Overview

The Watts College of Public Service and Community Solutions is Arizona State University's laboratory for the innovative production of public goods. We are committed to fearlessly taking on the most daunting challenges facing society, with degree programs and research that address challenges affecting communities both locally and globally. Our population represents the highest percentages of minority, transfer and working students and the largest concentration of first-generation college students at ASU. Together, we bring creativity, systems-level thinking and an entrepreneurial spirit to our mission of creating, sustaining and promoting dynamic, prosperous communities.
ccj newsletter

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CCJ Snapshot
2,361 undergraduate students
363 graduate students
45 faculty members
6,400+ alumni worldwide
#5 Criminology and Criminal Justice PhD program
#6 online graduate program
– U.S. News & World Report 2020

ccj.asu.edu

Contact Nancy.M.Johnson@asu.edu
Fall 2020
For those who study the criminal justice system, the last few months have confirmed what some of our collective research indicates: that as much progress as has been made over the last several decades, there are still too many instances in which criminal justice professionals and systems respond bluntly, disproportionately and erroneously. Even as crime has dropped and evidence-based practices have replaced anecdotal traditions, sizeable majorities of Americans have told pollsters that they support “major changes” in law enforcement. Public doubts about the criminal justice system are a problem in themselves.

Rather than despairing, we in Arizona State University’s School of Criminology and Criminal Justice see this period as a time of opportunity and obligation. This is exactly the moment in which evidence-based criminology is most needed, when research findings can shed light on specific frailties of the criminal justice system and new measures can be advanced in partnership with forward-thinking justice professionals and leaders. Training is needed to prepare a future wave of dedicated officials, and new ideas should be raised to reimagine how the criminal justice system might operate more effectively, efficiently and fairly.

Our School is dedicated to this vision, and our faculty, staff and students have been busy working on these kinds of projects. Across the state and nation, for example, teams of CCJ researchers have helped advance the implementation of body-worn cameras, which provide an accurate accounting of police-citizen encounters. They have advised government leaders on the rebalancing of law enforcement functions, looking to move certain social service functions to other agencies. They have counseled and trained police departments on how to respond to public protest, maintaining order while reducing the need for use of force. They have advised district attorneys who seek to tackle racial inequities in charging. And, when unfortunate incidents occur, they have helped municipalities employ sentinel events review to learn from mistakes and prevent them going forward.

All the while, the School has continued the most central parts of our mission—training students to respond effectively to these changing conditions and conducting the highest-quality research to help advance the field. Faculty have done this while navigating the challenges of the coronavirus. We have employed hybrid instruction, Zoom meetings and other novel technologies to carry out the mission.

I suspect 2020 will go down in history as one of the most challenging years of the millennium. It certainly has been for us. But rather than hopelessness, we envision this year as an opportunity to reimagine what justice entails and a moment in which research and training can be marshalled to address the many challenges before us. As I hope you will see in this newsletter, our faculty, staff and students have been busy working toward a brighter future. We welcome the chance to share this vision with you.
As many institutions can attest, the recruitment, development and retention of highly qualified and productive faculty is both a challenge and an opportunity. In our field of criminology and criminal justice, it takes collaborative effort and an inviting culture fostered by the existing faculty to successfully hire these leaders. The faculty of the School of Criminology and Criminal Justice proudly celebrates our most recent faculty hires. We are excited to see how they bring our students and the research in our field to the next level.

**Abigail Henson, PhD**  
**Assistant Professor**

Abigail Henson, PhD earned her doctorate at Temple University in 2020. Her research involves policing, family, reentry, corrections, evaluation, racial inequalities, qualitative methods and mixed methods. She is excited to launch @whatsjust an anti-racist public criminology social media platform with the mission of challenging existing stereotypes, turning the critical gaze towards policymakers and racist institutions, and informing the public on the criminal justice system’s broad impact.

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**Anthony Peguero, PhD**  
**Professor**

Effective January 2021, Anthony Peguero, Ph.D. will hold a joint appointment with the School of Criminology and Criminal Justice and the T. Denny Sanford School of Social and Family Dynamics. Dr. Peguero joins us from Virginia Tech. His research interests include youth inequality and justice; race, ethnicity, and immigration; schools, stratification and education; Latin/o/x Criminology and Sociology. ASU being “measured not by whom it excludes, but by whom it includes” resonates with Dr. Peguero as he looks forward to representing the diversity which is the Phoenix metro area.

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**Ojmarrh Mitchell, PhD**  
**Associate Professor**

The School welcomed Ojmarrh Mitchell, Ph.D. in the Fall of 2019. Hailing from the University of South Florida, his research centers on criminal justice policy, particularly in the areas of drug control, sentencing and corrections, and racial fairness in the criminal justice system. Dr. Mitchell broadly focuses on the effectiveness and fairness of criminal justice sanctions. He sees the school as research driven, policy relevant and focused on implementation of its work. This innovation, this action, drew him to ASU.
Kate Fox, PhD
Associate Professor

Director, On-Campus Graduate Programs
Kate Fox, PhD, is the Director of the on-campus Masters and Doctoral programs for the School and an Associate Professor. She serves as the point of contact for graduate students’ questions, recruits and onboard new students, partners with the Graduate Student Committee and facilitates professional development opportunities to enhance the educational experience of graduate students. Kate also directs the graduate course offerings and administers the comprehensive exams. Her lab, Research on Violent Victimization, focuses on social justice among underserved populations. She partners with communities and collaborates on policies designed to improve lives, safety, and racial and social justice.

Contact: KateFox@asu.edu

Cody Telep, PhD
Associate Professor

Director, Undergraduate Programs
Cody Telep, PhD, Associate Professor, has been with the school since 2013 and is the Director of Undergraduate Programs. Telep is responsible for the development, review and maintenance of the School's undergraduate offerings. He chairs the undergraduate program committee, assists undergraduates with challenges they may face and serves as the Faculty Honors Advisor for Barrett, The Honors College. His research focuses on synthesizing data to assess what works in policing; partnering with agencies to examine the impact of police practices on crime, disorder, and citizen perceptions of legitimacy; and examining and increasing receptivity to research and evidence-based practice in policing.

Contact: Cody.Telep@asu.edu

Blake McClelland, Ph.D.
Lecturer

Director, Online Graduate Programs
Blake McClelland, PhD, oversees the fully online Master of Arts program for the School. He reviews applications to the program and grants admission to qualified students. He also networks with practitioners in the criminal justice field to ensure that our curriculum contains materials that are beneficial and timely. During his 34 years in the Phoenix Police Department, McClelland held numerous command-level positions that included lieutenant, commander and assistant chief. His areas of specialization include research methods, statistics, police use of force, internal affairs and ethics. This spring McClelland will be launching a new undergraduate course “Police Use of Force”.

Contact: Blake.McClelland@asu.edu
Each year the school’s incoming graduate student cohort identifies and invites a Distinguished Scholar to speak to the ASU community and visit with graduate students and faculty. On November 2, Cynthia Lum, PhD of George Mason University will speak on “Policing is an Intellectual Profession”. The topic of her presentation rings both timely and true to this edition of our newsletter, which is focused on reimagining the police.

The CCJ Graduate Student Committee (GSC) is a group of graduate students in ASU’s Graduate Criminology and Criminal Justice program committed to CCJ graduate student advocacy, inclusion and diversity. The mission of the student committee is to enhance the ASU CCJ graduate experience through academic enrichment and professional development, cultural and social enrichment, and departmental communication.

The GSC is excited to announce the Diverse Perspectives on Justice Speaker Series. The virtual series highlights scholars from queer criminology, comparative criminology, green criminology and criminology-adjacent fields whose research challenges existing assumptions and raises provocative questions about criminology and criminal justice. Additionally, each speaker has offered to spend an additional hour with the CCJ graduate students after their talks to answer questions. This series is made possible due to contributions from a variety of school faculty, as well as Vice Dean Cynthia Lietz — thank you for your generosity and support!

**Diverse Perspectives on Justice Speaker Series**

November 9, 10am-11am MST - Vanessa Panfil, PhD Old Dominion University
January 29, 9-10am MST - Jennifer Cobbina, PhD Michigan State University
February 12, 10am-11am MST - Dean Spade, PhD Seattle University School of Law
March 19, 10am-11am MST - Iris Lu, PhD SUNY Buffalo
April 5 (TBD) - Michael Lynch, PhD University of South Florida

Join us via zoom for our series kickoff on November 9 at 10am MST to hear Dr. Vanessa Panfil of Old Dominion University talk about her recent book, The Gang’s All Queer: The Lives of Gay Gang Members, in which she weaves a story of gay identity, gang membership and criminalized activity to show how gay gang members build community and confront obstacles. These men’s stories illustrate how they both respond to and resist societal marginalization, and will challenge what you believe about gangs, gay men and urban life.

For more information, contact the GSC co-chairs Stephanie Morse (sjmorse@asu.edu) or Suzanne St. George (sscoble@asu.edu).
Clarifying the functions of the police in a free society should always be an ongoing discussion in a democracy. In the first eighty years of our history there were no police. Their creation was purposeful, so we need to ask ourselves what the founders of the American police had in mind when they were created and whether those purposes have changed or not changed in the last century-and-a-half. If the police are no longer functioning as we want them to, then it is time to re-address and clarify their function and their capacity to carry it out. This has not been done in earnest since the late 1960s, which was the last cataclysmic social juncture prior to this current point in time.

The work of the American Bar Association in the early 1970s gave serious consideration to the entire criminal justice system, including the police. They laid out eleven important statements of major objectives. The principal author of that report then pared this down to eight objectives that still serve as a good foundation from which we could assess the police function today, thinking through how we expect these objectives to be achieved and giving careful thought to what role police and other institutions should be playing toward achievement of those objectives. These specific objectives provide a framework for imagining new arrangements and collaborations among police, community members, other government agencies, non-government organizations and the private sector.

For example, the first objective of the police is to protect people from physical harm and protect their property. It is easy to imagine how police might work toward this objective, but relying solely on the police to do this might require intrusive and draconian methods. If police were working in tandem with corporations, developers, social service agencies and product manufacturers, we could come up with ways of keeping people safe and their property secure that do not require excessive intrusion into their lives or on their civil liberties.

Mike recently completed a Sentinel Review together with the Tucson community surrounding the in-custody deaths of two Latino men that has garnered national attention for its novel approach.

Report of the Tucson Sentinel Event Review Board (SERB) on the Deaths in Custody of
Mr. Damien Alvarado and Mr. Carlos Adrian Ingram-Lopez

September 18, 2020
As a success story, think of auto theft. The number of stolen cars has decreased dramatically over the past two decades, but it has had little to do with policing, prosecutions and incarcerations. It has to do with improved design and manufacturing of automobiles that make them harder to steal. When we reflect on the numerous high-speed police chases of stolen autos in the 1990s and the number of people injured and killed as a result of them, we realize that if only these improvements in auto security had been done sooner, many lives and much money would have been saved.

For another example, we are currently facing, as we have always faced, drug epidemics. As a national strategy, control of the use and abuse of drugs, including alcohol, through criminal law enforcement has never been very effective and it has created lots of unintended problems. It has overwhelmed the criminal justice system, resulted in the removal of enormous numbers of people from society for long stretches and fueled a great deal of the violence that accompanies illegal markets. That set of circumstances begs for fundamental reconsideration of what we want police to do as it relates to protecting people and society from the harms caused by abuse of drugs and alcohol. It can reasonably be argued that whatever approach we take, mass incarceration ought not be a strategy. We can trace much of objectional policing practices, such as random stopping, questioning and frisking of suspected drug buyers and sellers which has largely been done in the interest of reducing use and abuse of drugs. This response has largely negatively impacted people of color.

These are but two examples of literally hundreds of problems police are tasked by society with addressing for which we could apply fresh consideration to strategies that are both more effective and equitable in their impact on various people in society. This reconsideration of strategies should, in particular, be done with an eye toward reducing the negative disparate impact they might have on people of color.

This approach—a careful problem-by-problem examination of society’s response to public safety and security—if taken seriously, can lead to a fundamental redefinition of the role of the police in society. We could abandon the idea that police alone will solve all these problems through law enforcement and instead come to see police as a combination of early warning systems, conveners of deliberations and analysts of problems’ causes and contributing factors, with some carefully defined role in taking action, but not the sole institution responsible for fixing the problems. That responsibility would be better apportioned across social institutions.

Policing remains essential to free societies and improving it is continual work: it will never be finished. Where American police need to go now is to redefine their core function as problem solvers and helpers, and not as alien forces hostile to the communities they serve. Getting police to take more seriously their role as guardians of people’s civil liberties, in addition to their safety and security, will help enhance the legitimacy of the police institution and public trust and confidence in it. The fundamental challenge of policing in a free and open society is to keep people safe and secure without undue interference in their lives.
Michael White, PhD is a Professor and the Associate Director, of the Center for Violence Prevention and Community Safety.

There are two emotions that I have been wrestling with as I have watched things play out in different cities across the United States, all related to policing in America. The first is, it’s really disheartening to see what has happened in the summer of 2020. I don’t think it is possible for any policing researcher not to feel a little bit frustrated and sad. We have people at ASU that have been working for the last 20 years to try to improve the policing profession. Yet, we are seeing images in 2020 (after the death of George Floyd and others) that look like they are from 2014 (riots in Ferguson and elsewhere after Michael Brown was killed), from 1992 (riots in Los Angeles after the officers who beat Rodney King were acquitted), and from 1967 (riots in most major American cities). The images all look the same. How can this not make policing researchers feel frustrated and question the work we have been doing?

At the same time, my competing emotion is optimism. This time feels very different. The potential for change, the opportunity for real reform to reimagine the police — it seems like now is different. The potential to have meaningful reform is more likely now than ever before. Part of this is what people sometimes refer to as the “defund the police movement,” which I think is terribly named. I don’t think most people want to get rid of the police. When I hear that term, I think about “shrinking the mission of the police,” which is a good thing. I believe most police in the U.S. would embrace the opportunity to take away those things for which they don’t have expertise. For example, responding to suicides or responding to mental health crises. There have been cities that have moved in this direction in terms of reducing budgets and re-assigning some of those tasks to other community agencies. We’ve seen legislation at the state level and there are competing police reform bills at the federal level in the Senate and the House. I have these competing emotions, one of frustration and yet, one of optimism. Perhaps now is the time when we will have meaningful reform and changes will be made for the better.

The other point I want to make is that the principles of effective police accountability are not a secret. They have been known for a long time. These principles have become lost in the contentious dialog that’s happened. It is also pretty clear to me that some of these principles of effective police accountability are extraordinarily difficult both to implement and maintain over time. It’s not a secret, they are out there, but I think it is matter of timing and political will. There is a tidal wave of demand for reform. All of these things together can actually push us in a direction we have not been able to go in the past.

My optimism, however, has been tempered over the last few days because of several developments. One troubling trend is that progressive, innovative police chiefs are getting fired or being forced to resign because of a political knee-jerk reaction to one incident. We have seen that in Seattle (Carmen Best), Atlanta (Erika Shields) and Tempe, Ariz. (Sylvia Moir). This action will derail the reform movement if we start losing champions of innovation. Second, we are starting to see crime, especially violent crime, spike in some cities. We expect police to respond to crime, prevent crime, to keep crime down, but if we continue to see upticks, this will present real challenges for the reform movement, as well. Last, completely independent of the defund the police movement, city, state and federal budgets are all shrinking because of the pandemic. When a police department has to cut 10, 15 or 20 percent out of its budget, the first things to be cut are crime analysts, civilian staff and proactive policing units. Officers will be taken out of those units so that the department can meet its basic functions. All of these developments threaten the police reform movement.
Danielle Wallace, PhD is an Associate Professor who is currently studying COVID-19 among prison systems via a National Science Foundation grant. She also examines methods for estimating racially biased policing.

If we are going to reform the police, we need more and better policing data. A lot of times, police departments collect the data they need at the moment or the data that’s been collected for years -- not necessarily the data that would help them answer critical questions and address problems down the road. Now we’re dealing with new race riots, protests and political unrest, nationally. It’s a historical moment where we need to be thinking about data is needed as police departments nationally work to understand what the citizens they serve want, need, and are experiencing when they encounter the police. Without that information, there’s no way to forecast what’s going to happen or identify the problems that currently need to be addressed.

I’ll give you an example. Around the nation, we have problems with community-police relationships among different racial and ethnic groups and what members these communities feel is happening when they have contact with the police. A simple way to understand what potentially is behind strained relationships between minority communities and the police is whether, for instance, people of color are more likely to get a ticket versus a warning than whites. However, that requires data about citizens’ race or ethnicity. In Arizona and other states around the nation, police officers are not required to write down the race or ethnicity of the citizen they contact. In some states, Arizona is again an example, we don’t even capture this information on individuals’ driver’s license; there’s no other way to get that data unless the police officer writes it down. How can we understand racial injustice if the police — quite literally — don’t have the data to do so?

I would love to see police departments become more data science oriented so that policing researchers around the nation could help departments understand their problems from a data perspective and not rely on anecdotal reports or the voices of a few loud people. This is critical for reform. Police departments must be able to ask and answer critical questions about their policies and procedures. Questions like: Does this policy work the way we want it to? Is the procedure being implemented in the way we planned? Starting a program and not collecting and evaluating the data on how that policy has changed policing in a city does little for reform. For example, a number of police departments around the nation, like Sacramento, CA and Aurora IL, recently banned officers from using chokeholds or the carotid hold, which cuts off blood flow to the brain. And while this may be positive in light of the death of George Floyd and how he died, we still need to determine how that decision changes how officers are using force and how citizens are experiencing force. Are officers now drawing their guns more? Are officers now getting injured more? It could be more dangerous for the officer or it could be more dangerous for the citizen, or it could have absolutely no change on how officers use force. The reality is, we don’t know. There’s a lot of knee-jerk policy changes happening right now; it would be good to be able to sort out whether these changes matter. We won’t know unless the departments are collecting data.

In reimagining the police, in my mind, we need to do a better job with data, both collecting it and using it. Police departments have to be willing to do the gutsy thing and say, “Yes, go ahead and take a look, let’s see how this pans out.” Departments can’t get better without an understanding of what’s going on within the department and in the community it serves.
Edward Maguire, PhD is a recognized protest-policing authority who has been sharing his knowledge on this topic with local, national and international media.

Protests have become a common occurrence in 2020, leading to an increasing divide between citizens and the police. Professor Maguire recently sat down for an interview with Devils in the Details, an ASU video series, to discuss how safely policing protests can help bring citizens and police closer together.

"I think in a democracy it’s really important that we value people’s right to assemble and speak freely, in particular against the government when they feel the need to do so...I think it’s really important for police to understand the First Amendment and the protections that it provides the American people," he said in the interview.

Preparation is key in any mass gathering. Maguire turned to police forces around the world and in the United States to see what preparation looks like. He and his research team sought to learn about these events from the perspectives of police and protesters.

"My students and I ended up visiting several Occupy encampments, interviewing the protesters and eventually carrying out surveys among protesters. There’s significant room for improvement worldwide in how police handle crowds and in particular how they handle protests and mass demonstrations, and many police agencies are not doing this wisely. They’re not doing it strategically. They’re kind of taken by surprise and they often end up using riot-control techniques to handle mostly peaceful crowds," he said talking about his chapter in Transforming the Police: Thirteen Key Reforms.

Conflict between protests and police can often be prevented with some basic changes in how police handle these events. According to Maguire, "When a handful of people in the crowd start to engage in violent or destructive behavior, the police often take enforcement action against the entire crowd. This could be mass arrests, or it could be firing tear gas or rubber bullets at the crowd. The problem is that in many of these cases, most of the crowd hasn’t violated any law. That’s when innocent protesters and bystanders get injured, sometimes very seriously. Then the crowd gets angry and people who started off peaceful start to think it is okay to rebel against the police. That’s when police tend to get injured. I teach police strategies for winning the hearts and minds of crowds to reduce conflict and violence and to keep police and protesters safe."

One way to do this is to think about crowds differently. "We typically advise police not to look at a crowd as homogeneous, but to think of a crowd as heterogeneous. There are people in the crowd who are engaging in peaceful and lawful behavior, and we need to facilitate their ability to do so under the First Amendment," he said. "When there are people in the crowd who are engaging in violent or destructive behavior, we need to make arrests. We need to take those people out of the crowd. The hard part is implementing that dual response. On one hand, we’re facilitating peaceful First Amendment expression. And on the other hand, we’re making very targeted arrests of people who are engaging in inappropriate behavior."

Maguire said the key to a peaceful protest is police facilitation and protestor cooperation. "On the policing side, we need to facilitate peaceful protests and on the protest side we need to remain peaceful and law-abiding. It is really important for police to facilitate peaceful protest, but I also think it’s important for police to protect public safety and their own safety," he said. "When people start to be violent toward one another or to be violent toward the police, then the police need to invoke the criminal justice process. They need to make arrests and prosecutors need to prosecute."

Maguire and his students are currently working on several studies of policing, crowds and violence in the United States following the death of George Floyd in Minneapolis. He hopes their research will help communities make better decisions about how to handle these challenging events.
Scott Wolfe, PhD is an associate professor at Michigan State University (ASU ’12) who is engaged in research associated with police reform. In 2014, Scott produced research evidence around the “Ferguson Effect” which figured prominently in public policy debates relating to policing and crime.

Before we re-imagine and reinvent the police in whatever direction that might take us, you have to have good data to guide those decisions. We’re moving in the direction of national reporting of use of force in particular, but the biggest problem is when you have a situation like what happened to George Floyd take place. The public, and many police for that matter, want to see that change immediately in their communities. Which people can understand. The problem is when you make emotional, hasty decisions, you could be potentially setting yourself up for longer-term failure. So now, more than any other time, we have a motivation to get that data recorded through the point that it needs to be so that we can have more information and do more. We have accessibility to pinpoint the specific problems and be more proactive moving forward to solving those problems before we have instances like George Floyd.

As a researcher, data is my world. I know a lot of folks don’t want to hear that we need data. The common response is, “No we need to save lives” and we do. But, we must make informed decisions and data is the way to do that work and make it last.

Within a month of George Floyd’s death, my colleague, Justin Nix (University of Nebraska-Omaha) and I wrote an op ed published in the Washington Post trying to add a little bit of research and empirical evidence to the conversation about the defunding movement. #Defund is new, but the conversation is not new; it just exploded in Minneapolis. It’s still very emotional. We saw that emotional reaction in Minneapolis with council members immediately jumping on the we’re-going-to-completely-defund-the-police bandwagon. Recently, we have seen them backtrack to have a conversation. This is good news because we need to be surgical about finding problems in agencies and come together on solutions to those problems. Indiscriminately and hastily defunding the police will only harm the communities that we’re trying to help.

We know from a long line of criminology research that some of the most effective strategies of combating crime, stopping people from being harmed and preventing them from dying is focused-deterrence strategies and hot spot policing. We have an overwhelming amount of scientific evidence that supports these conclusions. These strategies, when properly deployed, work. Acknowledging the fact that police are instrumental to community safety and in combatting violence is important. The crux of the op ed is that you can’t have the conversation about defunding without acknowledging the fact that, if you take the cops away from the community, it’s the people within those communities most impacted by violence who will be the victims.

We are starting to see some studies come out regarding police training and are beginning to gain an understanding about what may be working. While I can see where a reprioritization of money might be something to consider, it is disheartening knowing that this reprioritization may create a roadblock. If we’re taking money away and not caring about where that money is coming out of in police budgets, I fear it will be removed from training and effective hiring practices. Unfortunately, it will be subtracted from money used to hire new, qualified officers. It will affect the types of officers who have the mindset and who would be in the best position to solve the problems.
SCCJ’s Professor William Terrill, PhD is an Associate Dean of Watts College, and has been studying police use of force and culture for over 20 years. His current work involves a grant from the Department of Homeland Security.

With the notion of reimagining the police, there are so many directions for me to go, but my research has always centered on police use of force and police culture, which is the stimulus that is driving this conversation, especially as it intersects with race.

There is enormous pressure on the police as they are asked to be all things to all people with very limited preparation - usually only about six months of pre-service academy training. Few occupations would call themselves a professional occupation with such limited training to start. Besides requiring a much longer training period, the operational tactics that make up a large part of academy training need to be merged better with the educational side of policing to encompass a more complete understanding of human nature, empathy and the social constructs of society.

We think of the current crises as high-stakes, and it is, because of the continual red thread of racial injustice. But from a historical aspect, there has always been a struggle. The situation ebbs and flows with how loud the external calls get. While there has been some incremental progress, we have been running in place more than moving forward. This is not for lack of effort on the part of policing researchers. For example, my research shows that more restrictive use of force policies results in less coercive policing. Yet, agencies are often reluctant to implement such policies. While police officials often say they are open to discussing and potentially altering their use of force policies, it rarely occurs. More often than not, the barrier is an agency’s legal counsel, which are almost always resistant to more restrictive policy changes because they believe such a move would make it more difficult for them to defend civil litigation suits. My response to this is, “No, it only makes it harder to defend bad officers.”

So how do we stop going in circles and move forward? The other day, I attended a meeting with city and police officials and I shared that I think the strongest approach to reimagining the police is for the initiative to come from within the police ranks, not from outside voices. The police, themselves, as an occupation and as a culture, need to decide that change is needed. External calls for change and reform have been around for the better part of the past century, and it feels these days everyone seems to claim some degree of expertise. Yet, the pathway for real, substantive change will not occur until there are internal calls for change and reform. That is, the pressure, will and desire for change must come not from folks like me, but rather from those wearing the uniform.
Without a doubt, the chief prosecutor in a jurisdiction is the most powerful criminal justice decision maker. The title of chief prosecutor varies by state which is a bit confusing, but regardless of the title, the job is the same—overseeing criminal prosecutions in that jurisdiction. What makes the chief prosecutor so powerful is their enormous discretion. Prosecutors have the unilateral and virtually unreviewable power to decide which arrests lead to prosecution and in which court, felony or misdemeanor, the prosecutions take place.

Prosecutors use this discretion in a number of ways. For example, a large portion of felony arrests do not lead to prosecution, as prosecutors decline to prosecute approximately 40% of cases. In another 15% or so of felony arrests, the case is pursued as a misdemeanor. Thus, less than 50% of felony arrests lead to felony charges. When prosecutors do file felony charges, the defendant almost always is adjudicated guilty—approximately 95% or more of felony charges lead to some adjudication of guilt.

However, prosecutors’ decision-making extends beyond charging to nearly every aspect of case processing and case outcomes. Not only do prosecutors decide when to pursue charges, they are the gatekeepers, deciding which defendants will be diverted from prosecution and when adjudication will be withheld. Prosecutors in some jurisdictions also effectively have the power to sentence defendants. It’s this last power, the authority to sentence defendants, which appears to be least well known.

A good example comes from the Florida courts, where I have been studying felony case processing and case outcomes. There are three mechanisms in Florida that grant prosecutors tremendous sentencing authority. The first is the pervasive use of plea bargains. Approximately 98% of cases are resolved by plea, which spell out in detail the sentence to which the defendant will be sentenced if they agree to plead guilty. Because judges almost never reject these plea agreements and prosecutors are the primary party dictating the terms of the plea agreement, prosecutors effectively sentence defendants.

Florida’s Criminal Punishment Code also allows mitigated downward departures from the Code. When a valid reason for mitigation is provided, a defendant can be sentenced to any range within the statutory maximum. By far the most commonly used reason for a downward departure is a “legitimate, uncoerced plea bargain.” This is a stunning concession to prosecutors, as this policy gives prosecutors a means to sentence any of the 98% of cases resolved by plea without having to follow the Code’s guidance. In effect, prosecutors can obtain any sentence they can negotiate with the defense.

Finally, prosecutors have the ability in Florida to bring charges that carry mandatory minimums—and they have exclusive authority to waive a mandatory minimum sentence even if the underlying charge calls for one. Prosecutors can literally decide when a mandatory penalty will be invoked. Even judges do not have this power outside of finding a reason for mitigation—only prosecutors do.

Despite prosecutors’ tremendous authority, their decision-making is largely hidden from public scrutiny. Data documenting prosecutors’ decisions are not generally available to the public. Even in Florida, which has some of the most expansive open record laws in the nation, we can only see prosecutors’ actions but are left in the dark about their reasons why. As a result, it appears that similar cases often receive different outcomes, but the reasons are unclear.

The solution to this problem is that prosecutors should be required to state on the record which factors guided their decision-making (e.g., the victim didn’t wish to pursue charges, the defendant had no previous felony convictions) and why they chose their actions. Without providing this kind of information, the public is unable to evaluate the performance of chief prosecutors or their staffs. Given that the vast majority of chief prosecutors are elected officials, democratic principles demand greater transparency from prosecutors.
President's Award for Innovation

The School is proud to congratulate Professor Hank Fradella, Assistant Professor Stacia Stolzenberg, Assistant Professor Rick Trinkner and Assistant Professor Adam Fine for receiving the President's Award for Innovation. This team was led by Hank and psychologist Nick Schweitzer. For two years, they worked to develop new courses and new curricula, ultimately leading to the creation of a new certificate, bachelor's degree, master's degree and PhD program that connect our School with psychology, law and social work. Just three years since its creation, these programs enroll more than 1,300 students as well as provide ongoing collaborative research and grant funding opportunities.

Alumni Awards

CALL FOR AWARD NOMINATIONS: There are three categories for recognitions: early career, distinguished leadership achievements and scholarly contributions. Nominations are due December 31.

The Alumni Award for Early Career Excellence is awarded to one recent graduate (within the first 10 years of completing one of our degree programs) for demonstrating notable early-career accomplishments that indicate future success for contributions to the fields of criminology and criminal justice through research, practice or policy.

Named in honor of the late CCJ Professor Marie Griffin, this Distinguished Alumni Achievement Award is presented to one alumnus or alumna each year for having made significant contributions to the advancement of criminology and criminal justice through distinguished leadership achievements (at the local, state, national or international levels) as a practitioner in one of the justice professions. The contributions do not necessarily need to be publicly renowned, but should represent important accomplishments of societal value.

The Alumni Scholar Award is given to one individual for outstanding scholarly contributions to the discipline of criminology and criminal justice by a person who has received the MA, MS or PhD from the School of Criminology and Criminal Justice at ASU.

Submit your nominations today!
CAMPUS GRADUATE PROGRAM

The graduate program in criminology and criminal justice offers students the opportunity to study with world renowned faculty. Students also work with professors on innovative research projects exploring a range of important topics. Graduates leave the program with the skills to be successful in academic, research, policy and justice professions.

For graduate students looking for an excellent on campus program the school provides:

- Inclusive graduate student culture with peer mentoring
- 1:1 Mentorship from faculty experts
- Small cohorts and class sizes to promote individualize instruction
- Diverse professional development opportunities
- Specialized teaching and/or research training
- Highly competitive funding packages for PhD program
- MS program prepares students for PhD program or work in field
- Select funding opportunities available for MS students
- GRE waived for MS applicants
- Many graduates placed in top positions

Application Deadline: January 1, 2021 to begin Fall 2021

ONLINE GRADUATE PROGRAM

Whether you are a leader looking to support the career of those under your command, or an individual seeking to expand your opportunities in the market place, our school can help.

As a former justice professional, our online program director Blake McClelland, PhD understands the importance of encouraging and providing pathways for your team. Contact Blake to discuss your unit needs: Blake.McClelland@asu.edu.

For individuals looking to expand their horizons in this helping profession, CCJ offers fully online programs to meet your goals while you work. Our online degree and certificate programs can be found here: https://ccj.asu.edu/programs/online

Application Deadline: rolling deadlines, next start date January 11, 2021
Devilish Details

U.S. News & World Report Ranking:
  #5 for our Doctoral Program
  #6 for our Online Masters Program

$6.4 million in grant funding, since September 2019
47 full-time faculty of which 28 are members of the graduate faculty
4 faculty receiving the 2020 ASU President’s Award for Innovation

The School’s Faculty has:
  Written 43 book chapters
  10,407 citations in 2019 and 9,100 year to date in 2020
  147 publications in peer - reviewed academic journals
  11 books published by 9 faculty
  10 faculty receiving national competitive grants
  15 faculty receiving external grants including government, foundation and private entities
  Co-authored or edited 48 books
  4 labs engaging over 25 undergraduate students in research

For our graduate students, the school offers:
  Dedicated graduate student work space
  1:1 mentorship from faculty experts
  Small cohorts and class sizes to promote individualized instruction
  Highly competitive funding packages available for PhD students
  MS program prepares students for PhD program or work in the field
  Select funding opportunities available for MS students
  GRE waived for MS applicants
  Graduates placed in top positions
  Inclusive graduate student culture with peer mentoring

Let’s not forget what Arizona has to offer:
  Average temperature in February: 72 degrees
  Average number of rainy days per year: 33
  299 sunny days per year...on average
  Major League Baseball Spring Training
  And hiking, lots and lots of hiking
Our school is a nationally recognized leader in higher education and is highly regarded for its distinguished faculty and research productivity. Our program PhD program is ranked number 5 in the nation by U.S. News & World Report and our world-class faculty is engaged in cutting-edge research which prepares students for the challenges of criminal justice practice in the 21st century. Our online graduate program has been named by U.S. News & World Report as one of the top six degrees in the nation for five years.

We are one of the highest-rated programs at Arizona State University and conveniently located on the ASU Downtown Phoenix campus in the fifth largest city in the U.S. Our proximity to major criminal justice agencies enhances the opportunities for instruction, practice and student internship experience.