handle and a silver frame. To the left, there is a blue object, possibly a piece of clothing or a bag, with some white stitching. The overall style is reminiscent of a crime scene investigation or a forensic study.

CRIMINAL JUSTICE

**ROBERT M. REGOLI
JOHN D. HEWITT**

CRIMINAL JUSTICE



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PRENTICE HALL

Englewood Cliffs, New Jersey 07632

Library of Congress Cataloging-in-Publication Data

Criminal justice / Robert M. Regoli, John D. Hewitt.

p. cm.

Includes bibliographical references and index.

ISBN 0-02-399181-X

1. Criminal justice, Administration of—United States.

I. Hewitt, John D., 1945- . II. Title.

HV9950.R444 1995

364.973—dc20

95-16937

CIP

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Cover Design: *Miguel Ortiz, Jeannette Jacobs*

Cover Illustration: *Alan Dingman*

Interior Line Illustrations: *Rolin Graphics, Inc., Minneapolis, Minnesota*

Prepress and Printing: *R. R. Donnelley & Sons, Willard, Ohio*



©1996 by Prentice-Hall, Inc.

A Division of Simon & Schuster

Englewood Cliffs, New Jersey 07632

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Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

ISBN 002-399-181-X

Prentice-Hall International (UK) Limited, *London*

Prentice-Hall of Australia Pty. Limited, *Sydney*

Prentice-Hall Canada Inc., *Toronto*

Prentice-Hall Hispanoamericana, S.A., *Mexico*

Prentice-Hall of India Private Limited, *New Delhi*

Prentice-Hall of Japan, Inc., *Tokyo*

Simon & Schuster Asia Pte. Ltd., *Singapore*

Editora Prentice-Hall do Brasil, Ltda., *Rio de Janeiro*

To Debbie, Andrea, and Adam—
a few “good eggs.”

—*RMR*

To Avis, Eben, and Sara.
Thank you for always being there.

—*JDH*

The 1990s have seen crime become one of our nation's most pressing problems. Nearly one million adults are incarcerated in the nation's prisons, and violent juvenile crime has skyrocketed. Public opinion polls reflect a growing fear of crime and violence, and new legislation aimed at getting tough on crime is being considered at all levels of government.

Many students taking the introduction to criminal justice course share these concerns. Some have already decided on a criminal justice major, but others are simply curious about how the criminal justice system can affect the crime problem.

▼▼▼ PHILOSOPHY AND GOALS OF CRIMINAL JUSTICE

We wrote this text to give students an exciting introduction to the roles and realities of the criminal justice system, paying particular attention to the needs and interests of today's students. Our over forty years of teaching have made us recognize that students are bombarded by media images of striking abuses of the criminal justice system and that they want to know how the system may be reformed. *Criminal Justice* provides students with the tools to understand, analyze, and demystify the workings of the criminal justice system.

We also present the human side of criminal justice. Because the criminal justice system is comprised of individuals, throughout the text we have integrated actual experiences and personal perspectives of victims, offenders, witnesses, police, defense attorneys, judges, and prison guards.

Finally, we have responded to the needs of professors teaching criminal justice by providing a text that is comprehensive, accurate, and engaging for their students. The most current topics, research, and cases available by the time this text went to press are included in *Criminal Justice*.

▼▼▼ DISTINGUISHING FEATURES

When we set about writing this text, we asked ourselves the questions we pose when evaluating a text for use in our own classes: "What features of this text will work effectively to inform students about criminal justice?" "How will this text help students think critically about the many issues surrounding the criminal justice system?" Here are the answers *Criminal Justice* provides:

A text-wide historical perspective designed to give students a better understanding of how and why the criminal justice system developed as it did. This approach also examines ideas that have worked or failed to work, and the future directions the system may take.

An emphasis on the role of perceptions held by the public, victims, offenders, and criminal justice practitioners. Throughout the text, students are informed about the diversity of perceptions and their effect on people's definition of and response to crime and the criminal justice system.

Special attention to discretion in the criminal justice system. This text makes clear how discretionary power allows criminal justice personnel—whether they be police, prosecutors, prison officials, or parole boards—the authority to act or not to act and the important consequences for all involved.

The integration of criminological theory and policy. Chapter 4 provides a comprehensive review of theories of crime and explores how theories are related to criminal justice policies, why some theories are more easily translated into policy than others, and why some theories that present plausible explanations of behavior are unable to provide practical guidelines for action.

An entire chapter devoted to crime victims. Chapter 5 provides information not usually found in an introductory criminal justice text. It examines the nature and extent of victimization, explanations of victimization, and the criminal justice response to crime victims. It also discusses the victim's rights movement and the changing role of victims in the criminal justice system. By sensitizing students to the physical, financial, and emotional hardships victims face, this chapter broadens the picture of what crime is and how it affects society.

Special attention to juvenile offenders in the criminal justice system. Chapter 17 not only provides an overview of the juvenile justice system, it also acknowledges the increasing treatment of juveniles as adults by giving the most comprehensive examination of the transfer of juvenile offenders to criminal court and the outcomes for youths who are convicted as adults of any introductory criminal justice text.

Extensive coverage of women and minorities, from the variation in their probability of being crime victims, their involvement in criminal activity, and the likelihood of their being prosecuted, to differences in their sentencing and adaptation to life in prison. Special attention is paid to the increasing involvement of women and minorities within the criminal justice system—as police officers, attorneys, judges, and prison officials.

Special sections on careers in criminal justice. To aid students taking this course who are thinking about working in the criminal justice system, we briefly describe a variety of career possibilities, job expectations, typical salaries, and general requirements for entry into positions in policing, the courts, and corrections. Found at the end of Parts II, III, and IV, these special sections also inform students where they may obtain additional career information.

Thematic discussions selectively placed throughout the text to pique the interest of students and extend the information presented in the core text:

- **A View from the Street.** Illustrations of crime and criminal justice from the perspective of victims, police officers, judges, prison officials, and parole officers.
- **Critical Thinking.** Thoughtful exploration of very complex issues in criminal justice, such as who should police the police and the use of the death penalty for juveniles, encouraging students to look beyond the obvious and to consider different arguments.
- **Cross-Cultural Perspectives on Criminal Justice.** Examples of criminal justice in other countries to help students understand how law and its enforcement vary around the world and thereby gain insight into the workings of our own system.
- **The Court Speaks.** Excerpts from U.S. Supreme Court decisions that have been instrumental in shaping the criminal justice system, including those affecting the rights of suspects, the actions of police officers, due process in criminal prosecutions, and prisoner rights.
- **A Window on Crime and Justice.** Glimpses into the nature of crime and the criminal justice response through brief examinations of special issues discussed in the text, such as regulating computer crime, the insanity defense, violence in film and television, victims' rights, police corruption, and cameras in the courtroom.

ORGANIZATION OF THE TEXT

Criminal Justice is organized into five parts:

- **Part I, Crime, Law, Criminals, and Victims**, examines the nature of criminal justice in society; the development of criminal law; the nature, extent, and measurement of crime; theories of criminal behavior and policies for its prevention and control; and victims of crime.
- **Part II, Police**, focuses on the historical evolution of police systems, police organization and functions, legal constraints on the police, and such critical issues facing police today as the use of force and the changing composition of police departments.
- **Part III, Courts**, discusses the history and structure of the courts, major court participants, prosecution of people accused of crimes, the trial, and sentencing.
- **Part IV, Corrections**, examines the history and structure of the American correctional system, the contemporary prison, and corrections in the community.
- **Part V, Juveniles and Criminal Justice**, looks at the juvenile justice system, transfer of juvenile offenders to criminal court, and the treatment of juveniles in the adult criminal justice system.

PEDAGOGICAL AIDS

Each chapter in *Criminal Justice* contains:

- **A chapter outline** to give students a quick overview of the organization and coverage of topics.
- **Boldface key terms and marginal definitions**, indicating important concepts to learn.
- **Photographs** that inform students by illustrating concepts, attaching faces to names, and bringing to life the nature and process of criminal justice today.
- A **summary**, highlighting important points and including key terms.
- A list of **key terms** that students can use as they review concepts.
- **Discussion questions** that can be used for class discussion or as topics for student research.
- Suggestions for **further reading** to guide further student research.
- **Class activities**, designed to involve students in exploring issues raised in the chapter.

Located at the end of the text are a number of additional aids for using the text: A complete **glossary** of key terms; separate **name and subject indexes**; and a unique feature of this text, an **annotated legal case index**, containing information on how to read a case citation, a complete listing of case citations with brief descriptions of all court cases mentioned in the text.

SUPPLEMENTS

The extensive supplements package for *Criminal Justice* contains:

- **A Study Guide**, prepared by Michael Blankenship of East Tennessee State University, complete with useful chapter outlines and summaries, as well as a variety of exercises and practice questions.

- An **Instructor's Manual**, prepared by Professor Blankenship and Shirley Miller, providing instructors with a variety of tools, ranging from summarized highlights for each chapter to suggestions for in-class and out-of-class activities to engage students in the learning process.
- A **Test Bank**, incorporated into the Instructor's Manual, also prepared by Professor Blankenship, which contains more than 1000 multiple-choice, true-false, and essay questions.
- **Computerized Test Banks**, available in both IBM and Macintosh formats.
- **Colorful overhead transparencies** made from approximately 100 of the figures, graphs, and tables contained in the text.
- A variety of exciting and contemporary **video tapes** containing segments from ABC television that illustrate important topics on crime and criminal justice process. Adopters of the text may choose.

▼▼▼ **ACKNOWLEDGMENTS**

Thank you, Frank Cullen of the University of Cincinnati, for writing the Foreword to *Criminal Justice*. Your comments will serve to inspire the critical study of crime and the criminal justice process. Those students and instructors who read your Foreword, will forever be indebted to you for your wisdom.

During the course of the development of this book a merger in the publishing world occurred and Macmillan Publishing Company was acquired by Prentice Hall. This merger resulted in an opportunity to work with the editorial, production and marketing staff of both companies.

The staff at Macmillan was responsible for the early development of the book. Chris Cardone, Executive Editor, provided invaluable guidance throughout the project and was always responsive to our needs. Tony English, Editor-in-Chief, kept the project on course during a very special time. Sharon Lee, Production Editor at Macmillan, gave continuous attention to the process of moving this book from manuscript to the early stages of production. Carol Peschke's work as our copy-editor was excellent. Patricia Smythe directed the creation of the initial dramatic, yet clear design of the book. Working with the photo research team of Chris Migdol and Eloise Marion was very gratifying. Readers of this text will judge for themselves the quality of their work in the stunning photographs throughout the text. We owe a very special thank you to Nancy Perry, our developmental editor at Macmillan. Nancy's voice can be found in every section of each chapter as a result of her many editings of our writing. Her diligence, inquisitiveness, perseverance, and ability to manage what at times must have seemed like two stubborn mules, will forever be appreciated.

The final production of the book was done by the Prentice Hall staff. Robin Baliszewski, Executive Editor at Prentice Hall, was responsible for the overall shaping of the book in its final form. We were very gratified with her immediate commitment and enthusiasm for the project and for her vision of what this book could become. Kathy Kasturas, our production editor at Prentice Hall, was responsible for the book's final design and for ensuring that schedules were adhered to. She managed to bring together the efforts of people from both companies to produce the book you have before you.

Finally, we would like to thank Judy Casillo, our supplements editor, for her excellent work in putting the supplement package together for this book, and Michael Blankenship, of East Tennessee State University, for preparing the Study Guide, Instructor's Manual, and Test Bank.

Many colleagues, some of whom are personal friends and others whom we have not yet met, unselfishly shared information with us. Our appreciation to these people extends beyond the thank you we offer to them here: Geoff Alpert (University of South Carolina); Alex Alvarez (Northern Arizona University); Arlene Bauer (Northern Arizona University); Michael Blankenship (East Tennessee State University); Bob Bohm (University of North Carolina-Charlotte); Lisa Chiou (University of Colorado); John Crank (Boise State University); Bob Culbertson (University of Wisconsin-Platteville); Doug Degher (Northern Arizona University); Walter DeKeseredy (Carleton University); Richard Delaney (Northern Arizona University); Finn-Aage Esbensen (University of Nebraska-Omaha); Rich Fernandez (Northern Arizona University); Jona Goldschmidt (American Judicature Society); Ed Grosskopf (Indiana State University); Stu Hadden (Northern Arizona University); Mark Hamm (Indiana State University); Eric Hickey (California State University-Fresno); Lou Holscher (California State University-San Jose); Patsy Krause (Bureau of Justice Statistics); Richard Lawrence (St. Cloud State University); Lana McCauley (University of Colorado); Ray Michalowski (Northern Arizona University); Shirley Miller (University of Louisville); Hal Pepinsky (Indiana University); Sue Titus Reid (Florida State University); George Rivera (University of Colorado); Geoff Rivers (Delaware County, Indiana, Public Defender's Office); Isidro Romero (University of Colorado); Clarence Romig (University of Illinois); Victor Strieb (Cleveland State University); Jerry Vito (University of Louisville); Ralph Weisheit (Illinois State University); and Kim Zielinski (University of Colorado).

Other colleagues who were selected to review the manuscript helped to improve the text in innumerable ways. Many of them went well beyond what was asked and provided insights that were integrated into the core of the text. Thank you.

Writing does not occur in a vacuum, and authors are not unaffected by, nor do they fail to affect, those closest to them. Our wives, Debbie and Avis, and our children, Andrea, Adam, Eben, and Sara, have shared with us in the long and sometimes difficult process of writing this book. Their encouragement, support, tolerance, and patience is appreciated more than they will ever know.

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FOREWORD

Crime does not always dominate the American consciousness. Over the past three decades, other concerns—for example, economic woes, fuel crises, military conflict overseas—have often surpassed crime as the problem defined as most important by the public. Still, the “crime problem” seems to lurk just beneath the surface, poised to capture the public’s attention. A shocking crime or two, a politician pointing to lawlessness as a sign that the nation is falling apart—these can quickly increase the salience of crime in a community. And on occasion, such as in 1994, events coalesce to push the crime problem to the forefront across the nation and cause elected officials to rush forward to “do something” to afford citizens protection from the prevailing lawlessness.

It is difficult to argue that crime does not deserve our attention. Rates of violent crime in the United States, for example, exceed those of other Western, industrial nations; and growing up in some of our inner-city neighborhoods is more dangerous than having served as a soldier in Vietnam or World War II. But the *quality* of the attention given to crime is much open to question: Despite all the commentary by politicians, “wars on crime,” promises of “law and order,” “crime bills,” and investment of literally billions of dollars in controlling lawlessness, a disquieting reality remains: The American public is no safer today than it was when most readers of this book were born.

Why haven’t we as a nation made more progress in reducing criminal behavior? Progress has been slow in part, I suspect, because criminal behavior is a complex phenomenon and is interwoven with central, perhaps intractable, features of American society. Even in the best of circumstances, there are no easy solutions to the crime problem.

Matters have been made worse, however, by the pervasive belief among politicians and other policy-makers that they “know” the answer to the crime problem. It is an amazing fact that virtually no elected official ever admits that he or she does not know why crime occurs or what to do about it. Instead, they are quick to name their favorite cause of and solution to the crime problem.

Where does their confidence come from? A cynic might suggest that this confidence reflects crass self-interest: By telling their constituents that they know how to solve crime, elected officials believe they can earn votes. But I think more is at work: the belief that “common sense” holds the answers to crime. Or phrased differently, there is the belief that crime policies can be formulated without the benefit of any scientifically-based research knowledge. Instead, equipped with common sense, it is “obvious” that crime can be solved if we only, for example, eliminate welfare or perhaps run youthful offenders through “boot camps.”

This approach results in two negative consequences. First, elected officials display a lack of commitment to funding research on crime. Although enormous sums are spent annually on the criminal justice system, only limited funds are devoted to studying the causes and cures of crime. After all, if the causes of crime are merely a matter of common sense, why is research needed? Indeed, the moneys available to learn more about crime pale, for example, in comparison to those spent on medical research—whether cancer or tooth decay. Not surprisingly, we make inroads, at times only slowly, in fighting disease, but arguably have regressed in reducing the crime problem.

Second, and perhaps worse, this belief in common sense fosters an anti-intellectualism that discounts what research tells us about crime and its control. Sometimes elected officials are guilty of a not-so-benign neglect: they simply make no effort to learn what the criminological research has to say. Other times, the neglect is purposeful: Research findings are known but ignored or dismissed because they contravene what the officials “know” is the “true” cause or solution to crime. In either case, the result is the same: crime control policies that are the equivalent of medical practices, such as blood letting, drawn from a pre-scientific era. These policies have little chance of working and much chance of making matters worse.

I can offer no panacea for transforming this state of affairs, but I am persuaded that criminal justice education offers an important means of building a greater appreciation of the need to move beyond common sense understandings of crime and its control. By conveying the existing body of criminological knowledge, such education provides students with the opportunity to challenge their own previously unexamined assumptions and biases, to become critical thinkers when they encounter statements about crime, and ultimately to make a difference by being more informed in their roles as citizens, as workers in the criminal justice agencies, and/or as elected officials.

A crucial part of this educational experience is having access to readings that both convey research knowledge accurately and expand one’s intellectual horizons. Some texts are merely compendiums of knowledge; others are thought-provoking but short on facts; and still others have neither much content nor hold much interest. Fortunately, however, your text, written by Robert Regoli and John Hewitt, achieves the rare combination of depth of scholarship and of spurring the criminological imagination.

Robert Regoli and John Hewitt are accomplished scholars, having written a number of books and scores of research articles on a range of topics. This text, *Criminal Justice*, reflects their accumulated wisdom. But it also is informed by another important ingredient: They set out not simply to write any text, but a text that would matter, that would make a difference in a students’ minds and, hopefully, in their lives. The fact that Professors Regoli and Hewitt care about students’ learning is, I suspect, why they have succeeded in writing a very special book.

Indeed, *Criminal Justice* furnishes an informative and fascinating excursion across the landscape of the American criminal justice system. Much as veteran tour guides, Professors Regoli and Hewitt lead the reader through a land that many students will find foreign—through the system’s many components, complexities, and controversies. In the end, students will emerge from this journey more informed and judicious in their thinking about crime.

Most important, however, *Criminal Justice* provides a perspective—a way of thinking—that challenges simplistic, common-sense views about crime and criminal justice. Again, Professors Regoli and Hewitt are not only interested in conveying facts about criminal justice (though these are important) they also wish to equip their readers with the tools to think critically. Toward this end, they teach that the American criminal justice system is not an autonomous entity but is enmeshed in and shaped by the distinctive nature of American society. This perspective helps to illuminate not merely how, but *why* the system operates as it does, and thus allows one to analyze, not just to describe, the continuities and changes in America’s responses to crime.

It is often said that knowledge is power, but it might be added that the quality of the knowledge affects whether such power is used for uplifting or for misguided purposes. I have argued that too often in the United States, what is taken as official “knowledge” about crime is based on little more than common sense, on ideology and custom that are devoid of any scientific validity. Confidently held, this knowledge results in policies that

thus far have not made our communities safer. Professors Regoli and Hewitt offer those fortunate to read *Criminal Justice* the opportunity to escape the blinders imposed by such common sense understanding of criminal justice—to acquire a deeper, research-based knowledge that fosters an appreciation of both the limits and the possibilities of the American criminal justice system.

I urge you, then, to take the journey through *Criminal Justice*. It will prove an enriching experience: challenging, if not changing, your thinking about crime and perhaps enticing you to learn more about, if not eventually find a career within, American criminal justice. Bon voyage!

Francis T. Cullen
Distinguished Research Professor
University of Cincinnati

ABOUT THE AUTHORS

ROBERT M. REGOLI is an associate professor in the Department of Sociology at the University of Colorado. He was born and raised in Antioch, California, in what was a small town of about 20,000 people. He received a B.S. in psychology, an M.A. in police science and administration, and a Ph.D. in sociology from Washington State University.

In addition to his appointment at Colorado, Dr. Regoli has taught criminology and criminal justice at Indiana State University and Texas Christian University. Throughout his academic career, he has remained active in the professional societies. He has been president of the Academy of Criminal Justice Sciences and editor of *The Social Science Journal*.

Dr. Regoli is the author or coauthor of more than 80 research articles published in criminology and criminal justice journals. He has also had a part in writing five books, including *Delinquency in Society* (co-authored with Dr. Hewitt), published by McGraw-Hill. The significance of Dr. Regoli's scholarly contributions to the criminal justice community were formally recognized in 1991, when he was named a Fellow of the Academy of Criminal Justice Sciences.

JOHN D. HEWITT is a professor in the Department of Criminal Justice at Northern Arizona University. He spent his early years in Muncie, Indiana. He received a B.A. in history, with a concentration in Far Eastern studies, from Western Washington State College, an M.A. in sociology from Ball State University, and a Ph.D. in sociology from Washington State University.

In addition to his appointment at Northern Arizona University, Dr. Hewitt has taught criminology and criminal justice at Glenville State College, The College of Wooster, Valparaiso University, and Ball State University. Dr. Hewitt has also served as an expert witness in a number of criminal trials, providing testimony on such issues as discrimination in sentencing, youth gangs, and the impact of early childhood abuse on later criminality.

Dr. Hewitt has been the author or coauthor of four books, including *Delinquency in Society*, and more than 30 articles on such topics as judicial sentencing, historical crime trends, victim-offender relationships in homicide, and the treatment of juvenile delinquency in China. His writings have been published in journals, such as *Justice Quarterly*, *Crime and Delinquency*, *Journal of Criminal Justice*, *Law and Human Behavior*, *Social Forces*, *Journal of Social Research*, and *Law and Policy Quarterly*.

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