INTRODUCTION TO CRIMINAL JUSTICE  
Fall 2019  
**ICA 9**

Name/s\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sentencing Goals

1. Ethan Anthony Couch (born April 11, 1997) is an American teenager (16 years old) who killed four people while [driving under the influence](https://en.wikipedia.org/wiki/Driving_under_the_influence) of alcohol and drugs on June 15, 2013, in [Burleson, Texas](https://en.wikipedia.org/wiki/Burleson,_Texas).

He was intoxicated, driving on a restricted license and speeding in a residential area when he lost control, colliding with a group of people assisting another driver with a disabled SUV. Four people were killed in the collision and a total of nine people were injured. Two passengers in Couch's [truck](https://en.wikipedia.org/wiki/Truck) suffered serious bodily injury, one with complete paralysis.

Couch was indicted on four counts of [intoxication manslaughter](https://en.wikipedia.org/wiki/Manslaughter#Vehicular_or_intoxication_manslaughter) (Intoxication manslaughter deals with the defendant recklessly causing the death of another while intoxicated) for recklessly driving under the influence.   
  
In December 2013, Judge [Jean Hudson Boyd](https://en.wikipedia.org/wiki/Jean_Hudson_Boyd) sentenced Couch to ten years of [probation](https://en.wikipedia.org/wiki/Probation) and subsequently ordered him to therapy at a long-term in-patient facility, after his attorneys argued that the teen had [affluenza](https://en.wikipedia.org/wiki/Affluenza) (the term "affluenza" has also been used to refer to an inability to understand the consequences of one's actions because of financial privilege, notably in the case of [Ethan Couch](https://en.wikipedia.org/wiki/Ethan_Couch)) and needed rehabilitation instead of prison.

What **sentence would you order for the following defendant**?

What **factors would be most important** to you?

What**sentencing goals** does your sentence strive to achieve?

1. What is the difference between **determinate** and **indeterminate sentencing**?
2. What **factors** are considered in the **sentencing** process?
3. Define the following terms -**truth in sentencing**, **mandatory minimums, habitual offender laws**, **sentencing guidelines**.
4. Explain the Supreme Court Rulings in the following cases:

* Furman v Georgia (1972)
* Gregg v Georgia (1976)
* McCleskey v Kemp (1987)

1. Briefly state arguments for and against the death penalty (academic arguments only)
2. Does it cost more to execute inmates or house for life in prison? Research and provide statistics.
3. What is community corrections?
4. What are the justifications for community corrections?

1. What is the difference between probation and parole?
2. What are the 3 types of conditions on probation?
3. Find a probation and/or a parole conditions form online and note an example of each of the conditions you discussed in #8
4. What is probation/parole revocation and how can it occur? Do probationers have due process rights?
5. What 3 concepts is parole based on?
6. How is the parole decision made? (include discussion of **discretionary and mandatory parole**)
7. Should parole be abolished? Provide 2 reasons to support abolishing parole and 2 reasons to oppose abolishing parole.

1. Briefly explain the roles and responsibilities of probation/parole officers.
2. Discuss and explain 3 types of Intermediate sanctions.
3. What is “widening the net”?
4. What is the paradox of community corrections?

Probation Cases

**Case No.1**

Keith (20 years old/Hispanic Male) was charged with two counts of first degree possession of stolen property. The charges stemmed from possession of two stolen cars. He pleaded guilty to a single count of possession of stolen property; the second count was dismissed in exchange for his plea. He has three minor convictions for theft.

**Present a probationary sentence to the judge.**

**Case No.2**

**Jane Jackson** (30 years old/White Female/Electrical Engineer/Married/No Children) was arrested for drinking under the influence of alcohol (BAC -.09%). She said that she was having wine at home and was called to her place of employment for an emergency.

She works at Duke Energy and 500,000 people have lost power (including local emergency services) and she is the most experienced diagnostic specialist at her company. If she did not respond to this emergency she may lose her job. Due to the power outage, it was difficult for her to arrange another form of transportation quickly.

Jane is currently on probation for drinking and driving conviction (previous BAC .1). Her current conditions are:

* Limited use of driver's license. ..(Employment, daily necessities such as food and medical care.
* Community service. ...15 hours
* No driving while under the influence
* "DUI school"
* No other criminal offenses. ...

If her probation is revoked, she will receive a 5-10 year prison term.

You are her probation officers what do you do?