

Adam Foss's Arguments On The Prosecution System

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Foss argues that the prosecution system does not support the current course of justice, thus creating a need to reinvent the justice system. Moreover, he believes that the prosecution should exhibit more thoughtful ways of dealing with crime than mass incarceration caused by the urge to win cases. Furthermore, Foss suggests that prosecutors play a crucial role in escalating the rate of incarcerations without fully understanding their roles in prosecution (Class Notes Ted Talk). As a result, he has opted to redefine the role of prosecutors to become more helpful members of the Justice system rather than mere tools for promoting incarceration. Consequently, the metrics of defining success in prosecution have changed significantly, with some prosecutors accepting this call to help the community stabilize.

Furthermore, Foss argued that most incarcerated people are penalized without understanding the effects of these life-changing encounters. However, Adam Foss started a prosecutor training program to equip new prosecutors with academic, practical and leadership skills to help offenders understand the judgement process. As a result, the court would make more sustainable decisions depending on the offence and the offender's provocations that led to the crime. Consequently, the program achieved recognition from numerous organizations and reduced unwarranted incarcerations.

Furthermore, Foss points out that most people have preconceived beliefs about the functioning of the justice system. For instance, the belief that the justice system focuses on minor offences rather than the main case and the probable cause, thus making them lose faith in the system. However, Foss intends to falsify this myth by creating a more sustainable system that represents balanced justice. Adam Foss openly lays his arguments on the effects of the justice system and how it affects people's lives based on his experiences working as an attorney in Boston.

Race plays a significant role in the outcome of the court's judgment with the support of other factors, including social background. Statistics show that 57% of the black and brown population remain confined in prisons despite barely making up 29% of the total US population (Mitchell and Mackenzie 292). In addition, Adam Foss points out that 1 out of 3 black men are likely to end up in jail, and 1 out of 3 black women have a relative locked up, with these outcomes mainly targeting people from low social backgrounds. Moreover, Foss points out that the justice system mainly comprises white people, putting black people at a greater risk of racial profiling. Furthermore, black people are more likely to be denied access or stopped on the road by law enforcers than the white population, thus making them more susceptible to incarceration.

Pre-trials affect the outcome of the justice system as they increase the chances of conviction. The detention system requires money to release a detainee on bond in most cases. However, detainees with a low income are often denied bail, unlike the whites, who are economically advantaged, thus

resulting in more black convictions. Furthermore, the post-prison effects have a massive impact on blacks more than whites due to the barriers that make it hard to re-enter society. The barriers include securing housing and employment, which are critical in re-establishing society. Consequently, ex-convicts become poor and tend to commit crimes. Furthermore, the policies set up by the justice system do not favour black people, thus making them vulnerable to unfriendly outcomes. For instance, some jurisdictions have poorly funded defence programs, thus making public defenders less effective due to heavy workloads and lack of experience in some cases, thus affecting the court's ruling.

Research Methods in Criminology:

The qualitative research method is popular due to its effectiveness in developing theory. The researcher collects and notes the data as verbal statements showing specific undertakings and outcomes. Qualitative research is more effective in theory development than other research methods; hence, it is used for this purpose. An example of a qualitative research method is ethnography, which involves studying a subculture social group and compiling a specified description showing the process and outcome of the study, consequently boosting the accuracy of using this theory. However, a researcher needs to be non-judgmental and focus on acquiring crucial details that help gauge the public's behaviour, attitudes, and views, thus creating clarity.

Quantitative Research methods gather information on crime by evaluating criminological reality. The quantitative research method uses variables that are often numerical values assessed in reality regarding abstract tags (Hagan 133). The data analyst studies the variables to identify a cause, effect, covariation, and relationship pattern. In the case of this research method, a dependent and independent variable exists. A dependent variable, also called the outcome variable, refers to the outcome an analyst tries to predict. Besides, an independent variable, also referred to as a predictor variable, is the causative variable that determines the dependent variable.

The quantitative research method is unique as the nature of information gathered is predetermined prior to data collection, thus making this data collection method suitable for hypothesis testing. Consequently, the quantitative research method is suitable for narrowing possibilities in data sets rather than specifying the causal factors. Using this method, a researcher should identify a suitable theoretical model, often a perspective of an economic, social or political process and apply it to a specific societal aspect.

To achieve effective results in quantitative research, the researcher translates theoretical concepts into observable and measurable operational definitions. Furthermore, the researcher places the definitions in a hypothesis that shows the correlation between the variables. In addition, the researcher identifies the data suitable for this method, and after data collection, the researcher creates a summary using statistics. However, other researchers argue that this method can be misleading due to its inability to evaluate and measure crucial concepts. Examples of quantitative

methods include meta-analysis, survey research, cross-sectional, time-series, experimental research, longitudinal research and quasi-experimental research.

The meta-analysis research method involves pooling results from different researchers, analyzing, and creating a summary based on the findings. Besides, the cross-sectional research method is a snapshot approach that studies a specific group at a specified time. The cross-sectional research method allows researchers to make general comments rather than specify the findings. The experimental and quasi-experimental research method is recommended as the perfect fit to compare effect and cause. Besides, the approach incorporates three features: the control and experimental group, variation in the dependent variable, and arbitrary assignment of the control groups. Survey research is a research method that involves data collection through questions. Besides, this method has a combination of closed and open-ended questions that are majorly distributed through telephone, mail, or computer. The survey research method is preferred as it is less expensive, generalizable, efficient, and far-reaching. However, the outcome of the survey research method can be unfulfilling if the researcher does not craft the questions effectively. The longitudinal research method incorporates cohort and panel studies, with the cohort studies evaluating definite populations, whereas the panel studies reviewing a specific group over time.

Hagan's Perspective

White-collar crime is a crime committed by a person for a corporate or personal advantage by technology, occupation, economy, and society. Most white-collar crimes are undertaken by high-ranking individuals who abuse positions of power or responsibility. Fraud is the most common white-collar crime involving payment or service transactions over fake promises or misrepresentation. Moreover, this type of crime is difficult to detect as disparities do not reflect immediately. In addition, white-collar crimes require collaboration between two or more conspirators to execute and provide cover for criminal charges.

The difference between white-collar criminals and street criminals is evident when evaluating the nature of the crime. For instance, white-collar crimes are mainly non-violent crimes committed for monetary gain, whereas street crimes are mainly violent on a property or a person's body (Laurie 72). An excellent example of white-collar crime is bank fraud, whereas an example of street crime is robbery. Street crimes are often physical and can be seen by others, whereas white-collar crimes vary; hence, some cannot be seen by others. Despite having a varied criminal nature, the severity of the outcome of white-collar crime and street crime can be similar depending on the extent of the crime. For instance, a white-collar crime can warrant imprisonment, which is also the case with street crimes. However, both crimes constitute penalties whose magnitude varies depending on the severity of the crime. A more serious crime is subject to harsh penalties, unlike minor crimes, with lighter penalties.

Another difference is that street crime negatively impacts society by causing unemployment by

altering the victim's and the criminal's life, while white-collar crimes generally threaten the country's economy by decreasing income rates. In addition, a person may get away with white-collar crimes, thus increasing the chances of repetition, which threatens businesses. Besides, white-collar criminals are held at minimum security prisons, unlike street crimes, where offenders are held in minimum or maximum prison facilities, depending on the degree of violence. However, white-collar crimes have a higher probability of causing adverse effects than street crimes.

In the book *The Rich Get Richer and the Poor Get Jail*, Reiman points out the effects white-collar crimes and street crimes have on the human population. For instance, Reiman argues that the justice system has a definition of crime that does not reflect the ultimate dangers that threaten human survival. In addition, Reiman submits that poverty, working conditions, the healthcare sector and environmental concerns have a significant impact on human suffering. Besides, Reiman argues that the suffering is preventable as the government can change its focus from common crimes to treating these more destructive crimes. For instance, Reiman questions the constant attempt by the government to depict typical criminals as poor and of a minority ascent, which primarily affects the outcome of the trial due to preconceived ideas.

Primarily, Reiman raises questions on the lack of inclusivity of some injurious white-collar undertakings in criminal law. Reiman points out that these acts may be overlooked as they originate from consent on hazards at workplaces, beliefs that people in power do not maliciously intend to cause harm, the damage incurred is of a minor degree compared to street crimes, and that indirect harm has more minor effects compared to direct harm. However, these crimes significantly impact productivity and economic growth, which renders them more lethal than street crimes. For instance, a lack of awareness of hazardous workplaces limits the ability to make informed choices on consent. Moreover, as much as people believe that these acts are commitments without evil intent, the involved parties consciously execute these undertakings in awareness of possible dangers, thus making it criminal law. Besides, white-collar crimes are often charged as regulatory offences, but the damage caused by these offences is similar to other crimes and should also be treated as a felony. The effects of white-collar crimes are ignored, and those of other crimes, like street crimes, are magnified, thus creating an imbalance in the justice system.

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