Criminal Defenses – Main Ideas

**-REMEMBER!!!**

A) A trial is simply a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ between the prosecution and

defense; a jury needs to decide who has put up the better \_\_\_\_\_\_\_\_\_\_\_\_

B) The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ rests on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

they must prove “beyond a shadow of a doubt” that defendant is

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

C) Jury must unanimously \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ with the prosecution in

order to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the defendant

**-Possible Defenses**

A) “No Crime Has Been Committed” Defense

1) evidence is presented to show that a crime \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

take place

2) must also prove that there was no criminal \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

in the action (it was a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or an

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

B) “Defendant DID NOT Commit the Crime” Defense

1) defense \_\_\_\_\_\_\_\_\_\_\_\_\_\_ that a crime has taken place

2) defense must prove that the defendant was not the

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (alibi, eyewitness testimony, forensics,

etc.)

C) “Criminal Action Was Justifiable” Defense

1) act was done out of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or defense of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2) rule of thumb: defensive action cannot turn into

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ force

D) “Defendant Is Not Criminally Responsible Due To…” Defense

1) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - in PA, children under \_\_\_\_\_\_ years

old are not held responsible for criminal actions

2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - defendant was \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

to commit the crime by an \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ law

enforcement official

3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - defendant committed the

crime because of the threat of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

to his/her life or to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ his/her life

E) “By Reason of Insanity”

1) defendant lacks \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to understand

how severe actions are

2) defendant suffers from a documented or later proven

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (schizophrenia, delusions, etc.)

3) only used as a defense in about \_\_\_\_\_\_ of all criminal cases; when

it is used, it is successful only \_\_\_\_\_\_\_ of the time