



HS Intro to Public Services

Monday, April 27, 2020



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Lesson for Monday, April 27: Pre-Law Pathway - Criminal
Justice Reform

Learning Target:

Students will identify some of the issues at the heart of criminal justice reform movements and the perspectives of a prosecutor and public defender on the matter.



Key Terms to Know

(all paraphrased from dictionary.com)

- **Criminal justice**: the system of law enforcement (police, lawyers, courts, and corrections) used for all stages of criminal proceedings and punishment
- **Reform** (verb): to change something in an attempt to improve it
- **Sentence**: the punishment handed down by a judicial system (court) on a convicted criminal
- **Plea bargain**: defendant pleads guilty to an offense in exchange for a lesser sentence (but conviction will usually stay on his/her record)
- **Cash bail**: money paid to release a person from custody with the understanding that he/she will return at an appointed time



Opening Exercise

- Read [this](#) article about the most recent criminal justice reform legislation passed by Congress. Then, reflect on the following questions:
 - *If both Democrat and Republican lawmakers as well as President Trump seem to believe criminal justice reform is important, then why do you believe it was so challenging for them to actually get anything done on the issue?*
 - *In your opinion, why is criminal justice reform such a “hot-button” issue for many people?*

Activity #1

- Watch the video included on this slide with Myles Perry, assistant prosecutor for Platte County, MO, talking about criminal justice reform. Then, answer the following questions on a Google Doc or your own paper:



- 1) Perry said he doesn't necessarily like the word "reform" when it comes to the criminal justice system. What word does he prefer? Why?
- 2) Perry lists three specialized courts that have been developed for specific sectors of defendants. List them, and explain why he feels like these are improvements to the criminal justice system.



Activity #1 - ANSWERS

- Watch the video with Myles Perry, assistant prosecutor for Platte County, MO, talking about criminal justice reform. Then, answer the following questions on a Google Doc or your own paper:
 - 1) Perry said he doesn't necessarily like the word "reform" when it comes to the criminal justice system. What word does he prefer? Why? *Improvement. He says when we see areas that need to be addressed we should address them instead of trying to make sweeping changes.*
 - 2) Perry lists three specialized courts that have been developed for specific sectors of defendants. List them, and explain why he feels like these are improvements to the criminal justice system. *Treatment courts, courts for veterans, domestic violence courts. He feels like these address the specific issues instead of just throwing people in prison/jail.*

Activity #2

- Watch the video included on this slide with Joey Wolfe, a public defender in Washington state, talking about some specific areas that are often mentioned along with criminal justice reform. Then, answer the following questions on a Google Doc or your own paper:
 - 1) Wolfe seems to have a love/hate relationship with the idea of plea bargaining and cash bail. Explain his two positions, then give your opinion on the matter. Do you think plea bargains are a positive or negative thing? Why?
 - 2) Why does he believe the city (or government entity) has the upper hand in plea bargain situations?
 - 3) Did it surprise you to hear that you have to pay for court-ordered treatment? Explain both sides of that argument: why some might say that's *not* fair to the defendant, while others would maintain that the defendant *should* pay.



Activity #2 - ANSWERS

- Watch the video with Joey Wolfe, a public defender in Washington state, talking about some specific areas that are often mentioned along with criminal justice reform. Then, answer the following questions on a Google Doc or your own paper:
 - 1) Wolfe seems to have a love/hate relationship with the idea of plea bargaining and cash bail. Explain his two positions, then give your opinion on the matter. Do you think plea bargains are a positive or negative thing? Why? *His positions: He worries about people accepting plea bargains when they're not guilty or ones that are unfair. He also worries about people losing stability (home, job, etc.) if they have to wait for a trial and can't post bail. At the same time, he knows trials are scary, time intensive and costly for people, so he appreciates the opportunity for people to avoid trial. Your position: Answers will vary, but should be well thought out.*
 - 2) Why does he believe the city (or government entity) has the upper hand in plea bargain situations? *The city operates as an entity that can't feel fear, unlike an individual, and therefore don't have that as a motivator to resolve it.*
 - 3) Did it surprise you to hear that you have to pay for court-ordered treatment? Explain both sides of that argument: why some might say that's **not** fair to the defendant, while others would maintain that the defendant **should** pay. *Answers will vary, but should be well thought out.*



Activity #3

- Consider the positions of both Myles Perry (prosecutor) and Joey Wolfe (public defender) on criminal justice reform. On a Google Doc or your own paper, compare and contrast why they have different viewpoints on the topic simply by virtue of their jobs.



Activity #4

- Cash bail, plea bargaining and decriminalization of some drugs were mentioned on Activity #2 as some areas of possible criminal justice reform. Do a quick Google search and find other areas of the legal system that some want to change. Choose two ideas that you feel need to be changed (*one of them can be one of the three ideas already discussed in this lesson*), and do the following:
 - On a Google Doc or your own paper, create a chart with four columns.
 - Column 1: Write down the issue/area that you feel should be changed.
 - Column 2: Write how the issue is currently handled in the legal system.
 - Column 3: Write at least two alternatives that have been proposed to the way things currently are.
 - Column 4: Choose the alternative that you feel is best, or come up with your own, and explain why you feel that way. Make sure to consider the rights and roles of everyone involved.



Additional Resources

- [Most Americans Support Sentencing Reforms for Nonviolent Offenders - But Political Obstacles Remain](#)
- [The conservative case for criminal justice reform](#)
- [STUDY: The Functions of Sentencing and Sentencing Reform](#)
- [STUDY: Trial Baraining](#)
- [VIDEO: Restorative Practices](#)
- [Fifth Amendment Miranda Rights](#)