CONCORD LAW SCHOOL OF KAPLAN UNIVERSITY
CRIMINAL LAW ESSAY 2

One evening after work Sally and her close friend and co-worker Debbie decided to visit a local bar. After consuming several drinks Sally told Debbie that her husband, Vic, had moved to the Downtown Hotel and was threatening to divorce her. Debbie responded, “If I were you, I would get rid of him before he has a chance to dump you and hire an expensive lawyer to take from you your fair share. I think I have a friend who could help you if you’re interested.” Sally responded, “You’re right! The bum deserves to die! Could you contact your friend and see if he is available to handle this immediately?”

Debbie went to her car to get her cell phone and call her friend. While Debbie was making the call, Sally left the bar and drove to the hotel where Vic was staying. Debbie then returned to the bar and discovered that Sally had left. Realizing what Sally might do, Debbie called the police and told them that they should go to the Downtown Hotel immediately because she was afraid that something horrible might happen. A patrol car was dispatched to the Downtown Hotel but was delayed in arriving by several minutes by unusually heavy traffic.

Sally arrived at the Downtown Hotel and proceeded to Vic’s room. When Vic opened the door he told Sally she should leave since he had decided to divorce her. He also stated that he had been having a sexual relationship with his secretary for several weeks and intended to marry her as soon as the divorce was final. Startled by this news Sally reached into her purse, removed a letter opener, and stabbed Vic in the stomach. Vic died from his injuries an hour later.

Sally was arrested. She told the above information to the police. As a result, Debbie was arrested as well.

1. What would be Sally’s criminal homicide liability for the death of Vic, and what defenses could be asserted? Discuss.

2. What would be Debbie’s criminal liability for her actions above, and what defenses could be asserted? Discuss.