

Legal System 2010

Criminal Justice Process

2 Options:

1. Notebook paper, write the term and definition 3 times (3 x 16)
 - Keep all terms until END of semester
2. Note cards, write term on front side, definition on back (keep all cards on a ring)

Legal Systems Voc. #1

1. affidavit = written statement of facts, signed and sworn before court authority
2. Defendant = criminal law, person accused of the crime; in civil case, the person or organization against whom the plaintiff brings the suit
3. Jurisprudence = study of law and the structure of legal system
4. Lawsuit = legal action
5. Plaintiff = person who files the complaint in a civil lawsuit
6. Prosecute = to charge someone w/ a crime
7. Prosecutor = is the individual who tries a criminal case on behalf of the government
8. Statute = law passed by legislature
9. Statute of Limitations = law that sets the deadline by which parties must file suit to enforce their rights
10. Warrant = court order document authorizing official action by law enforcement officials
11. Arrest = to take a person suspected of a crime into custody
12. Reasonable suspicion = evidence that justifies an officer stopping/questioning an individual believed to be involved in criminal activity (based on less evidence than probable cause)
13. Probable Cause = Reasonable grounds for belief that an accused person may be subject to arrest or the issuance of a warrant.
14. Investigatory detention = limited seizure made for purpose of investigating circumstances that aroused officer's suspicion
15. Seizure = Occurs when a suspect submits to a officer's show of legal authority or the officer gains actual physical control of the suspect
16. 4th Amendment = The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Criminal Process Outline -4th Amendment: Search & Seizure

Definition of Search

Definition of Seizure

3 classes of Seizures

Limited seizures

Reasonable Suspicion

Probable Cause

Rights violated when...

Voluntary Encounters

Investigatory Stops

Arrests

“Free to Leave”

Degrees of Suspicion

Terry v. Ohio

“pat & frisk” “plain feel”

Traffic Stops

Search warrant

Affidavit

“no knock” entries

Plain view searches

Scope of a Search

Weeks v. U.S.

Mapp v. Ohio

Exclusionary Rule

Exigent circumstances

Searches w/out Warrants

Suspicionless Searches

New Jersey v. T.L.O.