

Plea bargaining



**ASSIGN
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PLEA BARGAINING Plea bargaining can be defined ,“ as an agreement between a prosecutor and a defendant whereby the defendant is allowed to plead guilty to a lesser charge rather than risk conviction for a graver crime in order to avoid a protracted trial or to win the defendant's cooperation as a witness”. Defining plea bargaining can help understand what plea bargaining is. Plea bargaining can help an individual and hurt an individual. Many may argue the fact of whether plea bargaining is beneficial. The judicial system works to serve justice to those who deserve it. Sometimes evidence, prior history, wealth and family can lure someone in power to change the way they may feel about prosecution others. The prosecuting attorney is the one who would decide whether a plea bargain is suitable. This should not be the case. A prosecuting attorney can decide to let someone whom is convicted to accept a plea bargain. Sometimes the plea bargain is given to the wrong person. Plea bargaining should be abolished under certain circumstances. Crimes that are a felony offense should not be able to accept a plea bargain. If the charge is damaging enough to qualify as a felony, the charge should not be able to be lessened. Those who are guilty of a certain crime should be held responsible for the crime committed. To give an example of why plea bargaining should be abolished in some cases is important. If a man in convicted of a felony rape charge, the charge can put the man in jail. In jail he will be forced to serve time for a crime that he committed. While in jail, he can no longer hurt anyone else. If the man is offered a plea bargain and this plea bargain will keep him out of jail, he will be free to be out on the streets again. In this case, he may commit another crime. This can allow taking another victim. It is easy to see how this could have been avoided. On the other hand, there is a good side to offering a plea bargain. In some

cases, the person convicted may be actually innocent. It may be hard to prove the innocence and the only hope for the one convicted is a plea bargain. Recently, a man was accused of shooting and killing another man. (Bigham2010)The man accused, if found guilty, would receive a life time in jail. Because of a plea bargain, the man had received a four year sentence. This is possible because of lack of enough evidence if the case would go through a lengthy trial. If the man is really innocent, he only has to waste four years of his life and not his whole life. It is obvious that plea bargaining can be either a good thing or a bad thing. It really is dependent on the prosecuting attorney. The prosecuting attorney needs to be good at his or her job. It is important for the prosecuting attorney to take in consideration the case and whether or not a plea bargain is going to be beneficial. It is also safe to say that plea bargaining should be abolished in some cases. Many countries do not even allow plea bargaining and require all cases to go straight to trial. WORKS CITED Bigham, Will. " Man Facing Life in Murder Case Gets Four Years in Plea Bargain - Inland Empire Courts." Los Angeles Newspaper Group. 16 June 2010. Web. 07 Feb. 2011. . " Plea Bargaining | Define Plea Bargaining at Dictionary. com." Dictionary. com | Find the Meanings and Definitions of Words at Dictionary. com. Web. 07 Feb. 2011. .