

Draft Amendment: "Amendment 29 - Crime Defined"

Preamble: To restore the principles of justice and fairness embedded in the Common Law, and to protect the rights of individuals from arbitrary or unjust criminal prosecution, this Amendment defines the essential elements of crime and ensures that no person shall be deprived of liberty without due cause as determined by these standards.

Section 1: Definition of Crime A crime, for the purposes of the laws of the United States and all States within its jurisdiction, shall be defined as an act which meets the following three conditions:

1. **Actus Reus:** A voluntary, overt action or omission that is unlawful. Mere thoughts or intentions, absent an act, shall not constitute a crime.
2. **Mens Rea:** The presence of criminal intent or knowledge of wrongdoing. The individual must have acted with a guilty mind, intending to commit the unlawful act.
3. **Intended Victim:** The crime must be directed against an identifiable person, persons, or entity, causing harm or creating a direct and substantial risk of harm.

Section 2: Protection Against Unjust Imprisonment No person shall be jailed, imprisoned, or otherwise deprived of their liberty for any alleged offense unless all three elements—Actus Reus, Mens Rea, and an intended victim—are proven beyond a reasonable doubt in a court of law.

Section 3: Limitation on Legislative Power Congress and the legislatures of the several States shall make no law criminalizing conduct that does not meet the definition of crime as provided in this Amendment. Laws that criminalize actions without requiring proof of both criminal intent and an intended victim are hereby rendered void and unenforceable.

Section 4: Nullification of Strict Liability Offenses Any law, regulation, or rule that imposes criminal liability without regard to the presence of Mens Rea (criminal intent) is hereby nullified. Strict liability offenses, which criminalize conduct without requiring proof of intent, shall not be grounds for imprisonment.

Section 5: Right to Due Process Every individual accused of a crime shall be entitled to a full and fair trial, wherein the prosecution must establish the existence of an Actus Reus, Mens Rea, and an intended victim. No person shall be convicted of a crime unless all elements are proven to the satisfaction of a jury of their peers or other appropriate adjudicative body.

Section 6: Effective Date This Amendment shall take effect immediately upon ratification by the legislatures of three-fourths of the several States, as provided in the Constitution.

Section 7: Enforcement Congress shall have the power to enforce this Amendment through appropriate legislation, provided that such legislation is consistent with the principles herein and does not abridge or diminish the requirements for defining and prosecuting crimes.

This draft amendment restores the traditional Common Law definition of crime, ensuring that criminal acts require an unlawful action, intent, and a victim, thus limiting the state's power to prosecute and imprison individuals in the absence of these essential elements.