

# INTRODUCTION

Just about everybody is familiar with crime. You can't turn on the TV without hearing about it. The funny thing is, most people don't really understand criminal law. Wondering why YOU should care about criminal law? We could answer that question by going on and on about how the system victimizes ignorant people, but that would bore the hell out of you. Just know that understanding criminal law can save you hundreds to thousands of dollars in legal fees. It can save your family the heartbreak of watching you get caught up in the "system". Last, and most important, it can save YOU from going to jail and becoming another sad statistic. One of the smartest things YOU can do is read this book, learn about criminal law, and understand how to protect your rights.

Now, let's jump right in and start at the beginning. To understand the ins and outs of criminal law, you first have to understand what a crime is and what makes you a criminal. Simply put, it is a crime to break a government rule. And, breaking a government rule makes you a criminal. That's all it takes. You don't have to be a bad person and you don't always have to intend to cause something bad to happen. We repeat, you break a government rule and you can be branded a criminal. Got it? Good. That's one definition of a criminal. But, let's dig a little deeper.

Here's another way to define what makes you a criminal: you commit a crime whenever you do something that causes a certain result the government does not want to see. We'll call such a result a "criminal result" throughout this book. For example, the government does not want to see people end up dead from gun shots. The government has a rule stating that people can't just bust guns and shoot other people. In other words, they outlaw murder. If you were to take a gun, shoot, and kill somebody in cold blood, you would have committed the crime of murder. The shooting caused the criminal result—a person ending up dead from gun shots. YOU would be a criminal because you caused that result that the government did not want to see.

## **Laws**

A government rule is better known as a "law," so that's what we'll call government rules from now on. There are pages and pages of laws written by the federal, state, and local governments. Laws cover everything from the most well-known crimes, like murder and armed robbery, down to the most unfamiliar crimes like cussin' in front of women and children. Laws usually make sense based on what people think is right and wrong, but sometimes it seems as though they're made just to hassle people. No matter what you think about the laws, you have to follow them. Remember, not following the law is what makes you a criminal.

Why have laws? Well, governments write laws to “keep order” and to “protect” citizens. For example, if the government didn’t make it illegal to steal, anybody bigger or stronger than you could punk you and take your stuff at any time. Or how about when you’re driving? You need to know that when you turn the corner in your new, freshly-shined Cadillac Escalade there won’t be some fool driving head-on toward you. The government requires everybody to drive on the right side of the road. Laws make it easier and safer to drive. Ultimately, laws make it easier and safer to live.

### **Punishment**

Laws are only helpful when people follow them, so if you break a law, the government punishes you. Sometimes they throw you in jail. Other times they make you pay money or put restrictions on you, or take away privileges they give to you. For instance, they might suspend your driver’s license. Yeah, that’s what happened to your friend’s daddy when he got caught drunk driving or “DUI”. These punishments are expected to discourage you from breaking the laws, which should result in everybody living in a safer environment. But, you can be the judge of how much safer it is where you live because of the laws you are expected to follow.

# **PART I:**

**CRIMES, THUGGIN', AND CRIMINAL OFFENSES**



# CHAPTER I:

## WHERE YOUR HEAD IS AT WHEN A CRIME IS COMMITTED

### **Section A: Committing Crimes On Purpose**

We told you in the Introduction that you don't always have to intend to cause a criminal result in order to be branded a criminal. Luckily, most times you *do* have to cause a criminal result on purpose in order to be convicted. Take this example: Jon-Jon wants Malcolm's 28-inch chrome rims and decides to steal them. He waits until three o'clock in the morning, goes over to Malcolm's apartment complex, and steals the rims off Malcolm's truck, leaving it on blocks. That's a pretty clear case of committing a crime on purpose. Jon-Jon wanted to do the crime and purposely did all the necessary stuff which made his actions the crime of stealing. Everybody understands that he did the crime on purpose.

### **The Law Says You Committed the Crime on Purpose, You Say You Didn't**

Most times, if you didn't *intend* to do anything illegal, you won't get into trouble. In the example above, Jon-Jon intended to steal the rims and went through with it, so he'll be in big trouble when he gets caught. The problem is that there are a lot of funky situations where the government can say that you intended to commit a crime. Have you ever heard the phrase, "Knowing is half the battle"? Well, the government says that you purposely broke the law if you knew, or should have known that you were doing something criminal. The following example explains one way the government can say you committed a crime on purpose even if you claim you didn't.

MALCOLM KNOWS HIS BOY BOB IS A DRUG DEALER. HE ALSO KNOWS THAT BOB MAKES BUYS TO TENNESSEE TO GET CHEAP DOPE WHICH HE THEN BRINGS TO MICHIGAN TO SELL AT A MADKUP



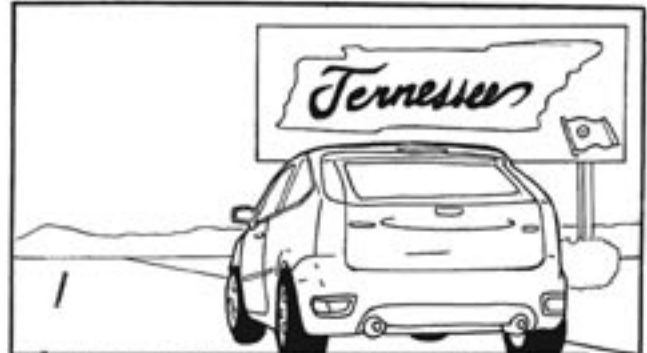
BOB GETS SICK ONE WEEKEND. BUT MALCOLM JUST SO HAPPENS TO BE DRIVING THROUGH TENNESSEE THAT SAME WEEKEND TO VISIT A COUSIN. SO BOB ASKS MALCOLM TO DO HIM A FAVOR.



JUST EXCHANGE BAGS WITH MY HOMEY AND I'LL DROP YOU A COUPLE OF BILLS WHEN YOU GET BACK.

NO PROBLEM.

BOB DOESN'T TELL MALCOLM THAT THE BAG HAS MONEY IN IT. AND MALCOLM DOESN'T ASK. BOB DOESN'T TELL MALCOLM THAT THE BAG HE'S PICKING UP HAS DRUGS IN IT. AND MALCOLM DOESN'T ASK.



MALCOLM DOLLS TO TENNESSEE, HOLLEERS AT BOB'S BOY AND SWITCHES DUFFLE BAGS. ON THE WAY BACK, MALCOLM DOESN'T EVEN LOOK IN THE BAG BUT HE'S PRETTY SURE IT'S GOT DRUGS IN IT.

MALCOLM DIDN'T KNOW IT, BUT THE COPS HAD BEEN SCOPING BOB OUT FOR WEEKS. THEY ALSO GOT A HOT TIP THAT MALCOLM WAS GOING TO BE MAKING A DRUG RUN FOR BOB.



WHEN MALCOLM CROSSES BACK INTO MICHIGAN, THE COPS DRAW DOWN ON HIM OUT OF THE BLUE LIKE WE KNOW THEY LOVE TO DO.



## When The Cops Come Knockin'

Guess what? Malcolm has just committed all kinds of drug trafficking crimes like 1) possession with intent to distribute, 2) conspiracy (we'll explain conspiracy in detail later because the crime of conspiracy is how you really get messed up by the prosecution), 3) carrying illegal drugs across state lines, and the list goes on. The government will say that he did it all on purpose. Why? Because Malcolm *knew* Rob was a drug dealer who made that Tennessee run, even if he and Rob didn't talk about it. Malcolm did the run anyway because he wanted those two bills. Knowing what he did about the situation made that run an intentional attempt to transport drugs across state lines along with a bunch of other charges that the prosecutor will throw at him.

Everybody knows Malcolm freakin' knew what was up. And, the prosecutor and the jury are gonna be like, "Malcolm knew," and they are going to convict him for some major stuff, all over two bills! The moral of the story is that the law will say you purposely committed a crime whenever you knew enough about a situation that you should have known you were doing some illegal stuff.

### **Willful Blindness**

But, what if Malcolm really didn't know anything about Rob being a drug dealer or that Tennessee run? And, what if Malcolm thought the run was a little suspect, but intentionally didn't ask any questions because he didn't want to find out if there was something illegal going on? Could Malcolm still be on the hook for drug trafficking? **HELL YES!** The law will use a rule called "willful blindness" to bust Malcolm even if he really didn't know what was up. Willful blindness is when you intentionally ignore facts, or refuse to find out info that would probably let you know that what you are doing is a crime. The law doesn't like willful blindness, so it assumes that you caused the criminal result on purpose, never mind what you *actually* knew about the situation.

### **TO RECAP**

- **You can't get over on the legal system by pretending that you didn't know you were breaking the law.**
- **The law will punish you for not finding out if you could be breaking the law.**

Now that you know about the ways you can intend to commit a crime, it's time for you to learn how the law can toss you in lockup even when you weren't intending to commit a crime. The next section that we'll cover is unintentional crimes. These crimes are also called reckless and negligent crimes. Read carefully because a lot of people are in prison today because they were criminally reckless or negligent.

## **Section B: Committing Crimes By Mistake**

One of the main reasons that folks in the hood, especially young men, get caught out there is that they do too much risky stuff that could accidentally lead to the injury or death of other people—stuff like walking around with heat or speeding in cars. That's not to say that suburban guys don't do the same stuff. But, dudes in the hood usually can't afford good lawyers to get them off like suburban dudes can.