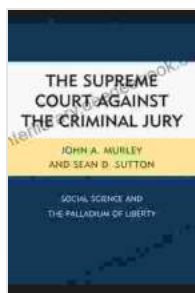


The Supreme Court Against the Criminal Jury

In recent years, the Supreme Court has issued a series of rulings that have narrowed the scope of the criminal jury's power and autonomy. These rulings have made it more difficult for defendants to receive a fair trial and have undermined the jury's role as a check on prosecutorial power.



The Supreme Court against the Criminal Jury: Social Science and the Palladium of Liberty by John A. Murley

★★★★★ 5 out of 5

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One of the most significant of these rulings was the Court's 2016 decision in *McDonnell v. United States*. In *McDonnell*, the Court held that prosecutors do not need to prove that a defendant acted with "corrupt intent" in order to convict them of bribery. This ruling made it much easier for prosecutors to convict public officials of corruption, even in cases where there is no evidence that the official actually intended to use their office for personal gain.

Another important ruling was the Court's 2018 decision in *Ramos v. Louisiana*. In *Ramos*, the Court held that the Sixth Amendment right to a

unanimous jury applies to all criminal cases, including non-capital cases. This ruling overturned the Court's previous holding in *Apodaca v. Oregon*, which had allowed states to use non-unanimous juries in non-capital cases.

The Court's rulings in *McDonnell* and *Ramos* have been criticized by legal scholars and criminal justice advocates. These critics argue that the rulings have undermined the jury's role as a check on prosecutorial power and have made it more difficult for defendants to receive a fair trial.

For example, the *McDonnell* ruling has allowed prosecutors to convict public officials of corruption even in cases where there is no evidence that the official actually intended to use their office for personal gain. This has made it more difficult for public officials to defend themselves against corruption charges, even if they are innocent.

Similarly, the *Ramos* ruling has made it more difficult for defendants to receive a unanimous jury verdict. This is because it is more likely that a jury will be unable to reach a unanimous verdict if it is composed of only 12 jurors, rather than the traditional 12 jurors. This makes it more likely that defendants will be convicted even if they are not guilty.

The Supreme Court's rulings against the criminal jury are a serious threat to our criminal justice system. These rulings have made it more difficult for defendants to receive a fair trial and have undermined the jury's role as a check on prosecutorial power.

In order to protect the rights of defendants and ensure the fairness of our criminal justice system, it is essential that the Supreme Court reverse course and restore the power and autonomy of the criminal jury.

The Jury's Role in the Criminal Justice System

The criminal jury is a fundamental part of the criminal justice system. The jury's role is to determine whether a defendant is guilty of a crime beyond a reasonable doubt. The jury is also responsible for determining the sentence for the defendant if they are convicted.

The jury system is based on the principle that the people who are most familiar with the facts of a case are the best ones to decide whether the defendant is guilty. The jury is also seen as a check on prosecutorial power. The prosecutor is the government's representative in a criminal case. The prosecutor's job is to present evidence to the jury and argue for the defendant's conviction. The jury's job is to evaluate the evidence and decide whether the prosecutor has proven the defendant's guilt beyond a reasonable doubt.

The jury system is an important part of our criminal justice system. The jury is a check on prosecutorial power and it helps to ensure that defendants receive a fair trial.

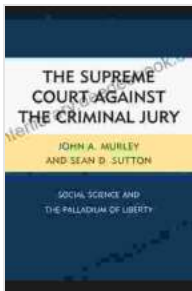
The Supreme Court's Recent Rulings Against the Criminal Jury

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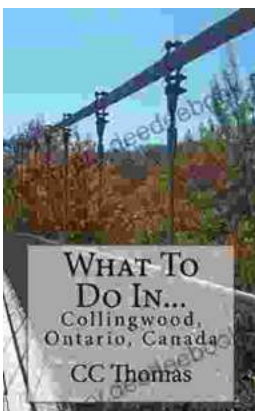
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