SIXTEENTH EDITION

Criminal Justice Today
AN INTRODUCTORY TEXT
FOR THE TWENTY-FIRST CENTURY

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Pearson
This book is dedicated to my beautiful wife, Ellen “Willow” Szirandi Schmalleger, my true companion, whose wonderful, happy, and free spirit is a gift to all who know her.
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New to This Edition

Chapter-Specific Changes

Chapter 1: What Is Criminal Justice?
- A new key term, “procedural justice,” has been added to the chapter.
- The discussion of “new era” crime has been expanded.
- Mention is now made of the criminal proceedings against Bill Cosby.
- The chapter’s statistics have been updated.
- Two new key terms, “evidence-based,” and “evidence-based practice (EBP),” have been added to the chapter.

Chapter 2: The Crime Picture
- A new key term, “unreported crime,” has been added to the chapter.
- Updated crime statistics are found throughout the chapter.
- The discussion of underreported and unreported crime has been expanded.
- An enhanced discussion of NIBRS is now part of the chapter.
- A brief discussion of the Parkland High School shooting in Florida has been added.

Chapter 3: The Search for Causes
- Discussion of rappers Jimmy Wopo and XXXTentacion have been added to the chapter, along with expanded coverage of Suge Knight’s legal difficulties.
- A new key term, “neuroscience,” has been added to the chapter and defined.

Chapter 4: Criminal Law
- Information on the insanity defense has been updated.
- In the list of types and levels of crimes, the word “infraction” has replaced “offense.”

Chapter 5: Policing: History and Structure
- The boxed lists of police and private security agencies have been updated.

Chapter 6: Policing: Purpose and Organization
- A discussion of LEEP, the online gateway that provides law enforcement agencies and other criminal justice entities with access to a wealth of beneficial resources has been added.
- A new key term, “fusion center,” has been added.

Chapter 7: Policing: Legal Aspects
- Two new key terms, “warrantless search,” and “investigative detention,” have been added to the chapter.
- The U.S. Supreme Court’s distinction between three types of Fourth Amendment police–citizen interaction has been added: (1) consensual encounters, (2) detentions, and (3) arrest.
- The U.S. Supreme Court case of Carpenter v. U.S., involving police access to cell phone records, is now discussed.
- A new U.S. Supreme Court case dealing with rental vehicles is now discussed. A graphic showing state wiretap authorizations is a part of the discussion.

Chapter 8: Policing: Issues and Challenges
- Police subculture is now shown to be equivalent to police occupational culture, and the discussion of police subculture has been expanded.
- The story is told about corruption among members of the Baltimore Police Department’s Gun Trace Task Force (GTTF).
- Police training standards have been updated.
- The 2018 Law Enforcement Mental Health and Wellness Act is now described.
- A 2018 article published in the American Journal of Preventive Medicine that found that members of the police profession are more likely to sustain nonfatal work-related injuries than members of any other occupation is now discussed.
- The proper handling of fentanyl at crime scenes is discussed.
- Statistics and line art have been updated throughout the chapter.
The 2017 Supreme Court case of *White v. Pauly*, in which the Court established that “Qualified immunity attaches when an official’s conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known,” has been added.

**Chapter 9: The Courts: Structure and Participants**
- A discussion of the trial of drug lord “El Chapo” Guzman is now a part of the chapter.

**Chapter 10: Pretrial Activities and the Criminal Trial**
- The bail reform movement that is currently underway in the U.S. is discussed.
- The discussion of recidivism has been expanded and clarified.

**Chapter 11: Sentencing**
- A new section, “Explanation of Indeterminate Sentencing,” has been added.
- Details of a new report from the National Council on Crime and Delinquency (NCCD) have been added.
- Proposed federal laws that would reduce sentences for many inmates are discussed.
- The concept of justice reinvestment has been moved to this chapter.
- Discussion of the death penalty has been updated to include a 2019 U.S. Supreme Court case that better defined the concept of intellectual disability.
- The idea of sentencing as a risk management strategy is discussed.
- The federal 2017 Rapid DNA Act is discussed.
- Two new key terms, “wrongful conviction” and “exoneration,” have been added and are discussed.

**Chapter 12: Probation, Parole, and Reentry**
- A discussion of Meek Mill, born Robert Rihmeek Williams, has been added. Mill is the Philadelphia hip-hop recording artist who became the focal point of a justice reform movement that began in Philadelphia.
- The concept of a term of supervised release (TSR) is more clearly defined.
- Bill Cosby’s use of an ankle bracelet while awaiting the conclusion of his trial is discussed.
- Efforts made by the federal government to strengthen BOP reentry efforts are discussed.
- The 2018 federal First Step Act is discussed, as is the federal Second Chance Act.

**Chapter 13: Prisons and Jails**
- A new figure, Figure 13-4, “Prison and Jail Populations in the United States,” has been added.
- Statistics have been updated throughout the chapter.
- The term “new generation jail” has been changed to “direct-supervision jails.”

**Chapter 14: Prison Life**
- The list of terms known as “inmate argot” has been updated and revised.
- The data on prison sexual victimization has been updated, as has the discussion.
- The discussion of prison libraries has been updated to include digital materials.

**Chapter 15: Juvenile Justice**
- The U.S. Supreme Court’s consideration of findings from the field of neuroscience is discussed in greater detail than before.
- The term “justice-involved youth” is introduced and defined.
- The change in juvenile court jurisdiction by age that has taken place in various states is described.
- A map of juvenile confinement facilities throughout the country has been added to the chapter.
- A discussion of commercial sexual exploitation of children has been added.

**Chapter 16: Drugs and Crime**
- Discussion of the 2017 report of the President’s Commission on Combating Drug Addiction and the Opioid Crisis, has been added to the chapter.
NEW TO THIS EDITION

- Familial DNA searching (FDS), a scientific technique used in criminal investigations to identify a suspect by comparing the suspect’s DNA to the DNA of members of the suspect’s biological family, is a new concept that has been added to the chapter.

Chapter 17: Terrorism, Multinational Criminal Justice, and Global Issues

- A new chapter-opening story replaces the old one.
- Revised minimum rules for the treatment of prisoners, known as the “Nelson Mandela Rules” are discussed.
- The cybercriminal Infraud organization is described.
- The 2018 National Cyber Strategy developed by the White House is discussed.

Chapter 18: High-Technology Crimes

- The chapter now begins with the NYPD’s ground-breaking use of drones to patrol the skies above New Year’s revelers in the city’s Times Square.
- Federal laws relevant to human cloning and gene editing are discussed.
- A graphic illustration explaining how DNA phenotyping can be used to construct the physical appearance of an unknown individual from strands of their DNA has been added to the chapter.
- The application of the concept known as “familial DNA searching” is explained.
Many students are attracted to the study of criminal justice because it provides a focus for the tension that exists within our society between individual rights and freedoms, on the one hand, and the need for public safety, security, and order, on the other. Recently, twenty-first-century technology in the form of social media, smartphones, and personal online videos, has combined with perceived injustices in the day-to-day operations of the criminal justice system, culminating in an explosion of demands for justice for citizens of all races and socioeconomic status—especially those whose encounters with agents of law enforcement turn violent. A social movement that began with the shooting of an unarmed black teenager in Ferguson, Missouri, in 2014, has developed into a widespread initiative that demands justice for all.

The tension between individual rights and public order is the theme around which all editions of this textbook have been built. That same theme is even more compelling today because of the important question we have all been asking in recent years: How much personal freedom are we willing to sacrifice to achieve a solid sense of individual and group security?

Although there are no easy answers to this question, this textbook guides criminal justice students in the struggle to find a satisfying balance between freedom and security. True to its origins, the 16th edition focuses on the crime picture in America and on the three traditional elements of the criminal justice system: police, courts, and corrections. This edition has been enhanced with additional “Freedom or Safety” boxes, which time and again question the viability of our freedoms in a world that has grown ever more dangerous. This edition also asks students to evaluate the strengths and weaknesses of the American justice system as it struggles to adapt to an increasingly multicultural society and to a society in which the rights of a few can threaten the safety of many—especially in the modern context of a War Against Terrorism.

It is my hope that this text will ground students in the important issues that continue to evolve from the tension between the struggle for justice and the need for safety. For it is on that bedrock that the American system of criminal justice stands, and it is on that foundation that the future of the justice system—and of this country—will be built.

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Key Features Include

**Freedom OR safety? YOU decide** boxes in each chapter highlight the book’s ever-evolving theme of individual rights versus public order, a hallmark feature of this text since the first edition. In each chapter of the text, Freedom or Safety boxes build on this theme by illustrating some of the personal rights issues that challenge policymakers today. Each box includes critical-thinking questions that ask readers to ponder whether and how the criminal justice system balances individual rights and public safety.

CJ Careers boxes outline the characteristics of a variety of criminal justice careers in a Q&A format, to introduce today’s pragmatic students to an assortment of potential career options and assist them in making appropriate career choices.

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Preface

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CJ | CAREERS

Police Officer

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XXV
CJ News boxes in each chapter present case stories from the media to bring a true-to-life dimension to the study of criminal justice and allow insight into the everyday workings of the justice system.

CJ Issues boxes throughout the text showcase selected issues in the field of criminal justice, including topics related to multiculturalism, diversity, and technology.

Instructor Supplements
The 16th edition of Criminal Justice Today is supported by a complete package of instructor and student resources:

Instructor’s Manual with Test Bank. Includes content outlines for classroom discussion, teaching suggestions, and answers to selected end-of-chapter questions from the text. This also contains a Word document version of the test bank.

TestGen. This computerized test generation system gives you maximum flexibility in creating and administering tests on paper, electronically, or online. It provides state-of-the-art features for viewing and editing test bank questions, dragging a selected question into a test you are creating, and printing sleek, formatted tests in a variety of layouts. Select test items from test banks included with TestGen for quick test creation, or write your own questions from scratch. TestGen’s random generator provides the option to display different text or calculated number values each time questions are used.

PowerPoint Presentations. Our presentations offer clear, straightforward outlines and notes to use for class lectures or study materials. Photos, illustrations, charts, and tables from the book are included in the presentations when applicable.

To access supplementary materials online, instructors need to request an instructor access code. Go to www.pearsonhighered.com/irc, where you can register for an instructor access code. Within 48 hours after registering, you will receive a confirming email, including an instructor access code. Once you have received your code, go to the site and log on for full instructions on downloading the materials you wish to use.

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REVEL for Criminal Justice Today, Sixteenth Edition by Frank Schmalleger

Designed for how you want to teach - and how your students want to learn

Revel is an interactive learning environment that engages students and helps them prepare for your class. Reimagining their content, our authors integrate media and assessment throughout the narrative so students can read, explore, and practice, all at the same time. Thanks to this dynamic reading experience, students come to class prepared to discuss, apply, and learn about criminal justice — from you and from each other.

Revel seamlessly combines the full content of Pearson’s best-selling criminal justice titles with multimedia learning tools. You assign the topics your students cover. Author Explanatory Videos, application exercises, survey questions, interactive CJ data maps, and short quizzes engage students and enhance their understanding of core topics as they progress through the content. Through its engaging learning experience, Revel helps students better understand course material while preparing them to meaningfully participate in class.

Author Explanatory Videos
Short 2-3 minute Author Explanatory Videos, embedded in the narrative, provide students with a verbal explanation of an important topic or concept and illuminating the concept with additional examples.

Point/CounterPoint Videos
Instead of simply reading about criminal justice, students are empowered to think critically about key topics through Point/Counterpoint videos that explore different views on controversial issues such as the effectiveness of the fourth amendment, privacy, search and seizure, Miranda, prisoner rights, death penalty and many other topics.

New Social Explorer Criminal Justice Data Maps
Social Explorer Maps integrated into the narrative ask students to examine crime and corrections data correlated with socioeconomic and other criminal justice data. Maps also show differences in state statutes on major issues such as marijuana legalization, the death penalty, and the distribution of hate organizations across the US.

New Student Survey Questions
Student Survey Questions appear within the narrative asking students to respond to questions about controversial topics and important concepts. Students then see their response versus the responses of all other students who have answered the question in the form of a bar chart. We provide the instructor with a PowerPoint deck with links to each survey and map, making it easy to pull these items up in class for discussion.

Track time-on-task throughout the course
The Performance Dashboard allows you to see how much time the class or individual students have spent reading a section or doing an assignment, as well as points earned per assignment. This data helps correlate study time with performance and provides a window into where students may be having difficulty with the material.

Learning Management System Integration
Pearson provides Blackboard Learn™, Canvas™, Brightspace by D2L, and Moodle integration, giving institutions, instructors, and students easy access to Revel. Our Revel integration delivers streamlined access to everything your students need for the course in these learning management system (LMS) environments.

The Revel App
The Revel mobile app lets students read, practice, and study—anywhere, anytime, on any device. Content is available both online and offline, and the app syncs work across all registered devices automatically, giving students great flexibility to toggle between phone, tablet, and laptop as they move through their day. The app also lets students set assignment notifications to stay on top of all due dates. Available for download from the App Store or Google Play. Visit www.pearsonhighered.com/revel/ to learn more.
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Frank Schmalleger, Ph.D., is Distinguished Professor Emeritus at the University of North Carolina at Pembroke. He holds degrees from the University of Notre Dame and The Ohio State University, having earned both a master’s (1970) and a doctorate in sociology (1974) from The Ohio State University with a special emphasis in criminology. From 1976 to 1994, he taught criminology and criminal justice courses at the University of North Carolina at Pembroke. For the last 16 of those years, he chaired the university’s Department of Sociology, Social Work, and Criminal Justice. The university named him Distinguished Professor in 1991.

Schmalleger has taught in the online graduate program of the New School for Social Research, helping build the world’s first electronic classrooms in support of distance learning on the Internet. As an adjunct professor with Webster University in St. Louis, Missouri, Schmalleger helped develop the university’s graduate program in security administration and loss prevention. He taught courses in that curriculum for more than a decade. An avid Web user and website builder, Schmalleger is also the creator of a number of award-winning websites, including some that support this textbook.

Frank Schmalleger is the author of numerous articles and more than 40 books, including the widely used Criminal Justice: A Brief Introduction (Pearson, 2020), Criminology Today (Pearson, 2020), and Criminal Law Today (Pearson, 2016).

Schmalleger is also founding editor of the journal Criminal Justice Studies. He has served as editor for the Pearson series Criminal Justice in the Twenty-First Century and as imprint adviser for Greenwood Publishing Group’s criminal justice reference series.

Schmalleger’s philosophy of both teaching and writing can be summed up in these words: “In order to communicate knowledge we must first catch, then hold, a person’s interest—be it student, colleague, or policymaker. Our writing, our speaking, and our teaching must be relevant to the problems facing people today, and they must in some way help solve those problems.” Visit the author’s website at http://www.schmalleger.com, and follow his Tweets @schmalleger.

Justice is truth in action!
—Benjamin Disraeli (1804–1881)

Injustice anywhere is a threat to justice everywhere.
—Martin Luther King, Jr. (1929–1968)
THE CRIMINAL

POLICE

ENTRY INTO THE SYSTEM

CRIME

REPORTED & OBSERVED CRIME

UNRESOLVED OR NOT ARRESTED

INVESTIGATION

ARREST

RELEASED WITHOUT PROSECUTION

COURTS

PROSECUTION & PRETRIAL SERVICES

INFORMATION

PRELIMINARY HEARING

FELONIES

CHARGES DROPPED OR DISMISSED

PRELIMINARY HEARING

ARRAIGNMENT

CHARGES DROPPED OR DISMISSED

INITIAL APPEARANCE

REDUCTION OF CHARGE

MISDEMEANORS

CHARGES DISMISSED

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UNSUCCESSFUL DIVERSION

OUT OF SYSTEM