

Inchoate crimes discussion

Law



**ASSIGN
BUSTER**

Tonya Henry

A nuanced and well-thought-out approach to this difficult issue. The writer makes a clear distinction between the need to punish while taking into account the severity of the crime. She says that planning a murder is not the same as a murder and the law should take a different perspective on crimes that are simply planned and those that are actually committed. She uses a number of useful hypothetical examples to make her point. She also usefully shows how the prosecutor must prove subjective intent in order to get a conviction for an inchoate crime. This is clearly the hardest part of this issue: proving the subjective intent to commit a crime that has not yet occurred. That is what puts this kind of crime in a separate category and makes the discussion of it so difficult. This writer does a good job of explaining this.