

ADMINISTRATION OF JUSTICE

THE SYSTEM OF ADMINISTRATION JUSTICE

EXAM STUDY GUIDE

1. The criminal justice system (adult and juvenile) is huge, complex, and widespread.
2. The purposes of the criminal justice system are to: enforce the law (police), hear cases (courts), punish the guilty (corrections).
3. If there is any reasonable doubt, verdict must go in favor of the accused person.
4. The burden of proving guilt is on the prosecutor.
5. The defense doesn't have to show why the accused person is innocent.
6. One classical school of criminology is based on the idea that crime can be prevented by punishing an offender severely enough to outweigh any rewards for his actions. This principle of punishment is sometimes referred to as "just desserts," or getting what one deserves for breaking the law.
7. The biological school of criminology looks at physical or "internal" causes of crime.
8. Some criminologists believe that people may inherit a criminal gene from their parents.
9. The biological approach views treatment, not punishment, as a possible cure for lawbreakers.
10. Poor living conditions and lack of jobs may encourage some persons to resort to crime as one way to achieve a feeling of success.
11. Rehabilitate means to help someone convicted of a crime and served time in prison or jail return to society.
12. The criminal justice system tries to guard against punishing an innocent person.
13. There are two separate criminal justice systems: The first system is for adults and the second is for juveniles (minors).
14. The police are responsible for enforcing the laws. (Their primary role)
15. Courts administer the law and dispense justice.
16. Courts stand for the principle that "justice is blind".
17. Courts of justice are expected to fulfill four essential duties: Serve as a symbol of justice - Settle disputes - Protect society from crime - Punish offenders
18. Corrections deals with the punishments of people who are convicted of crimes.
19. Punishment is known as a sentence and may consist of one or more of the following items:
Imprisonment (prison or jail) – Probation – Parole – Fines - Community work service
Restitution - Electronic monitoring
20. Our constitutional form of government provides for checks and balances among the three branches. The judicial, the executive, and the legislative
21. Courts try people accused of both crimes and civil wrongs.
22. An officer has three major roles; Prevent crime, Enforce laws and Maintain public order
23. Today's law enforcement officer has many responsibilities. Officers must protect society and perform social service functions.
24. In deciding whom to arrest, a police officer must use discretion (good judgment).
25. Whether or not to arrest a person and what type of charges to file on an arrested person are examples of police discretion.
26. The police officer who makes a legal arrest, gets the necessary evidence, identifies witnesses, writes a good report, and acts as a truthful, effective witness has done his work completely.
27. The officer whose case most often result in a conviction is the officer who concentrates on making an efficient investigation, who pays attention to detail, and who gathers all the pertinent facts.
28. A trial is a process by which the facts and issues surrounding a case are reviewed and decided upon in court.
29. A dispute brought before a court is referred to as a case, a lawsuit, or a complaint.
30. There are two-basic types of courts: Trial courts hear cases and decide guilt or innocence and Appeals (appellate) courts that review the procedures and penalties of the trial courts to see if they were lawful and just.
31. Federal courts decide cases that involve: the United States Government - the United States Constitution or federal laws - controversies between states - controversies between the United States and foreign governments.
32. United States Supreme Court consists of the Chief Justice of the United States and eight associate justices.
33. There are twelve Regional Circuit Courts of Appeals.
34. United States District Courts - There are ninety-four judicial districts that handle the following cases:
Robbing a federal bank - Bringing narcotics into the country - Mail fraud or mail robbery –
Destroying federal property - Income tax evasion
35. United States Bankruptcy Courts try to give an honest debtor a "fresh" start.
36. United States Court of International Trade hear cases involving international trade and customs issues.
37. United States Court of Federal Claims - Maintains jurisdiction over money damages against the United States and hears disputes over federal contracts.

38. Courts of limited jurisdiction are the lowest level courts and frequently are not courts of record (courts in which the trial proceedings are recorded).
39. The general trial courts of the state judicial system are the workhorses of the criminal justice system.
40. General trial courts are courts of record since they maintain a full transcript (a word-for-word recording of the proceeding) for every trial in a general court.
41. The state court of last resort has appellate jurisdiction and acts much like the United States Supreme Court.
42. The main goal of corrections is to deter people from criminal acts.
43. The system includes jails, prisons, community treatment programs, reformatories, correctional institutions, probation, and parole.
44. There are two basic correctional philosophies used to justify imprisonment of inmates. The rehabilitative philosophy contends that the purpose of confinement is to rehabilitate the inmate into a useful member of society. This is also referred to as a "corrective" or "treatment" orientation.
45. Many prisons have counseling, group therapy, psychiatric, and medical treatment programs for the prisoner's rehabilitation.
46. The (PRIMARY) purpose of "Due Process" as it pertains to the individual citizen is to protect anyone accused of a crime
47. A detention is not an arrest - police merely have grounds to delay someone to question a possible suspect.
48. Corrections deals with the punishments of people who are convicted of crimes.
49. Most institutions are classified as either maximum, medium, or minimum security institutions.
50. Probation is a legal arrangement which allows a person convicted of a criminal offense to be released, under certain conditions prescribed by the court, from serving sentence.
51. A personality and social background investigation is instituted by the probation officer covering the following items: history of the offender including the date and place of his birth, family background to include data about his immediate relatives, previous employment record revealing the offenders work history, a personality evaluation of the offender describing faults, strengths, and other characteristics.
52. Parole is a method whereby a convicted criminal is released from a correctional institution prior to the completion of his minimum sentence.
53. Parole occurs after the offender has been placed in a correctional institution.
54. The offender must serve a designated period of his sentence to be eligible for parole.
55. Pardon is the official release from legal penalties of an offense and is under the complete control of the President of the United States and State Governor's.
56. The full pardon rectifies legal wrongs that are recognized by the President or governor.
57. In federal cases, the President of the United States is the only one who may exercise the power of pardon, known as executive clemency.
58. A pardon cannot apply retroactively to allow one who paid a fine to recover the same, or to allow one who has served a term of imprisonment to obtain compensation for such imprisonment.
59. A pardon does not restore to a person convicted of an infamous crime rights of citizenship, unless such restitution is expressly granted.
60. Reprieve is the act of postponing the execution of one who is sentenced to death.
61. Reprieves are granted by an appellate court.