

WPACJE

Western and Pacific Association of Criminal Justice Educators

2005 Program at a Glance

Thursday, October 13

- 1:00-5:00 Registration
1:15-1:30 Welcome and Opening Remarks
1:30-3:00 Session 1: Criminal Justice Research in Action: Domestic Violence, Schools, & Profiling
3:00-3:15 Afternoon Break
3:15-5:00 Session 2: Policing Research and Practice

Friday, October 14

- 8:00-5:00 Registration
8:00-9:15 Session 3: Police Ethics; Homeland Security & Policing
9:15-10:15 Session 4: The Effects of the Blakely and Booker Decisions
10:15-10:30 Morning Break
10:30-11:45 Session 5: Supreme Court Roundup
12:00-1:30 Luncheon with Special Guest Speaker, The Honourable Madam Justice M. Marvyn Koenigsberg, Supreme Court of B.C.
1:30-2:00 Business Meeting
2:30-4:30 Court Tour
5:30-8:00 President's Reception

Saturday, October 15

- 8:00-12:15 Registration
8:00-9:45 Session 6: Criminal Justice in Action
9:45-10:00 Morning Break
10:00-10:30 Session 7: ACJS President Laura J. Moriarty /Q & A
10:30-12:15 Session 8: Crime Solutions; Experiences in Teaching Criminal Justice

WPACJE

Western and Pacific Association of Criminal Justice Educators

2005 Conference Schedule

THURSDAY, OCTOBER 13, 2005

Registration

THURSDAY 1:00-5:00

Welcome and Opening Remarks

THURSDAY 1:15 - 1:30

Andrew Giacomazzi, Boise State University, Outgoing WPACJE President
Ronald Helms, Western Washington University, Incoming WPACJE President

Session One: Criminal Justice Research in Action: Domestic Violence, Schools, and Profiling

THURSDAY 1:30 - 3:00

Chair: David Mueller, Boise State University

A Tangled Web: Understanding the Complexity of Domestic Violence Advocacy

Megan Vogt, Washington State University

A review of current domestic violence research shows a strong need for more evaluation of domestic violence advocates and overall survivor support systems. There has also been the suggestion that advocates have conformed to the social environment in shelters, which affects the services that are provided in shelters. The concern here is that the survivors may be negatively affected by societal concerns surrounding services, such as structuring resources directly to receive grant funding. This essay seeks to address some of the common issues that have risen out of past research, also to identify concerns within this field of study in the future. Included are research suggestions for more reliable and rigorous evaluation of the services provided to domestic violence survivors and further understanding of domestic violence advocates.

[Session 1 presentation listings continue, next page]

Thursday, October 13

Search and Seizure in Public Schools: The Evolution of *T.L.O.* Twenty Years Later

David Mueller, Boise State University
Richard Lawrence, St. Cloud University

This paper addresses the issues of students' rights and the need to maintain an orderly and safe school environment. We review case law and court decisions that have addressed the issue of students' fourth amendment rights, and whether the exclusionary rule should apply to school disciplinary policies and practices. We then review the disciplinary procedures and sanctions that have been upheld by the courts as acceptable for schools to use in enforcing rules; and we conclude with a proposal that attempts to strike a balance between students' rights and school safety.

Benchmarking in Studies of Racial Profiling – A Discussion of Current Approaches with Data from Washington State

Clayton Mosher, Washington State University, Vancouver
Nicholas Lovrich, Washington State University
Mitch Pickerill, Washington State University
Travis Pratt, Washington State University

One of the most pressing problems in studies of racial profiling by law enforcement agencies concerns the use of proper benchmarks in determining whether profiling occurs. This paper includes a discussion of the most widely-used benchmarks, with a particular focus on "observational" benchmarks. While several researchers argue that observational benchmarks are the "gold standard," our critique and comparison of traffic stops by the Washington State Patrol with five separate benchmarks calls this claim into question. We conclude that alternative benchmarks are ultimately more reliable and valid, and less costly, than observational benchmarks.

Afternoon Break

THURSDAY 3:00 – 3:15

Session Two: Policing Research and Practice

THURSDAY 3:15 – 5:00

Chair: Andrew Giacomazzi, Boise State University

Zero Tolerance Policing in a Rural Setting

Jon Cooper, Boise State University

Zero tolerance policing is practiced in several large urban areas in an effort to restore order, increase informal social control, and decrease the risk factors typically associated with community crime. While most studies on the topic of zero tolerance policing take place in large urban areas, the setting for the current study is rural, and therefore adds to an important and emerging body of literature detailing the activity of rural officers in relation to citizen interactions. Here, it is hypothesized that because greater informal social control tends to exist in rural areas as compared to urban areas, rural zero tolerance policing will not result in decreases in serious crime. Further, it is hypothesized that with the implementation of zero tolerance policing, a rural agency, like that of its urban counterparts, will experience an increase in official complaints against the police. A before-and-after design was employed using agency data in order to explore both hypotheses. Town council minutes and letters-to-the-editor also were used in a content analysis to further explore the second hypothesis. Results from this study show support for the first hypothesis. The results also suggest that the second hypothesis does not appear to be supported by the quantitative data. Discussion of this phenomenon is presented.

Policing in a Non-Metropolitan Area: A Place Specific Application of Learning Organization Theory

Andrew L. Giacomazzi, Boise State University

John C. Crank, Florida Atlantic University

The move toward a problem-oriented/community policing approach in law enforcement results in a number of challenges for both law enforcement executives and personnel throughout the ranks. One such challenge is to incorporate learning organization concepts and practices in an effort to enhance organizational effectiveness. Only recently have learning organization concepts been applied to police organizations. In this case-study, we use learning organization concepts to evaluate five programmatic innovations put into place by a western sheriff's office. Learning, described as an organization's strategic methodology, is conceptualized in terms of the ability to build capacity to learn from its environment, defined in terms of constituencies within its jurisdiction. Operationally, learning was implemented through the use of a citizen survey, a deputy survey, and citizen and deputy focus groups in the different communities served by the sheriffs' office. We argue that an institutionalized learning organization methodology can assist executives and line level personnel in determining community-specific practices that maximize its problem-oriented and community policing initiatives.

Thursday, October 13

Classifying Urban and Rural Law Enforcement Research: Is it Time They Are Studied Separately?

James R. Kobolt, Winona State University

Kasey A. Tucker, University of Toledo

Since 1972, several scientific studies have been conducted in law enforcement, mostly in urban settings. In the 1990s, animated discourse emerged in the literature aggressively recognizing the flaw in this research design, suggesting what works in resolving urban crime problems may not work in rural settings. This article looked for evidence of academia formally recognizing a distinction in the literature between urban and rural law enforcement in thirty randomly selected publications identified with specific key word searches in academic data bases. Using a classification design, this paper concluded within these articles, there appears to be evidence of a separation in the academic study of urban and rural law enforcement; and academia should recognize these as separate research classifications.

Policing Into the 2000s: Product Over Package Policing's Past: Cliché Policing **Chris Braiden**

In our media-driven world, politicians and bureaucrats are addicted to the answer-before-question quick fix before taking the time to really understand the problem. The result is that often the solution does more harm than the problem itself. This rush to solution-before-problem is a primary flaw of politics and policing. Law enforcement has needed to radically renovate itself for generations, but the disasters of the last decade scream out at us to change. Thomas Jefferson said no country can write a perpetual constitution or even a perpetual law. The U.S. Constitution has had to move 27 times since 1789 and will probably have to move again because of 911, but its purpose: *"Of the People, By the people, For the People,"* has remained constant down through the centuries. So too is policing's purpose constant, but how we achieve that Purpose must remain flexible because of changing times and problems. Until we get policing's head out of its monopolistic butt, until we reverse its over-specialization and its culture of militarism, no community can have true community policing.

FRIDAY, OCTOBER 14, 2005

Registration

FRIDAY 8:00-5:00

Session Three: Police Ethics; Homeland Security and Policing

FRIDAY 8:00 - 9:15

Chair: Ronald Helms, Western Washington University

Walking With the Devil: The Police Code of Silence: What Bad Cops Don't Want You to Know and Good Cops Won't Tell You

Michael W. Quinn, Quinn and Associates

Cops lie. Not all cops, and not all the time, but cops *will* lie. The code of silence is a powerful and seductive force that creates its own set of plausible myths. It seduces us to meld what we know with what we want to believe. Cops will make mistakes and there will always be some unethical cops. We understand that. What a community does not understand is this: If most cops are good cops, and they have sworn to protect and serve - why aren't they protecting us from these unethical cops. Why is there a code of silence?

Paranoid Overreaction or Under-funded Necessity: Have We Gone Too Far in Refocusing American Law Enforcement on Homeland Security?

Carl Franklin, Southern Utah University

Clearly September 11, 2001, is a day that will rank in American history right next to December 7, 1941. While few would argue that there was not a need to refocus our efforts in understanding and combating potential terrorism there is now a question of have we gone too far. In this study the researcher attempts to answer that question by evaluating the changes and returns that have taken place in the last four years. An alarming amount of money is being spent on Homeland Security today; is that money being spent because of need or paranoia?

[Session 3 presentation listings continue, next page]

Friday, October 14

Energy Resource Depletion and the Looming Homeland Security Test: What Does Systemic Disorganization Research Have to Say about the Future of Civilian Law Enforcement in the U.S.?

Ronald Helms, Western Washington University

The dimmest awareness of the effects of energy scarcity have just now begun to reach the mainstream in American society, but geological physicists have been warning that oil and natural gas shocks are poised to unleash hardship on unprepared populations and their respective governments. Energy from oil and natural gas infuses every aspect of our collective existence in the modern industrialized state and it would be surprising indeed if the peaking and subsequent decline of such critical resources did not result in unprecedented social challenges. These challenges are likely to emerge in the form of disruption to critical flows of home heating fuels, food, transportation, and banking services. As well, social challenges will undoubtedly emerge in the form of heightened social conflict. With its current staffing numbers, U.S. law enforcement personnel have in many instances found it a challenge to maintain social order and provide baseline safety for local citizens in our largest urban centers. The literature on systemic disorganization provides theoretical and empirical insights, but recent media reports in the wake of two hurricanes provide stark imagery of what the future may hold for large population groups faced with resource scarcity. In light of what this literature and very recent experience has shown, we must question whether civilian (local) law enforcement is prepared to serve and protect a large and vulnerable urban population base under conditions of substantial energy scarcity. Unfortunately, if the geological physicists are correct in their warnings, the United States law enforcement apparatus may prove to be as ill-prepared to face the consequences of energy depletion as the population it currently serves. Preliminary results from an empirical research project based on this framework will be presented.

Session Four: The Effects of the Blakely and Booker Decisions

FRIDAY 9:15 – 10:15

Chair: Jeremy Ball, Boise State University

Blakely and Prosecutorial Discretion

Amanda Freeman, Boise State University

Jeremy Ball, Boise State University

Sentencing guidelines were established to ensure that punishments were imposed in a fair and consistent manner. The United States Supreme Court in *Blakely v. Washington* limited judicial discretion by requiring a jury finding on facts that raise sentences above the sentencing guideline range. This article explores the ramifications of the Court's rulings on sentencing and other court processing decisions. Miethe (1987) suggested that a potential unforeseen consequence of the recent sentence reforms was "hydraulic displacement" of discretion from the judge to the prosecutor. It is purported that the ruling in *Blakely* will transfer even more discretion to prosecutors through plea bargaining practices.

Washington State's Response to Blakely and Booker

Robert Harvie, St. Martin's University

This paper explores the legislative and legal responses to the United States Supreme Court decisions in *Blakely* and *Booker*. The legislative response, although an attempt to balance judicial and prosecutorial discretion in establishing exceptional sentences, was in place before the Washington Supreme Court gutted much of the judicial discretion in the new legislation. The paper suggests that mandatory sentencing guidelines that have driven Washington State sentencing for the past 20 years are in trouble and the most likely future scenario is for the state to adopt advisory guidelines at least for violent crimes.

Morning Break

FRIDAY 10:15 – 10:30

Session Five: Supreme Court Roundtable: Leading Criminal Justice-Related Decisions of the 2004 Term

FRIDAY 10:30-11:45

John Worrall, California State University, San Bernardino (Chair)

Steve Burge, College of Eastern Utah

Bob Harvie, St. Martin's University

Alice Choi, California State University, Sacramento

A summary and analysis of the leading cases involving criminal justice issues from the 2003-2004 term of the United States Supreme Court. Each presenter will discuss major cases. The discussion of individual cases will be followed by a roundtable discussion of the significant cases and events of the term.

WPACJE Luncheon With Special Guest Speaker

FRIDAY NOON

Join us for a full lunch buffet, the items of which were meticulously selected by incoming WPACJE President Ronald Helms. The lunch buffet is included in the WPACJE registration fees. At the luncheon, the **Honourable Madam Justice M. Marvyn Koenigsberg**, Supreme Court Justice of British Columbia, will address WPACJE members in a presentation entitled "Self Incrimination in Canada." Justice Koenigsberg, who was appointed to the British Columbia bench in 1993, will discuss confessions and interrogation law in Canada.

WPACJE Business Meeting

FRIDAY 1:30-2:00

All WPACJE members are encouraged to attend this short business meeting, where we will discuss future WPACJE conference sites. Those interested in running for the Second Vice President position are particularly encouraged to attend.

Court Tour

FRIDAY 2:30-4:30

WPACJE members are invited to attend a tour of the building that houses both the Supreme and Appellate Courts. The tour will include a judges' session with questions and answers, an intensive tour of the Heritage Courtroom, which has deep roots and associated images and symbolism to British law, and a tour of a high security courtroom. Meet in the hotel lobby at 2 pm.

President's Reception

FRIDAY 5:30- 8 PM

Join outgoing WPACJE President Andy Giacomazzi for beverages, light snacks, and the opportunity to become acquainted with other WPACJE members. Location TBA.

SATURDAY, OCTOBER 15, 2005

Registration

SATURDAY 8:00-12:15

Session Six: Criminal Justice in Action

SATURDAY 8:00-9:45

Chair: Jeremy Ball, Boise State University

Delinquency Prevention Using Youth Accountability Teams (YAT) in Riverside County, California

Dale K. Sechrest, California State University, San Bernardino

In Riverside County, California, Youth Accountability Teams (YAT) were established at 16 school locations. The Youth Accountability Teams (YATs) involve probation, law enforcement, and staff of the district attorney's office in efforts to prevent juvenile delinquency. Over a four year period, YAT had contact with about 12,000 pre-delinquent juveniles, aged 6 to 17 years, most of whom were involved in minor misbehavior, such as alcohol and/or substance abuse, truancy, family conflict, school adjustment, and fighting. Overall findings relating to success or failure on the program will be given. Geographic information describing the areas in which they reside will be presented.

A Content Analysis of Adult Drug Courts in the Pacific Northwest

Valerie R. Bell, Boise State University

Drug courts were established in the United States to deal with drug-related criminal offending and overloaded courts. These specialty courts have the potential to have a great impact on the criminal justice system. Process evaluations examine the processes used within the program itself. This paper uses a content analysis to examine process evaluations of five drug courts in the Pacific Northwest. The process evaluations are compared to the National Association of Drug Court Professionals (NADCP) "Ten Key Components of Drug Courts". The evaluations indicated that with few exceptions drug courts are meeting the components of the NADCP.

[Session 6 presentation listings continue, next page]

Saturday, October 15

**The Price Paid by the Young, Male, Racial Minorities in American Society:
Assessing the Relationship Between Offender Age, Gender and Race, and the
Likelihood to Receive a Reduction In Charges**
Amanda Freeman, Boise State University

This study explores the relationship between extralegal factors such as an offender's race/ethnicity, age, and gender and their likelihood to receive a reduction in charge(s). Data is used from felony offenders sentenced in Chicago during 1993. Only cases in which the offender's plead guilty are utilized to determine the effect that extra legal factors have on an offender's likelihood to receive a reduction in charge(s). This hypothesis is supported by such theoretical perspectives as the dangerous class, focal concerns, and the liberation hypothesis. This bi-variate analysis revealed a unique, yet weak relationship between an offender's race/ethnicity and the offender's likelihood to receive a reduction in charge(s). The analysis also revealed a weak relationship between an offender's gender and age and the likelihood to receive a reduction in charge(s).

Disparate Treatment in Charge Bargaining: It's a Prosecutor's World
Jeremy D. Ball, Boise State University

Blumstein and his associates (1983) suggested that the disproportionate number of young, black males in prison may be a result of cumulative, unwarranted disparate treatment. The current paper addresses one stage of this potential cumulative effect – namely, plea bargaining. There is a gap of the research on plea bargaining: outdated analyses, focused attention on processes rather than outcomes of plea bargaining decisions, and a lack of theoretical basis upon which to explain potential disparities. The current paper attempts to fill this research gap, integrating three theoretical perspectives – consensus/concessions theory, liberation hypothesis, and focal concerns theory – in an attempt to explain potential disparities in charge bargaining decisions.

Morning Break

SATURDAY 9:45-10:00

Session Seven: ACJS President Remarks

SATURDAY 10:00-10:30

Current ACJS President Laura Moriarty will inform WPACJE members of the latest at ACJS. Dr. Moriarty also will take questions from the audience.

Saturday, October 15

Session Eight: Crime Solutions; Teaching Criminal Justice

SATURDAY 10:30 – 12:15

Chair: Kate King, Murray State University

Perceptions About Religion as a Solution to Jamaica's Crime Problems

Marilyn Jones, California State University, Sacramento

This discussion, contextualized with respect to Jamaica's crime rates, explanations for these trends, and recommend solutions, is based on discourses about the role of religion in crime resolution and specifically on the issue of (re)integrating religion in addressing Jamaica's crime problems. The analysis draws on the content of news, editorial, commentaries and letters to the editor in Jamaica's two main daily newspapers on the topic of religion and crime. The paper examines stakeholders' perception of the role the "church" should play in crime control initiatives.

Courtroom Testimony via A Cross Course Approach

Carl Franklin, Southern Utah University

Wayne Williams, Southern Utah University

An increasingly knowledgeable general population, better prepared defense, and more sophisticated systems of forensic sciences now require law enforcement (police) hone their skills for testifying. The best tools for development of these skills is the combination of theory based classes matched to practical participation opportunities. Southern Utah University has recently built a new fully functional courtroom to compliment the working state crime lab and the student crime scene lab already in place. Professors in this presentation will discuss their efforts to integrate a cross-disciplinary program of courtroom testifying that concentrates on skills for those in forensic science and traditional criminal justice courses.

Doing a Weekend Jail Course

Ken Kerle, American Jail Association

This presentation describes the development and delivery of a three-hour course on American jails. It was given on two weekends (April 1, 2, 3 and April 15, 16, 17, 2005) for Washburn University, Topeka, Kansas. Two professors taught the course at Kansas City Community College, Kansas City, Kansas, and arranged visits to three jails in Kansas and Missouri. Twenty-one students participated---17 undergraduates and four graduate. Student evaluations labeled the course an outstanding success. The need for more jail courses in colleges and universities will explained.

[Session 8 presentation listings continue, next page]

Saturday, October 15

**Teaching a Terrorism Class to American Criminal Justice Students in Turkey:
One Professor's Experience**

Kate King, Murray State University

Terrorism is an increasingly popular topic in criminal justice curricula today. Included in many terrorism courses are discussions of the history, philosophy, various forms and definitions of terrorism. Also discussed are the differences between domestic and international terrorism and how governments respond to terrorists' threats and acts. Is the educational experience enhanced by studying terrorism abroad, particularly in a country with a long and violent history of terrorist acts against civilians and the government? This professor suggests the answer is yes. This paper examines the benefits and possible drawbacks to taking American criminal justice students to study terrorism in Turkey.

The Officers of WPACJE wish to express our appreciation for your continuing support and participation in this conference. We look forward to gathering together again next year in Portland, Oregon.

**Join us in Portland, OR
WPACJE 2006**

Saturday, October 15