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ABOUT THE AUTHOR

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NEW TO THIS EDITION

- **Presents the latest available** research, statistics, and developments
- **Substantially revised** to reflect both changes in the law and the patterns of crime in the United States
- **Features all new chapter-opening vignettes** based on news stories, current events, and cases that capture the attention of students
- **Includes updated and revised examples** that reflect criminal justice issues that have recently gained prominence, and new figures and tables
- **Includes an updated supplements package written by the author**, available on **Oxford Learning Link**
- **A new video package** features fourteen new videos (one per chapter) that help illustrate chapter issues and concepts
- **New “Fast-Class Mini-Lectures”** feature short, five-minute lectures narrated by the author and supported by PowerPoint slides
- **New “Getting It Right”** features highlight instances in which criminal justice practitioners have successfully implemented solutions
- **Updated “A Closer Look”** features address recent issues and controversies



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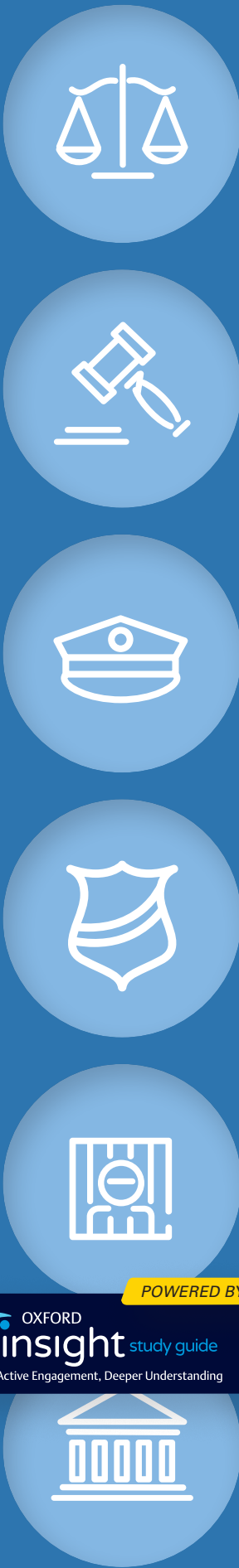
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A BRIEF EDITION

SECOND EDITION

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INTRODUCTION TO

Criminal Justice

A BRIEF EDITION

SECOND EDITION

John Randolph Fuller
University of West Georgia

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For Amy
For everything

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Preface

The field of criminal justice is constantly changing. As new laws are enacted and new technology is developed, criminal justice professionals must constantly adapt. *Introduction to Criminal Justice: A Brief Edition* has kept abreast of these changes. This second edition features a renewed emphasis on policing, police militarization, victimology, white-collar crime, and the political considerations that shape criminal justice policies.

The fundamental job of the criminal justice system is to protect individuals and property within the rule of law. This has always been a difficult mission, one that requires ensuring public safety while protecting individual rights and liberties. Quests to improve the system's institutions—police, courts, and corrections—focus on making them more equitable and decent for everyone.

The criminal justice system is not as neat and orderly as it is often portrayed. Many factors, issues, and controversies must be put in context if we are to understand how the system functions. This book is written with a somewhat critical perspective that recognizes the profound influences of economic inequality, race, and gender on criminal justice outcomes. In light of these contexts, this book is designed to spark and deepen interest in the field while conveying the immense responsibility and challenges involved in serving the country and community. The main narrative provides foundational knowledge while helping students separate fact from fiction and gain insight into the complexities of ethical decision-making. It articulates the important issues of the field and supplies students with the basics necessary to work in this arena.

Introduction to Criminal Justice: A Brief Edition is designed as a standard text that covers the canon in the first course for criminal justice majors. Additionally, the book serves as an introduction to the discipline for students who have not yet chosen a major. The history and contemporary concerns of criminal justice are among the most interesting and necessary fields of study offered at universities. However, students often embark with myths they have absorbed from television shows, movies, and media coverage of sensational cases. Debunking these myths by engaging in critical thinking is thus essential to fully understanding the field. This text is unique in its robust pedagogical framework that encourages critical thinking, not merely memorization of facts and figures. Students must appreciate the history of social control and the limits of science and government to respond to antisocial behavior. Most important, students should be open to the many ways in which the criminal justice system might be effectively reformed.

Features of the Second Edition

This second edition of *Introduction to Criminal Justice: A Brief Edition* presents the latest available research, statistics, and developments in a comprehensive yet concise format. The text walks students through scenarios that reflect high-pressure, on-the-job circumstances, preparing them to meet such challenges in both the classroom and the real world. Throughout, the learning design emphasizes the critical thinking and ethical decision-making skills required to work in the criminal justice system.

- › Each chapter begins with a **chapter-opening vignette**, which introduces a controversial case and/or event in the news that illuminates the chapter's major themes. All 14 vignettes, one of the most popular features of the first edition, are new to this edition. The scenarios are based on news stories, current events, and cases that capture the attention of students and highlight important issues addressed in the chapter. Each opening vignette ends with a critical thinking question that instructors can use as a conversation starter in class and that students can reconsider after reading the entire chapter.
- › **Updated examples.** To ensure the text is contemporary and captivating, we have revisited and updated examples to reflect criminal justice issues that have recently gained prominence.
- › **Updated with the most current statistics available.** The second edition includes the latest available statistics on crime and the criminal justice system, as per the *Uniform Crime Reports*.
- › **New and updated figures and tables.** Each figure and table has been carefully analyzed to ensure that it presents current and clear information. Included with each figure is a critical thinking question to help students understand the material.
- › **Updated supplements package written by the author.** Each supplement available on the Oxford Learning Link (including the instructor's manual, test bank, PowerPoints, and all student resources) was not only written by the author but has been reviewed and revised to ensure clarity, accuracy, and consistency with the text.
- › **New video package.** For the second edition, there are 14 new videos (one per chapter) that help illustrate chapter issues and concepts. Additionally, all Focus on Ethics videos have been re-examined, and several have been replaced with more contemporary and more targeted videos that help relate chapter concepts to students.
- › **New Fast-Class Mini-Lectures.** This feature presents a short, 5-minute lecture narrated by the author and supported by four to six PowerPoint slides. These mini-lectures will be valuable conversation-starters, addressing current criminal justice events that reflect issues presented in the text. New mini-lectures will be provided throughout the semester via the Instructor Resources section of Oxford Learning Link.
- › **Learning objectives** describe the educational goals for each chapter and are keyed to each chapter-ending summary, as well as the major headings within the chapters.
- › **Pause and Review** questions are knowledge-based review questions that appear at the end of each major section to test students' memory and understanding of the material as it is presented.
- › The new **Getting It Right** feature in several chapters highlights instances in which criminal justice practitioners have successfully implemented solutions. This feature is accompanied by video clips and critical thinking questions.
- › The feature **A Closer Look** has been popular with students and instructors because it digs deeply into specific criminal justice issues. Some of the feature topics have been retained because reviewers identified them as particularly important, but several new topics have been added to address recent issues and controversies. Each box includes one or two critical thinking questions.
- › **Case in Point** boxes summarize landmark court cases relevant to the chapter discussion.

- › **Criminal Justice Reference** boxes provide pertinent information for students to refer to throughout their studies.
- › **Focus on Ethics** boxes at the end of each chapter place students in on-the-job scenarios and ask them to respond to ethical dilemmas. The feature is accompanied by a set of questions to help students understand the consequences of a potential decision (these also can be used to encourage in-class discussion). This feature also connects to Oxford Learning Link, where students can watch videos about related real-world situations.
- › Each **Chapter Summary** is linked to the learning objectives and outlines the main concepts covered in each chapter.
- › **Critical Reflection** questions are located at the end of each chapter. These questions are open-ended, and some may require further research.
- › **Key terms** appear in the chapter margins where terms are first used (or pop up in the ebook), as well as in a chapter-ending list to help students recall the important concepts covered in the chapter.
- › A rich **graphics program** of photographs and figures that illustrate the latest statistics helps students explore essential chapter themes.

Introduction to Criminal Justice: A Brief Edition has been substantially revised to reflect both changes in the law and the patterns of crime in the United States. This edition has been completely updated with the latest available research, statistics, and developments in the field of criminal justice. Chapter-specific revisions include the following:

Chapter 2

- New A Closer Look 2.1: Crime Apps: Reporting Crime or Reporting Fear?

Chapter 3

- New A Closer Look 3.1: Watson Murder
- New Getting It Right 3.1: Restoring the Vote to Felons

Chapter 4

- Updated A Closer Look 4.1: Who Polices the Police?

Chapter 5

- New Getting It Right 5.1: Problem-Solving Policing
- New Case in Point 5.1: *Miranda v. Arizona*

Chapter 6

- New Case in Point 6.1: *Graham v. Connor*
- New A Closer Look 6.1: Policing Is Getting Safer

Chapter 7

- New Getting It Right 7.1: Marijuana Convictions Going Up in Smoke
- New Figure 7.2: Outcome of Cases Handled in U.S. District Court

Chapter 8

- New A Closer Look 8.1: Public Defender Salaries are Indefensible

Chapter 9

- New Getting It Right 9.1: The Role of the Prosecutor and Conviction Review Units

Chapter 10

- New A Closer Look 10.1: Closing Rikers
- New Figure 10.4: Death Penalty and Race

Chapter 11

- New Case in Point 11.1: *Ross v. Blake*
- New Figure 11.2: Federal Prison Security Levels
- New Getting It Right 11.1: Learning a Lesson

Chapter 12

- New Getting It Right 12.1: To Bee: Reintegration Programs and Preparing for Life after Prison

Chapter 13

- New Getting It Right 13.1: Reading as Punishment

Chapter 14

- New A Closer Look 14.1: Of Prisons and Pandemics
- New Focus on Ethics 14.1: Future Cop

Appendix material on Theories of Crime

- For instructors who wish to cover theory, former Chapter 3 Theories of Crime has been streamlined to offer coverage of the most essential theories of crime in appendix format.

Oxford Learning Link

Oxford Learning Link at www.oup.com/he/fuller2e is your hub for a wealth of engaging digital learning tools and resources. Material hosted there includes the instructor's manual, test bank, PowerPoints, videos, and all student resources. In addition, Oxford Learning Link Direct brings the high-quality digital teaching and learning tools for *Introduction to Criminal Justice: A Brief Edition* right to your local learning management system.

Oxford Insight Study Guide

All new print and digital copies of the second edition of *Introduction to Criminal Justice: A Brief Edition* include access to the Oxford Insight Study Guide. This data-driven, personalized digital learning tool reinforces key concepts from the text and encourages effective reading and study habits. Developed with a learning-science-based design, Oxford Insight Study Guide engages students in an active and highly dynamic review of chapter content, empowering them to critically assess their understanding. Real-time, actionable data generated by student activity in the tool helps instructors ensure that each student is best supported along a unique learning path. Learn more at oxfordinsight.oup.com.

Acknowledgments

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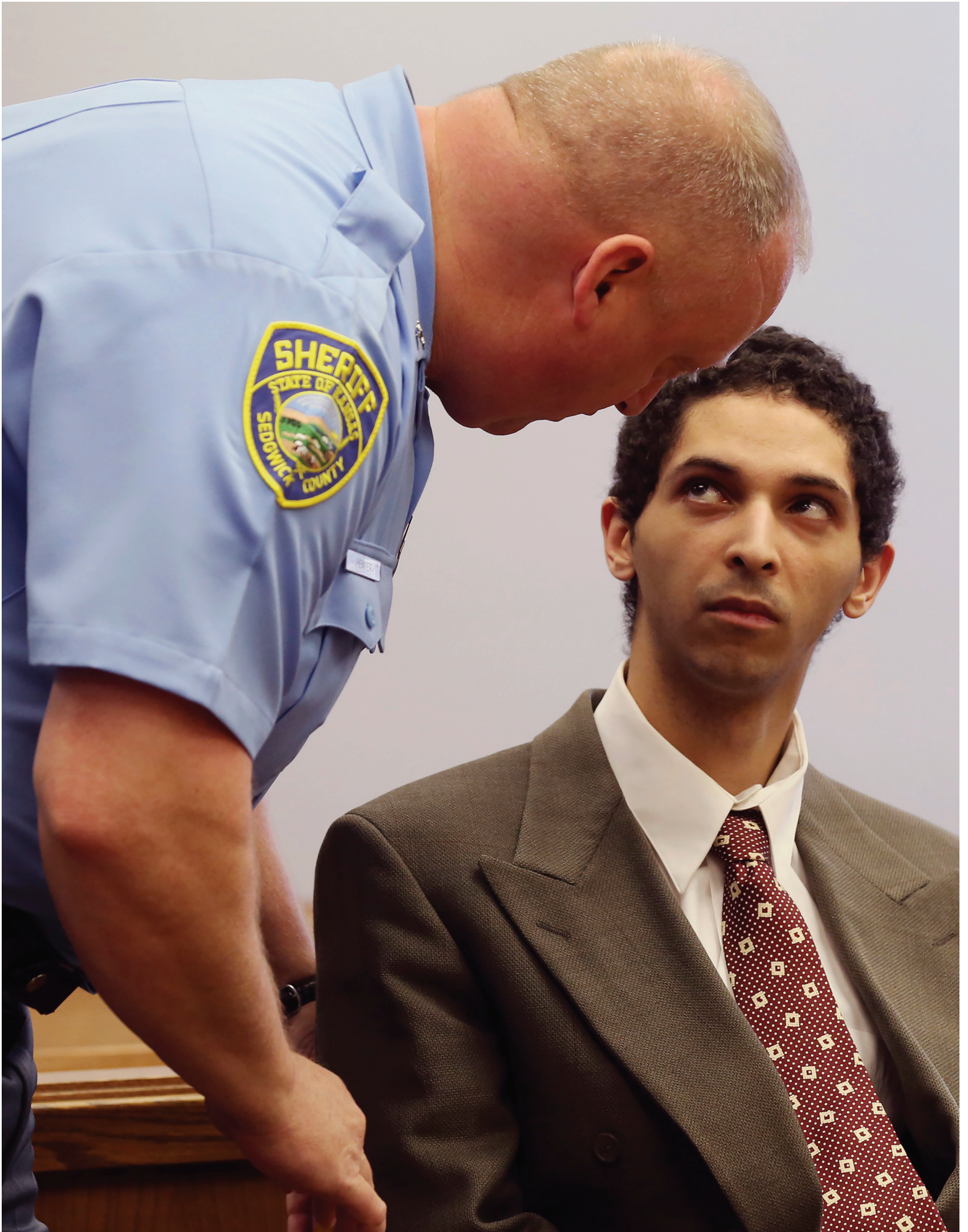
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Dr. Fuller has authored and edited numerous journal articles, chapters, and books on criminal justice, criminology, global crime, courts, and juvenile delinquency.



PART I

Crime: Problems, Measurement, and Law





Chapter 1

Crime and Criminal Justice

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Tyler Barriss in court during a preliminary hearing. What is meant by the term *swatting*?

On December 28,

2017, police in Wichita, Kansas, received a call from a man who claimed he had just shot his father, was holding his mother and sister at gun-point, and wanted to burn down his house and commit suicide. Officers were dispatched to the address, but before they could contact the occupants, the front door opened and 28-year-old Andrew Finch stepped out onto the porch. The officers instructed him to raise his hands. When Finch lowered one hand to his waist, an officer shot and killed him.¹

Police searching the house found no gun and no gasoline. They did find a family traumatized not by a suicidal maniac, but by the death of their innocent son. The police quickly realized something was wrong.²

Eventually, investigators learned that the initial call emerged from a dispute between online gamers. Casey Viner of Ohio and Shane Gaskill of Kansas had argued over a \$1.50 wager on a videogame. Viner then hired Tyler Barriss of Los Angeles to “swat” Gaskill, that is, to call the police and falsely report a crime in progress so that police would dispatch a SWAT (special weapons and tactics) team.³

This was not Tyler Barriss’s first swatting. He had previously called in bomb threats to schools in order to give friends a day off.⁴ A gaming tournament in Dallas, Texas, was evacuated because of a bomb threat from Barriss. He even called in a threat to a Federal Communications Commission meeting about net neutrality.⁵ Barriss also earned money by contracting his swatting skills to clients like Casey Viner. However, Shane Gaskill no longer lived at the address that Viner gave to Barriss. That address was occupied by the Finch family.

The police officer who killed Andrew Finch was cleared of any wrongdoing. Barriss was sentenced to 20 years in federal prison, and Viner was sentenced to 15 months in federal prison and restricted from gaming for two years after serving his term.⁶ The judge ordered Gaskill to pay \$1,000 in restitution and other costs and deferred further prosecution until December 31, 2020. If Gaskill fulfills all the conditions of the court agreement, charges against him will likely be dropped.⁷

THINK ABOUT IT > How did this interpersonal dispute become a violent crime?

Did law enforcement fulfill its role in enforcing the law and keeping the community safe?

LEARNING OBJECTIVE 1.1

Define social control.

LEARNING OBJECTIVE 1.2

Outline how the U.S. criminal justice system protects individual rights.

LEARNING OBJECTIVE 1.3

Define crime and criminal justice.

1.1 What Is Crime?

Social control consists of the rules, habits, and customs a society uses to enforce conformity to its norms. Imagine how chaotic society would be if there were no rules and everyone did whatever they wanted. Communities and countries are composed of the citizens who live in them. In a democracy, not only do citizens decide which laws they want to govern them, but sometimes citizens must also ensure that the laws are enforced. This is an important aspect of social control in a democracy. The feature that sets the U.S. criminal justice system apart from those of many other countries is the way individual rights are protected as an integral part of the functioning of law enforcement. The system must maintain a delicate balance between imposing order and preserving individual rights. This



task, which is difficult in the best of times, becomes even more problematic in times of war and terrorism. Yet it would be a grave mistake to think of these issues as mutually exclusive. In other words, keeping people safe does not mean removing their constitutional rights. To successfully create and nurture meaningful communities, the government must control crime without turning the country into a police state. Achieving this balance is part of the Herculean task of the criminal justice system. Consider the opening case in which the police shot a man during a hoax gone wrong. If the report had not been a hoax, the police might have been lauded for doing their job. Instead, a citizen thought it would be appropriate revenge for a perceived slight to use law enforcement's crime-control function against another person.

The task that lies ahead of us is to appreciate the complexities and ambiguities of crime control in the 21st century. Although crime must be addressed within the rule of law, many practitioners recognize that more fundamental questions must be considered. These questions about the nature of justice in the United States include concerns of racial prejudice, the power of law enforcement to decide what to do with suspects, economic inequality, and the gaps in access to decision-making processes in all aspects of society.

Crime can be described as the violation of the laws of a society by a person or a group of people who are subject to the laws of that society. In this context, **justice** is the administration of a punishment or reward in accordance with morals that a given society considers correct. **Criminal justice** is a social institution that has the mission of controlling crime by detecting, detaining, adjudicating, and punishing and/or rehabilitating people who break the law. Most people envision crime as fairly straightforward, often sordid affairs, such as robbery, rape, and murder. For example:

In August 2016, Kala Brown, 30, and her boyfriend, Charles David Carver, 32, went missing after going to a cleaning job near Woodruff, South Carolina. Following their disappearance, the couple's friends noted that messages posted to Carver's Facebook page seemed odd, as if someone else were using his account. In November, after tracing the couple's cell phone signals, police found Brown chained inside a metal storage container on the property of realtor Todd Christopher Kohlhepp. In a search of Kohlhepp's property, police found the body of Carver, as well as the bodies of a married couple who had been missing since December 2015. Kohlhepp had hired all of the victims to work on his property.⁸ After his arrest, Kohlhepp also admitted to shooting to death four people at a motorcycle shop in Chesnee, South Carolina, in 2003. In a plea bargain that spared him from the death penalty, Kohlhepp pleaded guilty and was sentenced to seven consecutive life sentences without the possibility of parole.⁹

Many offenses involve the harm not of other people but of social order. Although order is a good thing to have in a society, sometimes the order itself is questionable.

In January 2019, a federal judge found Oona Holcomb, Madeline Huse, Zaachila Orozco-McCormick, and Natalie Hoffman guilty of entering a wildlife refuge on the United States–Mexico border without a permit and leaving jugs of water, food, and other items for migrants crossing the desert. The women, who were activists with the humanitarian group No More Deaths, told the court their actions were motivated by religious convictions and a

Social control—The rules, habits, and customs a society uses to enforce conformity to its norms.

Crime—The violation of the laws of a society by a person or a group of people who are subject to the laws of that society.

Justice—The administering of a punishment or reward in accordance with morals that a given society considers to be correct.

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.

Sheriff's deputies search the home of Todd Christopher Kohlhepp. How were law enforcement officers able to solve this case?



belief that everyone should have their survival needs met.¹⁰ The women were sentenced to 15 months of unsupervised probation, fined \$250, and banned from the refuge.¹¹

Other offenses, such as espionage (spying), threaten not only society's laws but also its political stability. How these offenses are dealt with, however, is usually a result of the political mood of the times. In the 1950s, Julius and Ethel Rosenberg were found guilty of providing classified military information to the Soviet Union and executed.¹² In the last 10 years, those who have committed offenses considered to be treasonous have been sent to prison.

In 2010, Chelsea Manning, a United States Army intelligence analyst, gave thousands of classified military and diplomatic documents to WikiLeaks, an Internet organization that publishes classified or controversial information from anonymous sources.¹³ In 2013, Manning was found guilty of 17 out of the 22 charges against her and of amended versions of four others. She was acquitted of aiding the enemy.¹⁴ Manning was sentenced to 35 years at the U.S. Disciplinary Barracks at Fort Leavenworth, the U.S. military's only maximum security prison. In 2017, President Barack Obama commuted Manning's sentence, and she was released.¹⁵ Manning was jailed again in March 2019 for refusing to testify before a grand jury against Wikileaks founder Julian Assange but was released after 62 days.¹⁶

Incidents such as these make rational discussion about crime difficult. The personal nature of crime further compounds this problem. In a society as diverse as the United States, what is rational to one person might not be rational to another, and everyone has his or her own solution to crime based on what he or she considers rational.

Taking these factors into account, a student of criminal justice can begin to understand how the apparently simple progression of crime → **arrest** → trial → punishment really represents many subtleties and complications. Still, as individuals, we hold tightly to the perspectives that support our personal notions of fairness, justice, and goodness, even when we know those notions might be grounded

Arrest—When law enforcement detains and holds a criminal suspect or suspects.



in the privilege of middle-class values concerning race, class, sex, and gender. However, crime is a messy human problem that does not respond to simple, mechanical, or straightforward solutions.

The study of crime and the criminal justice system is not an exact science. In thinking about crime, we must use what sociologist C. Wright Mills called the **sociological imagination**, or the idea that we must look beyond the obvious to evaluate how our social location influences how we perceive society.¹⁷ Mills encouraged us to step back from our personal experiences and examine issues apart from our social location. For example, could the father of a murdered daughter reasonably sit on a jury of the accused killer? Of course not. Likewise, according to Mills, each of us should attempt to look at crime and criminal justice policy from a neutral and objective position. The key word here is “attempt.” It can be argued that no one can truly be neutral and objective when considering social issues. We must be honest and acknowledge that our social class, race, gender, sex, age, and other personal attributes affect our thinking. Only by explicitly stating our social location can we, and those we seek to convince, put our opinions in context and evaluate them.

Sociological imagination—The idea that we must look beyond the obvious to evaluate how our social location influences the way we perceive society.

PAUSE AND REVIEW

1. What feature sets the U.S. criminal justice system apart from those of other countries?
2. What is crime? What is criminal justice?
3. What is the relationship between crime and justice?

1.2 The Criminal Justice System and Process

When the law is broken, the criminal justice system must respond in the name of society. The criminal justice system comprises various agencies from different levels of government, each of which has a mission to deal with some aspect of crime. Although the duties of some of these agencies appear to overlap and the system seems to be inefficient and cumbersome, it chugs along, processing a vast number of cases. However, the criminal justice system is often criticized by the public for being ineffective and failing to produce the justice that many people expect. Why do so many people perceive the criminal justice system in this way?

First, the system is not confined to one level of government. The criminal justice system spans the range from local governments to the federal government. The lines of authority and distinction between agencies are not always clear and in some cases must be negotiated according to the politics of the case. For example, tension exists between federal agencies such as the FBI and local law enforcement agencies. Depending on the case, investigators must decide whether federal or state laws have been violated and which agency has the primary responsibility for investigation. Although interagency cooperation is the stated norm, conflict does arise. (See A Closer Look 1.1 to learn more about interagency cooperation.) In addition, problems between different components of the criminal justice system may exist. The goals and missions of law enforcement are not always viewed as identical to those of the judicial system or the corrections system. Individual criminal justice practitioners might believe that other agencies are working against them.

LEARNING OBJECTIVE 1.4

List the steps of the criminal justice process.

LEARNING OBJECTIVE 1.5

Explain the major difference between the due process and crime-control models.

LEARNING OBJECTIVE 1.6

Describe the wedding-cake model of criminal justice.



The FBI often assist local and state law enforcement agencies. Why is interagency cooperation between criminal justice agencies sometimes problematic?

Probation—The suspension of all or part of a sentence, subject to certain conditions and supervision in the community.

For example, the police sometimes believe that district attorneys and judges are working against them by helping offenders get plea bargains, light sentences, and **probation**. On the other hand, prison officials might think that lawmakers who legislate tougher, longer sentences are overcrowding the prisons.

Now let's examine how the criminal justice system is set up.

The Criminal Justice Process: An Overview

The criminal justice process is covered in great detail in the following chapters. However, this brief overview will provide some orientation as to how each component of the system is related to the process.

Cases move through the criminal justice system in a consistent manner. They begin with contact with a law enforcement agency, and then they proceed to the courts, which determine guilt (if any) and prescribe a sentence for the guilty. The convicted then move to the correctional system where punishment and/or treatments are administered. At each step of the process, criminal justice officials decide whether the case should continue to the next stage.

LAW ENFORCEMENT

Police officers are typically the first responders to crime and thus make initial contact. Someone may report or alert them to the crime, or they may witness it themselves. Upon making contact, police officers seek to determine the causes and perpetrators of the crime through investigation. They gather evidence, preserve the crime scene, and interview victims and witnesses. Individuals suspected of breaking the law are arrested and taken into custody. They are advised of their constitutional rights, questioned, and subjected to limited freedom until further processing. Once an individual is arrested, the booking process takes place. This process involves several activities, including fingerprinting, taking photographs (mugshots), and in some cases collecting DNA evidence from the suspect.

Role of law enforcement: initial contact → investigation → arrest → booking



A CLOSER LOOK 1.1

A Comparison of Federal, State, and Local Law Enforcement

One of the most stubborn problems in U.S. law enforcement is getting agencies to work together. Although we call it a criminal justice “system,” historic, structural, personal, and jurisdictional issues prevent or impede criminal justice agencies from freely exchanging information and resources. Local, state, and federal law enforcement agencies are all subject to individual agency cultures rather than one national law enforcement culture affecting individual law enforcement agencies.

This philosophy had an especially tragic effect on September 11, 2001. Following the attacks, the National Commission on Terrorist Attacks Upon the United States, known as the 9/11 Commission, was created to investigate the circumstances surrounding the attacks. The Commission discovered that many major federal law enforcement and investigation agencies held separate pieces of information regarding the terrorist plot but had not communicated them to one another.¹⁸ The Commission concluded that had various agencies acted together, the attacks might have been prevented.

A solution to this problem would be to create a large, federally mandated law enforcement agency, but this is unlikely to happen. Although other countries have this type of law enforcement structure, one of the intrinsic values of the United States is the idea that, when possible, government control should be vested at the level closest to the people. According to Sunil B. Desai, a U.S. Marine Corps major who served on the Council on Foreign

Relations, four factors challenge the transition to greater interagency cooperation:

1. There is no formal, comprehensive concept of coordination for either routine or crisis situations.
2. There is no independent authority to develop and train personnel in interagency cooperation.
3. Individual agencies organize their policies and operations differently.
4. Personnel policies focus on developing personnel who are primarily dedicated to the individual agency rather than the community of agencies.¹⁹

Table 1.1 illustrates how the various federal, state, and local agencies are organized and funded and what they do. Law enforcement agencies at different levels of government have different resources, funding authorities, and mandates. Cooperation between these agencies is always a goal, but their differences are grounded in legal mandates. Also, agency cultures dictate that there will always be some degree of conflict, competition, and distrust between law enforcement agencies operating at different levels of government. Until the culture changes, our law enforcement system will be challenged to find ways to get federal, state, and local agencies to work together.

THINK ABOUT IT

1. What would you do to encourage law enforcement agencies to work together?
2. Should there be a national police force? Explain your answer.

TABLE 1.1 Comparison of Law Enforcement Levels of Jurisdiction

	FEDERAL	STATE	LOCAL
Agencies	<ul style="list-style-type: none"> • FBI • Immigration and Customs Enforcement • Secret Service 	<ul style="list-style-type: none"> • State highway patrol • State investigative agencies 	<ul style="list-style-type: none"> • Municipal police departments • County sheriff's offices
Mandate for Enforcing Laws	<ul style="list-style-type: none"> • Offenses on federal property and military reservations • Interstate crime 	<ul style="list-style-type: none"> • Interstate highway systems • Offenses of local and state government officials 	<ul style="list-style-type: none"> • State statutes within local jurisdictions
Funding	<ul style="list-style-type: none"> • Federal income tax 	<ul style="list-style-type: none"> • State income tax • Sales tax • User taxes (driver's license, license plate fees, etc.) 	<ul style="list-style-type: none"> • Sales tax • Property tax

Arraignment—Court appearance in which the defendant is formally charged with a crime and asked to respond by pleading guilty, not guilty, or *nolo contendere* (I do not wish to contend).

Adjudication—The action of administering a legal process of judging and pronouncing a judgment.

COURTS

If the prosecutor's office decides that there is enough evidence to proceed with the case, it will charge the suspect with a specific crime. At this major decision-making point, the prosecutor may decide to dismiss the case. If the prosecutor decides to charge the suspect, however, a preliminary hearing is held. This process is designed to determine whether there is reason to think that a law has been broken. In some states and in the federal system, a grand jury makes this determination. At this stage, the defendant is brought before the court, and the formal charges are read. The defendant is also informed of his or her constitutional right to be represented by legal counsel. A plea of guilty or not guilty is entered, and a trial date is set. Bail may also be considered at this point. Following **arraignment**, plea bargaining occurs. Here, the prosecutor and defense attorney discuss the case and attempt to agree on a resolution. Typically, prosecutors seek a guilty plea in exchange for a reduced sentence. Defense attorneys who believe that the case against their client is weak or that their client is innocent may reject a plea bargain and demand a jury trial.

If the case proceeds to trial, the prosecution and defense present their cases before a jury, which decides whether the prosecution has presented enough evidence to convict the defendant. A verdict of guilty or not guilty is returned. This is called **adjudication**. In cases in which a jury cannot decide on a verdict, the prosecutor must choose between releasing the defendant or requesting a new trial. If a guilty verdict is reached, the judge sentences the convicted party to a punishment, usually a fine, a treatment program, probation, incarceration, or some combination of these. In some serious cases, the sentence may be death.

Role of courts: charging → preliminary hearing → arraignment → plea bargaining → adjudication → sentencing

CORRECTIONS

An offender may have to pay a sum of money as part of his or her punishment. In addition, an offender may be able to serve all or part of the sentence outside of prison or jail. The offender must agree to a set of conditions by which he or she will

Parkland school shooting suspect Nikolas Cruz appears in court for a motion filed by the Public Defender's Office to withdraw from the case due to Cruz receiving an inheritance that can be used to pay for a private attorney. Defense attorneys Melisa McNeill (L) and Diane Cuddihy (R) speak with their client. Who represents the state in the court's process?





remain free and report to a probation officer. The offender may have to wear an electronic device that tracks his or her location.

Offenders serve sentences of less than a year in a local jail and sentences of longer than a year in prison. After release from incarceration, the corrections system attempts to ease the reintegration of the offender into the community. This process is typically carried out through **parole** in which the rights and liberties of the former convict are restricted and requirements such as drug-testing, job counseling, and educational requirements may be imposed.

Role of corrections: fines and probation and/or incarceration → re-entry

Parole—The conditional release of a prison inmate who has served part of a sentence and who remains under the court's control.

The Due Process and Crime-Control Models

The criminal justice system has a complicated mission. People expect the system to operate efficiently and move cases through the system as expeditiously as possible, but also to protect the innocent, convict and punish the guilty, and deliver justice. Not only are these two expectations difficult to achieve consistently, but they are sometimes at odds. In the 1960s, legal scholar Herbert L. Packer created models to describe these two expectations: the **due process model** and the **crime-control model**. The crime-control model describes the expectation of an efficient criminal justice system. The due process model describes the expectation of a just and fair system. The tension between these two models can be described as a competition between two sets of values: one that seeks to control crime and one that seeks to protect the legal rights of individuals accused of violating the law. In truth, the criminal justice system exemplifies both of these value systems and seeks to create a balance in which crime is controlled while individual rights are protected.²⁰

Due process model—A model proposed by legal scholar Herbert L. Packer to describe the public's expectation of a just and fair criminal justice system.

Crime-control model—A model proposed by legal scholar Herbert L. Packer to describe the public's expectation of an efficient criminal justice system.

The crime-control model is based on the idea that the repression of crime is the most important function of the criminal process. According to this model, crime control is important to individual freedom. It is difficult to be truly free in a society that does not enforce laws, apprehend offenders, and convict the guilty. If individuals are always living in fear of being victimized, they cannot behave in a free manner, thus threatening the social order. So, under the crime-control model, the justice process moves like an assembly line. Suspects are apprehended; the most likely suspects are charged and their guilt is ascertained; and the guilty receive an appropriate disposition. A free society depends on the criminal justice system carrying out this process efficiently and well. In contrast to the crime-control model's assembly line, the due process model operates more like an "obstacle course." Each stage of the due process model is designed to obstruct the movement of suspects further along the justice process. This is because the due process model recognizes the role of human error. People make mistakes, or they can be corrupt. Thus, the due process model pursues informal, non-judgmental fact-finding that recognizes the right of a suspect or defendant to receive the most correct and just judicial process possible.²¹ Some major distinctions between the two models are outlined in Table 1.2.

The application of these models is affected by the political climate at any given time. Two good examples are illustrated by the efforts of the Warren Court (the U.S. Supreme Court between 1953 and 1969 named for its Chief Justice Earl Warren) and the passage of the USA PATRIOT ACT in response to the terrorist attacks of September 11, 2001. Friendly to the due process model, the Warren Court left a lasting mark on U.S. criminal procedure with its decisions. Notable cases include *Gideon v. Wainwright* (1963), which established that states must provide impoverished defendants with an attorney in felony cases (see Chapter 9) and *Miranda v. Arizona* (1966), which established that police must inform arrestees

TABLE 1.2 The Crime-Control Model versus the Due Process Model

ASPECT OF THE CRIMINAL JUSTICE SYSTEM	CRIME-CONTROL MODEL	DUE PROCESS MODEL
Most Important Function	To repress crime: a necessary condition for meaningful communities and a free society	To deliver fundamental fairness of the law and due process
Ideal Concentration	Victim's rights before the defendant's rights	Defendant's rights, protected expressly by the Bill of Rights, before victim's rights
Police Power	Expanded powers to investigate, arrest, and search suspects	Limited to prevent oppression of individuals by the state
Legal Limits	Legal technicalities that obstruct the police should be eliminated	Criminal justice authority should be held accountable to the rules, procedures, and guidelines embedded in the Constitution
Emphasis on Efficiency versus Technical Correctness	The criminal justice system should operate like an assembly line that moves cases efficiently toward disposition	A person should be found guilty only if the government has followed legal procedures in its processing of the case.
Main Objective	To discover the truth and establish the factual guilt of the accused	To correctly follow legal procedure in establishing the factual guilt of the accused

that they do not have to answer questions and may have an attorney present during questioning (see Chapter 5). On the other hand, the USA PATRIOT ACT is an example of the crime-control model. USA PATRIOT stands for Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism. This legislation greatly expanded the government's powers to



The U.S. Supreme Court in 1957. Seated from left are Felix Frankfurter; Hugo Black; Earl Warren, chief justice; Stanley Reed; and William O. Douglas. Standing from left are, John M. Harlan; Harold Burton; Tom Clark; and William J. Brennan. In which cases did the Warren Court support the due process model of criminal justice?



investigate and process cases of terrorism, while curtailing the legal protections not only of criminal suspects, but also, to a large extent, the general public.²²

How Cases Move through the System

With an appreciation of how complex the criminal justice system is, we now turn to how cases are processed. Only a small percentage of offenses result in someone going to prison. This is because the system is close to being overloaded. An even slightly larger percentage of cases would be nearly impossible for the system to process in a fair and legal manner given the resources currently available. Therefore, police officers, prosecutors, judges, and corrections officials use their judgment to decide which cases are pushed further into the criminal justice system and which ones are kicked out. It is useful to envision the criminal justice system as a large funnel in which cases move downward toward their final disposition (see Figure 1.1). The problem with the funnel, however, is that it is too small to hold all the cases, so a considerable amount of leakage occurs.

The criminal justice system is much more complex than suggested by the funnel analogy, and this complexity will be revealed in subsequent chapters that cover the system's components in greater detail. The analogy's goal is to indicate how the numbers dwindle drastically when we move down the funnel from offense to sentencing. This funnel analogy illustrates the relatively low number of offenders who are actually incarcerated. Many offenses that enter the system are excluded for several reasons. Briefly, these reasons include, but are not limited to, the following:

1. **Cost.** As a society, we simply cannot afford to spend the money and resources necessary to have a totally crime-free society. Although crime is a serious social problem, many other worthy items compete for our tax dollars. Increased spending on crime means that health care, national defense, education, highways, and many other legitimate and desirable services do not get enough of the resources they require to function effectively. For example, decisions must be made on which military aircraft are built because we cannot afford all of them. Similarly, most students must take out loans to pay for a college education because the government can fund only so many scholarships. The criminal justice system, by some estimates, could bankrupt the country if funded for all its legitimate needs. This is especially true at the local level: Local governments spend far more on criminal justice than state governments or the federal government. Therefore, only a relatively small percentage of offenses ever receive what the public believes to be "full justice."
2. **Discretion.** Criminal justice practitioners exercise a considerable amount of **discretion**—that is, the power to make decisions—in deciding what happens to individual cases. Although this discretion is constrained by resources, a good amount of personal philosophy and judgment also goes into deciding what happens to cases. This discretion is sometimes deemed problematic, and the influence of individual decision-makers is curbed. For example, there can be wide disparity in sentencing across jurisdictions or even between judges in the same city. In an effort to ensure that similar cases are treated more equally, legislatures have passed laws mandating fixed sentences. Mandatory-minimum statutes and three-strikes laws greatly limit the discretion judges have in sentencing offenders. Similarly, some police departments are required to make arrests in domestic assault

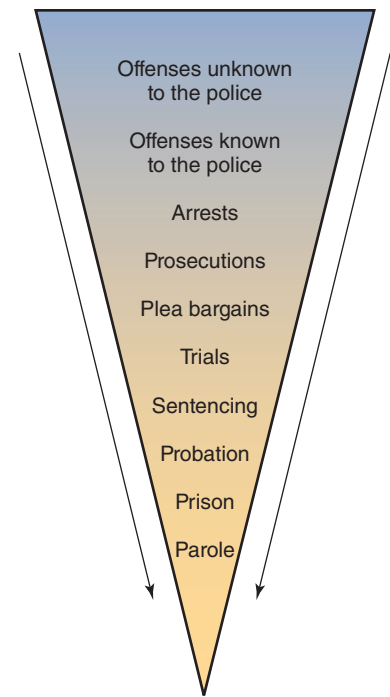


FIGURE 1.1 The Funnel Effect This figure represents the pattern of how cases move through the criminal justice system. The actual number of cases varies by jurisdiction, severity, and annual occurrence. At each point along the way, cases drop out of the system. Charges may be dropped; cases may be dismissed; offenders may abscond; or defendants may plea bargain. Relative to the number of suspects arrested, only a small percentage of offenders actually go to prison. Does the funnel illustrate the total number of offenses that catch the full implications of the public's perception of justice?

Discretion—The power of a criminal justice official to make decisions on issues within legal guidelines.

cases in which there is clear evidence of physical abuse. Some discretion is inherent in the criminal justice system, but its use is contested.

3. Errors. Sometimes cases simply fall through the cracks. Criminal justice practitioners are human and can make mistakes. They are often overworked and underpaid, and they experience a considerable amount of stress in doing a difficult job. Most jurisdictions do not have sophisticated computer systems that link all the components of the criminal justice system that would help ensure that cases are handled efficiently. Also, criminal justice practitioners might make errors in judgment. The police officer who gives a suspect a second chance or the judge who places a sex offender on probation might be betrayed by offenders who do not or cannot appreciate the break they have been given.

The Perception of Crime and the Wedding-Cake Model of Criminal Justice

Not all crime is the same. Many offenses go undetected, and their harm to society is not generally perceived. Some offenses are just a step across the line of good, effective business practices and are considered the price we pay for a market economy. An example of this offense is insider trading (using confidential information about an investment instrument to buy and sell on the stock exchange). Other offenses, such as some murders, are sensationalized by the media and given such vast resources in their detection and prosecution that they distort the perception of the amount and seriousness of crime. Finally, there is the problem of **street crime**: small-scale, violent, and property offenses. These types of crime illustrate how complex and differentiated the issue really is. Making broad general statements about crime is difficult because so many behaviors are considered criminal offenses.

Street crime—Small-scale, personal offenses such as single-victim homicide, rape, robbery, assault, burglary, and vandalism.

In the United States, both property crime (burglary, larceny-theft, motor-vehicle theft, and arson) and violent crime (murder, rape, robbery, and aggravated assault) have dropped for the last several years (see Figure 1.2).²³ This drop in crime reveals an interesting disconnect between the occurrence of crime and the perception of crime. Street crime is often what most people fear and what they consider as needing the strictest social control. As such, prisons continue to be built, zero-tolerance policies enforced, and the **war on drugs** fought.

War on drugs—Governmental policy aimed at reducing the sale and use of illegal drugs.

The wedding-cake model of criminal justice differentiates types of cases based on the seriousness of the offense, the defendant/offender's criminal record, and the relationship between the victim and the defendant/offender.²⁴ This model also highlights the differences between types of cases based on how the media treats them and how the public considers them. The four layers of the model are as follows (see Figure 1.3).

1. The top layer. As on a wedding cake, the top layer is the smallest but receives the most attention. Referred to as “celebrated cases,” the cases in this layer are the ones that fascinate the public the most: unusual or gruesome murders; serial murders and mass murders; mysterious missing-persons cases; and cases that involve famous people. These cases may also interest the public for additional reasons: They may involve children or terrorism, or they may have significant racial or gender dimensions. Examples of such cases include the 2015 shooting of nine people at a historic black church in Charleston, South Carolina, the 2016 Orlando nightclub shooting that killed 49 people and wounded 53 others, or the 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida, that killed 17 students and staff members and injured 17 others. The participants in these cases

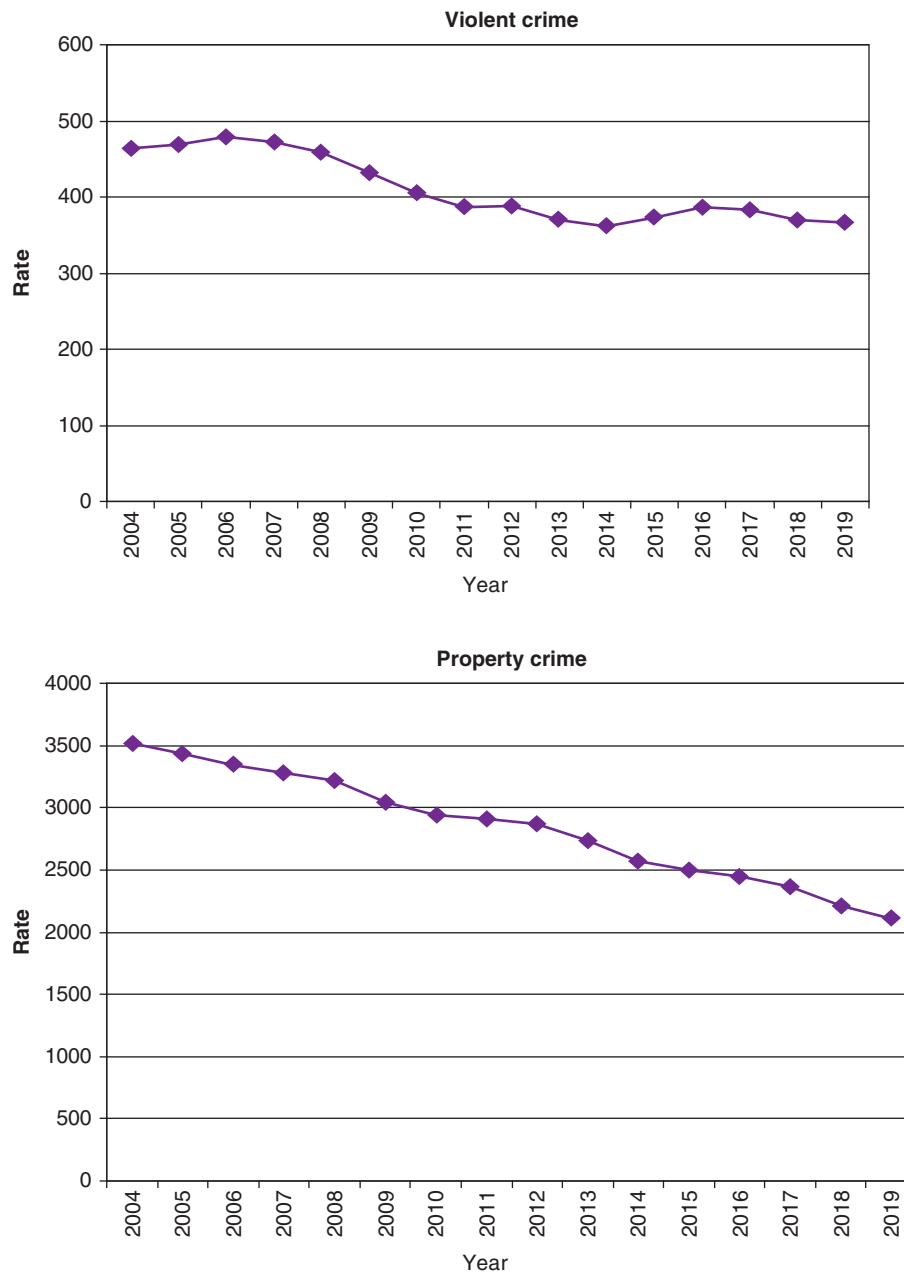


FIGURE 1.2 The Decrease in Violent and Property Crime Rates

Although the rate of violent offending increased slightly in 2016, it continued to decline generally. The rate of property crime was down for the fifteenth year in a row. Give some possible reasons for the decreases in both types of crime.

Source: Federal Bureau of Investigation, Uniform Crime Reports: Crime in the United States 2019, Table 1, ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/table-1.

may also have defining qualities that are favorable to media coverage. For instance, in the O. J. Simpson murder case, Simpson, who was accused of murdering his wife and her friend, was a college and professional football star who had gone on to a successful career as a sportscaster and media personality. Top-layer cases differ from others in that they usually involve a criminal trial and extensive publicity. It is through these cases that many people develop their opinions of the criminal justice system and their perceptions of how it operates. Although these cases receive a great amount of attention, they are relatively rare.

2. The second layer. The second layer comprises serious felonies, such as rape, murder, manslaughter, and robberies that result in fatalities. As with the first layer, the cases in the second layer often

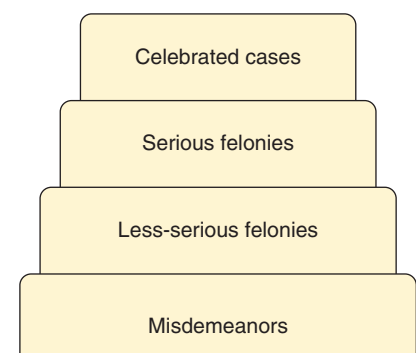


FIGURE 1.3 The Wedding-Cake Model How are celebrated cases different from the lower three layers?

Felicity Huffman leaves federal court with her husband, actor William H. Macy, left, after she was sentenced in a nationwide college admissions bribery scandal. Do celebrity cases deserve all the attention they get from the media?



involve a gruesome offense and a criminal trial. Second-layer cases may receive local media coverage and attention but do not reach first-layer status because they involve more ordinary offenses and participants. For example, the robbery of a small-town jewelry store by some local youths who shoot and kill its owner would qualify as such a case.

3. The third layer. Less-serious felonies that typically do not involve fatalities, such as burglary and larceny, compose the third layer. These cases are sometimes dismissed, or defendants may be allowed to plea bargain. Convicted defendants may be placed on probation (the suspension of all or part of a sentence subject to certain conditions). The outcomes for defendants in this layer are less predictable because the charges are not as serious. Trials become increasingly rare in this layer. Here, criminal justice proceedings are more routine and less dramatic, and usually the only people interested in them are those who are directly involved.
4. The bottom layer. The bottom layer consists of misdemeanors, or minor offenses, which include traffic violations, minor drug violations, shoplifting, and minor assault. Lower criminal courts usually deal with bottom-layer offenses, which are punishable by a fine or jail time up to a year, although there are so many of these offenses that they overwhelm some small courts. Defendants in these cases are not considered threats to public safety, and the typical outcome is a fine, probation, or jail.²⁵ Trials are rare: Some defendants consider the proceedings an annoyance and prefer to just pay the fine for, say, a speeding ticket, rather than go to court. A more troubling outcome in these cases is that, although the offenses are minor, they constitute a major problem for the offenders. Many offenders are too impoverished to pay the fine and/or any court fees, or to even challenge the case. Instead, many go to jail and lose their jobs, sending themselves and their families deeper into poverty. In an economically disadvantaged community, enough of these cases can endanger the entire community.



The cases in the top layer represent the most media interest, even though they are relatively rare. At the bottom layer, the number of cases expands greatly. Few cases are unusual enough to command media attention, and the vast number of routine cases remains unseen, unknown, and unappreciated by the public.

PAUSE AND REVIEW

1. What is the nature of the relationship between local, state, and federal levels of criminal justice?
2. What are the basic steps of the criminal justice process? Discuss the difference between the due process and crime-control models.
3. Describe the four layers of the wedding-cake model.

1.3 Types of Crime

Crime can be divided into different types. Sometimes it is categorized according to a specific characteristic of the offense. For instance, as you study crime, you will see references to gang crime, victimless crime, environmental crime, sex crime, urban crime, rural crime, drug crime, hate crime, cybercrime, and so on. In these cases, the differentiation is itself worth studying. For example, the phenomenon of young people banding together to sell drugs, commit murders, wear specific colors, and defend neighborhood turf is an important characteristic of gang crime that is worthy of study and differentiates it from, say, hate crime.

This section divides crime into two broad types: street crime and corporate/white-collar crime. As discussed in the previous section, street crime is what most people worry about when they think of crime, probably because it sometimes involves violence. However, **corporate crime** and **white-collar crime** are just as damaging, perhaps even more so, but these types of crime get less attention because no violence is involved. This is essential to the measurement of crime because measures of crime are what help to generate criminal justice funding, media attention, and public concern. If there is little or no official measurement of a type of crime—as with corporate and white-collar crime—then that type of crime will likely receive less social attention. It is significant, then, that the differences between street crime and corporate and white-collar crime are discussed.

Street Crime

Street crime includes a wide variety of acts in both public and private spaces, including interpersonal violence and property crime. These offenses, which include homicide, rape, assault, **larceny**, **arson**, breaking-and-entering, **burglary**, **robbery**, and motor-vehicle theft, are the ones most often included in official measurements of crime. (We discuss official measurements of crime further in Chapter 2.)

A healthy fear of street crime is wise. The effect of rape, assault, and especially homicide may alter how a person and his or her loved ones relate to others and may require many years of recovery. However, street crime is still relatively rare. Most of us go about our daily lives without encountering danger, and we do not need to carry a weapon or distrust people most of the time. Some studies have found that those with the least likelihood of being victimized fear crime the most. Elderly citizens demonstrate the greatest fear of street crime, yet they are the least likely to encounter it. Conversely, young males are the most victimized, but they do not have a great fear of crime. In some ways, this disjuncture is understandable, but it also illustrates how distorted our concept of crime is.²⁶

LEARNING OBJECTIVE 1.7

Discuss why street crime receives more attention than corporate and white-collar crime.

Corporate crime—

Offenses committed by a corporation's officers who pursue illegal activity in the corporation's name.

White-collar crime—

A nonviolent criminal offense committed during the course of business for financial gain.

Larceny—A form of theft in which an offender takes possessions that do not belong to him or her, with the intent of keeping them.

Arson—Any willful or malicious burning or attempt to burn a dwelling, public building, motor vehicle, aircraft, or personal property of another.

Burglary—Breaking into and entering a structure or vehicle with intent to commit a felony or a theft.

Robbery—The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Larceny is the most common street crime reported to the police. Why is street crime more likely to be reported to the police than other types of crime?



The crime rate does not always correlate with the public perception of the level of crime. During the 1990s, even as the national crime rate was declining, people felt that crime was one of the most important social problems.²⁷ Because the public is so concerned about street crime, many criminal justice resources are devoted to its prevention and prosecution. This emphasis on street crime is both understandable and problematic. We need to believe that the criminal justice system is doing all that can be done to protect innocent people from predatory criminals. The public clearly demands that the police “do something” to prevent crime and apprehend lawbreakers.²⁸ According to some criminologists, for example, aggressive control of the homeless is necessary for meaningful, safe communities. People who feel safe on the streets are engaged in public interaction to a greater degree, and this, in turn, means that the streets are populated by more lawful citizens.²⁹

The emphasis on street crime is problematic because it drains resources from the prevention of other types of crime. Scholar Jeffrey Reiman contends that corporate crime is much more harmful to society than street crime, stating that the preoccupation of the criminal justice system with street crime is fueled by a racist and class-conscious society. Although street crime is significant to individuals, corporate crime is much more damaging to society as a whole. Reiman argues that individuals with the most money and power define crime and use the criminal justice system to protect their own interests.³⁰

Corporate Crime and White-Collar Crime

Sometimes lawbreakers are conventional in all other aspects of their lives, and it is difficult to envision them as lawbreakers. Because harmful behaviors are not always defined as crime, envisioning how otherwise honorable citizens can be considered criminals is sometimes difficult. So-called pillars of society known for their charity, public service, and conventional behavior are sometimes the biggest crooks.

Corporate crime involves breaking laws in the otherwise lawful pursuit of profit. For example, a company that does not follow safety standards in disposing of its industrial waste can do irreparable harm to the environment and to



the health of many people. Although the intent of the company's officers may be simply to maximize profits and not to hurt anyone, the result can be devastating. The company's officers did not physically rob or assault the citizens, but the damage done to the community water supply may be much more harmful. Corporations can hurt individuals in a variety of ways. Yet when we look at the law and the response of the criminal justice system, we see that street crime is often met with greater penalties.³¹

Sometimes the terms *corporate crime* and *white-collar crime* are used interchangeably, but there are important distinctions between them.³² Corporate crime involves the purposeful commission or omission of acts by individuals acting as representatives of a business. Their goal is to make money for the business, and the offenses they commit are related to making the company profitable. Corporate crime, then, may also include environmental crime if a corporation's criminal negligence results in an environmental disaster, such as an oil spill. White-collar crime, by contrast, usually involves employees harming the corporation. For example, the treasurer who embezzles money and the office manager who steals office supplies are harming the company. Sometimes corporate and white-collar crime may be present in the same offense. It may be argued that the financial offenses of investor Bernard Madoff, who defrauded his investors of at least \$20 billion, were perpetrated by someone who was acting not only in his personal interest but also as the head of a company.³³

There is no official program that measures corporate and white-collar crime. Without a thorough official measurement, it is difficult to estimate how much corporate and white-collar crime is being perpetrated and who the victims are. Unlike street crime, corporate and white-collar crimes are difficult to investigate and difficult for laypeople to understand. Not only may it take years for an offense to be perpetrated, the investigation of a complicated scheme may take years to complete. Bernard Madoff perpetrated fraud for nearly his entire working life and was not caught until he was 71 years old. In contrast, a liquor store robbery may take only a few minutes to plan and execute, and the police may be onto the perpetrators within hours.



U.S. Representative Chris Collins, R-N.Y., speaks to reporters as he leaves a New York City courthouse. Collins pleaded guilty to conspiracy to commit securities fraud and lying to an FBI agent. Why is this case considered white-collar crime and not corporate crime?

PAUSE AND REVIEW

1. What are some examples of street crime?
2. How is corporate crime different from white-collar crime?
3. Why does street crime receive more attention than corporate and white-collar crime?

LEARNING
OBJECTIVE

1.8

Give examples of violent crime, property crime, and public-order crime.

Misdemeanor—A minor criminal offense punishable by a fine and/or jail time for up to one year.

Felony—An offense punishable by a sentence of more than a year in state or federal prison and sometimes by death.

Sexual assault—Sexual contact that is committed without the other party's consent or with a party who is not capable of giving consent.

Rape—Sexual activity, usually sexual intercourse, that is forced on another person without his or her consent, usually under threat of harm. Also, sexual activity conducted with a person who is incapable of valid consent.

1.4 Offenses and Offenders

The behaviors that offend our sensibilities can be categorized in many ways. We have rules, regulations, norms, folkways, and laws that dictate what is acceptable and what is punished. Laws attempt to define crime in a comprehensible manner, the most basic distinction being between misdemeanors and felonies. This distinction is a rather crude way to distinguish the seriousness of these actions, and it is not made until a police officer decides which law the action violated. The distinction between a **misdemeanor** (a minor criminal offense punishable by a fine and/or jail time for up to one year) and a **felony** (an offense punishable by a sentence of more than a year in state or federal prison and sometimes by death) might be blurred when the prosecutor decides on the formal charge. The process becomes even more complicated when, as a result of plea negotiations, the judge passes sentence.³⁴

Therefore, a man who gets into a fistfight may believe he is acting in self-defense, but he might also find that because he severely hurt his opponent, a police officer has charged him with misdemeanor assault and battery. The prosecutor may decide to kick the charge up to a felony because of the use of a baseball bat, but after a plea negotiation the charge might once again become a misdemeanor. The relationship between a behavior and the legal designation ultimately attached to it is sometimes difficult to justify. Therefore, the legal categorizations of offenses are not the best indicators of the nature of crime.³⁵

Another way to understand crime is to consider the victimization. Focusing on the victim or object of harm instead of the charge can provide a better measure of the level of crime. The following three-group typology elucidates the similarities and differences among the general classes of crime:

1. Violent crime. These offenses include the violent personal offenses of homicide, rape, **sexual assault**, robbery, and assault.
2. Property crime. These offenses include burglary, arson, embezzlement, larceny-theft, and auto theft.
3. Public-order crime. These offenses include drug use, disturbing the peace, drunkenness, prostitution, and some forms of gambling.

Considering crime in this manner gives us a better idea of the harm caused by unlawful actions than does the simple misdemeanor/felony dichotomy. Although each of these categories spans the range of seriousness from minor irritation to extreme disruption, they organize offenses in terms of who or what is harmed. Exploring this typology in greater detail reflects the type of harm done to victims. Each of these categories includes a continuum of offenses that differ in degree and may be either stringently punished or relatively neglected by the criminal justice system.

Violent Crime

The most severe penalties, including capital punishment, are reserved for those who commit violent crime. Personal violent offenses such as murder and **rape**



are the most devastating and the most feared of all offenses and receive the most media coverage.³⁶ These serious offenses occur much less frequently than do property offenses, but they are of the most concern to law enforcement and victims. When considering homicide and assault cases, we can discern motivations that apparently compel offenders to engage in this serious antisocial behavior.

- › Interpersonal disputes. Sources of dispute can include disagreements over money, charges of infidelity, challenges to masculinity, or insults to moral character. Often, the difference between offender and victim is who is fastest on the draw; that is, there is sometimes no clear relationship between who is responsible for starting the dispute and who emerges the winner.³⁷ In some segments of society, a subculture of violence emerges in which assault or murder is expected as a way of resolving conflict.³⁸
- › Instrumental violence. Violence is sometimes used as a means to another criminal end. Drug dealers may kill competitors; robbers sometimes shoot convenience-store clerks, and carjackers sometimes attack drivers to steal automobiles.³⁹ Some forms of instrumental violence are premeditated. Intimidating witnesses or “teaching a lesson” to an informant employs violence as an extreme form of communication when “a message” needs to be sent.⁴⁰ Often, the motivation or message of instrumental violence is difficult to discern, such as when a bank robber successfully takes the money and then shoots the clerk on the way out of the bank.
- › Group violence. Another source of motivation to commit violence can be found in the dynamics of certain groups. Assaults or homicides often occur in situations in which groups of young people conflict. Violence is often used in instrumental ways when youth gangs clash over territory or symbolic concerns such as colors of clothing or other displays of gang affiliation. Youths often feel a greater sense of bravado when surrounded by friends and may feel a greater need to demonstrate their courage and rebellion. Group dynamics might encourage and facilitate, and, in some cases, even demand, members’ use of violence to address some real or imagined insult. When alcohol or drugs enter the equation, violence is even more likely.⁴¹
- › Serial murder and mass murder. Sometimes violence is instrumental as a part of a larger pattern of crime, as with **serial murder** (the murder of several individual victims in separate incidents), and sometimes it seems random and indiscriminate, as with **mass murder** (the murder of three or more victims in a single incident). Often, this type of offender is the hardest to understand because there is no apparent motivation. Although serial murderers are rare, they usually have some underlying personal logic regarding their targets. Some, such as Ted Bundy, might kill young women with a certain hair color. Others, such as John Gacy or Jeffrey Dahmer, might exclusively kill young men. Even though the motivation might be the result of a psychological problem, the serial murderer is often capable of committing many offenses and eluding detection and arrest. The typical mass murderer is not a chronic violent offender: his or her offense may be the only time the offender has ever broken the law. For example, in 2017, Stephen Paddock opened fire into a crowd of more than 20,000 people attending a country music festival in Las Vegas, killing 58 and injuring 851. Paddock, who perpetrated the deadliest mass shooting by a single shooter in U.S. history and then committed suicide by shooting himself, had no criminal history and had never even been arrested.⁴² This is what makes mass murder so difficult for law enforcement to deal with; it is explosive, singular, and devastating, and it often makes little sense.

Serial murder—The murder of a series of victims during three or more separate events over an extended period of time.

Mass murder—The murder of three or more people in a single incident.

Terrorism—The use or threat of violence against a state or other political entity in order to coerce.

- › Political violence. Some offenses are meant to send a message. This is the case with political violence, of which the most well-known type is **terrorism**. Terrorism can be domestic, as in the case of the 1995 bombing of the Murrah Federal Building in Oklahoma City, or it can be of the international variety, as in the suicide plane hijackings of September 11, 2001. Terrorism is often committed by intelligent, sincere people who believe violence is necessary for their voices to be heard.⁴³
- › Rape and sexual assault. Because the motivations for committing rape and sexual assault are often different from the motivations for committing other types of personal violent offenses, and because the effect on the victims can be so devastating, these offenses will be considered as unique forms of violence. Rape is just one of a number of sex offenses that has garnered more attention from criminologists in recent years. Although rape has been a consistent occurrence throughout recorded history, the past 40 years have seen an increased awareness of the definition of what types of behavior constitute rape and sexual assault, as well as greater legal protections for victims. Women and children, once considered as not having individual rights when the perpetrator was a husband or father, are now protected by the criminal justice system.⁴⁴ In 2011, the Department of Justice changed the definition of rape from “the carnal knowledge of a female, forcibly and against her will” to “the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.”⁴⁵ This new definition expanded how the government collects rape statistics. Additionally, child molestation, date rape, acquaintance rape, the rape of males, and sexual harassment are now recognized as serious types of antisocial behavior and are dealt with in a more humane and serious manner by law enforcement and the courts.⁴⁶
- › Robbery. The FBI defines robbery as the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. Robbery varies by location, whether on the street (such as a mugging) or

In February 2020, movie producer Harvey Weinstein was found guilty of criminal sexual assault in the first degree and rape in the third degree. Why are rape and sexual assault considered unique forms of violence?





within an institution (such as a bank or a convenience store). Finally, even though carjackings involve the theft of a motor vehicle, they are considered robberies because of the force involved.

Property Crime

The accumulation of wealth and possessions is an important cornerstone of individual and group well-being in the United States, and laws protect the rights of those who own and control property. These laws range from prohibitions against theft to the copyrights that protect intellectual and creative endeavors. The types of property crime that are best measured by the criminal justice system are those in which the offender is a stranger to the victim. Although many laws address differences in opinion while transacting business, these conflicts are usually covered by civil law. Burglary, larceny-theft, motor-vehicle theft, and arson are dealt with by criminal law and are measured by the FBI. The following points need to be understood when considering the measurement of property crime.

- › Burglary is different from larceny-theft. When classifying the taking of another person's property, several distinctions determine whether the offense is larceny-theft or burglary. Burglary involves the unlawful entry of a structure to commit a felony. Larceny-theft involves the unlawful taking of another person's property. Larceny-theft includes theft from a person by stealth such as pocket-picking, purse-snatching (when only minimal force is used), shoplifting, thefts of articles from motor vehicles, and thefts from coin-operated machines.
- › Motor-vehicle theft involves the theft of most self-propelled vehicles that run on land surfaces and not on rails. The theft of water craft, construction equipment, airplanes, and farming equipment is classified as larceny rather than motor-vehicle theft.
- › Arson involves purposely set fires. It does not matter whether the fire was started with the intent to defraud, only that it was willfully or maliciously set. Fires of suspicious or unknown origin are not treated as arson.⁴⁷

Public-Order Crime

Some criminal offenses involve no discernible victim. **Victimless crime** involves consensual interactions or behaviors that offend the powerful groups of society who have succeeded in having their concerns and sensibilities elevated to the level of the criminal law. Although broad consensus exists on some of these behaviors, there is also a good deal of controversy about offenses that are a matter of values.⁴⁸

Behaviors that fit into the category of offenses against the public order include drug use and sales, loitering, gambling, prostitution, vagrancy, disorderly conduct, and liquor law violations. These are often considered to be nuisance offenses, reflecting quality-of-life concerns for many people. The laws concerning these offenses are vigorously enforced in some places and almost completely ignored in others.⁴⁹ For instance, when vagrants, street people, and the homeless are considered to be interfering with the tourism trade, shopkeepers, hotel owners, and restaurant managers might ask the police to clear the streets.⁵⁰ The police have broad decision-making powers in deciding how to enforce public-order laws. They might overlook the possession of small amounts of marijuana in one instance and decide to make an arrest in another if the suspect does not show respect.⁵¹

Victimless crime—

Behaviors that are deemed undesirable because they offend community standards rather than directly harm people or property.

PAUSE AND REVIEW

1. Give some examples of violent crime, property crime, and public-order crime.



Two women march during a May Day rally in New York City. Why is prostitution considered a public-order crime?



FOCUS ON ETHICS

A Balance of Interests

In your job as a probation officer, you are assigned the case of a rich and successful accountant who is on probation for driving under the influence of alcohol. As part of her community service, the accountant has spent Saturday mornings at a local nursing home where she has been helping the residents fill out their tax forms. This accountant has secured thousands of dollars in tax refunds for these elderly citizens. In fact, one of the residents, who happens to be your grandmother, reports that not only is this accountant helping the residents save money, but she also has been coming to the nursing home during the middle of the week, on her own time, to talk to lonely and depressed residents.

You feel a little guilty that this accountant has developed a close relationship with your grandmother and that you have not been to the nursing home in months. Being suspicious, you investigate to see whether the accountant knows that you have a relative in the home. You discover that not only does she not know, but she has volunteered to serve as a member of the board of directors of the home and help the residents deal with confusing social service agencies such as Medicare and Social Security.

Late one night you get a call from the accountant. She is obviously drunk and informs you that she has just crashed her car into a tree and that she needs a ride home before the police come and arrest her. You know that if she gets another DUI, she not only will lose her license

but will also have to spend 90 days in jail and might lose her job. Although you have little sympathy for people who cannot control their drinking, this young woman has been turning her life around and doing good works, especially for the elderly. You see potential in this client.

WHAT DO YOU DO?

1. Pick her up. You owe her for helping your grandmother, and this is one of the few things you can do to repay her help and kindness.
2. Call the police and report her. You are a court officer, and you cannot ethically do anything else. Also, you might get in trouble if you do not call.
3. Help her but make a deal stipulating that she will check herself into a clinic and get help for her drinking problem. Use this last incident as leverage to force her to confront her drinking.
4. Call your supervisor and ask to be relieved of the case because you can no longer be objective.

For more insight on how someone might respond to such an ethical dilemma, visit Oxford Learning Link at www.oup.com/he/Fuller2e to watch a video that connects this scenario to a real-world situation.





Summary

LEARNING OBJECTIVE 1.1 Define social control.	Social control refers to the rules, habits, and customs a society uses to enforce conformity to its norms.
LEARNING OBJECTIVE 1.2 Outline how the U.S. criminal justice system protects individual rights.	The protection of individual rights is an integral part of the functioning of law enforcement. The government serves citizens' interests by finding methods to control crime without allowing law enforcement agencies to turn the country into a police state.
LEARNING OBJECTIVE 1.3 Define crime and criminal justice.	Crime is as an action taken by a person or a group of people that violates the rules of society to the point that harm is done to an individual or to society's interests. Criminal justice is a social institution whose mission is to control crime by detecting, detaining, adjudicating, and punishing and/or rehabilitating people who break the law.
LEARNING OBJECTIVE 1.4 List the steps of the criminal justice process.	Law enforcement: Initial contact, investigation, arrest, booking Courts: Charging, preliminary hearing, arraignment, plea bargaining, adjudication, sentencing Corrections: Fines and probation, incarceration, reentry
LEARNING OBJECTIVE 1.5 Explain the major difference between the due process and crime-control models.	The crime-control model describes the expectation of an efficient criminal justice system. The due process model describes the expectation of a just and fair system.
LEARNING OBJECTIVE 1.6 Describe the wedding-cake model of criminal justice.	The wedding-cake model of criminal justice differentiates types of cases based on the seriousness of the offense, the defendant/offender's criminal record, and the relationship between the victim and the defendant/offender. This model also highlights the differences between types of cases based on how the media treats them and how the public considers them. The top layer consists of cases that receive the most attention; the middle layers comprise grave felonies; and the fourth layer comprises less serious offenses.
LEARNING OBJECTIVE 1.7 Discuss why street crime receives more attention than corporate and white-collar crime.	People are more afraid of street crime because it is sometimes violent. It also gets more media attention and is easier for the public to understand. Corporate and white-collar offenses may take years to perpetrate and investigate, whereas most street crime happens relatively quickly.
LEARNING OBJECTIVE 1.8 Give examples of violent crime, property crime, and public-order crime.	Violent crime offenses include homicide, rape, sexual assault, robbery, and assault. Property crime offenses include burglary, arson, embezzlement, larceny-theft, and auto theft. Public-order offenses include drug use, disturbing the peace, drunkenness, prostitution, and some forms of gambling.

Critical Reflections

1. What is the proper role of the criminal justice system in maintaining social control? How does the criminal justice system share this responsibility with other institutions such as the school, family, and religious institutions?
2. Explain how different individuals can have wildly different opinions on what the goals of the criminal justice system should be. How may a person's social location (age, sex, race, gender, economic situation) influence how a person feels about the role of the criminal justice system?

Key Terms

Adjudication **p. 10**
 Arraignment **p. 10**
 Arrest **p. 6**
 Arson **p. 17**
 Burglary **p. 17**
 Corporate crime **p. 17**
 Crime **p. 5**
 Crime-control model **p. 11**
 Criminal justice **p. 5**
 Discretion **p. 13**

Due process model **p. 11**
 Felony **p. 20**
 Justice **p. 5**
 Larceny **p. 17**
 Mass murder **p. 21**
 Misdemeanor **p. 20**
 Parole **p. 11**
 Probation **p. 8**
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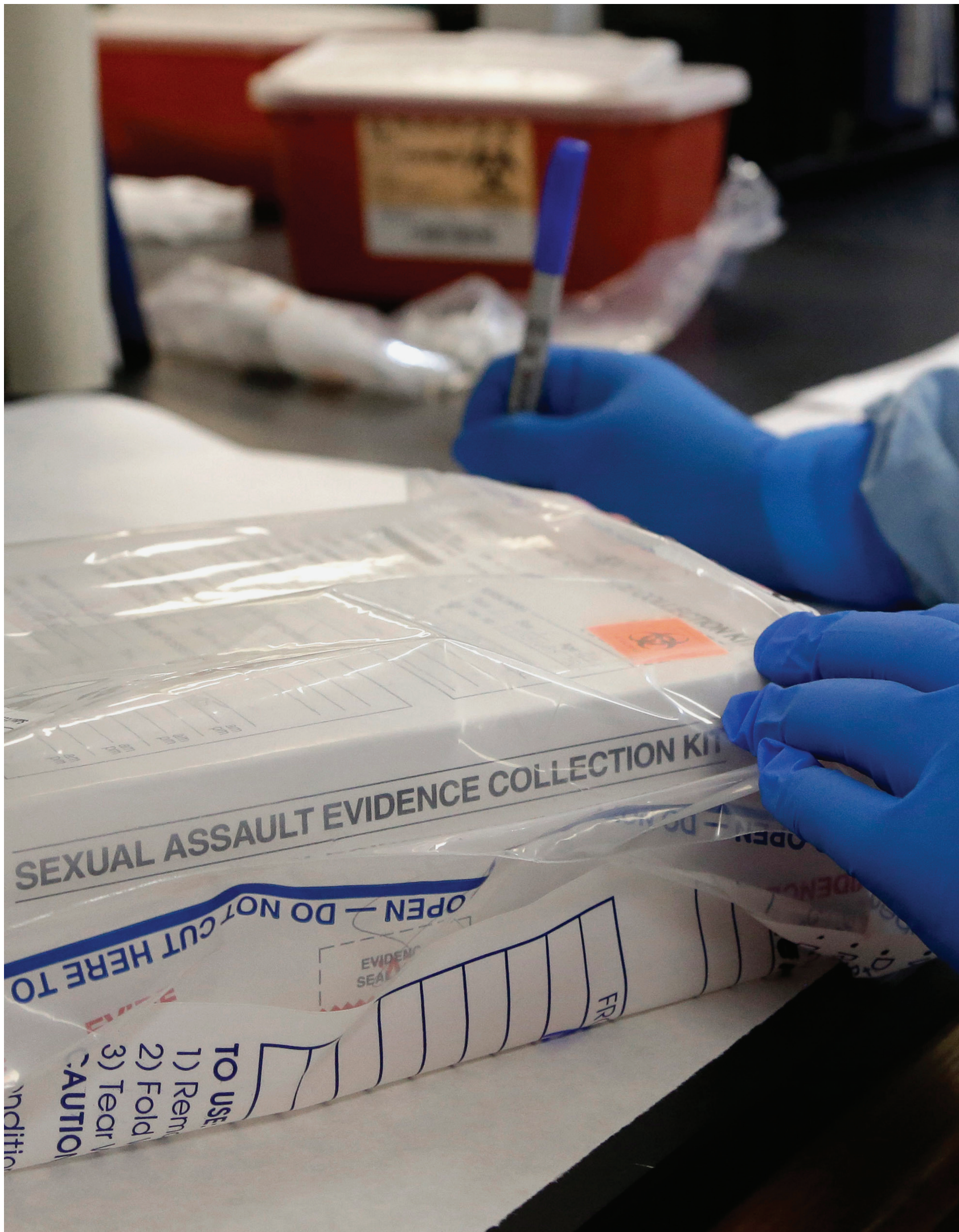
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How Crime Is Measured and Who It Affects

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A sexual assault evidence kit is logged in the biology lab at the Houston Forensic Science Center in Houston, Texas. In 2019, Texas Governor Greg Abbott signed a bill to eliminate the backlog of thousands of untested rape kits in Texas. How might the processing of these rape kits aid in the administration of justice in Texas?

In 2015, Marina Conner, then a sophomore at the University of Texas at Austin, claimed that she was approached by a man in a parking garage who offered to sell her drugs. Conner stated that the man then bashed her head against a wall and raped her.¹

Conner reported the incident to the police and got a sexual assault forensic examination. In an interview she said, “[I had] bruises on the back of my arms from being pinned against the wall and a gashed forehead from where he slammed it against the parking garage wall.” She also called a friend during the rape and left a voicemail in which she is heard crying and telling the alleged assailant to stop.²

The police found her alleged assailant within a week. He said the encounter with Conner was consensual.³ It then took two years for Conner’s rape kit to be DNA tested. However, because Conner had showered before the medical exam, the rape kit contained no DNA, and the district attorney dropped the case. Conner’s alleged attacker went free, and Conner dropped out of school for more than a year.⁴

In 2017, the Austin Police Department closed the case and reported it to the Federal Bureau of Investigation as “cleared by exceptional means.” To anyone scanning Austin, Texas, rape statistics, it looks like the Austin Police Department solved Conner’s case and others like it in the manner that most people likely associate with the police “clearing” a case: with a suspect being arrested and going to court.⁵

“It sounds like a good thing if you tell someone a case was cleared,” Conner said. “It doesn’t sound like I was violently raped and my rapist is still out there.”⁶

THINK ABOUT IT > In what ways might the under-reporting of rape be subject to both intentional and unintentional sources of error?

In this case, how does “cleared by exceptional means” benefit the police department?

LEARNING
OBJECTIVE

1.1

Describe three logistical obstacles to measuring crime effectively and efficiently.

2.1 The Problems of Measuring Crime

Measuring crime is tricky. Criminal justice scholars, government officials, and the public all have different motivations, interests, and ideologies that dictate why and how crime should be measured. Whereas scholars and the public want a realistic picture of crime so that they can make informed decisions, some police administrators may have an occupational perspective. For example, if a police chief wants to make the case that his or her department needs more financial resources, a crime wave could be used as justification. Conversely, if the police chief is in political trouble, that chief might determine that a drop in the crime rate would be evidence that he or she is doing a good job. The logistical obstacles to measuring crime effectively and efficiently are daunting. These logistical problems, which we will cover in detail later in the chapter, include:

- › **Problems of definition:** Although laws are written in a specific manner to minimize ambiguity, the interpretation of behaviors that seem to be criminal offenses can be problematic. For the legislator who writes the law in the safety of his or her office, the circumstances might seem clear-cut and easily defined. For the police officer, the information needed to determine whether a criminal offense is committed might be conflicting, absent, or even false.



- › Problems of resources: Thousands of criminal justice jurisdictions report official criminal justice statistics. Some large metropolitan or state agencies have teams of well-trained personnel dedicated to tracking crime, whereas other, smaller agencies do not. Consequently, the priority of maintaining these records varies significantly across jurisdictions based on the available resources, in terms of both finances and personnel.
- › Problems of politics: Public officials do not want their communities to be perceived as high-crime areas. The economic and social effects of the perception of crime can cause city officials to pressure law enforcement agencies to minimize the reporting of crime. For this reason, aggravated assaults might be reported as simple battery, and motor-vehicle theft might be deemed to be joyriding, depending on the political circumstances. Consider the introductory case. Police departments may report the clearance of cases to the Uniform Crime Reports in two ways: cleared by arrest and cleared by exceptional means. Cleared by arrest means that a suspect has been arrested, charged with the offense, and turned over to the court. To report a case as cleared by exceptional means, a police department must have, according to the FBI, “encountered a circumstance outside the control of law enforcement that prohibits the agency from arresting, charging, and prosecuting the offender.”⁷ Examples of this type of clearance are the suspect’s death or the victim’s refusal to cooperate with the prosecution. In the case of Marina Conner, the prosecution did not think the case would be well received by a jury because there was no DNA.⁸ By using cleared by exceptional means, the Austin Police Department recorded some rape offenses so that it looked like the cases had been solved, giving the appearance to some that the police department was doing a better job than it really was.

To understand crime’s effect on individuals and society, we must understand how crime is conceptualized and measured. There is a big difference between a homicide and some children throwing rocks through the windows of an abandoned house. Similarly, there is a big difference between massive corporate fraud and the motorist whose license is suspended after three drunken-driving convictions.⁹ The total number of criminal offenses, or even the crime rate, fails to capture the variability and deleterious effects of crime. Although crime measures are useful in any comparison of the relative safety of cities, states, or regions, the way crime is measured can provide misleading and inaccurate pictures of how it is distributed and how it affects people, especially victims.¹⁰

The victim performs an important role in the criminal justice system. The victim of a criminal offense is one of a triad of important actors. The perpetrator commits the offense; the victim is on the receiving end of the behavior; and the criminal justice system responds to the offense in the name of the state. This is an important point. Once a criminal offense has been committed, the criminal justice system sets the victim aside, and the prosecutor acts in the name of society rather than the victim. Because of this structure, many claim that the victim is forgotten in the criminal justice process.¹¹ For example, the police may decide not to arrest a criminal suspect; the prosecutor may decide to accept a lenient plea bargain or not to press charges at all; a judge may dismiss the charges against a defendant or impose a lenient punishment on a convicted offender; or a death may not be counted as a homicide for political reasons. These actions often occur without any input from the victim or victim’s family, which is not only frustrating for those parties, but also makes the public cynical about the quality of justice meted out by the criminal justice system.¹²

This chapter will explore the role and perspective of the victim in several ways. First, we will consider some typologies of victims. Next, we will look at categories of victims and how the criminal justice system responds to them, with a particular focus on programs aimed at alleviating harm.

PAUSE AND REVIEW

1. What are three logistical obstacles to the effective and efficient measurement of crime?

LEARNING OBJECTIVE 2.2

Explain what the Uniform Crime Reports program is, as well as its flaws.

LEARNING OBJECTIVE 2.3

Understand why the National Incident-Based Reporting System is an improvement over the Uniform Crime Reports program.

LEARNING OBJECTIVE 2.4

Compare and contrast the similarities and differences between the National Crime Victimization Survey and self-report studies.

Dark figure of crime—A term describing crime that is unreported and never quantified.

2.2 How Crime Is Measured

In this section, we will examine the various tools used for measuring crime and identify some of the issues and concerns raised by trying to measure the amount of crime in communities. Whenever there are variations in crime rates, care must be taken to ensure that these variations are the result of actual changes in crime and not measurement error. Besides definitional problems as to how to classify certain behaviors, there may also be perceptual problems about exactly when a behavior becomes a criminal offense. Kids who are fist fighting may think they are “just horsing around,” but to the parent of the child with the bloody nose, it might look like bullying or an assault. To be included in the measurement of crime, the incident must be reported to law enforcement, which reports data to the Uniform Crime Reports and National Incident-Based Reporting System, or to researchers who collect data for the National Crime Victimization Survey and self-report studies.

One of the problems in attempting to measure crime is that not all offenses are reported. If an offense is not reported, it will not be counted in the indices that comprise the official measures of crime rates. Offenses that occur but do not get reported are called the “**dark figure of crime**” (see Figure 2.1). A victim might not want to report an offense to the police for several reasons.

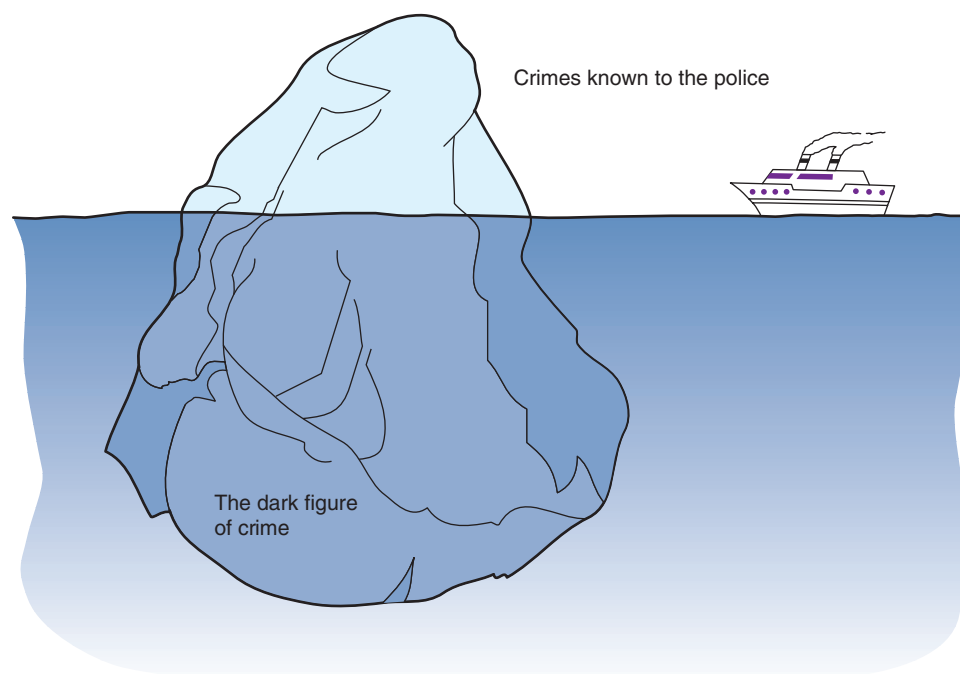


FIGURE 2.1 The Dark Figure of Crime Would efforts to shed light on the dark figure of crime infringe too much on individual civil rights?



- › An offense might be so subtle that it is never known to have happened. Suppose that a person uses a passkey to break into an apartment with the intent to steal a television belonging to the resident, then changes his mind and leaves, disturbing nothing. This action constitutes **burglary**—which is the breaking into and entering of a structure or vehicle with intent to commit a felony or a theft—but no one but the offender would ever know it happened.
- › An offense might not be perceived as such. Suppose that in the course of a hockey game, a defenseman for the Philadelphia Flyers were to slash a star center of the Montreal Canadiens with his hockey stick, opening a large cut over his eye. Such incidents occur in the heat of competition and are defined as major penalties within the context of the game. The incident described, of course, also constitutes a criminal offense that might be classified as an aggravated assault under the Uniform Crime Reports or as a wounding in the Canadian Crime Statistics. However, the event is unlikely to be perceived as a crime by either player, by either team, by the referees, or by the fans, and it is unlikely to be reported to the police. In the sport of boxing, a fighter who abides by the sport's rules might cause the death of the other fighter and face no sanctions from the criminal justice system, the referee, or the sport's ruling body.
- › The offender is a family member, a friend, or an acquaintance.
- › The victim believes that the offense was trivial or that the potential penalty is too grave for the harm done.
- › The victim fears reprisal (“snitches get stitches”).
- › The victim feels antipathy toward the police.
- › The victim may have broken the law as well or is embarrassed by the circumstances under which the offense occurred.
- › The victim may not believe that the police can or will do anything about the offense.
- › The victim or the perpetrator may be very young.
- › In some cultures, victims, especially men, may consider it more masculine to pursue justice on their own. Calling the police may be considered a sign of weakness.¹³

Given these reasons for not reporting crime, does it make sense to try to measure crime and then base criminal justice system policy on these flawed numbers? The answer is yes, but with caution. Although the dark figure of crime will always be unknown, an idea of the extent of crime can be surmised with the development of precise definitions and uniform reporting standards. Because crime rates are calculated every year and show a pattern of stability, criminal justice experts can assume that unreported crime

Burglary (from Chapter 1)

—Breaking into and entering a structure or vehicle with intent to commit a felony or a theft.



William Carrier, 28, of the Vegas Golden Knights and Brendan Lemieux, 48, of the New York Rangers fight during a National Hockey League game. Why is violence in professional sports seldom prosecuted in criminal court?

varies at about the same rates.¹⁴ However, a change in reporting can be mistakenly interpreted as a change in the level of crime.

For example, suppose a community establishes a new rape crisis center. As part of their duties, the center's staff begins an educational prevention and awareness project in which they visit schools and community groups and encourage victims to report rape and sexual assaults. The staff members also support victims in the ordeal of reporting their experiences to the police. Although the number of rapes in the community might remain constant, the rape crisis center has stimulated an increase in victim reporting that results in more arrests, prosecutions, and incarcerations. Rape may appear to be on the rise in the community, when in reality, more of the dark figure of crime is becoming known and crime measurement is becoming more accurate.¹⁵

Imperfect as they are, crime measurements are used by criminal justice officials to make several types of decisions. For instance, law enforcement can use the frequency and seriousness of crime statistics in their jurisdictions as justifications for staffing patterns and tactical decisions. When law enforcement finds areas that have an unusual number of assaults, larcenies, or murders, they can use the statistics to commit more resources to these areas. Additionally, criminal justice officials can approach legislatures or city council members for additional funding based on measures of crime.

Researchers within both government agencies, such as the Bureau of Justice Statistics, and academia use official measures of crime to construct the crime picture. These pictures, in turn, are used by officials to make funding decisions and, to a large extent, develop the public's perception of the frequency and seriousness of crime in their jurisdictions. However, research has shown that these official measures of crime may be severely flawed.



Johnny Blymiller tries on his high-heeled shoes before the start of a "Walk a Mile in Her Shoes" event to raise awareness about violence against women. How might such events increase the reporting of rape and sexual assault?