





AJS260 Procedural Law

Fall 2021, Section #21FA4859

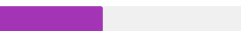

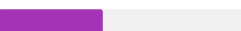

MSLO #10: Examine plea bargaining and summarize the arguments for and against its use.

19 test items with an average score of 89.56% correct responses

Match the term with the type of inducement.

Prompts	Answers	Percentage answered correctly
1. Prosecutorial inducement	Offers made by the prosecution to the defendant.	100% 
2. Ad hoc plea bargaining	A term used to describe some of the strange concessions that defendants agree to make as part of prosecutors' decisions to secure guilty pleas.	100% 
3. Statutory inducement	Statutes that offer incentives for pleading guilty.	100% 
4. Judicial inducement	When a judge offers something to the defendant in exchange for a guilty plea.	100% 

Match the statement with whether it is an argument for plea bargaining or whether it is against plea bargaining.

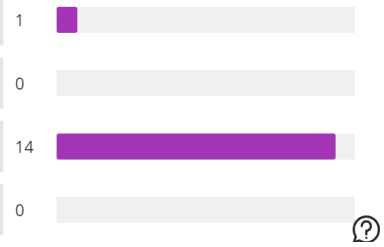
Prompts	Answers	Percentage answered correctly
1. Helps the prosecutor dispose of a busy case load	Arguments for plea bargaining.	42.86% 
2. Undermines the integrity of the justice system	Arguments against plea bargaining.	71.43% 
3. Saves on judicial resources by avoiding costs of going to trial	Arguments for plea bargaining.	42.86% 
4. Allows the criminal to get away with his or her crime	Arguments against plea bargaining.	64.29% 

Which of the following is NOT an argument in support of plea bargaining?

Choose at least one correct answer

- (A) Allows defense to dispose of cases quickly
- (B) Saves judicial resources
- (C) Allows the prosecution to "overcharge" *Correct answer*
- (D) Allows prosecution to deal with case backlog

Number of student responses

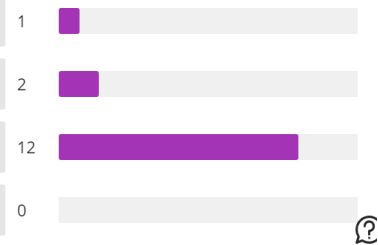


Which of the following is NOT an argument against plea bargaining?

Choose at least one correct answer

- (A) Most defendants plead guilty anyway
- (B) Gives too much discretion to prosecutors
- (C) Saves judicial resources *Correct answer*
- (D) Undermines the integrity of the judicial system

Number of student responses

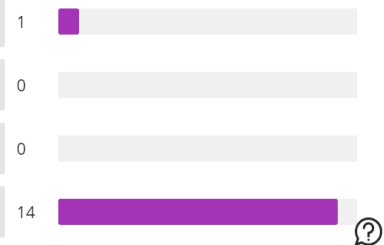


Which of the following is a criticism of plea bargaining?

Choose at least one correct answer

- (A) Undermines the integrity of the judicial system
- (B) Gives too much discretion to prosecutors
- (C) Most defendants plead guilty anyway
- (D) All of the above are criticisms of plea bargaining. *Correct answer*

Number of student responses

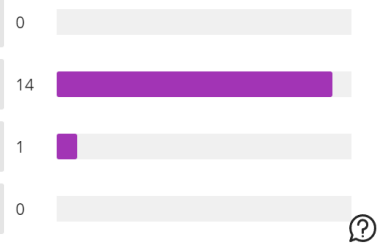


A criticism of plea bargaining is that the prosecutor may:

Choose at least one correct answer

- (A) Decide not to charge.
- (B) Overcharge. *Correct answer*
- (C) Turn the case back to police for further investigation.
- (D) Undercharge.

Number of student responses



Plea bargaining is often used instead of trial by jury.

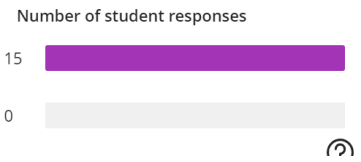
- True *Correct answer*
- False

Number of student responses



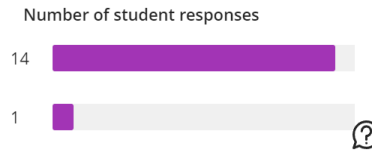
One of the earliest court decisions addressing plea bargaining was decided in 1804.

True	Correct answer
False	



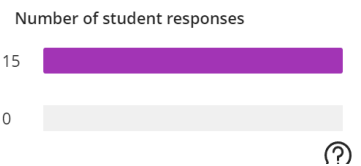
Some critics of plea bargaining claim that the practice actually contributes to inefficiency in the administration of justice.

True	Correct answer
False	



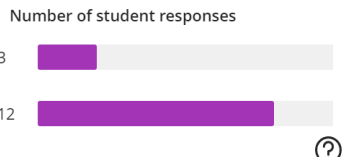
The decision to accept a plea is decided by the court (judge).

True	Correct answer
False	



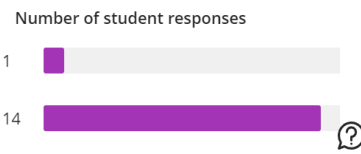
The Supreme Court disagrees with (does not approve of) plea bargaining.

True	
False	Correct answer



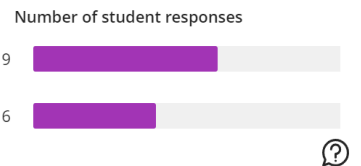
The rights available to defendants during plea bargaining are the same as those available to defendants in criminal trials.

True	
False	Correct answer



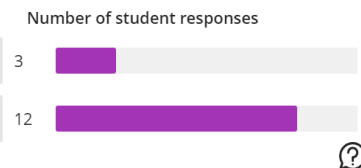
The prosecutor is bound by the plea agreement when the court accepts it.

True	Correct answer
False	



Plea bargaining has no effect on the defense attorney.

True	
False	Correct answer



Defendants who accept offers to plead guilty often face consequences besides a reduced charge or sentence.

- True *Correct answer*
- False

Number of student responses



There is no requirement that guilty pleas be based in fact.

- True
- False *Correct answer*

Number of student responses



For a guilty plea to be intelligent, the defendant must understand the nature of the charges, the possible sentences associated with the charges and the rights he or she may waive if a guilty plea is entered.

- True *Correct answer*
- False

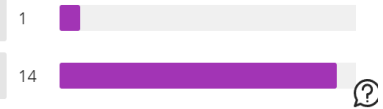
Number of student responses



There are a number of landmark Supreme Court cases that deal with the defendant's understanding of the possible sentences that could result from a plea bargain.

- True
- False *Correct answer*

Number of student responses



For a plea bargain to be valid, the plea must result from conduct that has a basis in fact.

- True *Correct answer*
- False

Number of student responses

