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The Constitution and Criminal Procedure: First Principles

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The Constitution and Criminal Procedure: First Principles Akhil Reed Amar
Akhil Amar examines the role of search warrants, the status of the exclusionary rule, self-incrimination theory and practice, and a host of Sixth Amendment trial-related rights. Through a close and original analysis of constitutional text, history, structure, and precedent - leavened with a healthy measure of common sense - he challenges conventional wisdom on a broad range of topics. He argues that the exclusion of reliable evidence in criminal trials is wrong in principle and in practice and that unlawfully seized evidence and fruits of immunized testimony should be constitutionally admissible in criminal trials. Deterrence of government misconduct should in general occur through civil damage suits and administrative sanctions rather than through criminal exclusion. Although addressed to lawyers, judges, and law students, this bold book ultimately targets a much broader audience of policymakers and citizens who seek to understand the principles of this controversial area of constitutional law.

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