

Criminal Law, 12th Edition

Chapter 2: Principles of Criminal Liability

1. One who actually commits the act that causes a crime to occur is a _____.

- a. Accessory during the fact
- b. principal in the first degree
- c. principal in the second degree
- d. principal in the third degree

Ans: b

2. These statutes impose liability for providing aid to someone, knowing that he or she is about to commit an offense, but not necessarily having the same intent to commit a crime.

- a. criminal facilitation
- b. aiding criminal activity
- c. complicity
- d. actualization

Ans: a

3. This is an evil act; a deed, an act, an offense, or an omission of conduct.

- a. *mens rea*
- b. criminal intent
- c. *actus reus*
- d. criminal activity

Ans: c

4. These crimes do not require any level of *mens rea* or *actus reus*.

- a. exacting liability
- b. strict liability
- c. vicarious liability
- d. actual liability

Ans: c

5. This doctrine holds that if the defendant shoots or strikes at A, intending to wound or kill him, and unforeseeably hits B instead, he is guilty of the originally intended crime.

- a. strict intent
- b. general intent
- c. specific intent
- d. transferred intent

Ans: d

6. The criminal state of mind.

- a. *actus reus*
- b. *mens rea*
- c. criminal intent
- d. general intent

Ans: b

7. Proximate causation is cut off when acts are.

- a. unforeseeable
- b. foreseeable
- c. unavoidable
- d. inside the causal chain

Ans: a

8. A person who receives, comforts, or assists another, knowing that the other has committed a felony, in order to hinder the perpetrator's arrest, prosecution, or conviction.

- a. accessory after the fact
- b. abettor
- c. accessory before the fact
- d. accessory at the time of the crime

Ans: a

9. The major difference between being charged under a complicity statute or being charged under a facilitation statute is the _____.

- a. intent of the actor
- b. action of the actor
- c. mental capacity of the actor
- d. omissions of the actor

Ans: a

10. The duty to file tax returns and the duty to register in sex-offender registries are an example of what type of duty.

- a. statutory duties
- b. duties derived from relationships
- c. contractual duties
- d. failure to continue care duties

Ans: a

11. Acts such as epileptic seizures or spasms, reflexive actions, or actions taken while sleepwalking are considered what kind of acts?

- a. voluntary
- b. non-voluntary
- c. insane behavior
- d. volitional

Ans: b

12. Which of the following behaviors could fulfill the “act” requirement for a criminal law?

- a. sleepwalking
- b. possessing an illegal drug
- c. fulfilling a duty
- d. merely thinking about a crime

Ans: b

13. Which of the following is NOT a type of duty that might create liability if there is an omission or failure to act?

- a. statutory duties
- b. contractual duties
- c. failure to continue care duties
- d. friendship duties

Ans: d

14. Which type of intent refers to an intention to commit some act to accomplish a result that is known to be illegal?

- a. general intent
- b. specific intent
- c. malice intent

d. negligence

Ans: b

15. What is the element in criminal law requiring that the physical act and the state of mind occur at the same time?

- a. concurrence
- b. specific intent
- c. proximate cause
- d. strict liability

Ans: a

16. One who aids or abets a principal in the first degree as he or she commits the criminal act, or incites the commission of the crime, and who is actually or constructively present at the time of the commission is a principle after the fact.

- a. True
- b. False

Ans: b

17. Common law provides that a person is guilty of an offense if it is committed by his or her own conduct or by the conduct of an instrument or animal under his control and by his direction

- a. True
- b. False

Ans: a

18. Most state statutes follow the MPC's four part definition of mens rea.

- a. True
- b. False

Ans: a

19. In most jurisdictions, the penalty for facilitation is one level, or class, higher than the substantive offense for which the aid was offered.

- a. True
- b. False

Ans: b

20. “Good Samaritan” laws create a duty to render assistance when one citizen sees another in distress.

- a. True
- b. False

Ans: a