Free policing, purpose, and organization essay example

- What is meant by the phrase " the rule of law," as used in a democratic society?

The rule of law (nomocracy) is primarily referent to the law's authority and influence across the society. This is especially the case with constraints on behavior as well as behavioral influence of various government officials. The phrase traces back to mid 16th century, and was popularized in the 20th century. This aspect became integral to the ancient philosophers including Aristotle. Through him, law needs govern the Rule of law implying that all citizens are under the law of the land. This includes the lawmakers also (Dammer & Albanese, 2013). It contrasts the idea in which the ruler comes above the land's law such as through the divine right. Irrespective of is wide application by the academics, judges and politicians, the rule of law concept takes the description of an elusive notion that gives rise to divergence of understandings.

Here, most people are for it even though they have extensively contrasting convictions of its meaning. The principal conceptions for the rule of law include the formalist definition, and substantive definition. Formalist descriptions for the rule of law lack the making of judgment for the " just" nature of law by itself. It defines the specific procedural attributes through which legal frameworks need to have as a way of complying with law (Harr, Hess, Orthmann & Kingsbury, 2014). The substantive rule of law conceptions goes past this to include various substantive rights for which meaning is derived from to attain the rule of law. Legal theorists stand for the rule of law having formal characteristics. This means that law needs to be declared publicly through a prospective application while possessing the distinct

characteristics for certainty, equality, and generality. However, there is lack of a statement of requirements with respect to the law's content.

- Identify the three policing styles and describe how they differ.

The first dimension is the security guard. This creates an emphasis on the maintenance of order mostly found across communities that have declining industrial base as well as a blue-collar full of mixtures of ethnic and racial populations. These policing forms are less pro-active as compared to the other styles. It is certain that the offenses are " overlooked" across a range of legal, cultural, and social grounds. Even as the public order comes under maintenance, the broad discretion needs implementation as is through the style of policing that results in various discrimination charges (Dammer & Albanese, 2013). With reference to the appearance of police, treatment across various forms of groups adds up to the diverse perception that the groups acquire improved treatment above others. The second dimension is legalistic. Here, there are emphases on law enforcement as well as professionalism. This normally establishes itself within the reform-minded cities for the mixed compositions of socio-economy.

The officers have to generate a drastic amount of citations and arrests while acting as though the single community has a standard for conduct. This is unlike the different standards set for various groups. On the other hand, the persuasion that the groups are likely to embrace law enforcement contact also means that there is strict law enforcement irrespective of how harsh it is to certain group (Hess, Orthmann & Cho, 2014)s. The third is service. This realm focuses on the police work service functions. They are normally found within suburban and middle-class environments where most residents solicit

for individual treatment. Further, police across the homogeneous communities view such works as the protection of their respective citizens above the " outsiders". This also adds to the frequent and informal interventions opposed to the community members. The uniform statue of the community translates into making crimes more obvious. This way, they become less frequent hence leaving the police free to address service functions as well as traffic control.

- What four broad categories of criminal defenses does our legal system recognize? Under what circumstances might each be employed?

The first category of criminal defense is the self-defense plea. Self-defense rises as a defense asserted by a person charged with a violent crime including battery, assault using deadly weapons, or even murder. Further, the defendants also admit they in fact committed the action. However, there is claim of justification mostly due to the threatening actions of the other person. The main issues across most self-defense considerations include the status of the aggressor and the defendant's belief of self-defense (Harr, Hess, Orthmann & Kingsbury, 2014). The Insanity Defense is the second plea of criminal defense. The insanity defense has an argument on the principle in which punishment is justifiable while the defendant has a capability of controlling personal behavior. They also understand that the actions they do are wrong.

The fact that various people suffer from mental disorder and lack the capability of knowing between rights from wrong, insanity defense offers a preventive scope from being criminal punishment. Under the influence is also a criminal defense. Defendants committing crimes while under influence

of alcohol or drugs argue that the mental functioning became impaired to a point that they could not be accountable for any of the actions they committed. However, the voluntary intoxication action is not formal excuse for criminal conduct. Defendants need know that drugs and alcohol influence mental functioning, and they need be legally accountable for crimes committed due to their voluntary use. The fourth defense is entrapment (Dammer & Albanese, 2013). This occurs in times that government induces people to commit crimes and later seeks to punish the individual for the same. However, if the jury believes a suspect had predisposed to carry out the crime, the suspect could be guilty in case the government agent only suggested the action and aided the defendant commit.

- What is community policing? How does it differ from traditional policing? Community policing takes the definition of a phenomenon guiding police management approaches and operational strategies. There is emphasis on the establishment of partnerships across police and community coupled by problem-solving techniques that are responsive to the community needs. A major community-policing objective is that of establishing active partnerships across the community and the police while analyzing various problems for purposes of designing and implementing solutions as well as services that are community-based (Hess, Orthmann & Cho, 2014). This needs to have the police making conscious efforts of creating an environment that community partners can cooperate willingly and actively with police. Community policing remains service oriented as it promotes the community as client concept while the police are providers. The essence of the client is the provider's goals in the delivery of professional and client-

centered services in an effective and accountable manner.

Community policing is also a formal partnership with an objective of determining the community policing priorities and needs. It also seeks to promote police effectiveness and accountability. Constant consultations with community members are also within while the community police forums are of importance. On the other hand, forums on community policing are both a means of consultation while other channels develop and include stakeholder participation (Hess, Orthmann & Cho, 2014). Surveys, community profiles, workshops, interviews among many methods help in the identification of community needs. Unlike the traditional forms of policing, community policing falls in as an effective component of problem solving. The main and potential crime and conflict causes within campus community are jointly analyzed and identified. The results guide the development of approaches and measures addressing the issues both the short and long terms. Problem resolution involves conflict management among other creative techniques addressing problems in police-community relations and service delivery.

- In general, explain the authoritative and jurisdictional differences between the three major levels of public law enforcement in the United States today. The FBI is the domestic law enforcement agency of the Unites States government. Its tasks include gathering all forms of domestic intelligence for purpose of addressing all possible threats to the United States. On the other hand, the local police address daily law and order maintenance, which also includes having to take various measures of preventing people from breaking the law. In case such aspects happen within the investigating acts, they bring the guilty parties to justice (Harr, Hess, Orthmann & Kingsbury,

2014). The fact that it is United States' investigating agency, the FBI, aids the police to handle the significant cases. This is because it bears access to sophisticated evidence labs that are far complex as compared to those of state police departments.

Normally major cases, which involve murder, kidnappings, as well as inter-state crimes, fall under the FBI's jurisdiction. All activities compromising the state of security for the United States are FBI investigated. That alone has the FBI in charge for all domestic surveillance. Similarly, the state and local police are under civil law for enforcing order (Dammer & Albanese, 2013). In the US, local and state police power faces constraints, as they need not infringe on the set civil rights. Similarly, the US police force is its own since the mid 20th century where there was the invention of two-way radio and police car. Computerization also brings in mapping and tracking of crime patterns for make due policing a strategic scientific affair.

References

Dammer, Harry, Albanese, J. (2013) Comparative Criminal Justice Systems. New York: Cengage Learning

Harr, J., Hess, K., Orthmann, C. H., Kingsbury, J. (2014) Constitutional Law and the Criminal Justice System. New York: Cengage Learning

Hess, K., Orthmann, C. H., Cho, H. (2014) Introduction to Law Enforcement and Criminal Justice. New York: Cengage Learning