

# Plea Bargaining: The Experiences of Prosecutors, Judges and Defence Attorneys

Heumann, Milton

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# Plea Bargaining The Experiences Of Prosecutors Judges And Defense Attorneys

**Edward Maguire, David Duffee**



## **Plea Bargaining The Experiences Of Prosecutors Judges And Defense Attorneys:**

**Plea Bargaining** Milton Heumann, 2020-05-30 That relatively few criminal cases in this country are resolved by full Perry Mason style trials is fairly common knowledge. Most cases are settled by a guilty plea after some form of negotiation over the charge or sentence. But why? The standard explanation is case pressure: the enormous volume of criminal cases to be processed with limited staff, time, and resources. But a large body of new empirical research now demands that we re-examine plea negotiation. Milton Heumann's book *Plea Bargaining* strongly and explicitly attacks the case pressure argument and suggests an alternative explanation for plea bargaining based on the adaptation of attorneys and judges to the local criminal court. The book is a significant and welcome addition to the literature. Heumann's investigation of case pressure and plea negotiation demonstrates solid research and careful analysis. *Michigan Law Review*     Adapting to Plea Bargaining Milton Heumann, 1976     Qualitative Approaches to Criminal Justice Mark Pogrebin, 2003 The growth in popularity of qualitative research in the social sciences over the last two decades has been nothing short of amazing. *Qualitative Approaches to Criminal Justice: Perspectives from the Field* reveals some of the reasons for the success and stature of this unique methodological approach. Exploring the real life experiences of criminal justice professionals, this anthology is the first book to focus solely on the use of qualitative research in various components of the criminal justice system. The collection is organized from two criminal justice perspectives: one qualitatively oriented and the other system oriented, including overviews of each qualitative method and commentaries that analyze the research techniques. Case studies illustrating actual fieldwork practices bring theory vividly to life. *Qualitative Approaches to Criminal Justice: Perspectives from the Field* is multifaceted in both its content and application. Through its investigative techniques, which rely mainly on observations, participant observation, and open-ended interviews, qualitative research reveals parts of the social world that remain hidden to more traditional methodological techniques. Recommended as a companion to an administration of criminal justice course as well as courses in qualitative research in criminal justice. Also recommended as a supplemental text for any research methods course in a criminal justice degree program including sociology, political science, and legal studies.     **The Oxford Handbook of Prosecutors and Prosecution** Ronald F. Wright, Kay L. Levine, Russell M. Gold, 2021 This book brings together the work of legal scholars, sociologists, criminologists, political scientists, and law reformers to better understand a pivotal actor in the criminal legal systems all around the world: the prosecutor. Scholarship focusing on prosecutors in particular has begun to emerge as its own sub-discipline within criminal law, and this book surveys the many different strands of that work, underscoring the diversity among prosecutors around the world. The chapters reveal the ordinary conduct of the prosecutor at various stages of criminal proceedings, the various interactions of prosecutors with local communities and other governmental actors, and the distinctive habits and concerns that arise for prosecutors in specialized settings such as juvenile justice and immigration.     **Free Market Criminal Justice** Darryl K. Brown, 2016 *Free Market Criminal Justice* explains

how faith in democratic politics and free markets has undermined the rule of law in US criminal process It argues that to strengthen the rule of law US criminal justice needs less democracy fewer market mechanisms and more law      **Handbook on Punishment Decisions** Jeffery T. Ulmer,Mindy S. Bradley,2017-10-16 Handbook on Punishment Decisions Locations of Disparity provides a comprehensive assessment of the current knowledge on sites of disparity in punishment decision making This collection of essays and reports of original research defines disparity broadly to include the intersection of race ethnicity gender age citizenship immigration status and socioeconomic status and it examines dimensions such as how pretrial or guilty plea processes shape exposure to punishment how different types of sentencing decisions and or policy structures sentencing guidelines mandatory minimums risk assessment tools might shape and condition disparity and how post sentencing decisions involving probation and parole contribute to inequalities The sixteen contributions pull together what we know and what we don t about punishment decision making and plow new ground for further advances in the field The ASC Division on Corrections Sentencing Handbook Series publishes volumes on topics ranging from violence risk assessment to specialty courts for drug users veterans or people with mental illness Each thematic volume focuses on a single topical issue that intersects with corrections and sentencing research      **The Machinery of Criminal Justice** Stephanos Bibas,2012-02-28 Two centuries ago American criminal justice was run primarily by laymen Jury trials passed moral judgment on crimes vindicated victims and innocent defendants and denounced the guilty But since then lawyers have gradually taken over the process silencing victims and defendants and in many cases substituting plea bargaining for the voice of the jury The public sees little of how this assembly line justice works and victims and defendants have largely lost their day in court As a result victims rarely hear defendants express remorse and apologize and defendants rarely receive forgiveness This lawyerized machinery has purchased efficient speedy processing of many cases at the price of sacrificing softer values such as reforming defendants and healing wounded victims and relationships In other words the U S legal system has bought quantity at the price of quality without recognizing either the trade off or the great gulf separating lawyers and laymen s incentives values and powers In *The Machinery of Criminal Justice* author Stephanos Bibas surveys the developments over the last two centuries considers what we have lost in our quest for efficient punishment and suggests ways to include victims defendants and the public once again Ideas range from requiring convicts to work or serve in the military to moving power from prosecutors to restorative sentencing juries Bibas argues that doing so might cost more but it would better serve criminal procedure s interests in denouncing crime vindicating victims reforming wrongdoers and healing the relationships torn by crime      *Justice, Crime, and Ethics* Michael C. Braswell,Belinda R. McCarthy,Bernard J. McCarthy,2017-01-20 *Justice Crime and Ethics* a leading textbook in criminal justice programs examines ethical dilemmas pertaining to the administration of criminal justice and professional activities in the field This ninth edition continues to deliver a broad scope of topics focusing on law enforcement legal practice sentencing corrections research crime control

policy and philosophical issues The book's robust coverage encompasses contentious issues such as capital punishment prison corruption and the use of deception in police interrogation The ninth edition includes new material on juvenile justice corporate crime and prosecutorial misconduct The Policy and Ethics feature and new Ethical Dilemma feature added to most chapters illuminate the ethics of institutions as well as individuals Students of criminal justice as well as instructors and professionals in the field continue to rely on this thorough dependable resource on ethical decision making in the criminal justice system

**The Pioneers of Judicial Behavior** Nancy L. Maveety, 2009-11-16 Examines the contributions of the pioneers of research into judicial behavior

**Prosecution and Courts: Oxford Bibliographies Online Research Guide** Brian Forst, 2010-05 This ebook is a selective guide designed to help scholars and students of criminology find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books chapters and journal articles to online archives electronic data sets and blogs Written by a leading international authority on the subject the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated related A reader will discover for instance the most reliable introductions and overviews to the topic and the most important publications on various areas of scholarly interest within this topic In criminology as in other disciplines researchers at all levels are drowning in potentially useful scholarly information and this guide has been created as a tool for cutting through that material to find the exact source you need This ebook is a static version of an article from Oxford Bibliographies Online Criminology a dynamic continuously updated online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study and practice of criminology Oxford Bibliographies Online covers most subject disciplines within the social science and humanities for more information visit [www.aboutobo.com](http://www.aboutobo.com)

**Yale Law Journal: Volume 123, Number 7 - May 2014** Yale Law Journal, 2014-05-15 The May 2014 issue of The Yale Law Journal features new articles and essays on law and legal theory by internationally recognized scholars Contents include Article Illegitimate Borders Jus Sanguinis Citizenship and the Legal Construction of Family Race and Nation by Kristin Collins Article Legitimacy and Federal Criminal Enforcement Power by Lauren M. Ouziel Feature The Age of Consent by Philip C. Bobbitt Review Judging Justice on Appeal by Marin K. Levy Note The Growth of Litigation Finance in DOJ Whistleblower Suits Implications and Recommendations by Mathew Andrews Note Reducing Inequality on the Cheap When Legal Rule Design Should Incorporate Equity as Well as Efficiency by Zachary Liscow Note Domestic Violence Asylum After Matter of L. R. by Jessica Marsden Comment Beating Blackwater Using Domestic Legislation to Enforce the International Code of Conduct for Private Military Companies by Reema Shah This quality ebook edition features linked notes active Contents active URLs in notes and proper Bluebook formatting This May 2014 issue is Volume 123 Number 7

**Routine Justice** Marcia J. Lipetz, *Popular Punishment* Jesper Ryberg, Julian V. Roberts, 2014-05-15 Should public opinion determine or even influence sentencing policy

and practice Should the punishment of criminal offenders reflect what the public regards as appropriate These deceptively simple questions conceal complex theoretical and methodological challenges to the administration of punishment In the West politicians have often answered these questions in the affirmative penal reforms have been justified with direct reference to the attitudes of the public This is why the contention that politicians should bridge the gap between the public and criminal justice practice has widespread resonance Criminal law scholars for their part have often been more reluctant to accept public input in penal practice and some have even held that the idea of consulting public opinion constitutes a populist approach to punishment The purpose of this book is to examine the moral significance of public opinion for penal theory and practice For the first time in a single volume the editors Jesper Ryberg and Julian V Roberts have assembled a number of respected criminologists philosophers and legal theorists to address the various aspects of why and how public opinion should be reflected in the way the criminal justice system deals with criminals The chapters address the myriad complexities surrounding this issue by first weighing the justifications for incorporating public views into punishment practices and then considering the various ways this might be achieved through juries prosecutors restorative justice programs and other means

**Exploring Criminal Justice** Robert M. Regoli, John D. Hewitt, 2007-12-28 Hailed as the most engaging and accessible introductory text available Exploring Criminal Justice provides a clear complete and credible introduction to the U S criminal justice system Using an easy to follow attention grabbing writing style this text explains the overarching processes and purposes of the criminal justice system The functions of each component police courts corrections and the relationships between them are described in detail while rich and captivating pedagogy encourages students to think about how each component affects their daily lives This thoroughly up to date text provides contemporary data case studies and references for all topics Exploring Criminal Justice devotes an entire chapter to the emerging crimes of terrorism and cybercrime and the role these controversial topics play in the modern criminal justice system Special attention is also given to juvenile offenders and issues relating to women and minorities In addition this text provides thorough integration of criminological theory and policy as it presents both historical context and current features of the U S criminal justice system **The**

**Special Prosecutor in American Politics** Katy Jean Harriger, 2000 The federal special prosecutor unprincipled abuser of power or staunch defender of the law As Katy Harriger shows the special prosecutor was a hotly debated and controversial subject throughout much of its existence This was especially true she argues during the lengthy expensive and highly politicized investigations of Lawrence Walsh and Kenneth Starr into allegations concerning Presidents Ronald Reagan and Bill Clinton Harriger offers the most complete assessment available of the use of special prosecutors in the post Watergate era She analyzes the independent counsel s role within the framework of the separation of powers explaining how each has interacted with other key players in the political and legal system and showing how those relationships have affected the prosecutor s ability to conduct investigations Harriger s previous edition focused on the legacy of Watergate but was

published before Walsh's Iran Contra investigations were concluded Her new study adds substantially more information on Iran Contra provides a clearheaded appraisal of Starr's sensationalized Whitewater Lewinsky investigations examines a number of senior level cabinet probes and critiques and clarifies the role of Attorney General Janet Reno in these latter matters A completely new chapter compares Iran Contra and Whitewater Lewinsky to explore the limits of the law in the special prosecutor's efforts In this new edition Harriger includes 20 new interviews with Washington insiders including one with Kenneth Starr and covers the debates that led to both the reauthorization of the independent counsel statute in 1994 and its demise in 1999 She then examines the pros and cons of the office and offers constructive suggestions for improvement should it be revived For students scholars and concerned citizens her book takes us well beyond frenzied media hype and partisan politics to provide a timely reminder about the crucial role of separation of powers in our system of governance

**Criminal Courts** Aaron Kupchik, 2019-01-15 The social organization of criminal courts is the theme of this collection of articles The volume provides contributions to three levels of social organization in criminal courts 1 the macro level involving external economic political and social forces Joachim J Savelsberg Raymond Michalowski Mary E Vogel John Hagan and Ron Levi 2 the meso level consisting of formal structures informal cultural norms and supporting agencies in an interlocking organizational network Malcolm M Feeley Lawrence Mohr Jo Dixon Jeffrey T Ulmer and John H Kramer and 3 the micro level consisting of interactional orders that emerge from the social discourses and categorizations in multiple layers of bargaining and negotiation processes Lisa Frohmann Aaron Kupchik Michael McConville and Chester Mirsky Bankole A Cole An editorial introduction ties these levels together relating them to a Weberian sociology of law

**Federal Probation**, 2001

**Criminal Justice Theory** Edward Maguire, David Duffee, 2015-02-11 Criminal Justice Theory Second Edition is the first and only text edited by U S criminal justice educators on the theoretical foundations of criminal justice not criminological theory This new edition includes entirely new chapters as well as revisions to all others with an eye to accessibility and coherence for upper division undergraduate and beginning graduate students in the field

*Criminal Justice Theory*, **Rethinking Miscarriages of Justice** M. Naughton, 2007-09-05 Drawing on Foucauldian theory and social harm paradigms Naughton offers a radical redefinition of miscarriages of justice from a critical perspective This book uncovers the limits of the entire criminal justice process and challenges the dominant perception that miscarriages of justice are rare and exceptional cases of wrongful imprisonment

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