

Crime and the criminal justice system essay sample

[Government](#), [Military](#)



According to the University of Phoenix Cji Interactive activities (2014), the definition of a crime is “ a conduct in violation of the criminal laws of the state, the federal government, or a local jurisdiction, for which there is no legally acceptable justification or excuse”. It is a complex and very difficult definition to agree upon because there are many points of view and controversies in defining what crime is. From a psychological standpoint, it suggest that the crime is a way of expressing the inability of an individual to follow the social norm. The psychological view does not care about the traditional elements of crime. When one individual doesn't respond appropriately or effectively to the environmentally demands, then the individual is a criminal or maladaptive. The sociological standpoint, suggests that the concept of crime should include many behaviors that are not well defined by laws or the political process. From its sociological point of view, crime is an act that is antisocial and needs to be repressed to maintain society. There are two most common models most common models of how society determines which acts are criminal. One is the crime-control model, which is a perception that stresses the arrest and the conviction of a criminal offender.

The other common model is the due process model, which is a criminal justice perspective that stresses individual rights at all stages of justice system processing. This process is intended to make sure that innocent people are not convicted of crimes. This is an important part of the justice system in America. Facts are individually and carefully considered for each case to be determined. The police is required to state the suspect's rights during arrest, questioning, and handling. It also requires that the prosecutors

and judges, during a trial and the presentation of any evidence, must recognize the constitutional rights. Choice theories otherwise known as rational theories are the theory by the criminal that he or she is not able to do anything else but to commit a crime. The person who commits the crime sees no way out of his or her predicament than to commit a crime. The person is completely unable to come up with any other solution to solve the problem at hand (Schmallegger, 2015, Chapter 3, The Search for Causes). Our American criminal justice system is divided into three government structure: the federal, state, and local governments that acts on enforcing the criminal laws of the country. The components of the criminal justice system are the police, the courts, and corrections.

These agencies must work together to make the criminal justice system work. All of these agencies are expected to be fair, impartial, professional, and must have integrity. The police enforce the laws, investigate crimes, arrest offenders, ensure the safety of the community, maintain public order, provide emergency services, and also provides essential rights and freedoms for all. The court conducts fair and impartial trials, decides the criminal cases, and ensures due process. It determines the innocence or guilt of the individual that is on trial, upholds the law, impose sentences on the guilty, requires fairness throughout the whole justice process, and protects the rights and freedoms of anyone that is being processed in the justice system. The correction facility carries out sentences that have been imposed by the courts. It provides safe and humane custody, supervision for all offenders, and protects the community. The correction agency is also charged with

reforming, rehabilitating, and reintegrating convicts back into society. Like all the agencies of the justice system, it respects the legal and human rights of the offenders.

The criminal justice system goals are deterrence, incapacitation, retribution, rehabilitation, and restoration. The criminal justice system hopes to deter individuals from committing crimes for fear of punishment. Everyone knows that, if they are caught committing a crime, they will be arrested and they will have to pay for their crime. The next goal of the criminal justice system is incapacitation. If the individual is incarcerated for a crime, he or she will not be able to commit another crime since they are already incarcerated. Retribution is the third goal of the criminal justice system. Justice prevails when retribution for a crime is provided. Retribution could be in one of the following forms: incarceration, victim compensation, fines, community service, or public humiliation. The next goal of the criminal justice system is rehabilitation. Correcting the behavior of the offender, by retraining and giving the individual new skills to help him or her to get back into society, is part of the next goal. The last goal of the justice system for the individual is restoration, to repair the damage that he or she has done, and return to society. So, is the Criminal Justice System really a system?

The criminal justice “ system” has come under scrutiny as to whether or not it is an actual system. From a logical standpoint, the fact that it consists of the police, the courts and corrections with established goals and responsibilities, one would argue that it is a system. However, with various entities competing for resources and money the argument can be made that

it is not a system due to breakdowns in the allocation of resources to complete and achieve individual goals. It is my belief that any system has its flaws and there are always inherent shortfalls of any system. To say that the criminal justice system is not an actual system is the fuel that those who oppose the system use to try and change it. Conclusion

The criminal justice system is an established system and is based on crime in our society, a solid government structure, choice theories and set goals to maintain order and discipline. The process of arrest through corrections and all that is in between is what keeps us from delving into an anarchist society. While the criminal justice system has its own shortcomings, the due process afforded its citizens is what allows society to function safely and effectively.

References

Schmallegger, F. (2015). *Criminal Justice Today. An Introductory Text for the 21st Century.* (13th ed.). Retrieved from The University of Phoenix eBook Collection database.

University of Phoenix. (2014). *Cji Interactive [Multimedia]*. Retrieved from University of Phoenix, CJS/201 - Introduction to Criminal Justice website.