

CRIMINAL LAW II (Definitions & Terminology)

F

federal law enforcement agency: A U.S. government agency or office whose primary functional responsibility is the enforcement of federal criminal laws.

felony: A criminal offense punishable by death or by incarceration in a prison facility for at least one year.

feminist criminology: A developing intellectual approach that emphasizes gender issues in criminology.

fine: The penalty imposed upon a convicted person by a court, requiring that he or she pay a specified sum of money to the court.

first appearance: An appearance before a magistrate during which the legality of the defendant's arrest is initially assessed and the defendant is informed of the charges on which he or she is being held. At this stage in the criminal justice process, bail may be set or pretrial release arranged. Also called initial appearance.

foreign terrorist organization (FTO): A foreign organization that engages in terrorist activity that threatens the security of U.S. nationals or the national security of the United States and that is so designated by the U.S. secretary of state.

forensic anthropology: The use of anthropological principles and techniques in criminal investigation.

forensic entomology: The study of insects to determine such matters as a person's time of death.

forfeiture: The authorized seizure of money, negotiable instruments, securities, or other things of value. Under federal antidrug laws, judicial representatives are authorized to seize all cash, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, as well as all proceeds traceable to such an exchange. Also called asset forfeiture.

forgery: The creation or alteration of a written or printed document, which if validly executed would constitute a record of a legally binding transaction, with the intent to defraud by affirming it to be the act of an unknowing second person. Also, the creation of an art object with intent to misrepresent the identity of the creator.

fraud: An offense involving deceit or intentional misrepresentation of fact, with the intent of unlawfully depriving a person of his or her property or legal rights.

frivolous suit: A lawsuit with no foundation in fact. Frivolous suits are generally brought by lawyers and plaintiffs for reasons of publicity, politics, or other non-law-related issues and may result in fines against plaintiffs and their counsel.

fruit of the poisoned tree doctrine: A legal principle that excludes from introduction at trial any evidence later developed as a result of an illegal search or seizure.

G

gain time: The amount of time deducted from time to be

served in prison on a given sentence as a consequence of participation in special projects or programs.

general deterrence: A goal of criminal sentencing that seeks to prevent others from committing crimes similar to the one for which a particular offender is being sentenced by making an example of the person sentenced.

globalization: A process of social homogenization by which the experiences of everyday life, marked by the diffusion of commodities and ideas, can foster a standardization of cultural expressions around the world.²¹ Globalization involves the progressive erosion of the influence of nation-states and the rise in influence of global decision makers at both public and private levels.

good-faith exception: An exception to the exclusionary rule. Law enforcement officers who conduct a search or who seize evidence on the basis of good faith (that is, when they believe they are operating according to the dictates of the law) and who later discover that a mistake was made (perhaps in the format of the application for a search warrant) may still use the seized evidence in court.

grand jury: A group of jurors who have been selected according to law and have been sworn to hear the evidence and to determine whether there is sufficient evidence to bring the accused person to trial, to investigate criminal activity generally, or to investigate the conduct of a public agency or official.

grievance procedure: A formalized arrangement, usually involving a neutral hearing board, whereby institutionalized individuals have the opportunity to register complaints about the conditions of their confinement.

gross negligence: The intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.

guilty but mentally ill (GBMI): A verdict, equivalent to a finding of "guilty," that establishes that the defendant, although mentally ill, was in sufficient possession of his or her faculties to be morally blameworthy for his or her acts.

guilty plea: A defendant's formal answer in court to the charge or charges contained in a complaint, information, or indictment, claiming that he or she did commit the offense or offenses listed.

H

hacker: A computer hobbyist or professional, generally with advanced programming skills. Today, the term hacker has taken on a sinister connotation, referring to hobbyists who are bent on illegally accessing the computers of others or who attempt to demonstrate their technological prowess through computerized acts of vandalism.

hearing: A proceeding in which arguments, witnesses, or evidence is heard by a judicial officer or an administrative body.



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