

Penal Code

Section 1: Basic Principles

- 1) All citizens must uphold the law and the Constitution at all times, not doing so may result in criminal offense.
- 2) This act hereby grants the Court the power to order punishment upon criminal offenders, according to the guidelines provided by the law.
- 3) Where specific punishment for a crime is not provided, the Court must exercise the principle of proportionality, where severity of the punishment must match the severity of the crime.

Section 2: Types of Crimes

- 1) A severe crime is hereby defined as an action contrary to the law or the Constitution that:
 - a) May result in permanent damage to the health of Democraciv MkIV.
 - b) Is carried out with malicious intent.
- 2) A major crime is hereby defined as an action contrary to the law or the Constitution that:
 - a) Is aimed at ignoring policy goals or specific actions mandated by the law.
 - b) Has a permanent or long term impact on the performance or direction of our civilization and/or its relationship with foreign civilizations.
- 3) A minor crime is hereby defined as an action contrary to the law or the Constitution that:
 - a) Is aimed at ignoring policy goals or specific actions mandated by the law.
 - b) Has a temporary impact on the performance or direction of our civilization and/or its relationship with foreign civilizations.

Section 3: Punishments

(Text Modified by [Z-20](#))

- 1) The punishment for a severe crime may range from temporary ~~suspension from office and the right to disqualification to hold or~~ run for a government office to permanent disqualification to hold or run for a government office.
- 2) The punishment for a major crime may range from a ~~public formal reprimand removal from office~~ to temporary disqualification to hold a government office, not to exceed 3 terms.
- 3) The punishment for a minor crime may range from a warning to temporary suspension from office, not to exceed half the length of the ~~defendant~~criminal's term.
- 4) If a party found guilty of a crime decides to appeal a decision, following the legal procedures for doing so, they shall be suspended from any office they hold until such a time where a final decision can be reached or for one week, whichever is shorter.

- a) The final decision in any appeal case shall be to uphold the original punishment or lift it.

Section 4: Situations that may increase or decrease the severity of a crime

- 1) The Court, or an inferior body of the Judicial Branch, must maintain a criminal record of all citizens that have been accused of a criminal offense.
- 2) If an individual is convicted repeatedly for a minor crime, the severity of the punishment issued by the Court may increase in relation to the last punishment said individual received for committing a minor crime in the past.
 - a) Being convicted three times for a minor crime constitutes a major crime and should be punished accordingly.
- 3) If an individual is convicted repeatedly for a major crime, the severity of the punishment issued by the Court may increase in relation to the last punishment said individual received for committing a minor crime in the past.
 - a) Being convicted three times for a major crime constitutes a severe crime and should be punished accordingly.
- 4) If a number greater than $\frac{2}{3}$ the legislature determines by a vote that the benefits of committing a crime outweigh the harms caused to the civilization, they may issue a legislative pardon in favor of the offenders.
 - a) If an individual is being accused of committing a major crime and they have a legislative pardon for that crime, only a conviction for a minor crime may be added to their criminal record. The court may also consider the legislative pardon as evidence for declaring the defendant innocent.
 - b) If an individual is being accused of committing a minor crime and they have a legislative pardon for that crime, the Court must find them innocent.

Section 5: List of Crimes

- 1) (Text Added by [Z-19](#)) In addition to actions that fit the definition provided in section 2, the following shall be considered major crimes:
 - a) Perjury during judicial proceedings.
 - b) Obstruction of Justice.
 - c) Manipulation of Evidence.
 - d) **Fraud.**
 - i) A person is guilty of fraud if he purposely (with specific intent) obtains substantial benefits, including, but not limited to, high political office, by deception. A person deceives if he purposely:
 - (1) creates or reinforces a false impression, including false impressions as to law, value, intention or other state of mind; but deception as to a person's intention to perform a promise shall not be inferred from the fact alone that he did not subsequently perform the promise;

- (2) prevents another from acquiring information which would affect his judgment;
- (3) fails to correct a false impression which the deceiver previously created or reinforced, or which the deceiver knows to be influencing another to whom he stands in a fiduciary or confidential relationship.

The term “deceive” does not, however, include falsity as to matters having no significance (or are not reasonably relevant to the decision) or puffing by statements unlikely to deceive ordinary persons in the group addressed.

- 2) Minor crimes shall also include:
 - a) Contempt of Court, to be defined as defiance of any Lawful Court order.

Section 6: Judicial Powers

- 1) Writs: Courts may issue the following writs
 - a) Subpoenas
 - b) Warrants
 - c) Mandamus

Section 7: Search Warrants

(Text added by [H-24](#))

- 1) A “search warrant” shall be defined as an authorization to access private discussions or documents on platforms directly related to Democraciv for the purposes of a trial or an investigation.
 - a) Search warrants shall not give access to Discord direct messages or Reddit private messages.
- 2) Search warrants shall be issued by the Supreme Court.
 - a) Requests for search warrants must have:
 - i) A precise scope (which channels or documents may be accessed)
 - ii) A well-explained reason
 - iii) Probable cause that a crime has been committed
 - b) The Supreme Court may not delegate that power to lower courts.
 - c) The Supreme Court must agree with a ⅔ majority to give a search warrant.

Section 8: Application

(Text modified by [H-24](#))

- 1) Upon the enactment of this bill into Law, the previous Penal Code (S-14) shall be repealed and replaced by this bill.

