

Prosecution

- Role & Function: have the task of deciding which cases to pursue and which charges to file→ prosecutorial discretion
 - State laws do not limit or guide their decisions.
 - Ultimately their job is to ensure justice is being delivered and crime is kept off the streets.
- Objectives:
 - Prosecution has the burden of proving beyond a reasonable doubt that the defendant is guilty.
 - Innocent until proven guilty

Prosecution Function

**United States. Congress. Senate.
Committee on Finance Subcommittee
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The German Prosecution Service Shawn Marie Boyne, 2013-11-19 Acclaimed as the the most objective prosecutors in the world the German prosecution service has long attracted the attention in the past of comparative law scholars At first glance the institutional position and statutory mandate of German prosecutors indicate that that reputation is well deserved Unfortunately the introduction of charge bargaining has opened the door to criticism that German prosecutors have abandoned their role of objective decision makers Using interview data collected from interviews with German prosecutors themselves as well as quantitative data the book uses the actual voices of German prosecutors to show how real world constraints rather than changes in the law undermine the ability of German prosecutors to objectively seek the truth The book will take readers behind closed doors where prosecutors discuss case decisions and unveil the realities of practice As a result it will critically revise previous studies of German prosecution practices and offer readers a well researched ethnographic analysis of actual German decision making practices and the culture of the prosecution service Unlike prosecutors in America s adversarial system whom critics claim are driven by a conviction mentality and gamesmanship German prosecutors are institutionally positioned to function as at least semi judicial officials dedicated to finding a case s objective truth The book argues that organizational incentives and norms rather than the boundaries of the law determinately shapes how prosecutors investigate and prosecute crime in Germany

Reform and Development of Powers and Functions of China's Criminal Proceedings Weidong Chen, 2020-10-15 This book addresses the basic theory of criminal procedure in China together with recent reforms Balancing the powers of public security and judicial organs with the rights of individual citizens it assesses the nature of Chinese criminal proceedings In the basic theoretical research section the author drawing on the latest findings from the legal community systematically and comprehensively presents the current trends main research topics and the main problems that should be explored in future research into criminal procedure law in China further the author explains the basic thinking behind the revision of criminal procedure law and the allocation of judicial resources in criminal procedure and criminal justice The policy basic theory and operation problems of judicial power procuratorial power police power defense power and judicial reform are subsequently explained and evaluated The general writing style used is intentionally straightforward making the book easily accessible for the readers Based on the author s substantial working experience in the area of criminal law it offers a highly intuitive reading experience

The Changing Role of the American Prosecutor John Worrall, M. Elaine Nugent-Borakove, 2014-03-14 Leading prosecution researchers throughout the United States are brought together in this book to illuminate the new environment of prosecution in America the prosecution of troubling and emerging crime problems prosecutorial problem solving and community prosecution and the future of prosecution in the twenty first century The contributors explore how American prosecutors are moving away from a traditional reactive approach to the crime problem and instead how they are developing creative problem solving strategies

for dealing with crime and disorder The Community Supervision and Services Act United States. Congress. Senate. Judiciary,1973 The Community Supervision and Services Act United States. Congress. Senate. Committee on the Judiciary. Subcommittee on National Penitentiaries,1973 **Plea Bargaining - Third Edition** G. Nicholas Herman,2012-02-01 Plea Bargaining the only comprehensive fully up to date reference on the subject teaches you how to negotiate the best deal It discusses the nature types and goals of plea bargaining and treats in detail a wide variety of styles and strategies Attorneys on both sides of the aisle know that effective plea bargaining is both an art and a science You ll find extensive analysis of plea bargaining in the federal courts the process of negotiating with the U S Attorney under the U S Sentencing Guidelines as well as the plea policies of the Department of Justice contained in the United States Attorney s Manual and the Principles of Federal Prosecution Other pertinent standards and rules such as the ABA Standards for Criminal Justice National District Attorneys Association Prosecution Standards and the ABA Model Rules of Professional Conduct are also discussed **Prosecution Reform** United States. Advisory Commission on Intergovernmental Relations,1971 Oversight of IRS and Justice Department prosecution of several tax cases United States. Congress. Senate. Committee on Finance Subcommittee on Oversight of the Internal Revenue Service,1987 **The Voluntary Sector, the State and the Law** Alison Dunn,2000-02-02 Dunn law U of Newcastle upon Tyne UK presents 16 chapters survey the legal questions of activities of the British voluntary sector non profit and non governmental organizations Specific topics include legal structure and governance accountability to government and service users regulation and privatization partnerships with central and local governments taxation of trading activities volunteer behavior and regulation political independence and control and conflicts of interest Distributed by ISBS Annotation copyrighted by Book News Inc Portland OR **Arbitrary Justice** Angela J. Davis,2007-04-12 What happens when public prosecutors the most powerful officials in the criminal justice system seek convictions instead of justice Why are cases involving well to do victims often prosecuted more vigorously than those involving poor victims Why do wealthy defendants frequently enjoy more lenient plea bargains than the disadvantaged In this eye opening work Angela J Davis shines a much needed light on the power of American prosecutors revealing how the day to day practice of even the most well intentioned prosecutors can result in unequal treatment of defendants and victims Ranging from mandatory minimum sentencing laws that enhance prosecutorial control over the outcome of cases to the increasing politicization of the office Davis uses powerful stories of individuals caught in the system to demonstrate how the perfectly legal exercise of prosecutorial discretion can result in gross inequities in criminal justice For the paperback edition Davis provides a new Afterword which covers such recent incidents of prosecutorial abuse as the Jena Six case the Duke lacrosse case the Department of Justice firings and more

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