

# Criminal justice reform speech paper with outline assignment

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Californians ' Three Strikes' law two years ago, 192 have ' struck out' for marijuana possession, compared to 40 for murder, 25 for rape, and 24 for kidnapping. A. I have a strong proposition for the California Legislature... And that is a strict and logical reform to the present Criminal Justice System in California. B. ' The California Legislature is to be commended for its stance on crime. Not for their ' get tough' policies such as the ' Three Strikes' law but for their enactment of a little known section of the Penal Code entitled the ' Community Based Punishment Act of 1994. (Senator Question Kop, Time Magazine Feb. 14, 1996) C.

By passage of this act, the State of California has acknowledged the limitations of Criminal Justice Reform / Speech Paper with Outline and all Supplements. The need for extreme criminal justice reform in California By Anonymous User D. The legislature has in fact declared that ' Californians criminal Justice system is seriously out of balance in its heavy dependence upon prison facilities and Jails for punishment and its lack of appropriate punishment for nonviolent offenders and substance abusers who could be successfully treated in appropriate, less restrictive orgasm without any increase in danger to the public' II.

More facts, Opinions and Developmental Ideas A. In essence, this law proposes a community based system of intermediate restrictions for non-violent offenders that fall between Jail time and traditional probation such as home detention with electronic monitoring, boot camps, mandatory community service and victim restitution, day reporting, and others. B. Pilot programs are to be developed as a collaborative effort between the state

and counties requiring a community based plan describing the sanctions and services to be provided. C.

A progress report on an actor this kind would be made by the California Board of Corrections on January 1, 1997 and annually thereafter to selected legislative committees. III. Informative A. ' It seems clear that the California Legislature has determined that incarceration is not appropriate for many criminal offenses and that alternative sanctions are preferable for non-violent offenders. ' (Randy Meyer, Political Official) B. But while this approach is to be applauded, its spreading prevents the fulfillment of its true potential. C. By retaining those non-violent offenders that are currently in state prison and intuiting to pursue defensive punishment at the local level in the form of short term ' shock incarceration' and bootstrap, the costly and ineffective methods of criminal behavior correction remain intact. ' (Charles Cauldron-US News) D. By immediately eliminating incarceration for all non-violent offenses and requiring victim compensation and community service, resources can be committed to preventing crime rather than to the feeding and housing of offenders. E.

This is consistent with the findings of the legislature and is cost efficient, requires animal systemic change, and increases public safety and security. IV. The Proposal proverb that ' your eye shall not pity; it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot. ' Revenge thus plays a part of the punishment model. ' (LA Official Poland) From a societal standpoint, we expect punishment to prevent the offender and others from further criminal behavior. Incarceration of offenders as the punishment of

choice thus theoretically provides revenge, individual incapacitation, and restriction.

But I submit that such a philosophical foundation is flawed. Revenge while understandable from an individual human perspective is not a proper basis for society's response to the misbehavior of its laws. This human urge to punish should be removed from the current system and replaced with methods of restrictions that utilize the offender's potential to benefit his victim and society at large. In other words, in a free society the end desired is the correction of behavior that utilizes the least force .

This conforms to the principles of limited government, efficiency, reduced cost, and personal freedom as advocated by both liberals and conservatives alike. The basic underlying concept of this proposal is that incarceration should be reserved for those who are violent and thus dangerous to the public. Violent crimes would be defined broadly to include any act or attempt to injure the person of another except by accident. This would therefore range from murder to driving under the influence with current distinctions of misdemeanors and felony offenses remaining in place.

The court sentencing procedures would also be modified to exclude incarceration for non-violent crimes with an emphasis on victim restitution and community service. The court would maybe rely on probation reports to provide the necessary offender personal history including employment, Job skills (or lack of), and personal resources, e. G. Bank accounts, property ownership, etc. Based on this information, the court would apply the appropriate sentence of victim restitution and community service with close

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monitoring by probation officials. As with all human endeavors, compliance by offenders would most likely not be 100%.

The threat of incarceration would have to exist for those failing to submit to or comply with court ordered repayment and public service. Many will not agree with this due to the complexity and in many cases there can be more harm done than it could be beneficial. But for the most part there is no reason to believe that the failure rate would be any higher under this type of system than is currently the case. Conclusion on incarceration as punishment. It is based on the premise of effectiveness and cost efficiency with a high regard for individual liberty that is essential to a free society.

It moves away from the concept of punishment and focuses on a more functional goal of victim and societal repayment. The proposal offers prevention at the front end rather than repayment at the back end of crime reduction efforts. The advantages of such a system are numerous. One of the most important assets of a revision of this kind is that of allowing for a major change in the criminal justice system with a minimum of disruption to the status quo. Rather than requiring an entire systemic change, this proposal works within the current practices of the court, police, and corrections.

Indeed, very few authorized changes would have to be made. Enactment of this proposal would eliminate the need for future bond measures for prison construction. Not only would it save taxpayer money, it would be most advantageous to the remaining employees of the California Department of Corrections by allowing for the closure of outdated and unsafe facilities. In

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addition, unemployment could be kept to a minimum by offering qualified state correctional officers employment with local law enforcement agencies. It is time now to look beyond revenge and the emotionalism associated with current justice system practices. There is only one practical method of reducing crime and the subsequent public's fear and that is through a high level of police presence on the street. (Randy Meyer, M. A. ) In essence, this revision allows for a return of the local neighborhood police officer who is familiar with its residents and business owners. In the final analysis, our very freedom depends on how we treat society's criminals and misfits. By continuing to create a criminal class that has not been rehabilitated through incarceration, we are ultimately sabotaging our own security.

Maybe with this we can have a means of reversing the trend of incarceration as punishment while increasing our personal safety and diminishing the fear that is rampant among QUICK FACTS \*The current California prison population is 135, 133 and is expected to increase to about 148, 600 by June 30, 1996 per the California Department of Corrections. \*42. 1% of these inmates are incarcerated for violent offenses, 25. 3% for property \*Average yearly cost: per inmate, \$21 , 885 and per parolee, \$2, 110. California Department of Corrections budget for 1995-1996: \$3. 4 billion; proposed budget for 1996-1997 for both Corrections and Youth Authority: \$4. 1 billion. This compares to \$1. 6 billion for community colleges and \$4. 8 billion for higher education. California Legislative Analysis Elizabeth Hill advised on February 26, 1996 that 24 new prisons will need to be built by the year 2005 to keep pace with the incarceration rate. This will cost taxpayers \$7 billion for their construction and increase operating costs to \$6 billion annually.

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California Attorney General Dan Lunge announced on March 12, 1996 that the number of homicides reported in 1995 in the most populated two-thirds of the state had declined 3.1%, rape 3.9%, robbery 7.9%, aggravated assault 4.2%, burglary 8.9%, and vehicle theft, 11.4% (San Jose Mercury News, 3/13/96). This is consistent with a 5% decline in the national violent crime rate for the first half of 1995 per the FBI. MANUSCRIPT An analysis of Department of Corrections data by the Center on Juvenile and Criminal I have a strong proposition for the California Legislature... ND that is a strict and logical reform to the present Criminal Justice System in California. ' The California Legislature is to be commended for its stance on crime. Not for their get tough' policies such as the ' Three Strikes' law but for their enactment of a little known section of the Penal Code entitled the ' Community Based Punishment Act of 994. ' (Senator Question Kop, Time Magazine Feb. 14, 1996). By passage of this act, the State of California has acknowledged the limitations of incarceration as both punishment and a deterrent to criminal behavior.

The legislature has in fact declared that ' Californians criminal Justice system is seriously out of balance in its heavy dependence upon prison facilities and Jails for punishment and its lack of appropriate punishment for nonviolent offenders and substance abusers who could be successfully treated in appropriate, less restrictive programs without any increase in danger to the public' In essence, this law proposes a community based system of intermediate restrictions for non-violent offenders that fall between Jail time and traditional probation such as service and victim restitution, day reporting, and others.

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Pilot programs are to be developed as a collaborative effort between the state and counties requiring a community based plan describing the sanctions and services to be provided. A progress report on an actor this kind would be made by the California Board of ' It seems clear that the California Legislature has determined that incarceration is not appropriate for many criminal offenses and that alternative sanctions are preferable for non-violent offenders. ' (Randy Meyer, Political Official).

But while this approach is to be applauded, its spreading prevents the fulfillment of its true potential. ' By retaining those non-violent offenders that are currently in state prison and criminal behavior correction remain intact. ' (Charles Cauldron-US News). By immediately eliminating incarceration for all non-violent offenses and requiring preventing crime rather than to the feeding and housing of offenders. This is insistent with the findings of the legislature and is cost efficient, requires minimal systemic change, and increases public safety and security. Our current criminal Justice system appears to be based upon the Old Testament (LA Official Poland). From a societal standpoint, we expect punishment to prevent the offender and others from further criminal behavior. Incarceration of offenders as the punishment of choice thus theoretically provides revenge, individual incapacitation, and restriction. This proposal provides a policy alternative to the current criminal Justice emphasis