Flawed Criminal Justice Policies
Flawed Criminal Justice Policies

At the Intersection of the Media, Public Fear and Legislative Response

Edited by
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and
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To all the Reddingtons, past and present. You all are a part of me being where I am and doing what I do!

FPR

To my wife, Marty, who has been my friend for life.

GB
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Preface

This book examines various aspects of the American criminal justice system and how policies that govern criminal justice procedures can sometimes be flawed. Basically a flawed criminal justice policy would not produce the desired effect intended by the policy, or may, in fact, produce unintended and negative consequences. While this book focuses somewhat on policies that may have produced negative and unintended consequences associated with our criminal justice system, it is not meant to imply that the criminal justice system is ineffective or unsuccessful. In fact, there currently exists a growing trend in our criminal justice system to improve policy creation and evaluation.

We asked the contributors to this book to write a chapter for this reader because of their expertise in certain critical areas of the criminal justice system, and, in addition, because they also have some knowledge and insight into the role of public policy in their area of expertise. In addition, when we asked the contributors to write their chapters, we asked that they include both some recommendations for positive change as well as an overview of any positive progress that had or is occurring in their area of discussion. We believe that it would not be enough to simply point out flaws in how our system works, but that this reader also should offer recommendations on how to fix or improve the situation. Each chapter provides some discussion as to how flawed policy in a specific area can be addressed and remedied.

Chapter 1 opens the book with a discussion about criminal justice policy and how it evolves. It sets the stage for the rest of the chapters which follow. The basic framework provided in Chapter 1 will help the reader to examine each remaining chapter within the broader context of what is known about the policy making process and what is thought to work.

The remaining chapters focus on specific policy issues found in a certain segment of the criminal justice system today. Detailed analysis of a criminal justice policy and its consequences is provided by the contributors who then also provide suggestions for the creation of good, sound, evidence-based policy. Specific topics include: The War on Drugs, Immigration Laws, The PATRIOT Act and Terrorist Laws, Sentencing Guidelines, Three Strikes Laws, Capital
Acknowledgments

Many people did a lot of work to make this book happen. First and foremost, no reader would happen without the collection of contributors who are at the heart of the work. The contributors to this reader are, in a word, exceptional.

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We would like to thank The University of Central Missouri for the support we receive. Putting together a reader of this nature takes a great deal of work, much of it very detail oriented and time consuming. We would like to thank two Graduate Assistants from the Criminal Justice Department at the University of Central Missouri. Erica Lehmuth and Hillary McNeel both put in numerous hours checking references, creating indexes and helping to format the reader. We thank them so much for their assistance—it really was invaluable to us and helped make this project possible.

And finally, we would like to acknowledge the people who work in the criminal justice field, those who make laws regarding criminal justice policy, those who cover criminal justice in the media and the public who indicate that crime and the system designed to deal with this social issue remains a major American concern. We hope this work serves to raise awareness, foster discussion, and provide a little information as we move forward in finding what works best.