

VIOLENT FELONIES

TOPICS

- INTRO
- AGGRAVATED ASSAULT
- HOMICIDE/ATTEMPTED HOMICIDE
- ROBBERY/AGGRAVATED ROBBERY
- RAPE/AGGRAVATED RAPE

MENS REA + ACTUS REUS

**Almost all crimes require both.
Some crimes do not have a required
MENS REA. All crimes require an
ACTUS REUS.**

AGGRAVATED ASSAULT

TCA § 39-13-102

***SEVERAL SUBSECTIONS**

3 POSSIBLE MENS REA

- INTENTIONALLY
- KNOWINGLY
- RECKLESSLY
- DEFINITIONS: TCA § 39-11-106

LET US COUNT THE WAYS...

- SERIOUS BODILY INJURY
- DEATH OF ANOTHER
- DEADLY WEAPON
- STRANGULATION OR ATTEMPTED STRANGULATION
- PARENT FAILURE TO PROTECT
- AFTER COURT ORDER***

- § 39-13-116 AND 39-13-118



HOMICIDE AND ATTEMPTED HOMICIDE

TCA § 39-13-201, et sec.

STATE V. SHANTERRICA MADDEN

MURFREESBORO POLICE DEPARTMENT

SAME BACKGROUND, DIFFERENT FUTURES

MTSU BASKETBALL PLAYER MURDERED

ADVERSITY BETWEEN MADDEN AND VICTIM, FIGHT

VICTIM STABBED WITH A KITCHEN KNIFE, LEFT TO DIE

MADDEN LEFT THE APARTMENT WITH THE MURDER WEAPON

MURDER WEAPON FOUND IN DUMPSTER

SECOND DEGREE OR FIRST DEGREE MURDER?





**JURY:
SECOND DEGREE
MURDER
AND TAMPERING
WITH EVIDENCE**



STATE V. SIMMONS

LAVERGNE POLICE DEPT.

THIRSTY TURTLE IN ANTIOCH

KFC IN LAVERGNE

DEFENDANT RECOGNIZED VICTIM

COORDIAL IN KFC

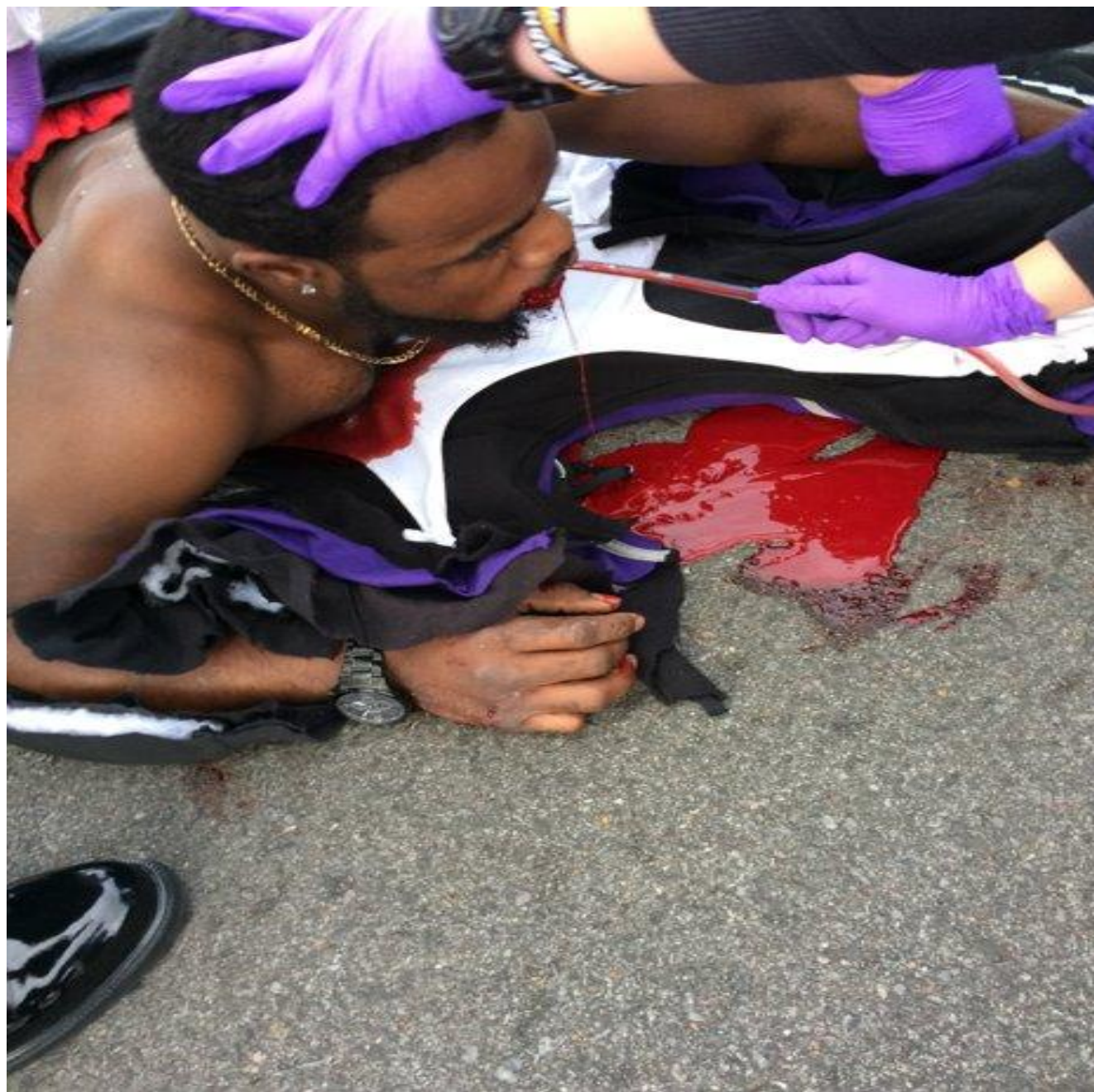
OPENED FIRE WITH A 45

VICTIM SHOT TWICE

EMS AND FIRE SAVED HIS LIFE

ATTEMPTED FIRST DEGREE MURDER
OR AGGRAVATED ASSAULT?







**JURY:
ATTEMPTED
FIRST DEGREE
MURDER**



STATE V. GORDON

MURFREESBORO POLICE DEPT.

THREAT OF SUICIDE

BOXCUTTER AND PHONE

CALM, FRIENDLY CONVERSATION

DEFENDANT WANTED SUICIDE BY COP

20 MIN. BEFORE ENTRY

TASED, STRUGGLE

SGT AND OFFICER SLASHED BY
DEFENDANT

ATTEMPTED FIRST DEGREE MURDER
OR AGGRAVATED ASSAULT?







12 CM LACERATION

GUSHED BLOOD

**URGENT PLASTIC
SURGERY**

OVER 150 STITCHES

EXTREME PAIN

**WEEKS OF
UNCERTAINTY**

PERMANENT SCAR

JURY:

AGG. ASSAULT x1

MISD. RECK. ENDGMT.

**AGG. ASSAULT ON FIRST
RESPONDER x2**

ROBBERY/ AGGRAVATED ROBBERY

TCA § 39-13-401, et sec.

***DEADLY WEAPON OR ANY ARTICLE TO
LEAD VICTIM TO REASONABLY BELIEVE IT TO
BE A DEADLY WEAPON

OR

***SERIOUS BODILY INJURY

RAPE/ AGGRAVATED RAPE

TCA § 39-13-502, et sec.

***FORCE/COERCION AND WEAPON **OR**

***BODILY INJURY **OR**

***AIDED AND FORCE/COERCION OR MENTALLY
DEFECTIVE/HELPLESS/VULNERABLE

ESPECIALLY AGGRAVATED RAPE

TCA § 39-13-534

AGG RAPE plus 2 or more:

*TORTURE

*MUTILATION

*KIDNAPPING/FALSE IMPRISONMENT

*LABOR/SEX TRAFFICKING

*SEX CONVICTION

*1ST DEGREE MURDER

*EXTREME CRUELTY

*2 OR MORE VICTIMS

*MENTALLY/PHYSICALLY/VULNERABLE

Thank you!

WORK TOGETHER
WITH YOUR LOCAL
LEO AND ADA'S!

SHEILA FREEZE, ADA
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