

CRIMINAL LAW I (Definitions & Terminology)

abused child: A child who has been physically, sexually, or mentally abused. Most states also consider a child who is forced into delinquent activity by a parent or guardian to be abused.

acquittal: The judgment of a court, based on a verdict of a jury or a judicial officer, that the defendant is not guilty of the offense or offenses for which he or she was tried.

actus reus: An act in violation of the law. Also, a guilty act.

adjudication: The process by which a court arrives at a decision regarding a case. Also, the resultant decision.

adjudicatory hearing: The fact-finding process wherein the juvenile court determines whether there is sufficient evidence to sustain the allegations in a petition.

ADMAX: Administrative maximum. The term is used by the federal government to denote ultra-high-security prisons.

admission: In corrections, the entry of an offender into the legal jurisdiction of a correctional agency or into the physical custody of a correctional facility.

adult: A person who is within the original jurisdiction of a criminal court, rather than a juvenile court, because his or her age at the time of an alleged criminal act was above a statutorily specified limit.

adversarial system: The two-sided structure under which American criminal trial courts operate that pits the prosecution against the defense. In theory, justice is done when the most effective adversary is able to convince the judge or jury that his or her perspective on the case is the correct one.

aftercare: In juvenile justice usage, the status or program membership of a juvenile who has been committed to a treatment or confinement facility, conditionally released from the facility, and placed in a supervisory or treatment program.

aggravated assault (AAR): The unlawful, intentional inflicting, or attempted or threatened inflicting, of serious injury upon the person of another. While aggravated assault and simple assault are standard terms for reporting purposes, most state penal codes use labels like first-degree and second-degree to make such distinctions.

aggravating circumstances: Circumstances relating to the commission of a crime that make it more grave than the average instance of the given type of offense. See also mitigating circumstances.

alias: Any name used for an official purpose that is different from a person's legal name.

alibi: A statement or contention by an individual charged with a crime that he or she was so distant when the crime was committed, or so engaged in other provable activities, that his or her participation in the commission of that crime was impossible.

alter ego rule: In some jurisdictions, a rule of law that holds that a person can only defend a third party under

circumstances and only to the degree that the third party could act on his or her own behalf.

anomie: A socially pervasive condition of normlessness.

Also: A disjunction between approved goals and means.

appeal: Generally, the request that a court with appellate jurisdiction review the judgment, decision, or order of a lower court and set it aside (reverse it) or modify it.

appearance (court): The act of coming into a court and submitting to its authority.

appellant: The person who contests the correctness of a court, order, judgment, or other decision and who seeks review and takes in a court having appellate jurisdiction. Also, the person in whose behalf this is done.

appellate court: A court whose primary function is to review the judgments of other courts and of administrative agencies.

appellate jurisdiction: The lawful authority of a court to review a decision made by a lower court.

arraignment: Simply, the hearing before a court having jurisdiction in a criminal case, in which the identity of the defendant is established, the defendant is informed of the charge, and of his or her rights, and the defendant is required to enter a plea. Also, in some states, any appearance in criminal court prior to trial.

arrest: The act of taking an adult or juvenile into physical custody by authority of law for the purpose of charging the person with a criminal offense, a delinquent act, or a status offense, terminating with the recording of a specific offense. Technically, an arrest occurs whenever a law enforcement officer curtails a person's freedom to leave.

arrest (court): In Uniform Crime Reports terminology, each separate instance in which a person is taken into physical custody or is notified or cited by a law enforcement officer or agency, except those relating to minor traffic violations.

arrest date: The number of arrests reported for each unit of population.

arrest warrant: A document issued by a judicial officer which directs a law enforcement officer to arrest an identified person who has been accused of a specific offense.

arson: The burning or attempted burning of property, with or without the intent to defraud. Some instances of arson result from malicious mischief, some involve attempts to claim insurance monies, and some are committed in an effort to disguise other crimes, such as murder, burglary, or larceny.

arson (AAR): The burning or attempted burning of property, with or without the intent to defraud.

atavistic: A condition characterized by the existence of features thought to be common in earlier stages of human evolution.

Autism system: A form of imprisonment developed in New York State around 1820 that depended on mass prisons, where prisoners were held in congregated fashion, requiring silence.



Criminal Law I Definitions And Terminology Speedy Study Guide

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