

Criminal justice court system

[Law](#), [Criminal Justice](#)



Is the American criminal justice system fair to all citizens? If asked this question, many people would go both ways. Some people would say it's fair, while others would accuse it of being unfair. There are many reasons to why it would be fair but there are also many reasons to why it would be unfair. Many people would say that the American criminal justice system is fair is for many reasons. One reason is that every single person has certain rights no matter what. These are known as Miranda rights or the Miranda warnings.

Law enforcement is required to administer these rights to protect any individual who is in custody and subject to direct questioning. If these warnings aren't read, it's seen as a violation of the person's Fifth Amendment rights. Some of these warnings or rights include the right to remain silent and the right to stop answering questions at any time until you talk to your attorney. This is fair because it protects people against self incrimination. Another example that shows the fairness of the American criminal justice system is the right to counsel or the right to an attorney.

The sixth amendment states that in all criminal prosecutions, the accused shall have the right to have the assistance of counsel for his or her defense. If a defendant is not able to afford an attorney, one will be appointed to them. Another fair thing about the criminal justice system in America is the exclusionary rule. The exclusionary rule prevents law enforcement from using most evidence gathered in violation of the United States Constitution. It applies to evidence gained from an unreasonable search and seizure.

The exclusionary rule would prevent a prosecutor from introducing at trial evidence seized during an illegal search. One more reason why people would

call the American criminal justice system fair is because of the drug courts. These are courts that handle nonviolent substance abusing offenders. They are problem solving courts that operate in which many communities work together to help nonviolent offenders find restoration in recovery and become productive citizens. While some people would call the criminal justice system fair, many people would say just the opposite.

One unfair part of the criminal justice system is the death penalty. The death penalty is for the people who commit horrible crimes and are put to death because of it. It is unfair because sometimes, innocent people are convicted and put to death when they weren't even the ones who did something wrong. The jury can only do so much and it can sometimes be wrong which is why the system needs to be careful about putting people to death. Another thing about the criminal justice system that could be seen as unfair is the plea bargain.

A plea bargain is an agreement in a criminal case where the defendant agrees to plead guilty to a particular charge in return for something like a lesser sentence for example. It's seen as unfair because sometimes even innocent people plead guilty because they feel like they have no way out. Another example of the criminal justice system not being fair is the right to certain lawyers. It's true that if you cannot afford an attorney, you are appointed one but it's not fair that the good attorney's cost a lot of money.

What if an innocent person could only afford an attorney who wasn't very good and that person was convicted guilty? One more unfair thing of the criminal justice system is racial profiling. Racial profiling is the use of an individual's race as of key factor in deciding whether or not to engage in

enforcement. This is unfair because it could lead to unfair stereotypes or false assumptions. If someone asked me if I thought the American criminal justice system was fair, I would tell them yes.

There are many unfair parts about the criminal justice system but I think that there are many more fair qualities about it. I like that everyone has similar or the same rights when being accused no matter what. I like that a certain court can help people put their lives back together instead of sending them to live with dangerous criminals. I also like that certain rules make sure law enforcement cannot violate any of the amendments. I would say the American criminal justice system is fair.