

Is it time to view the criminal justice system



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Is the criminal justice system racially biased? Racial discrimination has been a very social injustice for most people. One of the most important American principles is equal treatment. This value is shown in national documents such as the Declaration of Independence, and the Fourteenth Amendment to the Constitution which guarantees the right to the "equal protection" (1).

However, most analysts of the criminal justice system believe that this right is hampered by discretionary decisions and other elements that engenders racial discrimination.

Throughout the years, crime and punishment have provided some of the strongest symbols of the racial divide here in America. For decades' criminal justice critics have argued and have cited instances of the racial discrimination in the system. Based on the American Sociological Association-Department of Research and Development it states: "Although overt discrimination has diminished in the criminal justice system over recent decades, at the beginning of the twenty-first century, we continue to grapple with the perceptions of and the reality of unfairness in our justice system" (2). In other words, over the past fifty years, the system has been struggling with racial conflicts. For instance, chain-gang style 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 causing these two races to view the criminal justice system differently.

Furthermore, I do feel that the criminal justice system is racially biased. According to Cole, Smith, & DeJong (2015): "In sentencing for federal crimes, African American male offenders on average received sentences more than

20 percent longer than white male offenders" (1). Within this, it is very obvious that white people have higher advantages in the system than African Americans. A perfect example in order to prove that there is racial discrimination in the system would be to say that two teenagers show up to court in a detention hearing. One of the teenagers is white and comes from a wealthy family. The other teenager is a non-white and comes from a single-parent family. The affluent mom says, "Your Honor, 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 white teenager will get away with it. This is one of the reasons why I believe that the system is not fair and institutional racism is still alive in the criminal justice system. Further studies state that, "While some researchers have argued that racial discrimination is pervasive and deeply rooted throughout the criminal justice system, and others have maintained that intentional discrimination does not exist, the empirical picture is more complex. Many researchers have concluded that the social science research overall shows that racial discrimination does occur in some stages of justice processing..." (2). These studies show that there is discrimination in the system and these statistics prove it. This is also a bad thing for the system as a whole, because it creates the racial disparity. From my point of view, some of the decisions in the judicial system should be based on evidence to help to prove guilt or prior criminal record of the defendant and these decisions should not be made based on color or race.

Although some people believe that the criminal justice system is racially biased, there are others that think the opposite. Others believe and feel that

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this type of discrimination does not exist in the system. Most of them argue that that crime is activity common to all classes and that decisions throughout the justice 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 this system is racially biased. Now days, white individuals are over privileged in this country compared to other races. Being stopped by police for no apparent reason is unfortunately a common complaint among people of color. As stated by Cole, Smith, & DeJong(2015): " Many young men, in particular, can describe multiple incidents when they were followed by officers, temporarily taken into custody, forced by police to hand over money and property, or subjected to physical force for no reason (1).

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