

Major punishment philosophies



**ASSIGN
BUSTER**

Running Head: MAJOR PUNISHMENT PHILOSOPHIES Lecturer: Presentation:

Introduction Alcohol consumption is a vice that is common in many people around the world. Some religions and societies however are trying their best to discourage people from consuming it by launching campaigns against alcohol and drug abuse. When a person is under the influence of alcohol, he loses the power of judgment making him vulnerable to accidents and bad decision making (Head 2006). It is on this basis that drunk driving has been termed as illegal in most of the countries in the world. Statistics show that in every thirty minutes a person dies from accidents caused by drunk driving in the US making it the leading criminal offence that cause death (Head 2006). This essay is a critical evaluation on the punishment response to first-time and habitual DWI offenders.

Different punishments for driving while under intoxication are exercised depending on the state where the offence was done. The most possible punishment is brief confinement in a county jail for a period not more than one year and a fine not exceeding \$ 5000 and in some cases withdrawal of the offender's driving license for a short period of time (Head 2006). This punishment is justifiable for first time offenders because even though the law terms ignorance as no defense, it is possible that the offence could be committed out of ignorance or mere carelessness. This means that, the offenders have not formed a habitual DWI thus a short confinement would help them by opening their eyes to the dangers of driving under the influence of alcohol (Bosworth 2005). Not only does it endanger their own lives but also the lives of other road users. This would go in line with one purpose of punishments which is to rehabilitate the offenders.

Leaving the offenders to go free by fining them without confinement would

be playing on a delicate ground even if the offender has never committed such a crime before. This is because the offence when committed is a threat to human life and if not punished properly, there is a probability that there would be a recurrence of the same. The brief confinement would serve the purpose of punishments which is to incapacitate the offender by denying him/her the opportunity to commit the offence (Neubauer 2007). This is achieved because during the time he is in confinement, he would not have the chance to drive and at the same time he will have the time to reflect on his mistakes such that by the time of his release, he will have changed his attitude and felt the pain of losing the comfort of his vehicle.

Confinement as a form of punishment denies the culprit the freedom to associate and move freely. As a result, friends and relatives will get to know the reasons as to why the offender has been confined and at the same time watch helplessly as the offender serves his time in the county jail. Naturally, every one desires to enjoy his freedom without any restrictions like those imposed on the offender. Punishments are meant to serve as a lesson to offenders and the society as a whole (Norman 2003). In that spirit, confining the offender will not only serve justice to him but also will prevent more occurrences of the offence by enlightening and instilling fear on the offender's associates thus encouraging them to behave responsibly and refrain from committing the offence.

Correction facilities all over the world indulge their subjects in various development activities by engaging them in community service programs and also in various faculties that are beneficial to the government and the society as a whole thus they ensure that the offenders after being released will be more productive and focused (Bosworth 2005).

Conclusion

Driving under the influence of alcohol is an offence and it calls for serious punishments. Confining the offenders is beneficial to the individuals as well as the society as a whole. It helps in rehabilitating and preventing possible deaths that occur due to drunk driving though more efforts still are required in the prevention of accidents. This is because much more people are dying from accidents that occur due to human errors. These deaths can be controlled and confinement is just one way in which it can be done.

References

- Bosworth M. (2005). Prisons and Correctional Facilities, Sage.
- Head W. (2006). The DUI Book: A Citizens Guide to Understanding DUI - DWI Litigation in America, Headlines Marketing Corp.
- Neubauer D. (2007). America's Courts and the Criminal Justice System, 9e, Thomson Learning.
- Norman J. (2003). Sociology of Punishment and Correction, John Wiley & Sons Inc.