

Chapter 1:

General Principles of Criminal Law:

- **Criminal Procedure:**
 - o Primarily concerned with *how* questions
 - o Addresses a variety of issues relating to how far the police may go in investigating criminal activity
 - o Governed by constitutional rules

- Jerome Hall identified 5 principles of criminal law that constitute the 'essential elements of crime'
 - o Mens Rea
 - o Act (Effort)
 - o The 'concurrence' (fusion) of mens rea and act
 - o Harm
 - o Causation

Mens Rea: Latin Term that translates to 'guilty mind'

- The legal construct 'crime' is based on conduct (an act, accompanied by a guilty mind) that causes harm.

- Hall appended two additional principles to the five that correspond to the essential elements of crime.
 - o Legality Principle: No crime without law, no punishment without
 - o Punishment: Becomes operative at the rear end of the scheme

Meaning Of Punishment: