



CENTER FOR THE STUDY OF LAW AND SOCIETY
BERKELEY LAW

CSLS SPEAKER SERIES

Monday, August 28, 2017

MONA LYNCH

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University of California, Irvine

***Hard Bargains:
The Coercive Power of Drug Laws in Federal Court***
(Sage, Nov. 2016)

Hard Bargains offers a critical analytic link between the well-told, front-end story of the national politics that produced and sustain punitive federal drug laws, and the well-documented back-end story of their consequences. By shifting focus to the prosecutorial and adjudication practices responsible for producing federally sentenced drug defendants, the book tells a story about the realization of legal power: how its possibilities and potentials are imagined, how it is deployed to compel guilty pleas and induce lengthy prison sentences, and how it is reshaped both as the official rules change and as a matter of local dynamics. The first section of the book traces the major structural changes, including the expansion of federal jurisdiction in the 1970s and sentencing reforms in the 1980s, that opened up the possibility for an aggressive federal drug war in the late 20th century. The second section of the book brings to life how drug laws are deployed in court. Drawing on comparative field research conducted in three federal court districts, Lynch examines how federal prosecutors wield their considerable discretion to overwhelm defendants' ability to assert their rights. While she finds distinct norms around plea negotiation and adjudication practices in each district, the sheer punitive power of federal drug laws creates enormous pressure on defendants in all of the locales to waive opportunities to test evidence or go to trial.

The Introduction and Chapter 3 of Professor Lynch's book are available in hard copy at the Center.
A link to the Introduction can be found on the website.

PLACE Selznick Seminar Room, 2240 Piedmont Avenue
TIME 12:45 – 2:00pm
INFO <https://www.law.berkeley.edu/centers/center-for-the-study-of-law-society/>
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