

Missouri's Criminal Justice System

Edited by
Frances P. Reddington



CAROLINA ACADEMIC PRESS

Durham, North Carolina

Copyright © 2014
Frances P. Reddington
All Rights Reserved

Library of Congress Cataloging-in-Publication Data

Reddington, Frances P.

Missouri's criminal justice system / Frances P. Reddington.

pages cm. -- (State-specific criminal justice series)

Includes bibliographical references and index.

ISBN 978-1-61163-164-7 (alk. paper)

1. Criminal justice, Administration of--Missouri. 2.
Corrections--Missouri. I. Title.

HV9955.M6R43 2013

364.9778--dc23

2013019575

Carolina Academic Press
700 Kent Street
Durham, North Carolina 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.cap-press.com

Printed in the United States of America

Last year the Criminal Justice Department at the University of Central Missouri celebrated its 50th Anniversary. This year it was designated as one of two stand-alone Signature Programs at the University. This book is dedicated to all past and current faculty, staff and students.

Contents

Series Note	xiii
Acknowledgments	xv
Chapter One · Crime in Missouri	3
<i>Randa E. Matusiak</i>	
References	15
Chapter Two · Law Enforcement in Missouri: The Local, County and State Levels	17
<i>Greg E. Etter & Roger L. Pennel</i>	
The History of Law Enforcement in Missouri	17
St. Louis	18
Springfield	20
Kansas City	20
Local Law Enforcement Agencies in Missouri Today: The Police	22
County Law Enforcement in Missouri: The Sheriff	24
Historical Challenges for Sheriff's Departments	26
State Law Enforcement Agencies in Missouri	28
Missouri State Highway Patrol	28
Missouri Bureau of Narcotics and Dangerous Drugs	30
Missouri Campus Police Departments	30
Law Enforcement Officers Killed in the Line of Duty in Missouri	31
Conclusion	32
References	33
Chapter Three · An Overview of Missouri Courts	35
<i>Benecia Carmack</i>	
History	35
Structure of the Courts	37
Missouri Supreme Court	37
Court of Appeals	39

Circuit Courts	41
Associate Circuit Courts	44
Municipal Courts	46
Missouri Non-Partisan Court Plan	47
Specialty Courts in Missouri	49
Jury Service	50
Grand Juries	50
Petit Juries	52
Sentencing	54
Death Penalty Cases	54
Non Death Penalty Cases	55
Sentencing Assessment Reports (SAR)	56
Sentencing	56
Conclusion	58
References	60
Chapter Four · Prosecution and Defense in Missouri	63
<i>Donald Wallace</i>	
Qualifications and Responsibility	63
Prosecutors	64
Defense Attorneys	65
Criminal Charging Procedures	66
Two Methods of Initiating a Criminal Proceeding	66
Prosecution by Grand Jury Indictment	67
Prosecution by Information	68
Comparing the Two Methods	70
Investigation	72
Grand Jury Subpoenas	72
Criminal Investigative Subpoenas	72
Discovery	73
Bill of Particulars	73
Disclosure by Prosecutor	73
Disclosure by the Defense	75
Plea Negotiations and Guilty Pleas	77
The Trial	78
Pre-trial Motions	78
Selection of Jury	78
Remaining Steps of Trial	79
Opening Statements	79
State's Evidence	80

Defendant's Evidence	80
Rebuttal Evidence	81
Instructions to Jury	81
Arguments to Jury	82
Conclusion	82
References	82
Chapter Five · Problem Solving Courts in Missouri: Therapeutic Jurisdiction in Action	87
<i>Gene Bonham, Jr.</i>	
Introduction	87
Problem-Solving Courts in Missouri	89
Adult and Juvenile Drug Courts	91
Family Dependency Treatment Court	93
DWI Court	94
Veterans Treatment Court	96
Reintegration Treatment Court	97
Mental Health Court	98
Criticisms of Mental Health Courts	101
References	103
Chapter Six · Community-Based Corrections in Missouri	105
<i>Scott Chenault & Lauren A. Blanchfield</i>	
Introduction	105
History	105
Current State of Community-Based Corrections	109
General Overview	109
Offender Overview	110
Supervision Techniques	111
Sex Offender Supervision	115
Current Issues	116
Conclusion	117
References	117
Chapter Seven · Institutional Corrections	119
<i>Scott Chenault</i>	
Introduction	119
History	119
Current Institutions and Inmates	125

Innovative Programming	128
Puppies for Parole	128
ICVC	129
Conclusion	130
References	131
Chapter Eight · A Model Program: The Missouri Reentry Process	133
<i>Lynn S. Urban</i>	
History of the Missouri Reentry Process	135
Specific Projects and Interventions	138
Outcomes	142
Conclusion	143
References	144
Chapter Nine · Restorative Justice Models in Missouri	149
<i>Gene Bonham, Jr.</i>	
Introduction	149
Historical Markers in the Development of Restorative Justice in Missouri	153
Selected Research Focusing on Restorative Justice in Missouri	158
Statutory Authority for Restorative Justice in Missouri	161
Restorative Programs in Missouri	162
Puppies for Parole Program	162
The Story of Gypsy	163
Restorative Justice Garden Program	163
Men with Quilts Program	164
Victim Offender Dialogue	165
Family Group Conferencing	165
Neighborhood Accountability Boards	165
Victim Impact Panels	165
The Future of Restorative Justice in Missouri	166
References	166
Chapter Ten · Missouri's Juvenile Court	169
<i>Lynn S. Urban and Frances P. Reddington</i>	
The Historical Context	169
An Overview of Missouri Juvenile Courts	171
Day to Day Operations	171
Referral	172

Intake	174
Detention	177
Detention Facilities in Missouri	177
Additional Requirements for Detention	179
Problems with Detention	180
Juvenile Detention Alternatives Initiative	181
Transfer to the Adult Court	184
Adjudication	185
Disposition	188
Informal Disposition Options	189
Formal Disposition Options	190
Specific Programs Offered in Missouri	191
Conclusion	193
References	194
Chapter Eleven · The Missouri Division of Youth Services: The National Model	199
<i>Frances P. Reddington and Hillary McNeel</i>	
A Brief History of Institutional Juvenile Corrections in Missouri	199
The Reform Schools	199
The Reform School for Boys	199
State Industrial Home for Girls	200
The State Industrial School for Negro Girls	201
Changes	202
Current Mission Statement and Program Goals	204
Unique Technique	204
The Facilities	205
The Treatment and Environment	206
The Programs	208
Group Exercises	208
Community Service	208
Employment Opportunities	209
Family Therapy	209
Aftercare	209
Evaluating Effectiveness	210
Discharge	210
Jobs Program	211
Recidivism	212
Academic Growth	212

Comparisons	213
Awards and Acknowledgement	213
Conclusion	214
References	214
About the Contributors	217
Name Index	221
Subject Index	225

Series Note

Carolina Academic Press' state-specific criminal justice series fills a gap in the field of criminal justice education. One drawback with many current introduction to criminal justice texts is that they pertain to the essentially non-existent "American" criminal justice system and ignore the local landscape. Each state has its unique legislature, executive branch, law enforcement system, court and appellate review system, state supreme court, correctional system, and juvenile justice apparatus. Since many criminal justice students embark upon careers in their home states, they are better served by being exposed to their own states' criminal justice systems. Texts in this series are designed to be used as primary texts or as supplements to more general introductory criminal justice texts.

Acknowledgments

The faculty of the Criminal Justice Department at the University of Central Missouri worked hard to make this book happen. The authors in this book represent some of the finest criminal justice academicians in our field. Special thanks to Gene Bonham, Benecia Carmack, Scott Chenault, Gregg Etter, Randa Matusiak, Roger Pennel, Lynn Urban and Donald Wallace. In addition, two of the Criminal Justice Department's graduate students co-authored chapters with faculty members. They are Lauren Blanchfield and Hillary McNeel. The dedication and knowledge of the aforementioned authors have combined to create a book that is the definitive work on the criminal justice system in the state of Missouri.

Putting together a reader takes a tremendous amount of work. Much of it is time-consuming and very detail-oriented. I would like to acknowledge Sharon Brinton, our proofreader. In addition, I would like to acknowledge the work of the Department of Criminal Justice Graduate Assistants who helped with the final tasks of the book—the indexing and last “walk through.” These are the finishing steps of a project of this type and as such are demanding and critical tasks. Thanks go to Lauren Blanchfield, Brooke Cooley, Maisha Cooper, Marijana Kotlaja, Poorvi Gawde, and Haley Wheeler. Our Administrative Assistant, Christy Mitchell, also helped with the final “walk through.” I thank them so much for their assistance—it was invaluable and it helped make this project possible.

And finally, it would be remiss not to mention the men and women who work in the Missouri Criminal Justice System, whether it be in law enforcement, courts, corrections, juvenile justice, crime analysis, policy making or any of the other activities that make up “criminal justice.” While reading this book, it is obvious that in so many areas of criminal justice Missouri is a leader. Model programs, best practices and doing the job well are themes repeated throughout this reader.