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# SOCOMUN XXXIII

## CCPCJ

TOPIC: DISCRIMINATION IN THE CRIMINAL JUSTICE SYSTEM



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## Commission on Crime Prevention and Criminal Justice (CCPCJ) Discrimination in the Criminal Justice System

Hello delegates, and welcome to SOCOMUN 2024. My name is Jerry Zhou, and I will be your Head Chair for this conference. I am a senior at Santa Margarita Catholic High School, and this will be my fourth year as a member of the MUN program. SOCOMUN was my first conference and has enticed me ever since, bringing me to compete in other conferences such as BMUN and NAIMUN. In this conference we will be addressing Discrimination in the Criminal Justice System, an imperative issue that still unfortunately happens in our world today. We are excited to hear your different perspectives and innovative ideas to tackle this issue. What I enjoy most about MUN is learning about the various issues of our world and improving our problem-solving skills by coming up with solutions to them. Outside of school, I like to code, play tennis, watch F1, and listen to music. I look forward to meeting you all!

My name is Keira Mayes, and I will be your vice chair for this committee. I am a senior here at SMCHS and this is my 4th year in MUN. With the MUN program, I've been able to travel across the world. Attending conferences at the University of California, Santa Barbara, Royal Russell, London, and in January traveling to Prague. When I'm not panicking to write a position paper at the last minute, I love to read, surf, and listen to music. I think that MUN is seriously one of the coolest things this school has to offer, so I highly recommend sticking it out freshman year and keep going, it only gets better! I look forward to meeting you all in committee and I hope that you all have a fun experience.

Hi delegates, my name is Donina Zhou, and I will be your co-rapporteur for this conference. I am a sophomore here at Santa Margarita and this is my second year in MUN. MUN has taught me many skills such as public speaking and collaboration with others. Some hobbies I enjoy outside of MUN are golfing, being with my friends, eating, my phone, and sleeping. Best of luck and I look forward to the conference!

Hello delegates, my name is Camila Egas, and I will be your co-rapporteur for SOCOMUN. I am a sophomore at Santa Margarita, and this is my second year in MUN. MUN has taught me about leadership, helped me with my public speaking, taught me about the world, and I have even made new friends. Some things I enjoy doing besides MUN and other school clubs are volleyball, spending time with my friends, cooking, shopping, and being on my phone. I hope you enjoy the conference and good luck!

If you have any questions, please email us at: [socomunccpcj@gmail.com](mailto:socomunccpcj@gmail.com).



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## **Background:**

In this committee, the Commission on Crime Prevention and Criminal Justice will focus on the important topic of Discrimination in the Criminal Justice System. The fair treatment of anyone is imperative to sustain a functional criminal justice system. When discrimination enters any justice, the legitimacy of the proceedings is tarnished as biases influence the decision rather than the evidence alone. Discrimination can take place in many forms, the most prominent being race, sex, and religion. In addition, discrimination in the criminal justice system leads to a perpetual cycle of incarceration, due to the lack of opportunities available once you are incarcerated.

One of the most prominent forms of discrimination in the system is racism. With racism causing an increased humiliating treatment, beatings, and sexual abuse towards marginalized races, it's evident that racism plagues criminal justice systems internationally. Whether the decision arises due to deliberate decisions that reflect individual bias or ostensibly neutral decisions, they both corrupt the foundation of our justice system. The impact this has on the international justice system is apparent with "Aboriginal people in Australia are 9.2 times more likely to be arrested, 23.7 times more likely to be imprisoned as an adult, and 48 times more likely to be imprisoned as juveniles than non-Aborigines," according to the University of Chicago, and African Americans 7.5 times more likely to be stopped and searched than whites in the United Kingdom according to the US Department of Justice.

In Nirvikar Jassal's APSA article, he finds that women face prolonged delays in getting their cases registered, a higher likelihood of their cases being canceled post-registration, duration of the investigation, and a greater probability of court dismissal. However, accompanying these facts, women are "12-23% more likely to receive non-incarceration sentences, 10-63% shorter prison sentences, and greater leniency in court." Katharina Geppert explains that a possible reason for this double standard is the perception of familial and social conventions that are engrained in us because of society.

Though many countries have anti-discriminatory laws in place to maintain an unbiased ruling on a topic, our environment molds our perspective, and biases affect our judgment even with these laws in place. In addition, many of the existing that take place are ineffective. The majority of solutions currently present entail diversity training and police oversight. The issue with diversity training is that it doesn't address the inherent cultural and systemic bias that occurs within our society, but rather tells facts that don't influence any real change. Police oversight boards lack the power or authority to have meaningful change. Furthermore, the boards are subject to the same forms of corruption that may occur in law enforcement. In addition, many of these practices based on our bias and perspective such as profiling, the act of analyzing someone's actions and judging whether they are suspicious or not, can lead to a safer state. For example, El Salvador utilized mass incarceration – the imprisonment of a large portion of the population – to drastically reduce its homicide rate, dropping from 106 homicides per 100000 people to 5.2 homicides. This action has caused varied perspectives: on one hand, people condemn this action because of wrongful imprisonment, while others applaud this because of the



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safer environment and state that is produced. This very issue demonstrates the imperative nature of examining the impact discrimination has on our criminal justice system and what we can do to prevent it.

## Possible Solutions:

When researching discrimination in the criminal justice system, it is imperative to consider the various types of discrimination that may occur and why they occur. Think about the reformation tactics that may be used to change the way people perceive biases and jury selection, and whether these methods are feasible. Consider how many incarcerations and arrests stem from suspicious activity, that may or may not result in a correct arrest that protects the citizens. Additionally, consider the fragile balance between citizen rights and mass incarceration. Focus on systemic change in the justice system, rather than a temporary aid in the short term.

Thought-out solutions should include methods of stopping or reducing discrimination. Understanding your country's policy, past actions, and the reasons behind their actions is instrumental in understanding your position on the matter. This will allow you to focus on what still needs to be done, and faults/loopholes of current methods of holding the justice system responsible for discrimination. Examples of such solutions can be discussed or included below. Note that your solutions don't have to cover all these areas, but rather the following is meant to guide you

- Education: Spreading awareness on this issue is prevalent, particularly among the new generation where many ideas, biases, and perspectives are inherited from their parents. In addition, address how you would implement the dispersion of this information. In addition, consider possible counterclaims such as arguing that this form of education is indoctrination.
- Judge/Jury Selection: Jurors represent the cornerstone of any justice system as they utilize the evidence provided to give a reasonable punishment to those who offend. With corruption in this system still apparent – demonstrated in the United States, where 9 of every 10 jurors are able to return to the bench after being sanctioned for misconduct – it's vital to protect justice. Address stricter punishments and responsibility for judges, new selection processes, and how to determine if a judge is using their own bias to form a court case.
- Law Enforcement Reformation: With police brutality becoming more frequent – US law enforcement killed 1232 people last year – addressing methods to reduce this becomes ever more important. Potential methods of addressing this can include, defunding the police, reeducation programs, and making officers responsible for their actions. In addition, addresses the effectiveness of community-based approaches and whether they work.



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## Questions to Consider

As you prepare to discuss this topic during the conference, the following are some questions to consider:

1. What is the root of discrimination and how is it spread? Is it possible to stop the spread of this without infringing upon the freedom of speech?
2. How does media portrayal of discrimination that occurs, such as police brutality, affect public stereotypes and perception of the justice system?
3. How does historical and systemic bias contribute to discrimination in the criminal justice system? How does the socio-economic background play a factor in this issue?
4. How does discrimination differ across countries? Is there any solution that could be applied or work universally?
  - a. What are some solutions that have worked, and why do they work?
  - b. How do these solutions fit in with your country's policy?
5. Is mass incarceration sustainable in protecting prisoners, as seen with the decrease in homicide rates in El Salvador, or does it disproportionately impact communities that lead to further incarceration and discrimination?
6. Can there be any preventive measures to prevent a crime from occurring without making any assumptions? If so, how do these assumptions differ from what already exists?

Please note that you will not need to directly answer these questions in committee. These are just questions for you to consider as you focus your research and form your own solutions and policy suggestions.



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