

Stages of a criminal trial

Law



Stages of a Criminal Trial The American legal system has a number of interlocking stages that form a comprehensive judicial process. This essay examines each of these stages and considers any potential challenges. These stages are also considered in terms of how they were reflected in the seminal O. J. Simpson murder trial.

The first stage of the criminal trial is the arrest. The arrest occurs as the state believes it has significant evidence indicating that the defendant committed a crime. An arrest warrant is issued, the accused is read their rights, and they are then taken into custody ("Criminal law stages," 2011). Depending on the severity of the crime, after the booking procedure the defendant is either held in custody or released before trial. During the O. J. Simpson criminal proceedings there was a period before Simpson's initial arrest, as the case's high media profile resulted in increased legal scrutiny. Eventually Simpson was allowed to turn himself in, before which he started a bronco chase throughout Los Angeles. The O. J. Simpson trial was a serious case and resulted in grand jury proceedings. The grand jury is a special collection of jury members that meet and decide whether the government should issue a grand jury indictment. In the O. J. Simpson trial the grand jury met and decided to issue an indictment against O. J. Simpson for double murder.

The next stage of the criminal trial is the arraignment proceedings. During the arraignment proceedings the defendant pleads guilty, not guilty, or no contest ("Criminal law stages," 2011). At O. J. Simpson's arraignment proceeding he pleaded not guilty. During the arraignment proceedings the court also sets bail. Bail allows the defendant to go free before the criminal proceedings in exchange for a cash deposit. During the O. J. Simpson trial <https://assignbuster.com/stages-of-a-criminal-trial-essay-samples/>

bail was denied by the court system because of the severity of the crime. Notably, many criminal cases are resolved during the arraignment proceedings, as the criminal defendant reaches a plea arrangement with the prosecution. Following the arraignment proceedings, are the pre-trial motions. The pre-trial motions occur without jury observation and function to establish what evidence and testimony will be admissible during the trial ("Criminal law stages," 2011). During the O. J. Simpson pre-trial hearings, in addition to issues of admissibility, the trial was moved from Santa Monica to Downtown Los Angeles.

Following these stages, the criminal proceedings move to the main trial stage. This stage is the heart of the criminal case and involves the prosecution calling witnesses and then allowing the defense to cross-examine them. The defense then is able to present their case. The trial is bookended by opening and closing statements. Following the trial the jury or judge decides on the defendant's guilt. The trial can be challenging as there is the potential for a mistrial if the jury is shown inadmissible evidence. In addition, a hung jury can result in a retrial. In the O. J. Simpson case, however, neither of these occurred, as the jury declared Simpson not guilty. Ultimately, these are the major stages of a criminal trial. As they are reflected in the O. J. Simpson trial, they reflect a not guilty verdict. In instances where the defendant is declared guilty, these stages are followed by the sentencing and appeal stages.

References

Criminal law stages of a criminal case. (2011). Retrieved from <http://www.justia.com/criminal/docs/stages-of-a-criminal-case.html>

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