

How the law sees domestic violence

Legal definitions – these may vary from state to state

1. Assault: An "assault" is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.

Aggravated assault: An "aggravated assault" is an assault:

- (a) With a deadly weapon without intent to kill; or
- (b) With an intent to commit a felony.

2. Battery; felony battery: The offense of battery occurs when a person:

Actually and intentionally touches or strikes another person against the will of the other;

or

Intentionally causes bodily harm to another person.

Felony battery: A person commits felony battery if he or she:

- (a) Actually and intentionally touches or strikes another person against the will of the other; and
- (b) Causes great bodily harm, permanent disability, or permanent disfigurement.

3. Aggravated battery: A person commits aggravated battery who, in committing battery:

- 1. Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; or
- 2. Uses a deadly weapon.

What is the difference between a felony and a misdemeanor?

A person convicted in a court of law of a felony crime is known as a felon. The US federal government defines a felony as a crime punishable by death or imprisonment in excess of one year.

If punishable by exactly one year or less, it is classified as a misdemeanor. The individual states may differ in this definition, using other categories such as seriousness or context. A misdemeanor is considered a crime of low seriousness, and a felony one of high seriousness. A principal of the rationale for the degree of punishment given is that the punishment should fit the crime. One standard for measurement is the degree to which a crime affects others or society.

Felonies include but are not limited to the following: Murder; Rape; Aggravated assault and/or battery; Arson; Robbery; Burglary; The manufacture, sale, distribution, or possession with intent to distribute of certain types and/or quantities of illegal drugs; possession of some drugs, grand larceny or grand theft, i.e., larceny or theft above a certain statutorily established value or quantity of goods; and Vandalism on federal property.