Bank Robbery Scenario

Name

University

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Three residents of Washington, D.C. — Jed, Herman, and Jane — are charged with entering a bank and taking $65,000 in cash. Jed and Herman used shotguns at the time of the robbery, but there were no injuries. Jane drove the gateway vehicle. The lawyers of each defendant want continuance for four months. The busy judge wants to try the case immediately. These defendants all face a charge of bank robbery — a severely grave felony charge. If found guilty, all three can expect to be sentenced to 10-25 years in prison.

Watching crime dramas and police-procedural shows on television, which are immensely popular in America, and reading novels in these genres create a wrong impression of how the judicial system works. In real life, the wheels of justice, as the saying goes, turn slowly, and most judges prefer any given case to be settled by a plea bargain, with some exceptions. The movement of a typical criminal case through a state or local court system tends to be ponderous, in high-crime cases in particular. Following the arrest or citation of the individual charged with a crime, there is an initial appearance by the defendant, succeeded by an arraignment (Carp, Stidham, and Manning, 2013). Generally, these are integrated into a single appearance. In some cases, there might be a preliminary hearing after the initial appearance and before the arraignment. If the defendant pleads guilty, the case goes to trail, at times by jury, but occasionally with only the judge determining the outcome.

The courts, like all government entities, have hierarchal structures. There are distinct federal and local courts, with each serving parallel but definite and often similar purposes. The focal difference is that federal courts deal with cases involving laws passed by the national legislature (U.S. Congress), whereas state and local courts address laws passed by state legislatures and sometimes local decrees. That is to say: federal courts deal only with those issues that are part of the United States Constitution.

It is important to have diverse systems because specific federal ordinances might be superseded by state ordinances and vice versa. For instance, in recent years, recreational marijuana has become legal in some states, including our direct neighbor to the South, Massachusetts. Nonetheless, marijuana is regarded as an illicit narcotic by the U.S. administration. It is not surprising that in case disputes exist between federal laws and state laws, federal laws often carry more weight, and irresoluble disputes between them are usually heard by the U.S. Supreme Court. For the reason that law enforcement from the Federal Bureau of Investigation and local departments (the D.C Police, presumably, and also the officers who stopped the robber for speeding) is included in the case involving Jed, Herman, and Jane, this is likely to be a matter in how the three are criminally processed.

Furthermore, it is of great significance that all bank robberies are federal cases mainly because all banks are insured by the United States Administration and are investigated by the FBI, although the culprits do not cross state or other jurisdictional lines. I would personally grant the federal courts jurisdiction in this instance, even were this a question of discretion, since several complications were involved (for example, some participants were armed, one was not).

The venue should not be mistaken for jurisdiction. Jurisdiction is a court's authority to employ its judicial virtue, whereas venue is a setting where that virtue will be employed. Characteristically, a venue is determined by convenience. Nevertheless, a venue can as well be set by law. A federal statute states, except a rule or these statutes otherwise allow, that the government should prosecute a felony act in a district where the felony was committed, or where the plaintiff or defendant lives (Carp, Stidham, and Manning, 2013). Venue matter might rise being relied on a few elements. Therefore, a change in venue can be required. In order to accomplish a shift of venue, a defendant would have to demonstrate a reasonable possibility that they could not get a fair trial. Determined by the offense, the defendant might not be subject to an unbiased judge or jury.

Regarding venue, in keeping with federal guidelines, this case will be prosecuted in federal court in the Washington, D.C., where the crime occurred. It is important since the crime was an erstwhile event that took place in a distinct physical location, as opposed to a continuing sequence of felonious events possibly involving individuals diversified throughout many settings. Ideas of an impartial trial, as regards the possible biases presented by the selection of venue, do not thereby apply in this scenario, even if in many federal crimes this is an essential consideration.

The three defendants all face a charge of bank robbery, a profoundly grave felony charge. If found guilty, all three might expect to be sentenced to 10-25 years in jail. Jed and Herman are likely to face rulings on the longer side due to their utilization of shotguns, and Jed is as well a convicted criminal, which makes him possibly have the lengthiest verdict of the three.

References

Carp, A., R., Stidham, C., R., Manning, L., K. (2013). *Judicial Process in America, 9th.* Washing, D.C. CQ Press.