

Crim discus unit4

Law



Criminal Discuss Unit4 The objectivity of the investigators approach in the report is skeptical because the investigator states the cause of the destruction as arson (Reid 2012, par. 1). This means the investigator gets biased because of the intention to believe the destruction occurred due to an offence, thus, false information can easily be accepted as true. The report is about an investigation of the death of six firefighters which led to a subsequent trial and conviction of the defendants to life imprisonment. The defendants sought an appeal in the U. S circuit Court of Appeal in the case named, U. S v. Edwards F. 3 d 117 C. A. 8 (mo)1998 (McGraw 2011, para 2). The U. S Circuit Appeal Court upholds the conviction and finds that the District Court did not error in finding the accused guilty. I agree with the innocence project comments because the process of the Court of Appeal errors in stating the facts.

The court of appeal misstates that the defendants where first prosecutors suspect while the defendants got arrested after eight (8) years. Secondly, the Court admits evidence of past theft from the Construction Company while there is evidence that nothing got stolen from the site. I agree with the opinion of J O'Connor's in the case of Virginia v. Black, 538 U. S 343 (2003) (Find Law, 3012, par. 4) that Virginia cross-burning statute, is unconstitutional. The statute provides that, the intention of a person to burn or cross other's property should be to intimidate. J O'Connor held that some cross burnings area political expression. I disagree with the dissent that the Virginia Statute is Constitutional.

The First Amendment of the U. S. A constitution prohibits the making of any law that impedes freedom of religion and infringes the freedom of the press. The freedom is not absolute States can ban expression amounting to threats
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and unlawful expressions such as pornography. The Virginia statute generalizes burning a cross on others property to be evidence of intimidating hence violating the room for political expression. Therefore, for the statute to declare every burning a cross unlawful and by placing the burden to proof on the defendant remains misplaced and unconstitutional.

Work cited

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