

CRIMINAL LAW

When a society and its government decide that certain conduct is dangerous to citizens, or damaging to the society as a whole, such conduct is labeled a "crime" and is made punishable by sanctions such as fines and imprisonment.

Criminal statutes describe the type of conduct that has been deemed a crime, the mindset or intent required, and the proper punishment. People who are found to have violated a criminal law -- whether through their own admission by a "guilty" plea, or as a result of a jury trial-- can be punished through imposition of fines, imprisonment, probation, and community service, among other penalties.

The criminal law "system" encompasses the entire criminal process itself -- from investigation and arrest, to conviction and sentencing. The people who play a role in that process are the accused, police officers, prosecuting attorneys, bail bondsmen, criminal defense attorneys, judges, witnesses, probation officers, and corrections officers.

At all stages of the criminal process, a person suspected of or charged with a crime is entitled to certain fundamental rights that derive from the U.S. Constitution and key court decisions. These include the right to an attorney and the right to a speedy jury trial. These constitutional rights provide a balance between the government's interest in ensuring that criminal behavior is identified and punished, and the fundamental need to preserve and promote the individual freedoms that characterize a democratic society.

The outcome of any criminal case depends upon the crime charged, the strength of the evidence, the legal validity of law enforcement and courtroom procedure, and the goals and strategy of the government and defense. When all is said and done, there may be no legal consequence for a person charged with a crime, because the charges are dismissed, or a full-fledged jury trial might result in a criminal conviction.