

The Criminal Justice System

What is the Criminal Justice System?

- The major instrument of social control
 - The monitoring and controlling of individual behavior in order to serve the best interests and welfare of the larger society
- 3 main components
 - Law enforcement
 - Courts
 - Corrections

What is the Criminal Justice System?

- Law enforcement
 - Investigate crimes and apprehend those who have allegedly committed a crime
- Courts
 - Interpret and apply law
- Corrections
 - House and monitor offenders using prisons, jails, and community-based programs

The scope of the U.S. Criminal justice System

- \$260,000,000,000 Annually

The Scope of the U.S. Criminal Justice System

- Arrests - 11,000,000 Annually
- Correctional supervision - 7,000,000 Annually

The Criminal Justice Process

- Multiple stages through which offenders proceed
 - What are some of these stages?
 - Initial contact, investigation, arrest, custody, charging, preliminary hearing/grand jury, arraignment, bail/detention, plea bargaining, trial/adjudication, sentencing/disposition, appeal, correction treatment, release, post-release

The Criminal Justice Process

- Cases move from stage to stage in an assembly line-like process
 - Decisions made at each stage impact what happens at the next stage

- Extralegal factors – i.e., race, gender, class, age – may influence these decisions

The Criminal Justice Process

- The very serious/notorious crimes typically receive the full complement of criminal justice processes.
- Less serious cases are typically settled at earlier stages of the criminal justice process.

Perspectives on Criminal Justice

- Crime Control Perspective
 - Emphasizes deterring crime, controlling dangerous offenders, and protecting society through harsh punishment
 - Investigate, apprehend, punish
- Rehabilitation Perspective
 - Crime is an expression of frustration/anger created by social inequality
 - Unemployment, inadequate education, familial strains, etc.
 - Counseling programs are favored over punishment/deterrence strategies

Perspectives on Criminal Justice

- Due Process Perspective
 - Emphasizes individual and constitutional rights against arbitrary/unfair judicial proceedings
 - Every defendant should receive his/her full share of legal rights
- Restorative Justice Perspective
 - Emphasizes cooperation between victims, offenders, and community members
 - Victim-centered
 - Offenders must take responsibility for their actions

Perspectives on Criminal Justice

- The Equal Justice Perspective
 - The justice system should be equitable
 - The arrest, sentencing, and correctional process should treat every person equally
- The Non-Intervention Perspective
 - Emphasizes non-intrusive treatment
 - Decriminalize, divert, and deinstitutionalize

- Focused on reducing the criminal stigma