

Jonathan Couce

## A Comparative Analysis of the United States and Cuban Judicial System

As a Martin Luther King Scholar, I have been heavily invested in learning about social justice since starting my career at Ithaca College. My interest in the Prison Industrial Complex started when I started volunteering at the Prisoner Express Program at Cornell University. Through this program, I have sent educational materials, taught prisoners their civil rights, and participated in a journal-writing program. Many of the prisoners writing the journals expressed discontent with their court-appointed public defenders. These letters and my experience with the Prisoner Express Program prompted me to intern at a public defender's office because I was able to gain firsthand experience of what the prisoners wrote about.

During my time working at the public defender's office, I was able to see exactly how the public defender's offices work and how they defend their clients. I observed how much time they had to visit each a client and how much time they could work on a specific case, while also ensuring each client was given a fair amount of time. For example, I observed the interaction between a man accused of burglary. He did not speak much English. He tried to explain to the store employee with broken English that he was going was not trying to steal but that he had the money to pay. The store employee called the police and the customer was arrested. The misunderstanding was caught on camera. The public defenders at the office were swamped with more important cases, such as cases for poor white people, and did not prioritize his case. They made a plea deal with the prosecutor and he ended up serving some jail time.

I share this story because finding equality within a judicial system can be difficult. There are a number of factors and historical issues that prevent equality from becoming a reality. Inequality is a systemic problem within the United States because there are mechanisms in place to prevent public defenders from doing their job. While the accused in the United States are 'innocent until proven guilty,' far too many plea bargain. Plea bargaining constitutes an admission guilt, even if the accused is innocent. If the crime involves the felony, the client in a considerable amount of states will lose certain rights, such as the ability to vote. Because public defenders are paid low and have overwhelming caseloads, a considerable amount of qualified candidates have become professional negotiators in search of the most palatable sentence for their client.

My research consists of several approaches in order to produce an adequate case study on two separate countries. First, I conducted research on the history of the legal systems in the United States. My research examined and highlighted how the US system works to help people of a low socio-economic class obtain justice. Next I focused on how the current systems of both the US and Cuba match up with one another and cross-examined where each system sees success and where each system has flaws. Lastly, after conducting this analysis, I will offer recommendations to explore how each system can create more equality among its citizens.