EXPLORING SPECIALIZED AND TOPICAL ISSUES

“Most middle-class whites have no idea what it feels like to be subjected to police who are routinely suspicious, rude, belligerent, and brutal.”

—Pediatrician Benjamin Spock (1970)
Introduction: Overview of Specialized and Topical Issues

One theme of this text is that the criminal justice system is dynamic and that most elements of the system are in constant flux. The public’s attention to elements of and topics related to the criminal justice system changes over time. We have certainly witnessed that in the past few years in terms of marijuana policy, private prisons, the #MeToo movement, and other important topics. Some topics fail to maintain the interest of the public, while others capture and hold that attention. This chapter offers some information on topics related to the criminal justice system that have received great attention in recent years: terrorism, homeland security, human sex trafficking, the #MeToo movement, hate crimes, college student victimization, fatal police shootings, forensic science, and the CSI effect. The chapter closes with a discussion devoted to updating the reader about the case studies: Where are Jennifer Schuett, Chris Farias, Joshua Paul Benjamin, and Danny Madrid today? Are they still involved in the criminal justice system? Can they ever be free from it?

Terrorism and Homeland Security

Many erroneously believe that terrorism is new in the United States. This belief is simply incorrect. What is relatively new is that greater attention is being paid to terrorism occurring in the United States. Before discussing terrorism, we must first define it. Many definitions of terrorism can be found in the literature, and those definitions change over time. One widely used definition is that terrorism is the completed or threatened use of coercion and/or violence against a population of people with the goal of changing political, religious, or ideological positions. In other words, terrorism is completed or attempted violence against innocent civilians to force political, religious, or ideological change. Two major types of terrorism are generally identified: international terrorism and domestic terrorism.

According to the Federal Bureau of Investigation (FBI) and some statutes, international terrorism includes three specific elements. First, the act must violate federal or state law and involve violence or acts that are dangerous to humans. Second, the purpose of the act must be to intimidate or coerce a civilian population, to influence government policy by intimidation or coercion, or to influence the conduct of a government by mass destruction, assassination, or kidnapping. Finally, the third element of international terrorist acts is that they occur primarily “outside the territorial jurisdiction of the U.S., or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum.” In contrast, domestic terrorism shares the first two elements of international terrorism, but differs in that the terrorist act occurs primarily within the jurisdiction of the United States.

There have been many cases of both international and domestic terrorism in the United States over time. A recent memorable act of domestic terrorism that took thousands of lives was the September 11 attacks in New York, Virginia, and Pennsylvania. Perhaps due to the scale of this event, many falsely believe it to be the first to take place on U.S. soil. While the destruction and murder resulting from the September 11 attacks was enormous, it is not the first act of domestic terrorism in the United States. An earlier case of domestic terrorism was the Oklahoma City federal building bombing by Timothy McVeigh and accomplices, which killed 168 people (including 19 children). Other incidents of domestic terrorism that occurred prior to the September 11 attacks include a 1983 U.S. Senate bombing by a militant leftist group; a 1980 bombing at the Statue of Liberty; a 1975 LaGuardia Airport bombing that killed 11 and injured 75 people; the 1960 Sunday Bomber, who detonated a bomb by a sniper that killed 11 people; and the 1964 Christmas bombing at the Federal Building that killed 3 people and injured 11 others.

International terrorism: Terrorism that occurs outside the territorial jurisdiction of the United States.

Domestic terrorism: Terrorism that occurs within the territorial jurisdiction of the United States.
bombs in the New York City subways and ferries (1 killed, 51 injured); a 1920 Wall Street bombing; the 1901 assassination of President William McKinley; the 1865 assassination of President Abraham Lincoln; and the 1837 killing of abolitionist Elijah Lovejoy by a proslavery mob. A complete list of domestic terrorism is beyond the scope of this text.

The 9/11 domestic terrorist attacks were not the last ones that occurred in the United States. Since 9/11, cases of domestic terrorism include the 2001 anthrax attacks, which killed 5 people; the 2009 Fort Hood shooting by U.S. Army major Nidal Hasan; the 2009 assassination of Dr. George Tiller by an antiabortion terrorist; and the 2013 Boston Marathon bombings, which killed 3 and injured more than 180 people. In pursuit of these bombers, a police officer was killed. In 2015, in Charleston, South Carolina, 9 people were killed at the Emanuel African Methodist Episcopal Church as they conducted a Bible study. Also in 2015, 7 people (6 members of the armed forces and 1 police officer) were killed at two locations in Chattanooga, Tennessee. In the same year, 14 people were killed and 21 injured when a San Bernardino, California, county employee opened fire during a Christmas party. In June 2016, Omar Mateen killed 49 people and injured many others during a shooting spree in an Orlando, Florida, nightclub. And in October 2017, a terrorist drove a truck on a bike path in New York City and killed 8 people. This list is not comprehensive, but offers just a few of the many domestic terrorism incidents occurring in the United States since 9/11.

While the 9/11 terrorist attacks were neither the first nor the last incidents of domestic terrorism in the United States, they were important because they led to the creation of the U.S. Department of Homeland Security (DHS). Eleven days after the 9/11 attacks, President George W. Bush created the White House’s Office of Homeland Security to “coordinate a national comprehensive strategy to safeguard the country against terrorism and respond to any future attack.” In November 2002, Congress passed the Homeland Security Act of 2002, which made DHS a cabinet-level department. This department officially began operations on March 1, 2003. Some inaccurately believe that DHS was staffed by a multitude of new government employees and resulted in a massive growth in the government bureaucracy. In reality, DHS was created by integrating all or part of 22 existing federal departments and agencies. To create DHS, employees were taken from departments and agencies such as the Secret Service, Coast Guard, FBI, Federal Emergency Management Agency (FEMA), and the Departments of Defense, Energy, Health and Human Services, Justice, Treasury, and Transportation. In fact, “the creation of [the Department of Homeland Security] was the largest reorganization of the federal government in half a century.” The aggregation of these individuals in DHS offered a centralized location where traditionally secretive federal agencies could theoretically share information to the benefit of the nation. Prior to the establishment of DHS, information sharing was considered problematic.

The purpose of DHS is to secure the United States and keep it safe from a variety of threats using more than 240,000 employees in a variety of contexts. DHS’s specific mission is to “lead the unified national effort to secure America. We will prevent and deter terrorist attacks and protect against and respond to threats and hazards to the nation. We will ensure safe and secure borders, welcome lawful immigrants and visitors and promote the free-flow of commerce.” Using risk-based, intelligence-driven, multilayered detection, DHS works to prevent terrorism and other security threats. Its detection responsibilities include screening about 2 million domestic airport passengers daily; training state, local, rural, tribal, territorial, and international officers and agents regarding risk; and conducting vulnerability assessments of key locales. The work conducted by DHS is expensive. In fiscal year 2016, the department’s total budget authority was more than $70 billion (not counting billions in grant money). The largest proportion (23%) of the DHS budget is committed to Customs and Border Protection, and the second largest portion (22%) is used for FEMA activities (not including grants; Figure 14.1).

There is vigorous debate as to whether DHS and other antiterrorism activities have made the United States safer. Some argue that these efforts are a huge waste of taxpayer dollars; created an ever-expanding bureaucracy; are a huge problem for the public, which has given up its privacy and freedom for nothing in return; and in the end have not made Americans safer. Many commentators maintain that the creation of DHS was an
overreaction to the 9/11 attacks. Still others find that the creation of DHS and the work done there has made the United States safer through enhanced information sharing. DHS proponents point to dozens of instances in which planned terrorism events were uncovered and prevented. One example revealed in 2002 involved Jose Padilla, a New York City resident and citizen of the United States who was arrested at Chicago’s O’Hare Airport. He had just returned from Pakistan following terrorist training. He was arrested and charged as an enemy combatant for his plans to use a \textit{dirty bomb}—an explosive using radioactive material—in the United States. Padilla was ultimately sentenced to just over 17 years in prison for his activities. In 2011, Jose Pimental, a naturalized U.S. citizen, was arrested based on his holy war plans to use homemade pipe bombs at police stations and post offices and to specifically target U.S. troops returning home from Iraq and Afghanistan throughout New York City. In February 2014, Pimental pleaded guilty and was sentenced to 16 years in prison days before his scheduled trial on terrorism charges.

In 2013, DHS uncovered a plan by terrorists to use lethal doses of ricin and cyanide to poison salad bars in restaurants and hotels over one weekend throughout a wide geographic area. Few additional details of this alleged plot are available. In response to what appears to be an increase in the radicalization of domestic terrorists via social media, DHS recently expanded its presence online. DHS is now monitoring the social media use of some people it identifies as potentially dangerous. This monitoring includes immigrants who have applied for some immigration benefits or asylum.

**Terrorism and the Criminal Trial**

In the past, terrorists were tried in federal criminal courts. For example, Timothy McVeigh, the Oklahoma City bomber, was tried, found guilty, and ultimately executed as a result of his terrorist attack. Scott Roeder, the...
domestic terrorist who murdered Dr. George Tiller, was tried and sentenced to life in prison by a federal criminal court. A variety of other domestic terrorists have pleaded guilty or been tried in federal courts and sentenced as well. The terrorist attacks on September 11, 2001, raised questions about whether federal courts were the best way to handle terror suspects in the United States. These questions stem from the rules of evidence and how these procedures conflict with national security issues.

To deal with this difficult issue, President Bush issued a 2001 military order requiring military commissions—not federal courts—to try non–U.S. citizens who are or were affiliated with Al Qaeda, or those who harbor suspected terrorists. Military commissions have a long history in the United States. Since the Revolutionary War they have provided “fair and transparent trials of those persons subject to trial by military commissions while protecting national security interests.” While military commissions have a long history, the form of these commissions and persons eligible to be tried by them has varied over time. The 2001 directive represented a change in who could be tried by military commissions in that it allowed persons captured (primarily) outside of the United States to be taken to a U.S. prison camp in Guantánamo Bay, Cuba, for trial. The 2001 order also implemented major shifts in the procedures used to try these detainees. President Bush’s directive noted the impracticality of applying the laws and rules regarding evidence required by federal criminal courts in the cases of terrorists. In contrast to federal criminal court rules of evidence, the 2001 order allowed military commissions to use evidence against a detainee that he or she has never seen, hearsay testimony, unsworn testimony, and evidence obtained through coercion, and it limits appellate review.

In 2004, the first charges under the new military commission were filed against Osama bin Laden’s driver, Salim Hamdan. Hamdan challenged these charges on the basis of the commission’s jurisdiction by way of a writ of habeas corpus in the Federal District Court in Washington, D.C. The court granted Hamdan’s petition, and the case ultimately ended up in the U.S. Supreme Court in 2006. The Supreme Court ruled in favor of Hamdan and invalidated the military commission established by President Bush’s 2001 military order. In response, Congress enacted the Military Commissions Act of 2006, which allowed the president to designate individuals as unlawful enemy combatants subject to military commissions. While this act expanded detainee rights, military commissions continued to offer fewer civil rights than federal courts. Military commissions still limited a detainee’s right to seek a writ of habeas corpus, limited rights to counsel, and allowed the use of evidence gathered via coercion. In 2009, the 2006 law was amended. The new Military Commissions Act of 2009, which remains in effect today, established additional rights of detainees, aligning them more with those available in federal criminal cases. The 2009 act prohibits the use of evidence gained through torture, inhumane treatment, and degrading methods. Still, elements of the 2009 act exposed the commission to legal challenges. As a result, additional changes and challenges to the use of military commissions for terrorist suspects are likely.

**Domestic Human and Sex Trafficking**

Human trafficking crimes, which include sex trafficking, have a long history in the United States, and attention to domestic trafficking has exploded in recent years. While human and sex trafficking occur within and between other countries, many people inaccurately believe that trafficking does not occur in the United States. This belief is false; both human and sex trafficking occur in the United States. **Human trafficking** is a broad term that includes the trade in humans for labor and/or sex, and the extraction of organs or tissues (including ovariectomy).

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, offers the following definition of human trafficking:

(a) The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other

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**Military commission:**
A type of military tribunal that offers a detainee a fair and transparent trial while protecting national security interests.

**Human trafficking:**
The trade in humans for labor and/or sex, and the extraction of organs or tissues. Sex trafficking is one form of human trafficking.
forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) ”Child” shall mean any person under eighteen years of age.

Some victims claim to have voluntarily entered the world of human trafficking; however, most involved are tricked, threatened, and otherwise coerced into this practice. Furthermore, those who do so “voluntarily” frequently have no other choice, bringing into question whether being trafficked can really be voluntary. This is especially true when considering victims of trafficking who are minors. Minors cannot give consent under any circumstances, meaning that their participation in human or sex trafficking is never voluntary.

In the United States, common types of domestic human trafficking include persons forced to work as domestic servants, farmworkers, factory workers, and sex labor. Domestic human trafficking most often occurs around international travel hubs, especially where large immigrant populations exist. Several major U.S. government departments compile reports on human trafficking in the United States. For example, in 2011, the Department of Justice released a report for activity from 2008 to 2010 and concluded that during this period, federally funded antitrafficking task forces opened 2,515 cases to investigate suspected cases of human trafficking, the bulk of which (82%) were sex trafficking cases (a more recent report is not available). About 1 in 10 of the cases focused on suspected instances of labor trafficking. Findings show that U.S. citizens were more likely to be victims of sex trafficking, while aliens were more likely to be victims of labor trafficking. During this period, the Department of Justice estimates that 144 offenders were arrested for trafficking. A total of 2,515 cases may seem unlikely, and that's because these cases represent only some of those that come to the attention of the criminal justice system. Trafficking is a hidden crime, making it difficult to recognize and act on. While no one can say with certainty the precise number of human trafficking cases ongoing in the United States, it is certain that 2,515 is an underestimate.

Sex trafficking, a subset of human trafficking, has received renewed attention in recent years especially in regard to the domestic sex trafficking of minors. As with many concepts in the criminal justice system, there is no universally agreed upon definition of domestic sex trafficking. Nonetheless, commonalities among definitions do exist and generally include the following elements: a lawful permanent resident who is under the age of 18 who gives or receives anything of value (money, drugs, shelter, food, clothes) to some other in exchange for prostitution, pornography, or other sexual entertainment. This includes acts of survival sex. Survival sex is a type of trafficking in which the victim is frequently homeless or gravely disadvantaged and trades sex for food, shelter, and other basic needs. Like domestic human trafficking, an estimate of the number of minors who are domestically sex trafficked and exploited is extraordinarily difficult to ascertain. Nonetheless, the best estimates available indicate that this crime victimizes a nontrivial number of minors in the United States. Like human trafficking—or perhaps even more so than human trafficking—domestic sex trafficking of minors in the United States is frequently overlooked and misunderstood, and the needs of the victims of this crime go unaddressed. Research shows that many victims of this crime and abuse are runaways and kids
Minors are unable to legally consent. This is true for all behaviors, including prostitution. Given this, there is an effort to end the use of the phrase *child prostitutes* because it implies that the child is responsible for or consented to this act. Rather, a more accurate phrase is *children who are prostituted*. Further strides are being made to educate people that no child can consent to being prostituted and that prostituting children is a form of child abuse and a form of violence against children. So it is true, there are no child prostitutes (because they cannot consent), but there are prostituted children.

A frequent method of ensnaring minors into sex trafficking involves the initial tricking of victims into taking photos or videos that increasingly become more sexual and pornographic. Minors may engage in this activity willingly to please someone they erroneously feel cares about them. Once the trafficker has these photos or videos, he or she can then blackmail the victims to engage in sex work. Whether by trickery, coercion, and/or force, once involved in this scheme, the victims find it difficult and even dangerous to escape.

A report by the Institute of Medicine and the National Research Council focuses specifically on domestic commercial sex trafficking and sexual exploitation of minors in the United States and correctly frames these crimes as child abuse. The committee that compiled this report was guided by three principles: viewing the minor victims of domestic sex trafficking and sexual exploitation as having suffered acts of abuse and violence, no longer viewing victims as criminals, and making sure that any identification of the victims and intervention offered does no further harm to the victims of domestic sex trafficking. Report findings include that victims suffer immediate and long-term adverse consequences, that attempts to prevent sex trafficking and sexual exploitation of minors in the United States are largely absent, that efforts to identify victims and respond to their needs are woefully insufficient, that dealing with this violence requires collaborative approaches, and finally, that confronting demand for the sexual abuse and exploitation of minors must be a priority. All indications suggest that in the future, even greater attention to identifying and responding to the needs of victims of this form of child abuse will proliferate. Furthermore, this attention will require even greater resources of the criminal justice system in terms of both dealing with victims and addressing the behaviors of offenders and those who facilitate these crimes.

**The #MeToo Movement**

Research is clear that rape/sexual assault is reported to law enforcement in low and worsening percentages. National Crime Victimization Survey data show that from 2014 to 2016, rape and sexual assault reporting to the police fell from 33.6% to 22.9%. Victims and survivors who chose to come forward are frequently shamed, blamed, and not believed by family, friends, and the criminal justice system. Victims and survivors who report to police find that charges are rarely filed, and convictions are even rarer. Rape myths found in society
As of 2015, it is estimated that labor trafficking victims are primarily men, while sex trafficking victims are almost exclusively women. While trafficking victims can come from any group of people, it is generally the most vulnerable to be victimized in this way. Sex trafficking and exploitation is extremely lucrative for the perpetrators of this crime. In 2015, it is estimated that 99 billion dollars was made on this activity. While less common, labor trafficking and domestic servitude is responsible for generating more than 50 billion dollars.

CRITICAL THINKING QUESTIONS

1. Research shows overwhelmingly that vulnerable populations are at a higher risk of being victims of trafficking. These include the homeless, throwaway children, those in foster care, LGBTQ, and others. If you were a policy maker, what policies would you implement to change this? How would you make these populations less vulnerable to reduce their risk of being trafficked?

2. If a friend or family member came to you today and told you they were being trafficked, how might you respond? Do you know how to assist them? Would it surprise you that someone you know is experiencing this type of criminal perpetration? Why? What are ways to protect yourself and those around you from this activity?

Karyn is a 16-year-old who is being prostituted. She argues that she does this work because she wants to and because it earns her enough money to live comfortably. In addition, she earns enough to support her partner, who introduced her to this way of life. Earning money is important since her parents kicked her out when she told them she was a lesbian. Karyn contends that no one is making her do it and that she should be able to if she wants to. Still, she notes that her partner gets angry and sometimes a little physical if she does not bring home enough cash.

**Think About It**

1. Karyn is younger than 18 and claims to voluntarily engage in this prostitution. Many youth engage in this behavior to survive because it helps them obtain food, shelter, clothes, and other needed basics. Is it unethical for Karyn to engage in this activity given her circumstances?

2. Should the age of the people being prostituted matter? Should it matter if someone lured them into this activity when they were minors? If their trafficker violently abuses them but they choose not to leave, should it matter?

3. If people state that they are engaged in sex trafficking but have no skills or education and have no other opportunities, is their participation by free choice? What policies would you implement to deal with this thorny issue?

Hate Crimes and Bias-Motivated Crimes

**Hate crimes**, also known as bias-motivated crimes, have been a topic of great concern in recent years. Hate crimes occur when an offender targets a victim and/or her or his property due to the victim’s perceived membership in a specific group. Groups frequently targeted for hate crimes include racial, ethnic, religious, sexual orientation, and gender identity groups. Some people argue that “all crimes are hate crimes” and abhor the notion of a specific label of “hate crime.” Such a stance reflects a failure to fully understand the definition of a hate crime. A hate crime is not just any crime that is committed against
someone in a protected group. A hate crime is one motivated by bias regardless of whether the victim is a member of the specific group. Hate crimes are such that if there was no perception that the victim belonged to a particular group, no crime would have occurred. The motivation for committing hate crimes differs from the motivation to commit other crimes. A person convicted of committing a hate crime is subject to a harsher penalty.

Not everyone is in favor of hate crime legislation. Some commentators argue that the hate crimes are already crimes and do not benefit from the additional “hate” moniker. Others suggest that hate crimes are no more harmful to society than are “regular” crimes, so distinguishing them is unnecessary. Establishing a crime as a hate crime can be difficult because there must be evidence that the offender’s discriminatory attitude or bias is responsible in part or whole for the commission of the crime. An example of this is found with the Pulse nightclub massacre. After the Pulse nightclub attack, Omar Mateen’s widow, Noor Salman, was arrested and faced charges of providing material support to a foreign terrorist organization and obstruction of justice because it was alleged she knew of her husband’s plans to commit the Pulse attack. She was ultimately acquitted on all charges. Still, a part of Salman’s trial focused on whether the attack was a hate crime. Because it is more challenging to prove a crime was motivated by bias or hate, greater costs in the criminal justice system are incurred. Others find the criminalization of thought (i.e., hate, bias, prejudice) troubling. In sum, some believe that hate crime legislation causes more harm than good.

Like crime in general, hate crime is not new in the United States. An obvious example is the long history of violence against Black persons by groups such as the Ku Klux Klan. In response to this violence, the first hate crime law was the Civil Rights Act of 1871. This act extended federal protection to individuals whose Fourteenth Amendment voting rights were being violated by private persons, including those in the Klan. This statute made it illegal to, “by force or by threat of force, injure, intimidate, or interfere with anyone” engaged in protected voting activities “by reason of their race, color, religion, or national origin.” More than a century later, states began extending these protections to other groups. California was the first to pass a hate crime statute, in 1978, which designated penalty enhancement for hate crimes based on race, religion, color, and national

Hate crimes: Crimes committed that target victims and/or their property due to their perceived membership in a particular group. Also known as bias-motivated crimes.

Civil Rights Act of 1871: Federal legislation passed to give federal protection to Fourteenth Amendment rights that were violated by private persons, including those in the Ku Klux Klan.
A hate crime is a crime “motivated by bias against a person or group based on actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, age, disability, or other characteristic.” Federal hate crime legislation was first introduced in 1989, but it was not until 2009 that the Hate Crimes Prevention Act was passed by Congress and signed into law by President Barack Obama. This act expanded the definition of hate crimes to include offenses motivated by bias, and the number of reported hate crimes increased significantly after its implementation.

The increase in hate crimes is not just limited to race-based attacks. In recent years, hate crimes motivated by bias against sexual orientation, gender identity, or religion have also become more prevalent. However, the reporting of such crimes is often underreported due to fear of discrimination or stigma.

In 2011, there were over 5,370 hate crimes reported to the Federal Bureau of Investigation (FBI), including crimes motivated by bias based on race, religion, sexual orientation, gender identity, and disability. However, these numbers are believed to be an underestimate, as many hate crimes go unreported.

The FBI’s Uniform Crime Reporting (UCR) program collects data on hate crimes and provides a comprehensive overview of the prevalence and nature of such crimes. The UCR data shows that hate crimes are a significant problem in the United States and highlight the importance of addressing these issues through comprehensive laws and policies.

In conclusion, hate crimes are a serious problem that affects many communities across the United States. Federal laws have been put in place to address these issues, but more needs to be done to ensure that all individuals are protected from discrimination and violence based on their identity or beliefs.

The FBI’s UCR program provides valuable data on the nature and extent of hate crimes, which can be used to inform policy and help address these issues. By continuing to gather and analyze this data, we can better understand the challenges and work towards creating a more just and inclusive society for all.

The资料表明，仇恨犯罪是一个严重的问题，影响着美国的许多社区。联邦法律已经制定出来以解决这些问题，但还需要做更多的工作来确保所有的人不受基于他们的身份或信仰的歧视和暴力的侵害。

联邦调查局的UCR计划收集了关于仇恨犯罪的数据，并提供了一个全面的关于这种犯罪的性质和规模的概述。UCR数据表明，仇恨犯罪是美国的一个严重问题，突显了通过全面的法律和政策来解决这些问题的重要性。

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Violence Against College Students

Violence against college students has become a topic of intense interest in recent years. High-profile cases such as that of Brock Turner have been plastered across the media. Many are familiar with and have repeated the “common knowledge” statistic that one in five college women is raped. These events have fueled the belief that college campuses are the epicenters of sexual violence where especially female students are at great risk. Not surprisingly, college students, especially women, express high levels of fear that they will be victimized.

While there is no doubt that college students are victimized, and that they are victimized at unacceptably high rates, this topic is subject to much misunderstanding. What does the research tell us about college student victimization?

First, research findings come primarily from two types of data sources: surveys administered at specific universities and national surveys gathering information from students across the nation. The source of the data makes a big difference in terms of the generalizability of the findings. Findings stemming from students attending specific colleges can be used to describe what happens to students only at those specific colleges. These findings are not generalizable to colleges, universities, or students elsewhere in the nation. In contrast, findings from national probability surveys can be used to describe what happens to college students across the nation. These findings are generalizable across the nation.

Perhaps the most widely known contemporary statistic is the one-in-five statistic, based on the work of Krebs and colleagues. The one-in-five statistic, however, has been widely misappropriated. This estimate is not nationally representative of the prevalence of sexual assault, but rather it is an estimate that can be used to describe only the population of senior undergraduate women at the two universities where the data were collected. Furthermore, this statistic has been widely misidentified as referring to rape (penetration) only. In truth, it refers specifically to completed rape and completed sexual assault (e.g., forced kissing, unwanted groping of sexual body parts).

Research in 2015 by Cantor and colleagues gathered data from 27 universities and found 12% of the female students attending the 27 universities had experienced nonconsensual penetration (rape) or sexual touching (sexual battery) by force or incapacitation since enrolling. Importantly, though, Cantor and colleagues found wide variation in the rates of sexual violence committed at each university. In other words, one number cannot adequately describe the extent and nature of victimization for all universities. This report finds that a singular one-in-five type statistic is overly simplistic and misleading at best. If you are interested in the state of victimization at your university, you need to find out if a Campus Climate Study has been conducted. Knowing the nature and extent of sexual violence and sexual misconduct that has occurred elsewhere cannot tell you about your own institution.

National surveys also find unacceptably high rates of college student victimization. For example, Bonnie Fisher and her colleagues collected a nationally representative sample of college women and found that 3% of their sample had experienced completed rapes and 2% had experienced attempted rapes in the past 12 months. Findings from the National Crime Victimization Survey offer additional important context to the topic of college student victimization (Figure 14.2). As shown in Figure 14.2, these nationally representative data show that college women are victims of violence at rates lower than their noncollege counterparts. Additional work demonstrates that college women are sexually victimized—completed rape, attempted rape, and sexual
they encounter? How? Given what you know from the shooting of civilians?

officers safe but also stop policymakers, what policies would you make to keep officers safe but also stop the shooting of civilians? Given what you know from the data, would your policy focus on characteristics of the police and the citizens they encounter? How?

Police shootings in the line of duty have always happened. Why do you think this topic has gained much media attention recently? If you were a policymaker, what policies would you make to keep officers safe but also stop the shooting of civilians? Given what you know from the data, would your policy focus on characteristics of the police and the citizens they encounter? How?

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assault—at rates higher than among college men. In contrast, college men are victims of other types of violence (e.g., robbery) at higher rates than are college women. Other work shows that college men are more likely to be victimized with a third party present and that college women are less likely to report their victimization to authorities than are noncollege women.

An important finding using all data available is that a higher percentage of college student victimization occurs off campus compared to on campus. Many times, one finds information about so-called campus violence, but upon careful reading, the information refers to violence against a college student that occurs anywhere, including a campus. How risk differs by location is important information for students to have. If students understand where risk of victimization is greater, they can use that information to try to reduce their risk of violence. What do the data say about violence that occurs on versus off campus? Data from the National Crime Victimization Survey show that, nationally, 4% of rapes and sexual assaults against college women occur on campus. Findings from Fisher and colleagues’ National College Women Sexual Violence Survey (NCWSV) indicate that for 11 of the 12 types of sexual victimization examined, off-campus victimization was more common. For example, NCWSV data show that 66% of completed rapes occurred off campus. The Campus Sexual Assault Study, which studied students at two universities (and focused on violence against college students occurring anywhere), found that 63% of instances of forced (in contrast to incapacitated) rape and sexual battery and 61% of instances of incapacitated rape and sexual battery occurred off campus.

Research identifies characteristics of campus crime and characteristics that are associated with higher rates of victimization. A robust finding is that most crime committed on campus is property in nature and that violent crime is relatively rare. This literature also demonstrates that a greater number of students living on campus in dormitories or other residences (especially male students) is related to higher crime rates on campus. Another finding is related to the type of institution considered. Compared with students at 2-year colleges, students in medical schools and health science centers are three times more likely to be victims of violence on campus. Results also indicate that greater accessibility to and from campus (e.g., public transportation) and greater visibility of the campus (e.g., more acreage, greater number of buildings) are related to higher campus crime rates.

These findings show that violence does occur against college students and that it occurs at unacceptably high rates. Findings also indicate that non–college students are victimized at even higher rates. Research is clear that, in general, off-campus areas prove to be more dangerous than those on campus. Knowing the characteristics of the campus of interest is fundamental to understanding the risk of violence. Campuses vary greatly, and so does the risk of violence associated with them.

Fatal Police Shootings

For as long as there have been police carrying firearms, there have been police shootings of citizens. Yet it is only recently that this phenomenon has captured the public’s attention. How many people are killed by police in the line of duty? Most recent estimates suggest that on-duty law enforcement officers fatally shoot about 1,000 civilians annually (see Figure 14.3). It may surprise you to learn that these estimates do not come from the FBI or other governmental agency data, but rather from other sources. The FBI and Centers for Disease Control and Prevention (CDC) both gather data on this topic, but acknowledge that their accounting is incomplete. Given public interest in police shootings, other entities have been compiling information. For example, the Washington Post began tracking police shootings that occurred in the line of duty in January 2015. This effort has documented more than twice the number of police shootings than the FBI and CDC find. In total, since January 2015, the Washington Post has documented 3,198 fatal shootings of people by on-duty law enforcement officers. Of those, 4% fatally shot were women, 24% were Black, 17% were Hispanic, 47% were White, 2% were Native American, 2% were Asian, and 1% were

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Chapter 14 • EXPLORING SPECIALIZED AND TOPICAL ISSUES 345

POLICY ISSUES

CAMPUS VIOLENCE AND FEAR OF VICTIMIZATION

A section in this chapter provides a basic overview of college student victimization and how it differs from violence that happens on a college campus. While research shows that violence on campus occurs less than violence off campus, it remains a problem needing attention. College campuses are not free from violence. One does not have to look far to find an account of a campus rape or sexual assault that occurred on campus. Further, shootings on campuses are reported in the news too frequently. An outcome of this is increased fear of college campuses by many people. Some parents are now wary of sending their children—especially their daughters—to the university. Talk about allowing firearms on campus is widespread. In fact, as of mid-2018, 10 states allow concealed carry of weapons on college campuses (Arkansas, Colorado, Georgia, Idaho, Kansas, Mississippi, Oregon, Texas, Utah, and Wisconsin). Many other states are considering legislation to allow this. It is not a surprise that what we hear of campus violence has led to increased fear of these places.

Think About It

1. You are a university president who is hearing from parents wanting assurance that their children are safe when on your campus. What would you tell them about safety on your campus? If it was your choice, would you allow concealed firearms on campus? Would you require professors to carry firearms? Why or why not?

2. What are the long-term ramifications if people chose not to attend college because they believe campuses to be too unsafe? Given that a lot of fear surrounds rape and sexual assault, how might this fear disproportionately affect the educational attainment of women?

3. The state in which you live has introduced a bill that would make all universities segregated by sex as a means to reduce sexual violence on campus. Another proposal seeks to end all social fraternities and sports on campus. As a president of the largest university in the state, how would you respond to these proposals? If passed, how might these bills affect the level of campus violence? How might the adoption of these bills affect students? Would they affect female students differentially? What laws would you be willing to adopt to reduce campus violence on your campus? Explain your thoughts.

“other.” Eight percent of the cases compiled failed to provide information on the race of the deceased. While the largest percentage of those killed by police were White, when the differential population of each group is accounted for, findings show that Native Americans, followed by Blacks, were killed at rates higher than other groups. Using data collected by the Guardian for 2016, 10 American Indians (per 100,000) and 7 Blacks (per 100,000) were victims of homicide by police. In contrast, 3 (per 100,000) Whites and Latinos met the same fate.30

As the quote by Dr. Benjamin Spock at the beginning of this chapter indicates, police interactions with members of communities of color have long been questioned. To be sure, police face deadly situations where the use of fatal force is necessary. Yet in some cases, especially those with Black and Latino victims, some of the shootings are questionable. Consider the March 2018 fatal shooting of Stephon Clark. Sacramento police received a call about a man breaking into cars and backyards. A helicopter spotted Clark, and police confronted him in his backyard (it is also reported it was his grandparent’s backyard). When police saw him, they claimed he was advancing toward them while pointing a weapon. The officers responded by firing 20 rounds, striking Clark 8 times. In reality, Stephon Clark was holding a cell phone, and the autopsy shows the rounds struck him primarily in his back. This shooting was captured by a helicopter camera crew and law enforcement body cameras.31 In Harris County, Texas, another unarmed man was fatally shot by a sheriff’s deputy. Ray Thomas was walking in the middle of a street during the day with his pants around his ankles. Sheriff’s Deputy Brewer came upon the scene and witnessed Thomas being pushed by another man. Officer Brewer stopped his patrol car, and Thomas approached. Brewer told Thomas to get on the ground, and when Thomas did not, Brewer shot him. Thomas was pronounced dead after being transported to the hospital.
Family members noted that Thomas had been suffering from depression after his wife had allegedly drowned his two children in 2016 (her trial is pending).

Clark and Thomas were each unarmed when fatally shot, which is in contrast to most fatal police shootings. According to the *Washington Post* data, most cases of fatal police shootings involved individuals armed with weapons such as baseball bats, vehicles, swords, box cutters, axes, firearms, knives, and pitchforks (to name a few). In 2% of fatal police shootings, the deceased had a toy weapon, and in 7% of the cases, the deceased was unarmed. An additional 5% of incidents involved an unknown or undetermined weapon.

While the deaths of Clark and Thomas were recorded by body cameras, most fatal police shootings lack any video data. The *Washington Post* data indicate that since 2015, 11% of police shootings have been recorded by a body camera. With rising interest in this topic, many states and jurisdictions are moving toward requiring law enforcement body cameras, but implementing this is challenging. On the plus side is that the public is overwhelmingly in favor of body cameras both to exonerate officers and to protect members of the public. And while several states and the federal government have provided resources to defray associated costs of these cameras, other obstacles exist. A major hurdle in many locations is ascertaining whether the public and the media should have access to police video. In short, there is tension between balancing the privacy of those recorded and transparency. Would you want video of your drunkest moments (which might involve being naked or being found in compromising positions) shared with the media or on YouTube? Do people caught on these recordings—whether they are committing a crime or not—have privacy rights? What about transparency of law enforcement actions? Is the behavior of law enforcement officers something all in the public should be privy to? Or are the recordings a type of personnel record that is not subject to public concerns? To see where your state stands in regard to body camera laws, consult this website provided by the Urban Institute: https://apps-staging.urban.org/features/body-camera-update/.

**Forensic Science**

Forensic science (as used in the criminal justice system) is the use of science to solve crimes. In the field of criminal justice, forensic science is used to gather information using knowledge in several fields, such as geology, entomology, arson, firearms, explosives, audio and video investigations, and medical analyses, to
CONTEMPLATING CAREERS

FORENSIC SCIENCE TECHNICIAN

Does approaching problems with a linear, methodological, step-by-step approach appeal to you? Do you have patience and great attention to detail? Are you a team player, with excellent communication skills and a strong stomach? Are you interested in performing tests on weapons or substances such as hair, tissue, or fibers? Do you want to specialize in ballistics, fingerprinting, handwriting, or biochemistry? Are you excited about the possibility of being an expert witness at a trial? If you answered yes to these questions, a career as a forensic science technician, also known as a forensic scientist, may be for you.

A forensic science technician is one member of a team of scientists and investigators who investigate crimes. Unlike the unrealistic portrayal of forensic science technicians in the media, one person does not gather evidence, analyze evidence, track down offenders, and ultimately make an arrest. Rather, technicians engage in more narrow tasks. They may gather physical evidence in the field, or they may analyze a particular type of evidence in a laboratory. Regardless of the area one works in (field or laboratory), writing skills are important in this role. Forensic science technicians write reports, which means that excellent writing skills are mandatory.

Relatively few people work as forensic scientists. It is estimated that in 2017, 15,070 individuals were employed in this capacity in the United States. This is up slightly from 2010, when about 13,000 individuals were employed as forensic scientists. Most are employed by government agencies and work in law enforcement agencies, crime laboratories, or coroner’s offices. According to the Bureau of Labor Statistics, in 2017, forensic scientists earned a median salary of $57,850 annually.32

Many people falsely believe that they need a criminal justice degree to work as a forensic scientist. This is incorrect. To become qualified for this position, one must earn a minimum of a bachelor’s degree in a “hard” science such as biology or chemistry. Some universities now offer forensic science degrees, but it is important to ensure that this degree is “hard” science in nature. After earning the degree, one should expect to receive additional on-the-job training while employed. As one may imagine, forensic scientists are exposed to some gruesome scenes. For this reason, the job can be stressful. Still, the work done by these individuals is important and rewarding.

Understand criminal incidents. Interest in forensic science in criminal justice, largely due to the widespread media portrayal, has been robust in recent years. This attention has led to the mistaken belief that forensic science in the arena of criminal justice is new. In reality, the use of forensic science in criminal justice has a long history. While there is no agreed-on first time that forensic science was used in criminal justice, one possibility stems from the assassination of Julius Caesar in 44 CE. Caesar was the dictator of the Roman Republic before he was stabbed to death by a group of Roman senators. Dubbed the Liberator, the group of murderous senators feared that Caesar wanted to overthrow the Senate (although the Senate had just declared Caesar “dictator in perpetuity”). Following Caesar’s murder, the Roman physician Antistius conducted his autopsy and ascertained that of the 23 stab wounds inflicted, only 1 resulted in his death.

Other examples of forensic sciences used in the criminal justice system include the use of fingerprints. While August Vollmer was responsible for the introduction of fingerprinting for use in the field of criminal justice, this science was used initially in 1880 by Henry Faulds and William Herschel, who published research in *Nature* that demonstrated the permanence and distinctiveness of human fingerprints. That is, one’s fingerprints do not change over time, and each person has a unique set of fingerprints. Because of these characteristics, it was shown that fingerprint evidence could be used in crime investigations to implicate or rule out suspects of criminal acts. The use of fingerprints to solve crimes continues to be widely used even today.

Deoxyribonucleic acid (DNA) receives the lion’s share of attention with regard to forensic science in the criminal justice system. DNA is hereditary material found in the nuclei of human cells (and most organisms; see Figure 14.4).33 Each person’s DNA is a combination of his and her parents’ DNA. Each individual has unique DNA, except in the case of identical twins, who share the same DNA. The ability to use DNA to identify (or exclude) a suspect in a crime began in 1984 with the work of British geneticist Alec Jeffreys and his colleagues.34 Jeffreys showed that if DNA (e.g., hair, blood, saliva, skin, semen, sweat, mucus, earwax) is left behind at a crime scene, this information can be used to identify the offender through a process called DNA fingerprinting. In 1985, the procedures of DNA fingerprinting were improved, making the process more sensitive, reproducible, and easily cataloged in a computer database. This newer, more sensitive approach is termed DNA profiling.
The first use of DNA profiling in the criminal justice arena occurred in 1986, when Jeffreys was approached by law enforcement to see if, by using DNA, he could tie together two brutal crimes that occurred 3 years apart. The victims in each crime had been raped and murdered. The police had a suspect and needed evidence that he had committed these unrelated crimes. This approach was possible because in each case, the suspect left semen that could be tested using DNA profiling. Jeffreys agreed to generate DNA profiles, and what he found surprised everyone: The two girls were indeed raped and murdered by the same man. However, it was not the man the police had suspected. After verifying the results, in order to find the killer, the police conducted a campaign asking for blood samples from men in the community where the murder occurred. The perpetrator was found after he attempted to have a friend give blood as his proxy. The friend confessed to the police about the deception, and Colin Pitchfork was apprehended. Pitchfork's DNA was profiled, and it was a match for both rapes and murders. This first example of using DNA profiling in the criminal justice system demonstrates its significance. Not only does DNA profiling offer insight into the identity of actual offenders, but it also can exonerate those wrongly accused. With more precision, violent criminals can better be taken off the street, innocents not punished, and future suffering and death among the public avoided. For almost 30 years, DNA profiling has improved and proved to be a powerful forensic tool that can greatly increase fairness and accuracy in the criminal justice system. While improvements to this technology continue, DNA profiling continues to be the standard forensic DNA system used in the criminal justice system.

More recently, the use of “fingerprinting” has been extended to nonliving items. The National Integrated Ballistic Information Network (NIBIN) is one example of relatively recent forensics progress that is based on “fingerprints” from shell casings. Since the 1990s, NIBIN, administered by the Bureau of Alcohol, Tobacco, Firearms and Explosives, has been linking shell casings, guns used in crimes, and scenes of crimes. This linking is accomplished using automatic imagining systems that identify the unique characteristics found on shell casings. Once imaged, data from each shell casing are entered into the Integrated Ballistic Identification System. Using these data, analysts can then identify any other crime scenes in which the firearm was used within or across jurisdictions. Before NIBIN, firearms examiners had to do this work manually, which was both time-consuming and labor-intensive. Evidence gathered in the NIBIN program has facilitated the conviction and incarceration of armed violent criminals. Furthermore, NIBIN evidence has linked crime scenes that were not recognized as being related. This technology has solved several crimes that were labeled as cold cases.
CSI Effect

The presentation of crime in the media has resulted in the CSI effect. While this term has a variety of related meanings, it generally refers to the distorted understanding held by the public of the role of forensic science in the criminal justice system. One example of the CSI effect is the public’s perception that all crime scenes are littered with forensic evidence and that all of that evidence must be gathered—no matter how minor the crime. In reality, DNA, fingerprint, and other evidence is not available at all crime scenes. Regardless, the CSI effect has led to an increased demand by the public that forensic evidence be collected. These demands have detrimentally affected the workloads of criminal justice employees. The CSI effect also has manifested itself in that many in the public believe that evidence can be gathered in ways that is patently fictitious. For example, in one episode of a CSI crime show, a plaster mold of a stab wound was made to ascertain the type of knife used in the homicide. This type of evidence gathering is fantasy.37 The CSI effect was evident when a jury member from an actual trial lamented the fact that police had not dusted a lawn for fingerprints. Dusting grass for fingerprints is impossible. While these examples make for amusing stories, they have serious consequences.

One forensic scientist estimates that 40% of the techniques shown on CSI television shows are complete fiction.38 Another result of the CSI effect is that many in the public believe that forensic evidence is available instantly, or nearly instantly. This perception, too, is unrealistic. Forensic evidence can take days, weeks, and even months to prepare. Trials are thought to have been affected by the CSI effect in two primary ways: Jurors expect more forensic evidence to be presented at trial, and jurors are more willing to uncritically accept any forensic evidence presented to them at trial. These beliefs are alleged to lead to different outcomes of a trial. On one hand, if a jury fails to be presented with forensic evidence (even if it is unnecessary or not possible), jurors are more inclined to acquit the suspect. On the other hand, any forensic evidence presented to the jury tends to be believed uncritically and the defendant is more likely to be found guilty. These outcomes have real implications in terms of our criminal justice system. Former actor Robert Blake was acquitted of murdering his wife although two eyewitnesses were able to state that Blake had committed the murder. Jurors acquitted Blake, noting that no forensic evidence was presented at the trial. Many contend that the CSI effect allowed Blake to get away with murder.

An attractive element of DNA technology is that improvements to it today can be used to solve crimes from the past. It was DNA profiling that identified Dennis Bradford as the person who raped, assaulted, and nearly killed Jennifer Schuett almost 20 years before. Care had been taken to preserve evidence from the crime scene. At the time of the crime, DNA technology required more than a few cells for examination. This limitation meant that in 1990, no DNA match could be made. Law enforcement had the foresight to maintain the Schuett evidence for possible future technological advances. After assaulting and nearly killing Schuett, Bradford kidnapped, sexually assaulted, and threatened to murder another woman. He was tried, convicted, and sentenced to prison for 3 years in that case. In addition, this conviction meant that Bradford’s DNA was entered into a database under the CODIS program. This program maintains the DNA profiles submitted by local, state, and federal systems and is available to law enforcement agencies throughout the United States. Bradford was paroled in 2008 and resided in Arkansas, where he worked as a welder. In 2009, new DNA technology meant that a DNA profile could be obtained from a single human cell. This meant that DNA from the almost 20-year-old evidence from Schuett’s assault could be extracted and entered into CODIS. When this was done, a match was retrieved: Dennis Bradford was the violent criminal responsible for Schuett’s victimization.
Some people theorize that some of these associations stem not from the CSI effect, but rather from the tech effect. The tech effect refers to the public’s awareness of modern technology and the expectation that it plays an important role in the contemporary criminal justice system, including trials. That is, they may not be watching a CSI crime show per se, but rather having a better understanding of the role of technology that leads to demands by jurors in a trial. This tech effect comes from the media environment, a small part of which includes the CSI shows.

**Where Are They Now?**

The text presented four actual encounters with the criminal justice system. This section shares where each of the persons highlighted in our case studies is today. Jennifer Schuett continues to live in Texas and works as an advocate and speaker on behalf of survivors everywhere. She never stopped wanting to be a mother, although the injuries she sustained in the attack made that unlikely. After a story about her case was aired on a local television station in Texas, a fertility doctor contacted her to offer his services in the hope that she and her husband, Jonathan, could become parents. This effort was successful, and Jennifer and Jonathan welcomed a baby named Jenna into their lives in 2012. Jenna is a smart, happy, and beautiful child who has traveled with her mom for her speaking engagements. Even more good news came in 2016, when Jennifer and Jonathan welcomed baby Jonah. Jennifer’s work as a mother to two young children keeps her busy. Still she attends many events each year to share her story with others.

Chris Farias successfully completed his community corrections sentence and is no longer serving a work-release sentence. He enrolled in college courses to further his education and took on several new projects based on recommendations from past customers. He has more work than he thought possible while he was involved in his program. Chris met a woman and has been in a long-term, healthy relationship for some time. He is now able to travel out of state to see his extended family and is frequently returning from time on the slopes or enjoying rafting in the summer. Chris credits his community corrections sentence for making real, positive changes in his life. However, he is quick to note that community corrections cannot and does not remove the consequences of his earlier behavior. To this day, he finds that some are not willing to hire him given his record and that the same pressures and stresses that led to his past bad choices remain. He continues to pay close attention to his behavior and emotions, and has no desire to risk finding himself in trouble with the law again. He knows that the chance of receiving another community corrections sentence is unlikely if recidivism occurs.

Joshua Paul Benjamin continues to struggle with the stigma of the crimes he committed decades ago. After serving time in prison, he has continued treatment on his own. He enrolled in graduate school to pursue a master’s degree and then a PhD. He was an A student and completed both degrees. He is active in his church and has earned an additional master’s degree in theological studies. He has continued living a crime-free life. While Joshua was pursuing these degrees, the sex offender registry laws went into effect and he was required to register. This requirement generated many difficulties for him even though he’d completed his sentence more than a decade earlier. First, as a student, the university housing in which he lived informed him that he had to leave. Second, as a student, the university informed him that he could no longer serve as a teaching or research assistant. Furthermore, professors were prohibited from paying him out of pocket to work on research. Joshua completed his PhD, but even with this credential, he has faced huge challenges securing permanent employment. Since earning his PhD more than a decade ago, he has worked in several temporary positions including as a statistical analyst, a customer service representative, and a telephone interviewer at a market research firm. He is frustrated with this situation as he wants to contribute more to society.
Finally, Danny Madrid is enjoying a healthy and fulfilling life. He is currently completing a PhD in criminology and criminal justice at a major state university. In addition, he is teaching at a California university. This is a proud accomplishment given that Danny had only a GED when he began this journey in the criminal justice system in 2003. Danny has discovered that he finds great joy in teaching. He recalls being nervous and mindful about inadvertently revealing his “secret past” when he taught his first class—a gangs class—at California State University, Dominguez Hills. He feared that if his secret past in the criminal justice system were revealed, he would be misunderstood, scare the students, or get in trouble with faculty. He laughs about it now because revealing his past to students turns out to be an advantage when teaching, as students love hearing his stories. Plus, he finds the ability to discuss social problems through a critical and informed perspective with his students therapeutic. Outside of education, Danny finds great pleasure in both fine art and graffiti painting. In terms of the future, Danny wants to collect original data, publish research, and eventually write books. He also intends to be involved in outreach programs with disenfranchised youth, particularly immigrant Latinos. He recently worked with incarcerated youth doing just that. He made a commitment long ago to sacrifice himself for the greater good, and he is more committed now to that ideal than ever before. He acknowledges that he is blessed to have survived the hell that was his youth, and he wants to use his experiences to spread the good word and help others.

Chapter Wrap-Up

This chapter outlined specific issues related to the criminal justice system that have received great attention in recent years. A main theme that guides this chapter, as well as the book as a whole, is that the criminal justice system is dynamic. Our perspectives toward issues change over time, and as a result, some topics receive extra attention. The topic of terrorism has received great attention, especially since the terrorist attacks of 9/11. While we strived to include information on terrorism and homeland security throughout the text, we felt it necessary to devote a special section to this topic in this chapter. It is a topic that will only gain in attention and resources received as time goes on.

Another topic that has recently been the focus of great research, attention, and debate is human and sex trafficking. In the past, most people dismissed this crime as something that happens in other countries. More recently, attention has been given to the acknowledgment that these crimes occur within the borders of the United States.

A similar topic that has been a problem for centuries in this nation is hate or bias crimes. Though present in the United States since its inception, scrutiny and attention to these special crimes has increased over time. Given the changing notions about “special populations,” we can only surmise that this topic is one that will continue to be of utmost interest in the future.

We also included a section devoted to violence against college students. While this category of crime has long been examined in the academic literature, only recently has the general public become concerned. This section outlines the realities of this type of violence, which contrasts in many ways with the media portrayals of it.

No special topics section would be complete without attention given to forensic science and its role in the criminal justice system. As time marches on, there will be greater advances in this area, and greater ethical and policy questions will be raised. An understanding of this topic is critical for students of criminal justice.

The final portion of this chapter addressed our four case studies. Each was introduced to the criminal justice system unwillingly, and they will all be connected to it throughout their lives. We have seen the variety of ways in which these cases moved through the criminal justice system and how it has affected these individuals and those around them. It is our hope that your journey with these people through the criminal justice system opened your eyes to the complexity and realities of the system.
KEY POINTS

• International and domestic terrorism has been going on for centuries.
• The Department of Homeland Security was established shortly after the 9/11 terrorist attacks in the United States; it consolidated existing groups within the federal government to enhance communication.
• The #MeToo movement offers victims and survivors of rape and sexual assault a newer way to share their stories outside of the criminal justice system. Although the movement has been around for many years, it is only since 2017 that it has become a worldwide phenomenon.
• Human and sex trafficking have a long history in the United States. Recently, renewed attention to these issues has arisen, especially in terms of sex trafficking of minors in the United States.
• Trafficking of minors is never voluntary, and their victimization is a form of child abuse. Minors are unable to consent and should be treated as victims and not criminals in cases of trafficking.
• Hate crimes are motivated by the offender’s perception that the victim belongs to a particular group. If it weren’t for the belief about this group membership, the crime likely would not occur.
• Findings show that the extent of hate crimes has been stable in recent years and that most hate crimes take the form of victimization based on religious affiliation.
• The FBI and the Centers for Disease Control and Prevention gather data on fatal police shootings, but both acknowledge that their accounting is incomplete. Recently, outside organizations such as news outlets have compiled information on fatal police shootings used to better understand this problem.
• Violence against college students happens at unacceptably high rates, yet at rates lower than their noncollege counterparts. Most violence against college students occurs off campus, and the rates of violence associated with campuses can vary greatly.
• Forensic science is the use of science to solve crimes. This includes fingerprints, DNA, fiber analysis, tread analysis, soil analysis, entomology, and myriad other methods. Not all crime scenes have forensic evidence available.

KEY TERMS

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REVIEW QUESTIONS

1. How does terrorism differ from nonterroristic crime?
2. Has the creation of the Department of Homeland Security made the United States safer?
3. For what purposes are humans trafficked? Should it matter if those trafficked are adults or minors?
4. Is it necessary to distinguish between hate crimes and other types of crimes?
5. Why do you believe the #MeToo movement gained momentum recently? What societal changes allowed its explosive growth around the world? What advantages does #MeToo have over traditional reporting methods (e.g., police)?
6. Why does distinguishing between campus violence and violence against college students matter?
7. What other groups should be included as protected under hate crime or bias crime laws? What groups should not be protected?

8. What groups are more affected by fatal police shootings? What groups get the most media coverage of these shootings? What are some reasons for any discrepancies between the two? Will publicized fatal police shootings reduce the numbers of shootings? Why or why not?

9. Is forensic evidence available at every crime scene? Should forensic evidence be collected at the scene of minor crimes?

10. How do shows such as CSI influence the criminal justice system? Is the influence a positive one or a negative one?

CRITICAL THINKING MATTERS

1. The Motivation of a Crime: Should It Matter? Currently, some crimes are treated differently based on the motivation of the offender. For example, hate crimes are such because the offender is motivated by the perceived membership of the victim in some group. Terrorism is based on the motivation of the offender to terrorize innocent people because leadership holds a position the terrorists wish to change. Should crimes in which the motivation is based on membership or forcing change be treated differently than other crimes? Should the punishment differ if an offender kills in a fit of rage, the victim started a fight, the victim belongs to a religious organization, or the offender wanted to change policy and therefore killed an innocent bystander? Should the motivation of the criminal be taken into account? Why or why not?

2. Violence Against College Students. Given what you have learned about college student victimization, do you feel more or less safe when you are on campus? Why do you think that there has been this recent explosion in interest about college student victimization, especially sexual and gender-based violence? Given the prevalence of sexual and gender-based violence in society in general, why the focus of this violence among college students only? Are universities different from society in general? Should we expect them to be?

3. Forensic Science and Exoneration. If you were a policymaker, would you allow all incarcerated persons the opportunity to exonerate themselves using DNA if DNA is available? Why or why not? If so, who would pay for the testing? How would already overworked labs deal with the increase in workload that allowing this would cause? If an incarcerated person is found to be erroneously incarcerated as a result, what do you do? Do you offer financial assistance to allow him or her to get a start in life? Do you pay for the error and time lost in prison? Why do you think the U.S. Supreme Court will not allow incarcerated suspects to request DNA testing to show they are innocent?

4. Joshua Paul Benjamin and Hope for the Future. Joshua has lived a crime-free life, he continues treatment, and he has gained real skills and an advanced education. Still, he searched for an extended period of time before finding employment. He completed his sentence long before sex offender registries were implemented. Why should he have to register? How would you handle this case if you were a policymaker? What would you do if you were Joshua? How does hope for the future influence how he’ll behave in the future?

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