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Political Ideology and its Influence on Criminal Justice Policy in Nigeria**Adamaagashi P. Izuchukwu^{1*}****Ugwu A. Stella¹****Elona Ezezi²****Ayanlowo E. Judah³****Kehinde B. Oluwafemi⁴****Authors' Affiliation**

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ABSTRACT

The creation and implementation of criminal justice policies are heavily influenced by political ideology, which can impact the fairness and equity of these policies. This study utilizes Rational Choice Theory, Game Theory, and Conflict Theory as analytical frameworks to explore how political ideology shapes policymakers' preferences, beliefs, attitudes, and decision-making in the criminal justice system. The research highlights the importance of recognizing the role of political ideology in shaping criminal justice policies and underscores the need for evidence-based policies that prioritize the interests and well-being of all stakeholders. However, this study identifies biases and inequities in criminal justice policy resulting from political ideology and offers recommendations for addressing these issues, including involving community members in the policy-making process, promoting transparency, and increasing diversity in the criminal justice system. Policymakers are urged to consider the impact of political ideology on policy and work towards equitable and effective policies that promote public safety and justice for all.

INTRODUCTION

The criminal justice system is an essential component of any government, responsible for maintaining law and order in society. The development and implementation of criminal justice policies can significantly impact the entirety of the criminal justice system. Political ideology is a critical factor that influences the creation and implementation of criminal justice policies, serving as a guiding principle to shape policymakers' approaches to criminal justice policy development. The influence of political ideology on criminal justice policy depends on the type of legislation passed, the sentencing policies adopted, and the favored method of policing. The functioning of the criminal justice system is an essential determinant of policy outcomes, and its compliance processes secure severe sanctions available for society. As a result, the criminal justice system has been studied extensively by public choice scholars since the 1970s (Polinsky and Shavell, 2006).

The criminal justice system comprises several separate regulatory institutions arranged sequentially, as opposed to being a monolithic system. The system begins with a police force responsible for monitoring and investigating incidents, followed by a prosecution service that decides the merits of an offense based on police reports and investigations. Finally, courts decide cases brought by prosecutors before judges. Analyzing systems such as the police, prosecution services, and courts uncovered their political and economic factors that influence behaviors. Researchers have noted that one of the distinguishing features of the criminal justice system is its arrangement into several separately regulated institutions, with studies uncovering significant political and economic factors shaping their functionality (Mast et al., 2000; Levitt, 1997; Benson et al., 1995; Rasmusen et al., 2009; Boylan, 2005; Dyke, 2007; Baker and Mezzetti, 2001; Kobayashi and Lott, 1996; Cohen, 1992; Hanssen, 2000, 2004a, 2004b; Palmer, 1982; Kimenyi and Shughart, 1993; Salzberger and Fenn, 1999; Ashenfelter et al., 1995; Belova and Gregory, 2009). Political ideology plays a significant role in shaping the nature and direction of criminal justice policies. Conservatives generally favor a tough-on-crime approach, which includes policies such as mandatory sentencing, three strikes laws, and increased police presence. These policies are intended to deter crime through punishment and surveillance. In contrast, liberals tend to favor

policies that emphasize rehabilitation, community policing, and alternative forms of justice to address the root causes of crime and reduce recidivism rates.

The United States provides an excellent example of how political ideology shapes criminal justice policy. The conservative-driven "War on Drugs" that started in the 1980s led to an increase in mandatory minimum sentences, stricter sentencing guidelines, and a surge in the prison population. However, drug use rates continued to rise, and addiction and recidivism rates remained high, suggesting that the policy failed. Nonetheless, conservative criminal justice policies, such as harsh sentencing guidelines, have contributed to significant social and economic costs, such as prison overcrowding, budget strains, and racial disparities in incarceration rates. Recently, several states have been shifting toward a more liberal approach to criminal justice. Progressive policies such as drug courts, community diversion programs, and restorative justice programs have gained traction. While many studies empirically examine the effect of political ideology on criminal justice policies, there is limited academic work that provides insight into this impact in a theoretical framework. Therefore, this paper aims to explore the theoretical framework for understanding the influence of political ideology on criminal justice policy.

THEORETICAL FRAMEWORK

Theories provide an overarching model that structures the understanding of a subject matter. In this research, the influence of Political ideology on Criminal Justice Policy were examines using three theories- Rational choice theory, Game theory and Conflict theory.

The Rational Choice Theory

In 1776, economist Adam Smith laid the foundation for rational choice theory in his book "An Inquiry into the Nature and Causes of the Wealth of Nations." The theory posits that individuals, including policymakers, make choices based on their rational self-interest and weigh the costs and benefits of their decisions. Smith used the term "invisible hand" to represent the hidden economic forces that guide behavior.

When it comes to policymakers, rational choice theory suggests they consider the interests of powerful pressure groups that provide financial support for their campaigns and reelection bids.

They may pursue policies that align with their ideological commitments, but they must also account for the potential public opinion backlash.

To determine policy viability, policymakers weigh the supporters they gain against those they might lose. As a result, they may implement unpopular policies that are politically beneficial in the long run.

Criminal justice policies are also guided by political ideology, according to the theory. Conservative policymakers may support tough-on-crime policies, such as increasing mandatory minimum sentences and police funding while reducing funding for rehabilitation programs. On the other hand, liberal policymakers may prioritize rehabilitation and propose policies that increase funding for mental health services and restorative justice programs.

Finally, rational choice theory posits that policymakers make rational decisions based on self-interest, ideological commitments, and pressure from powerful interest groups. Policymakers must also weigh the potential political costs and benefits of their decisions, including when it comes to criminal justice policy.

Game Theory

The mid-20th century saw the development of game theory by economist Oskar Morgenstern and mathematician John von Neumann. The theoretical framework utilizes mathematical models to find the optimal decision-making strategy for individual players in interactive situations where the choices made by other participants may affect the overall outcome. Game theory has been applied in the real world to scenarios such as pricing competition and product development in competing firms, among others, due to its usefulness in analyzing the negotiation of interests among competing groups.

Game theory posits that decision-making strategies are contingent upon available options and that the strategy employed by one player shapes the payoff of the other. This concept necessitates additional requirements which are imposed in different game theory models. It argues that decision-makers are rational, and their preferences can be ranked, which provides an important framework for understanding the role of political ideology in shaping criminal justice policy decision-making.

Game theory's approach to analyzing decision-making strategies in interactive situations involving multiple actors is applicable to the criminal justice policymaking process in which political actors with differing ideologies negotiate their interests. The policymakers' decision-making strategies are modeled as a game in which each player makes choices based on a set of options. The game involves policymakers choosing policies that align with their political ideology, which may not necessarily benefit society as a whole.

This theory provides several key concepts for analyzing criminal justice policy decision-making, such as the Nash equilibrium and the Prisoner's Dilemma. The Nash equilibrium is the point in a game where the outcome cannot be improved by changing a player's strategy, considering the other players' strategies as constant. This concept implies that policymakers may focus more on political ideology than policies that benefit society. The Prisoner's Dilemma is a scenario where two players have the option to cooperate or defect, with the outcome determined by their decisions. In the context of criminal justice policy, this could mean that policymakers with opposing ideologies may have to cooperate to develop the best outcome for society.

Moreover, it also provides insights into how political ideology shapes public perceptions of criminal justice policy. Policymakers signal their policy commitments to their constituents through strategic communication, indicating how their policy preferences align with their political ideologies. For example, conservatives may signal their commitment to tough-on-crime policies by supporting increased policing and mandatory minimum sentences, while liberals may signal their support for rehabilitation programs by advocating for drug treatment and mental health services.

Conflict Theory

Conflict theory was first developed by Karl Marx, who examined social class conflict between the bourgeoisie and the proletariat. As capitalism grew in Europe, Marx theorized that the system created class conflict due to the unfair distribution of resources and conflicting interests. Conflict theory suggests that groups in society have competing interests and struggle for power and resources.

Applying conflict theory to criminal justice policy, the ruling class, composed of politicians and powerful individuals, shape policies that maintain

their dominance. In the US, conservative ideology dominates the criminal justice system, emphasizing retribution and punishment for crimes. This ideology is challenged by progressive groups who believe that social issues such as poverty and a lack of education contribute to crime rates, and that policy should focus on rehabilitation and education.

Progressive groups often clash with the ruling class, who benefit from the current system. The prison-industrial complex, including private prisons, police, and other stakeholders in the criminal justice system, benefit from policies that prioritize punishment and incarceration.

The Concept of Political ideology

Ideology refers to a set of beliefs, values, and principles that shape the way individuals and societies interact. According to Maurice C. (2023), ideology is a social or political philosophy that emphasizes practical elements as much as theoretical ones. It is a system of ideas that seeks not only to explain the world but also to transform it. The term first appeared in French as "ideologie" during the French Revolution when it was introduced by philosopher A-L-C Destutt de Tracy, who claimed to have borrowed it from the epistemology of philosophers John Locke and Etienne Bonnot de Condillac, who believed that all human knowledge was knowledge of ideas. Walter B. Mueller (1973) argued that ideology is the hidden agenda of criminal justice, which remains permanent.

Political ideology is a crucial component of how policymakers approach the development of criminal justice policies. Political ideology refers to a set of beliefs and values that outline a particular vision of society and government. It influences one's views and opinions on issues such as individual rights, economic systems, social justice, foreign policy, and governance. Policymakers' decisions and approaches to political issues and policies are influenced by their political ideology. Therefore, an understanding of political ideology is vital in predicting political trends and explaining political phenomena.

There are various types of political ideologies such as conservatism, liberalism, socialism, and libertarianism. Each of these ideologies has a different perspective on issues such as individual freedom, economic systems, and government intervention in society. Conservatives generally advocate for smaller government, lower taxes, and

traditional social values, while liberals prioritize social welfare programs and government regulations to promote equity and justice. Political ideology serves as a framework for understanding election results, public opinion, and voting behavior (Host, J.T, Federico, C.M, & Napier, J.L, 2009).

Political scientists and researchers study political ideology to gain insights into public opinion and voting behavior. An understanding of political ideology can help policymakers tailor their crime policies to better suit the concerns of the people they represent and ensure that their policies align with their political beliefs and values. In conclusion, political ideology plays a significant role in shaping criminal justice policies, and an understanding of different ideologies is crucial in predicting political trends and understanding political phenomena.

The concept of Criminal Justice Policy

Criminal justice policy encompasses the decisions and actions taken by policymakers and actors in the criminal justice system to prevent, respond to, and control crime, including law enforcement, courts, corrections, and victim services (Bozovich & Tapia, 2019). The issues that fall under criminal justice policy include, but are not limited to, policing, sentencing, drug policy, and gun control (Mears, Cochran, Siennick, & Bales, 2019). Changes in criminal justice policy are typically a response to an issue that faces the criminal justice system and society as a whole, often related to discussions about crime levels in society (Welsh & Farrington, 2019). The federal government has played an active role in the creation of crime control policies (Bass, 2018).

The criminal justice system and policies vary from country to country, with common problems such as punishment philosophy and determining who should be sanctioned and what sanctions should be applied (Abidoye, Adegbite, & Azuogu, 2018). In Nigeria, factors such as corruption and inefficiency may affect how suspects experience the criminal justice system, and many cases do not progress to the end of the system (Babajide, 2015).

Criminal justice policies are often implemented with the aim of changing how offenders are processed by the criminal justice system (Nagel & Mueller, 2019). Retributive policies, such as increasing penalties for various crimes and restricting offender movement in the community, are common, but policies that seek to

redefine criminal behavior and police responses to crime also exist (Clear & Frost, 2014). For example, some states in the US have attempted to legalize or decriminalize marijuana, with varying degrees of success (Caulkins & Kilmer, 2017). In 2012, voters in Washington and Colorado legalized the use of marijuana, with Washington later setting up a state-approved grower system (Mendocino County, 2016).

The influence of Political ideology on Criminal Justice Policy

The Criminal Justice Policy is a set of regulations and policies developed by the government to reduce the occurrence of criminal activities, protect the public, and combat crimes. Political ideology plays a significant role in shaping the criminal justice system in a society by providing a framework of beliefs, principles, and values that guide the actions and decisions of governments and political parties. The policies formulated are influenced by various factors, including social, political, economic, legal, and ideological factors (Marion & Oliver, 2006; 2012).

Marion and Oliver (2006; 2012) assert that the development of criminal justice policy is a political exercise designed to win over public opinion and the media rather than effectively reducing criminal activities. Thus, policymakers should consider various factors in the formulation of policies to ensure that they are based on actual facts rather than fear-mongering. This approach helps guarantee that policies that are created reduce criminal activities and promote social and economic prosperity.

Political ideology influences the criminal justice system, with conservatives advocating for tough on crime policies, harsh punishment for criminals, and minimal state intervention in the justice system. They believe in emphasizing law and order, deterrence, and punishment as a means of lowering crime rates and safeguarding the public. Consequently, the conservative approach advocates for the death penalty for specific crimes like murder and mandatory minimum sentences for drug offenses (Jenkins, Kovandzic, & Sorenson, 2014).

Political ideology has a significant influence on the criminal justice system. For example, conservatives believe in tough on crime policies, harsh punishment for criminals, and minimum intervention of state in the justice system. The conservative approach emphasizes law and order,

deterrence, and punishment as a means to lower crime rates and protect the public. They believe that criminals are responsible for their actions and should be punished accordingly. The conservative approach also believes in the death penalty for certain crimes, such as murder, and mandatory minimum sentences for drug offenses.

Liberals have a distinct belief system when it comes to crime and punishment. They believe in rehabilitation and social justice as an effective means to lower crime rates and address the root causes of criminal activities. According to them, harsh punishment does not deter crime and merely exacerbates the problem by creating a vicious cycle of poverty and criminal activity. Compassion, fairness, and equality are the focal points of the liberal approach to the justice system, which emphasizes offering support and opportunities to people to enable them to improve their lives and avoid criminal activities.

The criminal justice policies related to policing and incarceration are also shaped by political ideology. Conservatives hold that increasing law enforcement, providing them with more resources, and enhancing police powers will help maintain law and order. In contrast, liberals focus on reforming the police system by reducing the use of force, enhancing community relations, and holding police officers accountable for their actions. As Helco (1994) suggests, political systems are shaped and formed by three building blocks, "ideas, interests, and institutions" (cited in Marion & Oliver, 2012, p. 56). In other words, ideologies define interests, interests dictate what institutions should do, and institutions determine how these ideas will survive (Marion & Oliver, 2012). The fact is that policy making is a product of politics, and politics affect everything and are everywhere, as Helco's theory proposes. The use of the death penalty and sentencing policies are also influenced by political ideology. Conservatives advocate for mandatory harsh sentencing laws and support the death penalty for certain crimes. However, Liberals oppose the death penalty and advocate for alternative sentencing options (Lmar, 2001).

Political ideology plays a significant role in shaping policies and regulations concerning criminal activity within the justice system. Political ideology reflects the values, beliefs, and principles of political parties and governments, with significant impact on how the justice system operates. Conservatives emphasize punishment, law

and order, and deterrence, while Liberals advocate for compassion, rehabilitation, and social justice. According to Marion and Oliver (2012), the conservative view tends to favor longer sentencing, while the liberal approach emphasizes treatment and rehabilitation (Marion & Oliver, 2012; 2006). Regardless of the political ideology, all parties must ensure that the policies and practices they implement are equitable and just. Any actions taken to address crime must not discriminate against any particular group or individuals within society.

In addition, political ideology plays a crucial role in shaping the criminal justice policies related to the use of the death penalty, incarceration, and policing. Conservatives believe in increasing law enforcement, imposing harsh sentencing, and utilizing the death penalty to maintain law and order. Liberals focus on social justice and rehabilitation rather than punishment and believe that the death penalty is immoral and ineffective. According to Lmar (2001), political ideology seriously influences the standards and fundamental principles of criminal justice systems. As such, it is vital that criminal justice policies are carefully considered, with fairness, justice, and equity as the fundamental principles to guide decision-making.

Factors Contributing to the influence of Political ideology on Criminal Justice Policy in Nigeria.

The intersection of political ideology and criminal justice policy is a complex issue in Nigeria, shaped by a range of factors. These factors have a significant impact on how policymakers approach criminal justice, from how they define criminal behavior to what punishments they prescribe for individuals who break the law (Alemika & Chukwuma, 2011).

One major factor contributing to the influence of political ideology on criminal justice policy is the historical context in which criminal justice policy is formulated. In Nigeria, political ideologies trace their roots to colonialism, particularly British colonialism, which shaped the country's legal framework. Today, political ideologies play a significant role in the formation and implementation of criminal justice policies in Nigeria, with emphasis placed on different aspects of criminal law and procedure (Akinseye, 2018).

Public opinion is another factor that influences the impact of political ideology on criminal justice policy in Nigeria. Politicians are

responsive to the views of their constituents, and if the public is in favor of punitive measures, policymakers are likely to follow suit. However, public opinion can be shaped by various factors, including media coverage of crime, political rhetoric, and social and cultural values (Mawby, 2012).

Additionally, economic and financial considerations can also play a role in shaping criminal justice policy. In Nigeria, policymakers might prioritize certain policies and allocate more resources to them based on their political and economic interests. This could mean allocating fewer resources to rehabilitation and penal reform practices, which could negatively impact individuals in the criminal justice system (Alemika & Chukwuma, 2011).

Furthermore, the personal beliefs and values of policymakers themselves can also shape criminal justice policy in Nigeria. Ideological leanings, views on individual liberty and social justice, and the role of government can all impact the decisions they make around criminal justice policy (Akinseye, 2018).

The influence of political ideology on criminal justice policy in Nigeria is also compounded by the racial and ethnic disparities within the criminal justice system. For example, policies that are designed to be punitive disproportionately impact marginalized communities in Nigeria, perpetuating inequality and social injustice (Alemika & Chukwuma, 2011).

Finally, the influence of political ideology on criminal justice policy in Nigeria is complex, reflecting the historical context in which such policies are formulated, the beliefs and values of policymakers, public opinion, economic and financial considerations, and racial and ethnic disparities. Policymakers need to prioritize evidence-based practices and a commitment to social justice to create a more equitable criminal justice system in Nigeria.

Implementations for fairness and equity

The primary factor that influences criminal justice policy in Nigeria is political ideology. The ruling political party or coalition's ideology shapes the direction and principles behind laws and policies that define and regulate criminal activities in the country. To strike a balance between punishment, rehabilitation, deterrence, and reintegration,

political leaders and their administrative arms must prioritize fairness and equity in their policymaking (Aborisade & Odekunle, 2013).

To ensure fairness and equity in criminal justice policy in Nigeria and elsewhere, adequate funding is crucial. Adequate funding can help reduce disparities, improve access to justice, infrastructure, personnel training, forensic analysis and prosecution, and provide necessary resources for defendants (Wolfgang, Figlio, & Tracy, 2010). Implementing non-discriminatory laws and ensuring that they are enforced equally across all citizens can also help promote fairness and equity in criminal justice policy. Lawmakers must ensure that the laws they pass are fair and just, regardless of any political ideologies (International Association of Chiefs of Police, 2015).

Procedural fairness is another critical implementation to ensure that all citizens are treated equally in the criminal justice system. This may include ensuring that defendants have competent legal representation, access to interpreters, and any necessary resources to support their defense (Heumann & McGuire, 2016). Using data and analytics to assess the effectiveness and efficiency of the criminal justice system and to identify areas that need improvement can also help ensure fairness and equity in policy implementation. Data can also provide evidence-based insights that can assist lawmakers in developing effective policies and practices that benefit all citizens (National Institute of Justice, 2014).

Finally, community engagement can also promote collaboration and support for criminal justice policy implementation. Engaging with local communities, stakeholders, and civil society organizations can help build trust between the justice system and the citizens it serves, and ensure that policies are tailored to meet the needs of all communities (Braga, Kennedy, & Piehl, 2016).

Strategies for Mitigating the influence of political ideology on criminal Justice policy in Nigeria

In today's polarized political climate, it is challenging to navigate the potential pitfalls and influence of political ideology on criminal justice policy in Nigeria. It is essential to have effective strategies in place to mitigate this influence and maintain a neutral and objective approach. (Alemika & Umar, 2019). One of the most powerful strategies for mitigating the influence of

political ideology is to foster a culture of open and honest dialogue. Creating an inclusive environment where individuals feel comfortable expressing their opinions can lessen the impact of political ideology over time. (Moores et al., 2020).

Another approach is to focus on facts and empirical evidence. By focusing on hard data and scientific evidence, it is possible to avoid the pitfalls of ideology and promote a more objective and evidence-based approach. (Goldman et al., 2017). In addition to these strategies, there are practical steps that can be taken to prevent political ideology from influencing decision-making. It may be necessary to establish clear guidelines and ethical standards for decision-making processes, particularly in fields such as policy-making or public administration. (Jordan et al., 2018).

Another practical step is to seek out diverse perspectives and input. Consulting with a range of stakeholders, including individuals with different political beliefs, can provide a more rounded and nuanced understanding of complex issues. (Alemika & Umar, 2019). Ultimately, the key to mitigating the influence of political ideology is maintaining a commitment to objectivity and impartiality. By focusing on facts, fostering open dialogue, establishing clear guidelines, and seeking out diverse perspectives, it is possible to minimize the impact of political ideology and promote a more balanced and evidence-based approach. (Jordan et al., 2018).

Conclusion

In conclusion, political ideology has a significant impact on the direction and implementation of criminal justice policies. The use of Rational Choice Theory, Game Theory, and Conflict Theory provides analytical frameworks for understanding how political ideology shapes policymakers' decision-making in the criminal justice system. While recognizing the importance of political values, beliefs, and attitudes, policymakers must promote evidence-based policies that prioritize the interests and well-being of all stakeholders. This review of existing literature shows that political ideology can lead to biases and inequities in criminal justice policy, highlighting the need for transparency and community involvement in the policy-making process. By addressing these issues and increasing diversity in the criminal justice system, we can move towards equitable and effective policies that promote public safety and justice for all.

Recommendation

Based on the findings of this research, it is essential that policymakers recognize the impact of political ideology on criminal justice policy. To ensure fairness and equity, evidence-based policies that prioritize the interests and well-being of all stakeholders should be developed. We recommend that policymakers involve community members in the policy-making process to increase transparency, promote diversity within the criminal justice system, and incorporate alternative solutions that are effective and equitable. Furthermore, policymakers should prioritize research and data-driven solutions to identify and mitigate biases in the criminal justice system. Overall, it is crucial that policymakers work towards equitable policies that promote public safety and justice for all.

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