

The United States Criminal Justice System

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Part One: History

1607-1775: The Colonial Era

The [criminal justice](#) colonial era is classified into the village time ((1607-1699) as well as the town time (1700-1775). The overall Colonial period is characterized by a strong dependence on informal social control rather than formal societal control (Criminal Justice System). This Criminal Justice System at the village time ((1607-1699) was greatly influenced by the need to create as well as survive in a new world. The main focus was on the immigrants who arrived in America for various reasons. For instance, to avoid the biased government that mistreated them based on their classes or to avoid the persecution that resulted from religious issues or differences (Neubauer and Fradella 25). American settlement was influenced by numerous social, political, need to stay as well as economic factors.

The colonists stayed under the law of England but the large terrestrial distance that existed between America and England did not permit strict implementation of those severe laws. Consequently, the colonist started to create their own justice laws as well as law bodies. The colonial laws in the early 18th century started to resemble much more the criminal laws of England. Luckily, the rate of crime was low since there was a very strong survival need, resulting in little opportunity or time for crime commission or engagement (Burnham 55). The propriety crime rose slightly as a result of the settlement establishment. However, the main social control focus in this village time concerned the various religious crimes. Many of the colonists who came from England because of religious oppression were highly influential in integrating religion into the codified laws.

The church meetings, families, and town meetings were the main social controlling agents in this village period. The town meetings took the court roles by offering punishments, settlements, and settling various disputes between groups or individuals. The families had the responsibility of controlling the behaviors of their children since there was no justice system for juveniles at that period. Corporal punishments such as whipping were common for any egregious habit or behavior. Free from religious intervention, numerous colonists established new norms and more sets that were strictly implemented after becoming part of the laws. Accordingly, the church members worked like courts, issuing different kinds of punishment, such as expulsion from the church congregation as well as admonition on the people who engaged in any unacceptable behavior in society. Expulsion from society, in general, provided another means of punishing individuals in the community (Reiman and Leighton 44).

The low rates of crime in the New World highly influenced the [criminal justice](#) system's shape during that period. The policing, courts, as well as correction system, remained the same as the ones that were in England, however, there were numerous changes in the laws implemented. The development of different levels existing between the Old and the New World demanded that the law body brought from England to America needed change. For instance, the religious freedom and settlement laws needed reconsideration.

1776-1828: A New Nation

This period was characterized by a need to establish as well as organize a legitimate community. Implementation, as well as the development of a government, were the main societal concerns of this era. The effort in this period included developing a criminal justice system. The crime problem arose at the beginning of the revolution. Various responses to the crime increase resulted in the development of a system of criminal justice that was based on the English version. For example, the power of the police was limited, and the officers of peace emphasized more on municipal regulations and public health rather than confrontation and prevention of crimes. The courts were established. The revolution provoked reforms in criminal justice. Therefore, in the 1790s, the position of the attorney general and the federal statute were formed (Cole et al. 56).

1829-1855: The Jacksonian Era

The Jacksonian era was a great period of change in criminal justice administration as well as implementation. It was at this period that the system same as the current, was first developed. However, this system lacked effectiveness as well as efficiency. For instance, those who settled in the western parts of the United States experienced lawlessness levels and were limited to no law implementation protection. At the same time, the tougher laws resulted in more problems rather than protection. The police failed to correctly address the criminals as well as the crime. Instead, they were more corrupt (Pound 66). The Civil War Era resulted in more challenges for the evolving system of criminal justice in the United States.

1856-1878: The Civil War Era

The criminal justice system that was progressing during the period of Jacksonian ceased at the break out of the Civil Wars. The crimes and criminals increased (Simon 77). However, the country focused much on the war. Numerous police left their position and joined the soldiers in the fight of this war. The courts as well were much more concerned with war associated cases rather than the crimes cases in the country. The system of criminal justice would have developed largely; however, the war needed much attention.

1879-1899: The Gilded Age

The Gilded Era brought much hope to the people of America, who now had redirected their consideration from the war to the country's establishment. Crimes increase as a result of discrimination and poverty, among other calamities. The system of justice was highly needed. As a result, many individuals were employed in courts, correction as well as policing. For instance, in 1870, the Justice Department was formed at the federal government level. There were many developments concerning juvenile justice near the gilded period end (Burnham 44).

1900-1919: The Progressive Era

This was a period well known for important changes in the United States history. Various reformers fought for the justice of immigrants as well as criminals. During this period the system of criminal justice gained independence from political influence. At the same time, the system of juvenile justice was separated from the adult system of criminal justice, signifying true reform. By the end of 1914, almost every state had a main criminal justice component that represented the current criminal justice system (Pound 59). However World War I changed the American's focus and halted the progressive reforms.

1920-1939: The Crisis Era

After World War I and the recession came out, the United States anticipated a hopeful 1920s. However, things took a different turn, resulting in a Crisis Era. Depression and Prohibition integrated and resulted in a great criminal behavior deal (Pound 57). For instance, the crisis resulted in another crime of preparation and manufacturing of alcohol. Similarly, the Department of Police was fighting crimes from a political perspective. Similar problems were experienced in the corrections, juvenile justice, and courts. This error was tempered, but the Depression ended in the 1930s, and Prohibition was repealed in 1933. However, World War II confronted the U.S. again.

1940-1959: The War Years

World War II took again the attention of Americans and there was little done in the [criminal justice system](#). The United States was experiencing many problems, like discrimination of race, gender, and class. World War II was followed by economic prosperity. As a result the rates of crimes were low between 1940 and 1950. However, fewer reforms were evident in the criminal justice system in this era (Pound 57).

1960–1979: The Nationalization Era

The Nationalization Era impacts are evident in even the current criminal justice system. For instance, the corrections and court personnel were not prepared for the increased case numbers. As a result, various programs of criminal justice were introduced to increase the manpower required during this period (Pound 57). The crimes increased from the 1960s to the 1970s. This period fostered the focus on the criminal justice system. This resulted in a great expansion of this system in the year 1980.

1980–2001: The Post-Modern Era

The economic stability during this period resulted in a crime rate decrease. The government expanded its fight against drugs and the male numbers in the criminal justice system. The prisons increased in the 1980s (Pound 57). Similarly, the department of police increased as well. The United States had a great belief that it had managed to create a more effective and efficient criminal justice system. However, a new crime and justice Era started after an attack on September 11, 2001, by terrorists.

2002–Present: The Homeland Security Era

After the terrorist attack, the Homeland Security Department was developed to fight various crimes. This system is considered to be progressive. As time moves, various systems have been incorporated into the criminal justice system, such as technology. The main purpose of this department is to protect the country. At the same time, it provides greater coordination as well as a corporation within the federal law implementation (Pound 57).

Part Two

Police

They are agencies of the public whose purpose includes maintaining order, providing services, and implementing criminal laws. The police officers' function in society is to control as well as prevent crimes. They also collaborate with prosecutors in gathering evidence and investigating criminals in order to gain evidence that is used in courts (Pound 57).

Courts

They are tribunals where judges or juries determine criminal law violating an individual's responsibility. The functions of courts are to discover any hidden truth as well as seek justice. The

main actors in the courts include judges, defense attorneys, and prosecutors (Neubauer and Fradella 158).

Corrections

They include parole, prison, jail, and probation, as well as various new community-based permissions such as house arrest and electronic monitoring. The corrections agencies' purpose is to rehabilitate, ensure the safety of the public, and punish (Cole et al. 34).

Part Three

Definition Of Crime

The crime involves unlawful acts that are punishable by authority or a state. However, there is no universal definition of this term. The most appropriate definition is that crime is created by law (Beaver 56).

Major Theories Of Criminal Behavior

The theories can be largely classified into two: biological theories and sociological theories.

Biological Theories

The biological theory of crime explanation assumes that certain individuals are born criminals. They are physiologically different from non-criminal people. The common approach is the Cesare Lombroso approach (Thornberry 96). Where he explains using Charles Darwin's ideas and proposes that criminals are atavistic: not well-developed or mal-developed. After examining various prisoners, he realized they had the same physical traits. Thus, he suggested that criminals had a mal-developed brain. However, this has been found not necessary to use physical examination. Thus, biological theories have developed with the inclusion of neurological conditions, biochemical conditions, genetic inheritance, and intelligence in explaining criminals.

Sociological Theories

These theories suggest that crime results from the external factors of a person: peer groups and neighborhood experience. For instance, the Social Disorganization Theory formed after research explains that delinquency patterns were high in regions of poor health, socio-economic transient, and disadvantaged populations, as well as poor housing. This made the researcher conclude that crime

was a result of neighborhood experiences (Simon 35). Other contemporary crime theories include the Defensible Space Theory establishes the relationship between crime and the surroundings; the Broken Windows Theory, relating crime to low-level disorders; and the Routine Activities Theory, explaining the way various opportunities in daily life result in crimes.

Other sociological theories include Strain/Anomie Theory, Subcultural Theory, Social Control Theory, Rational Choice/ Right Realism Theory, Relative Deprivation/ Left Realism, and Feminist Perspectives/Gender (Beaver 57).

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