

SERVICE QUALITY APPROACH

In the United States, the criminal justice system is currently under tremendous pressure to promote an environment of continuous improvement in both quality and productivity. The increasing prison population, the failures apparent in the current *get tough on crime* philosophy, and the skyrocketing cost of corrections are indicators that there is a significant opportunity to improve the existing criminal justice system. According to Zager, McGaha, and Garcia (2001), the cost of confining inmates in the United States is more than \$50 billion annually, or \$33,334 per inmate per year (p. 223). More recently, an editorial in the *New York Times* (November 10, 2012) puts this estimate at \$52 billion a year. These statistics make one wonder why the cost of locking up a criminal is more than the average salary that some students will earn after graduating from a university with a bachelor's degree. It is hard for any progressive society to justify such an outrageous cost for incarceration. Consequently, the efficiency and quality of criminal justice services are routinely debated in professional and academic environments across the United States, with the intention of improving their deliverability.

There are two glaring problems in the existing criminal justice system that need to be addressed in order to improve productivity and reduce cost. First, existing criminal justice services have been designed and delivered solely from the service providers' perspectives, despite the fact that criminal justice services are consumed directly and indirectly by multiple stakeholders in a society. Although citizens are included in some aspects of criminal justice, for the most part, they are secondary considerations in determining how the system will operate. The primary justification for excluding the consumers from the discussion has been embedded in an argument—though a rather weak one—that there are special conditions and circumstances in the administration of criminal justice services that do not warrant customer inclusion. Second, multiple agencies are involved in providing different components of criminal justice services, with a high amount of interdependence among them. Yet, these agencies often ignore the codependence that exists and continue to work in isolation, losing the benefits that close interaction

Learning Objectives

Upon completion of this chapter, students should be able to do the following:

- Discuss the increasing role of services in a growing economy
- Define service and explain the distinguishing characteristics of service quality
- Discuss the importance of involving the customer in designing the criminal justice system
- Explain the potential problems in not considering an offender as a customer of criminal justice services
- Describe the *symptom versus cause* approach to examining the criminal justice system
- Describe service quality and explain how to measure it
- Identify and explain Gap 1 to Gap 5 in service quality
- Explain the scope of service quality in the criminal justice system

would have provided in improving the criminal justice system. This philosophy can lead to duplication in services, higher costs in providing services, mismanagement of services, and a failure to service stakeholders. The mindsets of isolationism among different criminal justice agencies are reinforced by the fact that all of these agencies are designed from the service providers' perspective and fail to properly identify and involve all of the stakeholders. Much of the existing literature in criminal justice discusses a predominantly service provider's perspective. Consequently, the prescriptive solutions offered to improve the criminal justice system are less insightful and more restrictive in applicability. Such an approach has not effectively served the needs of our society. To many experts who have also been trained in other fields of management, the noninclusion of customers and a lack of integration among different interdependent agencies when designing and delivering criminal justice services belie the principles of good management. It may be asked, how can the quality and effectiveness of a complex service provided by the criminal justice system, which involves multiple agencies and multiple stakeholders, be improved without identifying and involving the customers of that service and without integrating the multiple agencies?

This chapter places the criminal justice system in the realm of a service quality environment. First, a discussion is provided on the growing importance of services in the current economy, including how criminal justice services have grown over the years. The second section defines what constitutes a service and places the criminal justice system in proper perspective. The third section provides a discussion on the characteristics of services—including criminal justice services—to understand why customers are such an intricate part of the service design and delivery system. The fourth section identifies different customers of the criminal justice system, and it examines why a bias may exist toward noninclusion of certain stakeholders as customers of criminal justice services. Finally, a new perspective is presented that considers both the service providers and the multiple stakeholders in designing and managing services. We believe this new approach will better prepare students in identifying more robust and innovative solutions to improving the quality and effectiveness of the criminal justice system.

THE ROLE OF SERVICES IN AN ECONOMY

Think of the importance of different services in one's daily life. Food services, banking services, retail services, health services, law enforcement services—to name a few—are all forms of services that one enjoys every day. It would be hard to imagine an existence without these and other services. Thus, it is important to realize that services are an integral part of a society.

As an economy progresses, the sophistication and level of services improve and new services are provided. Almost six decades ago, Clark (1957) argued that as nations develop, there is a shift of the labor force from agriculture to manufacturing to services. This phenomenon is often described as a *transformation of an economy* from an agrarian to an industrial to a postindustrial society. The United States is considered a postindustrial society in which the standard of living is not defined by the quantity of goods available

but by the sophistication and quality of services available. Today, more than 80% of the workforce in the United States is employed in the service sector, contributing more than 70% to the nation's income (Fitzsimmons & Fitzsimmons, 2006).

According to the *Bureau of Justice Statistics Bulletin* (Kyckelhahn, 2011),

In 2007, federal, state, and local government spent \$228 billion and employed 2.5 million people for police protection, corrections, and judicial and legal services. Local police protection represented the largest share of both total justice expenditures (32%) and employment (36%), followed by state corrections (19% of expenditures and employment). (p. 1)

Between 1982 and 2002, expenditures increased at the federal level by 276%; the state level by 208%; and the local level by 132%, after adjusting for inflation. But between 2002 and 2007, federal expenditures increased seven percent and local expenditures increased one percent, while state expenditures declined five percent. The per-capita justice expenditures went up from \$158 in 1982, to \$586 in 2001, to \$755 in 2007 per U.S. resident. Over the same period, the police protection per-capita expenditure per U.S. resident went up from \$84, to \$254, to \$344; the corrections expenditure went up from \$39, to \$200, to \$246; and the judicial and legal services expenditure went up from \$34, to \$132, to \$165 (Bauer & Owens, 2004, p. 2; Kyckelhahn, 2011).

DEFINITION OF SERVICE

What constitutes a service? If that question were asked of a handful of people, there would be many different answers. Haywood-Farmer and Nollet (1991) summarize this problem very aptly:

Despite more than 25 years of study, scholars in the field of service management do not agree on what a service is. Indeed, instead of coming closer to a definition they seem to be less certain. . . . [T]he problem is trying in a few words to describe 75 percent of the economic activity of developed nations. Is it any wonder that there are exceptions for all definitions? (p. 11)

There are several definitions of service, which can be found in service operations and service marketing books. The following definition by Gronroos (1990) applies well in the present context of the criminal justice system:

A service is an activity or series of activities of more or less intangible nature that normally, but not necessarily, take place in interactions between customer and service employees and/or physical resources or goods and/or systems of the service provider, which are provided as solutions to customer problems. (p. 27)

Some of the terms used in this definition may not be clear at first. The definition will become clearer as one reads the rest of the chapter. The reader is advised to revisit this definition after having gone through the entire chapter.

Think of all of the services that an individual enjoys in a typical day, while in school, at work, or while socializing. There is a wide range of services with varying degrees of *bundling with the goods*; that is, goods are integrated with a sale of the service. The services can be classified on a continuum ranging from pure services to various degrees of mixed services. For easy reference, services can be grouped in three categories, described here.

1. *Services that come with purchased goods.* For example, a prison may buy photocopier machines and computers for use in doing paperwork in the offices. This equipment will have to be serviced by the company that sold the photocopier to the prison from time to time for maintenance and when it breaks down. Here, the service accompanies the purchase of the goods. Often, the quality of after-sales service is an important deciding factor in the purchase of a particular brand of photocopier or computer.

2. *Services that facilitate the purchase of goods.* For example, consider taking a police car to the mechanic for servicing. The mechanic services the car and changes the tires that need to be replaced due to regular wear and tear. In this case, the service is facilitating the selling of goods (tires).

3. *Services that are pure.* Probation or law enforcement services provided in a community are an example. Here, typically, the service provided does not involve any accompanying goods. A probation officer who monitors a probationer is providing a service to the offender and the community; there is no exchange of goods between any of the parties. A police officer who responds to a call of domestic violence provides a service to both the victim and perpetrator who are on the scene when the officer arrives. The officer does not give or sell a good to either party.

Another important distinction that needs to be made up front is between commercial services (Categories 1 and 2) and noncommercial services (Categories 3 and 4). Commercial services tend to be driven by profit motive, whereas noncommercial services have other motives for existence.

1. *Business-to-consumer services* (e.g., retail services). These services are purchased by individuals for themselves or on behalf of someone else. For example, an individual may buy a plane ticket for himself or herself or for someone else. Similarly, hiring the private security company to provide protection services to you or someone else falls in this category. In this case, the major challenge for the airline is to deal with many different customers every day, each of whom may have different needs and expectations.

2. *Business-to-business services* (e.g., consulting services). An example of this type of service would be if John Deere is buying logistics services through UPS to ship parts to customers who have John Deere equipment. Here, the main challenge comes in dealing with multiple contacts in the client organization, generating a complex set of relationships. Often, the users of services from the John Deere company may not directly be involved in the purchase of services from UPS. In another example, private security agencies engage in business-to-business services when they contract security officers to large companies. The security officers are actually employed by the private agency,

but they work at the company paying for their services. The other employees and the customers of the company are not involved in the contractual agreement between the private security agency and the larger company.

3. *Public services* (e.g., criminal justice services). These services are provided by federal, state, or local governments for the community. There is generally no direct payment for the services, but funding comes through taxes. The biggest challenges for these service providers are that they have multiple stakeholders. Often, the direct recipient of the service, an individual, has little power to influence the agency or the service. Some public services, like law enforcement, are provided for the good of society and are not necessarily welcomed by those who have to deal with the police, courts, or corrections.

4. *Not-for-profit services* (e.g., charities). The challenges faced by these organizations concern the managing of the workforce of volunteers, who might not follow organizational procedures because of a lack of rigorous training.

Given such variations, it is difficult to make general statements about service management without understanding the unique characteristics of services that introduce a challenge in their design and management.

CHARACTERISTICS OF SERVICES

This section will examine the distinctive features of services and explore how they relate specifically to the field of criminal justice. A clear understanding of such features will help in designing and delivering a more customer-friendly and open-systems-based criminal justice system.

Customer involvement in the service process. In services, it is important to maintain the distinction between inputs and resources. While the inputs are the customers themselves, the resources are the facilitating infrastructure, employees, gadgets, equipment, and capital used in the process of service delivery (Fitzsimmons & Fitzsimmons, 2006). Consequently, the service system must interact with the customers, as they are a part of the service delivery process.

Since the customer is a dynamic being whose behavior is volatile and unpredictable, the service quality experience can change from moment to moment. Think of a situation in which a customer was enjoying an evening with friends at an upscale restaurant. Everything was going fine until the customer ordered a refill for her drink. The wait staff had to be reminded again, and by the time the drink was served, the customer was almost done with her food and did not need the drink. That little extra wait to get a refill changed the entire experience that the customer had been enjoying. Consider this same concept in criminal justice. If a person calls the police department because he is disturbed by loud music coming from the neighbor's apartment, the complainant expects the police to come immediately and address the situation. If time elapses with no police response, the complainant may choose to address the situation himself or call the police

again (ignoring the third option of giving up on the issue). If the complainant has to go to the apartment and address the neighbor personally, a larger and potentially more violent encounter may occur. If the complainant has to call the police again, he may regard the police as uncaring and indifferent. Depending on the response time for the second call, the complainant may lodge a grievance against the police. This single event can change the complainant's view of the police and the department more generally. Therefore, the service provider has to be extremely careful and sensitive in dealing with the customer. Because the police are the first responders in criminal justice, they have to be constantly alert in their interactions with customers (the general public, victims, complainants, and suspected offenders) to ensure a good service quality experience.

Simultaneous production and consumption. Typically, services are created and consumed simultaneously. For example, consumption of a haircut service and the delivery of the haircut service take place at the same time. If the service provider takes off more hair than the customer wanted, there is no remedy to correct the error. Similarly, if a law enforcement officer does not remind a criminal suspect of his or her Miranda rights before interrogation, then service quality has been compromised and nothing can be done to undo the service error. In other words, in a service environment, the simultaneous production and consumption of services puts tremendous pressure on the service provider to understand the customer needs, communicate clearly, and then provide the correct service the first time. Good training is extremely important because there is very little recourse to undo service errors.

Perishability. A service is a perishable commodity, which if not consumed at the time of its offering cannot be inventoried for later use. In other words, unused service capacity is lost forever because it cannot be stored. For example, a vacant room in a hotel on a given night or an unsold seat on a flight is lost revenue. In a typical service environment, both the demand and supply for services can be influenced through different strategies. For example, demand for services can be influenced through the use of advertising and the use of price incentives. Alternatively, the use of temporary workers and cross training can help influence the supply of services. For example, the local grocery store will have more staff helping at peak hours through the use of temporary workers. Holding excess capacity in services is analogous to holding inventories in manufacturing to buffer against uncertainties created by the fluctuations in demand. In the absence of excess capacity, the full impact of demand variations (external variations) is transmitted to the system, which the service manager then has to manage. For example, because of demand variation, a customer may experience different wait times at the haircutting salon depending on the time of the day and the day of the week. Of course, for simplification it is assumed that there are no call-in reservations for haircut services. In contrast, a manufacturing business can hold the inventory of finished goods to prevent the external variations from influencing the internal operations of a firm.

Perishability has important implications in the criminal justice system, where price incentives and advertising cannot be used to influence demand. A county sheriff has to examine the past data to forecast the expected incidents on a given weeknight and decide how many officers to schedule for duty. If too many officers are put on duty on a certain night and no incidents occur, then the police officers are idle, resulting in wasted

capacity. The sheriff cannot tell his or her officers to work longer hours on another night to make up for no work on the previous night. In contrast, if too few officers are scheduled on a given night, then there could be delayed responses to 911 calls if several law-and-order problems occurred at the same time. A delayed response to 911 calls is parallel to increased customer wait time or queuing that has resulted from demand fluctuations. Note that in law enforcement there is always an uncertainty as to what may happen at any given time on any given day. In addition, there is no provision for making a reservation for most of the services provided by law enforcement agencies, which makes the management of capacity extremely challenging. In the criminal justice system, a county sheriff is constantly required to strike a balance among service capacity, facility use, and response time to cope with the demand and supply fluctuations.

Intangibility. Services are ideas and concepts that are not patentable and that can be replicated. However, the service delivery process of a given company is typically hard for competitors to replicate. In addition, a company should continuously improve its service delivery process to stay ahead of its competitors. For example, McDonald's food has been imitated by many fast-food chains. However, most of the competitors have not been very successful in replicating the service delivery process of McDonald's to offer the same standard of service.

On the other hand, intangibility characteristics of a service present a problem for the customer to be able to see, feel, or test the performance before purchase. Therefore, customers rely primarily on the service provider's reputation to gauge the quality of services that they will be purchasing. As an example, customers may visit one hair salon rather than another because they have heard good things about the stylists. In many service areas, the government has to intervene to guarantee acceptable service quality. The intangibility characteristic of service has important implications for the criminal justice system. The supposed fairness of a trial may be dependent on the public's perception of the judge's reputation. Likewise, the apparent fairness of the police officers' handling of a case involving a minority offender depends on the public's perception of the city's police force. All efforts are made by the government in the form of laws and procedures to guarantee acceptable service quality in criminal justice. Once offenders are arrested, how they are processed through the justice system is predetermined by procedural law. This is to prevent any perceptions of bias or prejudice in the delivery of services. As long as the system progresses as the public believes it should, the perception of the system delivering quality services is positive. However, when something happens with which the public does not agree (a highly publicized case is dismissed, there is a case of police brutality, or a parolee commits a new criminal offense), the criminal justice system's reputation is challenged and questions arise about the services being provided.

Heterogeneity. The customers' involvement in the service delivery process, along with the intangible nature of services, results in large variation of service from customer to customer. The variation in service delivery is greater in more labor-intensive services and those with high customer contact because of increased interaction between customer and employee. Variation in services by itself is not bad, but how it is interpreted and perceived by the customer is important—which, in turn, depends on the customer's expectation. For example,

consider a dining experience at a fancy restaurant, keeping in mind that the restaurant industry is very labor intensive and involves high customer contact. If a handful of students sat down to discuss their dining experiences, one would hear many different stories of their encounters, even when they may all have visited the same restaurant. The variation resulting from customization of service in a fancy restaurant is acceptable because that is in sync with customer expectation. On the other hand, variation in service from McDonald's would be unacceptable to the customers because they have come to expect (through advertisements) that McDonald's offers a standardized service. Similarly, in criminal justice services there is a high level of labor intensity and high customer–employee contact, thus introducing the possibility for high variation in service delivery. In some areas of criminal justice, variation may be acceptable—for example, when dealing with juvenile crime. However, variation of service in the criminal justice system is often considered unacceptable because it is interpreted as a lack of consistency, or is perceived to involve bias or prejudice. Therefore, it is extremely important for the criminal justice system to educate citizens about the delivery of its services and the special circumstances in which it operates that may result in service variation so that the system's actions are not always misinterpreted or misunderstood by the public. Even though services may vary, criminal justice services are closely monitored by various governmental and nongovernmental interest groups for fairness of treatment. There are also clear and detailed guidelines and standards. Combining these with rigorous employee training in following proper procedures is necessary for higher consistency in providing good quality criminal justice services.

CAREER HIGHLIGHT BOX

Judges, Magistrates, and Other Judicial Nature of the Work

Judges, mediators, and hearing officers apply the law to court cases and oversee the legal process in courts. They also resolve administrative disputes and facilitate negotiations between opposing parties.

Judges commonly preside over trials or hearings of cases regarding nearly every aspect of society, from individual traffic offenses to issues concerning the rights of large corporations. Judges listen to arguments and determine whether the evidence presented deserves a trial. In criminal cases, judges may decide that people charged with crimes should be held in jail until the trial, or they may set conditions for their release. They also approve search and arrest warrants.

Judges interpret the law to determine how a trial will proceed, which is particularly important when unusual circumstances arise for which standard procedures have not been established. They ensure that hearings and trials are conducted fairly and the legal rights of all involved parties are protected.

In trials in which juries are selected to decide the case, judges instruct jurors on applicable laws and direct them to consider the facts from the evidence. For other trials, judges decide the case. A judge who determines guilt in criminal cases may impose a sentence or penalty on the guilty party. In civil cases, the judge may award relief, such as compensation for damages, to the parties who win the lawsuit.

Some judges, such as appellate court judges, review decisions and records made by lower courts, and make decisions based on lawyers' written and oral arguments.

Judges use various forms of technology, such as electronic databases and software, to manage cases and prepare for trials. In some cases, a judge also may manage the court's administrative and clerical staff.

The following are examples of types of judges, mediators, and hearing officers:

Judges, magistrate judges, and magistrates preside over trials or hearings. They typically work in local, state, and federal courts.

- In local and state court systems, they have a variety of titles, such as **municipal court judge, county court judge, magistrate, and justice of the peace**. Traffic violations, misdemeanors, small-claims cases, and pretrial hearings make up the bulk of these judges' work.
- In federal and state court systems, **general trial court judges** have authority over any case in their system. **Appellate court judges** rule on a small number of cases by reviewing decisions of the lower courts and lawyers' written and oral arguments.
- **Hearing officers**, also known as **administrative law judges** or **adjudicators**, usually work for government agencies. They decide many issues, such as if a person is eligible for workers' compensation benefits, or if employment discrimination occurred.
- **Arbitrators, mediators, or conciliators** help opposing parties settle disputes outside of court. They hold private, confidential hearings, which are less formal than a court trial.

Arbitrators are usually attorneys or business people with expertise in a particular field. They hear and decide disputes between opposing parties as an impartial third party. When

arbitration is required, if one side is not happy with the decision, they can still take the matter to court. Arbitration may also be voluntary, in which the opposing sides agree that whatever the arbitrator decides will be a final, binding decision.

Mediators are neutral parties who help people resolve their disputes. Mediators suggest solutions, but they do not make binding decisions. If the opposing sides cannot reach a settlement with the mediator's help, they are free to pursue other options.

Conciliators are similar to mediators. Their role is to help guide opposing sides to a settlement. The opposing sides must decide in advance if they will be bound by the conciliator's recommendations.

Judges, mediators, and hearing officers do most of their work in offices and courtrooms. Their jobs can be demanding because they must sit in the same position in the court or hearing room for long periods and give undivided attention to the process.

Arbitrators, mediators, and conciliators usually work in private offices or meeting rooms. They may travel to a neutral site chosen for negotiations.

Training, Other Qualifications, and Advancement

Judges, magistrate judges, magistrates, and administrative law judges are often required to have a law degree and work experience as a lawyer. Additionally, most judges and magistrates must be either appointed or elected into judge positions, a procedure that often takes political support. Many local and state judges are appointed to serve fixed renewable terms, ranging from 4 years to 14 years. A few judges, such as appellate court judges, are appointed for life. Judicial nominating commissions screen candidates for judgeships in many states and for some federal judgeships. Some local and state judges are elected to a specific term, commonly four years, in an election process.

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Licenses

Judges who are lawyers already hold a license.

Federal administrative law judges must be licensed to practice law.

For mediators, arbitrators, and conciliators, no national license exists. State requirements vary widely. Some states require arbitrators to be experienced lawyers.

Advancement

Advancement for some judicial workers means moving to courts with a broader jurisdiction. Advancement for various hearing officers includes taking on more complex cases, starting businesses, practicing law, or becoming district court judges.

Job Outlook

Employment of judges and hearing officers is projected to show little or no change from 2014–2024. The number of federal and state

judgeships is expected to experience little to no change because nearly every new position for a judge must be authorized and approved by legislature.

Earnings

The median annual wage in May 2016 was:

- \$125,880 for judges, magistrate judges, and magistrates
- \$92,110 for administrative law judges, adjudicators, and hearing officers.

The median wage is the wage at which half the workers in an occupation earned more than that amount and half earned less. According to the Administrative Office of the U.S. Courts in 2017, in the federal court system, the Chief Justice of the U.S. Supreme Court earned \$263,300, and the Associate Justices averaged \$251,800. Federal circuit judges earned an average of \$217,600 a year. District court judges and judges in the Court of Federal Claims and the Court of International Trade had average salaries of \$205,100.

Source: Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook, 2016–17 Edition*, Judges, Mediators, and Hearing Officers, on the Internet at <http://www.bls.gov/ooh/legal/judges-mediators-and-hearing-officers.htm>.

CUSTOMER INVOLVEMENT IN THE CRIMINAL JUSTICE SYSTEM¹

The previous discussion on the characteristics of services suggests the importance of identifying and involving the customers in designing and delivering an effective and efficient service. However, identifying all of the direct and indirect customers of any public service is not easy, and the task becomes even more challenging when it involves the criminal justice system. In this section, the challenges faced in criminal justice services and in identifying all of the customers of its services are explored.

Who are the customers of criminal justice services? If one posed this question to several people, one may find that different people will give different answers. However, it can be put forth that the victim is the direct customer and the offender and society are the

indirect customers of criminal justice services. In support of this, it can be argued that by apprehending and charging an offender, a service is provided by law enforcement agencies to the victim, and by keeping the criminals off the street, criminal justice agencies provide safety to the citizens of a community, thus rendering a service to them. However, on numerous occasions the providers of criminal justice services have not recognized the victim and society as their customers. Many incidents are reported in the media when the victims of a crime complain about the ill treatment they received from law enforcement agencies. Victims may not be taken seriously, may not be questioned about the incident, or may be kept in the dark as to how the investigation is going. Aside from the frustrations felt by victims, this type of treatment also promotes a negative view of the agency and the services it provides. As was noted in Chapter 2, efforts are being made to allow victims more say in the services they receive from the criminal justice system. However, this issue is far from being resolved.

It is not easy to consider the offenders as customers, because they have violated a person or the property of another. However, to fully service all parties involved in a criminal act, an offender should also be considered a customer. It can be argued that offenders are important indirect customers of the criminal justice system. They are considered indirect customers because they do not volunteer for criminal justice services, but they consume them once involved in the system. The rest of this section examines the confusion around this topic and presents the fallacy of the various arguments that are given to justify the noninclusion of the offender as one of the customers. Alternative arguments will be presented to support the case that an offender, in addition to the victim and society, should be considered a customer in the designing of criminal justice services. The inclusion of the offender as a customer in designing and delivering criminal justice services contributes to a robust, efficient, and effective criminal justice system. This is well illustrated in “In the News 3.1.” The article discusses the problems when offenders are not considered as customers, resulting in disconnect between police officers and communities they are sworn to protect. To remove such disconnect in the criminal justice system, it is important that offenders are viewed as customers, whose needs have to be satisfied.

There are three sources of confusion, which are intricately intertwined and collectively work to create the fuzziness in not being able to recognize offenders as customers of criminal justice services. These sources of confusion are discussed next.

1. *Public service.* Criminal justice services are considered public services. There are two primary differences between private and public services, each of which contributes to the confusion in identifying all of the customers of public services.

- a. Direct and indirect customers due to externalities. In private goods and services, a customer is the direct beneficiary of the service, with little or no indirect benefit to others (i.e., the customer is the one getting the haircut); in public goods and services, besides the direct consumption, there is a significant indirect consumption enjoyed by other stakeholders. These indirect benefits arise from positive externalities that emerge. For example, education brings a direct benefit to the students and their families, but it also brings a significant

IN THE NEWS 3.1

The Disconnect Between Police Officers and the Communities They're Sworn to Protect

April 12, 2012

On February 2, officers from a New York Police Department street narcotics squad kicked down the door and raided the home of 18-year-old Ramarley Graham. The officers were canvassing the Wakefield area of the Bronx—known to be a hotbed for drug trafficking—and spotted Graham purchasing a bag of marijuana.

According to the officers, the way Graham adjusted his waistband as he left a convenience store led them to believe that he was armed. They followed him to his grandmother's apartment and, guns clutched, entered. Graham heard the police and headed toward the bathroom to flush the pot down the toilet. In the turmoil, an officer shot Graham in the chest, killing him instantly. Graham was unarmed.

It didn't take long for the story to make its way to the media, and it wasn't the first time that a police killing made the headlines. In 2006, undercover NYPD officers shot three men 50 times in Jamaica, Queens, killing 23-year-old Sean Bell. The policemen, who allegedly opened fire because one of the officers heard someone utter the word "gun," were found not guilty for Bell's death. There was also the infamous case of Amadou Diallo, an African immigrant living in the Bronx, who police officers shot 41 times in February of 1999. Diallo allegedly fit the description of an armed serial rapist, and was stopped by police. When he reached for his wallet, the police believed Diallo was reaching for a weapon and responded by dousing him in a torrent of bullets.

While incidents like these don't take place every day, they can be interpreted as separate components to a much bigger problem: the disconnect and lack of dialogue between police

officers and the broken communities they are sworn to protect. On a daily basis, NYPD officers are confronted with perilous environments, life in disorder, and societal decay. They have a firsthand account of the issues that cripple poor neighborhoods—issues like drug abuse, unemployment and generational poverty. Unfortunately, many of them respond to these issues by treating the residents of crime-ridden neighborhoods like enemies in a war zone. No one is innocent—everyone is a suspect. This attitude breeds a spirit of scorn and hostility between the police who patrol these neighborhoods and the people who are trapped there; an atmosphere of mistrust and suspicion permeates, and, as a result, the police overreact when they feel they are in danger. Such was the case with Diallo, Bell and Graham.

The disconnect between police officers and residents seems to stem from their contrasting backgrounds. Many NYPD officers come from a different neighborhood and are of a different ethnicity than the residents who occupy these crime-ridden communities. Awkwardly placed in an environment that is alien to them and populated by a racial "other," police officers adapt a dangerous mentality. Anthony V. Bouza, a retired police officer of 40 years who once served as commander of police in the Bronx, writes about this in his book, *Police Unbound: Corruption, Abuse, and Heroism by the Boys in Blue*.

"There is a clear, yet subliminal, message being transmitted that the cops, if they are to remain on the payroll, had better obey," writes Bouza. "The overclass—mostly white, well-off, educated, suburban and voting—wants the underclass—frequently minority, homeless, jobless, uneducated and excluded—controlled and,

preferably, kept out of sight. Property rights are more sacred than human lives.”

Being displaced in potentially dangerous neighborhoods and pressured by society to control crime leads police officers to commit acts of violence and incidences of indignity. The unconstitutional “stop and frisk” searches are perhaps the most obvious example of this: in 2011, the NYPD stopped and searched more than 500,000 New Yorkers, 85 percent of whom were black or Latino. Less common, but more tragic, are police shootings.

One cannot have soldiers walking among civilians. Many police officers seem to adopt a combative siege mentality towards people living in derelict communities, forgetting that they are just that: communities, not warzones. War tactics and guns simply don’t work in residential neighborhoods, no matter how destitute. Busting down doors, slapping on handcuffs, and writing tickets may look good for a police officer’s annual quota, but do nothing to create a safer environment or to address the larger social ills at play.

“Some lives are more precious than others,” write Bouza, discussing the viewpoint of police officers. Therein lies the crux of the problem: The police aren’t trained to see residents of these neighborhoods as people, but as suspects. They are not taught to consider the societal ills that

prompt crime and violence. Guns and tactics *should* be part of a police officer’s training—after all, they are necessary at times for such a stressful and dangerous job—but these should not be the only methods. Matching violence with violence will only increase hostilities.

Maybe if the government shifted its focus from incarceration to rehabilitation, police officers wouldn’t be so quick to jump on nonviolent drug offenders. And maybe if the NYPD didn’t force its officers to fulfill quotas, they wouldn’t prowl the streets and make arrests that, more often than not, won’t even make it to trial. We should stop pressuring police officers to make arrests and teach them that they are not soldiers but civilians—civilians with an important chance to improve society. Most importantly, we should find ways to promote positive interactions between police officers and the communities in which they work. Open discussions would foster more understanding, and would, eventually, break down the “us vs. them” mentality that has permeated these neighborhoods for far too long.

If things don’t change, what happened to Graham, Diallo and Bell will happen again, and police officers and residents of crime-ridden neighborhoods will be forever locked in a battle where no one ever wins.

Source: Samuels, K. (2012, April 12). The disconnect between police officers & the communities they’re sworn to protect. Retrieved from <http://www.newschoolfreepress.com/2012/04/12/the-disconnect-between-police-officers-the-communities-theyre-sworn-to-protect>.

indirect benefit to the neighborhood in terms of a decrease in juvenile crimes (see Greenwood, 2008; Sabates, 2008; Vacca, 2008). Similarly, in the criminal justice system, the direct beneficiary is the victim, but the offender can also benefit from going through the correctional process. However, citizens are so accustomed to seeing only the direct customer because of their interaction in the market for private goods and services that the indirect customers are often overlooked when identifying all of the customers of public goods and services.

- b. Purchaser versus consumer. Is the entity that pays for a service the customer, or is the entity who consumes the service the customer, or are both customers? Private goods and services are bought and sold through the market. Predominantly, the purchaser and the consumer are the same for private goods

and services, and they are called the customer. For example, when John buys an airline ticket for himself, he is the purchaser as well as the consumer of the service. Adding a level of complexity to this example, consider the case in which John's mother buys an airline ticket for him. In this situation, John is the direct consumer of services, and his mother is the purchaser. Even in this latter case, where the purchaser and the direct consumer are not the same, it is easy to identify both of them as being the customers of the airlines. Furthermore, the payment for private goods is made immediately before or after consumption and is directly related to the amount of goods and services consumed. These characteristics allow the provider of private services to recognize the customers (both consumer and purchaser) easily. Sometimes, the payment may be postponed to a future time that is mutually agreed upon by both the seller and the buyer (e.g., a person buys furniture and both the buyer and seller agree that the buyer may make no payments for 12 months).

The previous criterion for judging who is a customer are ingrained in the minds of individuals to such a large extent that when these conditions are not evident, individuals and agencies may sometimes find it difficult to identify the customers. However, the previous conditions generally do not hold true for public goods and services, thus making the task of identifying all of the customers extremely difficult. For example, when an individual is stopped for a speeding violation, the individual typically does not immediately make a payment to the law enforcement officer for the services rendered—the service being traffic enforcement. Instead, the individual may be paying taxes at a predetermined time of the year, a part of which goes toward supporting law enforcement services. This disconnection between service delivery and the indirect method of payment may obscure a law enforcement officer's ability to recognize the speed violator as a customer. This thought is developed in greater depth using another example from public education, after which the criminal justice system will be revisited.

In the U.S. public education system, the majority of financial support to the public schools comes from local property taxes. A small part of the financial support comes from the school fee that is paid by the students (if there is one required). In the identification of the purchaser and consumer of education services, the following four scenarios are possible, each increasing in its level of complexity: (i) a family owns a house and pays property taxes. The family also has kids who go to the public school. Here, the family is the purchaser and the direct consumer; (ii) a family owns no property and lives in subsidized housing due to low income, and pays no property taxes. The family has kids who go to school. This family is clearly a consumer but not a purchaser; (iii) a family owns a house and pays property taxes but has no kids who attend the local schools. This family is a purchaser but not a direct consumer of the school education. Nevertheless, this family is an indirect consumer of education because its members enjoy the benefits of potentially lower juvenile crime rates and increased education of the local children (positive externalities); (iv) a family does not own a house, pays no property taxes, and has no school-aged kids. This family is neither a purchaser nor a direct consumer of school education. Nevertheless, this family is an indirect consumer of education because its members may realize the potential for lower juvenile crime rates and

increased education of the local children (see Greenwood, 2008; Sabates, 2008; Vacca, 2008) (positive externalities).

Continuing with the example, the school board members want to revise the school curriculum for the year 2018. They want to invite their customers to the school board meeting, but they must determine whom they should invite. If the school board considers families with school-going kids as their customers and only invites them, then the board is ignoring the interests of families who are financially supporting the school system (the purchasers). If the school board decides to invite only the tax-paying families (the purchasers) then the board is ignoring the interests of families who are the immediate consumers of school services. Therefore, the school board must invite all families, which include (i) families who pay property taxes and have school-going kids (purchasers and direct consumers); (ii) families who do not pay property taxes but have school-going kids (direct consumers but not purchasers); (iii) families who pay property taxes but have no school-going kids (purchasers and indirect consumers); and (iv) families who pay no property taxes and have no school-aged kids (indirect consumers but not purchasers). Similarly, this logic can be applied to the criminal justice system. The system must consider the victims (direct customer and purchaser), complainants (direct customer and purchaser), and society (purchaser) as its customers, as well as the offenders (indirect customer and purchaser), who are all a part of society and pay taxes.

From the previous discussion, it may be concluded that identifying customers based on whether they pay for the service (purchaser) or whether they directly benefit from the service (direct customer) occurs for private goods and services only. For public goods and services, there are numerous indirect customers in addition to direct customers; both the direct and the indirect customers do not pay directly to the service provider, and often the time between consumption and the payment for consuming the public service is indeterminate. Therefore, application of private sector criteria in the identification of customers for public goods and services will lead to incomplete identification of all customers. For example, the budget for public services is determined by politicians who represent the views and interests of their constituents, but they are funded by taxpayer money. The citizens of a county are the purchasers of criminal justice services because they contribute to the taxes, but not all of them may be direct beneficiaries (that is, they are not involved in an incident in which the police respond); some may be indirect beneficiaries (if they see crime rates lowered in their communities or they commit an offense). Therefore, it is important to identify indirect beneficiaries of public services and consider them as customers, too. Consequently, if the traditional business approach is used in identifying customers, there will be confusion in identifying both direct and indirect customers of criminal justice services and in treating them fairly.

2. *Criminal justice system as a monopoly.* The second source of confusion in recognizing offenders as customers of criminal justice services is that the criminal justice system, like any public service, operates as a type of monopoly. A monopoly is a market where there exists only one seller and no closely related alternatives for that seller. In terms of schools, for example, public schools may be the only option for children living in certain communities. The public police department may be the only option for law enforcement protection in a city or community. Typically, monopolies are less sensitive to customers

and their needs. Therefore, it may be that a part of the behavior of the agents of the criminal justice system in not attempting to identify all of the customers and understand their needs originates from the fact that they are part of a monopoly. In addition, there is an enormous amount of power vested in the officers of the criminal justice system in comparison to the various consumers of these services, which could put blinders on the service providers in considering the sentiments of all of the stakeholders of their services. We acknowledge that there is an extremely small private policing industry as well as private correctional agencies and private security. However, as will be discussed in the chapters addressing the public policing and correctional agencies (Chapters 9–13), private firms do not share the same powers as publicly employed officers. These groups have not been given the same respect as public officers, as they are often seen as security guards or police-for-hire. Privatized policing agencies also fall into the business industry since they are for-profit groups, and in most cases, they are directly paid by their consumers. A private policing agency may patrol a gated community of wealthy individuals, for example. The individuals pay the officers, or the private policing agency, directly for their services. The same thing occurs for private prisons, which are typically paid a daily rate by the state to house offenders who cannot fit in public facilities because of overcrowding.

3. *Noncooperation by the offender.* In the delivery of private services, the customer cooperates with the service provider. However, public services like the criminal justice system are provided for the good of society and are not necessarily loved by those who have to deal with them, often resulting in noncooperative behavior of the offender. The noncooperative attitude of the offender, for example, may confuse the officers in criminal justice and cause them not to view the offender as a customer. To provide a better perspective, the uncooperative behavior of the customer is discussed in the context of two different services, after which the criminal justice system is revisited.

In the first example, there may be noncooperative and disruptive students in a class because they perceive, correctly or incorrectly, that material in a particular course is irrelevant to their career goals. The students are unhappy and feel that they have been forced by the university to take particular courses that will not add any value to their careers. However, it is not uncommon for instructors to get e-mails or phone calls from such students, a few years after they have graduated, stating how they are benefiting at their workplace from the material that was taught.

The students' noncooperative behavior may be because of a lack of information, a lack of maturity, or miscommunication about the course's relevance to their future endeavors. Instead of taking the initiative of establishing the connection between the material taught and the career aspiration of students, the instructor might leave it to the student to find the relevance of the material taught. The instructors may feel that they are providing an important service for the future well-being of the students, who should be thankful and should not question the instructor's intention. This attitude is generally prevalent when the instructors feel that they are right and are not accountable to anyone. Such a mindset serves the interests of neither the customer nor the service provider. If there were promotional material put together by the school, supplemented by the instructors' initiative of relating the course material to the students' future goals, the

service quality would have improved significantly. Left to themselves, the students find the relevance of the material much later, when their overall awareness and maturity have increased. If students' noncooperative attitudes are taken seriously by the instructor as a reason to exclude them from being treated as a customer of knowledge provided in class that will only reinforce the non-learning attitude of the students. Such a mindset of the instructor would be misplaced and could be considered as reacting to a *symptom*, which in this case is the noncooperative behavior of the student. This behavior on the part of the instructors emerges when they act from a position of power, presuming that they are right and the student is wrong, and thus believing that the fault lies with the student and that the instructors are doing everything correctly.

However, if the instructors are farsighted, then they will treat all of the students as customers, even the noncooperative and disruptive students. The instructor should find the *cause* of the disruptive behavior of the students and then fine-tune their course material and teaching method so that more students can immediately relate the course to their career goals and become cooperative. Such an attitude is only possible if the instructors view all of the students as their customers. Of course, this recommended cause-based approach would be far more time consuming and often may be difficult for the frontline worker (the instructors, in this case) to adopt due to workload pressures. For example, in education, the pressures from research and assigned committee duties may leave little or no time for the instructor to adopt a more time-consuming, cause-based approach. In other words, the increased sensitivity toward the customer through the adoption of a cause-based approach by frontline workers has to be supported from the top. A cause-based approach calls for different management style, requiring the top management to provide for time, training, and performance measures to promote such an approach. In this example, the university administration would have to acknowledge that instructors need more time to focus on course preparation and material development by lowering the requirements for instructor service on committees and article or book publications.

Using another example of a noncooperative attitude from a customer, this time in the airline industry—a service with which most are familiar—a symptom-based approach to service is described. Sometimes, passengers have been reported to become agitated and behave in an uncooperative manner, even becoming dangerous to fellow passengers. Such behavior is often dealt with by the aircrew by repeatedly asking the passenger to sit down calmly in a seat. On refusal to cooperate, the passenger is blacklisted, prosecuted for endangering the lives of other passengers, fined and jailed, and so on. Is that the correct resolution to the problem? The answer is no because the airline is focusing on the symptom, which in this case is the uncooperative behavior of the passenger. Such uncooperative and unsettled behavior of a passenger can be explained in one of two ways: Either the passenger is mentally imbalanced, or there is something troubling the passenger, which is leading to the agitated and uncooperative behavior. If the passenger has mental problems, then medical attention is needed and not jail time. Alternatively, if the passenger's uncooperative attitude is because of issues troubling the passenger, then the airline should find a solution and not prosecute. An action of prosecuting the passenger by the airline is embedded in an assumption that the airline is right and the passenger is wrong. Furthermore, it is reflective of an attitude that the airline does not

consider this uncooperative passenger as its customer. However, a service is about solving customer problems. The right approach should be that the airline identifies the cause that has led to the noncooperative behavior of the passenger and tries to remove that cause from future occurrences. Such a productive step will not only resolve the current problem but also prevent it from happening in the future, thus improving the overall quality of the service.

Take a look at “In the News 3.2” to see how the criminal justice system is implementing a cause-based approach to offender treatment. Strong mental support has been missing in the United States. We often see a number of people on the sidewalk suffering from mental health issues with whom police have to deal in the absence of a good mental health system. We need to prevent using police forces for mental health services as they are not expertly trained to deal with people who often have disorders or are troubled in certain ways. Instead, police officers could be involved in community building exercises by working as community support officers. In this role, police officers can identify individuals with mental health issues and help them get the appropriate treatment, thus putting into place a whole structure and system that is based on understanding the needs of the community (Lazarus, 2015).

IN THE NEWS 3.2

Mental-Health Court for Re-Entering Prisoners “Long Overdue”

July 8, 2009

City and state officials yesterday announced the launch of a special mental-health court that is intended to reduce recidivism by helping mentally ill prison inmates transition back to society.

Mayor Nutter praised the program as another in a long list of innovative and successful First Judicial District specialty courts, which also include Drug Court, DUI Court and the former Eagles Court at Veterans Stadium.

“Some folks make some bad decisions or have challenges in their lives and find themselves in the criminal justice system,” Nutter said. “That doesn’t mean that they don’t need and deserve treatment with the utmost dignity and respect.”

Participants will be assigned a parole officer and given a course of behavioral and mental-health treatment upon their release from prison.

There are about a dozen other mental-health courts in the state, but Philadelphia’s is the first to focus on inmates’ re-entry into the community.

Sheila Woods-Skipper, the Common Pleas Criminal Supervising judge, said that the court aims to treat the underlying problems afflicting mentally ill offenders in hopes of keeping them out of the criminal justice system.

“We want to stop the revolving door of recidivism,” said Woods-Skipper, who will preside over the new court.

To enter the program, inmates must meet certain requirements that include eligibility for Medicaid, being deemed medically suited for the program and having no more than five previous incarcerations. Violent offenders will not be considered for the program.

“Carefully screened mentally ill offenders will enter the program and will receive intensive mental-health treatment and counseling,

along with intensive court supervision,” Woods-Skipper said.

Treatment plans for the offenders will be determined on an individual basis by the Department of Behavioral Health and Mental Retardation Services’ Philadelphia Forensic Assertive Community Treatment Team.

Participants must follow the rules of their parole and will be required to adhere to their treatment plans. Offenders will be under strict court supervision and will be required to appear in court before Woods-Skipper at various points during their treatment.

For many who spoke yesterday after the announcement at the Criminal Justice Center,

the Mental Health Court is a long overdue response to mental illness in the criminal-justice system.

State Supreme Court Justice Seamus P. McCaffery and District Attorney Lynne Abraham likened the prevalence of mental illness in today’s prisons to that of state-run mental hospitals of the 1950s.

“Right now, according to our estimates, over 30 percent of the people currently incarcerated in our jails are there because they suffer from mental illness,” McCaffery said.

“There are around 1,900 inmates in our prison system who could be benefiting from this,” Abraham said.

Source: From “Mental-Health Court for Re-Entering Prisoners ‘Long Overdue,’” by T. Clark, July 8, 2009, *Philadelphia Daily News*. Used with permission of *Philadelphia Daily News*, copyright 2009. All rights reserved.

What is the difference between a cause and a symptom? To help understand the difference, consider an example of a patient developing a fever. Here, the *symptom* is the fever, which can be measured and felt; however, the *cause* may be some infection, which is not apparent but requires more analysis before it can be identified. When the patient visits a medical doctor, if the doctor treats only for the fever, then it is a *symptom-based treatment*. Such an approach may lead the fever to go away temporarily, but it will resurface because the infection (cause) has not been treated. Alternatively, if the doctor runs some tests to identify the reason for the fever, and then treats both the fever and the infection, it is a *cause-based treatment*. Obviously, a cause-based treatment requires more work on the part of the doctor, but it is better for the long-term health of the sick patient.

Using the previous lens of *symptom versus cause*, the uncooperative behavior of the offenders in criminal justice services is reexamined. The uncooperative behavior is a symptom. It may have stemmed from some misinformation or a past experience of the offender in dealing with criminal justice agencies, or the offender may simply be mentally unbalanced (as discussed in “In the News 3.2”). Added to this complexity is the fact that criminal justice services have a negative stigma attached to them because of the way they have been presented in various media. For example, to be seen with the police raises questions of blame and guilt in the mind of the community. Given such negative stigmatization—particularly if the offender is falsely accused—it is not hard to imagine why an offender might not cooperate with law enforcement. Consider the case of the bombing at the Atlanta, Georgia, 1996 Summer Olympics. Richard Jewell, who first spotted the bomb and informed authorities, was widely publicized as the bomber but was later found to be completely innocent. It was a case of being in the wrong place at the wrong time. In addition, the suspected offender often may not see the actions of law enforcement agencies as a benefit. This unhappiness and unwillingness of the participant (suspect) to cooperate with the service provider can be challenging to law enforcement.

However, if the offender's uncooperative behavior leads the police to deal with the situation heavy-handedly, then the original premise is reinforced in the mind of the suspect and other onlookers. Therefore, noncooperative behavior of a suspect presents a very delicate situation for law enforcement agencies. It requires the agencies foremost to identify and examine the causes that lead suspects to be noncooperative, and modify the delivery of the law enforcement service to remove such causes.

Perhaps the suspect is uncooperative because the suspect does not see the benefit provided by the police during the encounter. Take a domestic violence incident, for example. Some states now require the police to make an arrest at a domestic violence scene. Of course, the person arrested at the scene is not going to see this as beneficial at that point of time. However, the removal of this person from the situation allows tempers to decrease and potentially blocks additional offenses (murders, shootings, stabbings, etc.) from occurring. In actuality, this is beneficial for the domestic violence offender if the offender is kept from committing additional offenses. Yet most people involved in domestic violence do not see the benefit of the arrest and are noncooperative when the police initiate their service (the arrest). One way the police can prevent potential uncooperativeness is by disseminating information to citizens on their policies and practices. How many advertisements or feature programs have educated the community about law enforcement services? Or how many programs have shown how the offenders benefited in improving their lives after correctional services? These positive stories are rare in the media, while what is shown most often is how law enforcement agencies catch the criminals, which brings negative stigmatization to their services.

The treatment of offenders is an important component in their reform process. Therefore, officers in the criminal justice system need to treat offenders as customers; otherwise, their method will regress to a symptom-based approach. In a symptom-based approach, the criminal justice system may improve its efficiency in bringing to justice those who break the law, but the problems will resurface over and over again since the root cause of the failure has not been identified and treated. On the other hand, if the criminal justice system includes the offender as a customer and focuses on addressing the individual offender's needs, circumstances, and social environment, agencies will be more likely to find the root cause of the problem and deal with it, making it a cause-based approach. Besides addressing the victim's complaint, attention can be focused on trying to understand why the crime was committed by the offender and trying to prevent it from happening in the future. Some components of the criminal justice system have already adopted this approach. Corrections—specifically, probation and parole—focuses on the causes of offender actions. Similarly, agencies that work with juvenile offenders focus on cause-based approaches that benefit young criminals. Restorative justice programs are using this philosophy in their approach to crime, criminals, victims, and the community. Specialized courts, which are becoming very popular, focus on the cause of drug use or truancy. In addition, community policing subscribes to this philosophy of treating everyone—citizens, victims, complainants, and offenders—as customers and working with them to better serve their needs so as to deter criminal activity or help integrate offenders back into society.

Unfortunately, not all policing practices have adopted a cause-based approach. In addition, the courts attempt to understand the cause of the criminal act in some cases but not in others. The use of mandatory sentences and other determinate sentencing

practices severely limits the criminal justice system's ability to view offenders as customers. If service quality concepts were greatly enhanced in criminal justice and more focus placed on the adoption of a cause-based approach, there may be improvement in the quality of criminal justice services. One result may be the reinstatement of indeterminate sentences and practices that are more discretionary. In doing so, focus can be redirected to the true issues causing crime, whether they be physical, mental, emotional, social, or environmental. Focus can also be placed on preventing crime at the front end of the system (policing) instead of just detecting violations and enforcing the law. If the same message is carried throughout the criminal justice system—that is, identify the cause of the offensive behavior and assist in fixing it—the chances for success in reducing crime, in general, and for deterrence may be higher. Adoption of such a cause-based approach leading to superior service quality requires changes in the mindset of the leadership, changes in training methods, changes in performance evaluation and motivation, and changes in communication styles—all of which are discussed in subsequent chapters. This would also require a change in the current societal approach to crime and criminal justice—from punitive philosophies to treatment philosophies. The positive note here is that efforts toward this approach are being made, as mentioned earlier and as will be discussed in detail in later chapters.

As concluding advice, any time there is doubt about whether a particular stakeholder is a customer, ask a simple question: If this individual/group/organization did not exist, would it adversely impact the business? If the answer is yes, then that individual/group/organization is a customer. According to this rule of thumb, the victim, the offender, the complainant, and society are all customers of the criminal justice system and should be considered in its design and delivery of services.

DEFINING SERVICE QUALITY

As discussed earlier, customers are part of the service delivery process. Therefore, in judging the quality of the service, the customers not only look at the outcome of the service but also evaluate the process of which they are an intricate part. For example, the quality of a dining service at a restaurant is judged not only by the quality of the food that was served but also by how the restaurant took the customer through the entire experience of dining, from the time the customer entered the restaurant to the time he or she left. Complainants in policing incidents judge the entire experience as well, from the time of the initial call to the reaction and response of the police. In addition, the intangibility characteristic of services makes it difficult to provide an objective measure of service quality; instead, it introduces into play the role of customers' perceptions and expectations in measuring service quality. Perceived quality results from a comparison of expectations with perceptions of performance. It is a form of attitude based on the consumer's judgment, which may be related but not necessarily equivalent to satisfaction. For example, based on many factors (stories from friends, dining magazine reviews, etc.), a customer forms a certain impression about the kind of experience he or she should have in a particular upscale restaurant. Finally, one night the customer goes there for dinner with a friend. The customer comes out saying the restaurant's service

quality was substandard because his or her perception of the restaurant's performance fell short of the expectation that he or she had formed about it. In other words, the gap between expected and perceived service becomes the measure of service quality, resulting in either a positive or negative experience.

Parasuraman, Zeithaml, and Berry (1988) have identified and defined five dimensions on which they measure the gap between customers' perceptions of service received and expectations of service desired. These five dimensions are described next.

1. *Reliability* is defined as the "ability to perform the promised service dependably and accurately" (Parasuraman et al., 1988, p. 23). Customers expect the service will be performed in the same manner every time without any errors. For example, customers expect their bank and credit card statements to be accurate and delivered around the same date of the month. When there are errors or delays in these statements, it adversely impacts the customers' perception of the service delivery. Similarly, when there is a burglary in a house, the victim expects the police officer to make an accurate report. If there is a delayed response to the victim's call for assistance or it appears that the officer is not taking the situation seriously and is not asking the right types of questions, it may be perceived by the victim that the service is unreliable. The victim may be left with some doubt that anything will happen with the burglary investigation.

2. *Responsiveness* is defined as the "willingness to help customers and provide prompt service" (Parasuraman et al., 1988, p. 23). For example, when customers call for a clarification on a credit card billing statement, they expect to be attended by a service representative in a reasonable amount of time who will answer all queries. Similarly, when a distress call is placed to 911, callers expect an immediate response from the emergency operator. Getting a busy signal or no response to the call goes against what is perceived to be the level of service. In addition, once an officer is dispatched to the crime scene, it is perceived by the victim that the officer should be there in a reasonable amount of time. Any delay in this service could allow for additional harm to the victim(s) or for the offender to escape detection and apprehension.

3. *Assurance* is defined as the "knowledge and courtesy of employees and their ability to inspire trust and confidence" (Parasuraman et al., 1988, p. 23). Embedded in this dimension are features involving politeness, respect, and consideration toward the customer; effective communication; competence to perform the service; and the general attitude that convinces the customers that the server has their best interest at heart. For example, the respect, consideration, and knowledge in answering questions demonstrated by the juvenile detention officer in dealing with parents about their daughter's alleged offense will impact the parents' perception about service performance. The calming of the fear of parents whose children have been recently detained, whether for short or long periods, is part of the responsibility of a juvenile detention officer. Possessing the ability to explain what will happen in the near future in their child's case is imperative in conveying a sense of professionalism and responsibility to the parents.

4. *Tangibles* are defined as the “physical facilities, equipment, and appearance of personnel” (Parasuraman et al., 1988, p. 23). The condition of the physical infrastructure and the professional appearance of employees indirectly impact the customer’s perception of service quality. A customer uses them as tangible evidence to form impressions about service performance. For example, when customers dining in a fancy restaurant visit its washroom, which is unclean, they come out feeling that the restaurant must not be keeping very high standards of hygiene in its kitchen area too, and that immediately lowers the customer’s perception of the food quality. Similarly, a law enforcement officer attired in a grungy uniform and with unkempt hair does not lend much credibility to the professional handling of the crime report. There are certain expectations by the public that police officers will arrive in crisp policing uniforms, looking sharp and clean, just as there are expectations that the judge will wear a black robe and inmates will wear prison uniforms. Without these standards, questions of professionalism and safety are aroused.

5. *Empathy* is defined as “caring, individualized attention the firm provides its customers” (Parasuraman et al., 1988, p. 23). Empathy is felt by the customer when a firm takes the customer’s problem as its own and tries to help—for example, when a customer onboard a plane realizes that he or she has left his or her driver’s license at the airline ticket counter while checking in luggage, and the flight attendant takes responsibility to contact the ground crew at the airport to arrange for safe delivery of the license to the customer’s residence. Similarly, when a police officer gives a victim his or her personal business card with a contact number, the victim feels better about the interaction. The victim believes that the officer is available for further discussion and assistance. This behavior increases the victim’s perception that he or she received individualized care and assistance.

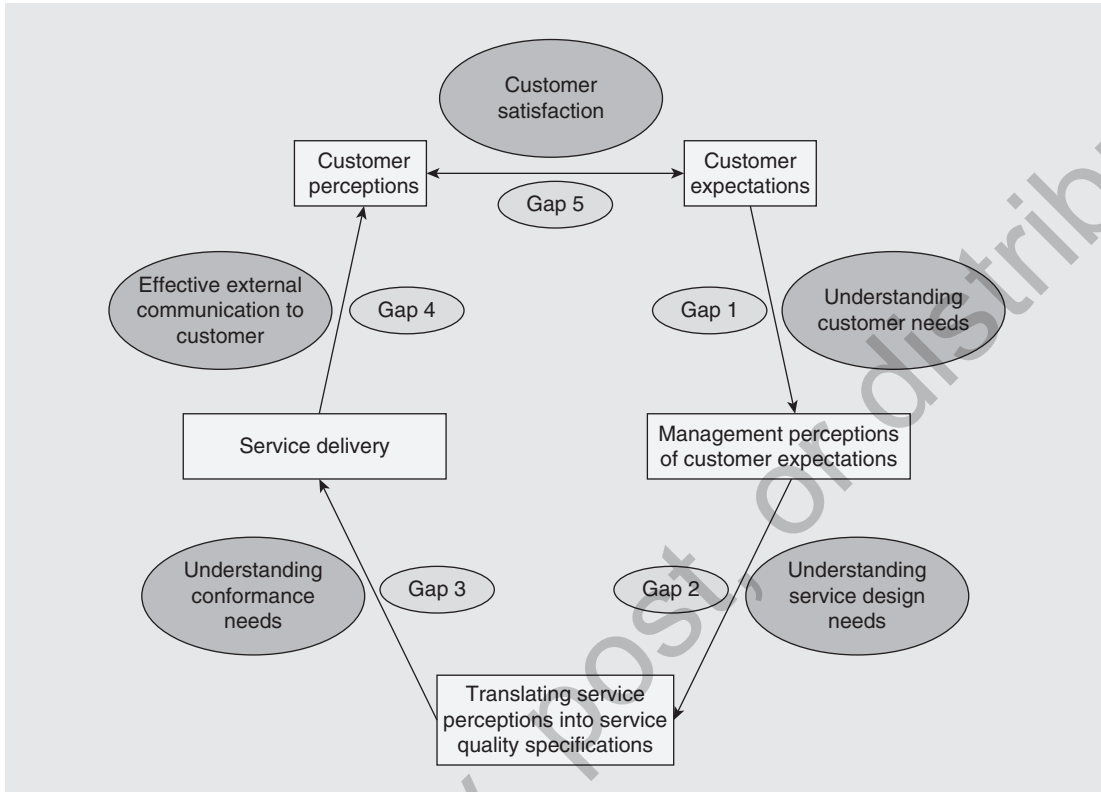
MEASURING SERVICE QUALITY

As noted earlier, it is important for organizations to know if they are measuring up to the customer’s expectations when performing services. The gaps between expected and perceived service are routinely measured by companies to gauge their service quality. Customer feedback surveys or brief telephone interviews are common measures used by businesses to assess their services and customer satisfaction. Parasuraman, Zeithaml, and Berry (1985) define the gap between customer expectations and perceptions as Gap 5 (see Figure 3.1), which in turn depends on the size and direction of the four gaps that are associated with the delivery of the service.

Gap 1: Consumer Expectation—Management Perception Gap

According to Parasuraman et al. (1985), the first gap measures the variance between customer expectations and management’s perception of these expectations. This gap arises because management does not have a full and proper understanding about how numerous information sources, such as advertising, past experience with the firm and its

Figure 3.1 Service Quality Model



Source: Adapted from "A Conceptual Model of Service Quality and Its Implications for Future Research," by A. Parasuraman, V. A. Zeithaml, and L. L. Berry, Fall 1985, *Journal of Marketing*, 45, pp. 41–50. Published by the American Marketing Association.

competitors, personal needs, and communications with friends, are used by customers to formulate their expectations. Therefore, this gap can be closed by improving market research, and by improving internal communications between management and employees as well as externally with customers. This gap is significant in the area of criminal justice services, where there is very little market research done to understand how society perceives the services provided by the various agencies in the system or how the needs of society may have changed over time. Only occasionally will a police department measure the community's perception of its policing effectiveness. It is unheard of for a prison to survey the local community on its current or past experiences with the facility. In addition, the communication within criminal justice agencies is highly bureaucratic and complex, missing a lot of subtle information that has grave implications. Communication among different agencies involved in administering the criminal justice system is, in most cases, minimal, with everyone closely guarding their territory and exercising power through withholding information rather than sharing information.

Communication with the community can be almost nonexistent, with the exception of formal responses to citizen complaints, media inquiries, and calls for service. Later, in Chapter 8, a more detailed discussion on communication is provided.

Gap 2: Management Perception—Service Quality Specification Gap

The second gap arises when management is unable both to formulate target levels of service quality to meet perceptions of customer expectations and to translate these targets into workable specifications. There may be a lack of management commitment to service quality or a perception that meeting customers' expectations is unfeasible, thus resulting in Gap 2. To close this gap, management has to set quality improvement goals and standardize service delivery tasks. Community policing, found in various forms throughout the United States, has mostly been an attempt to meet customer expectations through goals and service delivery. As officers become engaged in communities, they can better identify what is expected from the police in those areas, and they can set goals to close the gaps that may exist between perceived and expected police activities.

Gap 3: Service Quality Specifications—Service Delivery Gap

The third gap is called the service performance gap, which results from the inability of the actual service delivery to meet the specifications set by management. For example, after extensive research, a luxury hotel may identify that from the time a guest calls the housekeeping department, it should take three minutes for housekeeping to be knocking on the guest's door to deliver the item or service requested. However, the real data show that housekeeping staff typically do not meet the target of three minutes but take longer. Similarly, research may show that from the time a citizen places a 911 call, it should take three minutes for a law enforcement officer to be at the site. However, the data show that the officers typically do not meet the target and take longer than three minutes to arrive. This gap may arise due to numerous reasons, including unsatisfactory teamwork, imperfect employee selection, a lack of adequate staff on hand, inadequate training, and poor job design. When budgets are low, agencies in criminal justice may not be as choosy in their pick of candidates for positions because they fear losing the funding for the position if they do not hire someone right away. In this case, people may be hired who cannot, or choose not to, adequately perform the duties. Moreover, the training budgets may be inadequate, resulting in officers who are not fully trained. In such a case, unethical practices or abuse of power may become issues for the system. Additionally, a manager may underestimate staffing needs on a particular shift on a given day. Even though management may be sending messages that these are unacceptable behaviors, the mediocre level of the employees can create a disparity in services provided to society.

Gap 4: Service Delivery—External Communications Gap

The fourth gap is called the external communications gap, and it results from exaggerated promises given by media advertising and other external communications, which raise customer expectations that cannot be met by the service delivery. This gap can be closed by bringing about greater communication between operations people responsible

for the firm's service capability and marketing and advertising people responsible for communicating with customers. Policing systems have struggled with this issue for years. Countless numbers of off-record or poorly worded comments have made it into the media circuit. Tapes of police brutality and unethical behaviors have been played on television stations over and over until this seems to be ordinary and accepted behavior in the criminal justice system. However, recently an expansion and hiring of officers skilled in answering media questions and in providing information to the public has been the trend. Now, there are police officers specifically appointed to prevent external communications gaps. Line staff are also warned about acting inappropriately in public since there are numerous ways citizens can record the activities of the system (over cell phones, with digital cameras, etc.).

As mentioned earlier, Gap 5 depends on the size and direction of the four gaps that are associated with delivery of the service. The authors of the service quality gap model have developed an instrument called SERVQUAL for measuring Gap 5 (Parasuraman et al., 1988). They use multiple items to measure the five dimensions of service quality (i.e., reliability, responsiveness, assurance, empathy, and tangibles) that comprise Gap 5. This instrument involves two parts—one to record customer expectations for a service, followed by a second section to record the customer's perceptions of the service delivered by the organization.

SCOPE OF SERVICE QUALITY IN THE CRIMINAL JUSTICE SYSTEM

In this section, a comprehensive view of the criminal justice system is provided from five perspectives (content, process, structure, outcome, and impact), with the express goal of identifying possible measures of service quality. For criminal justice services, the scope of service quality extends beyond the quality of service that is provided for the offender; it also includes the impact on the family, community, and the victim.

Content. Are standard procedures being followed in the service delivery? For example, is the police officer following accepted interrogation practices when questioning the suspect? For routine services, standard operating procedures are generally developed, and service personnel are expected to follow these procedures. Informing suspects of their constitutional rights prior to questioning them about the offense and during processing is an established practice in the criminal justice system. It was determined by the U.S. Supreme Court that constitutional rights applied to all individuals accused of a crime. Officers who fail to allow for due process jeopardize their cases and their careers.

Process. Is the sequence of steps in the service delivery process accurate, well coordinated, and logically correct? The express objective here is to bring an efficient use of service resources to create the maximum impact. The customer interaction with the service provider and the interaction and communications among service personnel are closely monitored. Based on the entire process, check sheets are developed for use as common measurement devices. Simulated exercises can be done within the existing process to identify problems with coordination and activity sequencing, which can then be corrected. Disaster

drills in realistic settings are regular features for emergency services (such as police, fire, ambulance, etc.) to test a unit's performance and to identify problems and correct them. After the school shootings in the 1990s, school safety became a major concern. Emergency plans for evacuation were created by police departments and the federal government. Many hours of training were provided to the officers, school employees, students, and parents to ensure that everyone was well aware of the tactics should an emergency occur. Fortunately, very few plans have had to be used in real-life situations. But this means evaluation of the effectiveness of the devised process is still largely unknown. Only in a true emergency situation can the success of the strategy be measured.

Structure. The physical infrastructure, support equipment, competence of the personnel, and the organizational design are important for improved service quality, and they need to be examined regularly. Typically, the quality conformance standards set within an industry are used to compare or benchmark the adequacy of an agency's physical facilities and equipment. Police officials are required to maintain certain standards for their equipment. Similarly, standards are enforced in the areas of personnel qualifications for hiring, promotion, and merit increases. Mostly, service agencies administer self-evaluation procedures and peer performance appraisals for promoting organizational effectiveness in controlling quality, although these may vary greatly from agency to agency.

Outcome. Another measure of service quality is consumer satisfaction. The concept of monitoring customer satisfaction by tracking measurements should be widely used. Innovative approaches to measuring outcome quality should be employed. For example, the quality of service response can be documented by examining how many rings occur before the phone is answered by service personnel in a credit card company. In addition, satisfaction of service personnel with their performance can be an important measure of quality outcome, which is often not used by agencies in their evaluation procedures. Sometimes for public services, an assumption, though erroneous, is made that the status quo is acceptable unless the level of complaints begins to rise. Criminal justice agencies may rely on the "if it ain't broke, don't fix it" philosophy, although it can lead to questionable practices by personnel who believe no one is watching their activities. This atmosphere does not conform well to the ever-changing political, national, international, and technological landscapes, so it is important that criminal justice agencies develop techniques to measure the outcome of their services.

Impact. What is the long-term effect of the service on the consumer? Do the residents of a town feel safe when walking the streets? The response to such questions would be a good measure of the impact of police performance. Similarly, infant mortality and life expectancy are often used as measures of health care performance, while literacy rates and scores on nationally standardized tests are used as measures of the performance of education. Accessibility of service to the greater population is another important measure of impact, which is typically quoted as the population served per unit area. Recidivism rates are by far the most widely used performance measures in criminal justice. Unfortunately, they do not tell the full story of what accomplishments are actually made in this field. Other measures, such as increased educational levels, lowered abuse and neglect rates, improved public relations, and greater professionalism and accountability, to name only a few, are also performance measures in criminal justice.

Based on the discussion, it is suggested that if an open-systems approach to criminal justice were adopted with more frequency, where the offenders and victims are also treated as customers, there would be a better understanding of crime causation and deterrence. Such understanding will allow for installation of proper service designs and methodologies. It may be difficult for a number of people trained in the conventional criminal justice system to accept the inclusion of service quality approaches and the direct and indirect customers, but until that attitude changes, it will be challenging to design a more effective and efficient criminal justice system. Given that criminal justice agencies are in a service business, where they process the customer, if the definition of customer is incorrect, it is hard to imagine that the service will be beneficial for society as a whole.

In the chapters that follow, various management concepts are presented that would be necessary in designing an effective and friendly service delivery system; these are followed by presentation of the content knowledge of the various fields of the criminal justice system in which the management concepts need to be applied. In the last chapter, service quality is revisited. A hands-on tool called the *quality function deployment* is provided that can be used specifically to incorporate the voice of the customers in designing an effective and efficient criminal justice system that delivers the highest level of service quality.

CHAPTER SUMMARY

- There are two glaring problems in the existing criminal justice system that need to be addressed to improve productivity and reduce cost. First, existing criminal justice services have been designed and delivered solely from the service provider's perspective, despite the fact that criminal justice services are consumed directly and indirectly by multiple stakeholders in society. Second, multiple agencies are involved in providing different components of criminal justice services with a high amount of interdependence among them. Yet, these agencies ignore this codependence and work in isolation, thus losing the benefits that close interaction would have provided in improving the criminal justice system. The noninclusion of customers and a lack of integration among different interdependent agencies when designing and delivering criminal justice services belie the principles of good management.
- Services can be classified on a continuum ranging from pure services to various degrees of mixed services. Services are also commercial (business-to-consumer services and business-to-business services) or noncommercial (public services and not-for-profit services) in nature.
- There are five distinctive features of services, namely, (i) customer involvement in the service process, (ii) simultaneous production and consumption, (iii) perishability, (iv) intangibility, and (v) heterogeneity. These characteristics of services suggest the importance of identifying and involving the customers in designing and delivering an effective and efficient service.
- The offender is an important indirect customer of the criminal justice system. The inclusion of the offender as a customer in designing and delivering criminal justice services will better address crime and crime causation.
- There are three sources of confusion in identifying offenders as customers in criminal justice: (i) It can be hard to recognize indirect customers; (ii) being basically a monopoly, the criminal justice system

is less sensitive to customers and their needs; and (iii) noncooperative behavior of the offender may confuse the officers of the criminal justice agencies.

- Using a symptom-based approach to criminal justice allows problems to continue to arise because it does not address the root causes of crime. In contrast, a cause-based approach focuses on trying to understand why the crime was committed by the offender and trying to prevent it from happening in the future.
- Any time there is doubt about whether a particular stakeholder is a customer, ask a simple question: If this individual/group/organization did not exist, would it adversely impact the business? If the answer is yes, then that individual/group/organization is a customer.
- Parasuraman et al. (1988) identified reliability, responsiveness, assurance, tangibles, and

empathy as the five dimensions on which to measure the gap between customers' expectations of service desired and their perception of service received. Using these dimensions, they go on to measure the gap between expected service and perceived service (Gap 5), which is a sum of four other gaps. Gap 1 is defined as the consumer expectation–management perception gap. Gap 2 is defined as the management perception–service quality specification gap. Gap 3 is defined as the service quality specifications–service delivery gap. Gap 4 is defined as the service delivery–external communications gap.

- In the criminal justice system, the scope of service quality extends beyond the quality of service that is provided for the offender; it also includes the impact on the family, community, and the victim (and the victim's family).

CHAPTER REVIEW QUESTIONS

1. What is the role of services in an economy? How has the role of the criminal justice system changed in the U.S. economy?
2. How would you define criminal justice services? Name some of the services provided to offenders, victims, and society in general.
3. Discuss how the five characteristics of service apply to different agencies in the criminal justice system.
4. Who are the customers of the criminal justice system? Do you agree that the offender should be included as a customer of the criminal justice system? Why or why not?
5. Provide an example of a symptom-based approach in treatment of offenders in criminal justice. Provide an example of a cause-based approach in treatment of offenders. Which approach would you use and why?
6. What are the five dimensions of service quality? Define them in the context of criminal justice services.
7. How would you measure service quality in criminal justice services using the five-gap approach defined in the chapter?

CASE STUDY

The Richmond Correctional Center is a large-sized prison in the Midwest. The prison houses 1,530 inmates and employs 306 correctional officers as

well as administrative and counseling staff. The prison's population primarily consists of young African American males between the ages of 18 and 29.

The most common offense committed by the offenders is drug possession and manufacturing. The average sentence is six years.

On September 22, an incident report was filed regarding an altercation between an inmate, 54-year-old Matthew Ross, and a correctional officer, 31-year-old Andre Brown. The incident report was accompanied by a number of supplemental reports from other inmates and officers who witnessed the altercation. According to the report written by Officer Brown, inmate Ross refused to return his lunch tray to the kitchen when told to do so. Ross then became irate and attacked Officer Brown.

The report filed by Ross claims a completely different scenario. According to Ross, he was eating his lunch when Officer Brown approached him. Officer Brown said something that Ross did not hear. When Ross asked him to repeat the comment, Officer

Brown screamed at him, sprayed him with pepper spray and hit him until he fell to the ground. Witness reports on the incident support the claim that Officer Brown was not provoked.

Criminal charges were immediately filed against inmate Ross for assault against a correctional officer. No charges were filed against Officer Brown.

Ross went to court on the assault charges in February. The case was dismissed after a bench trial with Judge Madison Lamb for lack of sufficient evidence.

Ross then filed a federal civil suit against the Richmond Correctional Center, the Department of Corrections, the warden, and Officer Brown. The federal court ruled that Ross was entitled to a \$275,000 settlement for brutality and excessive force. Officer Brown has left the facility and currently works at a different institution in Nebraska.

QUESTIONS FOR DISCUSSION

1. In your opinion, is this a case of excessive force and brutality? Why or why not?
2. How could the incident have been handled better? What should the prison do to avoid similar situations in the future?
3. Are inmates customers? Explain why you think they are or are not.
4. Was inmate Ross treated as a customer of the prison? Using what you have learned in this chapter, how should Ross have been treated? What does it mean to treat him as a customer? Apply the five-gap approach to this scenario.
5. What would be a symptom-based approach in resolving this situation? What would be a cause-based approach?

INTERNET RESOURCES

American Bar Association: <http://www.abanet.org>

American Correctional Association: <http://www.aca.org>

Office for Victims of Crime: <http://www.ojp.usdoj.gov/ovc>

REFERENCES AND SUGGESTED READINGS

Aragon, R. (1993). Positive organizational culture: A practical approach. *FBI Law Enforcement Bulletin*, 62(12), 10.

Bauer, L., & Owens, S. D. (2004, May). Justice expenditures and employment in the United States, 2001. *Bureau of Justice Statistics Bulletin* (NCJ 202792).

- Clark, C. (1957). *The conditions of economic progress* (3rd ed.). London, England: Macmillan.
- Cole, A. W. (1993). Better customer focus: TQM and law enforcement. *The Police Chief*, 60(12), 23–26.
- Corsentino, D., & Bue, P. T. (1993). Employee involvement: Implementing quality change. *FBI Law Enforcement Bulletin*, 62(11), 10–11.
- Fitzsimmons, J. A., & Fitzsimmons, M. J. (2006). *Service management: Operations, strategy, information technology* (5th ed.). New York, NY: McGraw-Hill/Irwin.
- Gondles, J. A., Jr. (1993). Excellence in corrections: Moving beyond buzzwords. *Corrections Today*, 55(3).
- Greenwood, P. (2008). Prevention and intervention programs for juvenile offenders. *Future of Children*, 18(2), 185–210.
- Gronroos, C. (1990). *Service management and marketing*. Lexington, MA: Lexington Books.
- Haksever, C., Render, B., Russell, R. S., & Murdick, R. G. (2000). *Service management and operations* (2nd ed.). Upper Saddle River, NJ: Prentice Hall.
- Haywood-Farmer, J., & Nollet, J. (1991). *Services plus: Effective service management*. Quebec, Ont., Canada: Morrin Boucherville.
- Johnston, R., & Clark, G. (2005). *Service operations management: Improving service delivery* (2nd ed.). Upper Saddle River, NJ: Prentice Hall.
- Kyckelhahn, T. (2011). *Justice expenditures and employment, FY 1982–2007—statistical tables*. Bureau of Justice Statistics.
- Lazarus, O. (2015, July 4). How British police officers keep the peace with carrying guns. *The Takeaway*.
- Metters, R., King-Metters, K., Pullman, M., & Walton, S. (2006). *Successful service operations management* (2nd ed.). Mason, OH: Thomson South-Western.
- Parasuraman, A., Zeithaml, V. A., & Berry, L. L. (1985, Fall). A conceptual model of service quality and its implications for future research. *Journal of Marketing*, 49, 41–50.
- Parasuraman, A., Zeithaml, V. A., & Berry, L. L. (1988). SERVQUAL: A multiple-item scale for measuring consumer perceptions of service quality. *Journal of Retailing*, 64(1), 12–40.
- Sabates, R. (2008). Educational attainment and juvenile crime. *British Journal of Criminology*, 48(3), 395–409.
- Sasser, W. E., Olsen, R. P., & Wyckoff, D. D. (1978). *Management of service operations*. Boston, MA: Allyn & Bacon.
- Simonsen, C. E., & Arnold, D. (1993). TQM: Is it right for law enforcement? *The Police Chief*, 60(12), 20–22.
- Stevens, D. J. (2000). Improving community policing. *Law & Order*, 48(10), 197–204.
- Vacca, J. S. (2008). Crime can be prevented if schools teach juvenile offenders to read. *Children & Youth Services Review*, 30(9), 1055–1062.
- Zager, M. A., McGaha, J., & Garcia, L. (2001). Symposium: Prison privatization and public budgeting: A meta-analysis of the literature. *Journal of Public Budgeting, Accounting & Financial Management*, 13(2), 222–244.

NOTE

1. The words *goods* and *services* will be used interchangeably.

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