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## UNIT 1 Crime and Justice in America

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- 1. What Is the Sequence of Events in the Criminal Justice System?**,  
*Report to the Nation on Crime and Justice*, Bureau of Justice Statistics,  
January 1998  
This report reveals that the response to **crime** is a complex process, involving citizens as well as many agencies, levels, and branches of government. **2**
- 2. The Never-Ending Drug War: Obstacles to Drug War Policy Termination**,  
Renee Scherlen, *PS*, January 2012  
Why does the war on **drugs** continue after 40 years? This article combines theories of policy termination and prospect theory to explain the drug war's persistence. After reviewing the case for termination, the article turns to policy termination theory. As previous case studies have demonstrated, rationality and economic reasoning alone fail to persuade politicians to end existing policies. **8**
- 3. Prison Rips up Families, Tears Apart Entire Communities**,  
John Simerman, *The Times-Picayune*, May 18, 2012  
The number of **children** who are growing up with one or both parents behind bars has multiplied nationwide along with the incarceration rate. According to one estimate, the total has increased sevenfold in the past two decades. More than 1.7 million children in the United States now have at least one parent in state or federal prison. **14**
- 4. If Convicted Felons Could Vote. . .**, Eliza Shapiro, *The Daily Beast*,  
July 12, 2012  
According to some, laws that keep felons and others away from the polls have their roots in Jim Crow laws, and were passed along with relics like literacy tests and poll taxes. Former felons who have struggled to regain their **voting** privileges said the process is exhausting and demoralizing; and statistics show that felon disenfranchisement disproportionately affects **African-Americans**. **18**
- 5. After 9/11, A New Era in the Business of Detaining Immigrants**,  
Chris Kirkham, *Huffington Post*, September 9, 2011  
Companies such as Corrections Corporation of America and the GEO Group Inc., which are publicly traded on Wall Street, have come to rely on **immigration** detention contracts with the federal government as a growing source of revenues over the past decade. Critics have argued that the government's hard-line approach toward immigration enforcement, coupled with the profit motive for **private prison** operators, has turned a civil detention program into something that looks exactly like a prison system for criminals. **20**
- 6. No Cause for Marijuana Case, but Enough for Child Neglect**, Mosi Secret, *The New York Times*, August 17, 2011  
Hundreds of New Yorkers who have been caught with small amounts of **marijuana**, or who have simply admitted to using it, have become ensnared in civil child neglect cases in recent years, though they did not face even the least of criminal charges. A small number of parents in these cases have even lost custody of their **children**. **22**

The concepts in bold italics are developed in the article. For further expansion, please refer to the Topic Guide.

7. **Band's Culture of Hazing Flourished at Florida A&M**, David Breen, *The Washington Post*, May 27, 2012  
The culture of hazing is so embedded in the fabric of the Florida A&M Marching 100 that the band adopted a language known not just by current and former band members, but even kids in high school aspiring to join the famous ensemble.

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## UNIT 2 Victimology

### Unit Overview

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8. **Telling the Truth about Damned Lies and Statistics**, Joel Best, *Chronicle of Higher Education*, May 4, 2001  
We should not ignore all **statistics** or assume that every number is false. Some statistics are bad, but others are useful. Joel Best thinks that we need good statistics to talk sensibly about **social problems**.
9. **When a Hazing Goes Very Wrong**, Michael Winerip, *The New York Times*, April 12, 2012  
Long before the death of a student as a result of **hazing**, there were many troubling signs at Cornell. Though hazing has been illegal at the university since 1980 and in New York State since 1983, 60 percent of the university's fraternities and sororities were found responsible for hazing activities over the last decade.
10. **The Face of Domestic Violence**, Amanda White, as told to Sarah Elizabeth Richards, *Ladies' Home Journal*, March 2010  
This is a first-person account of a young **woman**, a **victim of domestic violence**, who stayed with a husband who beat her over and over again. She explains what she went through and why she believed it would all get better.
11. **Sexual Violence and the Military**, Editorial, *The New York Times*, March 8, 2012  
A recent Pentagon report on **sexual assaults** at the service academies found that the rate of sexual assaults on American women serving in the **military** is intolerably high: between 23 percent and 33 percent of uniformed **women** had been assaulted, despite repeated vows of zero tolerance.
12. **Forensic Interviewing Aids: Do Props Help Children Answer Questions about Touching?**, Debra Ann Poole, Maggie Bruck, and Margaret-Ellen Pipe, *Current Directions in Psychological Science*, February 2011, vol. 20  
In **child sex abuse** cases, studies show a lack of evidence that dolls and diagrams produce increases in accurate details of touching compared to verbal questions alone, but there are numerous barriers to policy change in the field of **forensic interviewing**.
13. **Human Sex Trafficking**, Amanda Walker-Rodriguez, JD and Rodney Hill, JD, *FBI Law Enforcement Bulletin*, March 2011  
The United States not only faces an influx of international victims but also has its own homegrown problem of interstate **sex trafficking** of minors. Among the **children** and teens living on the streets in the United States, involvement in commercial sex activity is a problem of epidemic proportion.
14. **Could the Penn State Abuse Scandal Happen Somewhere Else? Definitely**, Patrick Hruby, *The Atlantic*, July 16, 2012  
A filmmaker discusses his documentary about **sexual abuse** in sports. He believes that in situations such as that at Penn State, victims are the last priority. In many cases—particularly at schools whose pristine reputations are paramount—rather than making a successful coach go away, they have made an accuser or the accusations go away.

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## UNIT 3

### The Police

#### Unit Overview

15. **The Changing Environment for Policing, 1985–2008**, David H. Bayley and Christine Nixon, *New Perspectives in Policing*, *NIJ*, September 2010

What are the differences in the environment for policing between now and 1985–1991? Are the problems similar or different from one period to the next? Police today are considered to be performing well, but this assessment may be mistaken because the institutions that provide public safety are changing in profound ways that are not being recognized.

16. **When the Police Go Military**, Al Baker, *The New York Times*, December 3, 2011

Police forces undeniably share a soldier's ethos, no matter the size of the city: officers carry deadly weapons and wear uniforms with patches denoting rank, etc. American law and tradition have tried to draw a clear line between police and *military* forces, yet images from **Occupy protests** show just how readily police officers can adopt military-style tactics and equipment, and come off more like soldiers as they face down citizens.

17. **Beware of the Dogs**, Burkhard Bilger, *The New Yorker*, February 27, 2012

Since the attacks on September 11th, New York's subways and train stations, parks and tourist destinations have been prowled by **police dogs**—large, pointy-eared, unnervingly observant beasts deeply unconvinced of our innocence. They sniff at backpacks and train their eyes on passersby, daring us to make a move. It's a little unsettling but also, under the circumstances, reassuring. There are worse things to fear than getting bitten.

18. **Forensic Techniques Are Subject to Human Bias, Lack Standards, Panel Found**, Spencer S. Hsu, *The Washington Post*, April 17, 2012

Far from fallible, expert comparisons of hair, handwriting, marks made by firearms on bullets and patterns such as bite marks and shoe and tire prints are in some ways unscientific and subject to human bias. Other **forensic** techniques, such as in bullet-lead analysis and arson investigation, survived for decades despite poorly regulated practices and a lack of scientific method.

19. **Understanding the Psychology of Police Misconduct**, Brian D. Fitch, PhD, *The Police Chief*, January 2011

Law enforcement agencies go to great lengths to recruit, hire, and train only the most qualified applicants, and most officers support the agency, its values, and its mission, performing their duties ethically while avoiding any misconduct or abuse of authority. Yet, despite the best efforts of organizations everywhere, it seems that one does not have to look very far to find examples of **police misconduct**.

20. **The Art of the Police Report**, Ellen Collett, *Utne Reader*, March/April 2011

The purpose of a **police report** is to be cited in court as proof of who did what to whom. Its ultimate agenda is justice and because the stakes can be high it's written with special care. Above all, it aims to be truthful. At the same time, to do its job, it needs to be convincing; the story it tells should be able to persuade the people in a jury box.

21. **As Mental Health Resources Shrink Police Become Front Line with Lives at Stake**, Henri E. Cauvin, *Washingtonpost.com*, April 19, 1:12 pm

A police officer who responded to a man threatening to jump off an old railroad bridge, ended up on the front line of the American public **mental health** system, like officers across the country, doing a job she didn't sign up for, trying to fill holes she didn't create. Financially strapped state and local governments are putting pressures on police as more people with mental health problems are cut off from treatment.



# UNIT 4

## The Judicial System

### Unit Overview

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**22. The Prosecution's Case Against DNA**, Andrew Martin, *The New York Times*, November 25, 2011

The issues raised by **DNA** exonerations have led to an overhaul of the criminal justice system. However, the fate of an inmate with powerful new evidence of innocence still rests with local **prosecutors**, some of whom have spun creative theories to explain away the exculpatory findings. Legal scholars suggest that prosecutors' concerns about their political future and a culture that values winning over justice also come into play.

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**23. "I Did It": Why Do People Confess to Crimes They Didn't Commit?**, Robert Kolker, *New York Magazine*, 10/15/2010

In the criminal justice system, nothing is more powerful than a **confession**; no other form of evidence is as convincing to a jury. We count on the integrity of the police and safeguards like Miranda rights to prevent abuses, and we take it on faith that innocent people would never confess to crimes they haven't committed. But they do.

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**24. The Certainty of Memory Has Its Day in Court**, Laura Beil, *The New York Times*, November 28, 2011

Scientists have long cautioned that the brain is not a filing cabinet, storing memories in a way that they can be pulled out, consulted and returned intact. Memory is not so much a record of the past as a rough sketch that can be modified even by the simple act of telling the story. **Witness** testimony should be viewed more like trace **evidence**, with the same fragility and vulnerability to contamination.

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**25. Eyewitness Identifications: One More Lesson on the Costs of Excluding Relevant Evidence**, Larry Laudan, *APS*, May 2012

The quest for **evidence** that infallibly indicates guilt (or innocence) is a snark hunt. It is provable in principle that there is no rule of evidence or procedure that will not occasionally lead to a false conviction (or a false acquittal). The fact that relevant evidence leads to fallible inferences is no argument for the former's exclusion.

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**26. DOJ Review of Flawed FBI Forensics Processes Lacked Transparency**, Spencer S. Hsu, Jennifer Jenkins, and Ted Mellnik, *The Washington Post*, April 17, 2012

With the **FBI** under fire for its handling of the 1993 World Trade Center attack, the Oklahoma City bombing, and the O.J. Simpson murder case, a task force was launched to dig through thousands of cases involving discredited agents to ensure that no defendant's right to a **fair trial** was jeopardized. The task force took nine years to complete its work and never publicly released its findings.

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**27. Convicted Defendants Left Uninformed of Forensic Flaws Found by Justice Dept.**, Spencer S. Hsu, *The Washington Post*, April 16, 2012

By excluding defense lawyers from the process of reviewing cases of sloppy work by examiners at the **FBI** lab, and leaving it to **prosecutors** to decide case by case what to disclose, authorities waded into a legal and ethical morass that left some prisoners locked away for years longer than necessary. By adopting a secret process that limited accountability, the task force left the scope and nature of scientific problems unreported.

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**28. Neuroscience in the Courtroom**, Michael S. Gazzaniga, *Scientific American*, April 2011

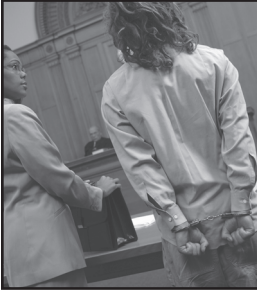
Brain scans and other types of neurological **evidence** are rarely a factor in trials today. Someday, however, they could transform judicial views of personal credibility and responsibility. The greatest influence of **brain science** on the law may eventually come from deeper understanding of the neurological causes of antisocial, illegal behaviors.

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**29. Wrongful Convictions: How Many Innocent Americans Are behind Bars?**, Radley Balko, *Reason*, July 2011

Since 1989, **DNA** testing has freed 268 people who were convicted of crimes they did not commit. Seventeen had been sentenced to death. The average exonerate served 13 years in prison before he or she was freed and only about half of the people exonerated by DNA have been compensated at all.

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## UNIT 5

### Juvenile Justice

#### Unit Overview

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30. **Violence in Adolescent Dating Relationships**, Ernest N. Jouriles, Cora Platt, and Renee McDonald, *The Prevention Researcher*, February 2009  
The teenage years mark a time in which romantic relationships begin to emerge and these relationships can serve a number of positive functions. However, for many juveniles, there is a darker side: **dating violence**. 122
31. **Misbehavior**, Donna St. George, *The Washington Post*, August 21, 2011  
Federal officials want to limit punishments that push **students** from the classroom to the courtroom. A landmark study shows that 6 in 10 students in Texas were suspended or expelled at least once from seventh grade on. After their first suspension, they were nearly three times more likely to be involved in the juvenile justice system the next year, compared with students with no such disciplinary referrals. 128
32. **Shaken-Baby Syndrome Faces New Questions in Court**, Emily Bazelon  
When there are signs of mistreatment in child death cases—cuts, bruises, burns, fractures—there’s not much dispute that the **children** were abused; but the only medical **evidence** of **shaken—baby syndrome** are internal symptoms. Some doctors are taking issue with the diagnosis of the syndrome, raising the possibility that innocent people have been sent to jail. 130
33. **Juvenile Recidivism—Measuring Success or Failure: Is There a Difference?**, Colette S. Peters and Shannon Myrick, *Corrections Today*, February/March 2011  
**Recidivism** reveals whether juvenile offenders who leave custody go on to lead crime-free lives, but not whether they lead productive crime-free lives. Recidivism does not measure whether these young adults demonstrate successful pro-social behavior and contribute in a positive way to their communities. 138
34. **Whither Young Offenders? The Debate Has Begun**, Trey Bundy, *The New York Times*, January 22, 2011  
A former Fresno gang member spent two years inside California’s **juvenile prison** system and he said that, instead of rehabilitating young offenders, correctional officers spent most of their time separating rival **gangs**. In recent years, some local judges often refused to send young offenders to state institutions, preferring to confine them in county facilities regarded as safer and more effective. 141
35. **At D.C. Superior Court Program, a Focus on Helping Minors with Mental Health Problems**, Justin Moyer, *The Washington Post*, March 18, 2012  
D.C.’s juvenile **mental health** diversion court, one of about a dozen similar courts around the country, is part of a broader movement toward “problem-solving” courts that try to tackle social problems such as drug use and prostitution without incarcerating offenders. When mental health courts work—and some experts say the results are mixed—they reduce the number of offenders behind bars while linking people to services that can help them avoid being arrested again. 143
36. **No Remorse**, Rachel Aviv, *The New Yorker*, January 2, 2012  
In Michigan, as in many states, **prosecutors** can try defendants older than age 14 in adult court without a hearing, a statement of reasons, or an investigation into the **child’s** background. The decision cannot be reviewed or appealed. This allows prosecutors to bypass the juvenile justice system, which was built upon the premise that youths are still malleable, in need of the state’s protection, and uniquely capable of **rehabilitation**. 145
37. **Preventing Future Crime with Cognitive Behavioral Therapy**, Patrick Clark, *National Institute of Justice Journal*, April 2010  
One form of psychotherapy stands out in the criminal justice system. Cognitive behavioral **therapy** reduces **recidivism** in both **juveniles** and adults; it has been found to be effective with substance abusing and violent offenders; and probationers, prisoners, and parolees. Therapeutic approaches based on **counseling**, skill building, and multiple services had the greatest impact in reducing further criminal behavior. 154

**38. Opinion Recap: Narrow Ruling on Young Murderers' Sentences,**

Lyle Denniston, *SCOTUS blog*, June 25, 2012

In a series of decisions the **Supreme Court** has repeatedly ruled that **children** under age 18 who commit crimes must not necessarily get as severe a punishment as adults who committed the same kind of crimes. The Court has forbidden the **death penalty** for minors and it has barred a **sentence** of life in prison without a chance of release for minors who commit crimes in which the victim is not killed. In this new ruling the Court did not completely rule out a sentence of life without parole for a minor who commits murder.

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## UNIT 6 Punishment and Corrections

### Unit Overview

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**39. Bring Back the Lash: Why Flogging Is More Humane than Prison,**

Peter Moskos, *Washington Monthly*, May/June 2011

Is flogging too cruel to contemplate? If so, given the hypothetical choice between **prison** and flogging, why would you choose flogging? Perhaps it's not as crazy as you thought. As ugly as it may seem, **corporal punishment** would be an effective and comparatively humane way to bring our prison population back in line with world standards.

160

**40. Drug Reforms Cut Prison Rolls: Fewer Inmates Are Black, Female; More Had Violent Crimes,** Mary Beth Pfeiffer, *Poughkeepsie Journal*, October 16, 2011

Nearly 40 years after tough new **drug** laws led to an explosion in **prison** rolls, New York State has dramatically reversed course, chalking up a 62 percent drop in people serving time for drug crimes today compared with the year 2000. The steep decline—driven by shifting attitudes toward drug offenders and lower-level crime—means that nearly 16,000 fewer minorities serve state time today.

165

**41. Gaming the System: How the Political Strategies of Private Prison Companies Promote Ineffective Incarceration Policies,** *Justice Policy Institute*, October 2011

As revenues of **private prison** companies have grown over the past decade, they have had more resources with which to build **political** power, and they have used this power to promote policies that lead to higher rates of incarceration. By making direct, monetary contribution to political campaigns for elected officials, private prison companies can attempt to shape the debate around the privatization of prisons and criminal justice policy.

165

**42. Prison Re-entry Programs Help Inmates Leave the Criminal Mindset Behind, but Few Have Access to the Classes,** Cindy Chang, *The Times-Picayune*, May 19, 2012

In Louisiana more than half the prison inmates serve out their time in the custody of a sheriff, often so the sheriff can make a profit. These are the very people who will soon be back on the streets. And, while all inmates leaving state prisons receive some version of a 10-week **re-entry** program and state inmates can learn trades, most inmates in local prisons are not even getting the basic re-entry curriculum, let alone new skills that could help them land a decent job.

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**43. Prisoners of Parole,** Jeffrey Rosen, *The New York Times*, January 10, 2010

In many states, the majority of **prison** admissions come not from arrests for new crimes, but from **probation** and **parole** violations. A judge in Hawaii decided to try something new with convicted offenders with **drug** problems who had been sentenced to probation. The HOPE program, if widely adopted as a model for probation and parole reform, could make a surprisingly large contribution to reducing the prison population.

173

**44. Addressing Gender Issues among Staff in Community Corrections,**

Kelli D. Stevens, *Corrections Today*, vol. 72, no. 5, October 2010

The number of **women** under correctional supervision has increased significantly during the past several decades, but the policies addressing the criminality of women and how they are treated in the criminal justice system have not kept pace. And, while community corrections organizations are actively addressing the needs of female offenders, they are still struggling to meet the needs of female professionals working in the field.

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***Test-Your-Knowledge Form***

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