

CRJU Exam

Chapter 1: Crime and Problem of Social Control

- Social control: rules, habits, customs, of society to enforce conformity
- Society has 2 broad ways of controlling crime: Formal crime control and informal
- Formal crime control: the legal controls imposed by the law and carried out by official organizations
- Informal crime control: the moral rules and norms (patterns of social behavior) prescribed by unofficial groups (ex: family, religions, peer groups)
- Socialization: a process by which individuals acquire a personal identity and learn the norms, values, behavior, and social skills appropriate to their society. This is an imperfect process
- Individual rights are protected as an integral part of the functioning of law enforcement
- The criminal justice system balances between imposing order and preserving individual rights
- Crime: an action taken by a person or a group of people that violates the rules of society to the point that someone is harmed or society's interests are harmed
- Criminal Justice: a social institution that has the mission of controlling crime by detecting, detaining, adjudicating, and punishing and/or rehabilitating people who break the law
- C. Wright Mills: Sociological Imagination: the idea that we must look beyond the obvious to evaluate how our social location influences how we perceive society
- Dark crime: offenses that go undetected
- Making broad, general statements about crime is difficult because so many behaviors are considered criminal offenses
- Street-crime: small-scale person offenses such as single-victim homicide, rape, robbery, assault, burglary, and vandalism
- The criminal justice system spans the range from local governments to the federal government
- Prison: state or federal institution that confines people convicted of crime who are serving sentences for longer than a year
- Probation: suspension of all or part of a sentence subject to certain conditions and supervision in the community
- Appeal: written request to higher court to modify or reverse the judgment of a trial court or intermediate-level appellate court
- Law enforcement, courts, and corrections tasks are divided differently across the local, state, and federal branches of gov't

Local- level Criminal Justice:

- Most of authority for law enforcement lies at the local level
- Sheriff: official of a county or parish who primarily carries out judicial duties. Provides law enforcement to unincorporated areas of the county or parish
- Bailiff: court officer responsible for executing writs and processes, making arrests, and keeping order in the court
- City and county law enforcement functions are combined to save the cost of duplicate services

- Some court functions are vested at the local level and vary widely according to how each state organizes its governmental functions
- Felony: offense punishable by a sentence of more than a year in state or federal prison and sometimes by death
- Misdemeanor: Minor criminal offense punishable by a fine and/or jail time for up to one year
- County jails hold 2 basic types of inmates: 1) those who are awaiting trial and unable to make bond or get released on their own recognizance 2) those who have been sentenced to a year or less of incarceration
- Sentence: punishment that a person convicted of a criminal offense is ordered by a judge to receive
- Because of the overcrowding in many state prison systems, the flow of inmates backs up into the local jails, where inmates must serve their time while waiting for bed space in a state prison

State-Level Criminal Justice:

- Usually confined to specialized missions
- Most of the court action is at state level
- Most states divide their courts into multicounty judicial districts or circuits that rule on state law
- Circuit: district established within a state judicial system or the federal judicial system
- Patrol units responsible for maintaining safety on state roads
- Most states have investigative agencies and crime labs
- States are responsible for most prison inmates
- States have extensive probation and parole agencies to deal with many thousands more offenders

Federal-Level Criminal Justice

- Law enforcement functions include several agencies that enforce federal laws/ assist state and local government
- The federal court system parallels the state system and processes offenders who break federal laws
- The federal government has it's own correctional system for those convicted
- Best known federal agency is the FBI, and then the secret service
- Much of the work of federal law enforcement is concerned with white-collar crime
- White-collar crime: nonviolent criminal offense committed during the course of business for financial gain
- In the past, federal prisons were safer than many state systems because they housed mainly white-collar offenders
- War on drugs: governmental policy aimed at reducing the sale and use of illegal drugs
- Bc of the war on drugs, the federal prison system now receives many inmates with extensive histories of drug-related offenses
- The federal government also has probation and parole agencies that supervise federal offenders in the community

Criminal Justice Process:

- Only a small percentage of offenses result in someone going to prison

- Police officers, prosecutors, judges, and corrections officers use discretion to decide which cases are pushed further into the system
- Funnel effect: pattern of how cases move through the system. Offenses -> offenses known to the police -> arrests -> prosecutors -> trial -> sentencing -> probation -> prison -> parole
- On average, only 80 cases make it to the supreme court in a year
- Many offenses that enter the system are systematically excluded for several reasons:
 - 1) Cost: The criminal justice system could bankrupt the nation if funded for all its legitimate needs
 - 2) Discretion: a good amount of personal philosophy and judgment goes into deciding what happens to cases. Mandatory-minimum statutes and three-strikes laws greatly limit the discretion judges have in sentencing offenders
 - 3) Errors: some cases fall through the cracks
- Goals of the criminal justice system: deterrence, incapacitation, retribution, rehabilitation, restoration
- Deterrence: crime is less likely to happen if cops are present
- Incapacitation: taking people out of the situation (ex. Prostitutes can be incapacitated so that they can't do it all weekend)
- Retribution: when punishment is deserved, wanting the person to pay if they key your car
- Rehabilitation: used for drug/alcohol abuse, and different crimes, heroin's a problem in Delaware. This is controversial because it's expensive to do rehab, but more expensive to arrest
- Restoration: you have to make things right sending someone to a counseling session in a domestic abuse case helping them so they can change and making it right. D
 - depends on the circumstances
 - shared goal of providing justice, each agency defines goals in different ways
 - aspects of the system that treats people differently (race, age)
 - Sex offenders are treated differently b/c sex offenders reoffend, treated more harshly
 - Restorative justice: an alternative justice model that uses community programs to repair the harm done by offenders
- Primary institution of socialization in society is the family, religion, schools, and the media
- The media have social control with the news, Hollywood, and the internet

Institution of Last Resort

- The criminal justice system has a difficult mission for several reasons:
 - The offender: the criminal justice system must deal with some of the most disagreeable people in society, often at great risk to it's practitioners
 - Resources: the criminal justice system is underfunded. Criminal justice is not high on the list of things people want their tax money going to
 - Structure: the criminal justice system is not really a system. The inefficiencies built into the system ensure that in addition to being slow, the process allows for justice to be pursued through due process and oversight. A certain amount of crime and inefficiency in the criminal justice system is inherent in a free society
- Critical criminology contends that individual offenders are not solely to blame for crime