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Weekly Summary

This week's readings have dealt with diverse topics from using the state constitution to realize and implement civil liberties to use oral fluid, hear and sweat patch specimens in obtaining reliable and accurate drug tests. Other readings focused on how probation and parole agencies might improve their performance measurement system by making their policies and procedures recognized and the influence of the second amendment in coronavirus firearms restrictions.

Schuman (2011) argues that the states can utilize the state constitution to enhance and implement civil liberties. The author contends that the state's citizens can use their state constitution to converse and add more freedom to their rights than provided in the federal constitution. However, many people do not know this. The author emphasizes and provides an example using the Oregon State to indicate how the state constitution can be used to increased civil rights, which will not be interfered with the United States Constitution at the state level.

The author has presented the Oregon free speech law, which is applied in state constitution. Although the US constitution has limitations on free speech, the Oregon constitution is independent of the federal one. Thus under article 1, section 8 of this state constitution, states that there will be no law created limiting the free expression of ideas or constraining the right to talk, write and print spontaneously on the subject of their choice. However, each individual will be accountable for the manipulation of those rights. This example presented to the people is essential in ensuring that they know what can be done to realize on state constitution to implement their civil liberties. The freedom of speech presented in the Oregon State constitution has a significant difference from that provided in the federal constitution.

Another reading presented this week was from Samuel Kuhn. The reading focused on the coronavirus pandemic and the restrictions on gun usage. Kuhn (2020) argue that there was profound indecision as to the effect of coronavirus (COVID-19) pandemic on American individuals to be prolonged to the Second Amendment because limitations executed to avoid the spread of the novel coronavirus may increase to restraining firearm rights. Nevertheless, these restrictions may prevail more even after COVID-19 ends. Although the author has specified how individuals' rights are undermined during emergency responses such as the COVID-19, he has assessed emergency authorities' problems during the pandemic and the different methods utilized.

I feel the reading is essential in presenting the challenge that the courts and required stakeholders need to focus on, especially during catastrophes such as the coronavirus pandemic. The author states that the Second Amendment allows people to have the right to obtain and practice with firearms and bullets. However, the author argues that despite the governors of different states putting restrictions on non-essential business closure, more challenges emerged regarding whether Federal Firearms Licensees (FFLs) were considered an essential or non-essential business. However, it was argued that if the FFLs were deemed to be non-essential, then they were supposed to be closed just like other non-essential business.

The author also focused on the standards of regulating the Second Amendment using the Jacobson and Heller standards. The Jacobson standard emphasized that a statute contending to be passed to safeguard the public health, morals, or safety must produce vital constitutionally protected rights. The statute has an actual relationship with general ends or if it is overall questions intended to attack individuals' rights protected by the law. On the other hand, the

author also described the Heller standard because it is based on the critical Second Amendment right: the right to own a handgun for self-defense reasons.

Paparozzi & Demichele (2008) reviewed the reason behind probation together with parole agencies working beyond measure, misinterpreted, and are not appreciated appropriately. The authors have argued that parole and probation agencies need to focus their policies under pragmatic research results and theories that will improve public safety and justice to the management information scheme because most of these agencies do not do that. Also, the increased judgment from politicians and the general public about the service done is overwhelming compared to how other organizations that deal with improving public safety and ensuring justice is served for all are judged. Furthermore, the authors have added that how the probation and parole agencies are funded is challenging, which then interferes with their service provision, raising questions to relevant shareholders and other proficiencies.

The information presented by the authors concerning probation and parole agency services has interested me the most because it provides some insights concerning their job. Although the agency has started implementing the performance measurement, there are more substantial challenges regarding which activity measured. For instance, the performance measurement system implemented has concentrated on measuring the events essential to the agency rather than that vital to the public. Furthermore, this information is critical to the agency improving their standards by measuring events that yield substantial results. The people, politicians, and other stakeholders are concerned with the results. Therefore, the authors have recommended initiatives such as CompStat to ensure professional development that necessitates the creation of disciplinary policies that have identifications required to access, comprehend and use study and concepts to strategies and practices in the agencies. However, the authors argue

that if the probation and parole agencies do not implement strategies and ideologies that can help deliver and measure substantial outcomes, then they will remain to be seen as undirected in their drive.

Bush (2008) has presented the United States required workplace drug testing rules and the present and future considerations in the readings. He argues that drug testing procedures using specimens such as hair, sweat patch, and oral fluid will balance urine drug testing. Also, it helps in dealing with the challenges from people and companies that are dedicated to altering drug testing using means such as replacement, contamination, and dilution. The utilization of these specimens will be opposite to the present one and deliver the results regarding illegal drug usage.

The information is impressive, especially the significance of its reliability and accuracy of the results. For instance, the author has emphasized that the hair specimen can spot chronic drug usage within ninety days hence useful in pre-employment circumstances. Similarly, the oral fluid specimen can perceive drug utilization in recent hours, thus essential for post-accident states. At the same time, sweat patch test will be crucial follow-up drug tests as well as therapeutic plans. The author also noted that the future of workplace drug testing should aim to obtain actual results that are not affected in any way. Therefore Instrumental Initial Test Facilities (ITFs) and Proposed Initial Testing (POCT) can easily recognize the pre-employment specimen, which is harmful to drugs, proving the result is useful.

This week's reading contains some insight into improving functions in different departments. For example, the first reading has focused on enhancing civil liberties using the state constitution; the second reading has concentrated on how the second amendment influences covid-19 restrictions on firearms. Similarly, the third reading has focused on improving

probation and parole agencies using their policies and practices. In contrast, the last reading is based on the United States rules for workplace drug testing and the use of specimens that will yield accurate and reliable results.

References

- Bush, D. M. (2008). The US mandatory guidelines for federal workplace drug testing programs: current status and future considerations. *Forensic science international*, 174(2-3), 111-119.
- Kuhn, S. A. (2020). COVID-19 Emergency Restrictions on Firearms. *The Journal of Law, Medicine & Ethics*, 48(4_suppl), 119-125.
- Paparozzi, M., & DeMichele, M. (2008). Probation and Parole: Overworked, Misunderstood, and Under-Appreciated: But Why?. *The Howard Journal of Criminal Justice*, 47(3), 275-296.
- Schuman, D. (2011). Using State Constitutions to Find and Enforce Civil Liberties. *Lewis & Clark L. Rev.*, 15, 783.

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