

The relationship between police, the courts and corrections



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The Criminal Justice components create a system when they apply their functions together looking for the same objective; to enforce justice into society. Even when the components of the Criminal Justice system are working to accomplish the same objective they work in different fields and the job of each component is very different from the others. The Criminal Justice System refers to a collection of federal, state, and local public agencies that are created to deal with criminals (The Structure of Criminal Justice. 2013). There is a distance inside the relationship of the three components and this distance brings benefits and failures into the process.

There are certain benefits that are created due to the distance between each component of the Criminal Justice system. The nature of the courts and the job they perform in the process of enforcing justice into society makes the courts an authority to regulate the work of police officers and correctional officers. Crime looks very different from the perspective of a police officer, a judge will have to see the entire situation from a different point of view (Peak, 2012. p9). This is very helpful to guarantee police officers and correctional officers are going to perform their job according to what the law dictates.

The distance is created naturally because the three components have to deal with different issues in order to accomplish their goal. Even when they do not perform the same activities they need each other because they are connected following the same purpose. The police needs the courts to process and take care of the suspects once they are taken into custody, the

same way the courts need the corrections to deal with the inmates once they have been sentenced.

It is also said that the Criminal Justice “ agencies often fail to coordinate their activities and, thereby, ignore the impact that their decisions will have on other agencies” (The Structure of Criminal Justice. 2013). The relationship between the three components is not always fluent and this can cause mistakes and make the entire process more slow than what it should be. As a matter of fact, this failure can affect society at many different levels because every single component has it’s own process and this bureaucracy existing inside the components and between them forces every step to have a procedure.

Some critics believe the distance existing in the relationship between police, the courts and corrections is necessary. Because Criminal justice agencies set their own policies they can affect the timing and the procedures of the other components. The existence of a different process within each component forces every single one of them to make sure and to guarantee they are performing their job correctly. The courts will not accept a case where the police officers acted illegally in order to obtain the evidence and they will not make use of the corrections to sentence these individuals. At the same time, the courts need to guarantee the entire court session is done as required by the law in order to sentence the suspect.

The Criminal Justice system nature is to work with three different components connected by the same purpose, and at the same time each component is divided because they all have to deal with crime and the task

of reducing crime rates in different ways. This might be the reason why the system has evolved into what it is today and this could be the best way police, the courts and corrections are supposed to work with each other.

Police officers need to be restricted by the law and all the possible legal challenges their cases could face in a court room. The same legal restrictions apply to the correctional officers to guarantee they are protecting the integrity of the inmates and they are doing the best to help them in the rehabilitation process.

THE POLICE

The police is the force that has the authority and liability to protect the community. Every police department is organized and every single individual who makes part of it has his own function and area of expertise. The police departments are divided in many different units to deal with every possible way of breaking the law. “ The organization of these agencies includes a number of specialized units (patrol, traffic, records)” (Peak, 2012. p58).

Since every single unit is working on the same purpose there is a system within the police component. The police departments are organized as a military institution with a chain of command that takes decisions and give orders and subordinates who are responsible of following every order. The role of this chain of command “ is to ensure that these units work together to reach a common goal” (Peak, 2012. p58). This division of labor allows every unit to specialize in their own field and to improve the way they do their job because they will become experts in that area.

Once the specialized units apprehended a suspect and they gather the necessary evidence to judge him they are required to transfer this suspect into a court room. In the court room a judge will analyze and study all the evidence gathered in the case and this is when the relationship between the police and the courts is created. Both components exist to make sure justice is enforced in the community, they will share all the information (such as evidence, criminal background) necessary in order to guarantee the process has been done correctly from the moment the suspect was arrested until the judge or the jury make a decision on what the sentence should be or if the suspect is found innocent. This is the part when the police depends on the courts to fulfill their mission.

THE COURTS

The Courts are the place where justice is made. “ The purposes of the courts are to seek justice and to discover the truth” (The Structure of Criminal Justice. 2013). Once the truth has been discovered thanks to the evidence presented by the police the court will sentence the suspect to pay his debt with society for breaking the laws created to make sure individuals live respecting everybody else.

The courts are the place where “ judges, court reporters, clerks, bailiffs, witnesses, plaintiffs, defendants, attorneys, juries, and spectators, as well as police officers, social workers, probation officers, guardians, interpreters and the press” (Peak, 2012. p135) get together to study and witness a case and analyze the ways an individual broke the law and the sentence that should be given in order to guarantee justice is done the right way.

Depending on the case the judge or the jury will analyze the evidence presented by the police and the criminal investigators. At the court every possible legal challenge will be analyzed as well. The mistakes in acquiring evidence are called legal challenges and they are taken very seriously, sometimes they could end up in the release of a criminal because some mistake was committed in the investigation process. A legal challenge could appear in anything involved with the handling and gathering of the evidence presented by the investigators.

Once the case has been properly studied, the courts will send the criminal to a correctional facility where correctional officers will make sure the inmate is rehabilitated. This relationship between the courts and the corrections is the last step of the Criminal Justice system. The fact that everything started with the police arresting the suspect and ended with the courts sending the inmate to a correctional creates a relationship between the three components.

CORRECTIONS

The main objective of sending citizens who broke the law to a correctional facility is “ to protect society from crime by safely and securely handling criminal offenders while providing

offenders some opportunities for self-improvement and increasing the chance that they will

become productive and law-abiding citizens” (Peak, 2012. p205). Some critics tend to believe corrections are not the right answer to deal with

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criminals due to the fact that not every criminal achieves rehabilitation in a correctional facility.

Prisons are organized institutions, the same as the police and the courts who are organized in different sectors to divide all their responsibilities. These sectors could be seen as the specialized units created by the police to deal with every possible crime, the only difference is that in the prisons every office has one responsibility like human resource management division, health care or medical division, administration division and many others created to guarantee every single step of the process is done accurately and according to the law. (Peak, 2012. p205).

Having an inmate locked up after committing a crime offers different benefits to society. The danger of having people who break the law on the streets could be very high and making sure they are secured under the supervision of professionals makes everybody feel safer. This is the last step of the Criminal Justice system and it is also where the relationship between the police, the courts and the prisons ends. This step could also be seen as the accomplishment of the entire mission of enforcing justice in society. This relationship and all the connections and procedures where the Criminal Justice system components have to deal and complement each other can be affected by certain rules created by each component and the independence they all have from each other.

Why are the three components independent from each other?

The three components of the Criminal Justice are independent because they fight crime in different ways. " Each system component—police, courts, and <https://assignbuster.com/the-relationship-between-police-the-courts-and-corrections/>

corrections—has varying degrees of responsibility and discretion for dealing with crime” (Peak, 2012. p6). These degrees of responsibility separates the police officers, the judges and the correctional officers to the point where every institution creates their own procedures to deal with crime and to perform the function they are given in the entire Criminal Justice System.

This independence between every single component offers a benefit that could be the same reason why the independence exists. In democracy the government needs to make sure no individual and no institution has total control over any matter. Even the president of the United States powers are regulated by other politicians within the same government. If the three components were put together as one the society could face a big problem because the Criminal Justice system will not be under control. The police officers, the judges and the correctional officers will all be co workers and with this they could lose objectivity by acting guided by other reasons different than justice itself.

The fact that the three components are independent from each other protects society from corruption, police abuse, unfair sentences and bad treatment in the correctional facilities. “ Relations among and between these components are often characterized by friction, conflict, and deficient communication” (Peak, 2012. p5). This friction and conflict could be the reason why the entire Criminal Justice system works the way it does. Every single component wants to perform it’s job correctly in order to keep up with the others, if one of them fails to do this the process of enforcing the law will be affected.

On the other side the deficient communication is an issue that needs to be solved. “ Prosecutors often complain that police provide case reports of poor quality.” (Peak, 2012. p5). At the same time Prosecutors and Public defendants are judged by their success in making the court sentence an individual or to drop the charges (Peak, 2012. p5). Corrections are seen by many as institutions where the inmates are not really well influenced. This could be caused due to the independence of all the components or simply because society has not found a better way to deal with crime.

The way these components critic and interact with each other creates a competence and a challenge that can be very useful or very bad for everyone. “ In the process of that interaction, conflicts arise. Although conflicts can serve positive ends, many of those In criminal justice tend to defeat the achievement of goals of the total system” (O’Leary, V., & Newman, D. J. (1970). The police knows the prosecutors will judge their cases and for this reason they are required to have solid reasons before they take an individual into custody. Police officers know their evidence will be challenged by the public defendant, and the judges know the prosecutors and the public defendants have the right to appeal the sentence. Every component is regulated by another.

Overall the Criminal Justice system and the relationship between it’s three components create a process used by society to defend themselves from criminals and to keep these criminals away from their every day lives.

Regardless of the miss-communication issues and conflicts existing already within the components they still complement each other. The police needs the courts and the corrections, the courts need the police and the
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corrections and the corrections need the police and the courts to have a purpose and to fulfill their mission and the responsibilities they have with society.

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