

Glossary: S

Schmerber v. California. [[384 U.S. 757](#) (1966)]. When there was probable cause for an arrest, drawing blood to measure the defendant's "blood-alcohol level was a reasonable one, since it was an effective means of determining intoxication, imposed virtually no risk, trauma or pain, and was performed in a reasonable manner by a physician in a hospital."

Scientific Jury Selection. Applying various scientific principles to selecting jurors who will render favorable decisions.

Screening. Attempting to remove biased jurors and select only the most objective ones.

Seal. To close from public inspection.

Search Incident to a Lawful Arrest. The right held by the police to search an arrestee without a warrant. Established in [Chimel v. California](#) (1969).

Second Amendment. An amendment to the Constitution of the United States that protects the right to keep arms. The text is as follows:

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

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

Second Degree Murder. While varying widely from jurisdiction to jurisdiction, murder in the second degree most commonly refers to an intentional killing that is not premeditated or to a killing that manifests an extreme indifference to the value of human life.

Section 1983 Suit. Law suit based on a federal statute making it illegal for anyone acting under color of state law to deny someone's constitutional rights.

Secure Custody. Incarceration of juveniles which restricts movement.

Self-defense. An affirmative defense in which defendants explain otherwise criminal conduct by showing a necessity to defend themselves.

Self-incrimination. The act of exposing oneself to prosecution by answering questions that tend to demonstrate involvement in criminal activity; prohibited by the Fifth Amendment. See [Brown v. Mississippi](#) (1936).

Sentence. A penalty imposed on a defendant by a court after a finding of guilt.

Sentencing. Process of imposing a punishment on a defendant after a finding of guilt.

Sentencing Disparity. Inconsistency in sentencing of convicted offenders that is often based on race, sex, and socioeconomic factors.

Sentencing Guidelines. procedures developed by state and federal governments to assist judges in assessing fair and consistent lengths of incarceration for various crimes, taking into account various aggravating and mitigating circumstances.

Sentencing Reform Act of 1984. Legislation that dramatically increased the discretionary authority of judges to provide alternative sentences.

Sequester. The separation of jurors from the outside world so that their decisions cannot be influenced by factors outside the case.

Service of Process. Serving a summons to notify someone to appear in court at a specified time.

Service Style. A style of policing that emphasizes service to the community over crime fighting.

Severance. The separation of related cases so that they can be tried separately in different courts.

Sex Offender Registries. Databases identifying known sex offenders linked to their place of residence; maintained to protect potential victims.

Sheppard v. Maxwell. [[384 U.S. 333](#) (1966)]. "The trial court failed to invoke procedures which would have guaranteed petitioner a fair trial, such as adopting stricter rules for use of the courtroom by newsmen as petitioner's counsel requested, limiting their number, and more closely supervising their courtroom conduct."

Sheriff. County-level law enforcement official; the only elected position in law enforcement, the office of sheriff originated in medieval England.

Shire-reeve. An office in medieval England; the origin of the term sheriff.

Shock Incarceration. Boot camps; programs that adopt military style discipline and physical training in a correctional environment.

Shock Parole. *See Shock Probation.*

Shock Probation. Sentencing offenders to prison for a brief period, primarily to give them a "taste" of prison life, and then releasing them on probation.

Signature Bond. Release based on the defendant's signature on a written promise to return for trial.

Silent System. Correctional practice of prohibiting talking among inmates.

Singer v. United States. [[380 U.S. 24](#) (1965)]. "Although he may waive his right to trial by jury, there is no constitutional impediment to conditioning a waiver of this right on the consent of the prosecuting attorney and the trial judge when, if either refuses to consent, the result is that the defendant is subject to an impartial trial by jury - the very thing that the Constitution guarantees him." *See also* [Patton v. United States](#)

Sixth Amendment. An amendment to the Constitution of the United States that protects the rights of defendants in criminal prosecutions. The text is as follows:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

See FindLaw's [Sixth Amendment Annotations](#)

Social Bond Theory. Theory developed by Travis Hirschi which holds that strong social and emotional ties to social values lessen the chance of criminal behavior.

Social Contract. See entry for the [Internet Encyclopedia of Philosophy](#).

Social Control. Informal and formal methods of getting members of society to conform to social norms.

Social Determinism. The assumption that behavior is caused by social forces.

Social Disorganization Theory. Theories of crime causation based on the idea that social conditions such as poverty and poor education contribute significantly to crime.

Social Norms. The expected, normal behavior in a particular society; laws are often based on norms.

Society for the Prevention of Pauperism. Philanthropic group that established the first reformatory in New York in 1825, which was known as the New York House of Refuge.

Sociological Jurisprudence. A view that holds that part of the law should be devoted to developing public policy and social rules.

Sodomy. *See* article entitled [Sodomy](#).

Solicitation. The incomplete crime of urging or commanding another person to commit a crime.

Solitary Confinement. Confinement that insures no contact with other people; most often used as a form of punishment for infractions within a prison environment.

Sovereign Immunity. The historical claim that governments, beginning with the kings of England, were above the law and could not be sued in civil court.

Special Part of the Criminal Law. Part of the law that defines the elements of specific crimes.

Specific Deterrence. Deterrence based on the premise that an individual is best deterred from committing more crime by the specific nature of the punishment; the pain inflicted on that individual will prevent that individual from reoffending. *Compare with* [General Deterrence](#).

Speedy Trial. A fundamental right guaranteed by the Sixth Amendment.

Spencer, Herbert. See entry for the [Internet Encyclopedia of Philosophy](#).

Spinelli v. United States [[393 U.S. 410](#) (1969)]. Historical case concerning the adequacy of police affidavits in obtaining search warrants; overturned in [Illinois v. Gates](#).

Spirit of the Law. The intent of the law as opposed to the exact letter of the law.

Split Sentencing. Procedure whereby a judge imposes a prison sentence for a fixed duration followed by a probation period of a fixed duration.

Spontaneous Declaration. *also known as* excited utterance. An exception to the hearsay rule whereby statements made without time for reflection in response to some startling circumstance are admissible.

Standard of Proof. *also Evidentiary Standard.*

Standard Operating Procedure (SOP). Standardized rules and regulations within police departments designed to promote professionalism.

Stare Decisis. The doctrine of following legal precedent.

Status Offender. A juvenile that has committed an offense that would not be an offense of the juvenile were an adult.

Statute of Limitations. Period of time after which a crime that has been committed cannot be prosecuted.

Statutes. Laws passed by legislatures.

Statutory Exclusions. Legislative provisions that automatically exclude some offenders and some offenses from being heard in juvenile courts.

Statutory Rape. Carnal knowledge (sexual intercourse) with a person under the age of consent whether or not accomplished by force.

Steagald v. United States. [451 U.S. 204 (1981)]. An arrest warrant alone suffices to enter a suspect's own residence, but a search warrant must be obtained to search for a person in the residence of another to make an arrest.

Stigmas. The result of the process of being labeled as a criminal or a delinquent.

Stigmata. See [Atavistic Stigmata](#)

Stoner v. California [[376 U.S. 483](#) (1964)]. A hotel guest is entitled to the constitutional protection against unreasonable searches and seizures and hotel clerks have no authority to permit a room search.

Stop and Frisk. Right held by police to search a person for a concealed weapon in the basis of reasonable suspicion; established in the landmark case [Terry v. Ohio](#) (1968).

Strain Theory. Robert Merton's theory that people are naturally law abiding but resort to criminal behavior when they cannot obtain their desired goals through legitimate means.

Strickland v. Washington. [[466 U.S. 668](#) (1984)]. Here the court established three criteria for evaluating ineffective assistance of counsel claims: (1) undermines the adversarial process, (2) any deficiencies were prejudicial to the outcome of the case, and (3) the attorney's conduct fell below professional norms

Strict Liability Crime. A crime that does not involve the usually necessary element of intent (*mens rea*); usually applied to non-serious infractions such as speeding and parking violations.

Strikes. See full article titled [Public Employee Strikes](#)

Subject Matter Jurisdiction. A type of court jurisdiction that is based on the type of crime.

Subornation of Perjury. The crime of procuring someone to lie on the witness stand.

Subpoena. A document issued by a judge ordering a specified person to appear in court to either answer to charges or to testify in a case.

Substantive Criminal Law. That part of the criminal law that enumerates criminal acts and their punishments as opposed to procedural law.

Substantive Due Process. Refers to the process of having substantive law conform to the principles of fairness set forth in the Constitution; the idea that government cannot make laws unless there is a compelling public interest in regulating the conduct.

Summary Judgment. A judgment by a court prior to a verdict because no issue of fact exists and one party is entitled to a judgment as a matter of law.

Summary Justice. A trial held by a court of limited jurisdiction without a jury trial.

Summation. Closing remarks made by both sides at the end of a trial.

Summons. A legal document that commands a person to appear before a judge at a particular time and place.

Supply Reduction. Drug enforcement strategy whereby law enforcement attempts to prevent illicit drugs from entering the country. *Compare with Demand Reduction.*

Suppression Hearing. A hearing to determine if evidence is admissible later at trial.

Supra. "Above." References made to earlier statements; often used in place of a citation for material that has already been cited.

Supreme Court. The court of last resort on the federal level and for many states.

Surety Bond. Money or property that is posted or guaranteed by a person to ensure the future appearance in court of another person.

Surreptitious Remaining. Entering a structure lawfully and remaining with the intent to commit a crime inside.

Suspended Sentence. Another term for [Probation](#).

Sustain. To uphold.

Sworn In. A process where a person is to offer testimony swears to tell the truth and nothing but the truth; usually by oath on the Bible.

Systems Theory. *See full article titled [Systems Theory](#).*