

JUSTICE?

In our society, justice is depicted as a woman wearing a blindfold and holding a set of balance scales. The scales are empty and they are even.

To me, the woman represents 12 people. They are the jury. Twelve people who are impartial and are screened and selected by a process involving both prosecution and defense. The scales are nothing more than hoppers into which evidence and testimony are placed, one for the defense and one for the prosecution. When it is all over, the jury determines if the prosecution hopper is full enough to totally raise the defense hopper or if they are more in line. If the prosecution hopper has not totally raised the defense hopper, then there is reasonable doubt as to guilt, and they should find the defendant not guilty. Actually, this process has a name which is a weighing close.

The reality is much different, though. IF the case goes to trial, then the defense hopper commences to get filled up immediately. It is filled with defendant rights. The prosecution hopper remains empty. The victim/victim's family has no rights. One little chink into the defendant hopper by the prosecutor, means there is no trial, and the defendant goes free. Another portion of this reality is that many cases terminate in plea agreements. I agree that for minor crimes, plea deals are an acceptable expedient. The problem comes into play with major crimes (i.e. murder). If the prosecutor is afraid that the strength of the evidence is so weak it would not possibly lead to conviction, then the case should not have even been brought to trial. The appearance is that the case is pled to pad the D.A.'s numbers. Even a "Nolo Contendere" is listed as a conviction. One of the primary, if not the primary consideration of the D.A. is maintaining public safety. That is not served when some who commit major violent crimes (again as example, murder) plea to and get less time than if they were convicted of assault and battery. This does not serve the public interest even if it allows the county to save time and money now they will pay for it later when the same felon is back on the streets. Obviously, if I can kill someone and get basically a slap on the wrist, I can do it again and get the same sentence. Back to free room, meals, medical care, college classes, etc.

I am of the opinion that citizens need to develop a group of court watchers, if you will. These folks should observe legal proceedings and report back to the community to allow the citizenry to be better informed and allow them to make better decisions at election time.

JUSTICE(?) IN BERKS

I am no philosopher. I'm not the sharpest tack in the box, nor am I the "World's Greatest Living Authority" on everything. What I am is an outsider whom has been caught up in the Berks County Justice System for almost the last two years. Granted that I had a vested interest in the proceedings, but questions have come to mind. Primarily, IS THERE JUSTICE IN BERKS COUNTY?

This is not an "axe grinding" towards the Reading Investigative team led by C.I. Shenk or of the ADA who handled the cases. I have the utmost of respect for these people and the overwhelming job which they have to perform. It is though, a questioning of departmental policy as appears to come from the DA's Office.

Three persons, all charged the same for the same incident. A life was callously taken, and what were the results? One goes to trial, verdict of guilty, the sentence is life in prison with no parole. One pleads out for 20-40 for his cooperation, which is accepted. The last pleads no contest, neither admitting nor denying guilt, the result is a plea deal of 10-20.

Why the disparity in three people charged with the same offenses. It is not that I mind the plea agreements, but even there the disparity is apparent. Although I have every confidence that the ADA could have successfully prosecuted the case against all three, it appears that the decision to accept both pleas was made at the highest level of the DA's Office. I was informed that the third person, although he helped plan, provided the gun and was a lookout while the crime took place, was a lesser player in the act. Well my take on the affair is this: If he had not been a party to the planning, maybe the crime might not have occurred. If he had not been at the scene he would most likely have been charged. And lastly, if he had not provided the gun, would my daughter still be alive? We maybe shouldn't play what ifs, but it is unavoidable.

The next question Mr. Adams is this: What is the appropriate sentence for killing someone in Berks County? Is taking a short plea as opposed to going to trial really in the public's best interest? Personally, I would have rather seen the case go to trial and an impartial jury allow the defendant to walk free than the 10-20 deal which I feel you instructed the ADA to take. How do you justify to us, the living victims of homicide, and a sentence for murder which according to the Reading Eagle is less than some get for aggravated assault or delivery of drugs? I know your job is tough, but as victims, do we have the right to have an input as to whether the deal is acceptable?

Is there real justice in Berks County?