

DILEMMAS OF THE NEW MILLENNIUM: POLICING IN THE 21ST CENTURY

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Introduction

For some years, futurist literature has explored a number of issues thought to impact police service delivery as the nation approached the 21st century. Herman Goldstein (1993) emphasized the need for continued improvement in police public relations, the value of becoming more proactive, and the need to improve the working environment of police agencies by expanding officer involvement in planning and management. Previously, during the 1980s, William Tafoya (1983), a leader of the police futurist movement, encouraged officials to think beyond the present and recognize that data-based long range planning can refine the ability of managers to more accurately understand the impact of political, social and economic trends. As police managers engage in planning activities, however, the events of September 11, 2001, serve as reminders that the future is never fully predictable. Change is ever present and can dramatically impact managerial priorities established through the application of even the most sophisticated planning techniques. Recognizing that the future is not predetermined, writers and researchers must accept the fact that all speculations about it must be sprinkled with a healthy amount of humility.

It would be perilous, however, to completely shy away from thinking about police service in the long term. We must continually do so recognizing that as the future unfolds it is merely an

extension of the present, influenced by the past. In this context, policing is not unlike other social institutions. Certain problems/issues are long-standing and represent the baggage of the past that continues to burden agencies with the result that some issues will remain on priority lists well into the future. In this context, police managers could identify ongoing terrorism, violent crime, and national drug problems, as clear examples. This article explores selected issues that have troubled police for many years and others that are more recent. The first two topics have a rather general orientation as opposed to the more specific subsequent problems presented. These authors believe that all, however, will influence and challenge police management well into the 21st century.

Economics and Policing

The first of the general issues is a subject of major importance to all police officials, and can be captured in the phrase that demand always seems to exceed supply. Police executives continually report that service expectations tend to escalate with time, and there is ever increasing competition in the municipal service family for available tax dollars. The population or size of a jurisdiction does not really seem to matter. A central metropolitan city may experience budgetary strain when the tax base does not meet ser-

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PRESIDENT'S MESSAGE

Since my last message many new and exciting things have happened at the National Office. First, Laura Chapman (nee Monaco) resigned as did Amy Cantner. We are so lucky to have hired Mittie Southerland at the Chicago meeting because Mittie has been keeping the organization afloat. She has made two trips to the National Office, and she is maintaining a virtual National Office from her home in Kentucky. (More about the National Office later).

Mittie and I attended the Northeast Association of Criminal Justice Sciences annual meeting in Bristol, R.I. in June. We were warmly welcomed and had a great time with our Northeast colleagues. At this meeting, Jay Berman, Dave Owens, Mittie and I participated in a roundtable discussion on the ACJS Standards and Certification. It was very well received, and it was obvious to me that the Northeast region benefited from the roundtable discussion. I immediately thought if this was the case in a region that was instrumental in developing the standards and advocating for certification, then, we needed to do a similar presentation at as many of the regional meetings as possible. We are on the program for the Southern meeting, and we will be on the program for the WPACJE. Because of the overlap in regional meetings scheduled for the last week in September, we will not be able to make the presentation at the Midwest and Southwest regional meetings. A by-product of our roundtable discussion was the realization that the four of us needed to meet in the summer to develop the directions for the certification process. We need explicit directions on how to write the self-study, how to conduct the review, how to start the process, etc. The four of us planned to meet in lovely Jersey City, NJ the third week of July to iron out all these issues. We also plan to have a training session for those academic reviewers who want to continue reviewing programs that will be seeking certification. That training session will be by invitation only and will be conducted at the National Office in December. We then will have a group of reviewers who are trained, and who can train others at the annual meeting.

Back to the National Office with an exciting update: At the NEACJS meeting, Mittie and I reviewed applications for the Association Manager position. The Executive Board also reviewed applications and we corresponded with them via email to get their input on the candidates. We identified three very qualified candidates; called each, checked their references, and set up interviews for the following week at the National Office. We were able to identify and hire an excellent candidate, Ms. Cathy Barth, for the Association Manager position. Cathy has an undergraduate degree in English and Accounting, with a paralegal certificate – already she sounds wonderful! Her most recent position was working for a law firm with about 600 lawyers where she was

responsible for the training of these lawyers (CLE). She coordinated this training, setting it up, doing the logistics, problem-solving, trouble-shooting, etc at the actual event(s). She also did site selection and has negotiated contracts for the group. She has been involved in membership drives and understands the importance of an annual meeting, in terms of the livelihood of an organization. I am sure you will agree; Cathy is simply perfect for the position, meeting, and in many cases, exceeding our expectations in terms of the requirements for the position. Mittie and I found her to be very personable and helpful and we feel she will be an invaluable asset as we move the organization forward. She told us that she loves interacting with the “client” especially at the big meetings, and we really got the sense that our members (you all) will really enjoy her as she is warm and welcoming and quite competent. We are extremely pleased at our great fortune to find Cathy! She started August 1, 2005.

One last comment as this message is getting rather long: Please check out the webpage on a regular basis. We'd love to hear your feedback about the changes we are employing. Our priority right now is getting the submission information for the Baltimore meeting up on the web in a consistent format that can be utilized for subsequent meetings. This means a lot of “front-end” work, but we all believe that it will pay off in the long run for us all. Once we have a consistent way of submitting materials for the annual meeting and for registering for it, everyone will begin to feel more comfortable with the mechanism as it hopefully will become “routine” –something you do every year, and something that is very easy to do!

I personally like the changes to the Employment Bulletin. The links added are a nice feature, and if you haven't notice, we are now adding ads as we receive them. We will post new directions so institutions know that whenever an ad is ready to be submitted, we can accept it. We do not have to wait until a specified date has arrived before we can post ads. I consider this to be an excellent change and one that will make the Employment Bulletin a more competitive outlet for advertisements.

Just like last time, please feel free to contact me with any concerns you might have. With Mittie's help, I am usually able to address your concerns in a relatively short period of time. I hope you are all having a productive summer. Stay cool!

*Laura J. Moriarty
President, ACJS*

BOOK REVIEW SUBMISSION GUIDELINES FOR *ACJS Today*

- Provide a review that will help the readership determine how useful the book will be for teaching of particular courses.
- Identify how the book is applicable to criminal justice, criminology, sociology, and other related curriculums.
- Identify the courses for which the book will be useful and why.
- Identify the level of students most likely to find the book useful.
- Identify the teaching style most consistent with the book's approach.
- **Send reviews to Alex del Carmen, the *ACJS Today* Editor, at adelcarmen@uta.edu.**
- Book review should be limited to no more than three (3) single-spaced pages with references in APA style.
- Reviews sent as e-mail attachments in Word are acceptable.
- Submission of a review to *ACJS Today* implies that the review has not been published elsewhere nor is it currently under submission to another publication.

ACJS DEADLINES

The deadline for submissions to be included in the **November/December *ACJS Today*** is **October 20, 2005**. Submissions, in **Microsoft Word** format should be e-mailed or sent to:

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ACA SEEKS ARTICLES

Corrections Compendium, the research journal of the American Correctional Association, is seeking submissions for upcoming issues. Its international readership includes individuals involved in various sectors of the corrections and criminal justice fields. A leading peer-reviewed publication in the corrections field, *Compendium* welcomes you to submit your research-based papers for possible publication. A typical article is approximately 3,000 to 6,000 words, excluding references, endnotes, tables, charts, etc. All submissions are reviewed by members of our editorial advisory board. Articles must not have been published elsewhere or be under consideration by another publication. Send your unformatted article on an IBM-compatible disk in WordPerfect or Microsoft Word, double-spaced, with any tables or charts at the end of the copy, and accompanied by a hard copy to: **Susan Clayton, Managing Editor**; American Correctional Association; 4380 Forbes Boulevard; Lanham, MD 20706-4322; or e-mail it to: susanc@aca.org.

Please remember to include your name, title, affiliation, address, daytime telephone number, fax number and e-mail address.

Academy of Criminal Justice

acjs *Today*

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vice demand, in part because middle and upper income groups are relocating to the suburbs. Suburban cities may suffer revenue shortage because rapid population growth, coupled with lower population density, require the delivery of expensive municipal services over large geographic areas. Small towns may lack sufficient industrial/retail development to provide tax revenue adequate to support a profile of services at a satisfactory level. Since law enforcement is a primary local government component, these fiscal conditions have rather universal police budget implications. Police managers face the monumental task of sustaining appropriate service while confronting the reality that fiscal resources are limited, or possibility declining.

On the demand side of the demand-supply equation, the authors present three primary social problems at both local and state levels which are matters of public knowledge but which may be overlooked in the narrowly focused planning of police budgets. These three issues place a significant and ever increasing strain on public resources and as the problems escalate in the future, they can only increase in priority for the allocation of scarce local and state tax dollars. First, there is general recognition of the fact that the U.S. public education system is in considerable disarray. Many of the nation's schools suffer from inadequate facilities, teacher shortages, low salaries, overcrowded classrooms and various discipline problems that are at least in part a by-product of these varied educational stressors. Secondly, many cities are confronting virtual gridlock on streets and thoroughfares. These conditions give rise to public pressure for expensive road construction efforts and long overdue public transit projects. Lastly, our expanding technological society has severely stressed the environment, forcing expensive clean-up projects and broad-based enforcement actions. Although federal funds have assisted in these efforts, the problems are not without impact on state and local budgets. And these matters represent only three of the many issues confronting cities all across the nation.

Returning to the "supply side" of the demand-supply equation, the Tax Foundation, a private sector Washington-based economic research organization that monitors national tax trends, released the results of a broad-based study that examines the current tax burden on American families. According to J.D. Foster (2000) executive

director and chief economist for the Foundation, even after adjusting for inflation, the prosperity of the 1990s has resulted in continued higher taxes for U.S. families. The Foundation's recent national study specifically focused on the \$26,759 total tax amount paid annually by a median two-earner family in 1998. In combined fashion, federal, state and local taxes claimed 39.0 percent of this family's total annual income (\$68,605) during that year (Foster, 2000). Considered another way, state and local taxes together took 8.8 percent of the two-earner family's income in 1975, but by 1998 that share increased to 13.1 percent. In sum, historical examination of American tax trends reflects a continuing increase in the percentage of gross annual income paid in taxes by citizens during the past thirty years. As the tax burden on working Americans continues to escalate, the question will eventually be, how much police protection and service do we want when considering the great expense of new technologies and terror prevention techniques?

A related issue is the apparent increasing level of local government debt in the U.S. We continually hear the lamentations of national officials, economists and media representatives over the long-term growth of the national debt. However, we hear very little about debt trends at the local level, probably because the cumulative data in that arena is complex and somewhat suspect. However, the U.S. Statistical Abstract (2000) includes information on local government debt, and defines "local government" to include cities as well as school and utility districts. Reported data reflect an increase in local debt from 213.6 to 717.3 billion dollars during the years 1980 through 1996. This information is based upon the U.S. Census Bureau's annual State and Local Government Finance Estimates reported during May, 1999.

Each of the above issues calls into question the percentage of income Americans should be expected to pay in support of public services, police or otherwise. In summary, without significant change in tax trends, both sectors can expect an increasing public backlash to a continuation of escalating taxation as the 21st century unfolds. At some future point, for economic and other reasons, the American public may come to find the same appeal in law enforcement regionalization that they found in public school district consolidation in the post WWII period. For those readers that are unaware, there has been a steady decline in

the number of U.S. school districts from "108,479 in 1942 to 13,726 in 1997" (U.S. Statistical Abstract, 2000, p. 299).

Police Decentralization

A second general issue with possible important future implications is the general decentralized condition of the U.S. police establishment. Of course, decentralization is merely a reflection of the American governmental system and in accordance with the wishes of our Founding Fathers as noted in the language of the U.S. Constitution. Some of the recognized values of police decentralization include the opportunity to incorporate local values with the policing approach, agency independence, and the ability to exercise unique initiative in resolving local community problems.

But, decentralized police service comes at a price. One might wonder, as special districts across the country (especially public school districts) continue to establish their own unique police departments separate and apart from any direct link to general purpose law enforcement agencies, how long public sentiment will continue to support this condition. The disadvantages of decentralization are readily apparent. Unit independence often means limited cooperation and coordination between agencies, duplication of command structures, facilities, equipment, record systems and training programs. Policy making is all too often characterized by politics, brokerage and negotiation rather than rational, comprehensive, centrally directed planning and management. Many of these disadvantages may have the effect of reducing police effectiveness/efficiency and driving up the cost of law enforcement. Issues such as these were recognized in the Seven Strategies of More Effective Law Enforcement which stress the need for possible mergers of and reorganization of operations (Conger, 2004). This final point links decentralization with the police service cost and budget issues discussed in the previous section.

One of the first actions of the Bush administration in the aftermath of September 11th was the creation of The Office of Homeland Security. Basic to the mission of this new national agency is the goal of promoting better communication and cooperation between the diverse elements of the U.S. police establishment national, state and local. At this early juncture, it is an open question whether staff members of this new agency, talented and well meaning as they

may be, can dramatically alter the entrenched independent attitudes that have long prevailed in the minds of law enforcement officials at all governmental levels. As the new century progresses, and the nation continues to struggle with the domestic implications of important problems like illicit drug trafficking and terrorism, the negative aspects of decentralization may more clearly come into public focus and alter support for this historic approach to American policing.

Private Security and Public Police

Another issue that will receive increasing attention during the initial part of the new millennium is the continuing struggle to improve relations between public police and private security agencies. The history of these parallel fields has long been intertwined, and both share important roles in maintaining the national social order.

Over the years, the respective roles of public/private agencies quite naturally changed, consistent with the maturation of the American society and the national problems of a growing nation. In the meantime, on-going interaction between the fields gave rise to two primary principles, which define their respective responsibilities. The public police exist primarily to maintain order, enforce public law, investigate criminal activity and apprehend law violators. Secondly, police function to prevent crime both by physical presence and by providing crime prevention assistance to citizens. Conversely, private security agencies direct primary attention to the safety and security of private individuals and organizations. By so doing, emphasis is on the prevention and detection of criminal activity on private property. These organizations also assist in the enforcement of corporate policy violations, and aid companies in responding to man made or natural disasters.

During recent decades there has been considerable variation in the growth and scope of the two fields. According to a Rand Study (1972), approximately 800,000 people were employed by private security firms in 1969. Rand estimated that annual national expenditures for security services were about 8 billion dollars at the time their research project was undertaken. Quoting 1969 Uniform Crime Report figures, Rand (1972) reported a total of 523,000 sworn public police officers at various U.S. governmental levels and an annual national expenditure of 4.4 billion for police services.

Based upon data reported in the more recent Hallcrest II report, Clifford Simonsen (1998) predicted that private security would employ 1.5 million persons, at a national cost of 104 billion, by the year 2000. In contrast, society would spend approximately 44 billion to employ about 600,000 police officers in the same year. This dramatic growth of the industry has also been matched by expansion in the service profile of security organizations. When the Rand Study was conducted, about one-third of security personnel were employed by contract firms. The remainder were largely proprietary officers serving on corporate and other private sector organizations. Now, in addition to these two primary divisions, the field includes sizeable ancillary functions including alarm monitoring, security equipment manufacturers, consultants, engineers, private investigators, polygraphists and companies offering forensic and drug screening among various other services. Recent trends reflect that this problem will not soon go away as there are now over twice as many private security officers in this nation than there are public police (Peak & Braunstein, 1997).

A recent report by the Justice Department's Institute for Law and Justice (2000) provides an excellent summation of ways the two fields have worked together. For example, during the 1980s, the Washington Law Enforcement Forum was established and successfully addressed a range of problems and tensions in that state. The 1980s also saw the formation of the Dallas Police/Private Security Joint Information Committee which, working jointly with the local chapter of the American Society of Industrial Security (ASIS), has improved mutual understanding between the fields in the North Central Texas area. The Virginia Police and Private Security Alliance, another cooperative venture, sponsors joint education and training programs, works to mediate interagency problems, maintains a joint information/resource network and attempts to influence legislation at state and national levels. While such efforts are notable, it may be that the most important issue centers on why, in the present day, improved cooperation is needed between police and security sectors. As noted in the ILJ Report (2000):

- Police calls for service have significantly increased in recent years and resources to meet this

demand have not always and everywhere kept pace.

- Although somewhat reduced, national crime rates remain high. Police naturally focus on more serious criminal incidents, often at the expense of watchman and service functions.
- Some forms of economic crime are beyond the scope and/or jurisdiction of local police and in some instances departments lack sufficient investigative expertise to effectively work corporate cases.
- High tech crime is especially difficult to prevent or investigate. Police may find issues complex, turf unfamiliar and suspect movement transjurisdictional (p. 2).

The ILJ report observes that the business community is a largely untapped resource for combating community crime problems. As such, law enforcement should break away from the traditional mindset that cooperation with private agencies is unnecessary, unproductive or laden with risks.

Although the privatization issue will probably increase in importance, others seem to be never fully resolved. While improved alarm technology and response procedures have defused alarm issues in some locales, such matters are points of contention in others. From the security viewpoint, police moonlighting continues to be seen as unfair competition. Anecdotally, some departments have acted to restrict, or prohibit, officers from engaging in off-duty employment, but the practice remains widespread, and will probably trouble relationships in many locations well into the future.

But the most powerful indicators of continuing progress in cooperation between the fields are security industry growth coupled with society's ever increasing security problems and needs. Police budgets and the acquisition of personnel have not, and seemingly cannot, keep pace with national social order needs. These conditions, then, will tend to force higher levels of collaboration to the probable benefit of both sectors. As the ILJ Report (2000) notes, this interaction will impact each participant differently. Private security will learn to operate with more of the openness and public accountability required of the public police. Meanwhile, law enforcement should

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be positively influenced by the managerial and operational sophistication of the private sector. Police officials should deepen their appreciation of the value of effective planning, marketing and the importance of continually evaluating the effectiveness of service to the community.

The broad societal and budgetary issues discussed above are intimately linked with numerous more narrow issues that will present themselves in the new century. The closest ties may be the relationship between the dwindling budgetary resources and the anticipated increased demand for services. Police agencies in the latter part of the last century showed a predisposition towards responding to increased demands for police services with a two-pronged ideology concentrating on paramilitary, specialized units utilizing enhanced technology and enhanced community relations through the use of community policing models. It may be that the first of these two ideologies is in conflict with the broader issue of diminished resources in the new millennium and the latter concept of community policing may be in partial conflict with the enhanced paramilitary and technologically based model.

Militarization of Police

Police agencies in the United States have traditionally been paramilitary in nature from an organizational and administrative perspective. Ranks are analogous to those in the military and promotions are, for the most part, based on advancement upward in the rank structure. Historical relationships between the military and the police have been noted by many authors (Angell, 1971; Turk, 1982; Stevens & MacKenna, 1988; Skolnick & Fyfe, 1993). Essentially, these and other authors have noted that the military and police are the two primary institutions which embody the coercive power of government. Through the years, there has been an operational alliance between the two in handling domestic problems in many countries, although in the United States the military has generally addressed foreign affairs while the police controlled the domestic front (Bittner, 1970; Kraska, 1994; Kraska & Kappeler, 1997). It might be noted, however, that there has been some reduction in the amount of civil liberties enjoyed by American citizens following the incidents of September 11, 2001. Police gained additional investigatory powers almost immediately to aid in the search for the terrorists involved

in the incident. Local and federal law enforcement agencies cooperated in the investigations domestically while military and intelligence services pursued the matter abroad. In addition to the alert status maintained by U.S. police agencies, homeland defense was aided by the military which maintained preventive flights around major American cities.

During the last twenty-five years, the relationship between the military and the police has become more focused and emphasized and it appears the trend will continue, at least in the short term. This is abundantly evident in the growth and proliferation of specialized units developed to address such emergencies as hostage negotiations, terroristic threats and acts, and to assist in the War on Drugs (Kraska & Cubellis, 1997). Studies of the growth of paramilitary units in both large and small agencies have reflected rapid growth in each (Kraska & Cubellis, 1997; Kraska & Kappeler, 1997). The police paramilitary units in the United States are usually referred to as SWAT teams and they are characterized by heavy reliance upon advanced technology and sophisticated weaponry. Unit personnel wear military style clothing and their training reflects the use of heavy force in accomplishing objectives. The officers assigned to such units may consider it an elevation of status within the department even if it is not accompanied by rank increase or an increase in pay. The assignments are competitive and gaining a position on these units represents success in the department.

The fact that the police paramilitary units utilize additional hours of specialized training and use advanced, sophisticated equipment in carrying out their mission means that expenses are constantly escalating as the cost of technology increases. This may present significant problems for the units in the coming decades. Increased operating costs is in direct competition with the lower tax bases and resource availability that is anticipated. Additionally, there has been a steady decrease in crime rates over the past decade which has paralleled an escalation in the use of the more expensive SWAT teams. Police administrators have stated that the increase was due to an increase in the amount of violent crime, but the national crime rates do not support such claims and a study by Kraska and Cubellis (1997) found that the SWAT teams were called out to respond to violent crime in

only 6.63 percent of cases. By far, the most common use of SWAT is to serve warrants and for drug interdiction.

While American's fear of crime has given free reign to the use of SWAT teams it will be interesting to see if the trend continues as costs escalate and pressure for municipal revenue increases. Further, broadening the militarized power inherent in the use of SWAT teams for patrol of specially identified neighborhoods may offend some in the community and may call attention to the fact that these very expensive units are not always used as conceived. In light of budgetary prioritizations, their popularity may not remain constant for the long term. If their use does decline, it will present another set of problems for police administrators, some of whom have large numbers of officers who identify with the units' special missions and prestige and may consider it demoralizing to return to routine neighborhood patrol functions.

Role of Technology and Limitations on Civil Liberties

The balance between law enforcement and limitations on civil liberties is obviously concerned with a wider range of issues than the narrow area of technology. The role of technology in the new millennium, however, is almost certain to force decisions from our society and our leaders about which way the balance will lean. The impact of technology will have to be considered in areas such as offender identification, use of force, truth detection, internet regulation and control, encryption, and wire-tapping digital telephone communications (Kreisa, 1998). Each of these areas presents conflicts between law enforcement and civil liberties and each is accompanied by possible ethical concerns.

The use of DNA analysis is well received by some civil libertarians because it serves to protect the innocent, and its use in offender identification has resulted in clearing the record of many wrongfully convicted people (Cohen, 1999). The primary issue is when and from whom should DNA samples be obtained. Do we sacrifice the rights of the many to catch a relatively small number of offenders? Do we take DNA samples upon arrest, upon conviction, upon commitment to prison, or at birth? Do we only take samples in specifically identified investigations? Currently, as with almost all phases of law enforcement, the system is

fragmented with varying procedures in different jurisdictions. The question isn't whether we want to use DNA, but how much freedom we are willing to sacrifice for its use. It is known that almost 40 percent of convicted felons return to prison within three years of their release (Cohen, 1999). In some cases it would be helpful to have a DNA sample to compare with future samples taken upon arrest. Such a procedure could streamline criminal justice procedures in those cases and be a valuable tool in clearing new charges. To make such comparisons, however, we must take samples from persons who have not yet been convicted – is this a concession of civil liberties that society is willing to make on an extended basis?

One issue associated with DNA is similar to the concerns about police militarization in that it is expensive. Funding entities, however, have been slow to appropriate adequate revenue for the full use of DNA testing. In 1999, it was reported that the FBI had a total of 270,000 DNA profiles, with a backlog of 500,000 unanalyzed specimens with approximately one million more samples to be added by law (Cohen, 1999). Because of the extreme backlog, however, some areas have stopped collecting new samples and in other areas testing has been ordered by state legislatures without any additional funding.

Other technology that will aid law enforcement while running up costs includes lasers and stun grenades that will reduce the need for use of deadly force. Additional technological enhancements will include speech recognition equipment, truth detection based on speech, identification from physical characteristics, and biometrics which allows identification based on facial measures (Cohen, 1999). Biometrics, if improperly used, is of particular concern because a camera can identify a person who is exposed to it. This would allow people to be easily identified as they go about their routine shopping or banking and could be used by police in a clandestine manner. Conversely, their value as a law enforcement tool is obvious. Its use, however, is again suspect when balanced against the requisite reduction of civil liberties. How far do we go to enforce the law?

Similar issues face the corrections field where the use of global positioning satellite devices and surgically implanted transponders can allow offenders' locations to be precisely tracked at all times (Toombs, 1996).

Such a system permits corrections officials to restrict the locations where the offender may be to those that are pre-approved. When not in an approved location, the system is instantly aware of the violation as the offender moves. This system may also eventually impact police agencies as more and more offenders are allowed to remain in the community because it is believed that the new technology will provide the community with a more affordable means of protection than prisons.

As noted above, civil liberties in the new millennium may be severely infringed by the desire to use innovative technologies to assist in law enforcement efforts. Civil liberties may also be impacted in non-technological ways from a less sensitized population that is more concerned with law enforcement and crime control than with what may be viewed as a minor deprivation of rights and liberties. This type of liberty infringement may be best predicted by changes in two of the more controversial rights extended by the U.S. Supreme Court in the *Miranda v. Arizona* and *Mapp v. Ohio* decisions. The Court's concern with the voluntariness of confessions and protection of Fifth Amendment rights has been seriously eroded by other Court cases since the 1966 *Miranda* decision (Thomas, 2000). The same is true for the Exclusionary Rule that grew from the 1961 *Mapp* decision. In both cases, the results in the criminal justice system were mixed and in some cases otherwise guilty parties were set free on technicalities. Citizens become concerned when they see a suspect released if the evidence seems to indicate guilt. The same public, however, is not always privy to the number of innocent people that may be convicted as a result of strict adherence to a crime control model rather than a due process model.

Adcox (2000) states that "the cynicism and stress caused by the many conflicting loyalties and expectations of modern policing can cloud the honorable intentions of even the best police officer" (p. 27). If budgets decline, liberties are depressed, militarism prevails, and technology is emphasized over community relations then the exercise of discretion by officers is likely to be even more conflicted and complex.

Training Implications

Police training will be one component of law enforcement heavily impacted by evol-

ing developments in the 21st century. Woods and Ziembo-Vogl (2001) present police training as having multi-faceted goals including the development of law enforcement expertise as well as developing the perspectives and attitudes of the training participants. It has been observed that the move from reactive to proactive policing with the advent of community policing emphasizes the importance of training. Birzer (1999) notes that as departments organize themselves into community policing agencies, "administrators must address a myriad of issues such as decentralization, empowerment, leadership, recruitment and selection, organizational restructuring, problem solving and training" (p. 16). This will be a departure from the current primary curricular focus on issues such as criminal investigation and procedure, firearms training, use of force and defensive tactics, among others (Birzer, 1999). While it is clear that training will be modified in the future, the direction is not clear.

If the movement towards community policing continues with the same vigor it has maintained in the past decade, then it is obvious that training must emphasize problem solving, conflict resolution, various methods of enhancing cooperation with the community, and more emphasis on prevention and service rather than direct criminal law concerns. Current innovative training methods such as the "model precinct" attempt to provide more relevant training in a less costly format than the traditional academy. One of the methods used in the "model precinct" is to assign college students wishing to eventually enter police work to positions as interns with police agencies throughout their period of education (Greenberg, 1998). Such a program involves training from selected officers, college professors, and field experience as well as input from a board of community citizen advisors. This type of program could reduce costs, permit those agencies without the financial resources to fund their own academy to train their own officers, and place great emphasis on community standards. If community policing concepts lose support, however, in favor of militarized units and confrontive and/or highly specialized policing tactics, the focus on a single style of policing may fail to answer future societal needs. This issue will be even more complex if community policing maintains support simultaneously with the need to centralize agencies due to increased efficiency

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to fight terrorism or because of declining tax revenues and budgetary constraints.

Community Policing

Recent forecasts from the World Future Society present two scenarios that are of interest to police agencies and to the concept of community policing. First, it has been forecast that 60 percent of the world's population will reside in urban areas by 2030 and that most population growth will be in large cities. Secondly, the world will contain over one billion elderly people by the year 2020 (*The Futurist*, 2001). Roberg, Novak, and Corder (2005) observe that as Americans live longer and comprise a large segment of our society, police may face the spectre of losing resources to fund issues of the aging and simultaneously having to contend with increased victimization of the elderly population. These forecasts could affect funding priorities from all governmental entities in the coming decades and could serve to increase the importance of community policing methods.

As urban populations increase in population simultaneously with the possible lowered tax bases and budgetary prioritizations that will probably focus on health and other issues of the elderly, it appears reasonable to consider that there might be fewer police per capita, thereby increasing the need to promote greater cooperation from the citizenry in preventing and solving crime. Community policing, according to its proponents is changing the nature of police officer tasks as well as his or her culture. Such changes will require officers to be more proficient in "identifying and solving problems with the support and cooperation of residents" (Lurigio & Skogan, 1998, p. 2). Given the rise in the police paramilitary structure as discussed above, it appears there may be future concerns about the continued viability of community policing if significant portions of the community population become alienated toward the police or if a significant percentage of officers perceive that funding for community policing will adversely effect the growth or existence of SWAT teams. At best, these rather divergent philosophies could contribute to internal tensions within departments.

Woods and Ziembo-Vogl (2001) note that there must be support from the upper ranks of the police organization if community policing is to succeed and directly impact police practices. Del Carmen and Bing (2001) observe that the concepts of community

policing may be violated through the practice of racial profiling that exists in varying degrees across the United States. Gaines (1994) states that there are three models of community policing and "the department wide model requires a large number of police officers to participate in community-oriented services" (p. 24). These factors when considered together with urban growth patterns, the aging of the population, lower tax bases, expense of technology, and the growth of paramilitary units; create obvious conflicts and dilemmas for police administrators and for the successful development and implementation of the community policing model.

Response of cities to the recent attacks of 9/11, reflect concerns with the extraordinary costs involved and the relationship to community policing. These are additional expenditures incurred as a result of the alert status stemming from terroristic attacks. The cities are experiencing budget overloads and are admitting that they do not know how long a full alert status can be maintained (Gribbin, 2001). Cities have responded to the strain in differing ways such as minimizing the number of the personnel utilized in the alert, focusing only on limited areas or landmarks, or by encouraging citizens to inform the police of any unusual or suspect activities. Although, the last response embodies the philosophy of community policing and serves to greatly reduce the costs of maintaining the alert status, it remains to be seen if it is an effective management technique or a placebo lulling the public into a false sense of security. If it proves effective, it may be the precursor of greater dependence on citizens in the general promotion of security within neighborhoods.

Conclusion

Trends within particular areas of law enforcement can be found from growth and development patterns and raw data in areas such as the quantity of resources allocated to special units or the growth and proliferation of paramilitary units. Other concerns such as the degree of civil liberties citizens are willing to sacrifice in exchange for more strict control by law enforcement agencies are transitory by nature and may change in a moment as observed in the 9/11 crisis. Emerging patterns that appear to be developing as society moves into the 21st century focus on issues such as a possible reduction in the availability of resources, the increased usage of paramili-

tary units, and the implementation of geographic policing.

A primary problem for administrators is the conflict between the scenarios that could develop in future years. For example, if the public wishes to have enhanced security and is willing to sacrifice civil liberties for it but is unwilling to increase the tax base, how does management establish priorities? Increasing paramilitary units and equipment helps provide closer control but is much more expensive than routine patrol and traditional policing. Conversely, with movement toward community policing and the inclusion of the community in neighborhood problem solving, the expansion of the mission and duties of police contrast with the idea of increasing efficiency, expanding interagency cooperation, and minimizing law enforcement costs.

The hard decisions that will have to be made may be forced upon administrators through lack of budgetary resources due to reduced tax bases or taxpayer revolt. As tax bases are reduced and society's priorities expand to include the many problems of the aging population, less priority may be given to police budgets despite the public's concern for safety. Lack of resources may dictate less priority on paramilitary units and sophisticated equipment regardless of its effectiveness or lack thereof. If society honors past traditions and is unwilling to raise taxes indefinitely, the degree of shared resources will increase and the use of expensive tactics and equipment may decrease. The numerous and divergent forces in the American society could enhance the viability of community policing simply because it can be used effectively in times of reduced resource allocation. Of all of the projections there is only one certainty, the job of police administrators will be no easier in the 21st century than it was in the 20th century.

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IN MEMORY JAMES EDMOND HOOKER

James "Jim" Edmond Hooker, formerly of Richmond, Virginia died June 25, 2005 in Hummelstown, Pennsylvania, at the age of 76. Jim Hooker taught at Virginia Commonwealth University for over 30 years in the Department of Criminal Justice (formerly the Administration of Justice and Public Safety Department), where he served as an associate professor, interim chair and emeriti faculty.

Jim was devoted to his students and was always willing to assist them in their educational endeavors. He not only believed that students should excel in their studies, but also worked diligently to ensure that students received a well-rounded education. To accomplish this goal, he worked tirelessly, even after his retirement, as the faculty advisor for the American Criminal Justice Association Lambda Alpha Epsilon (LAE). Most devoted to LAE, Jim served as the editor and publisher of the LAE Newsletter. He also spent numerous hours advising and mentoring students and served as the faculty advisor for the VCU Chapter of Alpha Phi Sigma Criminal Justice Honor Society for many years.

Jim was equally as devoted to assisting his colleagues and the CJ community. He always availed himself to mentoring new faculty and collaborating with his long-time colleagues. When the Department was in need of an interim chair, Jim stepped to the plate; when someone was needed to serve on the plethora of University committees – Jim was the first to volunteer. He was always the team player; willing to go the extra mile. Jim was an avid story weaver. He would often regale everyone with stories of his experiences in law enforcement and public safety. After his retirement his stories became the sharing of experiences by one who was enjoying life to the fullest. He often spoke of the cross country trips he and his wife shared. He loved those trips!

In 2000, Jim wrote of a colleague that his "...personality was infectious and powerful. To know him was to love him..." Well, this statement is also befitting of Jim Hooker, because to know him, truly was to love him. He was a kind and compassionate man who always had an encouraging word (often accompanied by a hug) for everyone he met. He loved life, and he loved living. He will be missed tremendously by all who knew him!



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THE DEATH OF ACADEMIC CRIMINAL JUSTICE

by Stephen S. Owen

Radford University

"Existing doctoral programs differ in details but are depressingly similar in demanding a great deal of methodology and then teaching the substantive elements of criminal justice on a piecemeal basis. Practically nowhere is a larger, more holistic view of the field, in its moral and political settings, developed and considered." -*Professor Robert R. Sullivan*¹

"Men occasionally stumble over the truth, but most of them pick themselves up and hurry off as if nothing had happened." -*British Prime Minister Winston Churchill*²

I must admit that I'm something of an imposter – a political scientist in a criminal justice's clothing. As an undergraduate, I majored in criminal justice because I found the field to be an interesting blend of the best that social science had to offer – a taste of sociology, public policy, psychology, history, and more. In graduate school, I made the conscious decision to stick with the "traditional" discipline of political science, believing that it would allow me to survey theories of public policy that would be applicable across subject areas. I was correct – and I still hold interests not only in crime control policy, but also in urban economic development policy, environmental policy, and more.

However, criminal justice remains my first love, as it was the study of criminal justice that attracted me to a career in academia – and I believe in "dancin' with the one who brung ya." Accordingly, I am saddened by what I perceive as the imminent death of academic criminal justice. This essay leans toward polemic, but it is an important one. My ultimate challenge to you, the reader – and to the discipline at large – is this: "let's re-discover criminal justice!" And it is my position that we must do so in order to ensure the intellectual survival of academic criminal justice.

Beginnings

By most accepted accounts, the Law Enforcement Assistance Administration (LEAA) enabled the genesis of modern academic criminal justice. With the availability of federal LEAA funds, criminal justice programs began to emerge across the country. However, criminal justice was "born" into a

dysfunctional academic family. Full of the hope and excitement of forging a new intellectual path, criminal justice quickly was sidetracked. First, the parentage was in question. Who was the rightful custodian of this new creation? Was it sociology, as the housekeeper of criminological theory? Was it political science, as a policy field? Was it a vague "school of professional studies," the orphanage where quasi-disciplines in the human services huddle together?

As if that was not enough, sibling rivalry became a second problem. Older academic disciplines came to resent criminal justice, which seemed to garner disproportionate attention (read that: student enrollments and "cash cow" status). Resentment (I will resist the temptation to invoke the cliché reference to criminal justice as the red-headed stepchild of academia) for this newly emerging discipline was fueled by the fact that many academicians didn't understand what it was all about. Now, had criminal justice been able to articulate a compelling narrative, it may have assimilated more easily into the prevailing academic culture.

Unfortunately, the third problem is that criminal justice has no common theoretical narrative. Picture a room at a national criminal justice conference, in which ten self-proclaimed criminal justices are gathered; now, ask a few key questions. Start with, is criminal justice vocational or theoretical (watch the fun as sparks fly!)?³ Alright, maybe that was a tough one – move on to, what are the typical "core" criminal justice courses (oops...in practice, there's no clearly defined core)?⁴ Well, at least we can all agree on what to call ourselves (watch the fun as delegates from "justice and policy studies," "administration of justice," and "criminology and criminal justice" fight it out – and we won't even mention paralegal studies and forensic science!).⁵ Ok, those are "small potatoes" issues, so we'll just cut to the quick of it: what is the theoretical foundation of criminal justice? The room quickly falls silent.

Whither Theory?

It's no secret – we apparently are working within an atheoretical discipline. The quote at the beginning of this piece is from Robert R. Sullivan's insightful article, titled

"The Tragedy of Academic Criminal Justice."⁶ Sullivan weaves a philosophical argument, grounded in his study of criminal justice doctoral programs, in which he suggests that the dual focus on research methodology and compartmentalized coursework serves to perpetuate the status quo while doing little to advance a theory of criminal justice. He notes: "there is seldom if ever an attempt by a doctoral candidate to mount an argument about the social or psychological contexts of the system, the relationship of the structural features of American politics to criminal justice, or the dynamics of the philosophical premises which underpin the modern state's approach to criminal justice."⁷

Being a cross-disciplinary academician, I have witnessed this phenomenon. In graduate-level American politics, the focus is not on what Congress, the President, or the Supreme Court does. The focus is on the theoretical dynamics that underlie each of the institutions, and that frame American politics as a whole. In graduate-level criminal justice, however, we see Sullivan's tragedy. I think in particular of the graduate class that I teach – Public Policy and Criminal Justice. As a political scientist, I structure the course around theoretical models of American public policy, and how they shape the evolution of criminal justice policy outcomes. Criminal justices who teach the class often structure it as a smorgasbord of policy issues – one week debating gun control, one week debating the efficacy of mass incarceration, and so on. These are important topics, to be sure, but devoid of a greater theoretical context.

Before I am labeled as "that arrogant political scientist," let me stress that I do not demean criminal justice programs, or faculty with advanced degrees in criminal justice. Indeed, the tragedy that Sullivan describes is rooted in a greater problem, namely, that there is (to date) no established theoretical framework to teach! As noted by Marein and Worrall, "Criminal justice is an academic discipline in practice but not yet in theory."⁸ Clear is even more blunt: "My aim is not to argue that the field of criminal justice now has the accoutrements of an academic discipline: an established language, a developed method, and an accepted theoretical foundation. We do not."⁹

Nevertheless, based on a review of faculty vitas and graduation rates from criminal justice graduate programs, Clear suggests that criminal justice has “come of age,” based on two criteria: “a core of graduates large enough to matter, and a body of scholars active in the production of knowledge....We are large enough, active enough, scholarly enough, and well enough established to constitute a valid, albeit still new, area of study in our own right.”¹⁰

An area of study? Sure. But an academic discipline? I say, “prove it.” What truly legitimate academic discipline is unable to articulate a theoretical grounding? Our sister discipline of criminology has been successful in suggesting a variety of theoretical approaches, all centered on the basic issue of criminal behavior. But where is the theory of criminal justice? If we are to be truly academic, to be respected, to have integrity, to make a difference, we must answer this question. The potential for academic criminal justice to positively shape the intellectual (and policy) landscape is great, if only we knew who and what we were.

Perhaps it is natural that criminal justice lacks theoretical grounding. After all, a similar debate surrounds law enforcement agencies. Pundits have long argued over whether policing has evolved from its political roots into a profession, in the true sense of the word.¹¹ This is a two-way street, however. As criminal justice develops theoretical coherence, it may be easier to convey professional ideals in the field. Likewise, as criminal justice agencies move more towards the professional model, a grand theory of the system may be more readily discerned. Regardless, it is clear that criminal justice is a discipline in search of theory, paradigms, and larger meaning.

Crafting an Identity (or, “Hey, buddy, can you spare a paradigm?”)

The arguments I have presented above are not new. I have cited authors who note that criminal justice is theoretically underdeveloped. However, the time has come to act. Criminal justice has been true to Churchill’s observation, quoted at the beginning of this essay; that is, when the problem of theory has been truthfully raised, it has been acknowledged, and then we move on. My exhortation to the discipline (not that I am any great sage, so much as a con-

cerned adopted criminal juristician) is: **FIND THE THEORY!**

It would be folly to think that this will be a quick process, or even one that will produce agreement among scholars. However, there must be a starting point. While not a scientific study, a quick perusal of recent scholarship in academic criminal justice journals has led me to two conclusions. First, we are a methodologically sophisticated discipline that investigates many discrete “pieces” of criminal justice. This is good. Second, we have failed to heed the warnings regarding our inadequately investigated theory base. Some pieces have explored theoretical concepts. While not necessarily an exhaustive list, here are some representative examples: Flanagan suggests that it is possible “for criminal justice educators to make their major a keystone in the architecture of a liberal education;”¹² Williams and Robinson suggest ideology as an organizing principle;¹³ and Owen, Fradella, Burke and Joplin suggest a multi-faceted approach toward laying the foundation of academic criminal justice.¹⁴

Each of the publications cited in the previous paragraph appeared in the *Journal of Criminal Justice Education*. Again, this is a good news – bad news situation. The good news is that the discipline is starting to consider theoretical issues, from a pedagogical perspective. The bad news is that the flagship journals in the field have not yet held forums or devoted special issues to theory pieces. I fear that authors and referees are hesitant to prepare works that explore the philosophy of criminal justice, absent a sophisticated research design. Accordingly, I issue *Recommendation One: Devote space in Justice Quarterly, Criminology, the Journal of Criminal Justice, and other leading journals to the development of criminal justice theory.*

Publications are useful, but it is first of ten necessary to have greater conversations in the field – conversations that may at time lack focus, but delve into the abyss of criminal justice theory. Accordingly, I suggest *Recommendation Two: Host plenary sessions on theory development at national conferences, perhaps even making it the theme of the conference itself.*

We must also work to overcome the tragedy described by Sullivan. It is good that the *Journal of Criminal Justice Education* is at the fore of theory development, for it must start in classrooms. To do so, however, we must be willing to abandon tradi-

tional descriptive textbooks and course designs, in favor of those that permit greater inquiry. As a result, I propose *Recommendation Three: Seriously consider how to infuse theoretical questions of justice into criminal justice curricula, including a statement to that effect in the Academy of Criminal Justice Sciences “Minimum Standards for Criminal Justice Education.”*¹⁵ In particular, standard number two under the heading “Curriculum” suggests that “[t]he broad scope of criminal justice should be reflected in the baccalaureate curriculum,”¹⁶ and recommends courses in the various components of criminal justice (note that this reifies “the tragedy of academic criminal justice”¹⁷ at the undergraduate level). Regrettably, there is not a call for an infusion of the grand theory that is missing in academic criminal justice. We must issue that call.

Fourth, we must approach theorizing seriously but creatively. This dynamic process of discovery is something that we should thrill upon, as the chance to define a unique discipline. While disagreements will naturally occur, and we will not overcome the lack of theory overnight, the process is *not* the punishment (apologies to Malcolm Feeley), but it is exciting. I am reminded of an article from *Clio*, the newsletter of the Politics and History Section of the American Political Science Association (for which I had the fortune to serve as managing editor during graduate school). In the piece, political scientist James Morone recounts how fellow political scientist David Greenstone stumbled across the work of Ludwig Wittgenstein in a university library, and subsequently infused it into a fresh approach to political history. It is in this spirit that I quote Morone’s words as *Recommendation Four: “Get lost! Find your own Wittgenstein!”*¹⁸ We must be bold and creative as we demonstrate “an intellectual sense of adventure, a willingness (hell, an irresistible urge) to cross boundaries and break out of boxes.”¹⁹ It may be difficult to define precisely what this theoretical creation will look like, but it is my hope that (to paraphrase Potter Stewart) we’ll know it when we see it.

What Next?

I’ve laid out my case and issued my recommendations. Trained as a political scientist, I know what a theory driven discipline looks like, and I like it. Furthermore, I think

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criminal justice has the potential to get there from here. Criminal justice easily fits within a theory-driven model of the liberal arts,²⁰ if only we can demonstrate how. Flanagan suggests that "As criminal justice emerges from its adolescence within the academy, it is incumbent on criminal justice faculty to assert a leadership role within the professorial ranks."²¹ But criminal justice is still in its gawky adolescence, stumbling on without any idea of what it wants to be when it grows up.

I fear that academic criminal justice will die if we do not act soon, and the hopes and expectations of forging new theoretical ground will die with it. This would lead us into the complacency of accepting that our only contributions to scholarship would come in evaluating the workings of programs without asking the bigger questions. However, it is my hope that readers of this article 20 years from now (ok, so I'm optimistic about who reads this stuff) will conclude that, like Mark Twain, the rumors of the death of academic criminal justice have been greatly exaggerated.

If we at least begin making a serious, concerted effort to define a unique body of criminal justice theory, it may be possible to topple the three problems noted under "Beginnings," above. We can establish ourselves intellectually, earn respect as a result, and then have our own undisputed home as a unique discipline. Rather than being the maligned and misunderstood (but popular) program, criminal justice will fit nicely into the family of truly academic disciplines. And we all have something to contribute to the conversations. I'm particularly excited about how the colleagues in my department – currently four political scientists, two criminal justices, one psychologist, one historian, and one anthropologist – can come together to discuss what criminal justice is all about, and I'll quickly note that it's a lot more than just the sum of our individual disciplines. I sincerely hope that the discipline retains its appeal to scholars of varying backgrounds – not because I am an outsider, but because we all have so much to contribute to this dynamic field of study, and artificially constructed boundaries should not get in the way. What matters is that we find our theory; we all have an opportunity to do criminal justice, and criminal justice will be the better for it.

So put this article down and take this opportunity – this rare opportunity – to engage in some groundbreaking scholar-

ship, in the production of something new, something bold, and most importantly, something uniquely criminal justice.

Endnotes

¹ Sullivan, R. R. (1994). The tragedy of academic criminal justice. *Journal of Criminal Justice*, 22, 549-558. Page 549.

² Rosten, L. (1994). *Leo Rosten's carnival of wit*. New York: Plume. Page 486.

³ See Morn, F. (1995). *Academic politics and the history of criminal justice education*. Westport, CT: Greenwood Press.

⁴ See Southerland, M. (2002). Criminal justice curricula in the United States: A decade of change. *Justice Quarterly*, 19, 589-601.

⁵ See Hale, D. C. (1998). Criminal justice education: Traditions in transition. *Justice Quarterly*, 15, 385-394.

⁶ Sullivan, 1994.

⁷ Sullivan, 1994, page 550.

⁸ Marenin, O. & Worrall, J. (1998). Criminal justice: Portrait of a discipline in process. *Journal of Criminal Justice*, 26, 465-480. Page 465.

⁹ Clear, T. R. (2001). Has academic criminal justice come of age? *Justice Quarterly*, 18, 709-726. Page 711.

¹⁰ Clear, 2001, page 723.

¹¹ See Kelling, G. L. & Moore, M. H. (1988, November). The evolving strategy of policing. *Perspectives on Policing*. Washington, D.C.: U.S. Department of Justice

¹² Flanagan, T. J. (2000). Liberal education and the criminal justice major. *Journal of Criminal Justice Education*, 11, 1-13. Page 1.

¹³ Williams, E. J. & Robinson, M. (2004). Ideology and criminal justice: Suggestions for a pedagogical model. *Journal of Criminal Justice Education*, 15, 373-392

¹⁴ Owen, S. S., Fradella, H. F., Burke, T. W. & Joplin, J. (in press). Conceptualizing justice: Revising the introductory criminal justice course. *Journal of Criminal Justice Education*.

¹⁵ Available from ACJS webpage: http://www.acjs.org/pubs/167_667_2912.cfm

¹⁶ Ibid.

¹⁷ Sullivan, 1994, page 549.

¹⁸ Morone, J. A. (1999-2000, Fall/Winter). From the President: Get lost! Find your own Wittgenstein! On politics, history, and political science. *Clio*, 10(1), 1, 8. Page 1.

¹⁹ Morone, 1999-2000, page 1.

²⁰ Owen, S. & Burke, T. (2003). Criminal justice as a liberal arts discipline. Liberal Arts Online (http://www.liberalarts.wabash.edu/cila/home.cfm?news_id=1416).

²¹ Flanagan, 2000, page 12.

ANNOUNCEMENTS

The **Jack A. Mark Memorial Award for 2005** has been presented to **Dr. James O. Finckenaue**r by the New Jersey Association of Criminal Justice Educators (NJACJE). The Award was named for Jack A. Mark who was a 25-year veteran of the New York City Police Department and retired as a Lieutenant. In the mid-1960s he started a two-year police science program at Rutgers University, New Brunswick, which was one of the first such programs in New Jersey. In 1968 he was one of the founders of the Council on Educational Institutions for Law Enforcement which was the predecessor of the NJACJE. The Association recognized Dr. Finckenaue for his numerous contributions to criminal justice education not only in New Jersey but nationwide and worldwide as well. His most recent accomplishment was finishing up a year-long stint as President of the Academy of Criminal Justice Sciences (ACJS). The NJACJE represents some 40 colleges and universities in New Jersey with criminal justice programs.

UPCOMING ACJS MEETINGS

Baltimore, Maryland
February 28-March 4, 2006

Seattle, Washington
March 13-17, 2007

Cincinnati, Ohio
March 11-15, 2008

Boston, Massachusetts
March 10-14

San Diego, California
February 23-27, 2010

Toronto, Canada
March 1-5, 2011

BOOK REVIEWS

Roth, Mitchel P. (2005). *Review of Crime and Punishment: A History of the Criminal Justice System.* Belmont, CA: Wadsworth.

REVIEWER: LAURA CUMBIE

The University of Texas at Arlington

Postponing the usual introductory explanation of laws and mores and the obligatory "shire-reeve" indication, Roth begins his lesson with a very well written history of the advancement of the system of law, law enforcement and criminal justice.

Better than most I have read, this book elaborates on the inception of community law, such as the Code of Hammurabi, and its development into the intricate system we know today. The author takes us on a journey from Ancient Mesopotamia, over 4,000 years ago, to counter-terrorism and DNA testing in the 21st century.

When asked to describe the history of criminal justice, most students probably conjure up images of Sherlock Holmes with a magnifying glass or Wyatt Earp on horseback. Roth does an excellent job of dispelling the myth that the history of criminal justice begins with the British "bobbies."

Roth carefully covers the English criminal justice system from the Norman invasion, the Protestant Reformation and beyond. He shares the details of the Anglo-Saxon tradition of Trial by Ordeal, where it was assumed that God would save the innocent from the torture, as if he were a reporter eagerly standing by for judgment. Many of the characteristics of the United States criminal justice system, such as constables, justices of the peace and bailiffs were introduced in the Norman era. Roth continues, in detail, describing the progression of this system we find so fascinating.

Although the information contained in this book is the same covered by almost every criminal justice history book, Roth lays the information out in a way that is conducive to information retention. His chapters begin with an overview of the subject era, first describing the lawgivers, letting us know who, in each era, is in charge. From Knights, Lords and rule by church to the President, executive, legislative and judicial branches, Roth lets us know the proverbial "who's who" of the criminal justice system.

Local and federal law enforcement agencies and personnel are also introduced in

each chapter. In 1784, author Henry Fielding became a magistrate and instituted the Bow Street Runners, a group of constables set up to aid citizens and pursue criminals. In 1992, the confrontation between federal agents and Randy Weaver and his family at Ruby Ridge led to public scrutiny of the agency and discussion of the abuse of federal power. The author describes, with great detail, the inception and progression of many of the agencies that have shaped the criminal justice system as we know it today.

Convict leasing, the system through which prisons contracted out prisoners and day laborers, and mandatory sentencing, are just two of the many topics discussed in the Corrections section found in every chapter. Roth takes us through the "Old West" jail houses to the Supermax prisons as he thoughtfully illustrates just how far the United States correctional system has come.

To detail the complete history of American violence would be quite an undertaking. Roth does an excellent job of excavating the events that best represent what shaped the criminal justice system. The Ku Klux Klan and lynching, the St. Valentine's Day Massacre and Murder Inc., and the tragic events of September 11, 2001 changed the way that the legal system and law enforcement officials deal with violence in this country. These and many more, incidents are recounted as Roth offers a glimpse into "American Violence" from each era.

In 1893, Lizzie Borden was found not guilty in the ax murdering of her father and step-mother. The facts were all against her. However, the newspaper painted a favorable picture of her, noting that a woman of her standing would not do that sort of thing. Times certainly changed as demonstrated by the Rosenberg Trial of 1951. Julius Rosenberg and his wife Ethel were charged with selling the secret of the atomic bomb to the Soviets. Despite maintaining their innocence, the papers sullied their names and they were sentenced to death, by the electric chair, for the charge of treason. With great detail, Roth delivers information, in each chapter, regarding notable trials from the different eras of criminal justice.

With fascinating "factoids" sprinkled throughout each chapter (in 2001, descendants of five of the accused Salem Witches

petitioned the Massachusetts legislature and won a declaration of innocence), Roth completes this journey with an interesting section about why we study criminal justice. Profoundly he explains "What was once a slow evolution based on experimentation and innovation has turned into a dynamic and proactive attempt to contain and suppress criminal behavior that was almost unthinkable in years past. No one can forecast what the next chapter in this saga will hold" (p. 351).

This reviewer feels that this text would serve an introductory class well, as a primary source of information. The details in the book will provide the students with a thorough knowledge of the development of the criminal justice system we appreciate today. Roth provides us with a text that is easy to read and understand, provides interesting additional information and touches on all of the basic information of which criminal justice students should be aware. ■

Elsner, Alan. (2004). *Gates of Injustice: The Crisis in American Prisons.* Upper Saddle River, NJ: Prentice Hall.

REVIEWER: GERALDINE DOUCET

Prairie View A&M University

This book is a portrayal of what is really happening in American prisons. The dehumanizing and abusive methods used by prison personnel and administrators are revealed. The author, Alan Elsner, argues that not only are prison administrators aware of all that is happening within prisons and jails, they also support it. Elsner's concern is for the impact this philosophy has on inmates and the American public. A policy that promotes imprisonment and does not address other alternatives such as rehabilitation and treatment has created a negative impact that will be pervasive.

Elsner, a journalist with over twenty-five years of experience, used a participant observation approach as he visited jails and prisons in a dozen states. He talked with inmates, lawyers, correctional staff, medical staff, religious volunteers, and law enforcement personnel to develop a portrayal of extensive human rights violations and in-

continued on page 14

humane conditions within America's jails and prisons.

The journalistic perspective provided in this book constitutes a unique perspective on the important issue of conditions within the American correctional system. While the academic perspective of criminal justice researchers tends to focus more on the structure of the correctional system, the journalistic perspective provides a better picture of reality; that is, revealing the abuses of the system, focusing on human rights, and calling for needed reforms.

Elsner's work provides a picture of prison wardens who are fully aware of the human rights violations perpetrated against inmates. These wardens are not worried about prison conditions and even worse, may be condoning these abusive practices. Their policies continue to call for behaviors that support those conditions. Elsner describes a pervasive atmosphere of silence and secrecy by prison administrators and staff that clearly serves to protect the image and philosophy of prison and imprisonment.

Throughout the book, the author describes the continually growing emphasis on prisons and the total neglect of any other solutions. Elsner argues that prisons and their policies of imprisonment are not working. In calling for reform, he argues that these methods are costing the taxpayer dearly. He speaks to the consciousness of the taxpayers as he presents the reality of prisons and jails and argues for the need for reform.

Elsner has a difficult task in convincing the public that they should care about what is really happening in prisons and the safety of the inmate. He spends an extensive amount of time in the book attempting to reach the consciousness of Americans in his desire to convict them about these issues and why they should be concerned. The realities he portrays reveals that the atrocities committed against inmates create a legacy that will come to haunt the American people as inmates are released back to society worse than when they entered the correctional system.

The author does not limit his argument to the adult population of inmates as he also describes the impact of atrocities on juvenile offenders. While America has claimed a history of treating juvenile offenders in more humane ways, Elsner presents a different reality for juvenile offenders today and how the American correctional system is no longer operating according to the philosophy of *parens patriae* (Fader, Harris, Jones, & Poulin, 2001).

Elsner argues that now is the time to initiate reform. He points to President George Bush's January 2004 State of the Union Address in which Bush stated he had asked Congress for \$300 million to help with offender reintegration into society. With that springboard, Elsner argues the time is right to get the attention of the American people.

The argument presented by Elsner reminds the American public that we pride ourselves on being a land of the second chance. When the gates of prison open, the path for the released offender should be a better life. However, that has not been the case. The path ahead for the offender who has completed his or her sentence is difficult, dismal, frightening, and, without adequate outside support, hopeless.

Elsner reminds Americans that these inmates are coming back to our communities whether we like it or not. These inmates have been the victims of rape and other horrific human rights violations while incarcerated. The racial inequalities perpetuated by the system and the massive growth of the American correctional system have objectified inmates and left them to evolve into damaged vestiges of the people they were when they entered the system. They are definitely not likely to be better than when they entered the system and they are likely to be much worse. The plight of the hundreds of thousands of mentally ill offenders behind bars is frightening. The abuses and harassments perpetuated against female offenders just because of their gender breaks these women down. Those inmates left in solitary confinement and forgotten evolve into something less than human because they have been treated so terribly.

Elsner does not leave it to the reader to figure out why we should care about these atrocities. He knows that for many it is easy to separate the offenders from the rest of society and not be concerned for their welfare. So Elsner takes the important step of appealing to the American public where it counts.

Elsner appeals to the American public's sense of pride in who we are. He reminds us that this story is about us, not some remote, foreign country. America is a global superpower where these atrocities allegedly do not occur. We may be a superpower, but Elsner argues that we have turned our backs on the violations taking place in our prisons and jails. We have not been the champion of human rights that we claim to be. Elsner argues that we have not been able to hide

that side of ourselves from others either. We appear to be hypocrites to the international community when we say one thing and do another and this has never been clearer than in the area of American penal philosophy.

The appeal to the American public also reminds us that we cannot separate ourselves from the consequences of improper correctional policy. As much as we may want to ignore what happens in those prisons and jails, those inmates do return to us with more severe behavioral problems. We have a much greater chance of becoming their victims as a result of what happened to them during their periods of confinement.

The return of the inmate also presents us with health issues. Untreated and improperly treated diseases, as well as diseases such as AIDS and hepatitis acquired while in prison, are being carried back into our communities by these inmates. So it is not just the more violent inmate that endangers the community, but also the sick inmate.

Elsner completes his argument for reform by reminding us of our pride in American democracy and our respect for human rights. This respect for human rights is central to the American way but American correctional policies make us look like hypocrites. The methods of American prisons and jails have not worked and the growing amounts of recidivism by released inmates make that argument clearly. The need for reform has never been clearer.

Elsner's book is very useful for teaching about the special concern of American correctional policy. It gives a very realistic portrayal of the impact of correctional policy in the United States and the need for reform. It clearly makes those arguments for reform and makes the arguments directly to the American public.

Instructors will find the book useful in any penology/corrections courses, adult or juvenile. The book is especially useful for focusing on the plight of the juvenile offender and what correctional policy in doing to the juvenile inmate. Given the history of our more humane treatment of juveniles, this book clearly shows how far astray we have gone. The book also would be useful in correctional counseling courses or any correctional issues or special topics course. It is important that students have a holistic view of prison subculture and not merely a systemic view.

This book offers a unique approach—not often found in criminal justice, criminology, sociology, and other related curricu-

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lums. That is, it presents the American correctional policy which is central to most curriculums but it goes beyond the traditional academic approach and reveals the abuses of the policies and the impact of those policies on inmate behavior. The impact of these correctional policies on the American public is a much needed focus within our educational curriculums if our students are to be part of the solution.

The level of the book is suitable for upper division undergraduate students and graduate students, particularly as a reader and not a main textbook. Graduate students will appreciate the research work done to complete this book. Instructors with unstructured teaching styles and who teach more seminar type courses will find this book useful. The book will provoke great discussions and help to raise student consciousness about these issues. The use of this book will help to create the convictions needed to help our students to become part of the reformation needed in American correctional policy. The realistic portrayal of mental illness among inmates, substance abuse problems and treatment, and the sexual abuse of inmates will provide images for students that are hard to create with traditional textbooks and conservative approaches to corrections. Instructors with a reform orientation will find this book a superb tool for raising the consciousness of their students.

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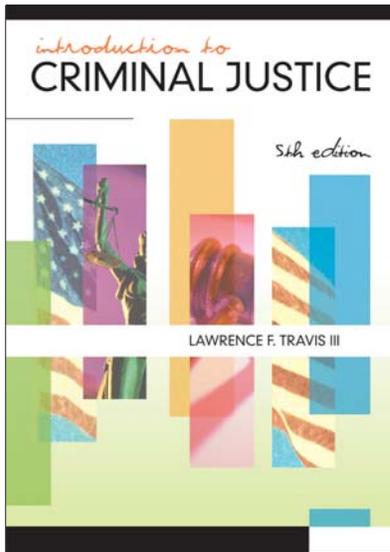
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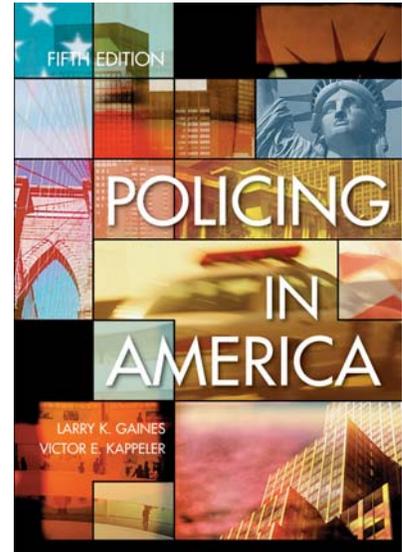
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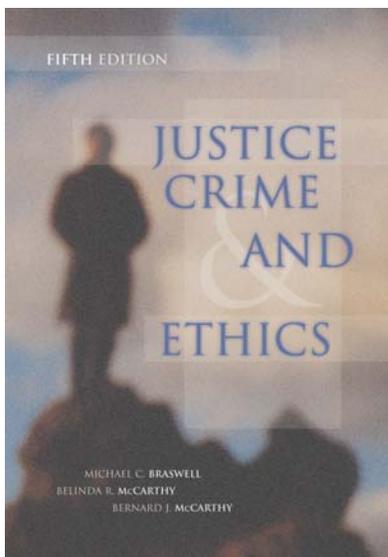
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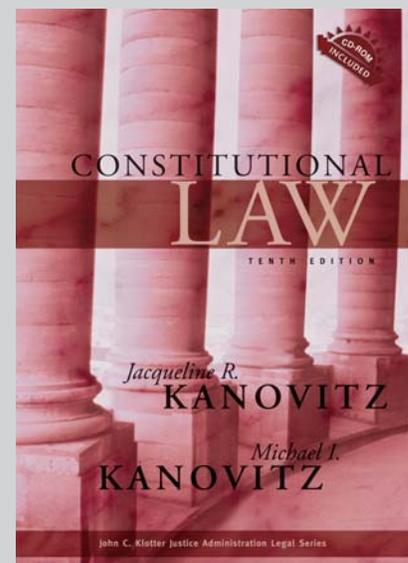
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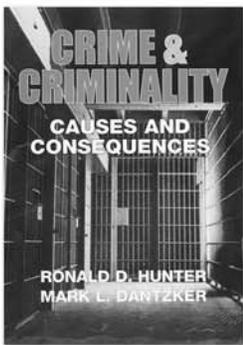
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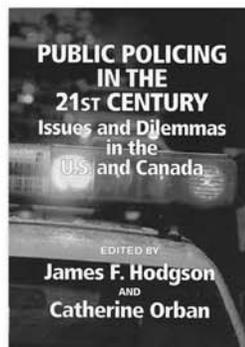
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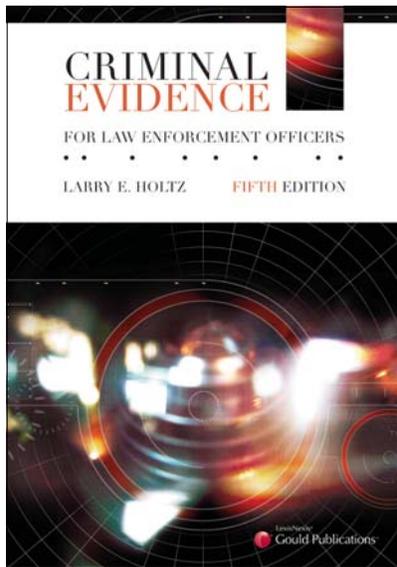
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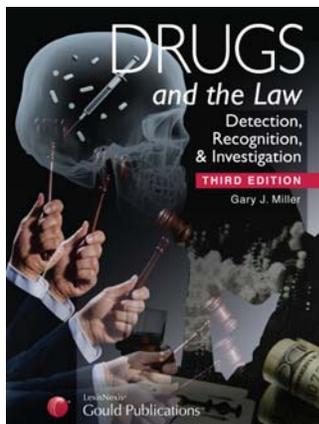
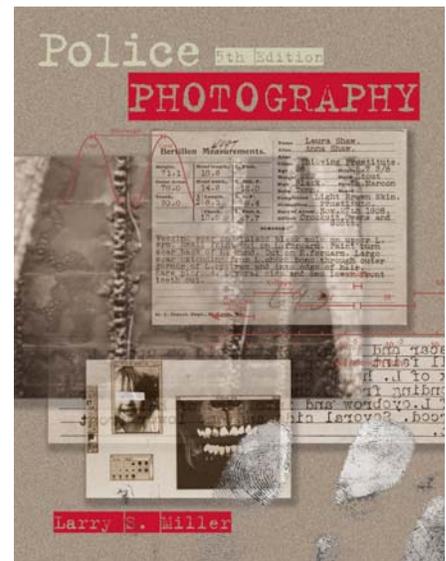
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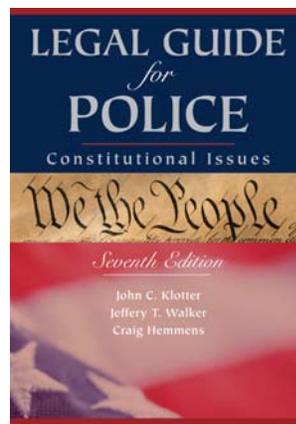
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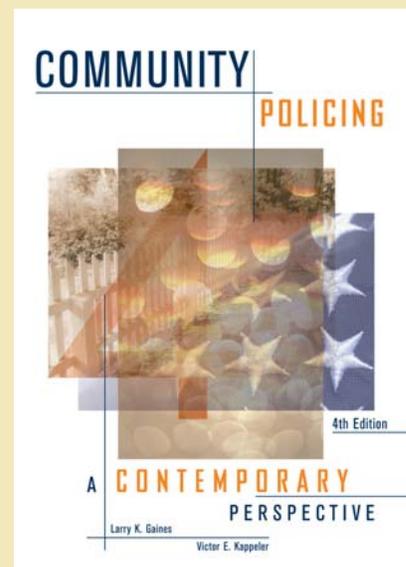
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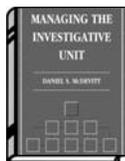


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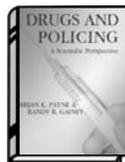


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The new ACJS Certification Standards and Process were approved by the ACJS Executive Board on May 2, 2005. The Standards and Process are available in the Academic Review section ACJS web site. For information, contact Mittie D. Southerland, ACJS Executive Director at execdir@acjs.org