## *Завдання з англійської мови для студентів ІЮФ (заочне відділення)*

## *1. Read and translate the text «Pretrial Release»*

***Initial Appearance***

When the police bring a person they have arrested to jail, for booking, the suspect is taken before a magistrate for an initial appearance, usually within 24 hours of arrest. This is the first time the suspect appears in court. Sometime during this same 24 hour period the case materials are turned over to the prosecutor for the consideration of formal charges. At this point in the criminal justice process, the police task is done. Of course the officers may be required to testify later at a trial, if the case goes that far, but in the majority of instances the police role is over after this initial appearance before a magistrate.

At the initial appearance several matters are resolved. First, the defendant is informed of the arrest charges, often by the reading of the complaint, although he or she is not asked to plead to them. Second, the defendant is again informed of his or her Constitutional rights, including those that pertain to self incrimination and legal representation. Third, an attorney is assigned to indigent defendants, if they desired one, or the public defender’s office is officially notified that the case will proceed to trial.

But the fourth issue resolved, and the one that most immediately affects the person in police custody and charged with a crime, is decided by the judge – that is, whether to release the individual pending further processing, or to detain the individual in jail pending further processing. This step is called, in shorthand, «bail or jail,» and the judge’s decision depends on many factors. Police have arrested the person on evidence of criminal behavior. The person may even have been caught in the act of committing the crime. And the prosecutor has stated the intention to prosecute, to secure a conviction either through a guilty plea or trial. Is it safe to allow the accused to remain in the community at large? What was the nature of the crime? What are the best interests of the accused? If the judge allows the individual to go free pending further processing, it is known as pretrial release. If the judge does not allow it, pretrial release has been denied.

***Bail***

Several pretrial release options are used by the courts today making most defendants, regardless of economic status, eligible for release pending trial.

The most commonly known method for pretrial release is bail, an amount of money the posting of which a judge deems necessary for pretrial release. The bail money is posted to assure the defendant’s later appearance at trial. Bail has roots in the British tradition of surety. Whereby accused persons were required to place some real property against their failure to appear at a future trial. The traditional purpose of bail has been to assure the later appearance of defendants at trial, that is, to prevent or discourage flight. That implies that bail should only be set at an amount necessary to achieve this purpose.

Four different types of money bail (or bond, as it is sometimes called) are used: (1) **fully secured bail**, in which the defendant must post the full amount of bail with the court; (2) **privately secured bail**, in which a bail bondsman signs a promissory note for the full amount for the defendant in exchange for a fee of 10 percent of the full amount; (3) **deposit bail**, in which the court allows the defendant to post 10 percent of the full amount with the court, which is usually refunded when the defendant appears for trial (the full amount is due if the defendant does not show); and (4) **unsecured bail,** in which the defendant pays no money to the court but is liable for the full amount of bail if he or she fails to appear for trial.

In addition to financial bail, alternative release options exist including (1) **release on recognizance (ROR),** in which the defendant is released on the promise to appear for trial; (2) **conditional release**, in which the court releases the defendant with specific requirements, such as that he or she attends a drug rehabilitation program or meets some other special condition; (3) **third-party** custody, in which the defendant is released into the custody of another individual or agency on the promise that his or her later appearance will be assured; and (4) **citation release**, in which the arresting officer grants the defendant a release through a written orF der, or citation, for his or her first court appearance.

* 1. *Find the answers to the following questions in the text above:*

1. When does a suspect appear in court for the first time?
2. When is the police role over?
3. What matters are resolved at the initial appearance?
4. What issue, which most immediately affects the person in police custody charged with a crime is decided by a judge?
5. What does an expression «bail or jail» mean?
6. What is bail and its traditional purpose?
7. What are the four different types of money bail?
8. *Say whether these statements are true or false:*
9. When the police bring a person to jail, for booking, the suspect is taken before a grand jury.
10. Within a 24 hour period the materials of the case are turned over to the prosecutor for the consideration of formal charges.
11. If the judge does not allow the person to go free pending further processing it is known as initial appearance.
12. The traditional purpose of bail is to prevent or discourage defendant’s flight and to assure the later appearance of the accused at trial.
13. The police role is not over after the initial appearance.

3) *Match the English noun phrases with their Ukrainian equivalents:*

1. initial appearance 1. умовне звільнення
2. arrest charges 2. досудове звільнення
3. indigent defendants 3. заява про провину
4. public defender’s office 4. певні вимоги
5. further processing 5. обвинувачення, висунуті

при арешті

1. criminal behavior 6. звільнення під заставу
2. guilty plea 7. обвинувачені, що зазнають нестатків
3. pretrial release 8. офіс громадського захисника

9. conditional release 9. кримінальна поведінка

10. specific requirements 10. перше з’явлення до суду

11. release on bail 11. подальший процес

*4) Find in the text the English equivalents for the words and phras- es below:*

грошова застава; підозрюваний; реєструвати; перше з’явлення до суду; досудове звільнення; певні вимоги; звільнення «під чесне слово»; з’явитися до суду; кримінальне судочинство; обвинувачення, що призвели до арешту; визнання себе винним; злочинна поведінка; тримати підозрюваного у тюрмі; застава, гарантована в повному обсязі; застава, гарантована опікувачем; негарантована застава; застава під завдаток; письмове розпорядження про досудове звільнення; умовне звільнення.