

Book Review: Daniel P. Mears, *Out-of-Control Criminal Justice: The Systems Improvement Solution for More Safety*. New York: Cambridge University Press, 2017. ISBN: 9781316614044 (paperback). 307 Pages. \$34.99.

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The book, *Out-of-Control Criminal Justice: The Systems Improvement Solution for More Safety, Justice, Accountability, and Efficiency* takes a detailed look at the criminal justice system and the need for a systems-based approach to criminal justice policy. Daniel Mears provides an overview of the existing problems with the criminal justice system and how criminal justice policy is developed. The author provides an explanation of systems and the nature of system problems. He identifies the four main goals of the criminal justice system as safety, justice, accountability, and efficiency. The book details how current criminal justice policy fails to fully achieve those goals. Mears explains how a systems improvement solution approach can help to achieve the goals of the criminal justice system.

The first chapter of the book describes the problems with the criminal justice system and the failure to meet the goals due to system problems. The author identifies system problems related to the aforementioned criminal justice system goals. Many of the problems with the criminal justice system, such as recidivism, rising crime rates, “get tough” policies, drug crime, and racial profiling, are identified in the first chapter. The author notes that other problems are more rarely discussed, such as, public dissatisfaction and a lack of “an institutionalized apparatus for government accountability” (7). The problems with the criminal justice system stem from enacting policies that are not based upon evidence of their effectiveness. The author argues that the Systems

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Solution process provides evidence-based policies that can be widely disseminated throughout the criminal justice system. In the book, the author explains that policy refers to “a wide array of laws, rules, programs, and practices, as well as decisions made by policymakers and criminal justice administrators and practitioners” (2). The first chapter also provides a description of the nature of system problems. Finally, the first chapter provides an overview of the structure of the book by describing the contents of each chapter and the arguments for the Systems Improvement Solution contained in each.

The second chapter enhances the reader’s understanding of systems by identifying other areas that deal with similar system problems. Those other areas include health care, education, environmental protection, the war on terror, and manufacturing. These examples successfully illustrate how systems function. These are effective examples of how subsystems are impacted by other subsystems and how changes in one part of a system impact other parts of the system. This chapter also lists the various types of system problems and describes how they can impact the criminal justice system. The most significant problems seem to be the “no-captain problem” and the “intuition and failure-to-appreciate problem.” The no-captain problem is highlighted throughout the book. It is experienced within the criminal justice system through the lack of an agency leading the development and implementation of criminal justice policy. This lack of a “captain” creates a problem because there is nobody steering the ship and making sure criminal justice policy is effectively researched, developed, implemented, and reviewed to ensure system goals are met. The institution and failure-to-appreciate problem is experienced within the criminal justice system through the development of policy based on intuition and ideology rather than evidence-based research. The author identifies the term “correctional quackery” as a term used by some researchers to highlight the development of policy without evidence-based research (p.48).

Chapter Three provides a very detailed explanation of a system and its elements. This chapter explains goals or outcomes of systems as well as the external forces impacting systems. The most compelling explanation regarding systems is the explanation of the dynamics of systems. The existence of subsystems and the interdependence of the subsystems is explained. This chapter provides additional insight into how the actions of one subsystem can impact another subsystem. This is important when considering how something that takes place in one area of the criminal justice system can impact another area. For instance, the sentencing decisions made by the courts can impact the number of offenders sent to

corrections. The author provides a very useful explanation of the types of causal relationships. Changes in one subsystem cause changes in other subsystems in various ways. Changes may be direct or indirect. It is interesting that many changes are reversible by making an opposite change in the initial subsystem. However, some changes are irreversible and cannot be undone by an opposite change. If a Systems Solution is to be successful, the stakeholders need to understand their role and the role of other stakeholders. The list of stakeholders is long, but two important members of the list are researchers and practitioners. This is consistent with Childs and Potter (2014), who highlight the importance of trust and an understanding of goals within the “researcher-agency partnership” (p. 246). Chapter Three also includes a lengthy discussion of theory as it relates to a systems perspective. The discussion about the impact that external forces have on systems is particularly insightful. The author offers “antifragile” as a description for a system that is designed to become stronger by dealing with change (74).

In Chapter Four, Mears applies the explanation of a system to the contemporary criminal justice system. The author discusses the stakes involved, the goals and outcomes, the elements, the external forces, the dynamics, theory, as well as the flawed responses within the criminal justice system. The author highlights the various criminal justice policies that have been enacted with little or no evidence of their effectiveness or the existence of a problem that required a new approach to policy. The author also discusses the disparity among states when it comes to criminal justice policy and funding. The author highlights the fact the disparities do not appear to be based upon discrepancies in crime rates. The impact of external forces is made clear through the examples provided in this chapter. The author explains how issues, such as, changes in law and available resources have much more impact on the criminal justice system than actual crime does. This chapter also relates system operations to criminal justice through a discussion of offenders as inputs in need of processing. Unfortunately, the system is not processing offenders effectively. The high recidivism rate is evidence that offenders need additional processing, or a different processing method. Overall, Chapter Four makes the reader aware of the high cost involved in funding the criminal justice system. That cost involves a variety of amounts of funding for different subsystems with little to no evidence-based reasoning. This situation is like someone without a sense of taste being responsible for seasoning food made in a restaurant. This person is responsible for determining how much seasoning to use without knowing if the taste of the food items is made better or worse by the amount of

seasoning. All he or she knows is that when seasonings get low, the manager will provide some more. The manager is like the legislature that keeps approving funding for criminal justice programs without any knowledge of their effectiveness.

In Chapter Five, the author provides a detailed explanation of how the Systems Improvement Solution can work for safety, justice, accountability, and efficiency. The emphasis is placed upon the need to conduct systems research and use a multi-stakeholder policy process. Also emphasized is the need to ensure policies, programs, practices, and decision making are all based on evidence and not intuition and ideology. This chapter serves as a clue to the complexity of the Systems Improvement Solution. There are many factors that have led to the existing complexity of the criminal justice system. Trahan and Steward (2013) identify factors, such as, globalization, the communications revolution, and terrorism as contributors to that complexity. These scholars complement Mears by providing a viable approach to identifying evidence-based solutions. They also detail the advantages of mixed-methods research, involving both quantitative and qualitative methods.

Chapter Six provides a detailed description of the benefits of the Systems Improvement Solution and the pitfalls to avoid. The benefits described are based on the four main goals of the criminal justice system: safety, justice, accountability, and efficiency. The pitfalls are listed, and recommendations are provided for avoiding those pitfalls. One of the pitfalls identified by the author is insufficient funding for implementing the Systems Solution. Mears suggests that legislatures could mandate that a certain percentage of criminal justice funding be dedicated to research. This argument is similar to one posed by Byrne and Lurigio (2009), who also make the case investment in research. Currently, criminal justice managers have limited evidence-based reviews to back up their requests for additional resources and programs or to tout the effectiveness of existing programs. The Systems Improvement Solution will require that criminal justice managers appreciate the value of going through its complex implementation. Worden, McLean, and Bonner (2014) relate this issue to the Oakland Athletics general manager Billy Beane who realized the value of “data-driven decision making” (p. 286). Criminal justice managers must believe the implementation of the Systems Improvement Solution will have real value to their organization before they will undertake the daunting task of implementing it. Another problem is that this solution requires the participation of many different stakeholders who must all believe in its value.

The Systems Improvement Solution described by the author would be very difficult to successfully apply to the criminal justice system. It is clear, that the current criminal justice system needs to be improved. Mears gives readers a compelling argument for the System Improvement Solution. He even provides thoughtful methods for overcoming the various pitfalls involved. However, the criminal justice system differs from other systems. The criminal justice system is much like the interaction between the federal government and states. Just as the various states develop policies based on their individual ideologies and cultures, the various criminal justice agencies prefer their own autonomy. One can look to the need for the United States Supreme Court to decide the constitutionality of various laws and policies enacted by individual states as an example of a serious disconnect. State officials may fail to comply with the views of federal officials. Federal officials may fail to create a consensus among states regarding criminal justice policies. This issue will not always be resolved by having a “captain” agency steering the ship. Too many agencies will refuse to climb aboard.

One could make the argument that the criminal justice system problems detailed throughout Mears’ book highlight the need for a smaller scale mixed-methods approach to criminal justice research and analysis. Historically, emphasis has been on a quantitative approach by analyzing data such as crime rates and recidivism rates. Some critics might suggest that more emphasis needs to be placed upon a qualitative approach, so that problems like public dissatisfaction can be adequately addressed. Woodward, Webb, Griffin, and Copes (2016) highlight the fact that quantitative methods are less time consuming and often rely on “secondary data” (341). Quantitative methods make conducting research easier and faster. However, empirical data-driven research does not include the human factor. While it is likely that it would be extremely difficult for criminal justice officials to implement a Systems Improvement Solution, Mears exposes the reader to interesting and evocative ideas; and for that he should be commended. This scholarly work won the coveted 2019 Academy of Criminal Justice Sciences Outstanding Book Award. While critics may argue that some of the ideas presented in *Out of Control Criminal Justice* may take several years, if not decades, to put into action, Mears has nevertheless written a thoughtful and well-researched book.

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