

Introduction to criminal justice essay sample



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I think the most interesting part of the stages of a criminal trial is going to Trail. It is when things actually begin to take place in court and that is when the real judgment takes place. Nothing really matters until it is proven in court. By going to trial, it is basically the conclusion to the case, once it is over. Being found guilty or not guilty by the jury and/or the judge is where this happens. There can be up to nine steps in this criminal trial. All of which that leads up to the trial part of the criminal trial. It is found to have the most importance. The trial part of the criminal trial differs from the other eight steps. The trial part of the process is unique in a way. Arrest deals with a person being detained and being accused of a doing something that was not within proper code; trial is based on judgment. Bail can be offered to the suspect to pay an amount to be released from custody. That does not entirely mean that trial is called off, it just means that the suspect is granted to be free temporarily until the trial part of the process takes place. Arraignment is when the charges are stated to the defendant. After which is when the defendant may plead guilty, not guilty or no contest.

Also the judge looks over the defendants bail and future scheduled dates of the criminal trial. Trial is based on judgment that is why it differs from arraignment. With preliminary hear or grand jury proceedings it goes to show that if the defendant has no probable cause then they will not be forced to into a stand trial. This part of the process deals with all of the evidence pertaining to the case. In which it is leading to trial part, by which, there is where the decision is to be made. The only true challenge that may be brought about is in the preliminary hear or grand jury part of the case. Pre-trial motions are when the case is just getting ready go to trial. That is when

everything has to be presented and nothing may come as surprise in court. After the case went through trial sentencing takes place, which is if it goes that far. Sentencing is determined after the judgment. A convicted person may have the right to appeal the decision by a higher court and if finds a mistake that has taken place, then the court may reverse the conviction or go through the case once more. This is an example of a famous criminal case that has taken place in the United States:

“ Born of an immigrant family in Brooklyn, New York in 1899, Al Capone quit school after the sixth grade and associated with a notorious street gang, becoming accepted as a member. Johnny Torrio was the street gang leader and among the other members was Lucky Luciano, who would later attain his own notoriety. About 1920, at Torrio’s invitation, Capone joined Torrio in Chicago where he had become an influential lieutenant in the Colosimo mob. The rackets spawned by enactment of the Prohibition Amendment, illegal brewing, distilling and distribution of beer and liquor, were viewed as “ growth industries.” Torrio, abetted by Al Capone, intended to take full advantage of opportunities. The mob also developed interests in legitimate businesses in the cleaning and dyeing field and cultivated influence with receptive public officials, labor unions, and employees’ associations. Capone gained experience and expertise as his strong right arm. In 1925, Capone became boss when Torrio, got seriously wounded in an assassination attempt, surrendered control and retired to Brooklyn.

Capone had built a fearsome reputation in the ruthless gang rivalries of the period, struggling to acquire and retain “ racketeering rights” to several areas of Chicago. The St. Valentine’s Day Massacre on February 14, 1929,

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might be regarded as the culminating violence of the Chicago gang era, as seven members or associates of the “ Bugs” Moran mob were machine-gunned against a garage wall by rivals posing as police. The massacre was generally ascribed to the Capone mob, although Al himself was in Florida. The investigative jurisdiction of the Bureau of Investigation during the 1920s and early 1930s was more limited than it is now, and the gang warfare and depredations of the period were not within the Bureau’s investigative authority. The Bureau’s investigation of Al Capone arose from his reluctance to appear before a federal grand jury on March 12, 1929 in response to a subpoena. On March 11, his lawyers formally filed for postponement of his appearance, submitting a physician’s affidavit dated March 5, which attested that Capone had been suffering from bronchial pneumonia in Miami, had been confined to bed from January 13 to February 23, and that it would be dangerous to Capone’s health to travel to Chicago.

His appearance date before the grand jury was re-set for March 20. He ended up lying about that and the government found out. Capone appeared before the federal grand jury in Chicago on March 20, 1929 and completed his testimony on March 27. As he left the courtroom, he was arrested by agents for contempt of court, an offense for which the penalty could be one year in prison and a \$1, 000 fine. He posted \$5, 000 bond and was released. On February 28, 1931, Capone was found guilty in federal court on the contempt of court charge and was sentenced to six months in Cook County Jail. His appeal on that charge was subsequently dismissed. Meanwhile, the U. S. Treasury Department had been developing evidence on tax evasion charges—in addition to Al Capone, his brother Ralph “ Bottles” Capone, Jake

“ Greasy Thumb” Guzik, Frank Nitti, and other mobsters were subjects of tax evasion charges.

On June 16, 1931, Al Capone pled guilty to tax evasion and prohibition charges. He then boasted to the press that he had struck a deal for a two-and-a-half year sentence, but the presiding judge informed him he, the judge, was not bound by any deal. Capone then changed his plea to not guilty. On October 18, 1931, Capone was convicted after trial and on November 24, was sentenced to eleven years in federal prison, fined \$50,000 and charged \$7,692 for court costs, in addition to \$215,000 plus interest due on back taxes. The six-month contempt of court sentence was to be served concurrently. While awaiting the results of appeals, Capone was confined to the Cook County Jail. Upon denial of appeals, he entered the U. S. Penitentiary in Atlanta, serving his sentence there and at Alcatraz.

On November 16, 1939, Al Capone was released after having served seven years, six months and fifteen days, and having paid all fines and back taxes. Suffering from paresis derived from syphilis, he had deteriorated greatly during his confinement. Immediately on release he entered a Baltimore hospital for brain treatment and then went on to his Florida home, an estate on Palm Island in Biscayne Bay near Miami, which he had purchased in 1928. Following his release, he never publicly returned to Chicago. He had become mentally incapable of returning to gangland politics. In 1946, his physician and a Baltimore psychiatrist, after examination, both concluded Capone then had the mentality of a 12-year-old child. Capone resided on Palm Island with his wife and immediate family, in a secluded atmosphere, until his death due to a stroke and pneumonia on January 25, 1947” (The FBI, 2013).

References

The FBI: federal bureau of investigation. (February 1, 2013). Famous cases and criminals: Al

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