

Law Day 2010: Law in the 21st Century

Emerging Challenges and Enduring Traditions

Criminal law is concerned with those actions, harmful or dangerous to the public or a member of the public, in which prosecution is pursued by the state rather than by an individual person or party. Criminal justice is the system for enforcing criminal law. This system includes the police, the courts and corrections, and is used to maintain the standard of conduct established by society.

Crimes include both felonies and misdemeanors. Felonies are serious offenses like murder and generally punishable by imprisonment of a year or more. Misdemeanors are less serious offenses, like petty theft, and punishable by jail time of a year or less.

In the United States, anyone accused of a crime has the right to legal defense. If the accused cannot afford an attorney, the court will appoint one. To gain a conviction the prosecuting attorney must persuade the jury or judge that the accused, or defendant, is guilty "beyond a reasonable doubt" and later sentenced. Failing that the jury could rule not guilty or the jury may not agree on a verdict resulting in a "hung jury." In the case of a hung jury a repeat trial would be needed.

Another way a criminal case can be resolved is with a plea bargain. A plea bargain is an agreement in a criminal case where the prosecutor offers the defendant the opportunity to plead guilty, often to a lesser charge or to the original criminal charge with a recommendation for a lighter sentence.

◆ Criminal Justice ◆

"At his best, man is the noblest of all animals; separated from law and justice he is the worst."

Aristotle,

Ancient Greek philosopher

Newspaper Activities:

- ◆ Look through the newspaper for articles that show examples of the American criminal justice system. Perhaps, follow the coverage of a particular case for a period of time. What does the coverage reveal about our criminal justice system?
- ◆ Did you find examples of criminal cases outside of the US? If so, share them with the class. If not, do a little research and explore how other countries treat accused criminals. Compare and contrast these with the US.

◆ Criminal Justice ◆

Before you read, list the things you know about the American criminal justice system in column 1 below. Think about and write down what you'd like to find out more about. Then read the passage.

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Newspaper Activity 1:

Look through the newspaper for articles that show examples of the American criminal justice system. Perhaps, follow the coverage of a particular case for a period of time. What does the coverage reveal about our criminal justice system? Now, use the chart below to also record what you've learned about criminal justice.

What do you know?	What would you like to find out?	What have you learned?

◆ Criminal Justice ◆

Newspaper Activity 2:

Did you find examples of criminal cases outside of the US? If so, share them with the class. If not, do a little research and explore how other countries treat accused criminals. Select one country to compare and contrast with the US.

