

Introduction to Law
Chapter 13 Notes
“Criminal Justice Process”

Name:
Date:

Proceedings Before the Trial

- after an _____, the accused is taken to the police station for _____, or the formal process of the police making a record of the arrest
- after the accused has been booked, they will appear before a _____, who will explain their _____ and the exact nature of the _____ against them
- in a _____ case, the defendant is asked for a plea of _____ or not _____, but in a _____ case that would not take place until the _____, which is a court session at which a defendant is _____ and enters a _____

Bail and Pretrial Release

- bail =>

- only a _____ of the amount is typically needed and a _____ company may pay the amount if the accused does not have it

- personal recognizance =>

- nature and circumstances of the _____, _____ and _____ ties, _____ resources, _____ background, and prior _____ are all considered

- there are two sides to the argument regarding bail:

1.

2.

Preliminary Hearing

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Grand Jury

- a group of _____ individuals chosen from the community to determine whether there is _____ to believe that a person has committed a crime and should be forced to stand trial

- the _____ Amendment requires before anyone can be tried for a serious crime in a federal court, there must be a grand jury _____ =>

- approximately 20 states regularly use grand juries instead of preliminary hearings and some states use both

Pretrial Motions

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Common Pretrial Motions:

1. *Motion for discovery of evidence* –

2. *Motion for a continuance* –

3. *Motion for a change of venue* –

4. *Motion to suppress evidence* –

Plea Bargaining

- most criminal cases never actually go to _____; actually most defendants plead _____ before going to trial

- in a major case, the guilty plea is the result of a process of _____ among the _____, the _____, and the _____

- certain _____ would be agreed upon in exchange for the _____

- a plea bargain allows the government to avoid the _____ and _____ of a public trial and guarantees a _____ and typically results in a lighter sentence for the defendant

Arguments:

1. allow dangerous criminals to get off with _____

2. government should be forced to prove guilt _____

3. _____ argue their _____ are completely overlooked in the plea bargaining process

