

Crime control and due process model



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Consensus vs. Conflict Criminal Justice Models Amara R. Serrano-Kirby CJA 320: Introduction to Criminal Justice University of Phoenix Abstract In order to understand the criminal justice system, you must first define it to see if and how it works. The criminal justice system is broken down into two (2) models, the Consensus model and the Conflict model.

I will try to define each system and explain how they achieve justice. The criminal justice system is comprised on three basic levels, policing, justice, and corrections. There are two models of criminal justice system which tries to explain how justice is achieved. The first model is the consensus model or the system perspective, which states that the organizations of a criminal justice system either do, or should cooperate. The conflict model or the non-system perspective assumes that the organizations of a criminal justice system do, or should compete. In order to make a decision on ? ? ? ? The two models of crime that have been opposing each other for years are the due process model and the crime control model.

The due process model is the principle that an individual cannot be deprived of life, liberty, or property without appropriate legal procedures and safeguards. (Answers. Com) Any person that is charged with a crime is required to have their rights protected by the criminal justice system under the due process model. The crime control model for law enforcement is based on the assumption of absolute reliability of police fact-finding, treats arrestees as if they are already found guilty. (Crime control model) This paper will compare and contrast the role that the due process and crime control models have on shaping criminal procedure policy. ? ? ? ? ? Some of the differences between the due process model and the crime control model

are in the due process model people that are arrested are perceived to be innocent until proven in a court of law. The crime control model believes that the people that are arrested are guilty and need to be punished by the government.

Another difference with both models is the due process model believes that policing within the criminal justice system is essential to maintaining justice within society. The crime control model believes that the arresting of people in the criminal justice system has a negative effect and slows down the process of the criminal justice system. One more diff.

. Crime control and due process are two different ideal types of criminal justice. One could say they are extremes on a continuum. The role of crime control is to get the criminal off the street and to protect the innocent. The due process model of criminal justice is like an obstacle course, you have to keep going through legal obstacles to ensure in the end you convict the right person. In Canada the police lean toward crime control and the courts lean toward due process. This causes tension between the police and the courts.

I will argue for both crime control and due process, putting more weight on due process. If we did not have due process in Canada, people in positions of power, could manipulate the system for their own personal or political gain and railroad the innocent off to prison. One of the benefits of due process is demonstrated in the Belshaw case. The inquisitorial system of justice is based on crime control; the Swiss police had a hard time in Canada with Mr. Belshaw, because of his right to due process, under Canadian law.