

What's New in the 2026-2027 Edition

Recent developments in this 2026-2027 Edition of Prosecutorial Misconduct 2d include:

- Updated discussion regarding misconduct and misuse of Grand Jury proceedings and prosecutorial abuse;
- Updated discussion regarding bad faith prosecutions and retaliatory investigations;
- Expanded discussion of discovery rule violations, including new authority on prosecutors' obligations in cases involving multiple dockets and the requirement of separate production of discovery materials;
- Updated caselaw regarding summation misconduct including improper arguments about the presumption of innocence and the use of prejudicial exhibits;
- Updated caselaw regarding mistrials, convictions and Double Jeopardy for prosecutor-provoked mistrials;
- Updates to court rulings, statutes, regulations and other relevant guidance throughout.