

A Premium Criminal Justice System?

By: Steven Michael

I bet the first thing that comes to mind when you hear the name O.J Simpson is either “O.J. did it” or “O.J. was setup.” Let me tell you, O.J. had the dream team of lawyers to help prove his innocence and it wasn’t cheap (Powers Sellers & Finkelstein). Let’s be honest for a minute, if someone asked you “Do you think wealthy people get off easier in the criminal justice system?” your answer would most likely be yes, right? Unless you’re wealthy. Unfortunately, this is the sad truth, and it’s not right. It shouldn’t matter how much money you have in the bank or what your family status is when determining what consequences you deserve when you break the law. I mean don’t get me wrong...with the ability to afford the best defense attorneys’ money can buy, you could make the argument that the chances of getting lighter sentences or fines are increased, but not always. Even if a wealthy defendant is clearly guilty it could still go in their favor. A premium criminal justice system should not have a place in the American criminal justice system.

In May of 2018, Luann de Lesseps who was a reality TV star on the show “Real Housewives of New York” was charged with four felonies, including battery on a law enforcement officer (Zoukis). A felony has a consequence of over a year in jail and Mrs. Lesseps was charged with four, so you’d expect some serious jail time for those offenses, right? Wrong, the reality TV star was able to work out a plea deal where she was able to have all charges reduced to misdemeanors. She received one year probation and instructions to complete 50 hours of community service and attend AA meetings. This a clear example of what money and social status can do in a court of law. Now I do know that plea deals can be offered to anyone not just those with money or a status attached to their name so let’s dig a little deeper.

I wonder what money buys those who do have to serve some time. In California, for example, it could get you a nicer cell. California has a unique program where people who are sentenced to serve time can pay to have a nicer and safer cell. It’s called a pay-to-stay system. This gives incarcerated individuals safer cells with more conveniences. In the small town of Seal Beach City in California, prison residents can pay for semi-private rooms with TV’s, single use showers, and unlimited phone access (Zoukis).

In the U.S. legal system none of this is new. Back in 1983 an investment advisor named Raymond Dirks was tried and convicted of passing insider trading information to his clients who would then make money from that information (Cohen). The U.S. Supreme Court overturned that conviction via a loophole. This case shows that having money can get you out of trouble even decades ago and the Supreme Court justices that favored Mr. Dirks’ acquittal were considered more conservative while the liberal justices insisted that he was guilty. So, money may even sway judges.

Still not convinced, well here just one more example to demonstrate how wealth or status in the criminal justice system plays a factor. A few years ago, a Stanford college student named Brock Turner was charged with sexual assault on an unconscious woman behind a dumpster on campus. A crime that is worth 14 years in prison, however Mr. Turner only received six months plus three years’ probation. Whoa, wait a minute, you can rape someone and only do six months in jail. No, you must come from a good family and have no prior offenses duh! It also helps to have a swimming scholarship to one of the most prestigious schools in the country. Well, this is what Brock Turner had on his resume when he committed this grotesque act. The judge of this case was quoted “A prison sentence would have a severe impact on him. I think he will not be a

danger to others” (Stack). A six-month sentence is absurd for this crime and I’m not the only one who thinks so. The judge of this case, Judge Aaron Persky faced serious backlash for his decision and a committee from the college had formed to have Persky challenged and removed from his position (Stack).

As Justice Hugo Black has stated, “There can be no equal justice where the kind of trial a man gets depends on the amount of money he has” (Goldberg). Justice Hugo Black served from 1937 to 1971, so what does that tell you as the reader. This has been an ongoing issue for decades and needs to change to ensure that everyone is subject to fair results under the law. There should be no such thing as a first-class criminal justice system

References

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