

Crime and the components of the criminal justice system

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



Crime and the Components of the Criminal Justice System The following discussion overviews crime, outlines the models that define criminal acts, and highlight the basic components, which combine to create the infrastructure known in the United States as the Criminal Justice System.

Crime The word " crime" oftentimes invokes a negative connotation. Many immediately turn to anecdotal stories to shape the definition of crime. A formal legal definition of crime is succinct: " an offence against a public law" (The ' Lectric Law Library, 2012). A more common reference, the Miriam Webster dictionary defines crime as, " an act or the commission of an act that is forbidden or the omission of a duty that is commanded by a public law and that makes the offender liable to punishment by that law; especially: a gross violation of law" (" Crime, " 2012). Summarized from both definitions, two separate variables exist together to describe crime: a law and a violation of the law. Although it can be inferred from these definitions that crime is bad and thus crime prevention would be good, the impact of crime is omitted from this discussion. An entire infrastructure is dedicated to defining criminal activity, promoting crime prevention while protecting the freedoms and liberties of citizens.

Components The Criminal Justice System is composed of three separate entities: Law Enforcement, Courts, and Corrections (Schmallegger, 2011). Arguably, each of these divisions should be a separate but equally important member of the Criminal Justice System contributing to a unified goal of protection of justice. However, two distinct models present very different methods in which these entities interact to attain the collective goal of justice. Once codified, police officers, and detectives are charged with upholding the laws through identification and detention of those suspected

of breaking the laws. The police are assigned the specific duties of enforcing the law, investigating crimes, apprehending offenders, maintaining public order, ensuring public safety, providing emergency, and related services, and protecting the fundamental rights and freedoms of the citizens (Schmalleger, 2011). Their role encompasses the first entity of the Criminal Justice System: law enforcement. Although the role of law enforcement is to identify individuals under suspicion of breaking the law, it is not to determine guilt or innocence. The role of trier of fact is reserved for the second entity: the courts. Designed to conduct fair and impartial trials, decide criminal cases, ensure due process, determine guilt or innocence, impose sentences, uphold the law, protect the rights and freedoms of the defendants, and provide check on the exercise of power by the other justice agencies, The Courts embody the second component of the Criminal Justice System (Schmalleger, 2011). Finally, jails, prisons, correction, probation, and parole officers come together to form the final component: Corrections (Schmalleger, 2011). The corrections arm is designed to carry out the sentences imposed by the courts and protect the community, and simultaneously maintain the legal rights of the convicted in a safe and humane manner consistent with the law. Rehabilitation, reform, and reintegration of the convicted offenders into the community upon sentence completion is the unified goal of the third and final component of the Criminal Justice System: Corrections (Schmalleger, 2011). Whereas these three components collectively form the Criminal Justice System, there is divided opinion regarding their approach in upholding justice. The two most common standards used to help determine what constitutes crime are the

consensus and conflict models (Schmallegger, 2011). The consensus model states each component of the criminal justice system works collaboratively and cohesively and by doing so achieves an agreed upon, expected, common goal called justice (Schmallegger, 2011). The consensus model assumes an acceptance by a society definition of "justice" and agrees to the fundamental processes involved in achieving justice. At the root of the collective assumptions is an underlying moral agreement of the definition of a crime and the correlating punishments for commission of a crime. In contrast to the collaborative consensus model approach is the conflict model (Schmallegger, 2011). Its central premise states each of the three components work autonomously to achieve the goal of justice, irrespective of the other two components. Working independently of one another, a single agency's internal requirements may compete directly with those of another, but individual component success is favored without regard to the expense of the other components. Creating a competitive environment, conflict between the three components is born, establishing the models namesake: conflict model. The consensus model is strengthened through assumption of a common goal with predetermined outcomes; by adopting this common thread promotes success toward achievement of the goal: justice, over and beyond any individual component's goal. Arguably, the consensus model assumes a utopian view of harmony that when challenged by the conflict model tests for feasibility and focuses on practicality (Gaines/Miller, 2005). From within the adversarial environment of the conflict model, healthy competition is born, encouraging a results-based agency. Unfortunately, the goals of the individual components can outweigh and

overshadow the larger goal of the collective three, and more concerning without a unified goal; each component's picture of "justice" may be inconsistent with the others, creating different factions in pursuit of different goals. Conclusion Understanding the definition of crime, the concept of justice, and the components combined to combat violation of crime are crucial to establishing and maintaining an organized civilization. Although Law Enforcement, the Courts, and Corrections may not always work together collaboratively, perhaps from within the conflict grows an absolute stride toward securing liberty, justice, and the protection of rights. References The 'Lectric Law Library, 'Lectric Law Lexicon, 2012 Crime, on the Internet at <http://www.lectlaw.com/def/c330.htm> (visited October 3, 2012). Crime. 2012. Merriam-Webster.com. on the Internet at <http://www.merriamwebster.com/dictionary/crime?show=0&t=1349666568> (visited October 5, 2012) Schmallegger, F. (2011). Criminal justice today: An introductory text for the 21st century. (11th ed., p16). Upper Saddle River, NJ: Pearson/Prentice Hall. Retrieved from <https://ecampus.phoenix.edu/content/eBookLibrary2/content/eReader.aspx> (visited October 4, 2012) Gaines/Miller. (2005). Criminal justice in action: The core. On the Internet at http://instruct.westvalley.edu/smith/aj1handouts/gaines_chapter1.pdf (visited Oct 4, 2012)