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The last section discusses comparative criminal law in context. The discussion notes that comparative criminal law is best seen as one way to gain critical distance from a given system of criminal ...

(PDF) Comparative Criminal Law

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Comparative Criminal Procedure: A Casebook Approach ...

criminal procedure a casebook approach carolina academic press comparative law series 2nd edition by stephen c thaman author 26 out of 5 stars 2 ratings as in the first edition comparative criminal procedure presents a topical approach to the subject focusing on the roles of public prosecutors police

In *Criminal Procedures: Prosecution and Adjudication: Cases, Statutes, and Executive Materials, Sixth Edition*, the highly respected author team presents a student-friendly, comprehensive survey of the laws and practices at work between the time a person is charged and the moment when the courts hear an appeal after the offender's conviction and sentence. In the Sixth Edition, the authors retain the vitality and contemporary approach of the book with an updated selection of cases, statutes, and office policies. Covering in detail the "bail-to-jail" portions of the criminal process, this casebook features: Extensive use of documents from multiple institutions including U.S. Supreme Court cases, state high court cases, state and federal statutes, rules of procedure, and prosecutorial policies A real world perspective that focuses on high-volume issues of current importance to defendants, lawyers, courts, legislators, and the public instead of intricate but rarely-encountered questions Interdisciplinary examination of the impact that different procedures have on the enforcers, lawyers, courts, communities, defendants, and victims Points of comparison between U.S. practices and the systems at work in other countries Frequent use of Problems to give the instructor options for applying concepts and doctrines in realistic practice settings. New to the Sixth Edition: Two new authors join the editorial team: Jenia I. Turner of SMU Dedman School of Law and Kay L. Levine of Emory University School of Law: With her doctoral training in Socio-Legal Studies and her balanced experience as a prosecutor and a defense attorney in state court, Professor Levine sharpens the focus of the book on the real-world operation of courtroom actors in high-volume state systems. With her background in international criminal tribunals and comparative criminal procedure, Professor Turner strengthens the comparisons between court systems in the U.S. and those around the world. As experienced and celebrated classroom teachers, both Professors Turner and Levine bring closer attention to student learning needs in every chapter of the book. A revamped Chapter 2 surveys the major changes in the use of money bail and risk assessment algorithms, previewing the prospects for further system reforms. Chapter 3 covers newsworthy recent changes in the charging policies and diversion practices of prosecutors' offices, especially those in urban areas such as Philadelphia. Chapter 7 expands its coverage of the tensions between fair trials and public trials, including new materials on public access to court files and statistics. A refocused Chapter 9 provides a more detailed and vivid portrait of sentencing hearings and the use of risk assessment instruments. Professors and students will benefit from: Materials that support class discussion, including criminal justice actors beyond the nine Justices of the U.S. Supreme Court: the vision is "street level federalism" Materials that give students a nuanced portrait of current practices in criminal justice rather than a rushed historical narrative about doctrinal trends A supporting website that offers exemplar documents, recent news with relevance for criminal procedure, and brief video lectures to introduce each major unit Intuitive organization—tracking the typical order of events in criminal court—that makes it easy to see connections among different areas of the law

Criminal Procedures: The Police: Cases, Statutes, and Executive Materials, Sixth Edition, is a comprehensive treatment of criminal procedure that depicts the enormous variety within criminal justice systems by examining the procedures and policies of both federal and state systems and looking at sources of law and doctrine from multiple institutions. This "real-world" text offers students and instructors a deliberate focus on the realities of the high-volume circumstances that surround criminal procedure. An updated selection of cases and statutes as well as expanded coverage of important areas ensures the currency and timeliness of the Sixth Edition of this highly regarded casebook. This time- and classroom-tested casebook: Surveys the constitutional, statutory, and administrative doctrines and practices that shape how the police interact with citizens and investigate crimes Examines the procedures and policies of both federal and state systems, as well as the assumptions and judgments underlying each, and how these systems interrelate and sometimes compete with one another Looks at sources of law and doctrine from multiple institutions, including U.S. Supreme Court cases, state high court cases, statutes, rules of procedure, and police and prosecutorial policies Explores the influence of politics within various institutions of law enforcement and the role of public pressure on policing and procedure with regard to terrorism, drug trafficking, domestic abuse, and the treatment of crime victims Compares U.S. practices with the criminal investigations that happen in other countries Investigates the impact of criminal procedures on law enforcers, lawyers, courts, communities, defendants, and victims through the use of interdisciplinary materials New to the Sixth Edition: Two new authors join the editorial team: Jenia I. Turner of SMU Dedman School of Law and Kay L. Levine of Emory University School of Law. With her doctoral training in Socio-Legal Studies and her balanced experience as a prosecutor and a defense attorney in state court, Professor Levine sharpens the focus of the book on the real-world operation of courtroom actors in high-volume state systems. With her background in international criminal tribunals and comparative criminal procedure, Professor Turner strengthens the comparisons between court systems in the U.S. and those around the world. As experienced and celebrated classroom teachers, both Professors Turner and Levine bring closer attention to student learning needs in every chapter of the book. More examples and discussion demonstrate the effects of new technologies on criminal procedure. A revamped Chapter 1 offers a deeper exploration of competing models of policing and useful background about policing organizations. Reorganized Chapters 2 and 7 introduce students to the shifting analytical frameworks that the U.S. Supreme Court now employs to evaluate searches in the context of technological devices that store and collect large amounts of data. Chapter 6 relies on current newsworthy debates about police use of force to explore the alternatives and supplements to the exclusionary rule remedy. Professors and students will benefit from: Materials that support class discussion, including criminal justice actors beyond the Justices of the U.S. Supreme Court: the vision is "street level federalism" Materials that portray the range of current practices in criminal justice rather than a rushed historical narrative about doctrinal trends A Supporting website that offers exemplar documents from legal practice, recent news with relevance for criminal procedure, and brief video lectures to introduce each major unit Emphasis on high-volume practical issues in criminal procedure instead of intricate but rarely-encountered questions Intuitive organization (particularly in the search and seizure units) that makes it easy to see connections among different areas of the law

This Handbook presents innovative research that compares different criminal procedure systems by focusing on the mechanisms by which legal systems seek to avoid error, protect rights, ground their legitimacy, expand lay participation in the criminal process and develop alternatives to criminal trials, such as plea bargaining, as well as alternatives to the criminal process as a whole, such as intelligence operations. The criminal procedures examined in this book include those of the United States, Germany, France, Spain, Russia, India, Latin America, Taiwan and Japan, among others.

This comprehensive and versatile book covers both international criminal law and the application of US criminal law transnationally. It has chapters on each of the core crimes (aggression, genocide, crimes against humanity, war crimes), as well as separate chapters on the international tribunals from Nuremberg on and the ICC. Other chapters treat modes of liability, defenses, crimes against women, and alternatives to criminal prosecution in post-conflict societies. Thus the book can be used for courses focusing entirely on international criminal law and accountability for core crimes. But it also covers US criminal law in transnational contexts, including money laundering, Foreign Corrupt Practices Act, and terrorism. In addition, it includes chapters on extradition, evidence gathering abroad, comparative criminal procedure and comparative sentencing, and US constitutional rights abroad. Introductory chapters on the nature of international criminal law, transnational jurisdiction, and the basics of public international law make the book accessible to students with no prior background. New to the 3rd Edition: Recent developments in the international tribunals, including the Habré trial in the African Extraordinary Chamber Updates on post-Morrison jurisdictional developments and the treatment of jurisdiction in the Restatement (Fourth) of the Foreign Relations Law of the United States Activation of the crime of aggression by the ICC; cyber-attacks as aggression Recent war crimes jurisprudence and the treatment of war crimes in the US Department of Defense Law of War Manual A thorough revision of the ICC chapter including the Lubanga sentencing decisions and the Comoros decision on gravity Recent ICC jurisprudence on modes of liability Latest FCPA prosecution standards New cases on immunities and extradition Professors and students will benefit from: Versatility: Can be used for courses on international criminal law, and also for courses on US criminal law applied across borders Self-contained introductory chapters on basic public international law, transnational jurisdiction, and the nature of criminal law Detailed treatment of "headline" issues including torture, terrorism, and war crimes Readable background on historical context Teaching materials include: Comprehensive teacher's manual, including the authors' own teaching notes Discussion problems

"A systematic and comprehensive comparative analysis, of criminal law, focused on two major jurisdictions: the United States and Germany."--Jacket.

Criminal Procedures: Cases, Statutes, and Executive Materials, Sixth Edition is noted for its comprehensive coverage and excellent selection and editing of cases and materials. The book is known for its special focus on a rich selection of materials from multiple institutions, including primary materials from U.S. Supreme Court cases, state high court cases, state and federal statutes, rules of procedure, and police and prosecutorial policies, along with materials from social science studies. The new Sixth Edition retains the casebook's engaging writing style and division of materials into "teachable chunks." Updated cases are chosen for their contemporary accuracy and feel to complement essential cases of historical value. Taken together, the principal materials highlight procedural variety, focus on real process topics, provide the political context, and consider the impact of procedures on the various parties involved. The scholarly expertise and experience of the authors is especially reflected in the Criminal Procedure II materials, which includes coverage of prosecutorial charging, plea bargaining, and sentencing. Their frequent use of Problems gives instructors options for applying concepts and doctrines in realistic practice settings. New to the Sixth Edition: Two new authors join the editorial team: Jenia Lontcheva Turner of SMU Dedman School of Law and Kay L. Levine of Emory University School of Law. With her doctoral training in Socio-Legal Studies and her balanced experience as a prosecutor and a defense attorney in state court, Professor Levine sharpens the focus of the book on the real-world operation of courtroom actors in high-volume state systems. With her background in international criminal tribunals and comparative criminal procedure, Professor Turner strengthens the comparisons between court systems in the U.S. and those around the world. As experienced and celebrated classroom teachers, both Professors Turner and Levine bring closer attention to student learning needs in every chapter of the book. More examples and discussion demonstrate the effects of new technologies on criminal procedure. A revamped Chapter 1 offers a deeper exploration of competing models of policing and useful background about policing organizations. Reorganized Chapters 2 and 7 introduce students to the shifting analytical frameworks that the U.S. Supreme Court now employs to evaluate searches in the context of technological devices that store and collect large amounts of data. Chapter 6 relies on current newsworthy debates about police use of force to explore the alternatives and supplements to the exclusionary rule remedy. A revamped Chapter 12 surveys the major changes in the use of money bail and risk assessment algorithms, previewing the prospects for further system reforms. Chapter 13 covers newsworthy recent changes in the charging policies and diversion practices of prosecutors' offices, especially those in urban areas such as Philadelphia. Chapter 17 expands its coverage of the tensions between fair trials and public trials, including new materials on public access to court files and statistics. A refocused Chapter 19 provides a more detailed and vivid portrait of sentencing hearings and the use of risk assessment instruments. Professors and students will benefit from: Materials that support class discussion, including criminal court actors beyond the Justices of the U.S. Supreme Court: the vision is "street level federalism" Materials that portray for students the range of current practices in criminal justice rather than a rushed historical narrative about doctrinal trends A supporting website that offers exemplar documents from legal practice, recent news with relevance for criminal procedure, and brief video lectures to introduce each major unit Emphasis on high-volume practical issues in criminal procedure instead of intricate but rarely-encountered questions Intuitive organization—tracking the typical sequence of events in criminal investigations and in the criminal courts—that makes it easy to see connections among different areas of the law The purchase of this Kindle edition does not entitle you to receive access to the online e-book, practice questions from your favorite study aids, and outline tool available through CasebookConnect.

This handbook explores criminal law systems from around the world, with the express aim of stimulating comparison and discussion. General principles of criminal liability receive prominent coverage in each essay—including discussions of rationales for punishment, the role and design of criminal codes, the general structure of criminal liability, accounts of mens rea, and the rights that criminal law is designed to protect—before the authors turn to more specific offenses like homicide, theft, sexual offenses, victimless crimes, and terrorism. This key reference covers all of the world's major legal systems—common, civil, Asian, and Islamic law traditions—with essays on sixteen countries on six different continents. The introduction places each country within traditional distinctions among legal systems and explores noteworthy similarities and differences among the countries covered, providing an ideal entry into the fascinating range of criminal law systems in use the world over.

This book aims to meet the need for an accessible introductory text on comparative criminal justice, examining the ways different countries and jurisdictions deal with the main stages and elements in the criminal justice process, from policing through to sentencing. Examples are

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taken from all over the world, with a particular focus on Europe, the UK, the United States and Australasia. The main aims of the book are to provide the reader with: a comparative perspective on criminal justice and its main components an understanding of the increasing globalization of justice and standards of the administration of justice a knowledge of methodology for comparative research and analysis an understanding of the most important concepts in criminal justice (such as inquisitorial and adversarial trial systems, policing styles, crime control versus due process, retribution versus rehabilitation etc) discussion of global trends such as the rise of imprisonment, penal populism, diversion, international policing and international tribunals an insight into what the essential ingredients of doing justice might be. This fully updated and expanded new edition of Comparative Criminal Justice takes into account the considerable advances in comparative criminal justice research since the first edition in 2004. Each chapter has been thoroughly updated and in addition, there is a new chapter on establishing the rate of crime in a comparative context. The rate of development in international policing and international development has been such that there is now an individual chapter devoted to each; and throughout the book, the role of globalization, changing both the local and the global in criminal justice arrangements, orientations and discourses, has now been given the prominence it deserves.

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