

## Intro to Criminal Justice MIDTERM Study Guide

- Procedural Defenses - make the claim that the defendant was in some manner discriminated against in the justice process
  - Entrapment (Can Be A Defense)
    - An improper or illegal inducement to crime by agents of law enforcement
  - Double Jeopardy - Can't Be Tried By Same Court For Same Offense
    - A common law and constitutional prohibition against a second trial for the same offense
  - 14th Amendment - Due Process
    - Guarantee of equal protection of the laws (Selective Prosecution)
    - A system of social control that is fair to those it processes
    - The applicability of constitutional rights to all citizens, regardless of state law or procedure
    - Law enforcement infused with the recognition of individual rights
      - Crime control through due process
- 4th Amendment - Unreasonable Search And Seizure
  - Right against unreasonable searches and seizures
  - Right against arrest without probable cause
  - Warrant and illegally seized evidence
    - Exclusionary Rule
      - Evidence illegally seized by the police cannot be used in a trial
        - ~ Acts as a control over police behavior
        - ~ At the time, only binding on the federal agents
- 6th Amendment - Assistance Of Counsel
  - Right to a speedy trial
  - Right to a jury trial
  - Right to know the charges
  - Right to cross-examine witnesses
  - Right to a lawyer
    - Guarantee of a right to counsel
      - Including court-appointed counsel for those unable to afford a lawyer
  - Right to compel witnesses on one's behalf
  - Right to due process of law
- Police Have Discretion
  - The exercise of choice in the decisions to investigate or apprehend, the disposition of suspects, carrying out of official duties, and the application of sanctions
  - Patrolling officers often decide against a strict enforcement of the law, preferring instead to handle situations informally
- Jurisdiction - Geographic Area, Subject Matter, Hierarchy
  - The territory, subject matter, or people over which a court may exercise lawful authority
  - Penal code
    - The written, organized, and compiled form of the criminal laws of a jurisdiction

# Sg Intro To Criminal Justice

**RJ Alexander**



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