

The Decision-Making Network

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An Introduction to Criminal Justice

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*To the most important women in our lives:
Carolyn Anderson, Claudia Slate, and Virginia Slate, who have tolerated having time
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Preface

This book attempts to explain the criminal justice decision-making network in America. Our approach is to examine the decisions which go into criminal justice. We examine how crimes are defined by the legislature and what importance is placed on various criminal acts. We describe the decisions made by police and prosecutors and judges and correctional officials ... all the decisions which affect the individual who is caught in the arms of the law.

Criminal justice decisions are not made in a vacuum. The values in our democratic society underpin each decision. We explain that context in light of the founding documents of our society, specifically the United States Constitution, and the applications of those documents made by the United States Supreme Court.

This approach is not new. It was first established by Donald J. Newman in three editions of the textbook, *Introduction to Criminal Justice*, and later refined by Newman and Patrick R. Anderson. With the passing of Donald Newman after the Fourth Edition, and now the addition of Risdon N. Slate as co-author, this volume reflects a further refinement of the decision-making network in keeping with the evolution of crime control in America.

In the past, issues of importance provided context for the book. Today the same is true, but the issues have changed. Criminal justice decision makers face the issues of terrorism, border security, legal status of immigrants, efforts to legalize marijuana, human trafficking, the criminalization of mental illness, various technological advances, the expanded use of DNA, a proliferation of guns, and environmental and financial crimes.

America has always faced issues of the day, but at different times one or the other becomes more pronounced. What remain constant, at least we would hope, are the underlying principles and values of our free society, but even those are altered by events. Interrogation techniques by criminal justice professionals were refined by the Supreme Court decision, *Miranda v. Arizona*, in the 1960s. But the “war on terror” of the first decade in the 21st century brought forward the use of “enhanced interrogation,” a euphemism for torture, to our vocabulary, a practice readily acknowledged and defended by former President George W. Bush. We attempt in this volume to help students understand how crises sometimes drive policy and how new challenges to our understanding of the Constitution affect the practices of justice.

This book assumes that other, more advanced, courses exist in a criminal justice curriculum. We do not attempt to provide an exhaustive description of all of the intricacies of criminal justice. Rather we attempt to provide the broad sweep of criminal justice decisions, to whet the appetite of the reader for more detailed information, while at the same time providing a good overall understanding of the decision-making network.

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We thank the many students who have, through the years, challenged us to express ourselves clearly and succinctly, to tolerate divergent views, and to keep our priority on equipping them to think sensibly and with appreciation for the complexities of criminal justice. Several outstanding students have contributed to the development of some material in the book, especially those senior seminar students who, each semester, have studied issues, public and private organizations, and comparative systems. They have often pointed us to new or obscure areas of inquiry.

We consulted with some past students, now in the professional work of criminal justice, and have included comments and essays from a few in this text, such as those from Booker T. Hodges and Larinda Slater. In addition, Will Jay, a former prosecutor and now defense attorney, made significant written contributions to the manuscript, as well as reviewed pertinent portions of the text.

Of special note is our current student, Erin Sneed, who worked with us to find photos, clarify historical or dated phrases or names, challenged us to remember we are writing for students, and in many ways assisted the production of this manuscript. She has been an invaluable asset, and we owe her a debt of gratitude. Claudia Slate also made significant contributions to the editing of the final manuscript, and we are most grateful for her expertise.

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