

Overview of the Criminal Justice System: Guided Notes

Essential Questions: Why do people think the justice system is broken?

Crime in the United States

1) Every day we are flooded with reports of _____ in the news media. Crime is seen in television docudramas, fictional crime shows and an entire _____ is dedicated to bringing us the latest breaking news concerning crime and criminal justice.

2) It's no wonder crime and criminal justice are a concern of the American _____.

3) However, the sensational crimes reported by the media do not provide a very _____ picture of crimes typically committed nor do they accurately depict crime which police respond to _____.

4) Keep in mind that the _____ rarely respond to the sensational crimes reported by the media. The calls to which they respond often do not involve _____ at all.

Criminal Justice: An Institution of Social Control

5) Criminal justice is an **institution of social control**, as are:

–The _____

– _____

–Organized _____

–The _____

–The _____

6) Defining an institution of social control:

An organization that persuades _____, through _____ and not-so-subtle means to abide by the dominant _____ of society.

As an institution of social control, criminal justice differs from the others in two important ways:

a) It is concerned only with behavior that is defined as _____.

b) It is society's "*last line of _____*" against people who refuse to abide by dominant social values and commit crimes.

Criminal Justice: The System

7) Criminal justice in the United States is administered by a loose confederation of more than _____ agencies of federal, state, and

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local governments. Together they are commonly referred to as the “*criminal justice* _____.”

8) The _____, courts, & _____

9) The criminal justice system operates differently in some _____, but there are also similarities.

10) A jurisdiction is: a _____ defined geographical area. (a city, a county, a state, or a nation)

The Criminal Justice System: The Police

11) The criminal justice response to crime begins when a crime is reported to the _____, or when the police discover a crime has been committed.

12) Police _____ the crime.

13) If the investigation is successful, police arrest a _____.

14) After the arrest, the suspect is _____ at the police station.

15) Arrest: The _____ and detaining of a person by lawful authority.

16) Booking: The administrative _____ of an arrest. Typically, the suspect’s _____, the charge, and perhaps the suspect’s fingerprints or photograph are entered in the police _____.

Courts

17) After a suspect has been arrested and booked, a prosecutor reviews the facts of the _____ and the available _____.

18) The prosecutor decides whether to _____ the suspect with a crime or crimes.

19) If no charges are filed, the suspect must be _____.

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Charging Documents

There are three kinds of charging documents:

20) A _____ – a document specifying that an offense has been committed.

21) An _____ – a document that outlines the formal charge against a suspect.

22) A grand jury _____ – a written accusation by a grand jury that a person has committed a crime.

Misdemeanor and Ordinance Violation

23) If the offense is a _____ (*a less serious crime generally punishable by a fine or by incarceration in jail for not more than one year*) or an _____ violation (*usually the violation of a law of a city or town*) then the prosecutor may prepare a complaint.

Felony

24) If the offense is a _____ (*a serious offense punishable by death or by confinement in prison for more than one year*) an information is used in about half the states; a grand jury indictment is used in the other half.

Arrest Warrant

25) On rare occasions, police may obtain an arrest warrant (*a written order directing law enforcement officers*) to arrest a person. from a lower-court _____ before making an arrest.

Pretrial Stages

26) After the charges have been filed, the suspect, who is now the _____, is brought before a lower-court judge for an _____ appearance and given formal notice of the charges against him/her and his/her constitutional rights (for example, the right to counsel).

26) In the case of a misdemeanor or an ordinance violation, a _____ trial (*An immediate trial without a jury*) may be held.

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27) In the case of a felony, a _____ is held to determine whether the defendant should be released or whether there is probable cause to hold the defendant for a preliminary hearing.

Probable Cause

28) A standard of _____ that requires evidence sufficient to make a reasonable person believe that, more likely than not, the proposed _____ is justified.

Pretrial Stages

29) If the suspect is to be held for a preliminary hearing, _____ (*bail is usually a monetary guarantee deposited with the court to ensure that suspects or defendants will appear at a later stage in the criminal justice process*) may be set by the _____.

30) If the judge at a _____ hearing (*a pretrial stage at which a judge determines whether there is probable cause*) finds probable cause, the defendant is bound over for possible indictment or arraignment.

- A primary purpose of the _____ jury is to determine whether there is probable cause to believe that the accused committed the crime with which the prosecutor has charged him/her with.
- Once an indictment or information is filed with the trial court, the defendant is scheduled for _____.
- About 90 percent of criminal defendants plead guilty to the charges against them, in an arrangement called _____ bargaining.

Trial

31) If a defendant _____ not guilty or not guilty by reason of insanity, a trial date is set.

32) _____ percent of criminal cases go to trial.

33) _____ percent of criminal cases are decided in a bench trial. (A trial before a judge, without a jury)

34) _____ percent of criminal cases are decided in a jury trial.

Corrections

35) Currently, five types of punishment are used in the United States:

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- _____
 - Probation
 - Intermediate punishments
 - Imprisonment
-

Appeals

36) Defendants can _____ their convictions either on _____ or constitutional grounds.

37) Legal Grounds: Defects in _____ selection as defined by the state.

38) Constitutional Grounds: _____ search and seizure, Improper questioning by police.

Corrections

39) A defendant sentenced to prison may be eligible for _____ after serving a portion of his sentence. *Parole*: the conditional release of prisoners before they have served their _____ sentences.

Criminal Justice: The Nonsystem

40) Police, courts, and corrections are commonly referred to as the criminal justice _____.

41) However, the depiction of criminal justice or, more specifically, of the interrelationships and inner workings of its various components— as a “_____” may be inappropriate and misleading for at least two reasons.

42) First, there is no single “criminal justice system” in the United States. Rather there is a _____ confederation of many independent criminal justice agencies at all levels of government.

- This loose confederation is spread throughout the country with different, sometimes, _____ jurisdictions.
- The only requirement they all share is that they follow procedures permitted by the U.S. _____.
-

43) Second, if a system is thought of as a _____ operating set of arrangements and institutions directed toward the achievement of

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common goals, one is hard-pressed to call the operation of criminal justice in the United States a system.

44) Instead, because there is considerable _____ and confusion between different agencies of criminal justice, a more accurate representation may be that of a nonsystem.

Overview of Public Safety

Roles and Responsibilities

45) Dispatcher Responsibilities:

- Answers _____ calls
- Determines _____ response
- Dispatches _____ agency(ies)
- Provides _____ for caller
- Checks status of _____

46) Fire Department Responsibilities:

- Site _____ suppression
- _____ – Hazardous Materials
 - _____
 - _____
 - _____
- _____ Response
- Vehicle _____
- Accidents in _____ – drowning, construction, etc.
- _____ persons
- _____ Security
- Fire prevention _____
- Fire _____ enforcement
- Special events
- Fire _____ checks
- Equipment _____
- Search and _____

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- Severe _____ response
 - _____ fires
 - Various others – _____ in tree, etc.
- Emergency Medical System (EMS)
- Usually a part of _____ department
 - Sometimes provided by _____ ambulance company
 - Provides emergency _____ treatment
 - Goal is to _____ patient and transport to the hospital

Police

Two common ideals:

- _____ Crime
- _____ Crime

47) Common Motto:

- Serve and _____
Security
- Traditionally conducted actions similar to _____
- Today private security has an expanding role in internet and data protection for _____
- Large % of workforce still _____
- _____ Protection – reduction of inventory loss
– “_____” refers to % loss of inventory
- _____ most common source of shrinkage
- _____ Investigators/Detectives – often used in lawsuits/divorce
- _____ Security – In house service run and maintained by company benefiting from service
- _____ Security – Hired help
- Body Guards/Protective _____
– Increasing demand with spreading of _____ schemes
- Greater responsibility since _____
- Largest job _____ in all Public Safety is in Security area
Courts

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- Prosecution of _____
 - Prosecutor – _____ cases
 - _____ – misdemeanor cases
 - Defense – represents the _____
 - Judge – court _____
- Corrections
- _____ of crimes
 - Jailer/correctional officer – _____ inmates
 - _____ – oversees prison and implements programs
 - Probation/parole officer – oversees persons in the system _____ of prison
- Others Active in PS
- Military/National _____
 - DFCS – _____
 - Health Department
 - DHS – More _____
 - CDC – _____
 - _____ Agencies
- Jurisdiction and Venue
- Jurisdiction – a geographically _____ area
– usually affiliated with political authority
- Venue – place from which a jury is drawn and in which _____ is held
– Authority to hold trial
- The Public Safety System
- DIAGRAM

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Jurisdiction and Venue

48) Dangerous Environments & Danger to Lives (not caused by a persons behavior) – usually _____

Crimes & Dangerous People – usually _____

Duties are usually _____out

Interactions Between Levels

DIAGRAM

Interactions Between Levels

49) Not like on _____ where FBI takes over
_____ is already established

– Protocol – code of _____ behavior

More friction at local level

Two Models of Criminal Justice

• In his influential book entitled *The Limits of the Criminal Sanction*, legal scholar Herbert Packer describes the criminal justice process in the United States as the outcome of _____ between two value systems.

• Those two value systems represents two ends of a value _____.
The Crime Control Model

• In the crime control model, the control of criminal behavior is by far the most _____ function of criminal justice.

• The primary focus of this model is on _____ in the operation of the criminal justice process.

• The key to the operation of the crime control model is “a *presumption of guilt*.” In other words, advocates of this model assume that if the police have expended the time and effort to arrest a

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suspect and the prosecutor has formally charged the suspect with a crime, then the suspect must be guilty.

The Due Process Model

50) The due process model is based on the doctrine of legal guilt and the presumption of _____. According to the doctrine of legal guilt, people are not to be held guilty of crimes merely on a showing based on reliable evidence, that in all probability they did in fact do what they are accused of doing.

- In other words, it is not enough that people are factually guilty in the due process model; they must also be _____ guilty.
- Fundamentally, the due process model defends the idea of personal _____ and its protection.

Crime Control Versus Due Process

- Since the mid-1970s the crime control model has _____ the practice of criminal and juvenile justice in the United States.
- But elements of the due process model _____ evident in the process of justice.

The Costs of Criminal Justice

- Each year in the United States an enormous amount of money is spent on criminal justice.

51) In 1999, local, state, and federal governments spent a total of \$_____ billion in direct expenditures for the civil and criminal justice systems.

52) That represents approximately \$_____ for every resident of the United States.

- State and local governments pay most of the costs of criminal justice. Generally speaking:
 - local governments spent _____ percent of the total spent on police
 - state governments spent nearly _____ percent on corrections.
- About ___ cents out of every tax dollar is spent on crime control.
- _____ percent of people surveyed believed that too little was being spent to halt the rising crime rate.

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Myths About Crime and Criminal Justice

53) Much of the American public's understanding of crime and criminal justice is wrong; it is based on _____.

54) Myths are beliefs based on _____ rather than analysis.

55) Many ideas about crime or the justice system can be considered myths because they can be contradicted by _____.