

Double Jeopardy

In United States law, no defendant can be tried for the same crime using the same evidence twice. This is the concept of double jeopardy. Double jeopardy arises from the Fifth Amendment to the Constitution, which states that no person shall "be subject for the same offense to be twice put in jeopardy of life or limb." The clause limits the government's power to oppress citizens with the threat of repeat prosecutions. Even when new evidence is uncovered, the defendant cannot be retried on the same charges once acquitted of them.

Further Discussion The O.J. Simpson case was one of the most publicized criminal trials in history. In 1994, the former football star was accused of murdering his ex-wife, Nicole Brown Simpson, and her friend Ronald Goldman. DNA evidence proved that blood found on Simpson's socks belonged to his ex-wife and blood in his vehicle to both victims. A forensics expert for the defense questioned the authenticity of the evidence, leading to doubts in the jury and Simpson's ultimate acquittal.

Activity: Brainstorm After Simpson's acquittal, the victims' families brought suit against Simpson in civil court, where he was convicted and ordered to pay financial damages. If a defendant is acquitted of murder in a criminal trial, should he/she be financially liable in a civil trial?