



NEW RICHMOND REPUBLIC
CONGRESS OF PEOPLE'S COUNCILS

BE IT ENACTED by the elected delegates of the people's councils of the New Richmond Republic in Congress assembled during the ordinary session of the third convocation thereof...

AN ACT

regarding the nature of criminal offenses and culpability for their commission, and establishing the Criminal Code of the New Richmond Republic

1. Criminal offenses, also known as crimes, are acts which violate the provisions of the laws of the Central People's Government or local authorities.
2. Individuals who are convicted of a criminal offense by the People's Senate are subject to punishment in accordance with law.
3. Individuals cannot be convicted of a criminal offense unless their liability is based on conduct that includes a voluntary act or the omission to perform an act of which they are physically capable.
 - a) The following are not voluntary acts within the meaning of this article:
 - i) a reflex or convulsion;
 - ii) a bodily movement or speech during unconsciousness or sleep; or
 - iii) a bodily movement that otherwise is not a product of the effort or determination of the actor, either conscious or habitual.
4. An individual cannot be convicted of a criminal offense unless they acted purposely, knowingly, recklessly, or negligently.
 - a) A person acts purposely when:
 - i) the element of the criminal offense involves the nature of their conduct or a result thereof, it is their conscious object to engage in conduct of that nature or to cause such a result; and
 - ii) the element involves attendant circumstances, they are aware of the existence of such circumstances or they believe or hope that they exist.
 - b) A person acts knowingly when:
 - i) the element of the criminal offense involves the nature their conduct or the attendant circumstances, they are aware that their conduct is of that nature or that such circumstances exist; and
 - ii) the element of the criminal offense involves a result of their conduct, they are aware that it is practically certain that his conduct will cause such a result.

- c) A person acts recklessly with respect to an element of a criminal offense when they consciously disregard a substantial and unjustifiable risk that the element exists or will result from their conduct. The risk must be of such a nature and degree that its disregard involves a gross deviation from the standard of conduct that a law-abiding citizen would observe in their situation.
 - d) A person acts negligently with respect to an element of a criminal offense when they should be aware of a substantial and unjustifiable risk that the element exists or will result from their conduct. The risk must be of such a nature and degree that the actor's failure to perceive it involves a gross deviation from the standard of care that a reasonable person would observe in the actor's situation.
5. An individual is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect they lack substantial capacity either to appreciate the wrongfulness of their conduct or to conform their conduct to the requirements of law.
- a) "Mental disease or defect" does not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.
6. Criminals convicted of any counter-revolutionary crime are subject to political reeducation at the discretion of the revolutionary educational authorities of the Blair Mountain League as mandated by the People's Senate as a lawful form of punishment.
7. Provisions of acts of the Congress and decrees of the Central Executive Committee which pertain to the classification and/or punishment of criminal offenses, the nature of criminal law, and the processes of the criminal justice system are to be compiled in a comprehensive text known as the Criminal Code of the New Richmond Republic.
- a) The maintenance and publication of the Criminal Code is the responsibility of the Consul of Justice, subject to oversight and approval by the Congress of People's Councils.
 - b) In cases wherein the text of the Criminal Code and the text of the original source law are found to be contradictory, the source law is to be taken as superior and the discoverer of such discrepancies must report them to the People's Senate for rectification; unless, however, the source law was enacted under the provisions of the First Basic Law and the alterations were done to bring the provisions in line with the Second Basic Law

Enacted by the Congress of People's Councils and thereafter promulgated by the People's Commissioner of the Republic on this 10th day of September in the year two-thousand and twenty-two of the Common Era, and in the year of the Revolution the second.



Brooklyn J. Hewitt
*People's Commissioner of the Republic
Chairwoman of the Congress of People's Councils*