

P R E F A C E

This collection of essays on contemporary U.S. criminal justice policy is a response to the significant recent growth of policy-oriented research in the fields of criminology and criminal justice. As this research has expanded, it has been accompanied by a proliferation in the number of college and university courses on crime policy offered in the United States. Influenced by both of these developments, the main goal of this book is to encourage students, instructors, and interested readers to engage in dialogue about criminal justice policy and to think about the potential for criminal justice reform.

The authors invited to contribute to this book were asked to bring a policy focus to their areas of expertise. Specifically, they were asked to consider how criminal justice policy issues are framed; uncover who participates in the policy process; discuss how policy is made; consider the constraints and opportunities found in the policy process; link these findings to broader institutional, cultural, and global criminal justice trends; and grapple with what their research reveals about crime policy and democratic governance in the United States. Each essay approaches this challenge differently, yet, as will become apparent in the pages that follow, all of the results are informative and thought provoking.

If there is one theme that connects each chapter, it is that criminal justice is an extremely broad and complex policy field. It features controversial trade-offs that attempt to balance security, equity, liberty, and efficiency. It consumes the time and energy of countless individuals, whether they are involved in developing, implementing, or evaluating crime policy. And it is emotionally charged, highly politicized, and often characterized by short-term fixes rather than by decisions based on sound policy analysis.

The second edition of this book is being published at a time when various levels of government are actively engaged in reviewing the past, present, and future of criminal justice policy. While that review necessarily involves an examination of numerous policy areas, most converge on one overarching development: mass incarceration. Over the past 40 years, the United States has become the global incarceration leader. The “War on Crime” and the subsequent “War on Drugs” generated the phenomenon of mass incarceration, a troubling recent hallmark of U.S. criminal justice supported by specific policies such as mandatory minimum sentences, “three strikes” laws, and the routine jailing of probation and parole violators. As described in the recent landmark study from the National Academy of Sciences (Travis, Western, & Redburn, 2014), the U.S. penal population now stands at 2.2 million adults, a number that has grown fourfold since

the 1970s. More than half of all state prisoners are incarcerated for nonviolent crimes, and one of every nine are serving life sentences. At this time, close to 1 of every 100 adults in the United States is in prison or jail. Commenting on these facts, the legal scholar David Cole has stated, “[T]he United States...is indisputably the world leader in locking up human beings behind bars. We are less than 5 percent of the world’s population, but we warehouse 25 percent of the world’s incarcerated population. Our per capita incarceration rate is seven times greater than France’s, 14 times greater than Japan’s and 24 times greater than India’s” (Cole, 2014, p. 24).

Those who comprise the incarcerated are mostly minority men under the age of 40. They are generally poorly educated and suffer from other significant deficits such as mental illness, addiction, and poor health. The economic cost of mass incarceration has been estimated at \$80 billion in direct correctional expenses per year (Kearney & Harris, 2014). While this represents an astonishing number, it does not capture the myriad of ways that mass incarceration has cost individuals, families, and communities, especially communities of color.

There is evidence that the tide may be turning against mass incarceration. The great recession of the last decade has led federal, state, and local governments to examine their expenditures, which, in turn, has generated increased scrutiny of the costs of criminal justice. This, coupled with the continuing decreases in crime across the nation, has led all levels of government to engage in pragmatic, evidence-based criminal justice reforms that have begun to shift the tough-on-crime stance to one that is smart on crime (Cole, 2014). The essays included in this volume offer valuable insights into both the challenges and opportunities that should be considered as the nation continues to explore the potential for criminal justice reform.

Organization of the Book

U.S. Criminal Justice Policy: A Contemporary Reader begins with an introduction that describes the context of criminal justice policy-making. The chapter presents examples of what constitutes public policy and explores alternative images of the policy process. Special attention is devoted to the political process and to the various actors that attempt to influence the shape and direction of crime policy. Following the introduction, the book is organized into two major parts. Part I explores criminal justice policy as it relates to each “component” of the criminal justice system. Beginning with two chapters on contemporary policing policy, the section moves on to analyze policy challenges and dilemmas facing the courts, corrections, and juvenile justice. Part II is designed to illustrate the breadth of criminal justice policy by exploring its intersection with other policy areas, including national security policy, immigration policy, technology policy, economic policy, international criminal justice policy, and public health policy.

Each chapter provides insight into the past, present, and future of crime policy in America. It is those insights that become the raw material for the policy learning the book aims to convey to its readers.

References

- Cole, D. (2014, May 18). Punitive damage. *The New York Times Book Review*. Retrieved from http://www.nytimes.com/2014/05/18/books/review/inferno-by-robert-a-ferguson.html?_r=0
- Kearney, M. S. & Harris, B. H. (2014). *Ten economic facts about crime and incarceration in the United States*. Washington, DC: The Brookings Institution.
- Travis, J., Western, B., & Redburn, S. (Eds.). (2014). *The growth of incarceration in the United States: Exploring causes and consequences*. Washington, DC: National Academies Press.

A C K N O W L E D G M E N T S

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A B O U T T H E E D I T O R

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