

## HOMICIDE

- A. WHAT DISTINGUISHES CRIMINAL BEHAVIOR FROM NON-CRIMINAL BEHAVIOR?
- B. PUNISHMENT GRADING: WHAT FACTORS WARRANT GREATER OR LESSER PUNISHMENT WITHIN THE AREA OF BEHAVIOR DEFINED AS CRIMINAL.

Homicide: Causing the Death of Another Person Without Justification or Excuse

Murder

1<sup>st</sup> Degree -- Willful, Deliberate, Premeditated

Felony Murder

2<sup>nd</sup> Degree -- Any malice aforethought

3<sup>rd</sup> Degree -- Extreme Indifference to the Value of Human Life  
{Recklessness Plus}

Manslaughter

A. Voluntary -- Would be Murder But For Provocation

1. In a State of Passion: "Heat of Passion"
2. Passion Caused by Adequate or Reasonable Provocation
3. Homicidal Act Occurred Before a Reasonable Time to Cool Off

B. Involuntary Manslaughter

1. Recklessness
2. Unlawful Act Doctrine

Negligent Homicide: Simple Negligence {Recklessness Minus}

Civil Liability

No Liability