

Topic: Understanding The Criminal Justice System

In our American society, the criminal justice system ensures the safety and order of our communities. The system is complex. In this article, I aim to shed light on the workings of the US criminal justice system, particularly at the local level.

Investigation and Arrest:

The process of the criminal justice system often begins with law enforcement agencies such as the Police and Sheriff's departments. These agencies are tasked with investigating crimes and determining whether there is probable cause to arrest or cite individuals suspected of committing offenses. Their diligent efforts serve as the initial step in the pursuit of justice.

Prosecution:

Once law enforcement agencies recommend charges against an individual, the case moves to the prosecuting attorney. The prosecutor carefully reviews the evidence gathered by law enforcement, seeking to establish a foundation of proof beyond a reasonable doubt to support each criminal charge. The prosecutor plays a pivotal role in shaping the trajectory of the case, advocating for justice on behalf of the community.

Judicial Oversight and Sentencing:

After charges are filed, the judge assumes a critical role in administering justice. While the prosecutor and defense attorney may recommend sentences, it is ultimately the judge who imposes them. In recent years, there has been a notable trend toward the utilization of plea agreements as a means of resolving criminal matters. These agreements, whether binding or non-binding, offer a pathway for expedited resolution while ensuring fairness and due process.

Plea Agreements:

Plea agreements provide a mechanism for resolving cases efficiently. In these agreements, the prosecution and defense negotiate the terms of a plea, often including the admission of guilt by the defendant in exchange for a certain sentence or charge reduction. While binding plea agreements afford the judge the option to accept or reject the proposed sentence, non-binding agreements offer flexibility for further negotiation.

The Decline of Trials:

Recent research conducted by the Pew Foundation highlights a significant decline in the number of trials across America. For instance, only 2% of federal criminal defendants went to trial in 2018, with the overwhelming majority (90%) opting for guilty pleas instead. This decline in trial rates has been observed across various offense types, indicating a broader trend within the criminal justice system.

The actual number of defendants who went to trial plummeted from 4,710 in 1998 to 1,879 in 2018, even though the overall number of defendants in federal cases increased substantially during that span. Although state and local courts are harder to track, the downward trend in the number of jury trials is the same or even greater.