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