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# **Elements That Impact the Criminal Justice System**

## **The Impact of Historical Events and Shifting Social Paradigms on the Evolution of the Criminal Justice System**

### **Abstract**

Historical events and shifting social paradigms have continued to influence the development of the criminal justice system. The rising crime rates and the increase in the incidence of violent youthful offenders, as well as the use of technology and e-commerce, have significantly contributed to the changes in the criminal justice system. This paper aims at describing the extent to which the increase in juvenile offenders and the use of technology has led to the evolution of the criminal justice system. The paper analyzes historical events that are recorded in journal articles as well as other scholarly articles that have recorded the events. It is during the 20th century that the shift to punitive policies in the criminal justice system is experienced to a large extent.

### **Rising Crime Rates and the Increase in the Incidence of Youthful Violent Offenders**

The increase in the crime rates, as well as the incidence of youthful violent offenders during the 1960s, prompted a swing from treatment to the punishment of the criminals. The incidences led to the implementation of the punitive philosophy of the criminal justice system, filtering down to the juvenile justice system. The trend was seen to be reversing due to the emphasis on transferring the juvenile offenders to rehabilitation centers where they could be taught on society values and good deeds (Lawrence, 2015).

The increase in violent youthful offenders in the contemporary society has also resulted in the transfer of targeted juvenile offenders who happen to commit the most serious and violent crimes to criminal courts. The evolution that has been characterized by transferring serious youthful offenders to criminal courts has enabled the juvenile justice system to put more focus on its resources on a much larger group of the youths who are the risk of being recruited to the criminal acts. The incidences of increased violent youthful offenders have led to the establishment of centers in areas that have the potential of promoting the criminal offences. Through the establishment of the centers, the criminal justice system has achieved to benefit the youth with a wide range of effective prevention and intervention strategies.

The criminal justice system, through the intervention of the federal government, has ensured that only the youth who truly require the alternative punishment under the laws of their particular jurisdiction are subjected to the criminal justice system. The rising cases of serious juvenile offences has led to a lot of vigilance about the rights of the offenders such as those of counsel and about the potentially harmful effect of placing minors in adult jails and other correctional facilities. The incidences have also led to a lot of concern on the problems associated with overcrowding at the facilities.

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Apart from juvenile offences, there has been a massive increase in the rate at which adults commit crimes that send them to correctional facilities such as jails. The occurrences have led to overcrowding at the facilities, therefore, exposing juvenile offenders to problems of abuse by the adults. The youthful offenders are also subjected to the risk of youthful suicide due to the extreme conditions at the adult jails. The evolution in the criminal justice system has over time resulted in the transformation of the treatable juveniles into hardened criminals because of the condition in which they are exposed. In an attempt to decrease the risk of future criminal behavior, the criminal justice system has resolved to transfer juveniles to criminal courts so as to intervene at the earliest possible time.

Studies reveal that the youthful offenders who have been mostly sent to criminal courts have committed property offense. However, the drift happens to be altering as minors have been transferred to criminal courts after committing other offenses that are more serious. Studies also reveal that the juveniles have in most cases been involved in the use of guns in their offenses. The criminal justice system has evolved in the manner in which juvenile offenders are transferred to criminal courts due to an increase in youth violence and the fear surrounding its increase. The three legal mechanisms that have been implemented as part of the evolution in the criminal justice system are; judicial waive, statutory exclusion and prosecutorial discretion. Judges in most states have been handed the authority to waive jurisdiction over juvenile cases to criminal courts. Other states also authorize the prosecutors to file certain categories of youthful offenders directly in criminal courts. The discretion has however been faced with the challenge of age of the offenders as well as the type of offense (Young Offenders: What Happens and What Should Happen, 2014).

Before juveniles are transferred to criminal courts, several factors are considered by the criminal justice system. For instance, the judicial waiver process typically focuses on age, type of offense, the history of the offender or his criminal records, and the juvenile's amenability to treatment. Other factors such as school records, attempts at rehabilitation, and other relevant factors are considered before the court can make its decision. The criminal justice system has adopted the procedure in solving juvenile cases since the merits of juvenile justice system over the criminal justice system have been outdated, and non is focusing on innovative sentencing options.

## **The Use of Technology and E-Commerce**

The criminal justice system has continued to evolve due to the evolution of technology and e-commerce. Technological devices are put to use in support of the criminal justice system. For instance, the use of computers, database management software, automobiles, and weapons has been effectively used to support the criminal justice system. The new implementations in the criminal justice system have been directly shaped by the adoption and implementation of technology as from the early 1900s. For example, the development of modern communications and transportation technologies has led to an increase in the response capability of the police in case of a criminal offense. The citizens' call for service has also been improved by the continuously changing technology. Offenses are being investigated online through the societal dependence on the internet and computer-mediated communications (Cerrillo i Martínez & Fabra i Abat, 2009).

Information technology has become a central force in the field of criminal justice since it has

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over time provided a critical support for its operations. On the other hand, it has created new controversies for criminal investigations, prosecutions, and prevention. A lot of opportunities and challenges have thus been associated with the rise of the information-centric economy even as it enters the next millennium. Computer-based innovations have been tools to advance transaction processes, and that was a goal that was reached by the end of the previous century. Criminal justice professionals have pursued more ambitious goals for information technology in an attempt to enhance the organizational knowledge. Organizations' managers have ever since relied on information technology to identify cases and problems as well as track and evaluate issues more easily. The improvement in technology has therefore resulted in an improvement in productivity and performance of organizations since the criminal justice system has also been improved by major information events.

The technological revolution that is sweeping the entire world has not spared the criminal justice system from its broad sweep. The hurricane of technological change has influenced the work of the police, court systems, and correctional institutions that all constitute the criminal justice system. The evolution in technology is rapidly moving such that the breakthrough technologies of the previous day are put into use today. Police officers have now made it a routine to wear vests that are bullet proof even as they pursue criminals. Judges have also been able to order electronic monitoring as a condition of probation. Community groups have the privilege of assessing the incidences of crime in their neighborhoods through the use of sophisticated computerized crime maps. Moreover, prisons administer healthcare without having to move prisoners through the miracle of telemedicine.

The technologies of drug testing, DNA, conceal weapons detection have greatly affected the practice of criminal justice system, hence the court system has been able to perform its tasks better. The availability of relatively simple and inexpensive drug test is advancement to the criminal justice system as the potential use of drug testing is one of the most compelling cases for rapid deployment of available technology. Computer related crimes have posed significant and growing threats globally since many are sophisticated, effective, and malicious (Cerrillo i Martínez & Fabra i Abat, 2009).

## **Conclusion**

Our modern criminal justice system is the result of several evolutionary changes that the society has undergone over the years. The evolutionary changes in the field of technology and e-commerce, as well as the increase in crime rates and serious youthful offenses have led to a shift in the structure of the criminal justice system that is now fully controlled by the rules that aim at punishing offenders. Changes in technology have led to an effective monitoring of criminal offenses as well as efficient keeping of data.