

Crimes against Business Interests

- **Larceny by False Pretenses**
- **Forgery**
- **Bribery**
- **Extortion**
- **Computer Crimes**

Larceny by False Pretenses

- **Also known as Fraud**
- **The taking of someone's money or property by intentionally deceiving that person**

Forgery

- **The false making or changing of a writing with the intent to defraud**
 - there must be intent to defraud or deceive

Bribery

- **Illegal to pay or give anything of value to public officials in order to influence their official activity**
 - accepting a bribe is also a crime

Extortion

- **The taking of property by public officials or others which is not due**
 - the victim agrees to give up the money or property, but does so out of fear

Computer Crimes

- **New technologies = new crimes**
 - **identity stealing**

Chapter 2 - Criminal Law

D. Gerken

Lake Shore Central School

Classifications of Crimes

- **Prosecutor**
 - usually the government
 - the party that accuses the person of a crime
- **Defendant**
 - the person who is accused of a crime

Classifications of Crimes

- **Felonies**

- a major crime punishable by imprisonment or death
- murder, manslaughter, burglary, robbery, arson
- “any offense punishable by death or imprisonment for a term exceeding one year”

Classifications of Crimes

- **Misdemeanors**

- a less serious crime with a less severe penalty
- fines or imprisonment in county or city jail
- driving w/out license, underage purchase of alcohol, leaving the scene of an accident

Elements of Crime

- Criminal Act
- Required State of Mind



Elements of Crime



- **Criminal Act**

- each statute that defines a crime must specifically explain the conduct that is forbidden by that statute
 - i.e. a statute that makes stealing a crime prohibits the wrongful taking of another person's personal property
- some statutes make failing to act a crime
 - failure to register for draft when 18.

Classifications of Crimes

- **Required State of Mind**
 - specified in the statute that defines the crime
 - in both manslaughter and murder the criminal act is the same but the intent or required state of mind differs



Particular Crimes

- **Crimes against People**
- **Crimes against Property**
- **Crimes against Business Interests**

Crimes against People

- **Murder**
- **Manslaughter**
- **Assault and Battery**
- **Kidnapping**
- **Sexual Offenses**

Crimes against Property

- **Burglary**
- **Larceny**
- **Embezzlement**
- **Robbery**
- **Arson**

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Defenses to Crimes

- **Insanity**
- **Entrapment**
- **Self-Defense**
- **Defense of family members**

Insanity

- **A person cannot be held responsible for their actions if they do not know what they are doing**
- **no practical purpose to imprison someone who should be under medical care**

Insanity

- **“as a result of mental disease or defect he or she lacks substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law”**

Entrapment

- **If a law enforcement official induces an otherwise law abiding citizen to commit a crime**
- **a defendant who would have committed the crime even without the involvement of the officer cannot use this defense**

Self-defense

- **When a person has good reason to believe that they are in danger of serious injury or death, they can protect themselves**
- **except in one's own home, the person claiming self-defense must retreat, if possible, before resorting to violence**

Defense of family members

- **A person uses force to rescue a family member who has been attacked**
- **must have reason to believe victim was in danger of severe bodily injury or death**
- **must retreat if possible except in family home**

Sentencing Convicted Criminals

- **Fines**
- **Imprisonment**
- **The Death Penalty**