

Test Bank

Chapter 2: Foundations of Law and Crime: Nature, Elements, and Measurement

Multiple Choice

1. The Code of Hammurabi set out crimes and punishments based on which philosophy?

- a. *mens rea*
- b. *lex talionis*
- c. *stare decisis*
- d. *actus rea*

Ans: B

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Knowledge

Answer Location: Common Law and Its Progeny

Difficulty Level: Easy

2. Which of the following is true of common law?

- a. It is based on the French civil code.
- b. It refers to the collections of rules, customs, and traditions of 17th century France.
- c. It refers to the American tradition of following legal precedent.
- d. It refers to collections of rules, customs, and traditions of medieval England.

Ans: D

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Comprehension

Answer Location: Common Law and Its Progeny

Difficulty Level: Medium

3. Which doctrine binds courts of equal or lesser levels within a jurisdiction to the principles established by higher appellate courts within the same jurisdiction?

- a. *mens rea*
- b. *actus rea*
- c. *stare decisis*
- d. *lex talionis*

Ans: C

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Knowledge

Answer Location: Common Law and Its Progeny

Difficulty Level: Easy

4. Which describes the “eye for an eye, tooth for a tooth” crimes and punishments model?

- a. *mens rea*
- b. *lex talionis*
- c. *stare decisis*
- d. *actus rea*

Ans: B

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Comprehension

Answer Location: Common Law and Its Progeny

Difficulty Level: Easy

5. Which is the most distinctive aspect of Anglo-American law?

- a. *mens rea*
- b. *lex talionis*
- c. *stare decisis*
- d. *actus rea*

Ans: C

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Comprehension

Answer Location: Common Law and Its Progeny

Difficulty Level: Easy

6. A state’s Supreme Court justice sets a precedent by interpreting and applying one of the state’s laws in a particular way. On a similar case, a justice in a lower court adheres to the Supreme Court justice’s interpretation of the same law. What is this an example of?

- a. *mens rea*
- b. *lex talionis*
- c. *stare decisis*
- d. *actus rea*

Ans: C

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Application

Answer Location: Common Law and Its Progeny

Difficulty Level: Hard

7. In some ancient societies, the punishment for stealing was to have one’s hand cut off. This is an example of which source of law?

- a. *mens rea*
- b. *lex talionis*
- c. *stare decisis*
- d. *actus rea*

Ans: B

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Application

Answer Location: Common Law and Its Progeny

Difficulty Level: Hard

8. Our modern system of law is based upon which of the following?

- a. Code of Hammurabi
- b. *lex talionis*
- c. *stare decisis*
- d. common law

Ans: D

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Comprehension

Answer Location: Common Law and Its Progeny

Difficulty Level: Medium

9. The United States system of government is based upon which of the following concepts?

- a. statutory law
- b. civil law
- c. federalism
- d. precedence

Ans: C

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Comprehension

Answer Location: Modern-Day Sources and Hierarchy of Law

Difficulty Level: Medium

10. Which of the following describes the concept of federalism?

- a. retaliation or revenge as punishment for crimes
- b. application of a higher court's precedent in lower courts
- c. decision of jurors after consideration of evidence
- d. division of power between national government and local governments

Ans: D

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Knowledge

Answer Location: Modern-Day Sources and Hierarchy of Law

Difficulty Level: Easy

11. Which of the following is considered to be the "supreme law of the land?"

- a. U.S. Constitution
- b. Federal statutes
- c. Administrative laws

d. Federal common law

Ans: A

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Knowledge

Answer Location: Federal Law

Difficulty Level: Easy

12. Which of the following statements is true regarding hierarchy of law?

a. State constitutions may give greater protection than the U.S. Constitution, but cannot give less.

b. Federal common law includes civil and criminal laws enacted by Congress.

c. Municipal ordinances take precedence over state statutes.

d. Federal statutes establish legal precedent, and lower courts in the federal system must follow these decisions.

Ans: A

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Comprehension

Answer Location: State Law

Difficulty Level: Medium

13. Published decisions from the U.S. Supreme Court and the U.S. Circuit Courts of Appeal are considered which of the following?

a. federal statutes

b. administrative laws

c. federal common laws

d. state constitutional laws

Ans: C

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Comprehension

Answer Location: Federal Law

Difficulty Level: Medium

14. The Occupational Safety and Health Administration (OSHA) regulates work environments throughout the United States. Orders and directives released by OSHA on items that workplaces must adhere to in order to be a safe work environment would be considered which of the following?

a. federal statutes

b. administrative laws

c. federal common laws

d. state constitutional laws

Ans: C

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Application

Answer Location: Federal Law

Difficulty Level: Hard

15. Which type of law would building and construction standards in a particular city be considered?

- a. municipal ordinance
- b. administrative law
- c. federal statute
- d. state constitutional law

Ans: A

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Comprehension

Answer Location: City/County Law

Difficulty Level: Medium

16. Which of the following is indicative of a case involving civil law?

- a. The state or government prosecutes a person accused of murder on behalf of the people.
- b. The plaintiff is required to prove the defendant's guilt "beyond a reasonable doubt."
- c. The defendant and plaintiff both claim ownership to the same plot of land.
- d. The plaintiff is required to prove their case by a "preponderance of the evidence."

Ans: D

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Comprehension

Answer Location: Criminal and Civil Law

Difficulty Level: Medium

17. Who is the person against whom a criminal charge is pending?

- a. defendant
- b. eye witness
- c. clerk of the court
- d. plaintiff

Ans: A

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Knowledge

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

18. Which of the following is the standard used by jurors to arrive at a verdict in a criminal case?

- a. preponderance of evidence
- b. beyond reasonable doubt
- c. burden of proof
- d. affirmative defense

Ans: B

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Knowledge

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

19. Which of the following is designed to avoid wrongful convictions of innocent parties in criminal cases?

- a. a preponderance of evidence
- b. *mens rea*
- c. heavy burden of proof
- d. substantial affirmative defense

Ans: C

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Comprehension

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

20. Who is the party who is bringing a lawsuit against someone else?

- a. defendant
- b. eye witness
- c. clerk of the court
- d. plaintiff

Ans: D

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Knowledge

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

21. Eric is filing for divorce against his wife, Ariana. Since they are legally separated, Eric currently lives in an apartment, and Ariana lives in the home they bought together. Ariana called the police when Eric peacefully entered the home to take a television set for his apartment. Which of the following is true about this situation?

- a. Eric taking the television is considered a criminal act.
- b. Eric will be imprisoned for entering the home.
- c. If Ariana files a lawsuit against Eric, Ariana will be seeking damages.
- d. If Ariana files a lawsuit against Eric, it will be considered a criminal case.

Ans: C

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Application

Answer Location: Criminal and Civil Law

Difficulty Level: Hard

22. Which of the following is true of establishing guilt in a criminal matter?

- a. The prosecutor must prove the defendant guilty beyond a reasonable doubt.
- b. The defense must prove the defendant innocent beyond a reasonable doubt.
- c. The prosecutor must prove the defendant guilty by a preponderance of evidence.
- d. The defense must prove the defendant innocent by a preponderance of evidence.

Ans: A

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Comprehension

Answer Location: Criminal and Civil Law
Difficulty Level: Medium

23. Which of the following means that after hearing all the evidence in a trial, the jurors do not possess an overwhelming belief that the charges against the defendant are true?
- a. preponderance of evidence
 - b. reasonable doubt
 - c. a guilty verdict
 - d. affirmative defense

Ans: B

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Knowledge

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

24. Which of the following is one of two primary types of law?
- a. legal
 - b. noncriminal
 - c. civil
 - d. legislative

Ans: C

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Knowledge

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

25. What establishes the procedures and mechanisms for processing criminal cases?
- a. procedural law
 - b. *mens rea*
 - c. substantive law
 - d. *actus reus*

Ans: A

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Knowledge

Answer Location: Substantive and Procedural Law

Difficulty Level: Easy

26. Obtaining search and arrest warrants is an example of which type of law?
- a. procedural law
 - b. criminal law
 - c. substantive law
 - d. civil law

Ans: A

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Application

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

27. By law, police officers must read the accused his or her *Miranda* warnings when arresting individuals. This is an example of which type of law?

- a. procedural law
- b. *mens rea*
- c. substantive law
- d. *actus reus*

Ans: A

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Application

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

28. Laws that specify and prohibit certain actions such as theft or arson are examples of which type of laws?

- a. procedural law
- b. *mens rea*
- c. substantive law
- d. *actus reus*

Ans: C

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Application

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

29. Laws that define murder are considered which of the following?

- a. procedural law
- b. *mens rea*
- c. substantive law
- d. *actus reus*

Ans: C

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Comprehension

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

30. Which of the following describes who has the authority to make legal decisions and is usually based on geographic location?

- a. civil law
- b. legal jurisdiction
- c. substantive law
- d. *actus reus*

Ans: B

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Knowledge

Answer Location: Substantive and Procedural Law
Difficulty Level: Easy

31. Which of the following prescribes rules concerning how juries should be selected?
- a. civil law
 - b. legal jurisdiction
 - c. procedural law
 - d. *actus reus*

Ans: C

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Comprehension

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

32. Sebastian is researching how to lawfully present evidence to a jury. Which of the following is Sebastian researching?
- a. civil law
 - b. legal jurisdiction
 - c. procedural law
 - d. *actus reus*

Ans: C

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Application

Answer Location: Substantive and Procedural Law

Difficulty Level: Hard

33. The U.S. legal system is designed to punish offenders who possess the intent to commit a crime. What is this concept known as?
- a. *actus reus*
 - b. *mens rea*
 - c. *habeas corpus*
 - d. *stare decisis*

Ans: B

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Knowledge

Answer Location: Essential Elements: *Mens Rea* and *Actus Reus*

Difficulty Level: Easy

34. Which of the following is an example of *actus reus*?
- a. Jenny hires a hit man to kill her husband so she can collect on his US\$1 million life insurance policy.
 - b. Jenny wishes her husband was dead so she could collect on his US\$1 million life insurance policy.
 - c. Jenny talks to her best friend about how unhappy she is in her marriage.

d. Jenny's husband dies in an automobile accident, and she is the beneficiary of his US\$1 million life insurance policy.

Ans: A

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Application

Answer Location: Essential Elements: *Mens Rea* and *Actus Reus*

Difficulty Level: Hard

35. YoonHee is an 18-year-old single mother who works part-time to support herself and her 6-month-old child and also attends night classes. She often struggles to make ends meet and is eventually laid off from her job. After a few months of unemployment, YoonHee does not have enough money to support herself. Desperate to feed her child, she enters a local supermarket and steals several containers of formula. Which of the following is true?

- a. YoonHee's action is considered a public order crime.
- b. YoonHee's action is considered a burglary.
- c. YoonHee's motive was to steal formula.
- d. YoonHee's intent was to steal formula.

Ans: D

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Application

Answer Location: *Mens Rea*: Intent Versus Motive to Commit Crime

Difficulty Level: Hard

36. Which term describes when *mens rea* and *actus reus* are both present?

- a. causation
- b. concurrence
- c. action
- d. fault

Ans: B

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Knowledge

Answer Location: *Actus Reus*: The Act

Difficulty Level: Easy

37. Which of the following is an *actus reus* that would be an example of an omission?

- a. A man considers stealing from a store, but ultimately does not.
- b. A woman verbally threatens to harm her ex-spouse but does not.
- c. A woman accidentally shoots her friend while shooting.
- d. A man fails to feed his three-year-old child.

Ans: D

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Application
Answer Location: *Actus Reus*: The Act
Difficulty Level: Hard

38. One's state of mind to commit a crime is known as a person's _____.
a. intent
b. motive
c. recklessness
d. negligence

Ans: A

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Application
Answer Location: *Mens Rea*: Intent Versus Motive to Commit Crime
Difficulty Level: Hard

39. Criminal homicide falls into two categories: murder and _____.
a. status offense
b. manslaughter
c. aggravated assault
d. battery

Ans: B

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Answer Location: Homicide
Cognitive Domain: Knowledge
Difficulty Level: Easy

40. Which term outlines that if a death occurs during the commission of a felony, the defendant will be charged with murder in the first degree?
a. *mens rea*
b. voluntary homicide
c. felony-murder rule
d. premeditation and deliberation

Ans: C

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Knowledge
Answer Location: Murder
Difficulty Level: Easy

41. Jack and Jill plan to shoplift from a convenience store. While Jack walked out with a case of beer he did not pay for, the store clerk confronted Jill, who shot and killed the

clerk. Both Jack and Jill are apprehended and charged with first-degree murder. What does this case illustrate?

- a. 50 percent plus feather test
- b. felony-murder rule
- c. right-wrong test
- d. equality-in-charging rule

Ans: B

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: Murder

Difficulty Level: Hard

42. Which offenses are punishable by death or have a possible sentence of more than 1 year of incarceration?

- a. status offenses
- b. felonies
- c. misdemeanors
- d. civil crimes

Ans: B

Learning Objective: 2.6: Describe how felonies and misdemeanors are placed into two separate broad categories.

Cognitive Domain: Knowledge

Answer Location: Felonies and Misdemeanors

Difficulty Level: Easy

43. Which are considered less serious offenses and can be punished by less than 1 year incarceration in jail?

- a. misdemeanors
- b. petty crimes
- c. status offenses
- d. felonies

Ans: A

Learning Objective: 2.6: Describe how felonies and misdemeanors are placed into two separate broad categories.

Cognitive Domain: Comprehension

Answer Location: Felonies and Misdemeanors

Difficulty Level: Medium

44. Which of the following is the unlawful, intentional killing of a human being with pre-meditation and malice aforethought?

- a. involuntary manslaughter
- b. murder in the first degree
- c. murder in the second degree
- d. voluntary manslaughter

Ans: B

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Knowledge

Answer Location: Murder

Difficulty Level: Easy

45. It is July in Phoenix, Arizona, and Jeff is running errands with his 6-month-old daughter strapped into her carrier in the back seat. Jeff stops at work to grab some files but gets waylaid by coworkers and ends up spending 3 hours at the office. When Jeff returns to the car, he finds his child unresponsive, apparently overcome with the heat. The child is pronounced dead at the hospital. With what crime is Jeff likely to be charged?

- a. involuntary manslaughter
- b. voluntary manslaughter
- c. first-degree murder
- d. second-degree murder

Ans: A

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: Manslaughter

Difficulty Level: Hard

46. College student Lily and her roommate took someone else's coffee and doughnuts from the student union coffee shop. They were chased by a customer from the coffee shop, who was hit by a car as Lily and her roommate raced across the street. With what offense are Lily and her roommate most likely to be charged?

- a. first-degree murder
- b. second-degree murder
- c. involuntary manslaughter
- d. voluntary manslaughter

Ans: C

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: Manslaughter

Difficulty Level: Hard

47. Which crime involves taking or attempting to take anything of value from another person by force or threat of force or violence, during which the victim is in fear of injury or death?

- a. robbery

- b. burglary
- c. aggravated assault
- d. arson

Ans: A

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Knowledge

Answer Location: Robbery

Difficulty Level: Easy

48. Aaron returns home after school to find his apartment has been ransacked. His tablet computer and television are missing. Aaron is the victim of what crime?

- a. robbery
- b. burglary
- c. aggravated assault
- d. arson

Ans: B

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Comprehension

Answer Location: Burglary

Difficulty Level: Medium

49. The hierarchy rule is utilized in which of the following reporting systems?

- a. National Incident-Based Reporting System
- b. Uniform Crime Report
- c. National Crime Victimization Survey
- d. Self-Reported Surveys

Ans: B

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Knowledge

Answer Location: The Hierarchy Rule: Definition and Application

Difficulty Level: Easy

50. Which of the following crimes is classified by the Uniform Crime Report as a Part II offense?

- a. larceny-theft
- b. simple assault
- c. embezzlement
- d. drug violations

Ans: A

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Comprehension
Answer Location: Measuring Crime and Victimization
Difficulty Level: Easy

True/False

1. The American legal system is based on the French civil code.

Ans: F

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Knowledge

Answer Location: Common Law and its Progeny

Difficulty Level: Easy

2. The doctrine of *stare decisis* (Latin for "to stand by things settled") states that once a court has established a principle of law, it will apply to all future cases in which the facts are substantially the same.

Ans: T

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Knowledge

Answer Location: Common Law and Its Progeny

Difficulty Level: Easy

3. The United States Constitution is the supreme law of the land and takes precedence over state constitutions and law.

Ans: T

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Knowledge

Answer Location: Federal Law

Difficulty Level: Easy

4. State constitutions may give less protection and rights than the federal constitution, but they cannot give more.

Ans: F

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Knowledge

Answer Location: State Law

Difficulty Level: Easy

5. The major difference between civil and criminal matters is the penalty.

Ans: T

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Knowledge

Answer Location: Criminal and Civil Law

Difficulty Level: Easy

6. Substantive law establishes the definition of criminal acts, such as burglary and theft, and also describes the punishment for those who violate the law.

Ans: F

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Knowledge

Answer Location: Substantive and Procedural Law

Difficulty Level: Easy

7. Procedural law outlines the rules for that jurisdiction regarding selection of juries, appellate processes, evidence presented to a jury, and representation of counsel.

Ans: T

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Knowledge

Answer Location: Substantive and Procedural Law

Difficulty Level: Easy

8. One's intent while committing a crime is usually easy to establish.

Ans: F

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Knowledge

Answer Location: Essential Elements: *Mens Rea* and *Actus Reus*

Difficulty Level: Easy

9. In a typical criminal case, the prosecutor must establish that (a) the accused committed the illegal act and (b) the accused had the necessary mental state.

Ans: T

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Knowledge

Answer Location: *Mens Rea*: Intent Versus Motive to Commit Crime

Difficulty Level: Easy

10. Steve's 97-year-old mother-in-law fell down the stairs at his house, and she said she could not get up. She also complained of chest pains and shortness of breath and asked Steve to call an ambulance because she thought she was having a heart attack. Steve assumed his mother-in-law was being overly dramatic and ignored her. When he went to check on her several hours later, she was dead. Steve could conceivably be prosecuted for his failure to act.

Ans: T

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Application

Answer Location: *Mens Rea*: Intent versus Motive to Commit Crime

Difficulty Level: Hard

11. Killings that are wholly accidental are considered to be justifiable homicide.

Ans: F

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Knowledge

Answer Location: Homicide

Difficulty Level: Easy

12. Barbie and Ken took a pack of M&Ms from a convenience store without paying, and as the clerk followed them out to confront them, he slipped, fell, hit his head on the sidewalk, and later died. Barbie and Ken can be charged with first-degree murder under the felony-murder rule.

Ans: F

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: Homicide

Difficulty Level: Hard

13. Sexual assault includes a strict liability crime with no mens rea element, also known as statutory rape.

Ans: T

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Comprehension

Answer Location: Sexual Assault

Difficulty Level: Easy

14. Burglary requires a face-to-face taking—a combination of theft and assault.

Ans: F

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Comprehension

Answer Location: Robbery

Difficulty Level: Easy

15. Shoplifting is an example of robbery.

Ans: F

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: Larceny-Theft

Difficulty Level: Easy

16. Prostitution, gambling, and public drunkenness are all examples of public order crimes.

Ans: T

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: Public Order Crimes

Difficulty Level: Easy

17. The extent of white-collar crime is difficult to measure.

Ans: T

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Application

Answer Location: White-Collar Crime

Difficulty Level: Easy

18. The National Incident-Based Reporting System (NIBRS) is known for applying the UCR's hierarchy rule.

Ans: F

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Knowledge

Answer Location: The National Incident-Based Reporting System

Difficulty Level: Easy

19. Part I or "index" crimes are composed of eight serious felonies, including murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.

Ans: T

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Knowledge

Answer Location: Part I Offenses

Difficulty Level: Easy

20. Crime measurement attempts to answer the question of “why” with respect to crime in the United States.

Ans: F

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Knowledge

Answer Location: Measuring Crime and Victimization

Difficulty Level: Easy

Short Answer

1. How was the Mosaic Code of the Israelites one of the first sources of law?

Ans: Answers may vary.

Learning Objective: 2.1: Explain how modern-day law evolved from English common law.

Cognitive Domain: Comprehension

Answer Location: Common Law and its Progeny

Difficulty Level: Medium

2. Distinguish between statutes and ordinances.

Ans: Answers may vary.

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system.

Cognitive Domain: Comprehension

Answer Location: Modern-Day Sources and Hierarchy of Law

Difficulty Level: Medium

3. Explain two differences between civil cases and criminal cases.

Ans: Answers may vary.

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Comprehension

Answer Location: Criminal Law and Civil Law

Difficulty Level: Medium

4. Explain the difference between substantive laws and procedural laws.

Ans: Answers may vary.

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Comprehension

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

5. What two elements must a prosecutor prove beyond a reasonable doubt in a criminal trial?

Ans: Answers may vary.

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Knowledge

Answer Location: Essential Elements: *Mens Rea* and *Actus Reus*

Difficulty Level: Easy

6. Explain the difference between justifiable murder and excusable homicide.

Ans: Answers may vary.

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Comprehension

Answer Location: Homicide

Difficulty Level: Medium

7. How can one committing a misdemeanor offense be charged with involuntary manslaughter?

Ans: Answers may vary.

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Knowledge

Answer Location: Murder

Difficulty Level: Easy

8. Distinguish among the crimes of assault, assault and battery, and aggravated assault.

Ans: Answers may vary.

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Comprehension

Answer Location: Aggravated Assault

Difficulty Level: Medium

9. Explain federalism.

Ans: Answers may vary.

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system

Cognitive Domain: Comprehension

Answer Location: Modern-Day Sources and Hierarchy of Law

Difficulty Level: Easy

10. Provide one to three examples of municipal ordinances or codes that govern many aspects of our daily lives.

Ans: Answers may vary.

Learning Objective: 2.2: Describe the three sources of law in the U.S. legal system

Cognitive Domain: Comprehension

Answer Location: City/County Law

Difficulty Level: Medium

11. Explain legal jurisdiction.

Ans: Answers may vary.

Learning Objective: 2.4: Explain the difference between substantive and procedural law.

Cognitive Domain: Comprehension

Answer Location: Substantive and Procedural Law

Difficulty Level: Medium

12. What is the difference between intent and motive?

Ans: Answers may vary.

Learning Objective: 2.5: Review two critical elements of the criminal law—criminal intent (*mens rea*) and the physical commission of the criminal act (*actus reus*).

Cognitive Domain: Comprehension

Answer Location: *Mens Rea*: Intent Versus Motive to Commit Crime

Difficulty Level: Medium

13. What is the purpose of crime measurement?

Ans: Answers may vary.

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Comprehension

Answer Location: Measuring Crime and Victimization

Difficulty Level: Easy

14. What is a crime rate and how are they calculated?

Ans: Answers may vary.

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Comprehension

Answer Location: Crime Rate

Difficulty Level: Easy

15. What is the difference between Part I and Part II offenses?

Ans: Answers may vary.

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Comprehension

Answer Location: Measuring Crime and Victimization

Difficulty Level: Easy

Essay

1. Discuss three areas in which criminal law and civil law differ from each other.

Ans: Answers may vary.

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Comprehension

Answer Location: Criminal and Civil Law

Difficulty Level: Medium

2. Describe the “50% plus a feather” test and identify the type of case in which it would be used.

Ans: Answers may vary.

Learning Objective: 2.3: Identify the differences between criminal and civil law.

Cognitive Domain: Comprehension

Answer Location: Criminal and Civil Law

Difficulty Level: Medium

3. What is the difference between felonies and misdemeanors?

Ans: Answers may vary.

Learning Objective: 2.6: Describe how felonies and misdemeanors are placed into two separate broad categories.

Cognitive Domain: Comprehension

Answer Location: Felonies and Misdemeanors

Difficulty Level: Medium

4. Differentiate among the following crimes: first-degree murder, second-degree murder, voluntary manslaughter, and involuntary manslaughter.

Ans: Answers may vary.

Learning Objective: 2.7: Delineate the definitions of, and distinctions between, crimes against persons and property; the different degrees of homicide; and offenses classified as public order, white collar, and organized crimes.

Cognitive Domain: Comprehension

Answer Location: Murder

Difficulty Level: Medium

5. Discuss the three methods that are used for measuring crime and identify some of the advantages and disadvantages of each.

Ans: Answers may vary.

Learning Objective: 2.8: Explain the three primary methods for measuring crime and advantages and disadvantages of each.

Cognitive Domain: Comprehension

Answer Location: Measuring Crime and Victimization

Difficulty Level: Medium