

# Our Judicial System.

# Part III

## What's Right And Wrong With It.

By George A. Burns

"The Judicial fairness of our society depends upon the integrity of every single person in it. If there is a breakdown, then the system will not work."

Judge Addelmar Guy.

According to Clark County District Court Judge Addelmar Guy, our judicial system has its problems, as any, but it is, in his words, "the greatest, the fairest and the best in the world."

Judge Guy felt that one of the problems that must be focused on is the availability of attorneys to lower and middle income people. "They (lawyers) must understand that people who need them most simply can't afford their services. They've got to sacrifice, but by the same token, people must realize and not expect lawyers to work for nothing." Guy suggested a hypothetical situation whereby there were 10 attorneys each demonstrating a desire to handle 10 to 15 smaller cases (financially speaking) thereby serving approximately 150 people. "One attorney alone just can't do it. He'll go broke. But with better attorneys sharing some of the load, perhaps equality and justice in legal representation may be attained."

In regards to our society being too lenient on its criminals, Guy responded, "no." "Every prison, jail and rehabilitation center here in Nevada is overcrowded. Each new one that has been built was

because the prior one was overcrowded, and this isn't only the case in Nevada, but the country as well. I don't feel that we're too lenient in this regard."

On the controversial subject of Capital Punishment, Guy was in favor of it because, "it stops that man for sure!" "No I'm not suggesting that every man that kills another person should likewise receive the death penalty. Each case should be determined by individual circumstances and according to the extremity of the crime and the individual or individuals who committed the crime. I'm really Pro-Capital Punishment when a death is produced in the process of the commitment of a crime, or in first degree murder cases." In responding to it being a deterrent, the Judge agreed. "There are very few people who when questioned would rationally say that they'd still commit a criminal act, knowing that their life would be taken as a result of that crime."

Guy did agree that the system was geared toward the more affluent in our society. "You must understand that if a man can afford to retain an attorney, he has him anytime at his disposal and he must be available at all times. The more affluent (or rich) in our society have at their means, the necessary funds to pay for legal advice is not only foolish, but unrealistic as well. The fees of the successful legal whiz are higher simply because he's better. He's established a reputation among both

his fellow colleagues, his peers, and society as a whole. He just can't be afforded by a poor man, so in this reasoning, the richer man will stand more of an opportunity to be exonerated from an accusation."

Judge Guy distinguished why our society is somewhat softer on the rich and toward the crimes that they commit as opposed by crimes the poor commit. An example was highlighted: "If a robber, who may happen to be poor, (but then reasonably thinking, why should a rich man physically rob another person?) takes a gun and robs someone, the threat of taking a human life is there. What was the purpose of the gun? Was it only to scare his victim? Then why was it loaded? There's no question that when a robber produces a loaded gun, he has intentions of using it. The threat to human life is there. Now when a rich man is brought to trial for perhaps embezzling money from his company, then the jury will react differently to him because he has, in no way threatened or caused threat to another human life. Who's going to be sent to jail by those 12 men and women? The rich man, who has committed a crime just as dastardly and evil as the poor man, or will it be the poorer one who has brought home even closer to each juror's mind the possibilities that even they could be the next victim who's very life could be threatened or harmed by the robber? How many rich people commit armed robbery, and by contrast, how many poor people have the opportunity to bilk millions from their companies?"

"In that aspect," the Judge continues, "the criminal justice system has failed. The embezzler goes free, while the robber goes to jail. While the robber was more physical, the embezzler's crime is only on paper. In the juror's mind, those two crimes are totally different."

Guy felt that "basically," the system was fair. "While I don't feel that every man gets his just reward in the system, I feel that we've got the very best one that's to be offered."

As did Booker Evans a week ago, Guy reiterated that Blacks and minorities must become more involved in the system and learn more just how it works. "We must get involved in it and have a voice and play a major role in decision making positions in our criminal and judicial system."

Is it possible to get a fair shake in the system? "Yes," Guy responded, "but it all depends upon integrity. From policemen to prosecutor, jury and judge. I as a judge must rely upon the integrity of the arresting officer, the defense attorney, the prosecutor and each juror. Their integrity is essential. The judicial fairness depends upon integrity of every single person in it. If there is a breakdown, then the system will not work. If that system is intentionally violated, then that person violating it should be taken out of it. We have a long way to go, but we're getting there. The end-product of our judicial system must be justice, and that must be everyone's aim. Equal justice for all. With all the technicalities and problems that I see, I think its still the best system that exists!"

Next week, Our Judicial System is examined by Clark County District Attorney Robert Miller.

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north las vegas city councilman

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William Robinson will work for:

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- Responsiveness to youth and to senior citizens in North Las Vegas
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- Increased police protection in North Las Vegas

William Robinson

- Resident 18 years
- Wife, Estelle; children, Jacqueline and William Robinson II
- Chrm., Library, Park & Recreation Advisory Board
- Coached Pop Warner Football - 6 years
- Honorary Director, North Las Vegas Chamber of Commerce
- Progress Days and Christmas Parade
- State Gaming Policy Committee
- Who's Who - Outstanding Young Men of America
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