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First Degree Murder

Most states divide murders into degrees, with first degree murder representing the worst form of homicide crime (though some states use other names such as "capital murder"). State laws vary as to what exactly constitutes murder in the first degree, but it generally includes murders committed by people who willfully take a life after having a chance to think about what they are doing. States have also enumerated certain murders which qualify as first degree even when the normal elements aren't met - such as the killing of law enforcement officers and murders committed in the course of violent crimes. Defenses to the charge take many forms, from mistaken identity to self-defense to not guilty by reason of insanity. States reserve their most severe punishment for certain first degree murder, including the death penalty.

Use the resources below to learn more about which murders qualify as first degree murders, specific state murder statutes, defenses to the charge and what sentence awaits those convicted of the crime.

- [First Degree Murder: In Brief](#) - Get a short summary of murder in the first degree, along with homicide statutes for your state.
- [First Degree Murder Overview](#) - Go in depth on the elements prosecutors must prove for a murder to qualify as first degree.
- [First Degree Murder Defenses](#) - Learn about common defenses often raised to first degree murder charges, from mistaken identity all the way to the insanity defense.
- [First Degree Murder Penalties and Sentencing](#) - Find out what punishments states levy on those found guilty of the highest level murder charge.

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