2014

Virginia Practice Series: Criminal Offenses and Defenses

Ronald J. Bacigal
University of Richmond, rbacigal@richmond.edu

Follow this and additional works at: http://scholarship.richmond.edu/law-faculty-publications

Part of the Criminal Law Commons, and the Criminal Procedure Commons

Recommended Citation
VIRGINIA PRACTICE SERIES

Volume 7

CRIMINAL OFFENSES AND DEFENSES

2014-2015 EDITION
Issued October 2014

By
RONALD J. BACIGAL
Professor of Law
University of Richmond

For Customer Assistance Call 1-800-328-4880

Mat #41458389
DEDICATION

To my parents, Joseph and Helen Bacigal, who made it all possible. Also, to my children and to Margaret, who make it all worthwhile.

RJB
PREFACE

The origin of this publication is due to the dedication and labor of the late Roger Groot.

In this 2014-2015 edition, the statutory law is covered through the 2014 Session of the General Assembly. Decisions of the United States Supreme Court are included from the 2014-2015 term. Decisions of the U.S. Court of Appeals and the District Courts in Virginia are issued through August 1, 2014.

RONALD J. BACIGAL

October 2014
Westlaw®

THE NEXT GENERATION OF ONLINE RESEARCH
WestlawNext is the world's most advanced legal research system. By leveraging more than a century of information and legal analysis from Westlaw, this easy-to-use system not only helps you find the information you need quickly, but offers time-saving tools to organize and annotate your research online. As with Westlaw.com, WestlawNext includes the editorial enhancements (e.g., case headnotes, topics, key numbers) that make it a perfect complement to West print resources.

- FIND ANYTHING by entering citations, descriptive terms, or Boolean terms and connectors into the WestSearch™ box at the top of every page.

- USE KEYCITE® to determine whether a case, statute, regulation, or administrative decision is good law.

- BROWSE DATABASES right from the home page.

- SAVE DOCUMENTS to folders and add notes and highlighting online.

SIGN ON: next.westlaw.com
LEARN MORE: store.westlaw.com/westlawnext
FOR HELP: 1-800-WESTLAW (1-800-937-8529)
RELATED PRODUCTS

VIRGINIA PRACTICE SERIES™

Business Entities
William R. Waddell and Lee A. Handford

Civil Discovery
Jeffrey S. Kinsler and Jay E. Grenig

Construction Law
Michael A. Branca and Mark R. Berry

Criminal Offenses and Defenses in Virginia
Ronald J. Bacigal

Criminal Procedure
Ronald J. Bacigal

Criminal Procedure Forms
Ronald J. Bacigal

Family Law: Theory, Practice, and Forms
Peter Nash Swisher, Lawrence D. Diehl, and James R. Cottrell

Jury Instructions
Ronald J. Bacigal and Margaret Ivey Bacigal

Landlord-Tenant Handbook
Jerome P. Friedlander, II

Probate Handbook
Frank O. Brown, Jr.

Products Liability
Gary J. Spahn, Robert E. Draim, Dabney J. Carr, IV, Heather Hays Lockerman, and Nicholas Klaiber

Real Estate Closings
W. Wade Berryhill
Michael V. Hernandez

Tort and Personal Injury Law
Peter Nash Swisher, Robert E. Draim, and David D. Hudgins
Virginia DUI Law: Understanding the Scientific, Medical, Technological, and Legal Aspects of a DUI Case
Michael C. Tillotson and Jeff Martin

Trial Handbook for Virginia Lawyers
Craig D. Johnston

Workers' Compensation
Linda D. Slough

OTHER WEST PRODUCTS

Virginia Reporter and West's Annotated Code of Virginia (CD-ROM)
South Eastern Reporter
Virginia Court of Appeals Reports
West's Annotated Code of Virginia
Virginia Administrative Code
Virginia and West Virginia Digest
Virginia Court Rules and Procedure, State and Federal
Virginia Blue and White Book
Westlaw®
WestCheck®
WestDoc
West CD-ROM Libraries™
KeyCite®

Thomson Reuters® thanks you for subscribing to this product. Should you have any questions regarding this product please contact Customer Service at 1-800-328-4880 or by fax at 1-800-340-9378. If you would like to inquire about related publications or place an order, please contact us at 1-800-344-5009.

Thomson Reuters
610 Opperman Drive
Eagan, MN 55123
Offenses and Defenses

Scientific, Medical, of a DUI Case

Martin

Lawyers

In

Products

Annotated Code of

Reporter

Reports

of Virginia

Code

Digest

Procedure, State and

State Book

Libraries™

Regarding to this product. Should

please contact Customer

940-9378. If you would like

an order, please contact

Reuters

400 North Drive

MN 55123
Table of Topic Abbreviations

| Abduction | ABDUCTION |
| Abortion | ABDUCTION |
| Agriculture Crimes (Title 3.1) | AGRIC |
| Alcohol Offenses (Title 4.1) | ALCOHOL |
| Alibi | ALIBI |
| Anatomical Sales | ANATOMIC |
| Arson and Bombing | ARSON |
| Asbestos | ASBESTOS |
| Assault, Battery and Wounding | ASSAULT |
| Attempts and Solicitation | ATTEMPTS |
| Auctioneers | AUCTIONS |
| Aviation Offenses (Title 5.1) | AVIATION |
| Banking and Finance (Title 6.1) | BANKING |
| Barratry and Related Crimes | BARRATRY |
| Body Armor | BODY ARMOR |
| Boxing and Wrestling | BOXING |
| Bribery | BRIBERY |
| Burglary and Related Crimes | BURGLARY |
| Carjacking | CARJACK |
| Cemeteries | CEMETER |
| Charities (Title 57) | CHARITIES |
| Check Offenses | CHECKS |
| Commissions and Boards (Title 9.1) | COMMISSION |
| Communications Offenses | COMM |
| Computer Crimes | COMPUTERS |
| Conflict of Interests | CONFLICTS |
| Conservation (Title 10.1) | CONSERV |
| Conspiracy | CONSPIRACY |
| Corporate and Franchising Crimes | CORP |
| Credit Card Crimes | CREDITCRDS |
| Cruelty to Animals | CRUEL |
| Dead Animals and Fowl | DEAD |
| Dead Bodies | DEADBODIES |
| Death with Dignity | DEATH |
| Defense of Self or Others | DEFENSE |
| Disorderly Conduct and Places | DISORD |
| Dogs | DOGS |
| Drug Offenses | DRUGS |

xiii
Drunk Driving and Related Offenses
Duress
Education Offenses
Election Offenses
Embezzlement and Related Crimes
Entrapment
Escape and Related Crimes
Extortion and Threats
False Pretenses and Frauds
Family Offenses
Fire Protection (Title 27)
Fisheries Offenses (Title 28.2)
Flag Offenses
Forestry Crimes
Forgery, Uttering and Counterfeiting
Gambling
Game Laws (Title 29.1)
Handicapped Persons, Offenses Against
Health (Title 32.1)
Highways (Title 33.1)
Hit and Run
Homestead (Title 34)
Homicide
Horse Racing Crimes
Hotels, Restaurants and Camps (Title 35.1)
Housing and Mobile Homes (Title 36)
 Ignorance/Mistake of Fact or Law
Impersonation
Insanity and Incompetence
Insurance (Title 38.2)
Interfering with Justice
Intoxication
Labor
Larceny and Receiving
Lead
Libel and Slander
Lobbying
Lottery Crimes
Mines and Mining (Title 45.1)
Misadventure
Money Laundering
Motor Vehicles (Title 46.2)
TABLE OF TOPIC ABBREVIATIONS

<table>
<thead>
<tr>
<th>Topic</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Corporations (Title 15.2)</td>
<td>MUNCCORP</td>
</tr>
<tr>
<td>Names</td>
<td>NAME</td>
</tr>
<tr>
<td>Necessity Defense</td>
<td>NECESS</td>
</tr>
<tr>
<td>Notaries (Title 47.1)</td>
<td>NOTARIES</td>
</tr>
<tr>
<td>Pawnbrokers</td>
<td>PAWNBROK</td>
</tr>
<tr>
<td>Perjury</td>
<td>PERJURY</td>
</tr>
<tr>
<td>Pesticides</td>
<td>PEST</td>
</tr>
<tr>
<td>Poisoning</td>
<td>POISONS</td>
</tr>
<tr>
<td>Pollution Offenses</td>
<td>POLLUTION</td>
</tr>
<tr>
<td>Pornography</td>
<td>PORN</td>
</tr>
<tr>
<td>Precious Metals Offenses</td>
<td>PRECIOUS</td>
</tr>
<tr>
<td>Principal and Accessory</td>
<td>PRINCIPAL</td>
</tr>
<tr>
<td>Prisoner–Related Crimes</td>
<td>PRISON</td>
</tr>
<tr>
<td>Privacy, Offenses Against</td>
<td>PRIVACY</td>
</tr>
<tr>
<td>Professions and Occupations (Title 54.1)</td>
<td>PROFOCC</td>
</tr>
<tr>
<td>Public Assistance Offenses</td>
<td>PUBLIC</td>
</tr>
<tr>
<td>Radiation</td>
<td>RADIATION</td>
</tr>
<tr>
<td>Reptiles</td>
<td>REPTILES</td>
</tr>
<tr>
<td>Resisting Arrest</td>
<td>RESIST</td>
</tr>
<tr>
<td>Riot and Unlawful Assembly</td>
<td>RIOT</td>
</tr>
<tr>
<td>Robbery</td>
<td>ROBBERY</td>
</tr>
<tr>
<td>Security Personnel</td>
<td>SECURITY</td>
</tr>
<tr>
<td>Sex Offenses</td>
<td>SEXOFF</td>
</tr>
<tr>
<td>Stalking</td>
<td>STALK</td>
</tr>
<tr>
<td>State Slogans and Seals</td>
<td>STATE</td>
</tr>
<tr>
<td>Taxation (Title 58.1)</td>
<td>TAXATION</td>
</tr>
<tr>
<td>Terrorism</td>
<td>TERROR</td>
</tr>
<tr>
<td>Toils</td>
<td>TOLLS</td>
</tr>
<tr>
<td>Trade and Commerce</td>
<td>TRADE</td>
</tr>
<tr>
<td>Treason</td>
<td>TREASON</td>
</tr>
<tr>
<td>Trespass and Related Crimes</td>
<td>TRESPASS</td>
</tr>
<tr>
<td>Unconsciousness</td>
<td>UNCONSC</td>
</tr>
<tr>
<td>Vandalism</td>
<td>VANDAL</td>
</tr>
<tr>
<td>Warehouses (Title 61.1)</td>
<td>WAREHOUSE</td>
</tr>
<tr>
<td>Waters</td>
<td>WATERS</td>
</tr>
<tr>
<td>Weapons Offenses</td>
<td>WEAPONS</td>
</tr>
<tr>
<td>Welfare (Title 63.2)</td>
<td>WELFARE</td>
</tr>
<tr>
<td>Wells and Iceboxes</td>
<td>WELLS</td>
</tr>
<tr>
<td>Wills</td>
<td>WILLS</td>
</tr>
<tr>
<td>Workers’ Compensation (Title 63.2)</td>
<td>WORKERS</td>
</tr>
</tbody>
</table>
Table of Contents
Abduction
Abortion
Agriculture Crimes (Title 3.1)
Alcohol Offenses (Title 4.1)
Alibi
Anatomical Sales
Arson and Bombing
Asbestos
Assault, Battery and Wounding
Attempts and Solicitation
Auctioneers
Aviation Offenses (Title 5.1)
Banking and Finance (Title 6.1)
Barratry and Related Crimes
Body Armor
Boxing and Wrestling
Bribery
Burglary and Related Crimes
Carjacking
Cemeteries
Charities (Title 57)
Check Offenses
Commissions and Boards (Title 9.1)
Communications Offenses
Computer Crimes
Conflict of Interests
Conservation (Title 10.1)
Conspiracy
Corporate and Franchising Crimes
Credit Card Crimes
Cruelty to Animals
Dead Animals and Fowl
Dead Bodies
Death with Dignity
Defense of Self or Others
Disorderly Conduct and Places
Dogs
Drug Offenses
Criminal Offenses and Defenses

Drunk Driving and Related Offenses
Duress
Education Offenses
Election Offenses
Embezzlement and Related Crimes
Entrapment
Escape and Related Crimes
Extortion and Threats
False Pretenses and Frauds
Family Offenses
Fire Protection (Title 27)
Fisheries Offenses (Title 28.2)
Flag Offenses
Forestry Crimes
 Forgery, Uttering and Counterfeiting
Gambling
Game Laws (Title 29.1)
Handicapped Persons, Offenses Against
Health (Title 32.1)
Highways (Title 33.1)
Hit and Run
Homestead (Title 34)
Homicide
Horse Racing Crimes
Hotels, Restaurants and Camps (Title 35.1)
Housing and Mobile Homes (Title 36)
Ignorance/Mistake of Fact or Law
Impersonation
Insanity and Incompetence
Insurance (Title 38.2)
Interfering with Justice
Intoxication
Labor (Title 40.1)
Larceny and Receiving
Leads
 Libel and Slander
Lobbying
Lottery Crimes
Mines and Mining (Title 45.1)
Misadventure
Table of Contents

Money Laundering
Motor Vehicles (Title 46.2)
Municipal Corporations (Title 15.2)
Names
Necessity Defense
Notaries (Title 47.1)
Pawnbrokers
Perjury
Pesticides
Poisoning
Pollution Offenses
Pornography
Precious Metals Offenses
Principal and Accessory
Prisoner-Related Crimes
Privacy, Offenses Against
Professions and Occupations (Title 54.1)
Public Assistance Offenses
Radiation
Reptiles
Resisting Arrest
Riot and Unlawful Assembly
Robbery
Security Personnel
Sex Offenses
Stalking
State Slogans and Seals
Taxation (Title 58.1)
Terrorism
Tolls
Trade and Commerce
Treason
Trespass and Related Crimes
Unconsciousness
Vandalism
Warehouses (Title 61.1)
Waters
Weapons Offenses
Welfare (Title 63.2)
Wells and Iceboxes
Wills
Workers' Compensation (Title 65.2)
Index