Course Learning Outcomes for Unit I

Upon completion of this unit, students should be able to:

1. Summarize the core segments of the U.S. criminal justice system and the interactions between each segment.
   1.1 Outline the main components of the criminal justice system.

2. Explain the evolution of the modern-day law enforcement system.
   2.1 Determine the difference between the individual rights perspective and public order perspective.

Reading Assignment

Chapter 1:
What is Criminal Justice?

Click here to access the chapter presentation.
Click here to access a PDF file of the presentation.

Unit Lesson

Think of the American criminal justice system. What comes to mind? Many might offer examples such as law enforcement and crime control, sentencing and the courts, and, of course, the correctional system. These are all components that bring with them their own challenges and topics you must have a comprehensive understanding of in order to build a solid foundation as you progress through the variety of criminal justice topics currently being debated. However, one must understand the history of criminal justice and know what changes the U.S. has experienced to get where it is today.

Criminal justice has been around in the United States as long as there has been crime. The history of crime in America dates back as far as the country itself; however, it is prudent to point out some important milestones along the way that have brought us to the criminal justice system of modern day. The key element when discussing this evolution is understanding the interrelationship between the shift in types of crimes and how they have been dealt with throughout history.

During the late 1800s, America experienced its first crime epidemic due to the large influx of immigrants as well as the Civil War. During this time, many social factors such as poor economic and living conditions in cities coupled with the challenges brought about by an overwhelming number of immigrants coming to America in search of a better life were the cause for formulation of official law enforcement agencies like the New York City Police Department. Five decades later, starting in the early 1920s, America experienced Prohibition and the corresponding growth of organized crime. During this time, the first official federal law enforcement investigative agency, now known as the Federal Bureau of Investigation, was created in order to deal with this new type of crime that spread out of the inner cities and across the nation. By the 1980s, drugs became the focus of law enforcement, and initiatives such as the war on drugs were developed to combat this fast-growing epidemic. By the mid-1990s, the paradigm shifted to a stricter stance on crime with initiatives such as mandatory minimum sentencing and the “three strikes” laws that came about in this tough-on-crime era.

Finally, we now live in a post-9/11 world that has, again, shifted the focus—this time to terrorism. As the country faces new threats such as domestic terrorism and homegrown violent extremism, one must look to
other methods and tactics to ensure the criminal justice system remains effective in order to preserve peace and ensure security.

At the heart of the American criminal justice system is the ultimate goal of justice and fairness. Each component of the justice system hinges on these two concepts, and each is carried out by administering justice through the actions of the police, the courts, and the correctional system. When administering justice, it is important to balance individual rights and freedoms with public order. In today’s criminal justice system, this challenge proves daunting as one finds examples on a daily basis where integrity and honesty must play a role. Whether it be something as serious as a police-involved shooting or the choice to search a person based on racial or social bias, the headlines are countless.

The first of the three major components within the criminal justice system is law enforcement. Police enforce laws, investigate crimes, arrest offenders, maintain order, and protect the rights of the general public.

The second component of the criminal justice system is the criminal court. The purpose of the courts is to provide fair and impartial trials for those accused of a crime while ensuring that the rights and freedoms of the accused are preserved throughout the process. This process includes deciding cases, determining guilt or innocence, and imposing sentences and penalties.

The final component of the criminal justice system is the correctional system. Here, sentences imposed by the courts are carried out. Offenders are placed in custody in a safe and humane manner that preserves their human rights within the parameters of the law. The convicted are placed in correctional institutions to protect the community and to initiate efforts to rehabilitate and reintegrate them back into society where they can function as prosperous, law-abiding citizens.

In this unit, the steps of the criminal justice system are briefly discussed. During the processing of a criminal case, there are several stages that the criminal justice system uses that include

- investigation,
  - Evidence is gathered, and the suspect is identified.
- warrant and arrest,
  - An individual is arrested, with or without a warrant.
- detention and booking, after an arrest,
  - The administrative process of booking takes place and includes gathering personal information and background history, photographs, and fingerprints.
- initial appearance,
  - The suspect goes before a magistrate judge and is advised of his or her charges. Here, some are offered to be released on bail while others are detained in a correctional setting.
- preliminary hearing,
  - Probable cause is necessary for the case to move forward in this stage, and is decided by examining the strength of the evidence.
- indictment and arraignment,
  - Depending on the circumstances, some states use a grand jury indictment to hear the evidence and decide whether the case should go to trial. A plea is entered during arraignment as well.
- trial,
  - A criminal trial is held if a guilty plea or plea deal is not arranged.
- sentencing,
  - The offender is sentenced upon conviction based on a judge’s determination of the punishment.
- correction, and
  - The corrections process now begins and involves the sentence set forth by the judge.
- reintegration
  - An offender re-enters society based on conditions set forth by the courts such as probation, parole, or community corrections.

This unit has served as an introduction to the criminal justice system. The key elements to take away are to understand the history of the criminal justice system, including the evolution that has taken place throughout history. It is crucial to know where one came from in order to know where one is headed in continuing to strive for a fair and impartial justice system. Secondly, knowing the main components of the criminal justice network and what each component is responsible for is critical as well. Although there are several elements to the criminal justice system, there are three core components that include law enforcement, the courts, and the
correctional system. Finally, one must have a comprehensive understanding of the criminal justice process. Understanding how the system works will lay a foundation for the remainder of this course as you delve deeper into each of these topics unit by unit.

**Learning Activities (Non-Graded)**

Complete the “Questions for Review” at the end of chapter 1.

Click [here](#) to access a presentation containing review questions and answers for this unit. Click [here](#) to access a PDF file of the presentation.

Non-graded Learning Activities are provided to aid students in their course of study. You do not have to submit them. If you have questions, contact your instructor for further guidance and information.