

# [Is races to view the criminal justice system](https://assignbuster.com/is-races-to-view-the-criminal-justice-system/)

Is the criminal justice system racially biased? Racialdiscrimination has been a very social injustice for most people. One of themost important American principles is equal treatment. This value is shown in nationaldocuments such as the Declaration of Independence, and the Fourteenth Amendmentto the Constitution which guarantees the right to the “ equal protection” (1). However, most analysts of the criminal justice system believe that this right ishampered by discretionary decisions and other elements that engenders racialdiscrimination.

Throughout the years, crime andpunishment have provided some of the strongest symbols of the racial dividehere in America. For decades’ criminal justice critics have argued and have citedinstances of the racial discrimination is the system. Based on the AmericanSociological Association-Department of Research and Development it states: “ Althoughovert discrimination has diminished in the criminal justice system over recentdecades, at the beginning of the twenty-first century, we continue to grapplewith the perceptions of and the reality of unfairness in our justice system” (2). In other words, over the past fifty years, the system has beenstruggling with racial conflicts. For instance, chain-gangstyle penal practices, prosecutorial, and judicial racism were common, particularly in the southern criminal justice systems. Due to these events, Whites and African Americans experience life differently causingthese two races to view the criminal justice system differently.

Furthermore, I do feel that thecriminal justice system is racially biased. According toCole, Smith, & DeJong (2015): “ In sentencing for federal crimes, AfricanAmerican male offenders on average received sentences more than 20 percent longerthan white male offenders” (1). Within this, is very obvious that white peoplehave higher advantages in the system than African Americans. A perfect examplein order to prove that there is racial discrimination in the system would be tosay that two teenagers show up to court in a detention hearing. One of theteenagers is white and comes from a wealthy family. The other teenager is a notwhite and comes from a single-parent family. The affluent mom says, “ YourHonor, I will watch my child, he will never be outside of adult supervision, and we will have him go to a counselor.

” It is more likely that the whiteteenager will get away with it. This is one of the reasons why I believe that thesystem is not fair and institutional racism is still alive in the criminaljustice system. Further studies state that, “ Whilesome researchers have argued that racial discrimination is pervasive and deeplyrooted throughout the criminal justice system, and others have maintained thatintentional discrimination does not exist, the empirical picture is morecomplex. Many researchers have concluded that the social science researchoverall shows that racial discrimination does occur in some stages of justiceprocessing…” (2). These studies show that thereis discrimination in the system and these statistics prove it. This is also a badthing for the system as a whole, because it creates the racial disparity. From my point of view, some of the decisions in the judicialsystem should be based on evidence to help to prove guilt or prior criminalrecord of the defendant and these decisions should not be made based on coloror race.

Although some people believethat the criminal justice system is racially biased, there are others thatthink the opposite. Other’s believe and feel that this type of discriminationdoes not exist in the system. Most of them argue that thatcrime is activity common to all classes and that decisions throughout thejustice system are based on the amount of evidence collected from the crime. It is true, all classes commit crime but I am not fully convinced by the other sides, I believe that thissystem is racially biased. Now days, white individuals are over privileged inthis country compared to other races. Being stopped by police for no apparent reason isunfortunately a common complaint among people of color. As stated by Cole, Smith, & DeJong(2015): “ Many young men, in particular, can describe multiple incidents whenthey were followed by officers, temporarily taken into custody, forced bypolice to hand over money and property, or subjected to physical force for noreason (1).

This does make sense because in most cases, people who arearrested for committing a crime are either African Americans or some other raceother than white. Overall, there is no doubt thatracial discrimination still exists in the U. S. criminal justice system. It ispossible to reduce or prevent the most harmful effects of those biases andgetting there will require time and great political will.