



Plea Agreements

Prosecuting attorneys are justice-driven. However, they understand that, no matter how strong the evidence may be, no case is guaranteed to end in a guilty verdict at trial. Plea negotiation is the process through which the prosecuting attorney and the defendant's legal counsel work out an agreement on how the case should end, subject to approval by the judge and almost always by the victim, as well.

Many plea agreements involve the defendant pleading guilty to a particular offense, to fewer of the charges in a multi-count indictment, or to an agreed sentence. Ultimately, the goal of plea negotiation is to make sure the penalty fits the crime. The certainty of a conviction and punishment is the primary reason that prosecuting attorneys engage in plea negotiation.

In cases involving multiple defendants, prosecutors may reach a plea agreement with one defendant in exchange for his or her testimony against another. This provides the prosecuting attorney with a greater likelihood of winning a conviction against other defendants.

A common misconception is that prosecuting attorneys use plea agreements to increase their number of convictions, simply for more "wins" in court. In fact, as ministers of justice in their respective counties, prosecuting attorneys are sworn to pursue justice for every offender charged with a crime.

Estimates vary, but most legal experts agree that 90 percent of all criminal convictions are the result of negotiated pleas.

Plea agreements ensure that criminals are convicted and sentenced for their crimes, which enhances public safety. Negotiated pleas also help relieve some of the strains on overcrowded court dockets and, in so doing, save taxpayer dollars. Without plea agreements, our courts would bog down, justice might not always be served, and our criminal justice system would be unaffordable for taxpayers.

Plea agreements benefit the criminal justice system. The sheer volume and demand of cases filling a court docket require some kind of reasonable – yet just – alternative to the time and expense involved in scheduling and holding a trial. Prison overcrowding is also an important consideration. To further alleviate overcrowding in county jails and the state prison system, judges may agree to "process out" certain low-level offenders.

Plea agreements also benefit victims of crime and their families. They bring about an end to the case, and victims are able to hear the defendants accept responsibility for the crimes they have committed. Plea agreements may help avoid further trauma for the victim.

Across Ohio, negotiated plea agreements annually save taxpayers millions of dollars that can be better spent on other cases that truly need jury trials to get a conviction or on other vital needs within our criminal justice system.

For Ohio's System of Justice, Plea Agreements:

- **Determine how a criminal case will end, and ensure that the penalty fits the crime.**
- **Provide certainty for conviction and punishment, rather than the unpredictability of a jury trial decision.**
- **Ensure public safety with swift resolution and conviction of guilty criminals.**
- **Reduce burden, strain and expense on crowded court dockets.**
- **Save victims from further trauma and involvement in court proceedings.**