

# **Introduction to Criminal Justice**



# Introduction to Criminal Justice

---

*A Personal Narrative Approach*

**Alissa R. Ackerman**

UNIVERSITY OF WASHINGTON TACOMA

**Meghan Sacks**

FAIRLEIGH DICKINSON UNIVERSITY



CAROLINA ACADEMIC PRESS

Durham, North Carolina

Copyright © 2016  
Carolina Academic Press, LLC  
All Rights Reserved

Library of Congress Cataloging-in-Publication Data

Names: Ackerman, Alissa, author. | Sacks, Meghan, author.  
Title: Introduction to criminal justice : a personal narrative approach /  
Alissa Ackerman and Meghan Sacks.  
Description: Durham : Carolina Academic Press, 2016. | Includes  
bibliographical references and index.  
Identifiers: LCCN 2016012300 | ISBN 9781611636529 (alk. paper)  
Subjects: LCSH: Criminal justice, Administration of--United States. |  
Crime--United States. | Criminal law--United States. | Punishment--United  
States.  
Classification: LCC HV9950 .A345 2016 | DDC 364.973--dc23  
LC record available at <https://lcn.loc.gov/2016012300>

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

Printed in the United States of America

# Contents

Acknowledgments	xi
Introduction	xiii
<b>Chapter 1 · The Criminal Justice System</b>	<b>3</b>
What Is Criminology?	3
The Criminal Justice System	5
Herbert Packer's Two Models of Justice	6
<i>A Career in Law Enforcement</i> , Joe Enright	8
Perceptions of Crime and Criminal Justice	11
<b>Chapter 2 · Extent of Crime and Victimization</b>	<b>13</b>
Primary Sources of Data	13
The Uniform Crime Report	14
The National Incident Based Reporting System (NIBRS)	16
The National Crime Victimization Survey (NCVS)	17
Self-Report Data	17
Crime Trends and Patterns	18
The Role of Race	20
Social Class and Crime	21
Age and Crime	22
Gender and Crime	23
Geography and Crime	24
Impact of Crime: Cost of Crime	25
<i>Digging out of the Ditch</i> , Julie's Story	25
<i>A Carjacking in Beverly Hills</i> , David's Story	28
<i>Rape and Its Aftermath</i> , Alissa R. Ackerman, Ph.D.	30
Victimization	33
<b>Chapter 3 · Exploring Causes of Crime</b>	<b>37</b>
The Classical School	38
<i>A Burglary and Two Attempts in Brooklyn</i> , Victor's Story	38
Rational Choice	41
Routine Activities Theory	42
Deterrence	42
Rise of Positivism	43
Biological and Psychological Theories	43
Biochemical Conditions and Crime	44
Genetics and Crime	44
Psychology and Crime	45
Sociological Positivism	46
Social Structure Theories	46

Social Process Theories	47
Cultural Theories	48
<i>The Story of a Lifer</i> , Paul's Story	49
<i>Marred by a Mirror Image</i> , Bruce L. King	52
Critical Theories	55
Developmental Theories	56
<b>Chapter 4 · Criminal Law</b>	57
Types of Law	57
Sources of Law	59
Legal Definition of Criminal Act	60
<i>The Circumstances Behind My Incarceration</i> , Duane Stevenson	62
Criminal Defenses	65
<i>My Privilege to Serve as a Prosecutor</i> , Tracy Prior, Deputy District Attorney	68
<b>Chapter 5 · Policing from Past to Present</b>	71
Early Policing in United States	72
The Political Era: 1840–1930	73
The Reform Era: 1930s to 1970s	73
Lee W. Minikus	75
Rena Price	76
Tommy Jacquette (Twenty-one-year-old resident of Watts at the time of riot)	76
Lacine Holland (resident of Watts neighborhood at time of riot)	77
Bob Hipolito (one of National Guardsmen called in to quell riot—part of interview)	77
Modern Day Policing in the United States	78
Community-Problem Oriented Policing: 1970s to present	78
Problem-Oriented Policing: 1980s to Present	79
<i>My Career as a Proactive Police Officer</i> , Jeremiah Johnson	80
Zero Tolerance Policing	84
Law Enforcement Agencies	85
Municipal Police	85
County Police (Sheriffs)	86
State Police	86
Federal Law Enforcement	87
<i>A Rewarding Career in the Federal Bureau of Investigation</i> , Tarna Derby-McCurtain, Former Special Agent—FBI	88
<b>Chapter 6 · Police: Legal and Controversial Issues</b>	91
Search and Seizure	91
Warrantless Searches: The Exceptions	92
Search Incident to Lawful Arrest	92
Plain View Doctrine	93
Automobile Searches	94
Exigent Circumstances	94
Stop and Frisk	95
Police and Interrogation	97

Arrest warrants	97
Miranda Rights	98
Exclusionary Rule	100
Controversial Issues in Policing	102
Discretion	102
<i>“She’s Just a Fucking Hoodrat,”</i> Vincenzo A. Sainato Ph.D	103
Use of Force	107
Corruption and Abuse of Power	110
Women in Policing	111
<i>Policewoman: circa 1970s,</i> Carol Garrison	112
<b>Chapter 7 · The Courts: Organization and Key Players</b>	<b>115</b>
The Federal Courts	115
U.S. District Courts	116
U.S. Courts of Appeals	116
U.S. Supreme Court	116
State Courts	119
Trial Courts	119
Intermediate Appellate Courts	120
State Supreme Courts	120
Courtroom Workgroup	121
The Prosecutor	121
<i>“Victim Advocacy,”</i> Marie Mele	122
<i>Seeking Justice: A Prosecutor’s Story,</i> Jennifer Szczucinski	125
Defense Attorney	128
Judge	130
<b>Chapter 8 · The Criminal Case: Pretrial, Plea Bargaining and Trial</b>	<b>133</b>
Criminal Case Processing: Pretrial Decision Points	133
<i>Working as a Public Defender,</i> Matt’s Story	135
Plea Bargaining	140
The Trial	141
<i>The Deliberation Room,</i> Alan’s Story	145
<b>Chapter 9 · Punishment and Sentencing</b>	<b>151</b>
Philosophies of Punishment	151
Retribution	151
Deterrence	152
Rehabilitation	152
Incapacitation	153
Sentencing	153
Indeterminate Sentencing	153
Determinate Sentencing	154
Sentencing Guidelines	154
<i>I Was A United States Probation Officer,</i> Meghan Sacks, PhD	155
Mandatory Sentencing	160
Truth in Sentencing	161
Habitual Offender Sentencing	161

Capital Punishment	162
Justifications	164
Arguments Against Capital Punishment	165
<i>A Wrongful Conviction</i> , Fernando Bermudez	166
Death Penalty Today and Issues Going Forward	170
<b>Chapter 10 · Incarceration: Prisons and Jails</b>	173
Early Punishment in America	173
The Separate System: Pennsylvania	174
The Congregate System: New York	174
The Progressive Era	175
The Medical Model	177
The Community Model	177
The “Get Tough” Movement	178
Modern Prisons: Custodial Function	179
<i>My Career as a Prison Administrator</i> , Alice Payne	180
Privatization of Prisons	184
Jails	185
<i>Friendo y Comiendo: Reflections on the System of Incarceration</i> , Denise Torres, LCSW, MPhil, ABD	186
Who Is in Jail?	190
Current Issues in Prisons	190
<i>Prison Culture</i> , John Dreher	192
Prison Culture	194
Women in Prisons	196
<i>I am a Convicted Felon</i> , Amelia’s Story	196
<b>Chapter 11 · Probation, Parole and Other Community Corrections</b>	201
History of Probation	201
Purpose of Probation and Eligibility	202
Probation Officers and Conditions of Probation	203
Probation Revocation	205
Evaluation of Probation	206
Parole	206
History of Parole	207
Types of Parole Release: Discretionary Release versus Mandatory Release	207
Conditions of Parole	209
<i>“Jack of All Trades” . . . “Master of . . .”</i> David Mulcahy	209
Parole Revocation	212
Evaluation of Parole	213
Prisoner Reentry	213
Other Forms of Community Corrections	214
<i>On Becoming Sober</i> , Amanda Finck	215
<b>Chapter 12 · Juveniles and Justice</b>	221
History of Juvenile Justice	221
Emergence of a Formal Juvenile Justice System	222
Rights of Juvenile Offenders	224



<i>Kent v. United States</i> (1966)	224
<i>In re Gault</i> (1967)	224
<i>In re Winship</i> (1977)	225
<i>McKeiver v. Pennsylvania</i> (1971)	226
<i>Graham v. Florida</i> (2010)	226
Procedures in Juvenile Justice System	228
Reform for Juvenile Justice	230
<i>Working in Juvenile Justice Law</i> , Jeannie Harris	231
Other Issues in Juvenile Justice	233
Waiver Laws	233
Female Juvenile Delinquency	235
Future of Juvenile Justice	235
<i>Jeannie Harris' Story Continued — How This Has Changed Me</i>	236
<b>Chapter 13 · The Future of Criminal Justice</b>	239
Sex Crimes and Sex Crimes Policy	239
<i>I am a Registered Sex Offender</i> , Shane's Story	241
<i>Sexual Assault in the Military</i> , Morgan Guinn	244
War on Terror	245
Gun Violence	247
Going Forward	249
Conclusion	250
<i>Lessons from My Family</i> , Sriram Chintakrindi, PhD	253
<i>Reflections from a Restorative Justice Practitioner</i> , Barb Toews, PhD	257
Index	261



# Acknowledgments

The authors wish to acknowledge Abigail Eckert as a contributor to this text who aided with editing of several narratives.



# Introduction

The lived experiences of real people are often lost in discussions about criminal justice. Texts and teaching too frequently focus exclusively on criminal justice procedures or on macro-level systems. Such conversations lose sight of and devalue the impact of systems on real people; the experiences of victims, offenders, and various criminal justice workers often become obscured in policy debates, system reform efforts, and even in criminal justice education. The result of this loss of focus on real people can lead to various forms of dehumanization.

This dehumanization is endemic not only in criminal justice systems, but has become an unfortunate trend in human services in general. The medicalization of social problems, the current trend toward evidence-based practice, and the increasing encroachment of privatization have all contributed to a minimization of the lived experiences of diverse populations and how they experience criminal justice systems.

This book is different; it presents the lived experiences of real people as they engage with and are engaged by the criminal justice system. It teaches a holistic approach to the study of criminal justice while still providing the nuts and bolts of the field needed in introductory classes. Toward this end, this book presents personal narratives of human beings as they navigate the various roles of the criminal justice system. These include perpetrators, victims, workers and other roles. Between 2013 and 2016 we solicited approximately 30 narratives, which we present in the next thirteen chapters.

Narratives from officers working throughout the criminal justice system are included, and they detail why individuals entered into their chosen fields, the paths they took to get there, and the rewards and pitfalls of their chosen careers. Other narratives explain the plight of individuals who have been subjected to the system in some way. Other narratives highlight success stories from individuals who were processed through the criminal justice system. While some of these individuals applaud the system for its role in shaping their successes, others provide negative accounts of their experience and instead highlight what they have done to succeed in life in spite of their encounters. The diversity of these narratives provides this text with depth, humanity, and real world relevance.

These real world experiences will help you consider the ways in which criminal justice actors influence and shape the lives of everyday people. Additionally, by the end of this textbook, you will understand that criminal justice systems also impact the lives of those who work within them. Finally, we hope that your engagement with this book helps you to think about the ways you've personally been impacted by crime and criminal justice, and how these experiences have shaped your path to a criminal justice career.

Alissa R. Ackerman, Ph.D.  
Meghan Sacks, Ph.D.

