

Disparity and discrimination

[Sociology](#), [Social Issues](#)



Criminal Justice System has long been established in order to guide all law enforcers and legal officers in the implementation of laws and order in achieving justice. The law provides for strict prohibition of any signs of unfairness. However, the system is faced with issues of disparity and discrimination that continues to cast doubt as to the implementation of the law. Disparity refers to the “idea that individuals who commit the same or similar offenses receive different punishment” (Justice Works, 2008).

Discrimination, on the other hand, refers to the “act of singling out a certain individual or group for unfair treatment based on race, class, gender, or status” (Calderon). In criminal justice system, both disparity and discrimination are illegal. While disparity may not be intentional it is always unacceptable in the system. Discrimination, on the other hand, is always done intentionally.

In addition, disparity is concerned with the differences in outcome while discrimination deals with equal treatment (Gelsthorpe and Padfield, 2003, p. 4). In criminal justice, disparity has been apparent in the juvenile proceedings. According to research, more juvenile minorities have been detained in public secure facilities while whites were housed in private secure facilities (Snyder and Sickmund, 1995). In addition, discrimination is also prevalent because of different treatment afforded to blacks and whites.

Disparity usually occurs when more blacks were detained than whites who had committed the same crime. Discrimination, on the other hand, occurs when detention of black was based on his race. In avoiding disparity, it is necessary that the legal factors such as seriousness of the crime and

criminal history should be considered in the decision making (Calderon).
Discrimination may also be avoided by implementing the law equally.

References

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