

# Prosecutorial Discretion, / California Continuing Education of the Bar, 1979 / James I. K. Knapp / 1979

The strongest case historically for allowing prosecutorial discretion involves criminal prosecution. The executive will often not have the resources to bring all cases and there are a variety of factors that are involved, such as ease of proving guilt and the wrongfulness of the action. It is not clear how these various factors should be weighed against one another. Third, but what if the Congress attempts to take away this discretion? To do so, it must make a decision as to how the executive should behave. Prosecutorial discretion is an essential element of our criminal justice. This discretion vests in the Attorney-General as the Public Prosecutor and is constitutionally protected. Recently, there have been several challenges to the exercise of this discretion on the basis of alleged violation of the constitutionally protected right to equal treatment. Use features like bookmarks, note taking and highlighting while reading Prosecutorial Discretion. There was a problem loading your book clubs. Please try again. Not in a club? Learn more. Join or create book clubs. Choose books together. Track your books. Bring your club to Amazon Book Clubs, start a new book club and invite your friends to join, or find a club that's right for you for free. Explore Amazon Book Clubs. Prosecutorial Discretion Kindle Edition. by Nobody (Author) Format: Kindle Edition. Prosecutors exercise unfettered discretion, de. Prosecutorial Discretion. As an elected or appointed official, the prosecutor is the most powerful official in the criminal justice system. Prosecutors exercise unfettered discretion, deciding who to charge with a crime, what charges to file, when to drop the charges, whether or not to plea bargain, and how to allocate prosecutorial resources. Varieties Of Discretion, Subjects Of Prosecutorial Discretion, Standards Of Prosecutorial Judgment, Controlling Prosecutorial Discretion. The term "prosecutorial discretion" refers to the fact that under American law, government prosecuting attorneys have nearly absolute and unreviewable power to choose whether or not to bring criminal charges, and what charges to bring, in cases where the evidence would justify charges.