

Criminal Law Flashcards PDF

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What is the definition of a crime?

A crime is an act or the commission of an act that is forbidden or punishable by law.

What are the two main categories of crimes?

The two main categories of crimes are felonies and misdemeanors.

What is the difference between a felony and a misdemeanor?

A felony is a serious crime that typically results in imprisonment for more than one year, while a misdemeanor is a less serious crime that usually results in less than one year of imprisonment.

What is the legal term for the mental state required to be found guilty of a crime?

The legal term is 'mens rea', which refers to the intention or knowledge of wrongdoing.

What is 'actus reus'?

'Actus reus' refers to the physical act or conduct that constitutes a criminal offense.

What are the elements of a crime?

The elements of a crime typically include the actus reus, mens rea, and causation.

What is the 'reasonable person' standard?

The 'reasonable person' standard is a legal standard used to determine how an average person would act in similar circumstances.

What is the difference between specific intent and general intent?

Specific intent refers to the intention to achieve a particular result, while general intent refers to the intention to commit the act itself, regardless of the outcome.

What is a defense in criminal law?

A defense in criminal law is a legal argument that seeks to negate criminal liability.

What are some common defenses to criminal charges?

Common defenses include insanity, self-defense, duress, and mistake of fact.

What is the significance of the 'exclusionary rule'?

The 'exclusionary rule' prevents the use of evidence obtained in violation of a defendant's constitutional rights.

What is the purpose of sentencing in criminal law?

The purpose of sentencing is to punish the offender, deter future crime, rehabilitate the offender, and protect the public.

What is probation?

Probation is a court-ordered period of supervision in the community, instead of serving time in prison.

What is parole?

Parole is the conditional release of a prisoner before the full sentence is served, under supervision.

What is the difference between a trial and a plea bargain?

A trial is a formal examination of evidence in court to determine guilt or innocence, while a plea bargain is an agreement between the defendant and prosecutor where the defendant pleads guilty to a lesser charge.

What is double jeopardy?

Double jeopardy is a legal principle that prohibits an individual from being tried twice for the same offense.