**Prosecutors and the Unethical Decision to Use Dubious Evidence:**

**Annotated Bibliography**

Donahue, K. S. (2001). Prosecutorial Ethics: The Case for the Per Se Rule, 18 Fordham Urb. L.J. 407. Retrieved from https://ir.lawnet.fordham.edu/ulj/vol18/iss2/7

The author of this journal entry provides a great deal of information of prosecutorial ethics. Various examples of how a prosecutor’s conduct can hinder a trial from being fair are given. The author outlines the professional standards and obligations that all prosecutors should adhere to. They then show the instances where prosecutors choose not to adhere to their obligations. A focus is put on the elements that promote prosecutorial misconduct which will help with the writing of this paper.

Kleinig, J. (2008). Ethics and Criminal Justice : An Introduction. Cambridge, UK: Cambridge University Press. Retrieved from https://search-ebscohost-com.vlib.excelsior.edu/login.aspx?direct=true&db=nlebk&AN=304618&site=eds-live&scope=site

This book highlights the primary ethical issues that can appear throughout the entire criminal justice system. The author provides a large amount of information concerning the ethical dilemmas that can arise within the courts, and the decisions that involve prosecutors. Real-life case studies are used throughout the book which helps illustrate the ethical issues that arise within the criminal justice system. Theoretical issues are discussed and couple with philosophical ideas that provide a good view into the reality of unethical behavior in the courts.

Miller, J. M. (2009). 21st Century Criminology: A Reference Handbook. Thousand Oaks: SAGE Publications, Inc. Retrieved from https://search-ebscohost-com.vlib.excelsior.edu/login.aspx?direct=true&db=e000xna&AN=525933&scope=site

The author of this publication provides a brief overview of the ethical issues that can be found within the criminal justice system. This includes prosecutorial misconduct and the negative affect it can have on the outcome of a criminal case. While the specific ethical decision of this paper is not discussed, it provides useful information that helps explain why this ethical decision arises. It also provides information on the ethical theories associated with prosecutorial misconduct.

Podgor, E. S. (2000). The Ethics and Professionalism of Prosecutors in Discretionary Decisions, 68 Fordham L. Rev. 1511. Retrieved from https://readingroom.law.gsu.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=2455&context=faculty\_pub

The author of this journal expertly provided information on prosecutorial discretion. This is an underlying issue when one looks into the ethical decision that is the focus of this paper. Prosecutors have a great amount of discretion, some of which is monitored while other forms are not. The author provides insight into the decision of what evidence should be used during a grand jury. Examples of discretionary decisions are given such as when to use witness statements. This journal also highlights how the culture surrounding prosecutors may encourage them to make decisions that are questionable.

Prenzler, T. (2009). Ethics and Accountability in Criminal Justice : Towards a Universal Standard. Bowen Hills: Australian Academic Press. Retrieved from https://search-ebscohost-com.vlib.excelsior.edu/login.aspx?direct=true&db=nlebk&AN=439805&site=eds-live&scope=site

The author of this publication provides an overview of the ethics surrounding the entire criminal justice system, and the accountability that is present in every part. A whole section is devoted to ethics and accountability within the court system. Some of the major points which will assist in the writing of this paper are ethical issues in criminal law, and the misconduct and miscarriages of justice in the criminal courts. The book also provides insight into how integrity and accountability should be managed within the courts.

Rory K. Little, R. K. (2010). It's Not my Problem? Wrong: Prosecutors Have an Important Ethical Role to Play, 7 Ohio St. J. Crim. L. 685 (2010). Retrieved from http://repository.uchastings.edu/faculty\_scholarship/432

The author of this journal breaks down a scenario that shows the ethical obligations that a prosecutor has in a given criminal case. While this case is different than the ethical decision of this paper, it provides a large amount of insight into obligations and forms of misconduct that are relatable. The prosecutors general role is discussed in the beginning of the journal, and it ends with the point that incriminating evidence should be corroborated and not solely based on the prosecutors belief.

Smith, A. (2001). Can You Be a Good Person and a Good Prosecutor? Retrieved from https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1891&context=facpub

The author of this journal brings to question whether prosecutors can be good people. This question is based on the negative view they sometimes receive due to their role and ambition to put people behind bars. While this is viewed as a noble service for high profile cases, it may not always be the same for lesser crimes, especially if they misuse their discretion. This journal will assist in the writing of this paper since it provides information on the implications surrounding the discretionary powers that prosecutors have. It raises the argument that prosecutors should always be aware of who they are prosecuting and for what. A prosecutors duty should always cemented in seeking justice, and not self-fulfillment.