

# Criminal justice trends paper

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



For the past 50 years, America's criminal justice system has encountered several significant changes dealing with courts and policing. According to Marion and Oliver (2006), the historical Supreme Court rulings like Mapp v. Ohio and Miranda v. Arizona mold the way courts and law enforcement handle individuals charged with committing crimes. This paper will discuss the evolution of courts and law enforcement reflects the diverse and changing need for today's population which is first importance, the urgency for cooperation and communication among criminal justice agencies and law enforcement within the country.

Individuals must know the importance for courts and police to collaborate closely together for the goal of ensuring all laws are applied fair and equally, protect the public, and prevent crimes for all individuals. Police History Before the 13th century the primary function of justice during this century was getting revenge in other parts of the world in the same century made attempts to establish law and order in countries, such as Greece, Rome, and Egypt (NCWC, 2004). From 1066-1285 the Frankpledge of this time was the only system of justice in the English-speaking world (NCWC, 2004).

The Frankpledge system went by another name as well its name was the tithing system, which was the same as tithing in church. This system was to take 10% of household earnings every Sunday, and a community of 10 separate households had the obligation to control its own law and order. If any man had knowledge of a crime it was his obligation to take part in things and taking part in the search of the perpetrator (NCWC, 2004). In time the tithing system would evolve into another system and its name was known as the parish constable-watch system (NCWC, 2004).

The new system had a different method; the community would appoint one individual of the tithing system to serve for one-year as the constable. One duty of the constable was to employ other men in the community to perform duties at night; the name of this position was watchman (NCWC, 2004). These watchmen had to work in rural locations, which made up 10 things that were also known as one or 100ths would make up the shire (NCWC, 2004). Each shire community would appoint what was known as a shire-reeve or sheriff. In England around 1326 justices of the peace became the new title to replace the name shire-reeve (NCWC, 2004).

One adoption of the American colonies was wholesale English policing and the rebirth of the sheriff's position. Many of the early police departments had only two positions day and night personnel, and in 1845 many cities in American police departments were run by police chiefs (NCWC, 2004). Copying many of England's reforms and innovations were policies the Americans would adapt for its own use. Of the many adaptations, the one to notice most (NCWC, 2004) is the Bowe Street Runner or known as the creation of the detective position in 1748 (NCWC, 2004).

In 1829 Sir Robert Peel of England wrote the first set of policing principles for the Metropolitan police department of London England. One principle was to become more proactive instead of reactive this gave birth to the patrol officer a principle American police would adopt (NCWC, 2004). Law enforcement has had many trial and errors (NCWC, 2004) in developing crime prevention programs. The best system to date is the creation of community policing, which began in the 1990s. The History of Courts

In 1781 America became a nation with George Washington defeating Lord Cornwallis in Yorktown. One change dealing with colonial times, the United States courts has developed their own way to deal with social conscience and needs from the new nation. According to Currie (1992), the Sixth Amendment guarantees a public and speedy trial and informs all charges with a jury trial. Throughout history citizens were called to settle disputes, today's juries are considered the hybrids of European, Roman, Greek, and Egyptian jury practices.

The jury system in America is also influenced by the English jury system. Another one of America's constitutional rights is due process which is the basic for fairness that is important in the judicial system which allows our system to work with honor and integrity. According to Currie (1992), the factors of due process involve the United States Constitution; Amendments V, and XIV and in 1970 Illinois State Constitution adopted some rights for due process. For the past seven and half centuries due process was the mission of men persistent to create justice in the government.

The federal courts for years used a method of suspended sentencing as a form of probation which in 1916; the Supreme Court ruled this was unconstitutional. President Coolidge in 1925 signed the Probation Act that gives the court's permission to throw out imposition sentencing and give the defendant probation. The Speedy Trial Act was enacted by congress in 1974 at the point the United States Courts started the agency of Pretrial Service. The mission of this was to decrease crime by allowing individuals to be released into the community awaiting trial to decrease pretrial punishment.

In 1982 the Pretrial Services Act was signed by President Reagan. The extending use of Pretrial Services to all federal courts started a specific milestone that we now know as Pretrial Service and Federal Probation system. As of today, officers are involved in the criminal procedure one the individual is arrested until the individual finish community regulations. Analysis of Courts and Policing Past and Present Law enforcement has gone through many challenges and changes since its inception in the 13th century.

In the past 50 years to the present law enforcement has grown from just a few law enforcement agencies to many as many as 18, 760 departments with personnel amassing 940, 275, and a budget of \$51 billion dollars these agencies share (NCWC, 2004). This is a collection of data taken in 2000 by a number of police departments in the United States (NCWC, 2004). This collection of data reports that the Justice and Treasury departments has 60 federal police departments, highway patrol has 26 departments, 23 state police departments, and Hawaii is the only state without a police department, but does have a public safety department (NCWC, 2004).

In addition 35 states have other agencies with special investigative powers, which have its limits (NCWC, 2004). Throughout the United States (NCWC, 2004) Sheriff departments have well over 3, 000 department, and municipalities with well over 15, 000 police departments. The United States is the only country with many law enforcement agencies, and no one agency functions or has the same kind of departmental structure (NCWC, 2004). Much of the future of policing depends largely on the education of its personnel.

The education of new recruits is essential for the way police will perform. Improving human relations and developing a strong sense of new technology is of supreme importance for policing in the future to become a success. Contemporary Opportunity Analysis With over 18,000 contemporary Law Enforcement agencies today designated more titles, roles, and responsibilities among its personnel depending on the jurisdiction mainly local and state police operated.

Law enforcement's maintains a leading role in controlling crime yet professionalism and ensuring due process for every person accused of a crime regardless of demographics but in today's criminal justice system: race, age, gender, mental status, and prison over-capacity are factors affecting policy-making. As (Smith, 1990) proclaimed ("The greatest judicial pressure for police reform and professionalization came with the controversial decisions defining criminal defendants' rights during the Warren era. ").

Rehabilitation programs became a valuable resource and alternative to incarceration in many criminal cases which coincide with community policing. In comparison, law enforcement and the courts have the opportunity to make changes to policies; both are policy-makers within the system with a set of rules for making decisions in which is usually the focus of a single issue (Marlon & Oliver, 2006). The new laws put in to place by the high court's affects all players including police investigations through courts and parole in the criminal justice system because policies can be in written or verbal form and not all policies are effective.

According to (Yackle, the Court's policy decisions affecting criminal justice are produced by the votes of the nine justices who select, hear, decide, and issue opinions in cases. With the demands from the public weighing heavy on the backs of the higher courts to change, enhance, block, or remove ineffective policies affects the criminal justice system as a direct result of conflicting problems or abuse of power by those in authority. Opportunities and Missed Opportunities for Cooperation

The courts and the police have a great opportunity to work with defendants in the process from arrest to the trial if the incident goes to trial. From the adult defendants down to the juvenile defendants and with the court system down to the criminal justice system can play an important role in the process for the defendants. There are opportunities for both sides to improve on the analysis of the problem what makes the defendant do what he or she does again and again to end up in the criminal justice system, i. e. social standing orenvironment(Williams, 2013).

When it comes to the courts and the police there should be clear goals, objectives and priorities when it comes to the process from arrest to trial and the communications between both sides should be clear. There should be improved programs and services to support the victim, the victim's family and the defendant by the police and the courts. The main goal of the courts and the police is communications and having clear goals and the opportunities for cooperation will be there and there will not be any missed opportunities for cooperation.

One complete criminal justice system working together for the improvement of the justice system as a whole, that should be the focus and the goal

clearly now and in the future (Williams, 2013). Conclusion The American Colonists used the English Policing and Judicial systems as the basis to establish our own systems when they established America as a new fledgling nation. When we borrowed England's Policing and Judicial systems many items were changed and modernized to fit our needs. Sir Robert Peel is known today as the father of modern policing around the world.

His set of principles for the Metropolitan Police Force of London led to modernization and professionalization of our police forces here in America. The court system that we borrowed from England was in no way perfect, so we changed our laws with the introduction and passage of the fifth, sixth, seventh, eighth, and fourteenth constitutional amendments. These amendments make the American Judicial System one that focuses on Due Process and ensures that all defendants are innocent until proven guilty. Today many nations model our policing and judicial systems, which is a tribute to the American Criminal Justice System.