



Edward Sweeney, CJM

# In Keeping Justice Accountable

**In the criminal justice system,** the ideals of “accountability,” “deterrence,” “retribution,” “security,” and “rehabilitation” are some of the primary components of the comprehensive systemic work. However, as crucial as these component ideals may be, it is important to remind ourselves that they are not principles. “Justice” is the principle that needs to be relied upon to consistently guide our criminal justice system’s decision-making and action. The individual contributing ideals, if not properly deliberated and prudently dispensed, can be at odds not only with one another, but more importantly at odds with the overarching principle of justice.

To paraphrase Ben Franklin, “the independent pursuit of such ideals, unlike the pursuit of justice, is neither self-justifying nor self-limiting.” We need something else to give context to the advancement and limitation of such ideals, to determine whether a particular measure is in keeping with the principle of justice. Confusing these significant contributing ideals with the principle of justice invites well-intending legislators or criminal justice practitioners to advance extreme, often parochial positions.

For example, high bails are often lauded as an effective method to further community “safety and security.” But how is this justice for those who cannot afford to pay the bail? Applying overly stringent, uniformly applied probation supervision rules and remanding people to serve lengthy jail time for technical violations may be supported by the ideals of “accountability and deterrence.” But is that justice? Or sentencing people to lengthy terms of confinement for self-destructive behavior as “retribution” for their crimes against society—is that justice?

The field of corrections is not exempt from similarly noble, but often misguided pursuits. Turning a blind eye to assaultive behavior against those charged with particular offenses could easily fit into the baskets of “deterrence”

or “retribution,” but not justice. Failing to consider a person’s mental health status when dispensing misconduct-related discipline may well be defended as instilling “accountability,” but can we call it justice? Who could argue that “security” is not enhanced if those in our custody are routinely confined in cells for 22 or 23 hours per day? But is this really justice?

Justice is parsimonious and imposingly sufficient, but not greater than necessary action to achieve a fully deliberated purpose. And lest we forget, the same measuring stick—the furtherance of justice—is also applicable to “rehabilitative” initiatives. Is it justice to use tax payer money to fund program initiatives that are commonly beyond the reach of law-abiding citizens? What about costly recreational programs or rehabilitative initiatives without proven outcomes and without individualized prescriptive assessments? Is it justice to continue the funding of these as well?

Like the often depicted scale of justice, balance is the effective control to guide our decision-making. As a point of emphasis I note that the symbol of justice is not a swinging pendulum, driven by public outcry, financial expedience, or political whim. As criminal justice practitioners we have a collective responsibility to promote a deliberate and balanced approach to the management

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CONTINUED ON PAGE 76

Cleaning is simple—all that is needed is soap and water. You can brush with a soft bristled brush and then let it air dry completely. If needed, a small amount of bleach or Simple Green Pro5 can be used without causing damage to the device. Avoid cleaning the WRAP with harsh soaps or chemicals. Also, there is a professional cleaning service available through the Safe Restraints website and a third-party provider. If your unit is heavily soiled, getting it professionally cleaned may be a better solution. However, for general cleaning, you can

do that on-site yourself, which is sufficient in most cases. The wear and tear on your device is minimum and I have spoken to agencies that have had WRAP devices for more than 10 years with no issues. This obviously effects your budget down the road when you don't need to worry about buying replacement parts or replacing your entire unit(s).

If you are looking for an alternative to restraint chairs or just looking to have another form of restraint device as an additional tool, I strongly suggest the WRAP by Safe Restraints. We have been using

ours for two years now. From high intensity training, to putting it through the paces to see if we even wanted to purchase the WRAP, to real world use within our facility, we are thrilled with the ease, effectiveness, versatility, and safety of the device.

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**Guest Editorial**

CONTINUED FROM PAGE 5

of the public criminal justice process. We have a responsibility to perpetually and carefully evaluate what we are doing or not doing and then make improvements in our respective operations.

Additionally, we have an obligation to engage other criminal justice system stakeholders when the scale of justice appears to be getting tipped out of balance by their actions or pursuits. As system leaders we should be talking about and examin-

ing the rationale behind many of our practices and the associated societal costs and benefits of those initiatives. This is not a criticism, but rather a truism derived from the understanding that the criminal justice system is a human network of influential decision-makers, thus continuous dynamic changes and adjustments are to be expected. It was a series of decisions made by well-intending persons over a series of decades that has led us to where we are today. And it will take courage and hard work by many criminal justice

practitioners to lead us into a new era, keeping the principle of "justice" at the forefront.

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