

**THE INDIANAPOLIS STAR/NEWS** (1999-Current)[Edit Search](#)[Help](#)[Home](#)

Record 2 of 2

[E-Mail](#)[Text Only Display](#)[List](#)[Previous](#)**Indianapolis Star, The (IN)**

November 1, 2002

Column: LETTERS; LETTER SPOTLIGHT; FRIDAY FORUM

**The prosecutor needs a flexible plea plan**

Author: GREG BOWES

Edition: CITY FINAL

Section: EDITORIAL

LETTERS

Page: A23

Estimated printed pages: 2

## Article Text:

The Star's endorsement of Carl Brizzi for prosecutor is based on flash and sizzle, not reality. The main reason for endorsing Brizzi was that he could spout statistics on crime. That trait, while momentarily impressive, is not what it takes to make our city safer.

Brizzi's study of national statistics may be noteworthy, but it does not identify trends specific to Indianapolis. The Star's editors thought it was impressive for Brizzi to identify meth labs as a problem for Indianapolis. The ingredients for making methamphetamines are so pungent that most meth labs can only be set up in rural areas unless their owners want to be noticed.

The Star's editors lauded Brizzi's endorsement of tough plea policies, and later a deputy prosecutor working for Prosecutor Scott Newman wrote The Star, saying, "It gave me an out and made it easier to do my job." There are several problems with thinking Brizzi will do the right thing.

First, Brizzi will use the plea policy Newman has in place. This is nothing but smoke and mirrors, because Newman has kept his plea policies secret. The advantage of keeping them secret is that Brizzi can never be challenged when he decides not to abide by his own policies.

The second problem is exactly what Jim Osborn wants to correct by allowing more discretion for the deputy prosecutor assigned to the case. A rigid plea policy allows the lawyer assigned to the case to become more lazy. By just plugging in the formula, he is relieved from actually learning about the case.

Before endorsing Brizzi, The Star's editors should have investigated the number of times Newman's rigid policies have forced cases to go to trial and resulted in not guilty verdicts where the accused was willing to accept some lesser charge in a plea agreement. As an attorney, I have won cases the Newman prosecutor's office refused to plead, and I know many other lawyers with the same experience. If the

rigid plea policy is allowing criminals to go free, does it really protect us?

Osborn's idea to allow more discretion for deputies makes more sense. Each case is different. Giving some discretion to the deputy prosecutor would make it easier for the deputy to take appropriate action, whether it be dropping a case he can't possibly win or demanding an increase in charges or penalties once more facts come to light.

Osborn is an experienced prosecutor who has a rational, effective plan for keeping our streets safe. This plan does not use fear and flashy statistics to help the prosecutor move to the next step in his political career. It puts lasting solutions ahead of momentary publicity.

**Bowes** is an Indianapolis attorney.

Copyright (c) The Indianapolis Star. All rights reserved. Reproduced with the permission of Gannett Co., Inc. by NewsBank, inc.

Record Number: ind59693286

[E-Mail](#)[Text Only Display](#)[List](#)[Previous](#)