

# American Social Welfare Policy: A Pluralist Approach

## Chapter 14

### Criminal Justice

# History of U.S. Criminal Justice

- Faith in social science that originated in the West in the eighteenth century
- Modern criminology dates from the Age of Enlightenment in the eighteenth century
- Early American colonists imported traditional European thinking about crime

# The Criminal Justice System

- The U.S. criminal justice system is similar to education and mental health programs
  - States & localities provide a larger portion of services than the federal government
- The last decades of the twentieth century witnessed a boom in prison construction

**TABLE 14.1** Incarceration Rates, Select Countries

Country	Rate/100,000 Population
Japan	62
Sweden	78
Ireland	78
France	88
Germany	95
South Korea	97
Italy	102
Canada	107
China	118
Australia	126
Spain	145
United Kingdom	145
Brazil	191
Mexico	196
Israel	209
South Africa	335
Cuba	447
Russian Federation	607
United States	738

**TABLE 14.2** Crime and Crime Rates, by Type of Offense: 1980 to 2009, thousands

Year	Total	Murder	Rape	Robbery	Assault	Property
1980	1,345	23	83	566	673	12,064
1985	1,328	19	88	498	723	11,103
1990	1,820	23	103	639	1,055	12,655
1995	1,799	22	97	581	1,099	12,064
2000	1,425	16	90	408	912	10,183
2005	1,391	17	94	417	862	10,175
2009	1,318	15	88	408	807	9,321

**TABLE 14.3** Adults on Probation, in Jail or Prison, or on Parole

Year	Total	Probation	Jail	Prison	Parole
1980	1,840,400	1,118,097	182,288	319,598	220,438
1985	3,011,500	1,968,712	254,986	487,593	300,203
1990	4,348,000	2,670,234	403,019	743,382	531,407
1995	5,335,100	3,077,861	499,300	1,078,541	679,421
2000	6,437,400	3,826,209	613,534	1,316,333	723,898
2005	7,045,100	4,166,757	740,770	1,448,344	780,616
2009	7,225,800	4,203,967	760,400	1,524,523	819,308

# Juvenile Justice

- Juvenile justice is a significant feature of U.S. criminal justice
- New York City House of Refuge
- Massachusetts Division of Youth Services
- Incarceration as the intervention of choice
- Boot camp

**TABLE 14.4** Hate Crimes by Category, 2006

<i>Bias Motivation</i>	<i>Incidents</i>	<i>Victims</i>
<i>Race</i>	4,000	5,020
Anti-White	890	1,054
Anti-Black	2,640	3,332
Anti-American Indian	60	75
Anti-Asian/Pacific Islander	181	239
Anti-Multiple Races	229	320
<i>Religion</i>	1,462	1,750
Anti-Jewish	967	1,144
Anti-Catholic	76	86
Anti-Protestant	59	65
Anti-Islamic	156	208
Anti-Other Religion	124	147
<i>Sexual orientation</i>	1,195	1,472
Anti-Male Homosexual	747	913
Anti-Female Homosexual	163	202
Anti-Homosexual	238	307
Anti-Heterosexual	26	29
Anti-Bisexual	21	21
<i>Ethnicity</i>	984	1,305
Anti-Hispanic	576	619
Anti-Other	408	486
<i>Disability</i>	79	95
Anti-Physical	17	21
Anti-Mental	62	74
<i>Total</i>	7,722	9,652

**TABLE 14.5** Delinquency Cases by Gender and Race

	1995	2000	2005	2008
Males	1,396,000	1,275,600	1,229,300	1,203,600
Females	404,200	434,700	466,700	449,700
Whites	1,209,700	1,164,300	1,085,500	1,043,600
Blacks	541,400	496,300	561,300	563,500
American Indian	26,200	26,000	25,000	23,500
Asian	22,900	23,600	24,100	22,700

# The New Jim Crow

- Race and ethnicity have been fundamental to understanding criminal justice
- Association between incarceration, social disadvantage & high school drop outs
- Gang involvement

# The War on Drugs

- The deterioration of inner cities
- Government interdiction of supplies, aimed at eliminating the substance
- Treatment programs deployed to diminish the demand for illegal drugs
- The social consequence of the arrest and incarceration

# The Underclass and “Moral Poverty”

- 45% of prisoners were on probation/parole when they committed their latest offense
- The conservative prescription for moral poverty
- The evolution of liberal policies that divert youth from delinquency

# Legalization of Drugs

- Drug legalization had been a standard demand among Libertarians
- Momentum toward legalizing drugs reached its peak during the mid-1980s
- Fair Sentencing Act, signed by President Obama in 2010

# The “New Penology”

- The public was growing increasingly intolerant of crime
- Although crime has fallen, incarceration rates remain high
- Innocence Project
- Costly prison system

# Conclusion

- Advocates continue to press for reform
- Some reformers have proposed more humane facilities for inmates
- The Karnes County Civil Detention Center
- Humanizing corrections