

# Glossary: E

**Early Release.** *See Parole.*

**Ecoterrorism.** Terroristic destruction of natural resources upon which people depend.

**Eddings v. Oklahoma.** [[455 U.S. 104](#) (1982)]. In deciding capital punishment cases, there are no limits on the number of mitigating factors that the defense may introduce.

**Edwards v. Arizona.** [[451 U.S. 477](#) (1981)]. "An accused...having expressed his desire to deal with the police only through counsel, is not subject to further interrogation until counsel has been made available to him, unless the accused has himself initiated further communication...with the police."

**Eighth Amendment.** An amendment to the Constitution of the United States that protects the rights of persons accused of crimes. The text is as follows:

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

*See FindLaw's [Eighth Amendment Annotations](#)*

**Electronic Monitoring.** The use of electronic devices to insure that an offender remains in a defined area, usually his home; an alternative to incarceration.

**Elements of the Offense.** Any acts, states of mind, or circumstances necessary to constitute a crime.

**Elimination.** [Forensics]. Where a forensic examiner concludes that a questioned item did not come from the same source as a known item.

**Embezzlement.** *See full article titled [Embezzlement](#)*

**Empirical.** Derived from observation of experiment; usually connotes numerical records and analysis of those observations.

**En Banc.** [Latin]. "In the Bench." A session of court where all of the judges of that court participate.

**English Common Law.** *See [Common Law](#).*

**Entrapment.** A criminal defense that requires the defendant to show that the crime would not have occurred if it were not for the intervention, assistance, or encouragement of law enforcement.

**Equal Employment Opportunity Commission.** (EEOC). *See full article titled [Equal Employment Opportunity Commission](#)*

**Equal Protection.** Clause of the Fourteenth Amendment that guarantees all citizens equal protection under the law, regardless of race, color, gender, class, origin, or religion.

**Equity.** The concept that relationships between people should be just and fair.

**Equivocality Approach.** In attempt, the theory that the actus reus must have no other purpose than the commission of the crime.

**Error in Fact.** Any error made in court; may or may not effect the judgment of the court. *Compare with Error in Law.*

**Error in Law.** Any error made in court that may affect the judgment of the court. *See also Reversible Error and Harmless Error.*

**Escobedo v. Illinois.** [[378 U.S. 478](#) (1964)]. A suspect has the right to a lawyer's presence during interrogation at a police station.

**Evidence.** Any material admitted in court that is intended to produce a belief concerning a matter at hand.

**Evidentiary.** Having to do with the rules of evidence or the evidence in a particular case.

**Ex Parte.** [Latin.] A hearing conducted in the presence of only one party in a case.

**Ex Post Facto laws.** [Latin]. The unconstitutional practice of making laws that punish acts completed prior to the passage of the law or retroactively increasing the penalty for a crime.

**Ex Rel.** [Latin]. A term used in case citations to designate a party for whom another party is acting.

**Examination.** *See Direct Examination and Cross-examination.*

**Exception.** An objection of a ruling or comments made in court by the judge or attorneys.

**Excessive Bail.** Any bail amount that grossly exceeds the proportionality of the seriousness of the offense; prohibited by the Eighth Amendment.

**Exclusionary Rule.** Legal principle that evidence obtained in violation of a defendant's constitutional rights cannot be used in court. *See Mapp v. Ohio* (1961).

**Exclusive Jurisdiction.** Having specific jurisdiction over certain kinds of cases.

**Exculpatory.** Tending to vindicate a person of alleged crimes.

**Excuse.** A defense that admits wrongdoing without criminal responsibility.

**Executive Pardon.** Power of a governor or president to forgive offenders and revoke sentences.

**Expert Testimony.** Testimony provided by one who is recognized by the court in a particular field relevant to the evidence at hand.

**Expunge.** Deletion of arrest record from official sources.

**Extortion.** Misappropriation of another's property by means of threatening bodily harm. *See full article titled [Extortion](#).*

**Extraneous Factor.** A condition that is beyond a person's control.

**Extrinsic Force Standard.** In the law of rape, a doctrine whereby there must be some force in addition to that necessary to accomplish penetration. *Contrast with **Intrinsic Force Standard**.*

**Eyewitness.** Person who testifies in court as to what he or she saw or heard.

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