

Criminal Law

Criminal laws are laws that make certain actions a crime. These laws come from all three levels of government (federal, state, and local) and can be found in statutes, regulations, and sometimes in state constitutions.

There are two general levels of crimes. Felonies are serious crimes that normally have a punishment of more than a year in jail. Examples may include murder, rape, and robbery. Misdemeanors are less serious crimes where the penalty is usually less than a year in jail or even just a fine. Examples may include vandalism, stealing low cost items, and reckless driving. A law that makes it a crime to do something usually says whether violating the law will be considered a felony or a misdemeanor. Felonies and misdemeanors are also divided into classes depending on how serious they are.

In a criminal trial, the question is always, “Did this person commit a crime?” The government is always on one side of the case, charging someone with a crime. The person accused of the crime, called the defendant, is always on the other side. The defendant is either found innocent of the crime and is acquitted, or he or she is found guilty and is sentenced with a fine or jail time.

Example: Esteban Santiago was accused of killing five people and wounding six on January, 6th, 2017 during a shooting at Fort Lauderdale-Hollywood International Airport. He was charged with the federal crime of inflicting death or bodily harm at an international airport and causing death during a crime of violence using a firearm. Santiago entered a plea of guilty in federal court in exchange for a sentence of life in prison instead of the death penalty.

