Criminal Justice Organizations

Administration and Management








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STOJKOVIC ▪ KALINICH ▪ KLOFAS

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Administration and Management

Sixth Edition

Stan Stojkovic
University of Wisconsin-Milwaukee

David Kalinich
Florida Atlantic University

John Klofas
Rochester Institute of Technology

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Stan Stojkovic, David Kalinich, John Klofas

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Brief Contents

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Preface

Criminal justice administration and management has come a long way since the President's Commission in 1967 called for a closer look at the administration of criminal justice organizations. Concerns about effective management practices are still central to criminal justice professionals as well as to the academic researchers who must evaluate and question their methods. Since the initial statements and recommendations of the President's Commission, observers have seen the following become more prevalent in the criminal justice system: greater involvement of the courts in the administration of criminal justice agencies, the increased political nature of criminal justice administrations, a potential threat to criminal justice administrators from the private sector through the mechanism of privatization, and the creation of a Department of Homeland Security, designed to protect the country against terrorist attacks.

In short, our response to crime and terrorism is changing, and many are questioning the administration and management of criminal justice organizations. As we enter the early decades of the twenty-first century, new challenges are facing criminal justice administrators. The sixth edition of this book is being written at a time that a new sense of focus and direction exists in the nation and among criminal justice administrators. Terrorism has struck home, and the criminal justice system is being asked to provide greater security to the country and its citizens. In addition, the face of crime is also changing, with more use of the Internet and electronic means to commit crime. Criminal justice administrators are becoming more adept at addressing crime and rely on more analytical tools and strategies than ever before. Yet, the country is coming out of one of the worst economic times in our history, suffering massive deficits at all levels of government, and at the time of this writing, the government just came out of a shutdown due to political intransience and concerns over public spending.

The tough economic climate is forcing criminal justice administrators to critically examine their budgets, where once again, the mantra is doing more with less. In many communities across the country, criminal justice employees are being asked to take furlough days or significant cuts in pay and benefits. In some instances, cities are, for example, ending police services and are contracting with other agencies to meet their safety and security needs. In other areas, particularly at the state level, criminal justice agencies, as public entities, are being

asked to cut back. In short, these are difficult times in our society, and criminal justice organizations are being asked to do things more efficiently and effectively, while facing budget cuts.

WHY A BOOK ON CRIMINAL JUSTICE ADMINISTRATION?

The context for criminal justice administrators is tense, to say the least. This sixth edition attempts to identify the basic structure and function of criminal justice organizations, while paying attention to *how* criminal justice organizations are managed and led. The book's primary market is both criminal justice practitioners, including managers and supervisors, and future criminal justice employees. This latter group represents students attending colleges and universities across the country, many of whom have no experience with criminal justice administrations. To students, the topic of criminal justice administration may seem boring. We hope to change that perception by providing the detail and discussion that illuminates key criminal justice administration concepts and ideas that will provide a framework for understanding the complexities of criminal justice administration. If we have begun this inquiry with students, we will have accomplished our primary goal of the book: the appreciation of the challenges and rewards that define criminal justice administration.

We began writing the first edition of this book in the late 1980s. As we progress into the twenty-first century, we still have the same purpose we had when we wrote the first edition: *to provide a book that summarizes what we know about criminal justice administration based on research and practice*. Our goal was to emulate the classic work written by Richard Hall, *Organizations: Structure, Processes, and Outcomes*. Based on the feedback provided by students, practitioners, and reviewers, we believe we have succeeded in our quest to emulate Hall's book and to provide both an academic and practical flavor that provides the best possible picture regarding criminal justice administration to our audiences.

As in the first five editions of the book, we provide an analysis of criminal justice administration by critically examining the research literature and applying it to this new world of the twenty-first century. Our primary concern is to provide students with a conceptual and theoretical basis upon which to consider criminal justice administration and management. To that end, we have included the most recent and relevant literature across topics. In addition, we have continued our focus on empirical research and its importance to the subject matter. This combination of theory and research literature allows students to appreciate the importance of these topics to criminal justice administration as well as to visualize its complexities.

The student requires an open mind and a willingness to appreciate the complexities of criminal justice administration from multiple perspectives. A legal examination, for example, of criminal justice administration would inundate students with laws and case precedents that guide and constrain criminal justice administrations, yet it is only one perspective on criminal justice administration—an important one, but nevertheless just one perspective. As the student reads

through the book, it should become apparent that there are a number of ways to understand and examine criminal justice administration. Our expectation is that, regardless of perspective, a thorough understanding of criminal justice administration requires the appreciation of multiple perspectives, but more important, it also requires an awareness of the evidence we have concerning a particular topic or issue. It is common to ask: what are the "best practices" in criminal justice administration? The fact is that only recently have we been able to *minimally* answer this question. More often than not, we do not have an empirical basis to know whether or not a particular practice is actually a best practice. This will create uncertainty and anxiety among students. Welcome to criminal justice administration.

CENTRAL THEMES

As in the first five editions, we focus on three central themes in this edition: criminal justice; the system as a whole; and theory, research, and practice. Prior to the publication of the first edition, no texts on criminal justice administration emphasized the contributions of the growing number of scholars who were trained and educated in criminal justice. We have continued to integrate general notions of management and administration into this edition with the growing body of literature on criminal justice management and administration that has been produced by criminal justice scholars.

Because there has been a research explosion in the field of criminal justice over the past forty years, we now know more about the operations of criminal justice organizations than ever before. The disciplines of sociology, political science, psychology, and criminology have complemented research done in criminal justice to produce some valuable insights into the workings of the criminal justice system. We have integrated and applied these findings into this edition. Most important, we have relied heavily on what criminal justice practitioners have produced in the professional literature to guide us into a more comprehensive understanding of criminal justice administration and how it functions. We feel that the positive contributions of both criminal justice researchers and criminal justice professionals require more review and acceptance. More than ever before, their collaborative efforts will direct the future of the criminal justice system into the next century.

Our second focus is on the systemic nature of criminal justice administration. By this, we mean that our coverage of the subject matter includes how the various components of the criminal justice system—police, prosecution, courts, and corrections—work together. As noted in the first five editions, we see value in examining these components separately, yet we also see value in viewing the "big picture" to appreciate how the components interrelate. Our teaching experience and the research literature alike underscore the importance of understanding the perspective of each component of the criminal justice system. Through an exhaustive review of the research literature across all sectors, we hope to broaden students' perspectives on criminal justice administration.

Our final focus is on the integration of theory research and practice in understanding criminal justice administration. The chapters move through the various topics applying theories, testing them, reviewing research findings, and discussing practical relevance and consequences. The noted social psychologist Kurt Lewin once said, "There is nothing as practical as a good theory." We believe in this aphorism and think it has relevance for an examination of criminal justice administration and management.

We know that many students tend to be "practice-oriented" in their views, whereas instructors are often exclusively theoretical in their presentations. This edition, similar to the fifth edition, offers some middle ground in which theory and practice work together to produce an overview of criminal justice administration—all of its complexities as well as its simplicities. We hope to enhance the thought processes of students through theory research and practice. To this end, we seek to produce students who understand the central tenet upon which effective criminal justice administration is based: effective thinking. Good thinkers are good administrators. Our aim is to introduce students to good thinking skills through an integrative approach that appreciates theory, recognizes research, and identifies relevant practices among criminal justice administrators.

As you read the chapters, consider the empirical basis for statements being made, question the research and practical implications that emanate from the research, and, most important, *imagine* what criminal justice administration would be like if we either knew more or did more to address a specific issue. Einstein once stated that imagination is more important than intelligence. As you read the chapters, imagine a different criminal justice system. What would its primary goals be? How would we accomplish these goals? Are they attainable? Are they practical and politically acceptable and to whom? Are they affordable? In some of the chapters in this new edition, we imagine a new conceptualization of criminal justice. How will this new conceptualization alter the practices and processes within the criminal justice system and the behaviors of criminal justice administrators? Just think—imagining a new criminal justice system may be a fun and rewarding experience.

ORGANIZATION OF THIS EDITION

The organization of this book follows the same format as the first five editions. Part One examines the nature of criminal justice organizations. Chapter 1 explores basic concepts associated with criminal justice administration and management and offers an examination of the complexity of criminal justice organizations and administrations. Chapter 2 presents a description of the structure of criminal justice organizations. Chapter 3 examines the role of the environment in criminal justice organizations.

Part Two deals with the individual in criminal justice organizations and includes chapters on communication, motivation, job design, personnel supervision

and evaluation, and leadership. Part Three focuses on group processes in criminal justice, including occupational socialization, power, and organizational conflict. Part Four, which looks at processes in criminal justice organizations, includes four chapters that explore decision making, organizational effectiveness, change and innovation, and research in criminal justice organizations.

In addition to the revised chapters, this edition also provides an introductory vignette that highlights some significant issue or topic in criminal justice administration that the chapter will address. Along with this new opening vignette, each chapter has bulleted learning objectives that students should attain after reading the chapter. At the end of each chapter, *case studies* written from the perspective of either a real or an imagined practitioner in the criminal justice system are provided. These case studies flesh out some point, issue, or concept presented in the chapter. The case studies are supplemented by *case study questions* designed to tease out significant issues found in the case studies. A new addition to each chapter is a section entitled *Think like an Administrator*, along with questions. These new sections provide thought-provoking examples of everyday situations faced by criminal justice administrators. The questions present points of view regarding the issues at hand and how a criminal justice administrator might address the concerns presented. We hope that students and instructors view these sections as illuminating and helpful in comprehending the material presented in the chapters.

Each chapter finishes with new *bulleted summaries, discussion questions,* and a *For Further Reading* section. These materials enable students to grasp significant points and issues presented in the chapter and provide other readings that expand on points raised in the chapter. Students are encouraged to go beyond the introductory views offered in the chapters and expand their horizons through these relevant readings. Terms are defined in the body of each chapter as a way to recognize and learn important concepts being offered in the chapters.

As in the first five editions, citations are found in the body of the chapters, and full references are found in a separate section at the end of the book. A perusal of the reference section can be useful to students who seek to expand their knowledge base because many of these references are the most recent and relevant to criminal justice administrations. We encourage all readers of the book to review these sources.

Our primary purpose in this edition is the same as in the first five editions: We seek to offer a comprehensive and thorough discussion of criminal justice administration through the presentation of theory, the examination of research findings, and the application of ideas to the practices of criminal justice organizations. We hope this integrated approach will provide students with a sound foundation to examine and question criminal justice administration from a number of diverse viewpoints. Such a reflective process will enhance a thorough examination of how criminal justice administration functions in our society, and questions about efficiency, effectiveness, efficacy, and equity within the criminal justice system can begin to be addressed.

NEW TO THIS EDITION

In the sixth edition, we maintain our focus on up-to-date research. But while this text was never meant to be a "how-to" book, we recognize that, for both students and faculty, such information is important to fully understand key concepts and principles. So, in recent editions, there has been an emphasis on including pedagogical tools to assist both instructors and students. We hope these additions will enable the student to comprehend the material and apply the concepts to criminal justice administration.

Key chapter-by-chapter updates in the sixth edition are as follows:

Chapter 1

- New discussion regarding the history of criminal justice administration
- New section "Think like an Administrator"

Chapter 2

- New discussion regarding the budget process for public agencies
- Expanded discussion of informal systems and informal work groups, the potential for unethical behaviors of informal group members, and the importance of executives to impose reasonable controls over organizational members
- New section on "Think like an Administrator"

Chapter 3

- New discussion of the 9/11 terrorist attacks and the resulting changes: creation of the Patriot Act, the Department of Homeland Security, and an increase in airport security
- Expanded section on technology to include consideration of cell phones and smartphones
- New discussion of the budgetary impact on criminal justice agencies resulting from the "great recession" of 2008
- New discussion of the impact of flight from the inner city to suburbs and the normalization of crime in the inner city
- Brief comments on the Mexican drug lords
- New discussion on the development of sex offender laws and the impact of legislators' personal opinions on legislation
- New discussion of the AMBER Alert system as symbolism
- New section on "Think like an Administrator"

Chapter 4

- Expanded introduction
- New addition of the importance of face-to-face communication
- Added consideration of the importance of networking for productivity and innovation and the value of building loose ties or casual relationships in order to develop networks

- New section on interorganizational communication and included in that discussion is a brief overview of Business Partners against Terrorism, a private sector effort to create a communication network with law enforcement
- New section on ethics and organizational communication
- New section on "Think like an Administrator"

Chapter 5
- New section on Public Service Motivation
- New section "Think like an Administrator"

Chapter 6
- New material in the section on the "New Criminal Justice" and job design
- New section "Think like an Administrator"

Chapter 7
- New section "Think like an Administrator"

Chapter 8
- New section "Rights of Criminal Justice Employees"
- New section "Think like an Administrator"

Chapter 9
- Overview of small-group socialization
- New discussion on differing socialization processes among traditional police compared to community police
- Brief comment of socialization and police relationships with news media
- New discussion of a fear and bias toward inmates in a maximum security prison as controlling correctional officers' socialization: a self-fulfilling prophecy at work
- New section on ethics and the socialization process
- New section on "Think like an Administrator"

Chapter 10
- New section "Think like an Administrator"

Chapter 11
- New section "Think like an Administrator"

Chapter 12
- New section on the framework for evidence-based decision making in criminal justice published by the National Institute of Justice in 2010
- New section on ethical decision making
- New section on "Think like an Administrator"

Chapter 13

- Expanded the introduction by adding a real-world example of politically based measures of effectiveness
- New discussion on using quality-of-life indicators as measures of effectiveness
- New section on COMPSTAT, a management tool that imposes responsibility for crime analysis and crime reduction upon district police commanders
- New section on ethics and measuring effectiveness
- New section on "Think like an Administrator"

Chapter 14

- New language in the introduction that links this chapter on organizational change to Chapter 3 on environmental forces
- New discussion on crisis and change and the urgency portrayed as a crisis leading to privatization efforts
- Comments on positive unintended consequences of change on correctional officers
- New section on ethics that discusses the need for executives to build an ethical framework to execute the change process
- New section on "Think like an Administrator"

Chapter 15

- New section "Think like an Administrator"

Each chapter also contains a *Work Perspective* section written by a current or former criminal justice administrator. These sections are meant to bring the chapter alive with the viewpoints of those who work or have worked in the criminal justice system as administrators. The Work Perspectives have been provided by a wide range of people: a former police chief, a prison social worker, an executive director of a federal drugs and gang initiative, the secretary of a department of corrections, a prison warden, and a current investigator for the Equal Employment Opportunity Commission, to mention a few. We hope these Work Perspectives enrich the text and provide the student with a practical perspective that shows integration of theory, research, and practice.

SUPPLEMENTS

Instructor's Companion Website

This book-specific website offers access to instructor resources, including an ***Instructor's Manual***, **Test Bank**, and **PowerPoint Lecture Slides**. The *Instructor's Manual* will help you design your course, including learning objectives, key terms, a detailed chapter outline, a chapter summary, discussion topics, student activities, and a test bank. Each chapter's expanded test bank contains new questions in multiple-choice format as well as offers numerous critical thinking

questions, all with a full answer key. The test bank is also coded to the learning objectives that appear in the main text. In addition, the Microsoft PowerPoint lecture slides for each chapter will assist you with your lecture by providing concept coverage using images, figures, and tables directly from the textbook.

The manual, test bank, and lecture slides are available for download on the password-protected instructor companion website and may also be obtained by e-mailing your local Cengage Learning representative.

Careers in Criminal Justice Website

Available bundled with this text at no additional charge. Featuring self-exploration and profiling activities, the interactive Careers in Criminal Justice website helps students investigate and focus on the criminal justice career choices that are right for them. It includes an interest assessment, video testimonials from career professionals, resume and interview tips, and links for reference.

About the Authors

Stan Stojkovic is dean and professor in the Helen Bader School of Social Welfare at the University of Wisconsin–Milwaukee. He has been teaching, writing, and providing training to criminal justice professionals over the past thirty years. He was co-coordinator of the California Leadership Institute for the California Department of Corrections from 1994–2004. He has published extensively on matters of criminal justice administration and management and has worked with criminal justice agencies around the world.

David Kalinich is school director and professor of the school of criminology/criminal justice at Florida Atlantic University. In addition, he has taught at Michigan State University, Grand Valley State University, and Northern Michigan University. He has published extensively and provided cutting-edge training for jail operations and management and working with mentally ill offenders. He has broad experience in the criminal justice system, working as a probation and parole officer in the state of Ohio and trainer for a number of departments of corrections and local jails.

John Klofas is professor of criminal justice at the Rochester Institute of Technology. He is author and coauthor of numerous articles and books on criminal justice-related topics. His work, *The New Criminal Justice: American Communities and the Changing World of Crime Control,* coauthored with Natalie Kroovand-Hipple and Edmund McGarrell, explores what the "new" criminal justice looks like and its implications for communities. Dr. Klofas is also a former employee with the Massachusetts Department of Corrections.

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We benefited greatly from the expert opinions of our reviewers. The book has benefited from the work of others who are unknown to the authors. We would also like to thank all those criminal justice professionals, both past and present, who provided the Work Perspective sections at short notice; we appreciate their hard work. Finally, we would like to thank our families who supported us with their encouragement: Ilija Stojkovic, Carolyn Kalinich, and Mary Beth Klofas.

Stan Stojkovic (stojkovi@uwm.edu)
David Kalinich (kalinich@fau.edu)
John Klofas (klofas@mail.rit.edu)

Part I

The Nature of Criminal Justice Organizations

Criminal justice organizations (police, prosecution, courts, and corrections) are complex public entities. As you read the chapters in this part of the book, begin to think how you would understand the organization of criminal justice agencies. What is the best way, for example, to structure and manage a police department? Remember, police organizations are numerous in the United States. There are over 16,000 law enforcement agencies across the various levels of government, that is, federal, state, and local. Each one of them represents a constituency with specific expectations.

As you begin to examine these criminal justice organizations consider how you would best organize and manage them given diverse expectations. To begin you would have to consider basic concepts: methods of organization, purposes, complexity, and environment to mention a few. Once you have a basic understanding of criminal justice organizations, you then could elaborate further on how best to structure them. Questions of structure, however, would not precede questions of purposes. So, what do you expect criminal justice organizations to accomplish? Sounds simple? It is not.

Expectations are plentiful for criminal justice organizations. Outcomes, however, may be more challenging to achieve. For some, criminal justice organizations are to "protect and serve," yet for others, the expectation is that this goal is to be pursued within the framework of laws and due process. Some argue that the system should pursue "justice," yet this concept is elusive since no two people can agree on what this actually should be in the criminal justice system. At the end of the day, criminal justice administrators are called upon to pursue some sense of justice, all within the constraints of the law and the general will of the people. Chapter 1 will examine these issues.

Similarly problematic is the concept of structure. Once we agree on expectations and purposes for criminal justice organizations, how do we operationalize them in concrete terms? Chapter 2 examines the concept of structure of criminal justice organizations. Basic ideas are presented, but again, these ideas are always being changed and questioned. In a democracy this is a tedious process but necessary. Chapter 3 explores the environment of criminal justice organizations. Complexity reigns supreme in this analysis, but that is good, since it represents the complexity of expectations and purposes inherent in our society.

CHAPTER 1

Basic Concepts for Understanding Criminal Justice Organizations

LEARNING OBJECTIVES

After reading this chapter, the students will have achieved the following objectives:

- Comprehend criminal justice administration history.
- Understand a definition of an organization.
- Comprehend the concept of management.
- Know the concept of leadership.
- Comprehend the public context of both management and leadership.
- Define and comprehend open-system theory.
- Explain the importance of complex goals for criminal justice administration.
- Know the complex environment of criminal justice administration.
- Understand complex internal constituencies and criminal justice administration.

VIGNETTE

A broad-based movement to improve the quality of services provided in the public sector has been underway for almost thirty years. Yet, as we began the twenty-first century, an even greater call was made to make public agencies more efficient and effective in what they do. Criminal justice organizations were not beyond this call for change and improvement in the delivery of their services. In fact, in many criminal justice organizations, administrators had been asked to tighten their belts and provide more measurable outcomes regarding their activities. It might be said that this began with police agencies in the early 1990s when one large police department—the New York City Police Department, under the leadership of Michael Bratton—decided to guide and inform police decision making by collecting systematic information as a basis for the allocation of scarce resources.

Known as COMPSTAT, this effort was an attempt to utilize information for better decision making and to hold police supervisors accountable for crime in their districts. While this novel approach had its critics, it developed a whole genre of criminal justice administrators who began thinking differently about how they perform their duties and how they would show their constituents that they were serious about crime reduction and could prove it through the use of information and outcome measures. Administrators had started applying systematic information across the criminal justice system and included, for example, using classification and risk-assessment procedures in jails and prisons, case-management systems in courts, the use of integrated data systems in newly evolved drug treatment courts, and the application of basic data-analysis techniques to prosecutorial decision making.

As we experience profound changes in how criminal justice organizations perform their functions, consider how practices and behaviors might change based on employing evidence standards and research information in assessing performance. In addition, think

about how these new standards can potentially change the very nature of criminal justice practices and how criminal justice administrators also will have to change their practices. Will the penchant and desire for more "evidence-based" practices in criminal justice alter how we practice and understand criminal justice administration?

Among the many organizations that touch our lives are those of the criminal justice system. Many Americans will be only indirectly involved in these organizations. They may find themselves fighting a traffic ticket in court or touring the local jail while serving on a grand jury. Other Americans will find themselves in the criminal justice system when they are processed as offenders. Still others will be employees of criminal justice organizations. This book is about the management and administration of those organizations, and the goal of this chapter is to lay a basic foundation from which to study them.

Our ties to organizations differ, as do the size, structure, and purpose of those organizations. The analysis of those differences forms a large part of the research and theory on organizations from which this book draws. Our approach to this material is eclectic. We do not intend either to introduce a new organizational theory as it applies to criminal justice or to reflect any single theoretical perspective in this book. Instead, our goal is to provide an overview of organizational theory and research as it applies to criminal justice.

CRIMINAL JUSTICE ADMINISTRATION: HISTORY

The historian Sam Walker noted back in 1980 that the history of American criminal justice is a visible tension between, on the one hand, the arbitrary and capricious practices of criminal justice officials, and on the other hand, the rule of law. Criminal justice administration as we know it in the beginning of the twenty-first century is much different from that of early America. In fact, criminal justice administration, as evidenced through police agencies, correctional institutions, prosecution offices, and courts, really did not exist until the beginning of the twentieth century (Walker, 1980). The tension that historian Walker describes is revealing and requires further elaboration.

Early administrative practices within criminal justice organizations are best understood as haphazard and uneven. More often than not, criminal justice "officials," those designated to manage criminal justice organizations, were political appointees or stood in favor with local political leaders. They served at the whim of these politicians. The early role of sheriffs, for example, was really not law enforcement per se, but instead was tax collecting and employing the authority of the sovereignty of the king or lord who held land title over the tenant or citizen, at least in England. Those who chose not to pay their taxes or could not pay their taxes faced the justice the sheriff meted out.

The role of the sheriff evolved into something different in America; they were elected and had broad powers to enforce the law. Nevertheless, as elected officials, sheriffs were inextricably linked to political leaders, which has engendered

both good and bad results. Political patronage and poorly run jails were early examples of abuses by sheriffs and others acting in various criminal justice capacities. More often than not, accountability was limited until legislation was created to address abuses. Yet, early difficulties in criminal justice administration were not limited to sheriffs. Similar problems were evident in prisons as they evolved into institutions designed to address growing crime problems in burgeoning cities (Morris and Rothman, 1995; Rothman, 1980).

As a result of scandals and reform movements, the rule of law became the substitute standard over arbitrary and uneven practices as the country moved into the twenty-first century. More and more, legal decisions began to define criminal justice administration as dependent on objective rules and regulations and the adherence to them under the force of law if needed. The history of the twentieth century saw criminal justice administration become more formalized and rule bound, more akin to what we later will describe as the bureaucratization of criminal justice practices, particularly in the second half of the twentieth century (Kelling and Moore, 1983; Walker, 1999).

This reliance on laws, policies, and procedures to manage criminal justice organizations was unprecedented in our history. Again, historian Walker offers us the rubric of law as the standard on which criminal justice administration became assessed, and a new cadre of criminal justice administrators was born in the second half of the twentieth century. That cadre relied heavily on nascent management science and leadership programs to improve the operations of criminal justice organizations. This was most evident in the early 1950s in police organizations and was followed in correctional organizations beginning in the 1970s. Prosecution and court components were different and had developed rules, policies, and procedures consistent with the evolution of the legal profession.

This is not to suggest that arbitrary and capricious practices ended as we became more law oriented and rule bound in criminal justice organizations moving into the twentieth century. On the contrary, the tension described by Walker is a dynamic process or a give-and-take or push-pull between arbitrary actions of criminal justice personnel on the one hand and on the other hand, actions allowed and condoned by law and ultimately best professional practices promoted by criminal justice organizations today, legitimized through professional organizations, such as the International Association of Chiefs of Police and the American Correctional Association. The tension is ever present. So, we have come a long way in evolving into the criminal justice organizations we are today, yet we are constantly challenged by our past and its arbitrary nature and ultimately held accountable through the rule of law, something that is uniquely and distinctively American and not common throughout much of the world.

WHAT IS AN ORGANIZATION?

Organization: An entity defined by structure, purpose, and activity objectives.

This may seem like a straightforward question. We all know when we are part of an **organization**, and criminal justice organizations are no exception. The police officer, the probation officer, and the prison officer are certainly aware

of their organizational attachments. But identifying organizations is not the same as defining them, and an adequate definition of the word *organization* continues to be the subject of debate among scholars (see Hall and Tolbert, 2005).

Definitions of the term *organization* hinge on three important issues: structure, purpose, and activity. The issue of structure was raised by Weber (1947), who first distinguished the corporate group from other forms of social organization. For Weber, the corporate group is marked by limited admission to the group and by a structure that usually involves a leader and a staff. Weber's ideas invite us to think of organizations as bureaucracies—that is, as entities requiring a particular formal structure. In Weber's bureaucratic model, the structure included a rigid hierarchy of offices, a clear division of labor, and formal rules that govern action. Many organizations, however, do not possess a bureaucratic structure. For example, Clynch and Neubauer (1981) point out that trial courts can be viewed as organizations, but they lack the attributes of bureaucracies. Trial courts are relatively autonomous units not closely tied to a larger structure. Their formal rules are often ignored, as demonstrated by the fact that the presumed adversarial nature of the courtroom has often been revealed to be much more cooperative than the rules would suggest.

Barnard dealt with the issue of structure in a way much more consistent with Clynch and Neubauer's view of the courts. His basic definition of an organization is "a system of consciously coordinated activities or forces of two or more persons" (Barnard, 1938:73). Such a definition suggests boundaries but also allows for a variety of organizational structures and makes it clear that courts, public defenders' offices, and other key components of the criminal justice system may be profitably studied as organizations.

Barnard's definition leaves the second issue, that of purpose, open. But other theorists have viewed the pursuit of goals as fundamental to organizations. Etzioni, for example, describes organizations as "social units deliberately constructed and reconstructed to seek specific goals" (1964:3). The question of goals is complicated, however. Although it seems clear that the police, courts, and corrections agencies all have goals, the waters quickly get murky when we try to spell out these goals. The police prevent and solve crimes, but they also maintain due process, reduce community conflicts, and seek to provide a good working environment for officers. Courts may pursue justice but temper that goal with mercy. They may also have retribution, deterrence, humaneness, or equity as goals. Among the goals of corrections organizations are punishment, rehabilitation, maintenance of order, and, perhaps, avoiding publicity. Even profit-making corporations must balance short- and long-run profit goals, quality and quantity concerns, and pollution or environmental interests. We see in the twenty-first century the changing purposes of criminal justice organizations that include new functions, such as those designated for the Department of Homeland Security (see the case study at the end of the chapter). This organization is not a traditional criminal justice organization, but it clearly has connections to the agencies of criminal justice. The threat of terrorism has changed how we understand criminal justice organizations and how they function. Thus, organizations have many goals, and their goals often conflict. It is important to avoid

the oversimplified view of organizations as pursuing a single goal or even a most important goal.

The third issue is whether organizations act or are simply collections of individuals who act. We deal with this question in detail in several of the following chapters. At this time, however, we acknowledge that our view in this book is that organizations do act. In this view, leadership in organizations is more than simply the leadership of individuals. Likewise, socialization in organizations involves not just attitudes and values held by individuals but also an organizational ethos. Decision making, too, is shaped by influences beyond those of individual decision makers.

The three issues discussed here shape the view of organizations that underlies this book. According to that view, organizations require some boundaries and structure but are not limited to rigidly bureaucratic forms. Organizations pursue goals, but those goals are complex, multiple, and often conflicting. Finally, organizations act in that their influence extends beyond that of individual members. For this analysis, then, we may define an organization as a collective that has some identifiable boundaries and internal structures and that engages in activities related to some complex set of goals.

An organization is a fascinating beast. It develops cultures that guide the behaviors of its members as well as of the organization itself. Organizations are rich in politics: bargaining, negotiating, and intimidation by their members in search of resources, power, status, and influence. Members attempt to meet their psychological, emotional, and ego needs within an organization's range of opportunities for challenges and activities. A latent goal of an organization is survival, which usually translates into competition for resources and constant expansion. Organizations are complex and beyond complete understanding; they are surprising because outcomes of decisions are hard to predict; they are deceptive because they camouflage surprises; and they are ambiguous because events are disjointed, complex, and beyond coordination (Bolman and Deal, 1997).

Our focus in this book is on complex, surprising, deceptive, and ambiguous organizations related to criminal justice. Perspectives on criminal justice organizations are particularly unique, compared with other public sector organizations that carry the authority of government, because criminal justice agencies and their members may apply legitimate coercive force to control citizens.

WHAT IS MANAGEMENT?

Management: A process where elements of a group are coordinated, integrated, and utilized to effectively and efficiently achieve organizational objectives.

This, too, seems to be a straightforward question. Like organizations, however, **management** seems easier to identify than to define. The names of managers can be found high on the organizational chart. Their offices may give them away, as do their salaries. But the function of management is not as clear in criminal justice organizations as in many other types of organizations.

Management has been defined as the "process by which the elements of a group are integrated, coordinated, and/or utilized so as to effectively and efficiently achieve organizational objectives" (Carlisle, 1976). In this definition,

management is a process in the sense that it is ongoing; it does not constitute an end in and of itself. Instead, management is directed at attaining organizational goals. We have little trouble with this view as long as the complexity of those goals is appreciated.

This definition, however, ignores the notion of office. It does not say whether management is a function of a specific office or is spread throughout an organization. Usually, we associate management with a particular office or point on the organizational chart. In this book, however, we prefer to view management as a function that may not be the sole responsibility of any one office. Although we recognize that wardens, chiefs of police, and others are managers, we also believe that even frontline police and corrections officers exercise some management responsibility. We have two reasons for holding this view. First, frontline staff supervise others. Whether police are directing citizens at the scene of a crime or corrections officers are controlling the routine of inmates, frontline staff manage people. Their positions are at the bottom of the organizational hierarchy, although their work requires that they manage many people in difficult situations.

Lipsky (1980) discusses a second reason for viewing the management function as not limited to particular offices. He argues that frontline staff in street-level bureaucracies, which include most of those working in criminal justice, determine organizational policy. They do so because the nature of their work requires that they exercise a great deal of discretion, and the collective use of that discretion reveals organizational policy. In these street-level bureaucracies, then, it may be productive at times to consider the hierarchy as inverted. Frontline staff may exercise considerable power in influencing the direction of the organization.

Management of organizations, thus, is not the sole province of executives. It is best thought of as only the process by which organizational members are directed toward organizational goals. This view of management suggests that many workers in criminal justice influence the direction of their organizations and that, consequently, the study of management is important to anyone interested in criminal justice.

As Hall and Tolbert (2005) warn, "Discussions of definitions can be quite deadly." Still, some appreciation of the complexity of the terms *organization* and *management* is necessary for understanding this book. Organizational theory also provides several other concepts that are central to understanding administration and management in criminal justice. We discuss them in the following sections.

WHAT IS LEADERSHIP?

Leadership "refers to a process that helps direct and mobilize people and their ideas" (Kotter, 1990). Leadership is tribal in nature (Dupree, 1989) and focuses on an organization's symbols, rituals, and culture. By contrast, managers create, maintain, protect, and perpetuate systems. They focus on planning and budgeting, setting short-term goals, and developing procedures to reach those goals. Moreover, managers concern themselves with developing organizational

Leadership: A process that helps to direct and mobilize people and their ideas, with an emphasis on the creation of a vision and inspiring people.

structures, implementing controls, and problem solving. In that context, management sciences create and perpetuate the mythology of achieving rationality in organizations based on goals, rules and regulations, and control. Leaders establish direction by developing a vision of the future, align people through shared values and vision, and motivate and inspire people to move them toward the shared vision (Kotter, 1990). Leaders challenge existing processes and systems, focus on the future of the tribe, and immerse themselves in the culture of their organization. They also challenge basic assumptions, values, and beliefs, and they identify and alter organizational principles to create the basis for structural or programmatic change. Leaders manipulate and evoke symbols to create change and practice the art of statesmanship. Planning documents usually gather dust in organizations that lack leadership.

Leaders are primarily concerned with motivating organizational members and enabling them to act by creating a shared vision: "a realistic, attractive, credible future for your organization" (Nanus, 1992:8). Kotter suggests that leaders motivate by "the articulation of a vision that stress[es] the values of the audience being addressed … involving people in deciding how to achieve that vision … enlisting the enthusiastic support of their efforts at achieving that vision … and the public recognition and rewarding of all their successes" (1990:63). Stojkovic and Farkas (2003) view correctional leadership as fundamentally linked to the creation and perpetuation of a specific set of values that underlie an organizational culture.

The impact of leadership on an organization is crucial to its long-term capability to function effectively and meet anticipated changing environmental demands. This is an area in which leadership in criminal justice is often lacking. Prison and jail overcrowding, along with the increasing numbers of geriatric, mentally ill, and other problematic inmates are issues most practicing professionals foresaw.

However, it took court intervention combined with crisis-level manifestation of such problems before they were actively addressed. The vision was apparent, but leadership to act and move the organizations to prepare for obvious future environmental demands did not exist. Conversely, law enforcement leadership did foresee a needed change in police services so that, to some extent, a move from traditional to community policing has taken place.

The criminal justice system has a well-established history of creating a cadre of managers whose experience and subsequent socialization have trained them to work heroically to protect their existing systems and culture from intrusion, outsiders, and environmental forces. Criminal justice managers have assumed and struggled to behave as if they were working in a closed system. Leadership, however, requires an explicit understanding that work be accomplished in a dynamic world within an open system that anticipates changing environments and prepares for future demands. Moreover, the criminal justice environment is becoming more complex, and other agencies and functions also are important to criminal justice organizations. In the words of Jeffrey Luke (1998), the public world, in which criminal justice managers and leaders function, is becoming increasingly interconnected and no longer can effective leadership be connected to one organization. The twenty-first-century criminal justice leader confronts issues of mental illness, school truancy, and substance abuse on a daily basis.

Being interconnected to other social service and private agencies is essential to effective leadership across the components of the criminal justice system. (See Chapter 7 for a further discussion of this issue.)

What Is Management and Leadership in the Public Sector?

Too often, discussions regarding management and leadership within criminal justice organizations miss out on the importance of the **public sector** context and how it shapes both criminal justice management and leadership. What constraints are imposed on criminal justice managers and leaders as public entities? Some would argue that management and leadership constraints are significant but not debilitating because criminal justice organizations are public agencies (Rainey, 2014). Nevertheless, the challenges are ever present and should be noted.

Public sector: The context within which criminal justice administrators function.

To begin, criminal justice administrators must deal with civil service protections and obligations as well as expectations due to their public status designation. Wilson (2000) states that public bureaucracies, like criminal justice agencies, must adhere to the principles of accountability, efficiency, fiscal integrity, and equity. These principles are imposed through various legislative actions and laws. They develop expectations on how public entities are to perform their functions. In some cases, the laws are difficult to work with as criminal justice administrators. It is often said, for example, that to discipline or remove a public employee is nearly impossible or overly cumbersome and difficult. Public employees have too many protections or, at least minimally, the protections afforded public employees make it overly burdensome and time consuming to effectively manage and lead. We differ with this interpretation, as we explain in other chapters in this book. Subsequent chapters will show how effective criminal justice administration can be accomplished even within the constraints that a civil service system might impose on criminal justice administrators. Nobody said that criminal justice administration would be easy. As administrators, we have to respond to changes mandated through the legislatures and the courts. At one level, we are simply responding to the legislative inconsistencies of political leaders. There is much to be said about civil service rules that reflect the inconsistencies of the legislative process; nevertheless, as criminal justice administrators, we must deal with them on a daily basis (Wilson, 2000).

Another concern regards unions. Public employee unions are a problem for criminal justice administrators as well. Unions representing police and correctional personnel have fought hard over the years to receive good pay and benefits packages. Some contend that the pay and benefits are above private sector pay and benefits and taxpayers will be burdened for many years to come with pensions and health care insurance costs. This perception may not be totally accurate, but it is held by those who perpetuate a view that criminal justice management and leadership are hamstrung by union contracts and their concomitant protections. In fact, the governor of the state of Wisconsin has worked with the legislature to strip public employees of their collective bargaining rights. This will be a trend in the years to come as states attempt to grapple with limited resources. It will have profound implications for criminal justice administrators, but will it necessarily make criminal justice management and leadership better or worse? This is a difficult question to answer.

The question remains as to what can be reasonably accomplished by criminal justice administrators as managers and leaders as they operate through a maze of public rules and regulations and union contracts that could be perceived as inhibiting and antithetical to effective management and leadership. For criminal justice administrators, managing and leading in the public sector have always been challenging and often as cumbersome and difficult as apprehending offenders, prosecuting them, and imposing some sanction on them. At the end of the day, we still have to manage and lead criminal justice organizations.

OPEN-SYSTEM THEORY

In the past, many students of organizations have focused exclusively on what took place inside the organizations they studied. Perhaps the model of that approach is found in the work of Frederick Taylor (1919, 1947). As we will see in later chapters, one of Taylor's chief concerns was with increasing the efficiency of work through job design. Such an orientation ignored many variables outside the workplace that could influence the efficiency of labor. Taylor's orientation reflects a closed-system view, in which organizations are regarded as self-contained and unresponsive to their environments. For a closed-system organization, the factors in the environment are unchanging constants.

Such an approach to analyzing organizations has some appeal in the sense that it reassures us that relevant variables are clear, easily understood, and controllable. The model has its origins in systems theory, the view found in biology, mechanics, and other fields, and assumes that complex entities are composed of interrelated parts. Thus, as closed systems, organizations are composed of elements that are all related to one another. In this view, communication follows the lines of hierarchy, power and authority are a function of the office, and change is slow and directed by management.

Although this approach to analyzing organizations may be adequate in some circumstances, it is now seen as too simplistic. In criminal justice, for example, a closed-system analysis would suggest that the causes of a prison riot could be found only in administrative practices and procedures, types of inmates, and other such internal variables. Clearly, however, the 1971 riot in New York's Attica prison cannot be explained without reference to the political climate of the times. Likewise, the prison riots of the middle and late 1980s cannot be understood without reference to conservative criminal justice policies and the resulting overcrowding in prisons. Moreover, the country and the world are more concerned than ever before about the threat that terrorist organizations pose to free societies. The reality is that the world is much more complex and much more dangerous. Criminal justice efforts must now be understood within the context of a turbulent world that impacts criminal justice agencies directly.

Eisenstein, Flemming, and Nardulli (1988) revealed the limitations of closed-system views of criminal justice organizations in their study of trial courts. Critical of the view that the courts can be understood as simply applying the law, these authors concluded that the great differences they found in nine criminal

courts could not be understood by focusing on only the legal aspects of the courts. They suggest that the metaphor for the courts as communities is productive. This view recognizes differences in the extent of prosecution–police interaction, political relationships of judges, and approaches to plea bargaining, among other factors. These differences originate in the community context and the environment of the courts, and they influence both the process and the product of the legal system.

The community analogy suggests the usefulness of an open-system view of the courts. This is also called **open-system theory** and is an approach to understanding organizations as being influenced by their environments. In this framework for analysis, organizations are viewed as constantly interacting with their environments. In business, for example, profitability fluctuates with the availability of raw materials, consumer interests, and even taxes, tariffs, and the value of the dollar relative to foreign currency. In criminal justice, isolated heinous offenses have led to major changes in legislation and policing practices. Public conservatism has led to tougher sentences, which in turn have caused prison and jail crowding and increased prisoner violence. The influence of the environment need not be so dramatic, however. State laws permitting unionization of public employees have had tremendous effects in criminal justice. Even changes in local economies have affected the number and qualifications of applicants for police and corrections jobs.

Open-system theory: An approach to understanding organizations as being influenced by their environments.

In their social–psychological analysis, Katz and Kahn (1978) describe organizations as open systems characterized by inputs from the environment, throughput (the process of changing those inputs), and outputs (the product or service of an organization). They point out that this simple model offers some advantages over closed-system analyses. First, it highlights the importance of studying organization–environment relations. Second, because the organization cannot be equally open to everything in the environment, it highlights the need to study the selection process. For example, how are job descriptions determined? What makes some constraints on decisions more important than others? How are criteria for measuring effectiveness determined? Finally, the open-system approach indicates we should also study how organizations affect their environments. It permits us to see that organizations are not necessarily passive. For example, high-profile crime-control efforts that reassure the public may lead to increased police budgets. In some states, corrections officials have used the threat of releasing prisoners to obtain support for prison construction. Community treatment programs have been closed because they have negatively affected their environments through high recidivism rates or notorious offenses by their clients.

COMPLEX GOALS

We first discussed the question of organizational goals in our effort to define the term *organization*. The point is important enough, however, to risk redundancy here. The organizations of the criminal justice system have multiple and conflicting **complex goals**. Here, we will deal with the consequences of this complexity.

Complex goals: A situation in which an organization faces many competing and conflicting purposes.

The implications of having multiple and conflicting goals were first spelled out in a classic work by Simon (1964). To be successful, organizations must endeavor to meet all their goals. For example, profit-making firms must meet production goals, quality goals, environmental protection goals, and many others. Simon pointed out, however, that the pursuit of all these goals impinges on the degree of goal attainment. Borrowing from the field of mathematics, Simon used the notion of a Pareto-optimal solution, in which everyone benefits (though not equally), to show that organizations inevitably seek satisfactory levels of attainment of several goals simultaneously rather than attempt to maximize the attainment of each goal.

Goals thus not only provide direction but also serve as constraints or limits (Wilson, 2000). For example, a manufacturing firm has both production and sales goals. For the sales force, production goals limit the quantity of items they can sell; for production workers, sales goals may set limits on the quantity of items they can produce. In criminal justice, the police may strive to control crime, but due process goals constrain their effectiveness. Likewise, prosecutors may seek justice through rigorous prosecutions, but they are limited by the goal of not having crowded dockets. Plea bargaining may represent the Pareto-optimal solution to these multiple and conflicting goals in the prosecutor's office.

Although complex and conflicting goals may thus serve as constraints, they need not be viewed in negative terms. For example, the limitations that due process requirements put on police powers are fundamental to our freedoms. Wright (1981) argues that goal conflict is in fact desirable and that a unified criminal justice system with consensus about goals would be undesirable. Goal conflict, according to Wright, limits the expression of diverse viewpoints and provides for the mediation of interests so that no single perspective dominates. Goal conflict may also promote efficiency in offender processing by enhancing the adaptability of the system.

COMPLEX ENVIRONMENT

Complex environment: A situation in which an organization faces many competing and conflicting demands from turbulent external sources.

Some researchers have attempted to specify how environments impinge on different types of organizations. A **complex environment** is a situation in which an organization faces many competing and conflicting demands from turbulent external sources. For example, Lipsky (1980) argues that the conflicting goals of human service organizations are the result of unresolved disagreements in society at large. The police, too, will always be subject to criticism as they pursue both crime control and due process because the public cannot agree on what goal or what balance of goals is appropriate.

Walmsley and Zald (1973) agree with Lipsky that public organizations absorb conflict from their environment. They also describe other effects of the environment on public organizations. They argue that because the productivity of public organizations, such as the police or prisons, is difficult to measure, the structure of those organizations is more closely tied to public beliefs about what the organizations should do than to what goes on in those organizations.

For example, the public view is that prisons should attempt to rehabilitate offenders. Prisons, therefore, maintain elaborate treatment divisions despite the fact that the staff members of those divisions are engaged primarily in security functions, such as classification and discipline. Likewise, Duffee (1986:65) points out that the modern police department continues to be organized along paramilitary lines that were instituted when police were first organized to put down labor unrest and protect the wealthy. The structure of the courts, too, more closely reflects beliefs about what they should do than what they actually do. Their rigid structure is a reflection of faith in the adversarial process, but it is widely acknowledged that the courts function in a more collegial than adversarial way.

Walmsley and Zald (1973) also point out that not only is organizational structure affected by the environment but the environment also affects the way these public organizations are evaluated. First, clients are not the legitimizers of these organizations, so service delivery may not be rewarded. For example, prisoners are not viewed as legitimate evaluators of their prisons. Second, because the marketplace does not determine the value of public organizations, they are generally evaluated on the importance of their mission rather than on the results they achieve. The enforcement of laws and the dispensing of justice are seen as important missions. Police and courts, therefore, are valued despite difficulties in measuring productivity. But the value placed on these organizations may diminish if public views change, even though the organizations' effectiveness does not change.

COMPLEX INTERNAL CONSTITUENCIES

Our discussion of basic concepts for this book must include one additional subject. One way to look at organizations is to consider them as arenas in which struggles for power occur (Hall and Tolbert, 2005). Perhaps the most obvious examples are workers' struggles for increased wages and better working conditions. Although the external environment of organizations is complex, also relevant to organizational form and function are **complex internal constituencies**, situations in which criminal justice organizations have multiple and conflicting internal personnel, each striving to achieve their own interests and objectives.

Complex internal constituencies: A situation in which criminal justice organizations have multiple and conflicting internal personnel, each striving to achieve their own interests and objectives.

Criminal justice literature is only beginning to acknowledge the potency of these internal groups. As noted, clients often are not the legitimizers of criminal justice organizations. They cannot, however, be regarded as wholly insignificant. The prisoners' rights movement clearly illustrates the point that even inmates can dramatically influence prisons. Although these changes also have involved powerful external groups, inmates clearly exercise some power not only through their individual lawsuits but also well beyond court mandates. As a result of litigation, prisons have become more bureaucratized, prison staff have become more demoralized, and a strong movement to establish prison standards has begun (Jacobs, 1983b:86).

Internal constituencies are clearly not limited to clients. They may include groups of employees who come to pursue a distinct set of interests. Departmental legal counsel and budget managers, for example, set requirements that constrain

organizations. Likewise, groups, such as court stenographers and secretaries, have special goals. In fact, the most significant internal constituency in many criminal justice organizations today may be the workforce. Through traditional grievance mechanisms and now through collective bargaining, labor is having an increasingly significant effect. The public employee unionization movement of the 1960s paved the way for organized labor in corrections and more recently in policing. Unionization has dramatically changed the role of management and has influenced everything from job and shift assignments to occupational safety. In some prisons, guards and prisoners have even united to call for better and safer institutions (Jacobs, 1978). Yet, in the beginning of the twenty-first century, we have seen a retrenchment in public unions and their influence in criminal justice organizations.

Work Perspective: BEING A PROSECUTOR IN THE TWENTY-FIRST CENTURY

In an article titled "The American Prosecutor in Historical Context," Joan Jacoby states the following:

> The American prosecutor enjoys independence and a wealth of discretionary power unmatched in the world. With few exceptions, the prosecutor is a locally elected official and the chief law enforcement official of the community. The American prosecutor represents a local jurisdiction, and his or her office is endowed with unreviewable discretionary authority. Nowhere else in the world does this combination of features define prosecution.

The unique combination of powers just described carries with it the obligation and duty to use that authority in a principled and restrained manner that serves the interest of the community and upholds the core values of the institution, which include but are not limited to public safety, fairness, respect for the rights of victims, respect for the rights of people accused of crimes, respect for the law, compassionate discretion, and appreciation for differences in responsibility across jurisdictions.

My beliefs are reflected in a national discussion centered on the role of the prosecutor. The American Bar Association Standards Committee is engaged in modifying the model ethics code and includes statements related to the prosecutor's role, such as the following: *"The prosecutor is not merely a case-processor but also a problem solver.... The prosecutor's office should seek to reform and improve the administration of criminal justice.... The prosecutor's office should be available to assist other groups in the law enforcement community and the community at large...."* These are affirmative obligations that center the role of the prosecutor in relation to the community at large.

Inherent in the discussion is the recognition that significant levels of disconnect exist between criminal justice system goals and the community they serve. I believe that the separation can be closed when prosecutors' offices become directly engaged in the community by placing prosecutors and victim advocates in the neighborhoods most impacted by crime to proactively address the numerous factors that generate crime. The concept is similar to what has been learned through hard experience in low-intensity conflicts. To achieve success requires meaningful engagement to identify the people committing crime in neighborhoods without alienating the much larger population of law-abiding citizens. By building bridges of trust, we obtain timely information that allows us to identify and isolate the negative influences, remove them from the community, and then stabilize the neighborhood.

We also must evolve the way we process people in the system with a unified vision of what we do with offenders, from first police contact to reentry from prison. I often characterize this process as moving from an "offense"-based system to an "offender/victim"-based system. The former only looks at the facts in the context of what can be proven and places the offender in a scale of priority based on prior record and then sends the person through a series of court-centered events. The second system tries to use all the information available to system actors to ask who the offender is, what is his or her risk to the community, why is he/she committing crimes, and what is the best way to

WORK PERSPECTIVE—continued

stop that behavior and prevent future crimes while repairing the harm to the victim and community.

I participate in the Milwaukee County Community Justice Council, which consists of the elected and appointed public safety officials in the county. We recently received a National Institute of Corrections grant to develop an Evidence-Based Decision Making (EBDM) framework for our justice system. Eric Cadora of the Justice Mapping Center recently mapped state corrections spending in Milwaukee for one year, and he estimates that we spend $200 million for correctional services that are concentrated in two aldermanic districts on the north side of the city. These are the same areas of Milwaukee with the highest density of crime, poverty, and social dysfunction. What if we developed, at the local level, through EBDM, a system that stopped the cycles of repeat incarceration, saved lives and dollars in the process, and reinvested the savings from corrections into programs we think could prevent and effectively interrupt chronic lives of crime?

Milwaukee's public safety services are confronted with enormous fiscal constraints and undiminished demands for service. The corrections budget in the state is the fourth-largest annual expenditure of state revenue, and it has historically high rates of recidivism. We cannot survive as an effective resource of community stability if we do not do a better job preventing crime and intelligently intervening in habitual criminal behavior if we continue to rely on jail and prison as a default response. The way forward requires close collaboration between system actors informed by rigorous academic data from the social sciences.

SOURCE: John Chisholm, District Attorney

SUMMARY

Understand a definition of an organization.

- Organizations are structured along three dimensions: structure, purpose, and activity.

Comprehend the concept of management.

- Organizations are managed through a process, but management functions are not limited to a specific office within an organization.

Know the concept of leadership.

- Organizations are led through vision, motivation, and inspiration.

Comprehend the public context of both management and leadership.

- Criminal justice organizations operate within the context of a public status and are constrained and directed, in part, by civil service protections and union contracts. Criminal justice management and leadership must be aware of this public context in order to be effective.

Define and comprehend open-system theory.

- Criminal justice organizations both affect and are affected by key elements of their environments. Unlike closed-system theory, which emphasizes key operational components of an organization, open-system theory hypothesizes that criminal justice organizations are malleable and influenced differentially by elements of the environment.

Explain the importance of complex goals to criminal justice administration.

- Criminal justice organizations have many goals and many compete with one another for limited resources.

Know the complex environment of criminal justice administration.

- Criminal justice agencies have varied and complex environments that make criminal justice administration more complex. Criminal justice organizations are evaluated, in part, by the perceptions of what various environments expect of them.

Understand complex internal constituencies and criminal justice administration.

- Criminal justice organizations are influenced by many internal groups, such as line personnel, support staff, and others who perform the work. These internal groups have become more powerful over the years, but their power is now being challenged due to budgetary concerns.

Case Study: THE DEPARTMENT OF HOMELAND SECURITY

Subsequent to the terrorist attacks on September 11, 2001, the U.S. Congress created the Department of Homeland Security. The mission of this department is "to protect the American people and their homeland." As a brand-new bureaucracy on the American landscape in the twenty-first century, the Department of Homeland Security represents over 87,000 different jurisdictions at the federal, state, and local levels of government. The fiscal year 2014 budget request was $39 billion, seeking financial support for a number of key administrative and operational activities. For the first time in the country's history, an organization of government has been directed toward a national mission of protecting citizens against terrorist attacks, securing and managing the borders, enforcing and administering immigration laws, safeguarding and securing cyberspace, responding to natural disasters, and providing support to national and economic security entities. The central activity of the Department of Homeland Security is the coordination of dozens of directorates and components that involve thousands of employees with annual budgets in the billions of dollars.

Given the enormity of this structure and the diverse and varied populations and constituents that it serves, it is easy to see that the Department of Homeland Security has both complex internal and external environments. In addition, the constituencies served by such an organization represent virtually every citizen in the country and an infinite number of public and private organizational interests. It is only through efficient organization that the Department of Homeland Security can realize its mission; its mission and operations are often difficult to discern. How, for example, do the activities of the Department of Homeland Security conflict with the activities of other governmental agencies?

The Department of Homeland Security houses, for example, the U.S. Secret Service, traditionally a federal law enforcement agency administered by the U.S. Treasury. How does the mission of the Department of Homeland Security alter the historic mission of the U.S. Secret Service to investigate claims of counterfeiting and the protection of personnel designated by Congress? This is not to suggest that changing the mission is undesirable or not possible, but from a criminal justice administration perspective, how does a change in mission alter structure and constituencies such that ways of management and administration are no longer sufficient? More fundamentally, is the Department of Homeland Security really a criminal justice organization, and if so, how does it interface and interact with other criminal justice organizations whose missions are equally varied?

These questions are being directed toward the operations of police agencies, but how has the Department of Homeland Security altered the missions and operations of

CASE STUDY—continued

our courts and correctional agencies as well? How does the national mission of the Department of Homeland Security redirect resources otherwise used by state and local criminal justice agencies to combat crime? It is the answers to these questions that make criminal justice administration and management problematic and difficult.

The test for criminal justice administrators and managers in the twenty-first century will be how well they address the changes in their missions, purposes, and operations due to changing environments. The national mission of the Department of Homeland Security, to protect citizens against terrorist attacks, has forced new thinking about what roles, if any, criminal justice agencies have in achieving this mission. For the criminal justice administrator and manager, the twenty-first-century world is a more complex environment when compared to the twentieth century. Traditional ways of doing business will be constantly questioned as goals and environments change and outpace the technology and resources available to criminal justice administrators. The evolving responses of criminal justice administrators and managers to these changing and varied environments will continue to define the contours of criminal justice administration into the twenty-first century.

CASE STUDY QUESTIONS

1. What do you see as central problems with the creation of the Department of Homeland Security vis-à-vis criminal justice organizations?
2. How does the creation of a Department of Homeland Security affect resources traditionally designated for local criminal justice organizations?
3. What are the due process protection questions in light of the creation of the Department of Homeland Security?

Think like an Administrator

As a judge, you have to consider multiple constituencies when you are deciding a criminal penalty to impose on a convicted offender. A particular case has numerous reports and facts, but beyond the facts and reports are other considerations. Take, for example, the many constituent groups that are looking to you as the person who will make justice happen. This is a tall order, one in which these groups have differing expectations of you. In addition, you must be concerned about what type of precedent you might set as you issue a decision in a particular case. How will the sentence comport with previous decisions in similar cases? How could the decision be misconstrued by both those in the community and those who work in the courtroom and the criminal justice system? Consider the courtroom work group as part of the court organization. Place yourself in the position of being the chief judge in your community court system.

As chief judge, you spend most of your time "administering" the court system. What does this involve? It may include all or some of the following: you operationalize the work rotation schedules for judges (what judge goes in what division, i.e., criminal, civil, family, probate, and so forth); you finalize the budget of the court; you address and manage personnel issues associated with employees in the court; you provide public access to the court; you represent the court at community events; and you are typically responsible for producing reports to a higher court that supervises your court. This list may be

THINK LIKE AN ADMINISTRATOR—continued

different for different courts. Yet, at the end of the day, you manage the court. Without you and others, the court would not function.

These activities are visible elements of the formal processing of the court, but let's get back to the courtroom work group mentioned earlier and criminal sentencing. We will see later in the book that courts as organizations are made up of defense attorneys, prosecutors, pretrial groups, such as treatment providers and witness advocates, civilian personnel such as court reporters, and sworn personnel such as deputy sheriffs who serve as bailiffs. This is known as a courtroom work group. How does a chief judge manage the expectations of a courtroom work group if a judge or a number of judges hands down sentences that are not within the accepted norm for a particular crime or crimes? This norm evolves among the many actors in the court system through a series of negotiation and deliberations over many years to define and put into place criminal sentences that meet their expectations of what justice is in any particular case. What seems obvious is that the courtroom work group has influence on how judges sentence and that on some occasions, the sentence may be seen by those who are not part of the courtroom work group to be unfair and not serving justice.

1. Should the expectations of a courtroom work group even matter in determining a criminal sentence? Are they a constituency group, just like other constituency groups that may influence the court?
2. Is the meeting of the expectations of the courtroom work group the basis for plea bargaining and repulsion by some who abhor this practice, even though it is both legal and well ensconced in the practices of courts across the land?
3. What should a chief judge think about as an administrator of a court system that has so many complex and conflicting constituencies?

FOR DISCUSSION

1. Using the concepts discussed in this chapter, describe your local probation department. What is its structure? What management functions are performed and by whom?
2. Discuss the goals of a victim–witness program. In what ways are they complex or conflicting? In what ways do some goals serve as constraints?
3. Using both a closed-system and an open-system analytical framework, describe your local jail. How might these frameworks lead to different views of the jail's effectiveness or of the causes of jail violence?
4. Discuss the potential problems in the interface between the Department of Homeland Security and a criminal justice organization. In light of the range of functions associated with the Department of Homeland Security, what internal and external constituencies are powerful?

FOR FURTHER READING

Eisenstein, J., Flemming, R., and Nardulli, P. *The Contours of Justice: Communities and Their Courts*. Boston: Little, Brown, 1988.

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Langworthy, R. *The Structure of Police Organizations*. New York: Praeger, 1986.

Luke, Jeffrey S. *Catalytic Leadership: Strategies for an Interconnected World*. San Francisco: Jossey-Bass, 1998.

National Research Council. Strengthening the National Institute of Justice. Committee on Assessing the Research Program of the National Institute of Justice. Charles E. Wellford, Betty Chemers, and Julie A. Schuck, Eds. Washington, DC: The National Academies Press, 2010.

The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States. Washington, DC: General Accounting Office, 2004.

CHAPTER 2

Structure of Criminal Justice Organizations

LEARNING OBJECTIVES

After reading this chapter, the students will have achieved the following objectives:

- Define three major differences between the open system and the closed system.
- Define hierarchical and organic.
- Define the major differences between centralized and decentralized organizations.
- Define organizational mission, policy, and procedure.
- Understand the basics of agency budgeting.
- Understand the difference between a formal and an informal structure of an organization.
- Understand the administration's role in promoting agency ethics.
- Understand agencies through the four-frames perspective.

VIGNETTE

I am proposing Rule #1 of public organizations: *Large organizations will gradually increase the size and complexity of their administrative cadre at a rate faster than the ranks of their production workers and become increasingly bureaucratic and rule bound in the process.* In fact, the size of the work force may decrease, while the size of the administrative cadre increases. Students reading this vignette are most likely seniors or graduate students. During the four or five years they have spent at their respective universities, they have probably witnessed the growth of the number of vice presidents, assistant vice president, deans, associate deans, and assistant coaches as well as administrative assistants and secretaries for all of the new vice presidents, assistant vice presidents, deans, and so forth. You have witnessed, for example, the establishment of vice president or dean positions for graduate studies, and undergraduate studies, strategic planning, enrollment management, advising, student affairs, and on the list goes. It is also likely that while students witnessed their colleges' administrative ranks expand, vacant faculty positions are often left unfilled and the number of part-time faculty, who teach at a much lower pay rate and fill the void left by faculty position vacancies, increases.

The slippery slope to Rule #1 is usually a good faith commitment to accountability. Accountability simply means accounting for time spent by staff determining if the time spent by staff lead to achieving the agency's goals and objectives. However, accountability becomes a mechanism for control. A valid and reliable system of accountability is elusive and can lead to unintended consequences. Hence, agencies tend to measure items that are easy to measure and require that routine activities be recorded. Agencies

impose audits to see if routine activities are taking place routinely. If one conforms and follows the script written by a rule-bound bureaucracy, he or she will have a successful career. This guarantees that Rule #1 for organizations will prevail because rules and regulations will increase and staff numbers similarly will increase to oversee conformity to rules and regulations.

Rule #1 applies to private large corporations that do not face competition as well as to public agencies. Further, the expansion of administrative ranks happens as a natural consequence of delegating work to subordinate administrators who, in turn, lobby for assistants to whom they can delegate administrative work such as recording, communicating, and linking.

The expansion of the management and administrative staff I have been complaining about is probably not really necessary. However, they will always be busy, overworked, and asking for more resources to get their job done. How does that happen? According to C. Northcote Parkinson (1955), in public bureaucracies, "Work expands so as to fill the time available for its completion." Parkinson elucidated this theory of public bureaucracies, referred to as *Parkinson's Law* in an article in 1955. Moreover, in 1957, he published a book called *Parkinson's Law*, in which he argued from his historical observation of England's civil service and military that what I call Rule #1 of Public Organizations is an empirically reality. Moreover, Anthony Downs (1967), in his classic study of bureaucracies, also discusses the rigidity cycle in which administrators, fearing loss of control, continue to add rules and regulations and reporting requirements, hence shifting increasing resources to administrative ranks and making the organization increasingly bureaucratic and rule bound.

OVERVIEW OF ORGANIZATIONAL STRUCTURE

Organizations have a formal structure and an informal structure, a phenomenon that was recognized by Chester Barnard in the 1930s: "Formal organizations arise out of and are necessary to **informal organizations**; but when they come into operation, they create and require informal organizations" (1938). Keeping Barnard's broad perspective in mind, our criminal justice administration book examines the forces that impact criminal justice organizations and develops the informal side of those organizations. It is important, therefore, to review the formal structure of organizations here to set the stage for the following chapters. This chapter examines the basic structures and dimensions of organizations and describes the logic of various structural configurations that can be implemented by agencies. In addition, the chapter reviews the basic concepts of organizational **mission**, **policies**, **procedures**, and practices and briefly introduces the informal side of organizations. The chapter also provides a brief discussion on the budgeting process for public agencies. Throughout the chapter, we apply the concepts of organizational structure to criminal justice agencies. The structure of an organization provides a framework within which its members carry out

Informal organizations: The unofficial goals, activities, communication networks, beliefs, and leadership that emerge within a formal organization.

Mission: Agencies' purpose and overriding objectives and goals. Provides agency principles and values—the prescribed basis for ethical decision making—and serves as the agencies' anchor.

Policies: Based on the mission, providing a statement of purpose for agency units. What a subunit is supposed to do.

Procedures: Step-by-step directions on how a policy is to be carried out.

their prescribed activities that collectively will cause the organization to achieve its purpose. The framework is composed of the organization's mission, policies, and procedures and a **hierarchy/chain of command** of authority to direct members in the pursuit of its purpose. The formal structure creates formal roles and relationships, divides labor and allocates responsibility, and promotes rules and a hierarchy of authority to coordinate activities (Bolman and Deal, 2003).

Hierarchy/chain of command: The structure of authority and positions. In a police department, the chief sits at the top of the hierarchy and is highest in the chain of command. Patrol officers sit at the lowest level of the hierarchy and are at the end of the chain of command.

Criminal justice organizations vary greatly in their size and structure. The vast majority of these agencies in the United States is relatively small and serves suburban and rural communities. For example, 71 percent of jails in the United States are relatively small, housing fewer than 150 inmates or less. At the other extreme, about 9 percent of the nation's jails house almost half of all jail inmates (National Institute of Justice [NIJ], 2001:3). The largest jails are New York City's Riker's Island, Chicago's Cook County Jail, Los Angeles County's multiple complexes, and Houston's Harris County Jail (NIJ, 2001). Adult correctional systems obviously vary greatly in size. The Federal Bureau of Prisons manages a prison system that extends across the country. Within systems, institutions vary dramatically in size. In Michigan, for example, the prison system comprises one prison, constructed in the 1880s, which houses more than 6,000 inmates, along with institutions with population capacities of 500 or fewer, and a number of camps that hold fewer than 100 inmates.

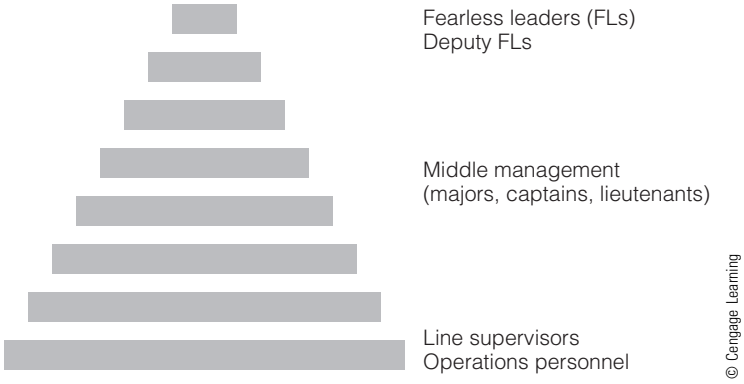
Law enforcement agencies across the nation also vary dramatically in the size and scope of their mission. In 2003, a number of federal agencies were placed under the jurisdiction of the Department of Homeland Security. The Department of Homeland Security now has authority over the Federal Law Enforcement Training Center, the Transportation Security Administration (TSA), U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the U.S. Secret Service. Homeland Security also subsumes authority over ten other federal agencies—such as the Federal Emergency Management Agency (FEMA)—that are not specifically law enforcement agencies. The U.S. Department of Justice includes fifty-nine federal agencies, eight of which are law enforcement specific and include the Office of Attorney General, the Bureau of Alcohol, Tobacco, and Firearms, the Federal Bureau of Investigation, the Federal Bureau of Prisons, the U.S. Drug Enforcement Administration, the U.S. Marshals Service, Interpol, and the U.S. National Central Bureau. The Department of the Interior, whose mission is to protect the nation's natural resources, has authority over the Fish and Wildlife Service, the National Park Service, and the U.S. Park Police. Most law enforcement agencies, however, fall within state and local jurisdictions. "Big city" police departments are, by the nature of their jurisdictions, comparatively large. The New York City Police Department has more than 44,000 employees, with the majority, more than 36,000, sworn law enforcement officers. At the other extreme are 13,580 municipal police departments and 3,100 sheriff's departments. Many small agencies have just one full-time sworn police officer or are composed solely of part-time officers (Schmalleger, 2007). Always forgotten in criminal justice studies is the law enforcement branch of the Environmental Protection Agency (EPA). The EPA was created in 1970 by merging a number of the Federal Government's

environmental protection agencies into one with the "Clean Air Act." The Mission of the EPA is to protect human health and the environment. The EPA provides research, monitoring, standard-setting, and enforcement activities to ensure environmental protection. The law enforcement branch was established in 1990 under the revised "Clean Air Act," and the scope and authority of EPA were dramatically expanded.

It is not possible to describe an organizational structure generic to all or even most organizations. A few key dimensions, however, are common to almost all organizations, regardless of size or structure. This chapter will provide a general description of those organizational dimensions and show how they operate in criminal justice agencies. The discussion will begin with a general description of two distinct models of organizations: mechanistic organizations commonly referred to as bureaucratic, formal, or hierarchical systems; and organic organizations, alternately referred to as professional or informal systems. Mechanistic organizations are typically rigid, based on strict rules and downward communication. Organic organizations have flexible networks of professional staff who may perform a variety of tasks (Kinicki and Kreitner, 2006). Henry (2007) provides a sound sketch and comparison of both of these models.

Mechanistic organizations—bureaucracies—are predicated on stable environmental conditions that create routine demands for services. In this type of organization, therefore, tasks tend to be specialized and divided among the labor force—that is, each member has a narrow range of duties that contributes to the agency's overall mission. Means or processes are emphasized over outcomes. It is assumed that if all workers perform their tasks correctly, the final product will result naturally. Every job is spelled out clearly in a formal job description that also dictates and limits the amount of authority and responsibility each individual has. Bureaucracies tend to be hierarchical, having a chain of command delegating authority and responsibility from the central authority downward (see Figure 2.1).

FIGURE 2.1 Organizational Hierarchy.



Communications, power authority relationships, and loyalty are expected to flow vertically among superiors and subordinates. Bosses legitimately give orders, and subordinates obey. However, power is constrained by the organization's reliance on written rules and regulations that delimit authority and responsibility. Knowledge and expertise are assumed to exist at the top of bureaucratic organizations. Therefore, planning, conflict resolution, and decision making in general are primarily a function of top-level supervisors. Promotion of personnel to higher levels of authority and responsibility within bureaucratic organizations is based on their years of service and an assessment, usually subjective, about their capabilities. It is assumed that knowledge and expertise accumulate with longevity of career service.

Large metropolitan law enforcement agencies and state and federal correctional and law enforcement agencies are examples of criminal justice agencies structured along bureaucratic lines. It is common for large agencies, while adhering to a bureaucratic structure, to decentralize their operations by creating field offices or, in the case of large metropolitan police agencies, command districts. It is interesting that law enforcement and corrections agencies are often categorized as paramilitary organizations because a rigid chain of command exists. Subordinates are trained to "follow orders" and members are uniformed, armed, and authorized to apply coercive force in carrying out their duties.

Bureaucratic systems emphasize means rather than results. When evaluating staff, supervisors focus on conformity to rules and expectations (the means of production) rather than some level of output. For example, correctional officers are expected to make rounds on a predetermined time schedule; doing this, it is assumed, will ensure supervision and control of inmates. Some jails require corrections officers to punch cards at time clocks located at the end of each cell block to ensure they patrol the cell blocks at designated times. Similarly, law enforcement officers assigned to traffic control may be judged on the number of violation tickets they give out during a particular period. Police agencies commonly check starting and ending mileage on patrol cars to ensure that patrol officers are patrolling their assigned sections.

This emphasis on means rather than on the goals or ends explains why the criminal judicial system is often accused of delivering assembly-line justice (Paker, 1968) as prosecutors plea bargain cases so that courts can eliminate or keep up with backlogs, without considering the effects or results of these processes or practices. The need for efficiency has also resulted in simplifying sentencing decisions with legislated sentencing guidelines that judges are required to follow. The elimination of discretion and simplification of the decision-making process, with the emphasis on the means or process, has been referred to as the "McDonaldization" of the criminal justice system (Bohm, 2006). A systematic method of measuring the effects of random patrols or plea bargaining on agency goals and objectives is rarely pursued.

The hierarchical structure of a bureaucracy forces official communication to occur vertically. Commands and policy directives emanate from the top and are sent downward through the chain of command; information and reports on the activities of subordinates or problems within the organization are sent upward to

appropriate levels. Because it is assumed that expertise and knowledge reside at the top of a bureaucratic agency, major policy and operational decisions tend to be made at this level. In the hierarchical structure, it follows logically that clear superior–subordinate relationships exist among personnel. The management style is, therefore, directed toward command and obedience. Loyalty toward the organization and supervisors is generally expected from subordinates. Closed-system criminal justice agencies become dysfunctional as a result of their ability to keep external forces from effecting change and innovation (Dias and Vaughn, 2006).

Professional or organic agencies are the extreme opposite of bureaucracies. Such organizations are ideally suited to function within unstable environments that demand outcomes requiring nonroutine tasks. In this type of organization, tasks are not specialized and any member of the agency may have the expertise or knowledge to take on a variety of tasks. Tasks may also be assumed by groups or teams sharing expertise. Because tasks are not specialized and responsibility is not constrained by written procedures, rules, and regulations, ends are emphasized over means. Decision making, conflict resolution, planning, policy development, and the like are mostly a result of unstructured and informal interaction among personnel rather than a prerogative reserved for executives or top managers. Decision making can emanate from groups or any individual because knowledge and expertise are assumed to be possessed by all personnel, at least within each individual's specific task area. Organic or professional agencies are best suited to lapse into or apply strategic management and match the organizational structure to environmental opportunities (Cowherd and Lucks, 1988).

In organic agencies, interactions tend to be horizontal rather than vertical, through a chain of command as prescribed for a bureaucratic agency. Leadership relationships tend to be peer-oriented rather than superior–subordinate. Advice and coaching, therefore, replace commands. Thinking about organizations as open systems leads to understanding the importance of the environmental demands and an agency's willingness and ability to be responsive to community needs. Organic agencies within the criminal judicial system include small prosecuting attorneys' offices, law enforcement departments, and jails commanding fewer than ten professional personnel. Research or planning departments within agencies will also likely organize as organic systems, taking on an informal organizational structure.

It is unlikely that any one agency is purely bureaucratic or organic; both structures are advantageous for different tasks or missions. Large bureaucratic agencies may develop organic units within their structures to perform tasks not suited to a mechanistic approach.

The traditional conflict between prison treatment and custody staff provides a common example. Generally, the conflict is viewed as a philosophical or operational conflict. What also must be considered is that custody personnel work under a bureaucratic or paramilitaristic system of management, whereas treatment staff—psychologists, social workers, and counselors—have a great deal more discretion because they work in an organic or professional subsystem of the prison. The differing degrees of autonomy and discretion among the