UVU JOURNAL *of* CRIMINAL JUSTICE

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Staff

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A Note from the Editor-in-Chief

Austin G. Payne
Utah Valley University

What an honor and a privilege it has been to be able to serve as the Editor-in-Chief for the first edition of the *UVU Journal of Criminal Justice*. It truly has been an amazing experience that I look forward to continuing during the rest of my time at UVU. While serving in this role, I have been able to see the journal go from an idea amongst the faculty in the department to what you, the reader, can now hold in your hands.

From the start we desired this journal to be of a high caliber, and we feel that with the pieces included we are setting a bar that from henceforth we will strive to surpass. Not only included are pieces from individuals directly involved with UVU, but we are also proud to include a graduate student submission in this publication. The formation, editing, and finalization of this journal is the result of countless hours spent on behalf of our authors and editors who worked to bring about the quality of this publication, which we intend to maintain with future journals.

I would like to take this time to thank my executive editor, Rylie Bullock, and my managing editors, Liahona Bons and Kiersten Swanson, for their brilliant insight and consistent support of me as we worked towards this first journal. Their willingness to accept additional responsibilities during the editing process played a crucial role in its completion. Without them and their expertise, none of this would have been possible. I would also like to thank Deb Thornton and her English class for the numerous hours spent to ensure the journal would be ready to publish, and for being understanding as we learned to become more organized throughout the process. I would love to thank our faculty mentor, Melissa Noyes, for her advice and counsel throughout the

process of this journal, as well as for believing and trusting in me to see this journal come to life.

I am thrilled to have the contributions of Dr. Marcy L. Hehnly, Associate Professor of Criminal Justice at UVU, Hagen Isaacson, Dante Walker, Briana Spaulding, and Marley DeMann, a graduate student of St. Leo University. I am grateful for their desire and willingness to publish in this journal. In concluding my thoughts, it is my hope that this publication will allow the readers to expound their minds on the topics presented and will provide a pathway for conversations to ensue as to how the field of Criminal Justice can progress in the modern day.

Austin Payne
Editor-in-Chief
UVU Journal of Criminal Justice

A Welcome Message
from the Faculty Advisor

Melissa Noyes
Utah Valley University

Dear Readers,

On behalf of the Utah Valley University Criminal Justice Department and the editorial board members, it is with great pleasure that I welcome you to this first issue of the *UVU Journal of Criminal Justice*. The goal of this journal is to provide students and others with a space for publishing their scholarly works relating to the study of criminal justice.

The long-term vision of the journal is to create a high-quality publication that will be inclusive of a diverse range of voices and perspectives, including undergraduate students, graduate students, academic researchers, and professionals working in the criminal justice field.

I wish to extend my gratitude to Austin Payne, the Editor-in-Chief, and the members of the Editorial Board, as they are the backbone of this endeavor. I could not have envisioned starting this journal without the support and professionalism of students interested in criminal justice who wished to make this journal a success. I would also like to thank Bobbi Kassel, Criminal Justice Department Chair, and Matthew Duffin, Former Criminal Justice Department Chair, for their support of this journal.

I look forward to your support of the *UVU Journal of Criminal Justice*, and welcome any comments or suggestions you may have that would improve it.

Melissa Noyes, J.D.

Foreword:
How Did We Get to Where We Are, 25 Years Later

W. Brent Bullock

Utah Valley University, Criminal Justice Chair 1989–2014

Like all stories that have a beginning, middle, and an end, the Criminal Justice program at Utah Valley University has it all. My part in this is mostly the beginning and some of the middle of the story. Twenty-five years ago the idea of a CJ program was just that, do very well at then Utah Valley Community College. I felt that if it were implemented, it would grow into a program would surely benefit the students in obtaining employment, law enforcement a college education, and the community that needed people with this expertise.

At the time Weber State was offering an Associate Degree in Criminal Justice on our campus. I spoke with one of the instructors, whom I knew; they informed me Weber was having problems finding instructors to teach because of the commute from Ogden. After speaking with Dean Ian Wilson, I spoke with President Kerry Romesburg.

President Romesburg, who was very entrepreneurial and somehow could foresee the future, said he would approve me proceeding with offering an Introduction to Criminal Justice class for two semesters. If we could fill the class (15 students), he would support us offering an Associate Degree in Criminal Justice and one additional faculty.

The first semester I taught the Introduction to Criminal Justice with only four students. The second semester I had 28 students. I reported back to President Romesburg and he told me to proceed seeking an Associate Degree in Criminal Justice. Subsequently, a Bachelor Degree in Criminal Justice was approved by the Board of Regents.

It was my privilege to play a small part in what has become a very successful program. This first issue of the *UVU Journal of Criminal Justice* represents what we envisioned 25 years ago. This issue discusses a variety of topics written by UVU faculty and students. Articles within

this journal cover Educating Prisoners for a Better Tomorrow, Manifestation and Identification of Psychopathy, Criminal Justice in the United Kingdom, a timely article on Police Education, and one on Use of Force and Why Women Leave Law Enforcement.

Why Women Leave
Law Enforcement

Dr. Marcy Hehnly
Utah Valley University

Abstract

The purpose of this study is to recognize the reasons women who currently work within law enforcement and women who have already exited law enforcement leave or have left their career field. Recruitment and retention of female police officers has continuously fluctuated over decades and research studies are limited as to explaining why this is occurring. An overview of past research will show many variables and explanations of the continuous turnover of female officers. Some explanations include gender discrimination, sexual harassment, organizational variables, and family reasons to explain why women exit law enforcement after a minimal amount of time on the job.

Introduction

Recruiting and retention of police officers in our society has become problematic due to less interest in joining law enforcement. The economy is thriving which decreases the applicant pool within law enforcement. Not only is it currently difficult to recruit men, but recruiting women is an even more difficult task (Wilson, 2010). Over the years, women entering this admirable career field have changed the face of law enforcement. However, the research continues to show that just 10–12% of the employees within state law enforcement agencies across the United States are women (Peak & Sousa, 2018; Prenzler & Sinclair, 2013). Of this small percentage, those women entering and then leaving law enforcement continue to increase (Krimmel & Gormley, 2003). The retention of female law enforcement officers is and has been problematic, compelling agencies across the world to try and identify the reasons for this loss.

The History of Women in Law Enforcement

In 1888, Matrons were added to the New York Police Department (NYPD), which was an all-male agency. Matrons, as they were called, were mostly assigned to assist with female inmates and to help with children—a social worker type of role. The first female recognized as a detective was Matron Isabella Goodwin, who worked with NYPD. Because of World War I and many men leaving to serve in the military, women began to apply for positions within police departments. This led to the integration of women in law enforcement and paved the way for present day female officers (Schpritzer, 1959). The New York state legislature officially incorporated a new name for women officers from Matrons to Policewomen, "equal in grade to Patrolmen" (Schpritzer, 1959, p. 415). The Civil Rights Act of 1964, the Crime Control Act of 1973, and affirmative action allowed a push forward for women to enter law enforcement and bridge the gap between equality in employment. One of the major accreditation bodies within law enforcement, the Commission on Accreditation for Law Enforcement Agencies (CALEA), also assisted in this push towards having a more proportionate workforce to serve the community. This organization stated that in order for agencies to achieve accreditation, they must "have an equal opportunity plan and affirmative action recruitment plan" (Baro & Burlingame, 2005, p. 392). Because of the many supportive changes towards the addition of women in law enforcement, discriminatory employment practices towards women applicants such as "height requirements; in addition, subjective physical agility tests and oral interviews were modified" (Peak & Sousa, 2018, p. 59). Discriminatory employment practices within law enforcement became more obvious during this time because of a changing society (Remmington, 1983). Women were breaking barriers with what became known as the glass ceiling, and slowly an increase in applicants was becoming evident.

As times have changed, researchers recognize that there has always been stress on women in law enforcement because of many issues, including coworkers who repeatedly challenge their decisions. Sexual harassment, long work hours, attempts to raise families and gender bias have also been barriers that women then and now have faced while working in the capacity as a law enforcement officer. Over time, women in law enforcement have been more accepted; however, it has recently become increasingly difficult to recruit and retain female officers

particularly because less people are interested in working in this career field (Carter, 2002).

Tokenism

The term "tokenism" was coined by R. Kanter and has been applied to women who work within law enforcement and are shown to fall below a fifteen percentile of women serving a specific department. In many cases, women are viewed as "tokens" and are treated differently from the dominant members of their organizations. They are recognized as minorities and have been found to have lower job satisfaction with their jobs, prompting them to leave their position or stay and continue to possess low morale and overall dissatisfaction of their position (Archbold et. al, 2010). According to Krimmel and Gormley,

> Female officers working in police agencies with less than 15 percent representation in their agency reported that they would take a new job, were less satisfied with their job, would not recommend a career in law enforcement to a friend, would not do the job again if given the choice, felt tired, and felt their jobs were less important than female officers working in police agencies where there was a higher proportion of female officers. (2003, p. 634)

Ethnicity and gender are both variables to consider in the determination of low job satisfaction and the potential to exit law enforcement. Sexual harassment, personality differences, and lack of support from peers and supervisors add to the choice of a female to leave a department. In recognition of tokenism, studies have concluded that these women face hostility toward them, performance pressures, have to continually prove themselves to their male counterparts, and allow them to fall in to a stereotypical role of a woman who cannot handle her job and does not have the ability to do so (Archbold et. al, 2010).

What Does Research Show?

Kimmel and Gormley (2003) conducted research using purposeful sampling at a "Women in Law Enforcement Conference," intended to increase understanding for the reasons women were not satisfied with their positions and why they leave. A job satisfaction survey was implemented and replicated over three years in an effort to remain statistically sound. The results recognized that many women participants were highly educated, approximately half were married and approximately

half had children. Many variables were taken into consideration for this study with the results showing that those working with agencies with less than fifteen percent women were more likely to leave a department based on low job satisfaction, less self-esteem because of work conditions, and were depressed because of their jobs. More randomization with this study would bring a larger number of participants to explore a generalization (Krimmel & Gormley, 2003).

Research continues to recognize stress within the workplace as factoring into women leaving law enforcement. Burnout and overall exhaustion plays a factor in officers exiting. Carryover emotional effects occur with women in law enforcement when they return to their homes because of working within a stressful occupation. The amount of stress often leads to high rates of divorce and separation of families. In a cross-comparison study of three countries (the United States, Australia and the British Isles) more women police officers in the United States were divorced than the other two countries. The statistics of female officers overall still contained a high number of those divorced adding an additional stressor to their personal lives (Brown, 1998).

In addition to recognizing the varying roles as parents, women also had high levels of stress with their children due to childcare issues. For those officers with children, locating organizations to care for their child during nontraditional times added a level of stress to their lives (Bochantin & Cowan, 2009). Additional research in this area could potentially recognize that a reason women leave departments is because of their overall family obligations and their desire to not only be mothers but also wives without the stress and pressures of the workplace.

Research shows a correlation between retention of female officers and sexual harassment along with other job-related stressors (Lonsway et al., 2003). There is limited research on additional factors such as family reasons (e.g., children), financial reasons, and advancement for a more college-educated officer. Specifically, sexual harassment and issues with gender bias can create the perception of women not possessing the abilities to do the job within policing (Grant, 2000). Coworkers might label women as not possessing the ability to function within law enforcement; however, as times change and community policing concepts take hold, some officer attitudes have changed based on the ability of women to communicate to the public in a more successful manner than that of a male officer. It is stated that women police officers

gain more cooperation and trust from their encounters with community members compared to their male counterparts (Harrington, 2000).

Additional predictors of job satisfaction and the lack thereof are indicated in research conducted by P. Brough and R. Frame (2004). Through the use of survey questionnaires, participants from the New Zealand Police Department provided answers leading toward an explanation of the retention of women within law enforcement. Primary concerns included organizational variables, individual demographic variables, and external variables. Areas tested include job satisfaction, stress, gender comparisons, marital status, tenure, and alternatives to current employment. The results indicate a correlation between tenure and turnover. The amount of leave time a person took while working within the agency was recognized as an indicator of the potential loss of an employee. What was not in correlation was marital status, gender, and rank, however internal job satisfaction was correlated with turnover. Supervisor support was recognized as a strong factor in the retention of an employee. The main problem with this research is that it is limited to one agency and reflects a small population. Although the study provided valuable insight toward reasons women leave or have the potential to leave, a more broad study is needed to provide more valuable data.

In some cases, when women police officers leave work and go home to their families, their jobs do not end. They are viewed as the caretakers to their children and feel they never receive a break, leading to exhaustion. The moods of women can affect both the workplace and the home, thereby leading to a low level of job satisfaction. Studies conducted recognized social support, role stressors, and family environment as key variables toward the determination of job satisfaction and stress spilling over in to the family environment. Through the use of a survey administered to 421 participants, all females of varying ranks, the results indicated that police women are ultimately more susceptible to spillover effects within the home compared to their male counterparts (Thompson et al., 2005). "When police women became mothers, the importance of separating work and family within the police culture became highlighted—they felt that pregnancy was seen as a liability" (Gouweloos et al., 2018).

In addition to recognizing the varying roles as parents, women also had high levels of stress with their children due to childcare issues. For

those officers with children, locating organizations to care for their child during nontraditional times added a level of stress to their lives (Bochantin & Cowan, 2009). Additional research in this area could potentially recognize that a reason women leave departments is because of their overall family obligations and their desire to not only be mothers but also wives without the stress and pressures of the workplace.

Women within police agencies have certain perceptions based on their stereotypical roles of motherly figures, and, in turn, males take on more of a biased role toward their fellow coworkers. Research conducted by Ashlock (2019) has shown that women have not been recognized as equal because they are so new to law enforcement. Although women who come to work within police departments attain similar attitudes to that of males, they may initially lack acceptance, which can ultimately lead to turnover. "The police culture has historically emphasized more traditional gender attitudes and policing institutions have been slow to change" (Ashlock, 2019, p. 73). Because of this police subculture, it becomes hard to make changes, and there is a significant reliance on people's deep-seated belief systems. Many officers hold a patriarchal and disciplinary belief system, which has a spillover effect into their employment. When comparing male to female police officers, it is also recognized that the male officers possess a punitive mentality with those they come in contact with compared to women, who prefer a more rehabilitative approach; this leads to significant differences in the working personalities of officers (Ashlock, 2019).

Another issue of the information found in research conducted by Remmington (1983) is that there was only ten percent female population at the time of the study because of the newness of women entering law enforcement in 1983. In an analysis of the research, which was all from a qualitative perspective and consisted of the researcher posing as a law enforcement officer, the researcher determined that male attitudes were toward females as a whole, not individually. Most believed women should not work within law enforcement and if they did work within it, they were better at office positions. Many females, however, were more comfortable working with a male counterpart. They gained similar attitudes to those of males; however, many had contemplated leaving the agency because they were perceived as always flirting and attempting to remain professional. Although it would seem the more dated research statistic should have changed regarding women in law

enforcement, it has not increased significantly at still remains around the ten percentile, fluctuating to fifteen on occasion (Peak & Sousa, 2018). This particular research could be revisited and studied from a present-day perspective because many different perceptions and theories can be found regarding the attitudes men had toward their women counterparts. An updated analysis should show some of the same continued attitudes, but might illuminate additional factors of why women would chose to leave their agencies (Remmington, 1983).

Male resistance to working with females in law enforcement is recognized as one of the reasons for women leaving their present positions. There is a great amount of resistance by males to allow females into this same type of employment. This includes name-calling and an overall negative experience with regard to the socialization within the police subculture, lack of peer support, lack of cohesiveness, and gendered job expectations. Although research shows women perform as well as men within their duties, males continue to segregate women from their networks. This causes females to work within a negative atmosphere and therefore choose to leave an agency. It has been the belief with police officers that the job is a male-dominated position and women should not be a part of it. Some contend that women entering law enforcement changes the entire history of what law enforcement stands for, and because of this, women cause conflict within the workplace. The culture of men within this profession recognizes that women do not belong and cannot socialize in the same ways as their male counterparts (Harrington, 2000).

Job satisfaction has proven important toward the determination of a female to stay within law enforcement or have the potential to cause turnover, but the police subculture as a whole in the past has not provided outlets for women to work together which has had an effect on retention. Promotions for women have been difficult as well as support from management within this line of work. Because men have dominated such a position of authority, time is the only factor which will allow acceptance to be formed within the job (Harrington, 2000).

Conclusion

A deeper understanding of this male-dominated profession is needed to illuminate more of the issues women face within law enforcement. The influence of social support within an organization has

the potential to increase or reduce the number of women working in law enforcement. It is imperative to learn and discover the reasons why law enforcement agencies have issues retaining qualified female officers because times have changed and society has recognized that women are working within the scope of law enforcement at higher rates and showing a high level of effectiveness within communities. This should also raise concerns for members of society based on some cases producing a more successful result when a female is in charge of a particular investigation. Research has the potential to recognize the reasons why women are leaving their positions within law enforcement as well as to provide potential reasons why women who are currently working as officers could leave in the future.

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Manifestation and Identification of Psychopathy in Adolescents

Marley DeMann
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Abstract

When discussing the findings of research and applying them while working in the field of criminal justice, it is important to be sure that the information that you are basing your actions on, whether they are actions regarding the diagnosing or treatment of a person, is information that is accurate to that individual. It is becoming increasingly known that women present differently than men in terms of mental disorders such as psychopathy. Adolescents also present differently than adults. This paper will examine cases in which a child or teenager has committed a crime. This paper will also examine how the diagnosing of psychopathy in a child or teenager may be different than it would be for an adult. This paper will also discuss any treatment or rehabilitation methods that may be utilized for a child or teenager that may be different than that is available for an adult offender.

Terms: psychopathy, adolescent, teenager, treatment, violence, manifestation

When discussing the findings of any sort of research or study regarding a topic such as that of mental disorders, general health, or criminal justice related area, it can be important to know the gender and ethnicity of the participants in the study's sample group. The results of clinical trials and studies that rely upon a sample group comprised of only one demographic can be limited in their application. The demographic that is most often represented in sample groups is that of

the adult white male, although the information gleaned from the studies are often transposed onto groups of people that are not of the same demographic – such as women, people of color, and participants of varying ages (Editors, 2018).

The lack of diversity in research studies and clinical trials is not a new problem, and it is not limited to any one field of study. In the medical field, for example, 80 to 90 percent of the participants in clinical drug trials are white. The sex breakdown among trial participants also skews heavily male. This lack of diversity in research participants is a cause of concern, given that the contributing factors and symptoms of varying health conditions, such as cancer, heart disease, and diabetes, differ depending upon the sex and ethnicity of the person afflicted (Editors, 2018)(Resnick, 2018). Steps have been made to combat the lack of diversity in clinical trials. Again, in the medical field, the National Institutes of Health Revitalization Act was passed by Congress in 1993 for this very purpose. The act required the National Institutes of Health to include more participants in their studies that were female and people of color (Editors, 2018).

Just as physical health conditions manifest differently depending upon the person's sex, ethnicity, or cultural background, mental health conditions are similarly affected. Mental disorders such as psychopathy are diagnosed through the examination of behavior and relationships, factors that are heavily influenced by gender, age, and culture. What is accurate for one demographic may not be wholly accurate for another.

How psychopathy and other mental disorders may manifest in a teenager may be different than how they manifest in an adult, and the treatment method may also be different. In order to be effective when dealing with a particular case, it is important to be working with information that takes the individual's age, race, and gender into consideration (Gill & Stickle, 2016).

The Case Study

Murder, whenever committed and regardless of the identity of the victim, is a brutal and chilling act. When the victim is a child, the horror that is felt may feel amplified - a feeling that only grows when the perpetrator is also found to be a child. In the summer of 1993, Eric Smith, a thirteen-year-old boy, was riding his bike in Steuben County, New York to attend a summer day camp located at his local park. While

Smith was riding his bike, he came across another child who was walking towards the same camp. This child was Derrick Robie, a four-year-old boy. Smith encouraged Robie to come with him to a wooded area that was nearby. Once they arrived in the secluded area, Smith assaulted Robie. Smith strangled the four-year-old boy, hit him on the head with a large rock, stripped him of his clothes, and sodomized him with a tree limb. Robie's body was found several hours later after Robie's mother had begun a search, having found found that her son had never arrived at the park. Robie's death was found to have been due to blunt trauma to the head, from the rock that Smith hit him with, with contributing asphyxia. Six days after committing the murder, Smith told his mother that he was the perpetrator that had assaulted Robie. Smith's family brought him to the custody of law enforcement that night.

This case occurred 26 years ago. Smith was found guilty of second-degree murder, and he was given the maximum sentence that was available at the time for adolescent murderers, which was a minimum of nine years to life in prison. Smith was most recently denied parole in April of 2018. Smith is now 39 years old (Lasky, 2018; Leung, 2004).

Diagnosis

For a crime such as the one committed by Smith, questions arise after it occurs. Had Smith displayed any sort of behavioral issues prior to the murder? Did Smith have any of the markers of a personality disorder? Was there anything in his life that could have caused this event to be foreseen?

During his trial, Smith was extensively examined by specialists for both the prosecution and the defense. His brain functions tested normally, as did his hormone levels. However, socially, Smith struggled. During her pregnancy with Smith, Smith's mother had regularly taken an epilepsy drug known as Tridione. Tridione has been known to cause birth defects. Exposure to Tridione while he was in the womb is suspected to be the cause behind Smith's unusually sized ears, which he was frequently bullied for. Smith did not have many friends and, while he was described by his family members as a friendly child, he retained an enormous amount of rage as a result of the torment that he experienced from his peers. A psychiatrist hired by Smith's defense team would diagnose Smith with intermittent explosive disorder. Intermittent explosive disorder is a mental disorder similar to psychopathy in

the sense that it is characterized by impulsive behavior, but it lacks many of the other markers for psychopathy (Leung, 2004).

It is extraordinarily difficult to diagnose mental disorders in adolescents and children. There are behaviors that are appropriate and developmentally correct at certain ages, but not at others. For example, a toddler would be expected to exhibit anxiety when separated from their caretakers. A preadolescent child, however, would be expected to not experience that same anxiety in the same set of circumstances. It is difficult to pinpoint when a behavior becomes clinically significant, particularly as children and adolescents are in a constant state of development. Psychopathy manifests in adolescents in a manner similar to how it manifests in adults. It is comprised of affective-interpersonal traits and impulsive-antisocial features. The etiology of psychopathy is unknown, although it is suspected to form from following a combination of genetic, developmental, and environmental factors (Drabick & Kendall, 2010; Patrick, 2018).

Treatment

When psychopathy or another similar mental disorder is recognized and diagnosed in a child or adolescent, the question becomes: what next? There is not a recognized cure for psychopathy, and studies regarding treatment and rehabilitation methods often have lackluster results (Reidy et al., 2017). One of the reasons why psychopathy is so difficult to treat is because a psychopath, by nature, resists conditioning (Salekin, 2017). They are not concerned about their relationships with others, they do not feel a need to adhere to rules, and they are only feel motivated by a need to self-serve.

The only methods of rehabilitation that have been found to be somewhat effective in managing the behavior of psychopaths are the ones that utilize positive reinforcement. Punishing a psychopath is not an effective measure, however rewarding a psychopath for desired behavior has been shown to work. This goes in line with the self-serving element of a psychopath's personality. Research shows that for adolescents and children who have demonstrated psychopathic characteristics and behaviors, experiencing forms of punishment support their predispositions towards violent and aggressive actions. Conversely, a system of reward processing and positive reinforcement gives youth with psychopathic traits a way to learn new tactics to get what they

want. Adolescents and children, by nature of their early age and still in progress development, may be more receptive to adopting the behaviors taught to them through a positive reinforcement program (Reidy et al., 2017).

Conclusion

The case presented at the start of this paper involved a young teenager committing a brutal act. Smith was hardly more than a child when he murdered Robie, and there was no inherent motivation behind the murder itself other than feelings that Smith had internalized. Acts of crime can be disturbing when they occur in our communities and inspire feelings of fear and depression. Like many crimes, these acts appear to come from nowhere, are meaningless, and they become all the more gruesome and horrible for these facts. While it may appear that there is no cause behind actions such as the ones discussed in this paper, it is not true.

Very rarely does a person, regardless of age or gender, suddenly just snap, and behave in a way that is inconsistent with how they have been living (Patrick, 2018). How they were thinking, and feeling may not have originally been known, prior to the act that reveals their distorted world view or violent proclivities, but it has been lingering under the surface. It is possible to identify characteristics and circumstances that predispose a person to committing a crime (Patrick, 2018). Following this line of thought, it is additionally possible to address at-risk candidates for violent crimes prior to the crimes being committed.

In order for this possibility to become a reality, we must first have a thorough understanding of the disorders we seek to identify. Our understanding of psychopathy, and other mental disorders, will only be as thorough as our research study participants are diverse. Symptoms and contributing factors of mental disorders can, as with other health conditions, vary depending on the afflicted person's age, gender, and cultural background (Gill & Stickle, 2016). Disordered adolescents such as Smith may become more identifiable without the creation of victims such as Robie if there is more extensive research conducted on how mental disorders present within a young age demographic.

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Criminal Justice in the United Kingdom:
A Comprehensive Examination
of Practices and Policies

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Abstract

In order to gain a full and complete understanding of the United Kingdom's criminal justice system, the present text explores eleven different aspects of the criminal justice system and how they work in conjunction with each other to create an effective system for keeping the people of the United Kingdom safe. Because of the unique nature of the geographical layout of the United Kingdom, there are three separate criminal justice systems housed within: Scotland and Northern Ireland each have claim to their own criminal justice systems while England and Wales share a system. In most cases, each of the aspects explored in this text will be analyzed as is applies to each criminal justice system.

The conclusion of this research is that the United Kingdom is home to three highly functional criminal justice systems. As with every system, there are flaws, and their remedy will require extensive legislative action and a significant amount of funding. Additionally, international issues, such as Brexit, have had controversial effects on the UK's criminal justice systems.

Introduction

The United Kingdom (UK) is home to four countries: England, Wales, Scotland, and Northern Ireland. The total land area of the UK is 241,930 sq. km. The total population of all four countries within the UK is 65,105,246 as of July 2018; 84% of the population resides in England, 8% in Scotland, 5% in Wales, and 3% in Northern Ireland. The majority of the UK's population resides in and around London, with scattered dense cities throughout the rest of the United Kingdom (Central Intelligence Agency, 2018).

The United Kingdom's Justice Model

Introduction to the United Kingdom's Justice Model

The justice model in the United Kingdom is very similar to that of the United States. The British justice system recognizes that there are human rights that must be accommodated during the justice process. For the sake of accommodating human rights, the UK has measures that protect an individual's rights. These measures include the application of programs such as Defence Solicitor Call Centre, an appeals process, and a compensation for miscarriage of justice program. Justice's Director for Human Rights Policy, Eric Metcalfe said, "Our system of justice is innocent until proven guilty. . . . The presumption of innocence is a basic human right. So too is the right to compensation for being wrongly convicted in certain cases" (Justice, 2011). Based on official UK publications, it is clear that the United Kingdom utilizes a due process justice model.

Justice System Reform

The criminal justice system in the UK is over a thousand years old, but judiciary reform has kept it from becoming outdated. In 1873, common law and equity became one with the introduction of the Judicature Act. This act allowed courts to administer common law and equity; equity was to take precedence over common law in the event of a jurisdictional issue. This act also established the right of appeal and, with that, the high court and the court of appeals. Later, the Criminal Appeal Act of 1907 expanded the rights of appellate individuals and created a Court of Criminal Appeal. The Criminal Appeal Act of 1966 disbanded the Court of Criminal Appeal and passed its jurisdiction to the Court of Appeals (Courts and Tribunals Judiciary, n.d.).

Current Justice System

England and Wales. When an individual is arrested, they are taken to the police station, where they can be held for up to 24 hours before being officially charged. If the police suspect the individual has been involved in a serious crime, police can petition to hold the suspect for up to 96 hours. The hold time increases to 14 days for suspected terror crimes. After charging an individual, the police are tasked with deciding whether they can be released until their hearing under certain

circumstances, known as a bail, or if they must remain in custody (Government Digital Service (GDS), 2015a). All criminal trials go through the magistrate court, where two or three judges will hear the case and decide whether the trial will go on. The magistrate court also determines if the individual will be allowed to return home on bail until the trial at either the Magistrate Court or the Crown Court, depending on the crime (GDS, 2015c). If the courts put an individual on remand, they must stay in prison until their court date (GDS, 2015d). The Magistrate Court handles most minor offenses and passes more serious crimes to the Crown Court (GDS, 2015b).

Scotland. When an individual is arrested in Scotland, they are put through a process similar to the one in England and Wales. The police decide if arrestees can be given bail (known in Scotland as an undertaking), if they are allowed to return home, or if they are given a recorded police warning and/or a fixed penalty notice (Scottish Government, 2019a). Recorded police warnings are written warnings that stay in the government's system for two years unless appealed. Fixed penalty notices are on-the-spot fines for minor offences (Scottish Government, 2019a). Once this is decided, police send a report to the procurator fiscal who will decide if the government will prosecute the case. The procurator fiscal can proceed with the case, ask the police for more evidence, or, in the case of a less serious crime, issue a direct measure, which comes in the form of a fine or warning (Scottish Government, 2019a).

Once it is decided to move forward with the prosecution, the case is heard at a Sheriff's Court. Cases are usually heard by a sheriff and a jury, but can be heard solely by a sheriff. In Scotland's system, the sheriff's role is equivalent to that of a judge in the US. Serious crimes are heard by the High Court of Justiciary. In 2015 the Sheriff Appeal Court was formed wherein two to three sheriffs hear appeals to previous court decisions (Judiciary of Scotland, n.d.).

Northern Ireland. If police have reasonable suspicion that a person has engaged in criminal activity, the individual can be arrested. The Police and Criminal Evidence Order provides a list of arrestable offences and gives police the authority to arrest individuals suspected of conspiring to commit any of the listed crimes without a warrant (NIHRC, 2004). After arrest, a report will be sent to the Public Prosecution Service. If they decide to prosecute, the defendant receives either a charge sheet or a summons wherein they will be formally charged

(Northern Ireland Government, 2019). Human rights law in Northern Ireland constitutes that the first hearing must occur as soon as possible when an individual is kept in custody. When defendants are allowed to go home on bail, they must be assigned a court date within 28 days (Northern Ireland Government, 2016). Northern Ireland uses the same court system as England and Wales; Magistrates' Courts, hear minor criminal cases, and more serious cases are sent to Crown Court (Northern Ireland Government, 2018).

Common Law and Legal Tradition

Common law originated from the British Empire in the Middle Ages and has since been practiced in parts of the United Kingdom. The UK's three legal systems have had varying degrees of common law used in their courts throughout their histories (Glendon et al., 2018). Common law became challenged by equity, and eventually the two were merged in 1873 as a result of the Judicature Act. Through the Judicature Act, courts were able to apply both common law and equity as they apply to each case, with equity always taking precedence (Courts and Tribunals Judiciary, n.d.). While common law was largely superseded by equity, there are still traces of it to be found throughout the UK.

Common law and legal tradition in England and Wales. A common concern in the 19th century was the protection of defendants. Measures were placed to ensure that defendants would be granted the right to an attorney. Defendants were granted the right to represent themselves in 1898 (Glendon et al., 2018). Various laws in the early 1900s refined laws mandating that if a defendant cannot pay for legal counsel, the state is held responsible.

The influence of common law in England and Wales can also be seen in the jury system. Drastic changes have been made, but procedurally, today's jury process is similar to that of the Middle Ages. The late 19th century saw many changes to the jury system including clarifications regarding which cases were eligible to have a jury and which were not. Cases requiring a jury were usually limited to criminal cases only; the only civil offence that was permitted a jury was libel. Additionally, a verdict by jury majority was made legal, and media coverage of hearings became subject to restrictions (Glendon et al., 2018).

Common law and legal tradition in Scotland. Scotland became a part of the United Kingdom in 1707. By this time, it already had its

own legal traditions, legal jurisdiction, and court system. The legal system is a combination of traditional common law and Roman law, which were influenced by the Dutch and French laws. The forthcoming of statute law has brought Scotland closer to England legally, but as far as criminal law goes, Scotland remains faithful to its traditional system. Specifically, Scotland has implemented a Scottish Parliament, which has been granted the power to create laws in many important legal areas including criminal justice (Gaebler, 2015).

Common law and legal tradition in Northern Ireland. Northern Ireland implemented common law when it became part of the UK. In recent years, Northern Ireland has somewhat distanced itself from common law practices. One of the elements remaining from common law is the use of juries. Northern Ireland is actually one of the few legal systems that restricted juries to only certain cases. From 1973–2007, cases involving people suspected of paramilitary acts were tried by a sole judge (Glendon et al., 2018).

The UK's Systems and Their Influences

The United Kingdom offers an interesting look into the influence of history and culture on substantive and procedural law because it is home to three different legal systems. Each of these systems has its own influences, as each system has jurisdiction over a specific geographical area. Each of these areas has a unique history and culture. As a result of their drastically different cultures, their laws differ. The UK is one of three government systems that does not employ a single written document of laws and principles that apply across its legal systems as its "constitution," the others being New Zealand and Israel; instead, the UK's governing principles and laws emerge from legislature, case law, and political customs (Blackburn, 2015). These principles and laws vary across the three legal systems.

England and Wales. Unlike many of its European neighbors, the legal system of England and Wales never added Roman elements to its procedural system. England instead customized its own procedural practices. This allowed for adjustment as needed throughout history. The most significant developments were the use of juries and the creation of the Royal Court system. The adoption of a centralized court system led to the use of common law, definite legal procedures, and the administration of justice by judges (Weigend et al., 2017). Furthermore,

the application of these things led England and Wales to consider the use of counsel.

England and Wales employ an adversarial system similar to that of the United States wherein the Crown (prosecutor) argues that the defendant is guilty, and the defense attorney argues for the acquittal of their client (Rab, 2018). As far as criminal procedure goes, the English/Welsh system has adopted the Criminal Procedure Rules. This set of rules is amended periodically and was last edited in January of 2020 (Ministry of Justice, 2020).

Scotland. Unlike England and Wales, Scotland did allow Roman procedure to influence its laws. Where Scotland did not have its own customary procedures, Roman law was interjected. This made the union of the parliaments of England/Wales and Scotland in 1707 an interesting one. One of the main differences between English/Welsh law and Scottish law is the separation of equity and common law. Scotland's legal system did not distinguish equity from common law. Equity was used in Scotland as a supplement to common law and provided remedies not listed in regular common law (Smith & Gibb, 2017). The merging of English/Welsh and Scottish law occurred as a result of the House of Lords, which performs duties of a court of appeal, applying English law to Scottish cases. Additionally, Scottish lawmakers began implementing English law while courts started taking English case law into account during trials. While some areas of Scottish law have merged completely with English law, many remain separate (Smith & Gibb, 2017).

Like England and Wales, Scotland employs an adversarial system (Fulton, 2018). The Criminal Procedure (Scotland) Act of 1995 made clarifications on a defendant's right to a lawyer, extension of detention period, and extension of appeals period. This is the most recent addition to Scottish procedural criminal law (UK Legislature, n.d.).

Northern Ireland. Northern Ireland's legal system has been similar system to that of England and Wales for more than two centuries. In 1801, the Act of Union dissolved the Irish parliament and brought Irish representatives to the British Parliament. In 1922 the Republic of Ireland split from Northern Ireland, and representatives continued to be part of the British Parliament, but Northern Ireland also set up a legislative headquarters in Belfast. During the merging of English and Northern Irish law and customs, a settlement took place. Jones et al.

wrote: "Under the terms of the partition settlement, London retained control in matters relating to the crown, war and peace, the armed forces, and foreign power, as well as trade, navigation, and coinage" (2020). The use of the Belfast headquarters was suspended in 1972 as a result of increased violence. British and Northern Irish officials attempted for decades to find a power-sharing middle ground, but were unsuccessful (Jones, 2020).

The Good Friday Agreement of 1998 introduced an assembly that would represent Northern Ireland consisting of representatives of varying political positions (unionists and nationalists) and religious divisions (Protestant and Catholic). The assembly was given minimal powers while higher impact issues, including taxation and criminal justice, were reserved for the Parliament in Westminster. In 2002, the agreement was reversed and power was returned to England. In 2007, however, political parties reached an agreement and power was returned to Northern Ireland (Jones, 2020).

Clearly the legal procedures of Northern Ireland have been shaped by the English legal system. The criminal justice system of Northern Ireland mirrors that of England and Wales wherein justice is administered by the Crown Court and six other courts. Like the other constituents to the UK, Northern Ireland employs an adversarial system. Most criminal cases are heard by a judge and subject to jury decision (Northern Ireland Government, 2018).

Overview of the Legal System in the UK

All courts in the UK employ an adversarial system. In criminal cases, the prosecution, better known as the Crown Prosecution Service, argues to prove the defendant is guilty. The other party involved is that of the defendant and their attorney (Rab, 2018). The Crown is the prosecution service in England and Wales. Northern Ireland and Scotland also use the adversarial system, employing their respective prosecutorial services: The Public Prosecution Service and the Crown Office and Procurator Fiscal Service. Human rights laws have made it a necessity to have defense attorneys available to a defendant, regardless of their financial status (Citizens Advice, 2016).

England and Wales: The Crown Prosecution Service. Prosecuting attorneys in England and Wales follow the Code for Crown Prosecutors. The Code is issued by the Director of Public Prosecutions

and is used by Crown Attorneys to guide their decisions in criminal cases. The Code offers guidance and answers questions regarding whether an attorney should prosecute a case and whether it is in the best interest of the public. The code outlines the procedure to be used when making decisions about whether to prosecute a case (Crown Prosecution Service, 2018).

The conditions of the Full Code Test must be met in order for the Crown to prosecute a case. The test is divided into two sections: the evidential stage and the public interest stage. The evidential stage requires that prosecutors ensure that their evidence is admissible in court. By extension, they are asked to consider whether the evidence is credible and reliable. The evidential stage also required that prosecutors consider any other material or circumstances that may affect the sufficiency of evidence. The public interest stage requires prosecutors to consider whether prosecuting the case is in the public's best interest. This includes considering the severity of the offense, the culpability of the suspect, harm caused to the victim, the suspect's age and maturity level, and the impact on the community. The Full Code Test ensures that prosecutors are not wasting time or money on cases that should not be prosecuted. In the event that the conditions of the Full Code Test are not met, the Threshold Test may be applied depending on the circumstances (Crown Prosecution Service, 2018).

In order for the Threshold Test to apply, special circumstances must be present. There must be reasonable grounds to believe that the suspect did, in fact, commit the crime. Second, sufficient evidence to convict the suspect must be gathered. Next, the offense must be serious enough to warrant immediate charging. Fourth, there must be substantial grounds to object to bail. Finally, it must be "in the public interest to charge the suspect" (Crown Prosecution Service, 2018).

Legal Aid Agency: Funding Defense

The Public Defender Service is an organization funded by the Legal Aid Agency. The PDS is the source of public defenders for those living in England and Wales. The PDS has many locations throughout England and Wales with its headquarters in London. Public defenders have the responsibility of opposing the prosecution in an attempt to get their client acquitted (Legal Aid Agency, 2018).

Scotland: Crown Office and Procurator Fiscal Service. The

Crown Office and Procurator Fiscal Service (COPFS) is Scotland's Prosecution Service. Like its British counterparts, Scotland has a Prosecution Code that helps guide decision making. The Prosecution Code outlines the requirements for prosecuting a case as well as alternatives to prosecution. The requirements for prosecution are the same as those in England and Wales: there must be sufficient evidence and prosecution must be in the public interest. Unlike in England and Wales, there is no Threshold test. If a case does not meet the requirements in the Prosecution Code, the case cannot go to court (COPFS, 2001).

Defense and legal aid: Scotland has a legal aid system similar to that of Northern Ireland. Qualifying individuals are given financial aid to help pay for their legal costs. Interestingly, some who receive legal aid will still have to pay some legal costs and some may even be required to pay back some or all of the aid they received. Most of the time, however, criminal cases do not require defendants to pay out of pocket or pay back the aid they received (Scottish Government, 2019b).

Northern Ireland: Public Prosecution Service. Northern Ireland's Public Prosecution Service operates in a similar capacity to that of England and Wales. The Code for Prosecutors rules is almost identical to the Code for Crown Prosecutors. Northern Ireland's Code for Prosecutors adheres to the Test for Prosecution, which, like the Full Code Test, is divided into evidential and public interest stages. The evidential stage has many elements, the most important being an identifiable suspect and admissible evidence. The public interest stage requires that prosecutors consider how the case will affect the public: whether the crime was violent, part of an organized crime effort, premeditated, etc. If this set of requirements is not sufficiently met, there can be no prosecution. There is no "special circumstance" test in Northern Ireland's prosecutorial system (Public Prosecution Service, 2019).

Northern Ireland's legal aid schemes: Instead of a service dedicated to providing public defense, Northern Ireland has legal aid schemes that provide for qualifying individuals to receive funds to pay for a lawyer. In order for people to qualify, two conditions must be met based on both means and merit (Legal Aid Schemes, 2019). In other words, results of the tests must indicate that the individual has significant financial need and it must be in the best interest of justice for the individual to receive aid.

Police Systems Across the UK

Each of the UK's distinct jurisdictions has a police system all its own. Based on information available about each system, it is clear that the UK operates on a legalistic policing style. Each system has its own procedures, but they all focus on keeping the community safe through formal proceedings. While each area has its own police system, there exist national law enforcement agencies, including the British Transport Police, the Civil Nuclear Constabulary, and the Ministry of Defense Police. These agencies are known as the UK's national special police forces and have jurisdiction across the UK (NPCC, n.d.).

Police Systems in England and Wales

The Home Office. The jurisdiction of England and Wales is home to numerous territorial police forces as well as the national special police forces, including the National Police Air Service. All territorial police forces are controlled by the Home Office, a government department dedicated to safety and security (Home Office, n.d.). The Home Office was established in 1782 and has since played a fundamental part in protecting the UK. The Home Office is responsible for tackling issues such as illegal drug use, terrorism, alcohol policy, immigration, passport issuance, fire rescue, and ensuring that police forces are held accountable (Home Office, n.d.).

Organization within forces. Each force has a chief constable who is responsible for all its regional police services. Outside of London, each force has a publicly elected Police and Crime Commissioner (PCC) who is responsible for directing the force. Each chief constable is accountable to the PCC. In London, the system is similar, but the police are divided into the City of London Police and the Metropolitan Police. The Metropolitan Police answer to the Mayor's Office for Policing and Crime, while the City of London Police force is overseen by the City of London Corporation (Health and Safety Executive, 2019).

Scotland's Police System

Scottish Police Authority. The Scottish Police Authority was established in 2012. It holds the Chief Constable of Police Scotland accountable, improves and monitors policing throughout Scotland, and maintains the police service. The SPA also handles forensic tasks for all of Scotland. (Scottish Police Services Authority, n.d.).

Organization of the ff\Force. Established in 2013, Police Scotland is responsible for the totality of Scotland, some 80,240 square kilometers. It is the second largest force in the UK. According to Police Scotland's website:

> The service is led by Chief Constable Iain Livingstone QPM, supported by a command team of three Deputy Chief Constables, a Deputy Chief Officer, Assistant Chief Constables and Directors.
>
> There are 13 local policing divisions, each headed by a Chief Superintendent who ensures that local policing in each area is responsive, accountable and tailored to meet local needs. Each division encompasses response officers, community officers, local crime investigation, public protection and local intelligence. (Police Scotland, n.d.)

The Chief Constable is accountable to the Scottish Police Authority's Board of independent members.

Northern Ireland's Police System

Policing Policy and Strategy Division of the Department of Justice. The Police Service of Northern Ireland, formerly known as the Royal Ulster Constabulary, is a non-departmental public body, sponsored by Northern Ireland's Department of Justice (United Kingdom Government, 2018). The Department of Justice has many responsibilities, ranging from policy making to managing forensic science labs; the services are carried out by divisions within the department. The Policing Policy and Strategy Division is responsible for all policies and holds police forces accountable. The division is separated into three branches: the Police Planning and Resources Branch affects day-to-day operations most, and the other two are the Police Powers and Human Resources Policy Branch and the Policing Strategy and Support Branch. The latter contributes to strategic police planning and oversight of the Northern Ireland Police Service (Northern Ireland Department of Justice, 2017).

Organization within forces. The Northern Ireland Police Service is a single police force containing organizational units in 26 neighborhoods. The force reports to the Northern Ireland Policing Board. The Northern Ireland Policing Board is an organization responsible for decision making in regards to all police policy as well as funding and

training. The Northern Ireland Police System receives training and funding as a result of reporting to the board. With the information gathered from the force, the board can make policy changes and implement training in order to ensure that the force is properly trained to handle current threats to safety (Northern Ireland Policing Board, 2016).

Human Rights and Policing

Dr. David H. Bayley, Dean of the School of Criminal Justice at SUNY, gave a conference speech in 2013 outlining a series of nine steps toward human rights based policing. The nine steps encourage a more humanitarian approach to policing and can be implemented around the world. These steps include: agreeance of existing government, development of explicit plans, implementation of performance indicators, international accountability, ability to work with or around local culture, a change in institutionalized behavior, viewing safety as a human right, donor countries understanding tradeoffs, and being an example (Bayley, 2013).

Progress toward human rights-based policing in England and Wales. The UK passed the Human Rights Act in 1998. This law aimed to ensure that the accused would be able to defend themselves in court and that government agencies, including the police, would treat everyone equally and with fairness (Liberty Human Rights, n.d.). This law also gave civilians the right to seek redress for violations against their fundamental human rights as defined in the European Convention on Human Rights (Bullock & Johnson, 2011). Police in England and Wales believe the Human Rights Act to have greatly affected their policing style, indicating that the procedures they must adhere to keep them in check. In their article, "The Impact of the Human Rights Act 1998 on Policing in England and Wales," Bullock and Johnson make and justify claims that while the police believe the HRA keeps them accountable and encourages progress when it comes to human rights, the actuality is that it only forces officers to complete useless bureaucratic processes. England and Wales' police officers admit that they sometimes "copy and paste" successful justifications from previous documents to satisfy Authorizing Officers' requirements (2011, p. 636).

Of Bayley's suggestions, the one that applies the most is the "safety is a human right" principle (2013). Once police officers start to view safety as a human right, they are bound to be more thoughtful in their

work. Additionally, the development of performance indicators would likely be beneficial. If England and Wales adopted a system similar to that of Northern Ireland, they would see that mindlessly filing paperwork is not an effective way to ensure human rights to the community. An independent evaluation organization could help to make suggestions and policy changes to work toward a more human rights-based police system.

Progress toward human rights-based policing in Scotland. The Scottish Human Rights Commission was established in 2008 and has since been working with Police Scotland to ensure the rights of the people of Scotland. The SHRC has been working in a fashion similar to Northern Ireland's Independent Commission to make calculated decisions and recommendations based on data and trends they observe. The commission has also developed Scotland's National Action Plan on Human Rights (SNAP). Police Scotland has been heavily involved in the development and execution of this plan and, as a result, has adopted these responsibilities:

> Identify opportunities to further embed human rights within the structures and culture of policing, including strengthening accountability for the respect of human rights as well as training on human rights for the police. It will, for example, help ensure legality and proportionality in the use of force and stop and search by Police Scotland through adequate training and monitoring, including the collection of disaggregated statistics. (SHRC, 2015, p. 6)

Scotland is headed down a path similar to that of Northern Ireland, but for whatever reason, it is taking much longer than it should.

It would seem that SHRC is lacking explicit plans, which is one of Dr. Bayley's nine suggestions for facilitating progress toward human rights-based policing. The lack of plans in Scotland's Human Rights Commission has slowed down progress toward effective human rights-based policing. By implementing Bayley's suggestions to enact explicit plans focusing on one aspect at a time, Scotland can speed up its progress and achieve the results its citizens deserve.

Human rights-based police reform in Northern Ireland. Dr. Bayley spoke very highly of Northern Ireland's police reform. In 1998, the Independent Commission on Policing in Northern Ireland, also known as the Patten Commission, was established as stipulated by the

Good Friday Agreement. The Patten Commission was designed in order to form a new police force with updated standards and a new policing style. The commission worked toward forming a police force that is impartial and free of partisan political influence. One of the goals of the commission was to increase positive community relations in an effort to create a sense of cohesion and equality among Northern Ireland's people and parties (University of Notre Dame, 2015). The commission has been extremely successful in implementing changes that push the movement toward human rights-based policing forward. In 2004, the United States Department of State's Policy Planning Director, Mitchell B. Reiss said this of Northern Ireland's police reform:

> Areas where excellent progress has been made include a human rights-based approach to policing, a sophisticated and transparent system of accountability, the establishment of District Command Units and District Policing Partnerships, improved methods of public order policing, [and] the creation of a more representative workforce marked by the significant increase in the number of police recruits from the Catholic community. (Reiss, 2004)

As far as implementing Dr. Bayley's nine suggestions, Northern Ireland seems to have checked off almost all the boxes. The only area that seems to need work is the culture, simply because of the nature of corruption. There are inevitably corrupt people with ill intentions within any community, law enforcement included. Corruption itself is a culture and, as Dr. Bayley said, it will either have to be reformed or worked around. While working around it is less desirable, corruption is so prevalent that it will inevitably be encountered. Northern Ireland has done an exceptional job at keeping corruption at bay, but there is always room for improvement.

Punitiveness of the UK's Prison System

The nature of corrections in the UK has progressed since its early years. In the 18th century, over 200 offenses were punishable by death. Those sentenced to death were either hanged or banished to the colonies. The prisons were overcrowded by those awaiting trial, those already sentenced, and debtors. Debtors were the largest contributor to prison population, because so many tradespeople fell into debt they were unable to repay. To avoid excessive overcrowding, every few years

parliament would release part of the debtor population under certain conditions. Types of prisons ranged from small village lock-ups to castle keeps. Interestingly, when the American colonies separated from the United Kingdom, those who were supposed to be banished to the colonies were housed on decommissioned ships docked, also known as prison-hulks. Prisoners were also forced to do hard labor dredging the Thames (Parliament, n.d.).

Goals of Punishment in England and Wales

The corrections system in England and Wales is governed by the Criminal Justice Act of 2003, which outlines the purposes and guidelines for sentencing:

> Any court dealing with an offender in respect of his offence must have regard to the following purposes of sentencing—the punishment of offenders, the reduction of crime (including its reduction by deterrence), the reform and rehabilitation of offenders, the protection of the public, and the making of reparation by offenders to persons affected by their offences. (Legislation, 2015)

his information shows that the focus is on deterrence, reform, reparations, and protection rather than vindication and retribution.

Prisons in England and Wales

There are 130 prisons under the jurisdiction of England and Wales, and they are publicly or privately owned. Many of the older prisons are as old as the Victorian era, and, as a result, they are dilapidated and lacking in necessary facilities. Male adult prisoners are assigned a category based on a combination of three factors: the type of offense committed, how likely they are to try to escape, and how dangerous it is for the public if they do escape. The categories range from A to D, A being the highest level of security and D being the lowest. Low security classified prisoners are housed in an open prison and are afforded privileges such as home leave or nominal employment. Female adult prisoners are also divided into four categories: restricted, closed, semi-open, and open. Each closely corresponds to the male classification system with a few variants (Silvestri, 2013).

Prisons in England and Wales: Rehabilitation efforts. In a library briefing published by the House of Lords, Robert Blakey names

five contributors to rehabilitation: "education, offender behavior programmes, faith, social ties, and resettlement mentoring" (2017, p. 1). Offender behavior programs used in England and Wales contain a series of therapeutic group activities. In order to be used in prisons an offender behavior program must be accredited, a process that requires measurement of effectiveness. These programs are based on Cognitive Behavioral Therapy. Blakey notes, "According to clinical psychologists, the programmes aim to change the beliefs and attitudes that encourage criminal behaviour" (2017, p. 9). Unfortunately, these programs are available to a limited number of prisoners; however, they have recently become more accessible to prisoners who are serving indefinite sentences (Blakey, 2017).

Scotland's Goals of Imprisonment

According to the Scottish Sentencing Council's publication, *Principles and Purposes of Sentencing*, the purposes for sentencing may include protection of the public, punishment, rehabilitation, giving opportunity to make amends, and expressing disapproval of offending behavior (2018). Based on these principles, Scotland's corrections system appears to aim more for vindication than the systems in Northern Ireland and England and Wales do.

Prisons in Scotland. Scotland has 13 public prisons and 2 privately owned prisons across its jurisdiction (Scottish Prison Service, n.d.). Prisoners are split into three categories: high supervision, medium supervision, and low supervision. Prisoners in the low supervision category are sometimes granted temporary release and are often allowed to participate in the community unsupervised (Silvestri, 2013). In 2019, Scottish prisons were home to 8,126 prisoners, including those awaiting trial and those on remand. Interestingly, 5% of that population were women. Juvenile prisoners represented only .4% of the total prison population (World Prison Brief, 2019).

Rehabilitation efforts in Scotland. Between 2012 and 2015, the Scottish government created a £10 million fund called the Reducing Reoffending Change Fund, which has been used to provide mentoring services and practical support to offenders in need. The Scottish government is also working to create stronger links between offenders and employment, housing, education, and health services to ensure that those in need of their services have the necessary access (St. Andrew's

House, 2014). Currently, the fund is operating four schemes: Shine, New Routes, Moving On, and Tayside Council on Alcohol. These programs focus on women; young men leaving the prison system; young men leaving HMP Polmont, which is a prison located in Brightons, Scotland; and individuals serving community sentences (Scottish Government, 2017).

Goals of Imprisonment in Northern Ireland

Northern Ireland's Prison Service is governed by the Prison Act of 1953, which outlines the service's duties which include "improv[ing] public safety by reducing the risk of re-offending through the management and rehabilitation of offenders in custody" (Northern Ireland Department of Justice, 2018). The Prison Service emphasizes its commitment to keeping inmates in safe, secure, humane conditions. Another priority of the Prison Service is working with various organizations to create programs to reduce recidivism rates (Northern Ireland Department of Justice, 2018).

Northern Ireland's prisons. Northern Ireland has only three prisons: Maghaberry Prison, Magilligan Prison, and Hydebank Wood College and Women's Prison. Prisoners are sorted into categories and assigned to a prison based on their security classification. Maghaberry Prison is Northern Ireland's high security prison and is home to those deemed to be remand prisoners. Magilligan Prison is a medium to low security prison that holds prisoners with sentences of six years or less. Hydebank Wood College and Women's Prison accommodates individuals 18–21 years of age and focuses on education and employment. Also located at Hydebank Wood College and Women's Prison is Ash House, a housing block for women deemed to be remand prisoners (Northern Ireland Prison Service, 2017).

Rehabilitation in Northern Ireland's prisons. The three prisons use a combination of education and substance abuse programs in an effort to bring down recidivism rates. The program used by the prisons is called Alcohol and Drugs: Empowering People Through Therapy (AD:EPT). AD:EPT is delivered by an organization called Opportunity Youth in collaboration with Northern Ireland's health services (Department of Justice, 2015). Northern Ireland Prison Service also focuses on education and skills training. Northern Ireland's government has been funding the development of educational facilities

(Department of Justice, 2010). Successful Learning and Skills programs have been established in Maghaberry Prison and Hydebank Wood Collete (Department of Justice, 2019).

Capital Punishment in the United Kingdom

Before 1965, the death penalty was enforced in the UK. For hundreds of years, prisoners were hanged, beheaded, and burned at the stake. Britain had a legal system called the Bloody Code. This system was utilized from the late 17th century to the early 19th century. This code made petty crimes such as pickpocketing and theft punishable by death. In 1861, the death penalty was abolished except in extreme cases including murder, high treason, piracy, and arson in royal dockyards. In 1868, public executions were deemed illegal with the introduction of the Capital Punishment Act (Seal, 2018).

The abolition of the death penalty continued into the 20th century with the Infanticide Act of 1922, which made infanticide a separate crime from murder and thereby not punishable by death. In the 1930s it became illegal to sentence pregnant women and individuals under 18 to death. A humanitarian organization called the Howard League began advocating for the complete abolition of capital punishment in 1923. This catalyzed the humanitarian-backed campaign against the death penalty. In 1965, Parliament passed the Murder Act, which suspended the death penalty for an initial five years before being permanently abolished for all crimes except treason and piracy in 1969. In 1998, capital punishment was abolished in cases of treason and piracy, which completed the abolishment of the death penalty (Seal, 2018).

While the death penalty has been abolished since 1969, some politicians continue to attempt to reinstate the death penalty to the United Kingdom. In the 1980s, when political power began to shift to the conservative party, several attempts were made in Parliament to make the death penalty legal again.

As terrorism became a more pressing issue, there were calls from outside Parliament to reintroduce hanging in special cases. Between 1965 and 1994, there were 13 attempts to rescind the Murder Act, the most recent being the Criminal Justice and Public Order Bill (CJPOB), which would have amended the code to make killing a police officer a capital offense. The bill was voted down in the House of Commons. The Labor and Liberal Democrat representatives voted in solidarity

against the reintroduction of the death penalty while the Conservative representatives were split (Knowles, 2015).

Opponents of the reintroduction of the death penalty can rest assured that as long as the United Kingdom is a part of the European Union, the death penalty is far from approval. The European Union requires that countries completely abolish the death penalty before joining. The EU actively campaigns against capital punishment. Reintroduction of the death penalty would not only violate EU rules but also the European Convention on Human Rights (ECHR). Further, the ECHR requires that the United Kingdom take measures against the extradition of prisoners to countries currently practicing capital punishment (Knowles, 2015).

As the threat of Brexit advances, those against capital punishment worry that the chances of capital punishment becoming legal again are rising. While the UK leaving the EU would be a step toward reintroduction, the ECHR, which has been ratified by the United Kingdom, constitutes that capital punishment will not be practiced. Interestingly, studies have shown that an individual's stance on capital punishment influences their vote on Brexit more than socioeconomic class. Based on a survey of 24,000 British voters, individuals in favor of leaving the EU tend to support the death penalty, while those who voted to remain in the EU oppose it (Burton, 2016).

Women, Minorities, and Foreign Nationals in Prison

As of June 2019, the UK had a total prison population of approximately 92,400. This estimation includes 82,676 prisoners in England and Wales, 8,205 in Scotland, and 1,487 in Northern Ireland. The prison population is relatively older, as only 6% of the population are under 21. Interestingly, foreign nationals make up 11% of the prison population while minority ethnicities represent 27% of the population. Currently, 5% of England and Wales' prison population are women. Compared to a staggering 17% in 1900, the current portion shows a steady decrease in the number of women imprisoned in England and Wales. A similar statistic is true of Scotland: approximately 5% of its prison population is female. Women represent some 3.8% of Northern Ireland's prison population (Sturge, 2019).

One of the biggest issues facing female prisoners is that of inadequate health services. A staggering 65% of women in the UK's prisons

have depression, and female prisoners account for 23% of all self-harm incidents. Moreover, 53% of female prisoners report having suffered physical, emotional, or sexual abuse prior to their sentencing (O'Morre & Peden, 2018). 46% of the UK's female prisoners report having attempted suicide at some point in their lives. Of the UK's female prison population, 66% are mothers of dependent children, and at least one third of those women were single parents before imprisonment. Not only does this separation have detrimental psychological effects on the child, but the mother is negatively affected as well (Epstein, 2014).

The issue of parenting from prison extends to and has a greater impact on black female prisoners, as they are more likely to be the sole provider for dependent children. Another pressing issue is the safety of women who are part of minority groups. The HM Inspectorate of Prisons has noted that "women who are part of ethnic minorities feel less safe in custody and have less access to mental health services than their white counterparts" (Cardale, 2017). Surveys from the HM Inspectorate of Prisons indicate that minority women experience racial and religious discrimination by prison staff and other prisoners (Cardale, 2017).

Not only are black, Asian, and other minorities over-represented in the UK's prison system, they are also more likely to be remanded while in custody. This issue bleeds into the court system, as generally people from ethnic backgrounds tend to go against their solicitor's advice. Additionally, people with ethnic backgrounds are more likely to plead not guilty, which means they are more likely to be convicted and receive a custodial sentence (Prison Reform Trust, n.d.). This data represents both men and women in the UK's prison system.

Foreign nationals make up 11% of the UK's prison population. The UK has seen a large increase in foreign nationals, which has given rise to concerns regarding immigration and border security. Additionally, Banks notes:

> The growth in the foreign national prison population has led to a significant body of research. . . . Collectively, the work has identified that foreign nationals' experiences of prison are characterised by isolation, language barriers, limited or no family contact, discrimination and racism, limited understanding of the prison and criminal justice system, and a number of problems linked to immigration-status,

post-sentence detention, resettlement and deportation. (Banks, 2011)

Approximately 9% of the UK's foreign national prison population is Albanian. The Polish make up another 9%. Romanian and Irish prisoners each make up 8% of the population (Sturge, 2019). The recent increase in foreign nationals in prisons has been the cause of concern for many British citizens. As a result, more and more foreign nationals are being deported to such a degree that deportation is becoming the norm (Nancheva, 2019).

Juvenile Justice

England and Wales. In the last 10 years, England and Wales have experienced an 82% decrease in the number of children who received a caution or a sentence, with 6% of that decrease occurring in 2018. The average sentence length has increased by 5 months in the last decade and now rests at 16.7 months. The number of self-harm incidents in custody increased by 40% in 2018, when there were 1,800 recorded incidents. In addition, the overrepresentation of certain ethnicities in juvenile detention centers is severe; Black children and children of mixed ethnicity each represent 4% of the general population of children aged 10–17. However, the proportion of Black children who are sentenced is three times their representation in the 10–17 population. Similarly, and the proportion of mixed-ethnicity children who are sentenced is double their representation in the 10–17 population (Youth Justice Board, 2019).

Scotland. Some 4.7% of Scottish youth aged 8–17 were involved in criminal behavior from 2012–2013. Police forces only began reporting juvenile justice data in 2008, and the trend since then has shown a downward trajectory in total youth population offending. Between 2008 and 2014, juvenile offending rates fell by 50%; this is consistent with criminologists' claims that the crime rate among juveniles will continue to decrease (Lightowler et al., 2014).

Northern Ireland. Northern Ireland shows a similar trend to that of England, Wales, and Scotland. Between 2017 and 2018, the juvenile crime rate fell 4.2%. This means that less than 1 in 1,000 juveniles were involved with the juvenile justice system. Additionally, the average sentence length decreased by 15.8% between 2017 and 2018 (Brown, 2019). As much as 90% of Northern Ireland's juvenile detention population

may be male; this has consistently been the case for the past five years and is not projected to change.

The Welfare Model as Represented in the UK's Juvenile Justice System

As evidenced in the various prison systems' mission statements, the main goal of juvenile justice is rehabilitation and providing proper care to discover and remedy the root of the issue. For example, the juvenile justice system in England and Wales has a Youth Justice Board who are responsible for ensuring that operations are running properly in the juvenile facilities and that children are receiving the care they need. Additionally, the Youth Justice Board has a Youth Advisory Panel of young people. By taking into account the childrens' voices, the Youth Justice Board can better provide for the youth in the juvenile detention centers. One of the Board's priorities for 2019 is ensuring that there is safety and proper education in the juvenile justice system (Youth Justice Board, n.d.).

In 2006, Scotland implemented the Getting It Right for Every Child agenda. This agenda focuses on promoting the welfare model of criminal justice in the youth justice system. The agenda's main goals are summarized on the Scottish Government's information page:

> Getting it right for every child (GIRFEC) supports families by making sure children and young people can receive the right help, at the right time, from the right people. The aim is to help them to grow up feeling loved, safe and respected so that they can realise their full potential. (Scottish Government, n.d.)

This agenda represents a shift even further toward welfare model of criminal justice in Scotland. While GIRFEC was implemented in 2006, this gradual movement to one side of the spectrum has been in the works for decades (McVie, 2011).

Northern Ireland is not as welfare based as Scotland is, but it still leans more toward welfare than justice. The Youth Justice Agency was established on April 1, 2003. It has a purpose similar to that of England and Wales' Youth Justice Board. While the Youth Justice Agency is more punitive in nature, their end goals promote a welfare model:

> We will deliver services to young people based on proportionality and individually assessed risks, needs and ability;

> work to change, challenge and support young people to be the best they can be; hold young people to account for their offending and, where possible, young people should make good the harm they have done; use research and evidence based practice to inform all our work; respect everyone no matter how different they are. (Department of Justice, n.d.)

The UK's three justice systems differ greatly in their methods of handling juvenile crime. What they have in common is their goal to lower recidivism rates and make their communities safer. They all accomplish these goals by providing offenders with the resources they need to remedy the root of their offending.

Conclusion

The United Kingdom is home to an incredibly effective justice system. Versatile programs and procedures allow for each aspect of the system to function exceptionally well. From the Full Code Test to the AD:EPT program, the UK is finding the most effective ways of promoting justice and providing for rehabilitation. The UK's system is built on providing a fair trial and justice for those who have been wronged, sometimes by the justice system itself. Human rights are an integral part of the UK's justice system as evidenced by organizations and programs such as the Defence Solicitor Call Centre and the miscarriage of justice compensation fund. While the UK has a great justice system, it is lacking in certain areas, including but not limited to its severely dilapidated prison facilities and the lack of police focus on human rights in day-to-day operations. While this criminal justice system differs greatly from those of nearby countries, it provides for the specific needs of its people. Each country has its own complex dynamics, needs, and solutions, but many of the UK's programs can be adapted to address a variety of issues seen in justice systems globally. An understanding of the UK's justice system, including the traditional and modern aspects, can greatly assist in the discovery of new and innovative ideas for implementation in other countries.

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Police Education and Use of Force: Higher Education's Impact on the Use of Force by Police

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In today's America, police have one of the worst relationships with the citizens they protect in our nation's history. It seems like almost every day the news broadcasts another instance where either a police officer or civilian was killed during an interaction with one another. This hostility and difference can stem from the amount of force that police have to use on citizens to achieve compliance. These officers are using the force that they deem necessary in the moment, but it can sometimes be too much and can get the officer or civilian seriously injured or killed. As a result, police departments everywhere need to prepare their officers to use the least amount of force possible. Officers in America are legally allowed to use a certain degree of force in order to make an arrest on criminals. However, there is also an amount that is unneeded and unwanted.

What constitutes unreasonable force has been debated between the researchers studying it. Most scholars generally agree that this force can be broken down into two categories. Ariel, Farrar, and Sutherland (2015) describe the two as excessive use of force, which is when more force than necessary is used, and the unnecessary use of force, which occurs when force is used in a situation when none was required. Both of these are harmful and can lead to unintended results. Reducing these types of abusive force while maintaining the correct amount is and should be a focal point for police and their departments across the country.

The most effective method for determining the correct application of force continues to be debated among law enforcement scholars and within actual police departments. One option for reducing force that has received the most recent attention is going to college. It has always been thought that going to college will improve a police officer's ability

to make decisions and assess their behaviors while on the job. Paoline and Terrill (2007) conducted one of the first studies in the twenty-first century that saw a correlation between a college education and the use of force. The study built on the findings of far older research and set up the argument in the modern era, paving the way for the argument of education being valuable to police. It seems to some that the knowledge and skills attained in college will translate in a positive way to a law enforcement career.

However, the impact of education on force usage may be overshadowed by other areas that should be highlighted instead. Paoline and Terrill (2007) looked at officer experience along with education and focused on how they related to using force. It was used as a comparison tool of sorts, when looked at side by side with the impact of a college education. Paoline and Terrill found that officer experience may have a larger role to play in reducing force (2007). This information shows that higher education levels may result in some amounts of force being used less but does not result in as much force reduction as experience does. If there is an alternative avenue to reducing mass amounts of force, why should departments put their resources into advocating for education?

The information from this study expanded my inquiry into what actually reduces the most amounts of force in the most efficient way. I began looking into other areas of policing to see if they provided a reduction in force. In my research, three distinct categories stood out: experience, additional training, and deterrence methods. After comparing these to the effects of a college education, I feel that the three are better at reducing the force used by police in everyday situations. The value of the knowledge and skills that police gain through a college education cannot be downplayed; however, job experience, specific training, and deterrence methods need to be a higher priority, as they are more vital to reducing the amount of force used by police in day-to-day encounters.

Regardless of what information has been found about college and policing, it appears that there is something pushing police departments to actually require officers to have some form of a college education in order to be hired. A lot of these departments are large scale and work in urban areas. Chicago (2018), Dallas (2016), New York City (2018), and Colorado Springs (2016) all require officers to have at least earned

60 credits from an accredited institution, according to all of the departments' websites. Houston (2017) mandates 48 credits to be hired as a police officer. These departments have noticed some sort of trend for a benefit that college will provide their officers. Precisely what this upside is may not be clear, but I feel that reducing the amount of force that police use is not a justifiable reason alone to advocate for police to attain a college degree.

The first observation I noticed about the reduction of police use of force was the impact that experience had. A massive upside of gaining experience on the job as a police officer is the practical and real-life involvement obtained from taking on different challenges every day. Paoline and Terrill (2007) introduced this view by stating that policing is a specialized career that involves learning in the field because it is difficult to teach in a classroom setting. The argument demonstrates why experience is a better teacher than a human teacher. Policing is a career that must be learned through doing. It is difficult to understand when the correct scenario is present to use force if it is taught from a book or shown in an unrealistic controlled area. Experience is a strong vessel for reducing force because it provides a real teaching environment that allows officers to learn for themselves.

Experience is also a better tool for reducing force because lessons attained from it can be shared between officers of all ages. Every officer has encountered different scenarios under different circumstances; no two calls or interactions are the same. This provides them with valuable information they can contribute to other officers everywhere. Lim and Lee (2015) agree when they bring up the idea that work and training experiences can be shared between officers regarding every type of police situation. Lim and Lee specifically discuss how experiences during training provide this contributable information, but the aspect of experience remains. Supervising officers are able to discuss and present their knowledge because of the experience that provided them with it.

The action of police exchanging ideas with one another also has an impact on the way they think once on the job, which may counter the effects of a college education. Researchers Paoline, Terrill, and Rossler (2014) were unable to find any evidence of college affecting officers' role orientations because the socializing of police with each other may abrogate the impact of college. This is similar to the other example as

it shows that the interactions of police cause ideas and feelings to be spread around the workforce. In this case, even if officers have a degree, the impact may be mitigated by the interactions of police with one another. What is the use of spending four years in college if some of what is gained might be replaced with ideas that will be learned on the job? Both of these examples illustrate how experience is shared between officers to spread useful ideas and to create a powerful police environment.

The previous two ideas discussing experience offer ways in which they provide real-life learning possibilities that can also be shared between officers and departments. Experience also provides hard evidence in actually reducing force on its own. Going back to their major study, Paoline and Terrill (2007) found that "officers with more experience relied less often on both verbal and physical force" (pp. 192–193). This is compared to college educated officers, who only had reduction in physical force (Paoline & Terrill, 2007). In other words, experience translates to more types of force being used less when compared to the reductions caused by having a college degree. Other researchers have also found this to be the case. After focusing on education and showing some of its force-related impacts, Rydberg and Terrill (2010) implied that more experienced officers use even less force than those with a college degree. There may be evidence that a college education results in some amounts of force decreasing, but it does not compare to the reduction that experience provides. Experience results in less force in general and is shown to even reduce both verbal and physical forms. Evidence like this cannot be ignored, as it adds to the lists of positives that experience provides while also showing direct relations to less force being used.

Some advocates of higher education will argue that experience is gained anyway, whether you have a degree or not, which is true. However, experience alone is still more vital than a college education because it provides the most reduction in force usage by reinforcing cognitive behavioral changes on the officers over time and, therefore, should be started on as soon as possible. As both Paoline and Terrill (2007) and Rydberg and Terrill (2010) have shown, experience reduces the use of more force than higher education does. The end goal is to reduce the amount of force police use as quickly as possible, so why try and do this by sending officers to college when they could just get

straight into the career and start learning valuable skills that reduce force? Experience is a notch above education in terms of reducing force and should be started on as soon as possible.

Training is another space that results in police using significantly less amounts of force in an easier way than college. Advanced training provides officers with specific instruction and education on policing that is directly related to what they will be doing in the field. This is an excellent option that works with experience because it focuses on specific law enforcement skills that can be built on. In a study testing advanced police training courses, Stickle (2016) found that officers who participated in advanced programs received drastically fewer use-of-force complaints than those who did not. These trainings and practices are specific to what police will actually see in the field and provides them with valuable knowledge when faced with the real situations. Andersen and Gustafsberg (2016) also used specific training to help police resort to force less often while on the job. They taught officers exercises and routines to help them control their heart rate and stress while in high-risk situations. They reported that these officers remained calmer during a practice scenario and relied on force less than those who did not take the course. This training allowed officers to work on a natural human instinct, resorting to force for protection, that gets in the way of their job, and it proved to be helpful. Both examples of training techniques work because they provide the cognitive behavior change that is needed to force police to rely less on force. The same change may happen when officers gain experience that alters their thinking. Taking specific training courses while being a police officer is valuable because it causes a mental alteration that reduces the amount of force police use, and it develops their skills in specific job-related areas.

Cognitive change also happens faster with training than it would by gaining it through college. Receiving a formal college education takes time; even only 48 credits would take about two years at 12 credits per semester. Andersen and Gustafsberg (2016) again highlight the benefits of quick and efficient training. In their study, the group of officers received only three days of the stress management training but performed better than the control group without the training (Andersen & Gustafsberg, 2016). In a short period of time these officers were able to change the way they thought and controlled themselves, which resulted in a better performance of their police duties.

Cognitive changes caused by training also happen quickly through an officer's self-review. While it has not been intensively studied, officers can look back at footage of themselves from body cameras to learn what worked and what did not during encounters with civilians (Ariel et al., 2015). During the study conducted by Ariel et al. (2015), Rialto police officers were found to use less force when they wore body cameras. The officers also watched and examined their footage after their shift was over. While the reduction in force cannot be directly linked to reviewing body camera footage, it may be an important area to consider when discussing training techniques because it is quick and specific for each individual officer. The intellectual changes that could come with this instruction method would be a fast and easy way to reduce force usage by officers. Training is a valuable tool in reducing force because it is a fast way to make a meaningful and positive cognitive difference in the way an officer thinks, which can result in less use of force.

Many will probably disagree with my argument by stating that the structure and method of college can be seen as being fairly identical to the advanced training that officers take; they are both instruments of education and learning. Proponents of college are right to argue this point. But while college and advanced training are similar, training is more effective at reducing force because it is specific to the law enforcement career and can be completed more quickly. Going to college takes time and requires taking classes that are not directly related to being a police officer. Training, on the other hand, provides essential and clear-cut exercises that are directly related and applicable to law enforcement.

As has been noted, Andersen and Gustafsberg (2016) used stress management training, which focuses on a natural human behavior that alters the way they work every day. It may not be completely police related but is linked with something that greatly influences their behaviors. Stickle notes that advanced training that is tailored specifically for police was also shown to reduce more force than a college education, but Stickle advocates for both (2016). This is directly linked to policing and caused a cognitive change in police behavior faster than going to college ever could. College may be comparable to advanced training, but training is more useful in reducing force because it consists of specific police teaching and occurs more quickly.

In addition to experience and training, deterrence can also be looked at as a better way to reduce force than a college education. This method involves dissuading officers to act in undesirable ways because they know they will be caught and a punishment will be enforced. The biggest upside of this approach is that it causes a cognitive change without having to necessarily teach it. For example, body cameras have been shown to reduce the amount of force complaints that officers receive (Ariel et al., 2015). This is attributed to the officers not acting in a bad way because they are being documented. They are deterred from a certain course of action. The same idea is present regarding departmental policies. For example, Terrill and Paoline's (2017) study revealed that the stricter a department's policies were on force, the less force was used on the streets. This can also be linked to the deterrence factor; officers are not using force because they know it is against policy and can result in disciplinary action. Both body cameras and policy show the deterrence method of reducing the amount of force used.

The reduction of force through deterrence is also better than the effect caused by going to college because it is cheaper and easier to implement. College may show signs of reducing some amounts of force used (Paoline and Terrill, 2007), but it is more expensive and time-consuming than these other methods. Body cameras are relatively cheap and can be issued immediately by departments across the country. In situations where they cannot afford these devices, departmental policies can be changed easily by those in charge at departments. These mechanisms do not require any additional teaching or training and can cause cognitive behavioral changes quickly. Deterrence is a better option for reducing force than a college education because the reduction occurs more quickly and in a less expensive way.

All three of these methods that I have outlined—experience, training, and deterrence—provide reduction in the amount of force that police use. They do this with more upsides than higher education through quick and efficient cognitive behavioral changes. Although I am arguing that these are better methods for reducing force when compared to a college education, I still believe college is important. The use of force is only one aspect of being a police officer. While college may not be the best impact for this area, it is in other parts of the job. Most police with a degree make more money and attain higher ranks in their departments. Some studies have shown it does reduce some amounts

of force used but is minimal compared to the three areas I covered. My point is not that officers should not get an education, but it should not be focused on when looking at what reduces force.

Overall, reducing the amount of force that our police officers use will result in a rewarding relationship for both civilians and police. Our focus on reducing excessive force needs to be centered on experience, training, and deterrence, as these reduce more force than education and are also efficient and multi-faceted. Education may be beneficial in other parts of law enforcement but should not be looked at if force usage is the area of concern. College is a long and unspecific course to take to achieve less reduction in force usage than other methods. Experience provides real job involvement and reduces vast amounts of force. Training is a specific education for officers and results in almost instant cognitive change. Finally, deterrence methods like department policy and body cameras are easy to use and also offer quick mental changes. These three methods should be go-to options for departments across the country in order to reduce the force used by their officers and create a better environment for both themselves and the citizens they protect.

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Educating Prisoners for a Better Tomorrow: A Project Proposal for Prison Education

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In September of 2004, Paul Pace, my cousin, was arrested on 23 counts of armed robbery. He pleaded guilty to 6 counts and was convicted under the Hobbs Act, which, according to Pace, is the "interference with interstate commerce by strong-arm robbery" (Pace). While Paul has been incarcerated the last 14 years, he has been in two federal institutions, USP McCreary and FCI Herlong, as well as multiple county jails. During his stay in prison, Paul has accomplished more educationally than most prisoners. He is currently working on his associates degree in business management through Stratford Career Institute, an associates degree in social science, and a four-year electrical apprenticeship. In addition to gaining an education and developing technical skills, Pace has taught several classes including, "GED, Life Skills, Electrical Apprenticeship, and Basic Electric" (Pace). By the time he is released in August of 2020, Paul will have obtained two Associates degrees, be a third-year electrical apprentice, and be trained as a press operator and print shop salesperson. Paul says that "gaining an education in prison has been everything. I look forward to my transition into the free world because I have skills necessary to obtain a great career. . . . These things give me prospects that I previously didn't have" (Pace).

There have been many longitudinal studies conducted in the past few decades that show most released prisoners from state and federal prisons reoffend (recidivate) and return to prison. High recidivism rates, in turn, mean high incarceration costs. The amount of money we as taxpayers contribute to potential recidivists in prisons and jails is exorbitant and needs to be refocused. I propose that prison education, specifically postsecondary education, should be the focus of the corrections system to decrease recidivism rates and the cost to taxpayers;

the prison reform could be accomplished through increased funding for such programs and the preservation of the Second Chance Pell Pilot Program.

Before presenting my solution, I will document the problems of high taxpayer cost and recidivism rates. According to the Vera Institute of Justice, which provides statistics on the cost of prisons in 40 states, the average cost to house an inmate in a state prison in 2010 was $31,286 (Henrichson & Delaney, 2012, p. 9). As taxpayers, we should care about where our money goes. If our tax money funds prisons that are not effectively rehabilitating criminals and released convicts, but are instead recidivating and returning to prison, what's the point? The report concludes with methodologies on "steps policy makers can take to safely rein in these costs" (2012, p. 2). Among the suggestions are strategies to reduce recidivism. Of the many strategies presented, Henrichson and Delaney suggest planning for the re-entry of released inmates through programs. I propose that correctional education be the focus of such planning.

As previously mentioned, high recidivism rates are a problem that needs to be addressed. According to a report published by the United States Sentencing Commission, "over an eight-year follow-up period, almost one-half of federal offenders in 2005 (49.3%) were rearrested" (Hunt & Dumville, 2016, p. 5). For state offenders, the problem is more extensive with 67.8% of released prisoners rearrested within three years (Durose et al., 2014, p. 1). I understand that the negative environment of prison itself is part of the reason inmates are not being reformed and continue to commit crime after release. Michael Neminski notes that "the fact that criminals only seem to get better at illegal activity after leaving prison leads to the potential continuation of committing crime, in turn creating problems within the correctional system" (83). Regardless, inmates who want to change their lives for the better, as Paul does, will be able to do so through education. Attaining an education behind bars gives newly released inmates the opportunity to secure employment so they may support themselves after release instead of continuing to commit crimes to pay the bills. Rates of recidivism can decrease if the corrections system focuses rehabilitative efforts on correctional education.

Therefore, I propose that correctional education be the focus of our prison system in rehabilitating criminals. The solution features a

two-pronged approach: increase the funding for current programs and preserve the Second Chance Pell Pilot Program. Prison education programs are the best solution because 1) they have shown to effectively reduce recidivism and 2) they are cost effective. A report by the RAND Corporation, a nonprofit institution that provides research data and analysis to promote policy change, found that "inmates who participated in correctional education programs had a 43 percent lower odds of recidivating than those who did not" (Davis, 2013, p. 16). In addition, "the odds of obtaining employment post-release among inmates who participated in correctional education [either academic or vocational] was 13 percent higher than the odds for those who did not participate" (Davis, 2013, p. 17). In other words, correctional education reduces the likelihood of recidivism by giving inmates a better chance of securing employment after release.

In addition to reducing recidivism, correctional education is cost effective. In the RAND report mentioned above, a cost analysis was conducted to prove how cost-effective correctional education programs can be. Considering only the direct costs of the programs and the total cost of incarceration, "reincarceration costs are $0.87 million to $0.97 million less for those who receive correctional education" (Davis, 2013, p. 18). According to a fact sheet published by the *Vera Institute of Justice* about postsecondary education in prison, "Every dollar invested in prison-based education yields $4 to $5 of taxpayer savings in reduced incarceration costs" (2017, p. 1). The funding of correctional education, therefore, is cost effective because it can be less expensive compared to the costs of incarceration in general, and it has a return on investment by saving taxpayers money.

The first part of my solution is to increase current funding for prison education. Kathleen Bender notes that "in 2016, the Vera Institute of Justice reported that only 35 percent of state prisons provide college-level courses, and these programs only serve 6 percent of incarcerated individuals nationwide" (2018, par. 1). Part of the reason this percentage is low is that state correctional budgets are strained due to high incarceration rates. In addition, federal prison budgets are also restricted because of the quadrupling of federal inmates since 1980, according to Brad Plumer of the *Washington Post* (2012). By allocating money from prison budgets to education on the federal level, some of the strain on these budgets may be relieved.

The second part of my solution is the preservation of the Second Chance Pell Pilot Program. The National Association of Student Personnel Administrators, an organization that focuses on the advancement, health, and sustainability of student affairs, published an article about the future of the program in the Trump administration (Ali, 2017). To summarize, prisoners were banned from receiving Pell Grants in 1994 by the Clinton Administration's crime bill. Despite this, the Obama Administration created the Second Chance Pell Pilot Program to provide financial aid via Pell Grants to indigent prisoners so they may receive an education while incarcerated. The Department of Education is considering cutting funding for the Pell reserve budget, which would be detrimental to the program. Support for the program from high-ranking prison officials may help save the program, which means allowing currently enrolled inmates to finish their programs and re-enter society as law-abiding citizens (Ali, 2017).

Although prison education is one solution to high recidivism rates and taxpayer costs, there are other proposed solutions. Daniel Edelman observes that "by addressing head-on the financial troubles of people leaving incarceration, we may be able to accelerate their reintegration and transition to stable employment, reduce recidivism, and meaningfully improve the United States' criminal justice system" (2017, par. 2). Edelman observes that destitution is one factor that increases the chances of recidivism. Therefore, his solution to the recidivism problem is to provide newly released inmates monthly cash stipends to deter them from returning to criminal activity.

While Edelman is correct in his assertion, the implementation of his solution is not as feasible as my own. Funding is one reason the solution Edelman outlines would be difficult to implement. With the Trump administration declaring a second "war on drugs" in response to the opioid epidemic, funding for Edelman's solution likely would not come from the federal government since it would be quite expensive. Instead, funding would have to come from state governments, but state funding would be even harder to obtain because their budgets for incarceration are already strained.

In contrast, my solution is to allocate funds slowly from the budget for prison education programs that are in place. At the moment, it is unclear where the funds would be reallocated from. However, if it can be accomplished, there may be greater opportunities for prisoners to

receive higher education while incarcerated and secure employment immediately after release.

In addition to postsecondary education, vocational education and training are other solutions to decreasing recidivism rates. In "Reducing Recidivism Rates through Vocational Education," Hadi Mohammed and Wan Mohamed discuss the effectiveness of vocational education and training in rehabilitating prisoners. To summarize, the authors found that prisoners who participated in vocational education and training programs were less likely to recidivate than inmates who did not. Next, the authors discussed benefits such as increasing human capital and certification to explain why these programs reduce recidivism. Following the benefits, Mohammed and Mohamed outlined development of technical skills, literacy and numeracy courses, and the offenders' increased motivation to change, as the three reasons why vocational education and training reduce recidivism. To conclude, the authors recommend the implementation of all types of vocational education and training programs in prison institutions, regular evaluation of these programs to ensure they are being administered correctly, and the provision of equal employment opportunities for offenders after release (2015). Vocational and academic education can be used in conjunction to further decrease an offender's likelihood of recidivating. In Paul's case, he is working on two associate degrees and his electrical apprenticeship, which will help him find employment quicker after release and keep him from returning to a life of crime.

To conclude, I propose that the focus of our corrections system in rehabilitating prisoners should be prison education in order to decrease recidivism rates and taxpayer costs. Prison education has shown to be effective in reducing recidivism and a cost-effective approach to high incarceration rates. Prison education helped Paul change his life for the better while incarcerated, as it has already done for many other inmates. If a larger percentage of prison spending was allocated to education, we could fix the strain of current budgets and save money on incarceration for the years to come. If we advocate on behalf of the Second Chance Pell Pilot Program in order to maintain the educational opportunities of destitute prisoners, their return to society and the economy could be immensely successful and could reduce recidivism. Change needs to occur in this aspect of our criminal justice system, not only in an effort to use our tax money more efficiently but to improve our

society economically by allowing ex-convicts to return to society as educated, law abiding citizens.

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Contributors

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Dante Walker is a junior at Utah Valley University studying criminal justice with a minor in national security studies. Dante has a keen interest in law enforcement and plans on being employed as a local officer before graduation and as a federal law enforcement agent in the future. He is also planning on being a leader of the Criminal Justice Honor Society starting this fall.

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