

Linking it Together Assignment Week 5

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The Law of Corrections

The foundation of correctional law is rooted in the following four elements: constitutions, statutes, case law, and regulations. In America, each of these elements have played a significant role in helping to bring the correctional system to the level that it currently functions. On a federal and state level, constitutions function as the blueprint that the other three elements rest their foundations upon. Thus, it can be argued that without the constitution, the other elements would be non-existent.

The law of corrections is a complex system made up of various parts. On their own, they operate in a very interesting fashion. For instance, Title 42 U.S.C. Section 1983 is a federal statute that allows for individuals to sue anyone who has violated their civil rights. In addition, Title 28 U.S.C. Sections 2244-2255 govern the rules associated with habeas corpus, the statute that allows for convicted defendants to appeal for their immediate release from prison. While both statutes have their own unique purposes, again, they rely heavily upon the federal constitution.

Similarly, we rely upon case law from the Supreme Court that covers the geographical jurisdiction and its territories. For example, in *Brown v. Board of Education*, the court outlawed segregation in public schools. However, it could not have done so without the constitution. In closing, the four elements rooted in correctional law are the foundation of this complex system. Yet, of the four, the constitution is the one which all other elements depend on.