

Criminal Justice Reform

Negative

Akhil Peddikuppa, Jose Alonzo

Many in the United States have been yearning for a reform in the criminal justice system citing issues such as racism, prevalence of junk methods in forensic science, and harsh, strict sentencing for drug cases. Proponents of criminal justice reform have proposed a plan that states: *The United States federal government should enact substantial criminal justice reform in the United States in one or more of the following areas: forensic science, policing, sentencing.* This plan is unnecessary largely because many of the points and examples that have been made are very faulty and contain generalizations that are not supported by evidence. Over the past few decades, these systems have progressively become more effective and less faulty and has reformed itself over time.

Racism has been an issue that many criminal justice reformists have brought up, claiming the criminal justice system is racist. Although racism may be present in other parts of the country, the criminal justice system does not have biases against any race. Advocates often cite that 56% of the correctional population in the United States is either Hispanic or Black. The NAACP states that blacks are incarcerated at 5 times the rate that white people are. At first glance, this would appear as a clear example of racism; however, we must take a dive into what really causes this disparity in incarceration rates between whites and blacks and Hispanics. First, we must start at the root of the problem. US Census data in 2010 revealed that there were more black households with single mothers than households with two parents. This type of family structure puts much financial and social stress on not only the mother, but also the kids involved. According to a Cornell study published in 2009, children in single parent households were more likely to have increased likelihood of dropping out of school, poor grades, smoking, binge drinking, and marijuana use. These combined outcomes contribute to the high incarceration rates of young black teenagers, along with the prevalence of gangs in poverty-stricken areas.

Many black and Hispanic teens are jailed due to marijuana possession, because as we stated, children under single parent households tend to have higher chances of marijuana consumption than the average child with two parents. Poor grades tend to lead these teens not to have an interest in their educational attainment and this leads to them joining gangs and deviating to unhealthy habits. Aside from these indirect impacts, there is a direct impact of the health concerns caused by the use of marijuana. Marijuana is what is known as a gateway drug, meaning it is usually a drug used before people move on to more potent substances, such as heroin. THC levels in marijuana have been increasing over time. Weed smoked in the 60's and 70's had a THC level of about 1%. Nowadays, weed is sold with over 11 times previous levels of THC concentration. Marijuana legalization is argued by CJR activists because of the so-called numerous number of people in jail for small time marijuana use, however, according to Dr. Kevin Sabet, 0.3% of all state inmates were behind bars for marijuana possession only. Marijuana also has a big impact on teens. When Colorado legalized marijuana use in 2014, the usage among teenagers increased over 5 years by **over 50% the national**

average. Drug related referrals for high school students testing positive for marijuana use increased. Evidence also points to marijuana's correlation with mental illnesses such as psychosis and schizophrenia. Kids who begin using marijuana may have reduced IQs when compared to young people who do not use it. The legalization of this drug would not decrease the nation's youth accessibility to marijuana. According to data from a 2012 study by the National Survey of America Attitudes on Substance Abuse, 44% of teens reported that they were able to get access to cigarettes within a day, as opposed to 45% saying they would be unable to procure marijuana in that same time span. Legalization of marijuana, similar to how cigarettes and tobacco are already legal, would lead to increased consumption of the substance by the youth population. The legalization of the drug would not lower incarceration rates, but would increase the amount of people that would end up being charged with offences that otherwise would not have occurred.

Another issue brought to surface by reform activists is the issue of harsh sentencing and capital punishment. Many state that the strict sentencing by the courts of criminals is unnecessary and extensive. Instead, they claim rehabilitation procedures are more likely to fix criminals as opposed to punishment derived from the severity of their crime. If current sentencing measures are not functional, then why have, according to the FBI and Pew Research Center, crime rates decreased 54% over the span of 25 years even while sentences have been carried out at the same level with little reform? The truth of the matter is that the stern sentencing has led to a decrease in the crime, so the belief that by releasing more of these offenders or having less relaxed measures will lead to a more just legal system is simply implausible. With more people committing crimes off the street, people are less likely to find others that commit the same crime and band together.

Another area of reform presented by the plan is in the area of forensic science. Many of the cases introduced by supporters of criminal justice reform use cases in which the conviction was given in the early 90's. Rarely do proponents provide cases that have occurred in recent time. Over time, forensic scientists have improved their methodology and the technology they use to examine crime scenes. More accurate DNA analysis and preservation over the years has led to decrease in falsehoods in cases. A national automated fingerprint identification system has been in place, and this has reduced the amount of cases that have investigator bias when examining fingerprints. This widespread national database was not available back in the 90's, so the bias in the examination of the fingerprints would have been higher. According to the National Justice Institute, scientists have developed new standards for examining broken glass fragments and methods that increase the consistency of their findings. These advancements, along with the numerous advancements in the availability and price of new technology has led to the decrease in the use of junk science in modern cases that was used in the past.

The plan provided does not attack the root of the problem, instead it attempts to fix a system that is doing what it was intended to do. The real solution to a reduction in mass incarceration would be to focus on the main issue of why many people become criminals, poverty. As we stated in previous paragraphs, many teens, especially those with single parent households, tend to deviate towards illegal activities due to their lower socioeconomic standpoint. They become trapped in a cycle of poverty and may try to make ends meet by trafficking some of these drugs, which is mainly what most marijuana arrests are from, drug trafficking, as opposed to just possession. The health effects of the consumption of marijuana range anywhere from mental illnesses to lower IQ levels, especially in young adults. The legalization would lead to an increase in the availability of marijuana, which will eventually reach the hands of the teens of the nation as we have stated in previous paragraphs. The only true solution would be to address the poverty stricken areas in the United States and implement incentives that would lead to a reduction in the amount of single parent households, in turn leading to less incarceration rates within the population and higher educational attainment for the average American as there are less people going to jail.

Works Cited:

Nicosia, Chloe. "The Legalization of Marijuana and the Negative Impact." *WhiteSandsTreatment*, whitesandstreatment.com/addiction-articles/legalization-marijuana-negative-impact/.

"Households and Families." *Social Trends*, vol. 40, no. 1, 2010, pp. 13–26., doi:10.1057/st.2010.6.

"40 Facts About Two Parent Families: Studies and Statistics." *GillespieShields*, 28 Feb. 2020, gillespieshields.com/40-facts-two-parent-families/.

Gramlich, John. "5 Facts about Crime in the U.S." *Pew Research Center*, Pew Research Center, 17 Oct. 2019, www.pewresearch.org/fact-tank/2019/10/17/facts-about-crime-in-the-u-s/.

Musick, Kelly. "Are Both Parents Always Better Than One? Parental Conflict and Young Adult Well-Being". *Community and Rural Development Institute*. Meier, Ann. 28 April 2009. Pg. 1.

Holder Jr., Eric. "The Impact of Forensic Science Research and Development". Mason, Karel. Rodriguez, Nancy. Apr. 2015. Pgs. 3-8.

Bureau of Justice Statistics. (2004). Data collection: Survey of inmates in state correctional facilities (SISCF). Retrieved from <http://www.bjs.gov/index.cfm?ty=dcdetail&id=275>

Andréasson S, et al. (1987). "Cannabis and Schizophrenia: A longitudinal study of Swedish conscripts". *Lancet*, 2(8574)

Meier, M.H. (2012). "Persistent cannabis users show neuropsychological decline from childhood to midlife". *Proceedings of the National Academy of Sciences*

DeAngelo, Gregory, and Audrey Redford. "Is Medical Marijuana a Gateway Drug? The Effect of Medical Marijuana Legalization on Heroin Use Rates." *Department of Economics West Virginia University Department of Agricultural & Applied Economics Texas Tech University*, 6 Feb. 2016, pp. 1–5.

Adapted by CESAR from The National Center on Addiction and Substance Abuse at Columbia University (CASA), "National Survey of American Attitudes on Substance Abuse XVII: Teens", 2012. Retrieved from <http://www.casacolumbia.org/upload/2012/20120822teensurvey.pdf> 10

Mehmedic, Z., et al. (2010). "Potency Trends of D9-THC and Other Cannabinoids in Confiscated Cannabis Preparations from 1993 to 2008". *The Journal of Forensic Sciences*, 55 (5).

NSDUH, "Summary of National Findings", 2012. Retrieved from <http://www.samhsa.gov/data/NSDUH/2012SummNatFindDetTables/NationalFindings/NSDUHresults2012.pdf> 26

- Rocky Mountain HIDTA. (2013). “*Legalization of Marijuana in Colorado: The Impact*”. Retrieved from
<http://www.rmhidta.org/html/FINAL%20Legalization%20of%20MJ%20in%20Colorado%20The%20Impact.pdf>. 27
- Salomonsen-Sautel, S., et al. (2012). “*Medical marijuana use among adolescents in substance abuse treatment*”. Journal of American Academic Child & Adolescent Psychiatry, 51(7).