

# Types of Crimes

by Sophia Tutorial



## WHAT'S COVERED

In this lesson, you will learn about the different legal categories that various crimes fall into. Specifically, this lesson will cover:

1. Classification of Crimes
2. Offenses Against the Person
  - a. Homicide
  - b. Assault and Battery
3. Offenses Against Property
  - a. Theft
  - b. Receiving Stolen Property
  - c. Burglary
  - d. Arson
  - e. Forgery
  - f. Extortion
4. Offenses Against Public Policy
  - a. Bribery
  - b. Perjury
  - c. White-Collar Crime
  - d. Mail and Wire Fraud
  - e. Violations of Antitrust Law
  - f. Violations of the Food, Drug, and Cosmetic Act
  - g. Environmental Crime
  - h. Violations of the Foreign Corrupt Practices Act
  - i. Violations of RICO
  - j. Computer Crime

## 1. Classification of Crimes

Most classifications of crime turn on the seriousness of the act. In general, seriousness is defined by the nature or duration of the punishment set out in the statute.

A **felony** is a crime punishable (usually) by imprisonment of more than one year or by death.



#### DID YOU KNOW

Crimes punishable by death are sometimes known as capital crimes; they are increasingly rare in the United States.

The major felonies include:

- Murder
- **Rape**
- **Kidnapping**
- Armed robbery
- Embezzlement
- **Insider trading**
- Fraud
- Racketeering

All other crimes are usually known as misdemeanors, petty offenses, or infractions.

Another way of viewing crime is by the type of social harm the statute is intended to prevent or deter, such as:

- Offenses against the person
- Offenses against property
- Offenses against public policy



#### TERMS TO KNOW

##### **Felony**

A crime considered to be more serious than petty crimes or misdemeanors, generally punishable by death or imprisonment for a term exceeding one year.

##### **Rape**

Unlawful sexual intercourse by one or more persons upon another, without consent.

##### **Kidnapping**

The unlawful taking of a person against his or her will from one place to another place a substantial distance from the original location.

##### **Insider Trading**

Buying and selling of shares of a corporation by an insider, who may be an officer, director, major shareholder, or other person in possession of non-public information about the value of the shares.

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## 2. Offenses Against the Person

When viewing crime through the lens of the social harm caused, the following major crimes fall under the category of offenses against the person.

## 2a. Homicide

Homicide is the killing of one person by another. Not every killing is criminal. When the law permits one person to kill another, such as a soldier killing an enemy on the battlefield during war, or a killing in self-defense, the death is considered the result of **justifiable homicide**.

An **excusable homicide**, by contrast, is one in which death results from an accident in which the killer is not at fault.

All other homicides are criminal. The most severely punished form is **murder**, defined as homicide committed with **malice aforethought**. This is a term with a very long history. Boiled down to its essentials, it means that the defendant had the intent to kill and acted with deliberation and premeditation. A killing need not be premeditated for any long period of time; the premeditation might be quite sudden, as in a bar fight that escalates in that moment when one of the fighters reaches for a knife with the intent to kill.

Sometimes a homicide can be murder even if there is no intent to kill; an intent to inflict great bodily harm can be murder if the result is the death of another person. A killing that takes place while a felony (such as armed robbery) is being committed is also murder, whether or not the killer intended any harm.

This is the so-called **felony murder rule**.

➦ **EXAMPLE** The accidental discharge of a gun that kills an innocent bystander or the asphyxiation death of a fireman from smoke resulting from a fire set by an arsonist would fall under the felony murder rule.

The felony murder rule is more significant than it sounds, because it also applies to the accomplices of one who does the killing.

➦ **EXAMPLE** The driver of a getaway car stationed a block away from the scene of the robbery can be convicted of murder if a gun accidentally fires during the robbery and someone is killed.

**Manslaughter** is an act of killing that does not amount to murder. Voluntary manslaughter is an intentional killing, but one carried out in the “sudden heat of passion” as the result of some provocation, such as a fight that gets out of hand.

Involuntary manslaughter entails a lesser degree of willfulness; it usually occurs when someone has taken a reckless action that results in death.

➦ **EXAMPLE** A death resulting from a traffic accident in which one driver recklessly runs a red light would be involuntary manslaughter.



### TERMS TO KNOW

#### **Justifiable Homicide**

A homicide that is justified by self-defense, war, or other legal reason.

#### **Excusable Homicide**

A homicide committed by a person doing a lawful act, without any intention or fault.

#### **Murder**

The unlawful killing of one human by another, with malice aforethought.

### Malice Aforethought

An element of homicide requiring intent to kill.

### Felony Murder Rule

A doctrine that imputes guilt for murder upon any person involved in a felony that results in the killing of a person, even if the killing is unintended.

### Manslaughter

The unlawful killing of another without malice, or in the heat of passion.

## 2b. Assault and Battery

Ordinarily, we would say that a person who has struck another has “assaulted” him. Technically, that is a **battery**— the unlawful application of force to another person. The force need not be violent.

➡ **EXAMPLE** A man who kisses a woman is guilty of battery if he does it against her will.

However, the other person may consent to the force.

#### IN CONTEXT

That is one reason why surgeons require patients to sign consent forms, giving the doctor permission to operate. In the absence of such a consent, an operation is battery.

That is also why football players are not constantly being charged with battery. Those who agree to play football agree to submit to the rules of the game, which of course include the right to tackle.

But the consent does not apply to all acts of physical force: A hockey player who hits an opponent over the head with his stick can be prosecuted for the crime of battery.

Criminal **assault** is an attempt to commit battery or the deliberate placing of another in fear of receiving an immediate battery.

➡ **EXAMPLE** If you throw a rock at a friend, but he manages to dodge it, you have committed an assault.

Some states limit an assault to an attempt to commit battery by one who has a “present ability” to do so.

➡ **EXAMPLE** Pointing an unloaded gun and threatening to shoot would not be assault, nor, of course, could it be battery.

The modern tendency, however, is to define assault as an attempt to commit battery by one with an apparent ability to do so.

Assault and battery may be excused if they are reasonable.

➡ **EXAMPLE** A bar owner (or her agent, the bouncer) may use reasonable force to remove an unruly patron. However, if the use of force is excessive, the bouncer can be found guilty of assault and battery, and a civil action could arise against the bar owner as well.

**Battery**

An unlawful touching of another person's body.

**Assault**

A willful attempt or threat to inflict injury on another or any intentional display of force that would put a person in fear of harm.

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## 3. Offenses Against Property

When viewing crime through the lens of the social harm caused, the following major crimes fall under the category of offenses against property.

**3a. Theft**

The concept of **theft** is familiar enough. Less familiar is the way the law has treated various aspects of the act of stealing. Criminal law distinguishes among many different crimes that are popularly known as theft. Many technical words have entered the language - larceny, burglary, robbery - but are often used inaccurately.

The basic crime of stealing personal property is **larceny**. By its old common-law definition, still in use today, larceny is the wrongful "taking and carrying away of the personal property of another with intent to steal the same."

The separate elements of this definition have given rise to all kinds of difficult cases.

**IN CONTEXT**

Take the theft of fruit, for instance, with regard to the essential element of "personal property." If a man walking through an orchard plucks a peach from a tree and eats it, he is not guilty of larceny because he has not taken away personal property (the peach is part of the land, being connected to the tree). But if he picks up a peach lying on the ground, he is guilty of larceny.

Now consider the element of "taking" or "carrying away." Sneaking into a movie theater without paying is not an act of larceny (though in most states, it is a criminal act). Taking electricity by tapping into the power lines of an electric utility was something that baffled judges late in the nineteenth century because it was not clear whether electricity was a "something" that could be taken. Modern statutes have tended to make clear that electricity can be the object of larceny.

Finally, consider the element of an "intent to steal the same." If you borrow your friend's BMW without his permission in order to go to the grocery store, intending to return it within a few minutes and then actually returning it, you have not committed larceny. But if you meet another friend at the store who convinces you to take a long joyride with the car, and you then return hours later, you may have committed larceny.

A particular form of larceny is **robbery**, which is defined as larceny from a person by means of violence or

intimidation; **armed robbery** involves the use of a weapon.

Larceny involves the taking of property from the possession of another, but suppose that a person legitimately comes to possess the property of another and wrongfully appropriates it.

➡ **EXAMPLE** An automobile mechanic entrusted with your car refuses to return it, or a bank teller who is entitled to temporary possession of cash in his drawer takes it home with him.

The common law had trouble with such cases because the thief in these cases already had possession; his crime was in assuming ownership. Today, such wrongful conversion, known as **embezzlement**, has been made a statutory offense in all states; however, statutes against larceny and embezzlement did not cover all the gaps in the law.

In larceny and embezzlement, the thief gains possession or ownership without any consent of the owner or custodian of the property, but a conceptual problem arises in the case of one who is tricked into giving up his title to property.

#### IN CONTEXT

Suppose that an automobile dealer agrees to take his customer's present car as a trade-in. The customer says that he has full title to the car. In fact, the customer is still paying off an installment loan and the finance company has an interest in the old car. If the finance company repossesses the car, the customer - who got a new car at a discount because of his false representation - cannot be said to have taken the new car by larceny or embezzlement. Nevertheless, he tricked the dealer into selling, and the dealer will have lost the value of the repossessed car.

Obviously, the customer is guilty of a criminal act; the statutes outlawing it refer to this trickery as the crime of **false pretenses**, defined as obtaining ownership of the property of another by making untrue representations of fact with intent to defraud.

A number of problems have arisen in the judicial interpretation of false-pretense statutes. One concerns whether the taking is permanent or only temporary.

Another concern is the nature of the misrepresentation. Many cases involve a false representation of fact, but what if a person misrepresents his state of mind?

➡ **EXAMPLE** A friend says, "I will pay you back tomorrow," knowing full well that he does not intend to.

Can such a misrepresentation amount to false pretenses punishable as a criminal offense? In most jurisdictions, it cannot. A false-pretense violation relates to a past event or existing fact, not to a statement of intention. If it were otherwise, anyone failing to pay a debt might find himself facing criminal prosecution, and businesses would be less prone to take risks.

The problem of proving intent is especially difficult when a person has availed himself of the services of another without paying.

➡ **EXAMPLE** In most states, someone leaving a restaurant without paying for the meal is specifically defined in the statutes as **theft of services**.



## TERMS TO KNOW

### Theft

Taking of property without the owner's consent. Also called larceny.

### Larceny

Taking of property without the owner's consent. Also called theft.

### Robbery

Use of force or fear to take money, property, or something of value from a person (or in his or her immediate presence) against his or her will.

### Armed Robbery

The taking of property from another by use of force while in possession of a dangerous weapon.

### Embezzlement

The unauthorized taking of property by one who has lawful possession of it by reason of a position of trust. Example: A bank teller steals money collected from a customer.

### False Pretenses

False representation of material fact(s) that induces a victim to pass title to property to a wrongdoer.

### Theft of Services

Intentional receipt of valuable services coupled with the intentional failure to pay for them.

## 3b. Receiving Stolen Property

One who engages in **receiving stolen property** with knowledge that it is stolen is guilty of a felony or misdemeanor, depending on the value of the property.

The receipt need not be personal; if the property is delivered to a place under the control of the receiver, then he is deemed to have received it.

"Knowledge" is construed broadly: not merely actual knowledge, but (correct) belief and suspicion (strong enough not to investigate for fear that the property will turn out to have been stolen) are sufficient for conviction.



## TERM TO KNOW

### Receiving Stolen Property

A separate crime from stealing property, receiving stolen property requires knowledge that it is stolen and the intention of depriving the true owner of the property.

## 3c. Burglary

**Burglary** is technically both a crime against property and against a person. At common law, burglary was "the breaking and entering of the dwelling of another in the nighttime with intent to commit a felony."

You may notice that this original definition provides plenty of room for argument.

## IN CONTEXT

In reference to the phrase "breaking and entering," the courts do not require actual destruction; the mere opening of a closed door, even if unlocked, is enough.

The definition also does not specify when "night" begins, or whose residence can be burglarized. For instance, a landlord can burglarize the dwelling of his tenant, but a person cannot burglarize his own home.

The modern definition of burglary is much less restrictive, however, and some statutes require no breaking, cover all periods of time (not just nighttime), and apply to other types of structures (not only a dwelling).

In every case, there must be an intent to commit a crime (not necessarily a felony).

➦ **EXAMPLE** A man who sneaks into a woman's home intending to commit battery has committed a burglary, even if he does not carry out the act.



#### TERM TO KNOW

### Burglary

Entry into a building or other structure without consent with the intention to commit a crime.

### 3d. Arson

Under common law, **arson** was the malicious burning of the dwelling of another. Burning one's own house for purposes of collecting insurance was not an act of arson under common law.

The statutes today make it a felony to intentionally set fire to any building, whether or not it is a dwelling and whether or not the purpose is to collect insurance.



#### TERM TO KNOW

### Arson

Intentionally setting fire to a building, with or without the intent to defraud the insurer.

### 3e. Forgery

**Forgery** is the false writing of a document of legal significance (or apparent legal significance!) with intent to defraud. It includes the making up of a false document or the alteration of an existing one. The writing need not be done by hand but can be by any means— typing, printing, and so forth.

Documents commonly the subject of forgery are negotiable instruments (checks, money orders, and the like), deeds, receipts, contracts, and bills of lading. The forged instrument must itself be false, not merely contain a falsehood.

➦ **EXAMPLE** If you fake your neighbor's signature on one of his checks made out to cash, you have committed forgery. But if you sign a check of your own that is made out to cash, knowing that there is no money in your checking account, the instrument is not forged, though the act may be criminal if done with the intent to defraud.

The mere making of a forged instrument is unlawful, as is the **uttering** (or presentation) of such an instrument, whether or not the one uttering it actually forged it.



The example of a false signature is by no means the only way to commit forgery.

➦ **EXAMPLE** If done with intent to defraud, the backdating of a document, the modification of a corporate name, or the filling in of lines left blank on a form can all constitute forgery.



#### TERMS TO KNOW

##### Forgery

With the purpose to defraud or injure someone and without authorization, altering a writing without authority, signing or executing a writing so that it appears to be another's, altering facts set forth in a document, or falsely authenticating a copy of a document, or uttering any such writing.

##### Uttering

A type of forgery in which a person presents a forged document as authentic, knowing it to be forged.

#### 3f. Extortion

Under common law, **extortion** could only be committed by a government official, who corruptly collected an unlawful fee under color of office.

➦ **EXAMPLE** A salaried building inspector who refuses to issue a permit unless the permittee pays him is committing extortion.

Under modern statutes, the crime of extortion has been broadened to include the wrongful collection of money or something else of value by anyone by means of a threat (short of a threat of immediate physical violence, for such a threat would make the demand an act of robbery).

This kind of extortion is usually called blackmail. The blackmail threat is commonly to expose some fact of the victim's private life or to make a false accusation about him.



#### TERM TO KNOW

##### Extortion

A type of theft in which property is obtained by another with the use of fear, threats, violence, or force.  
Example: blackmail.

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## 4. Offenses Against Public Policy

The following crimes are considered to be offenses against public policy under United States law.

#### 4a. Bribery

**Bribery** is a corrupt payment (or receipt of such a payment) for official action. The payment can be in cash or in the form of any goods, intangibles, or services that the recipient would find valuable.

Under common law, only a public official could be bribed. In most states, bribery charges can result from the bribe of anyone performing a public function.

Bribing a public official in government procurement (contracting) can result in serious criminal charges. Bribing

a public official in a foreign country to win a contract can result in charges under the Foreign Corrupt Practices Act.



#### TERM TO KNOW

### Bribery

Giving, offering, or receiving anything of value in return for undue action by a public official.

### 4b. Perjury

**Perjury** is the crime of giving a false oath, either orally or in writing, in a judicial or other official proceeding (lies made in proceedings other than courts are sometimes termed “false swearing”).

To be perjurious, the oath must have been made corruptly— that is, with knowledge that it was false or without sincere belief that it was true. An innocent mistake is not perjury. A statement, though true, is perjury if the maker of it believes it to be false.

➞ **EXAMPLE** Statements such as “I don’t remember” or “to the best of my knowledge” are not sufficient to protect a person who is lying from conviction for perjury.

To support a charge of perjury, however, the false statement must be “material,” meaning that the statement is relevant to whatever the court is trying to find out.



#### TERM TO KNOW

### Perjury

Knowingly and falsely giving false evidence or testimony in an official proceeding where a lawful oath was administered.

### 4c. White-Collar Crime

**White-collar crime** generally refers to fraud-related acts carried out in a nonviolent way, usually connected with business.

➞ **EXAMPLE** Armed bank robbery is not a white-collar crime, but embezzlement by a teller or bank officer is.

Many white-collar crimes are included within the statutory definitions of embezzlement and false pretenses. Most are violations of state law. Depending on how they are carried out, many of these same crimes are also violations of federal law.

Any act of **fraud** in which the United States postal system is used or which involves interstate phone calls or Internet connections is a violation of federal law. Likewise, many different acts around the buying and selling of securities can run afoul of federal securities laws.

Other white-collar crimes include:

- Tax fraud
- Price fixing
- Violations of food, drug, and environmental laws
- Corporate bribery of foreign companies

- Computer fraud

Some of these are discussed here as crimes against public policy; others will be covered in later lessons.



## TERMS TO KNOW

### White-Collar Crime

A category of non-violent crimes committed by corporations or individuals in business. Examples: embezzlement, price fixing, antitrust violations.

### Fraud

In criminal law, a white-collar crime in which deceit, artifice, or trickery is used to deprive a rightful owner of property or money.

### 4d. Mail and Wire Fraud

Federal law prohibits the use of the mails or any interstate electronic communications medium for the purpose of furthering a “scheme or artifice to defraud.” When mail is used in this way, the crime is called **mail fraud**; when electronic communications media are used, the crime is called **wire fraud**.

The statute is broad, and it is relatively easy for prosecutors to prove a violation. The law also bans attempts to defraud, so the prosecutor need not show that the scheme worked or that anyone suffered any losses.

“Fraud” is broadly construed: Anyone who uses the mails or telephone to defraud anyone else of virtually anything, not just of money, can be convicted under the law.

### IN CONTEXT

In one case, a state governor was convicted of mail fraud when he took bribes to influence the setting of racing dates. The court’s theory was that he defrauded the citizenry of its right to his “honest and faithful services” as governor.

*United States v. Isaacs, 493 F.2d 1124 (7th Cir. 1974), cert. denied, 417 US 976 (1974).*



## TERMS TO KNOW

### Mail Fraud

The use of mail to intentionally defraud someone.

### Wire Fraud

The use of telecommunications or information technology to intentionally defraud someone.

### 4e. Violations of Antitrust Law

For the most part, the fundamentals of antitrust law affect the business enterprise civilly.

But violations of Section 1 of the Sherman Antitrust Act, which condemns activities in “restraint of trade” (including price fixing), are also **antitrust law crimes**.



## TERM TO KNOW

### Antitrust Law Crimes

Violations of the Sherman Antitrust Act that protects commerce and business from unlawful restraints, price fixing, price discrimination, anti-competitive practices, and monopolies.

#### 4f. Violations of the Food, Drug, and Cosmetic Act

The federal Food, Drug, and Cosmetic Act prohibits any person or corporation from sending into interstate commerce any adulterated or misbranded food, drug, cosmetics, or related device.

➡ **EXAMPLE** In a 2010 case, Allergen had to pay a criminal fine for marketing Botox as a headache or pain reliever, a use that had not been approved by the Food and Drug Administration.

Unlike most criminal statutes, willfulness or deliberate misconduct is not an element of the act.

➡ **EXAMPLE** An executive can be held liable for a **food and drug crime** even though he may have had no personal knowledge of the violation.



## TERM TO KNOW

### Food and Drug Crimes

Violations of the Food, Drug, and Cosmetic Act that prohibits adulterated or misbranded food, drugs, medical devices, and cosmetics.

#### 4g. Environmental Crime

Many federal environmental statutes have criminal provisions. These include:

- The Federal Water Pollution Control Act (commonly called the Clean Water Act)
- The Rivers and Harbors Act of 1899 (the Refuse Act)
- The Clean Air Act
- The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- The Toxic Substances Control Act (TSCA)
- The Resource Conservation and Recovery Act (RCRA)

### IN CONTEXT

Under the Clean Water Act, wrongful discharge of pollutants into navigable waters carries a fine ranging from \$2,500 to \$25,000 (more for subsequent convictions) per day and imprisonment for up to one year.

"Responsible corporate officers" are specifically included as potential defendants in criminal prosecutions under the act. They can include officers who have responsibility over a project where subcontractors and their employees actually caused the discharge.

*U.S. v. Hanousek, 176 F.3d 1116 (9th Cir. 1999).*

#### 4h. Violations of the Foreign Corrupt Practices Act

As a byproduct of Watergate, federal officials at the Securities and Exchange Commission and the Internal Revenue Service uncovered many instances of bribes paid by major corporations to officials of foreign governments to win contracts with those governments.

Congress responded in 1977 with the **Foreign Corrupt Practices Act**, which imposed a stringent requirement that the disposition of assets be accurately and fairly accounted for in a company's books and records.

The act also made illegal the payment of bribes to foreign officials or to anyone who will transmit the money to a foreign official to assist the payer (the one offering and delivering the money) in getting business.



#### TERM TO KNOW

##### **Foreign Corrupt Practices Act**

A 1977 U.S. criminal statute that prohibits U.S. firms and individuals from bribing foreign officials.

#### 4i. Violations of RICO

In 1970, Congress enacted the **Racketeering Influenced and Corrupt Organizations Act** (RICO), aimed at ending organized crime's infiltration into legitimate business.

The act tells courts to construe its language broadly "to effectuate its remedial purpose," and many who are not part of organized crime have been successfully prosecuted under the act.

It bans a "pattern of **racketeering**," defined as the commission of at least two acts within ten years of any of a variety of already-existing crimes, including mail, wire, and securities fraud. The act thus makes many types of fraud subject to severe penalties.



#### TERMS TO KNOW

##### **Racketeering Influenced Corrupt Organizations Act**

A 1970 U.S. law, sometimes referred to as "RICO," that targets organized crime and prosecutes activities such as illegal gambling, bribery, kidnapping, murder, money laundering, and other crimes committed as part of an ongoing criminal enterprise.

##### **Racketeering**

Organized criminal activity involving illegal schemes or unlawful extortion of property from another without his or her consent, using threats, fear, or force.

#### 4j. Computer Crime

Computer crime generally falls into four categories:

1. Theft of money, financial instruments, or property
2. Misappropriation of computer time
3. Theft of programs
4. Illegal acquisition of information

The main federal statutory framework for many computer crimes is the Computer Fraud and Abuse Act (CFAA). Congress only prohibited computer fraud and abuse where there was a federal interest, as where

computers of the government were involved or where the crime was interstate in nature.

This law is used to prosecute hacking and unlawful computer access to information including banking and credit card information. In addition, states have laws that prohibit many types of computer fraud and abuse.



## SUMMARY

In this lesson, you learned about the various classifications for crimes. **Crimes can be classified** as felonies, misdemeanors, petty offenses, or infractions. Crimes can also be classified according to the type of social harm they are intended to deter. **Offenses against the person** include **homicide** and **assault and battery**. **Offenses against property** include **theft**, **receiving stolen property**, **burglary**, **arson**, **forgery**, and **extortion**.

**Offenses against public policy** are wide-ranging and consist of **bribery**, **perjury**, **white-collar crimes** (usually involving nonviolent fraud-related acts), **mail and wire fraud**, **violations of the Food, Drug, and Cosmetic Act**, **environmental crimes** against federal environmental statutes, **violations of the Foreign Corrupt Practices Act**, **violations of RICO** (Racketeering Influenced and Corrupt Organizations Act), and **computer crime**.

Best of luck in your learning!

Source: This content has been adapted from Lumen Learning's "Types of Crimes" tutorial.



## TERMS TO KNOW

### Antitrust Law Crimes

Violations of the Sherman Antitrust Act that protects commerce and business from unlawful restraints, price fixing, price discrimination, anti-competitive practices, and monopolies.

### Armed Robbery

The taking of property from another by use of force while in possession of a dangerous weapon.

### Arson

Intentionally setting fire to a building, with or without the intent to defraud the insurer.

### Assault

A willful attempt or threat to inflict injury on another or any intentional display of force that would put a person in fear of harm.

### Battery

An unlawful touching of another person's body.

### Bribery

Giving, offering, or receiving anything of value in return for undue action by a public official.

### Burglary

Entry into a building or other structure without consent with the intention to commit a crime.

**Embezzlement**

The unauthorized taking of property by one who has lawful possession of it by reason of a position of trust.  
Example: A bank teller steals money collected from a customer.

**Excusable Homicide**

A homicide committed by a person doing a lawful act, without any intention or fault.

**Extortion**

A type of theft in which property is obtained by another with the use of fear, threats, violence, or force.  
Example: blackmail.

**False Pretenses**

False representation of material fact(s) that induces a victim to pass title to property to a wrongdoer.

**Felony**

A crime considered to be more serious than petty crimes or misdemeanors, generally punishable by death or imprisonment for a term exceeding one year.

**Felony Murder Rule**

A doctrine that imputes guilt for murder upon any person involved in a felony that results in the killing of a person, even if the killing is unintended.

**Food and Drug Crimes**

Violations of the Food, Drug, and Cosmetic Act that prohibits adulterated or misbranded food, drugs, medical devices, and cosmetics.

**Foreign Corrupt Practices Act**

A 1977 U.S. criminal statute that prohibits U.S. firms and individuals from bribing foreign officials.

**Forgery**

With the purpose to defraud or injure someone and without authorization, altering a writing without authority, signing or executing a writing so that it appears to be another's, altering facts set forth in a document, or falsely authenticating a copy of a document, or uttering any such writing.

**Fraud**

In criminal law, a white-collar crime in which deceit, artifice, or trickery is used to deprive a rightful owner of property or money.

**Insider Trading**

Buying and selling of shares of a corporation by an insider, who may be an officer, director, major shareholder, or other person in possession of non-public information about the value of the shares.

**Justifiable Homicide**

A homicide that is justified by self-defense, war, or other legal reason.

**Kidnapping**

The unlawful taking of a person against his or her will from one place to another place a substantial distance from the original location.

**Larceny**

Taking of property without the owner's consent. Also called theft.

**Mail Fraud**

The use of mail to intentionally defraud someone.

**Malice Aforethought**

An element of homicide requiring intent to kill.

**Manslaughter**

The unlawful killing of another without malice, or in the heat of passion.

**Murder**

The unlawful killing of one human by another, with malice aforethought.

**Perjury**

Knowingly and falsely giving false evidence or testimony in an official proceeding where a lawful oath was administered.

**Racketeering**

Organized criminal activity involving illegal schemes or unlawful extortion of property from another without his or her consent, using threats, fear, or force.

**Racketeering Influenced Corrupt Organizations Act**

A 1970 U.S. law, sometimes referred to as “RICO,” that targets organized crime and prosecutes activities such as illegal gambling, bribery, kidnapping, murder, money laundering, and other crimes committed as part of an ongoing criminal enterprise.

**Rape**

Unlawful sexual intercourse by one or more persons upon another, without consent.

**Receiving Stolen Property**

A separate crime from stealing property, receiving stolen property requires knowledge that it is stolen and the intention of depriving the true owner of the property.

**Robbery**

Use of force or fear to take money, property, or something of value from a person (or in his or her immediate presence) against his or her will.

**Theft**

Taking of property without the owner’s consent. Also called larceny.

**Theft of Services**

Intentional receipt of valuable services coupled with the intentional failure to pay for them.

**Uttering**

A type of forgery in which a person presents a forged document as authentic, knowing it to be forged.

**White-Collar Crime**

A category of non-violent crimes committed by corporations or individuals in business. Examples: embezzlement, price fixing, antitrust violations.

**Wire Fraud**

The use of telecommunications or information technology to intentionally defraud someone.