

# [Criminal justice final exam assignment](https://assignbuster.com/criminal-justice-final-exam-assignment/)

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I would collect all the evidence possible to make sure it wasn’t a homicide. Collecting all of the above would help eliminate or prove whether it was a suicide or homicide. Loud list why I collected each item, but it would just be listing it for the same reason. Key points would be looking for blood, DNA, and Mr.. Banks handprint on things it shouldn’t be on. Likewise, for Ms. O’Connell also. I would get the blood samples from the neighbors to see if they had a trace of alcohol or drugs in their system at the time of the accident. Evidence from further Investigation: a.

Witnesses and evidence not at the crime The witnesses are the neighbors Stacey Boswell and Heather Ladled. Also her family, and friends are witnesses in a sense. Ms. O’Connell stayed in touch tit her sister Christine often, and made her aware of the current circumstances. From the domestic violence she experienced from her boyfriend Banks to their relationship problems, and the fact she was planning on breaking up to him. She’s a witness to her life, and how things were going before her death. I’m not sure if her daughter Lexis was at the age to comprehend what Mr..

Bank’s relationship with Ms. O’Connell was like, but would definitely consider her daughter a key witness if so. B. Evidence not at the crime Evidence not found at the crime scene would be the texts from Ms. O’Connell to her sister, and brother. A text saying, “ Promise me one thing, Lexis will be happy and always have a good life. ” to her sister Christine. Another to her brother saying, “ Lexis never forget. ” Statement from her sister Christine saying that months before she died, Ms. O’Connell had been subjected to domestic abuse by Mr.. Banks.

What evidence that you would collect, would be sent to Forensic Lab? If not, why not sent? A. List at least three items collected I would send all the items I collected that are send-able to the lab. I wouldn’t have collected them if I didn’t plan on putting them into use. Any item has a purpose, and could be a lead into the case. I would treat each item as being very important even if it seems like it doesn’t matter or is small. If I could only pick three items I would choose the gun, blood samples from the neighbors, and the bullets. Loud choose those because the gun is the weapon used which is very important in any case, I would send the blood samples to determine the liableness of the witnesses, and I would send the bullets because it’s odd to me that one bullet was just fired at the ground so I would hope I could get some useful results for that. Legal Issues- Constitutional or Case Law The main problem see in this case is the fact one of the main suspects is part of the polices department, and officers/detectives playing a main role in the “ investigation” Of the case are good friends with Mr..

Banks. The police department did not investigate the case correctly, and did a crappy job of properly investigating the crime scene, doing interviews, and their job as law enforcement. Which is why I would charge them with official misconduct. How is men’s rear and cactus reuse established in this scenario? I don’t really understand how men’s rear is established in this scenario because it doesn’t say Mr.. Banks is guilty of anything. Cactus reuse is established because there is no act that Mr.. Banks carried out that could convict him of murder.

Based on this scenario how would you prove the mental state of mind for “ Intent”? If I did believe Mr.. Banks murdered Ms. O’Connell I would use the fact that domestic violence was present in their relationship, and the fact she was breaking up with him. Given the circumstances, that would give him the motivation to carry out the crime. Till don’t understand how intent plays in because that would be assuming he murdered or wanted to murder Ms. O’Connell. Is there sufficient evidence to prosecute? Don’t believe there is enough evidence to prosecute.

Some of the evidence is very convincing that Mr.. Banks murdered Ms. Connell, but I don’t think there is strong enough facts/evidence to go to trial and end up convicting him of homicide. The strongest evidence they have are the witnesses, and considering they allegedly got statements from them saying they use marijuana, and couldn’t remember if they were under the influence of it at he time they thought they heard the yelling and gunshots makes it unreliable evidence. What would a Defense Lawyer challenge in this case and why? I would challenge the witnesses.

Use the fact they use marijuana to prove their statements are unreliable. Would use the fact Ms. Connell sent texts messages to family that showed she was distressed, and seemed to be in a suicidal thought process. Challenge the fact the prosecutor only has secondary evidence. The evidence found can only be assumed to point to Mr.. Banks “ guilt” of convicting the crime. What ethical issues were presented in this scenario related to police conduct? A. Mr.. Banks leaving his guns around his house when he was not supposed to do that.

They should be locked up, and not laying around so that’s why it’s an ethical issue. B. Sheriff Soar failed to send evidence to the Forensic Lab, and failed to investigate this crime correctly because he believed it was a suicide therefore categorized it as a non-important sensitive case that shouldn’t be brought justice to. This is an ethical issue because I believe if Mr.. Banks (his friend) wasn’t involved, this case would have been more horology investigated by the police department instead of having to have the family hire someone to reexamine the case, which is ridiculous in my opinion.

In conclusion, I don’t think I have enough information to decide if it was a suicide or homicide. With the information did receive do believe it could very well of been a suicide. Yes, there is strong evidence that could lead you to believe Mr.. Banks murdered Ms. O’Connell, but not strong enough to lock someone up for a long time. There is no evidence that leads me to believe Mr.. Banks did it without a reasonable doubt.