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**MEDIA CONTACT**

Alyssa Kress

[akress@fairandjustprosecution.org](mailto:akress@fairandjustprosecution.org)

215-264-9665

## **FJP Statement on Launch of Trial Penalty Coalition to Restore the Constitutional Right to Trial**

[Fair and Just Prosecution](#) Executive Director Miriam Krinsky issued the following statement on [today's launch](#) of the [Trial Penalty Coalition](#), a group of criminal justice leaders and organizations, impacted people, think tanks, academics, activists and reform leaders from across the ideological spectrum that have united to end the trial penalty – the substantial and coercive difference between the sentence in a plea offer prior to trial versus the much greater sentence a defendant often receives after trial:

“Fair and Just Prosecution is proud to be part of a diverse group of organizations that have joined together to end the trial penalty, which too often punishes individuals with significantly longer sentences simply because they turn down a plea offer and instead exercise their constitutional right to a trial.

Over the past 40 years, as legislatures have criminalized more behaviors and enacted harsher penalties, our criminal legal system has increasingly relied on plea bargaining to resolve cases. Today, about [94 percent](#) of convictions in state court, and an even higher percentage in federal court, are the result of plea deals.

We should all be concerned about a system that cannot adequately manage its caseloads without infringing on constitutional rights. There is no justice in coercive plea offers that result in people pleading guilty – even when they may have a strong defense – due to the threat of a significantly harsher punishment following any trial. And there is no justice in a system that incentivizes innocent people to plead guilty. These practices undermine the legitimacy of our entire criminal legal system.

Prosecutors have the power to end the harms resulting from the trial penalty, including by safeguarding the rights of defendants, charging fairly and with restraint, providing access to all evidence before a plea offer expires, and seeking consistent and fair outcomes through all stages of a case.

As we mark fifty years since the onset of mass incarceration in our nation, it is long past time to end the trial penalty and restore the constitutional right to trial that the founders intended as a cornerstone of our legal system.”

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*Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP's work, visit our [website](#) and follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#).*