

Crimes Against Persons



Homicide

- Killing of one human being by another
- Becomes criminal when accompanied by malice, negligence, or recklessness

Malice

- Intent to kill or seriously harm
- Acting in a reckless manner
- Lack of regard for human life

First-degree murder

- Premeditated
- Deliberate
- Done w/ malice



Felony Murder

- Killing that takes place during a commission of another specified crime
- No intent to kill needed



Second-degree Murder

- Malice
- No premeditation or deliberation
- Intent came at the moment of the murder
- Crime of “passion”

Voluntary Manslaughter

- Victim does something to provoke
- Loss of self-control
- No cooling down period
- Words are not enough

Involuntary Manslaughter

- Unintentional killing
- Conduct is so reckless as to cause death
- “Knowingly playing with a loaded gun”



Negligent homicide

- Negligence: failure to exercise a reasonable or ordinary amount of care
- Causes harm
- Gross (extreme) negligence: e.g., vehicular homicide

Non-criminal Homicide

- Justifiable or excusable
- Self-defense, war

Suicide

- Attempted suicide is the possible charge, although rarely charged
- Mental health solutions
- Assisted suicide is chargeable and punishable
- Prob. 9.1

Assault and Battery

- Assault: attempt or threat to carry out physical attack
- Battery: the physical contact
- Intent is key
- Actual injury is not necessary

Stalking

- Form of harassment
- Repeatedly following, harassing, making threats, causing fear of death or bodily injury

Not in your edition of the text:

- Bullying, a version of assault/battery, form of intimidation

Rape

- Unlawful sexual intercourse, otherwise known as statutory rape:
 - Male and or female may be willing but unable to legally consent because of age
- Forcible rape: intercourse without consent
- Recent changes in how the actions of perpetrator/victim are viewed
- Prob. 9.2