

Prohibition, Extent, and Punishment

All class I law must specify a prohibition, an extent, and a punishment.



Prohibition

The prohibition is a phrase in the natural vocabulary the definition of which is maintained at the [Federation Library](#). It could be “premeditated murder,” “assault and battery,” “grand larceny”, and so forth. The phrase used in the prohibition is standardized across the entire [Federation](#). The definition can only be changed by the [Federation Council](#). Change requires unanimous consent of all councils using the prohibition in their statutes.

If consensus cannot be reached, those adhering to the old definition will add the current year to their prohibition. E.g., “premeditated murder 2016.” The unadorned “premeditated murder” will carry the new definition going forward.

The definition includes a list of the [objective rights](#), [constitutional rights](#), and [subjective rights](#) violated by the action. Subjective rights must use a common vocabulary maintained at the Federation Library. If the vocabulary of these rights differed, [exit rights](#) into a [dominion](#) where the law was phrased differently would prevent prosecution.

Extent

The extent is optional. It is usually numeric, but there can be other limits that define the size of the crime’s domain. For example, blood alcohol level for DUI prohibitions, dollar amounts for grand larceny, or specific instances of a general prohibition.

Punishment

Using the law as a means of generating revenue is tyranny. It is legal extortion. To prevent this misuse, all punishments are expressed in terms of days in the penitentiary. Punishments can range from 1 day to 80 years.

There is a Federation-wide fund for police and prosecutors. Money is distributed from the fund equally per capita, without regard to the origin of revenue. 50% of

the distributions are earmarked for police, 25% for prosecutors, and 25% for the prisoner security fund.

With victim approval, the judge can convert some or all time in the penitentiary into actual and punitive damages. Actual damages go to the crime victim. Punitive damages are divided with 1/3 going to the victim and 2/3 going to the Federation-wide police, prosecutor, and security fund.

The accused always has the right to choose the penitentiary. The judge aims for terms of conversion high enough so the victim will approve, low enough so the accused can pay, and with enough penitentiary time to serve the public interest.

Because punitive damages are divided equally between police, prosecutors, and security funds worldwide, there is no incentive for malicious prosecution or police misconduct. The accused has the right to insist on the full penitentiary time and the crime victim has the right to accept no damages and insist on the full penitentiary time.

Because the punishment for all crimes is measured in the same units, days in the penitentiary, punishments can be easily ranked.

There is no concept of, "not guilty by reason of insanity/impairment." Mental illness, intoxicants, addiction, and other circumstances are considered by the judge in choosing a penitentiary to best aid the offender in overcoming their problems. Because of the importance of drug rehabilitation and mental health care, fines will not be an option for the portion of the sentence deemed critical to rehabilitation.

Honesty

If lawyers believe their client is innocent, they are obligated to try for a not-guilty verdict. That includes appeals, and presenting new evidence post-sentencing. A hearing to reopen the case will usually be made in the defendant's favor.

If a client has committed a crime, their lawyer has an obligation to argue mitigating circumstances, for lower damages, and to have their client sentenced to the best possible program for rehabilitation. If the lawyer and client do not agree on the truth, the client should find a new lawyer.

If new evidence is found favoring the defendant at any time post-sentencing, a hearing to reopen the case will be made in the defendant's favor if the new evidence is material. If new evidence is uncovered by the prosecution, there is

likewise no protection against double jeopardy after a not-guilty verdict is rendered.

The penitentiary is no longer a horrible place. The convicted have a chance to get a new start in life and should not be denied that right.