

CHAPTER ONE: Crime and Criminology

Test Bank

COMPLETION

1. _____ are devoted to the design and collection of valid and reliable data that address the causes of crime as well as crime patterns and trends.
ANS: Criminologists REF: 4 OBJ: 1
2. Criminologists have been trained in diverse fields – sociology, criminal justice, political, science, psychology, political science, economics, and natural sciences - because criminology is a _____ science.
ANS: multidisciplinary REF: 4 OBJ: 1
3. Criminal statistics and crime measurement involves devising valid and _____ measures designed to calculate the amount and trends of criminal activity.
ANS: reliable REF: 5 OBJ: 2
4. _____ behavior is that which departs from the norms and values of society.
ANS: Deviant REF: 5 OBJ: 3
5. Criminal statistics, the sociology of law, theory construction, criminal behavior systems, penology, and victimology comprise the _____.
ANS: criminological enterprise REF: 6 OBJ: 2
6. The study of _____ has uncovered that some people may engage in high-risk lifestyles that increase their own chance of victimization and make them highly vulnerable to crime.
ANS: Victimology REF: 11 OBJ: 2
7. The consensus view of crime links illegal behavior to the concept of _____.
ANS: social harm REF: 12 OBJ: 4
8. According to the _____ of crime, society is a collection of diverse groups. Groups able to assert their political power use the law and the criminal justice system to advance their economic and social position.
ANS: conflict view REF: 13 OBJ: 4
9. _____ is the written code that defines crimes and their punishments, and reflects the values, beliefs, and opinions of society's mainstream.
ANS: Substantive criminal law REF: 18 OBJ: 5

10. To satisfy the requirements of _____, guilty actions must be voluntary. An act may cause harm but it is not a crime if it was done by accident or was an involuntary act.
ANS: actus reus REF: 20 OBJ: 5
11. In most situations, for an act to constitute a crime it must be done with criminal intent or _____.
ANS: mens rea REF: 20 OBJ: 5
12. _____ laws do not require mens rea, are meant to protect the public, and include traffic laws
ANS: Strict liability REF: 21 OBJ: 6
13. The _____ established a system of crime and punishment based on physical retaliation and is one of the oldest set of written laws.
ANS: Code of Hammurabi REF: 15 OBJ: 7
14. A _____ is a more serious offense that carries a long prison sentence or even death.
ANS: felony REF: 18 OBJ: 8
15. Governmental funding of research influences the direction of criminological inquiry because such funding sources often dictate _____ to study.
ANS: what REF: 23 OBJ: 10

MULTIPLE CHOICE

1. Criminologists use _____ methods to study the nature, extent, cause, and control of criminal behavior.
a. economic
b. scientific
c. sociological
d. psychological
ANS: B REF: 5 OBJ: 1
2. _____ is an academic discipline that makes use of scientific methods to study the nature, extent, cause, and control of criminal behavior.
a. Sociology
b. Criminal Justice
c. Criminology
d. Psychology
ANS: C REF: 4 OBJ: 1

3. Deviant behavior:
- a. violates the legal code
 - b. is considered a felony
 - c. is *mala in se*
 - d. departs from social norms
- ANS: D REF: 5 OBJ: 3
4. Several sub-areas of criminology exist within the broader areas of criminology. These subareas are termed:
- a. the criminological enterprise
 - b. the victim-offender enterprise
 - c. the sociological enterprise
 - d. the justice-offender enterprise
- ANS: A REF: 6 OBJ: 2
5. Criminologists who devise valid and reliable measures designed to calculate the amount and trends of criminal activity fall under which sub-area of the criminological enterprise?
- a. theory construction and testing
 - b. criminal statistic and crime measurements
 - c. penology and social control
 - d. victimology and victimization
- ANS: B REF: 6 OBJ: 2
6. _____ serve as models or frameworks for understanding human behavior and the forces that shape its content and direction.
- a. Theories
 - b. Social control mechanisms
 - c. Research methods
 - d. Corrections
- ANS: A REF: 7 OBJ: 2
7. The sub-area of criminology concerned with the role social forces play in shaping criminal law and the role criminal law plays in shaping society is known as:
- a. victimology
 - b. penology
 - c. criminal statistics
 - d. the sociology of law
- ANS: D REF: 7 OBJ: 2
8. Research conducted on the links between different crimes and criminals is known as _____.
- a. phrenology
 - b. crime typology
 - c. sociology
 - d. psychology
- ANS: B REF: 9 OBJ: 2

9. Studying the correction and control of known criminal offenders is:
- a. criminal statistics
 - b. the sociology of law
 - c. theory construction
 - d. penology
- ANS: D REF: 11 OBJ: 2
10. The consensus view of crime links illegal behavior to the concept of:
- a. political harm
 - b. social power
 - c. social harm
 - d. political power
- ANS: C REF: 12 OBJ: 4
11. Under this view, groups able to assert their political power use the law and criminal justice system to advance their economic and social positions. Criminal laws are viewed as acts created to protect the haves from the have-nots.
- a. conflict
 - b. consensus
 - c. interactionist
 - d. common
- ANS: A REF: 13 OBJ: 4
12. The perspective that views crime as the reflection of the preferences and opinions of people who hold social power in a particular legal jurisdiction is:
- a. the consensus view
 - b. the conflict view
 - c. the interactionist view
 - d. the Marxist view
- ANS: C REF: 14 OBJ: 4
13. The Code of Hammurabi established a system of crime and punishment based on physical retaliation. But, the severity of this physical retaliation depended upon one's:
- a. economic standing
 - b. political standing
 - c. class standing
 - d. military standing
- ANS: C REF: 15 OBJ: 7
14. Trials by ordeal were based on the principle that:
- a. divine forces would not allow an innocent person to be harmed
 - b. oath-takers would not allow an innocent person to be harmed
 - c. physical characteristics would not allow an innocent person to be harmed
 - d. common law would not allow an innocent person to be harmed
- ANS: A REF: 15 OBJ: 7

15. Common law was developed after the Norman conquest of England in 1066 through the verdicts of _____ who used local customs and rules of conduct as guides for decision-making.
- a. juries
 - b. popes
 - c. kings
 - d. royal judges

ANS: D REF: 15 OBJ: 7

16. The branch of the law that defines crimes and their punishment is known as _____.
- a. substantive law
 - b. procedural law
 - c. civil law
 - d. administrative law

ANS: A REF: 16 OBJ: 5

17. The rules of evidence, the law of search and seizure, questions of appeal, jury selection, and the right to counsel fall under what category of criminal law?
- a. substantive law
 - b. procedural law
 - c. civil law
 - d. administrative law

ANS: B REF: 16 OBJ: 5

18. This type of law is used to resolve, control, and shape such personal interactions as contracts, wills and trusts, property ownership, and involves tort law.
- a. substantive law
 - b. procedural law
 - c. civil law
 - d. administrative law

ANS: C REF: 16 OBJ: 5

19. _____ law governs the regulation of city, county, state, and federal government agencies.
- a. substantive law
 - b. procedural law
 - c. civil law
 - d. administrative law

ANS: D REF: 16 OBJ: 5

20. Crimes less serious in nature and punished with a fine or a period of incarceration in a jail are referred to as:
- a. strict liability offenses
 - b. misdemeanors
 - c. felonies
 - d. wrongful offenses

ANS: B REF: 18 OBJ: 8

21. Criminal law is shaped by all but which of the following?
- a. shifts in culture and social conventions
 - b. judicial decision-making
 - c. legislative statutes
 - d. social control mechanisms
- ANS: D REF: 16 OBJ: 7
22. Which of the following is not a social goal the government expects to achieve via contemporary criminal law?
- a. encouraging revenge
 - b. maintenance of social order
 - c. deterrence of criminal behavior
 - d. express public opinion
- ANS: A REF: 18-19 OBJ: 6
23. The intent to commit the criminal act is known as:
- a. *mens rea*
 - b. *actus reus*
 - c. *mala in se*
 - d. *mala prohibitum*
- ANS: A REF: 20 OBJ: 7
24. Failure to act can be considered a crime under all but which of the following circumstances?
- a. if the parties are bound by relationship
 - b. if the state has a statute requiring that people give aid
 - c. if a contractual relationship exists
 - d. if an individual trusts another will act in their best interest
- ANS: D REF: 20 OBJ: 7
25. Public welfare offenses, such as traffic offenses, are crimes that do not require *mens rea* to prove legal guilt because they endanger public welfare or violate safety regulations. They are also referred to as:
- a. *mala prohibita*
 - b. strict liability crimes
 - c. limited liability crimes
 - d. felonies
- ANS: B REF: 21 OBJ: 6
26. A battered wife who kills her mate might argue that she acted out of duress - committing her crime to save her own life. She would be using the defense of:
- 0 justification
 - 1 excuse
 - 2 denying the *actus reus*
 - 3 denying *mens rea*
- ANS: A REF: 21 OBJ: 7

27. Murder, rape and other crimes deemed inherently evil are also referred to as _____ crimes.
- a. *mens rea*
 - b. *actus reus*
 - c. *mala in se*
 - d. *mala prohibitum*
- ANS: C REF: 15 OBJ: 7
28. Statutory crimes are referred to as:
- a. *mala in se*
 - b. *mala prohibitum*
 - c. *actus reus*
 - d. *mens rea*
- ANS: B REF: 15 OBJ: 7
29. Conspiracy, solicitation, and attempted crimes are also known as:
- a. misdemeanor offenses
 - b. felonies
 - c. inchoate offenses
 - d. civil offenses
- ANS: C REF: 17 OBJ: 7
30. Changing technology requires modifications of the criminal law. A new defined crime that involves sending out bulk e-mail messages designed to trick consumers into revealing personal information is called:
- a. phishing
 - b. spam
 - c. hacking
 - d. vishing
- ANS: A REF: 21 OBJ: 7
31. Duress, self-defense, and entrapment are defenses in which the individual usually admits committing the criminal act but maintains that he or she should not be held criminally liable. These are what type of defense?
- a. excuses
 - b. justifications
 - c. intent
 - d. insanity
- ANS: B REF: 21 OBJ: 7
32. College students who are drunk when they assault other people may claim they were suffering from a mental impairment that prevented them from understanding the harmfulness of their acts. They are using what type of defense?
- a. excuses
 - b. justifications
 - c. intent
 - d. insanity
- ANS: A REF: 21 OBJ: 7

33. When referring to the evolution of criminal law, which statement is inaccurate?
- The globalization of crime will prompt changes in the criminal law.
 - Highly publicized cases may generate fear but rarely prompt changes in the law.
 - Criminal law may shift to reflect tolerance of behavior previously condemned.
 - Criminal law will constantly evolve to reflect social and economic conditions.
- ANS: B REF: 19 OBJ: 7
34. In _____, the Supreme Court declared that laws banning sodomy were unconstitutional because they violated the due process rights of citizens because of their sexual orientation.
- Map v. Ohio*
 - Baze and Bowling v. Rees*
 - Lawrence v. Texas*
 - Roper v. Simmons*
- ANS: C REF: 19 OBJ: 9
35. The evolution of criminal law has created and eliminated many laws. Among those currently recognized is _____, which is the “the willful, malicious and repeated following and harassing of another person.”
- stalking
 - domestic violence
 - bullying
 - assault
- ANS: A REF: 19 OBJ: 9
36. The availability of government and foundation research money has spurred criminological inquiry and it has also influenced the _____ of research.
- supervision
 - management
 - conducting
 - direction
- ANS: D REF: 23 OBJ: 10
37. What aspect of research may be questioned if studies are funded by organizations that have a vested interest in the outcome of the research?
- the cost
 - the objectivity
 - the publishing of findings
 - the scientific method
- ANS: B REF: 24 OBJ: 10
38. In conducting research, criminologists primarily focus on both the poor and minorities while ignoring the _____ criminals who may commit white-collar crime.
- middle-class
 - employed
 - White
 - more intelligent
- ANS: B REF: 24 OBJ: 10

39. When selecting subjects for research studies, criminologists should ensure they are selected in what manner?
- randomly
 - voluntarily
 - conveniently
 - biased

ANS: A REF: 24 OBJ: 10

40. Which of the following is illegal but is not necessarily deviant?
- Incest
 - Drug use
 - Vandalism
 - Phishing

ANS: B REF: 5 OBJ: 3

TRUE/FALSE

- Criminal justice explains the etiology, extent, and nature of crime in society.
ANS: F REF: 5 OBJ: 1
- Deviant behavior is behavior that departs from social norms.
ANS: T REF: 5 OBJ: 3
- Shifting definitions of deviant behavior are closely associated with our concepts of crime.
ANS: T REF: 5 OBJ: 3
- The subarea of criminal statistics involves measuring the amount and trends of criminal activity.
ANS: T REF: 6 OBJ: 2
- The sub-area of the sociology of law is concerned with the role social forces play in shaping criminal law.
ANS: T REF: 7 OBJ: 2
- Theories are based on social facts that are observed and can be consistently quantified and measured.
ANS: T REF: 7 OBJ: 2
- According to early victimologists, victim behavior is very rarely a key determinant of crime.
ANS: F REF: 11 OBJ: 2

8. The consensus view states that criminal laws are acts created to protect the haves from the have-nots.
ANS: F REF: 12 OBJ: 4
9. The interactionist perspective holds that the definition of crime evolves according to the moral standards of those in power.
ANS: T REF: 13 OBJ: 4
10. Common law originated in early England where royal judges would use local rules and custom to decide cases.
ANS: T REF: 15 OBJ: 7
11. *Mala in se* crimes are those crimes that reflect existing social conditions and are enacted through legislation.
ANS: F REF: 15 OBJ: 7
12. Those laws that set out the basic rules of practice in the criminal justice system are procedural criminal laws.
ANS: T REF: 16 OBJ: 6
13. Criminal law constantly evolve to reflect social and economic conditions.
ANS: T REF: 19 OBJ: 7
14. All criminal law in the United States must conform to the rules and dictates of the U.S. Constitution
ANS: T REF: 16 OBJ: 9
15. Government and institutional funding have little influence on the direction and nature of criminological research.
ANS: F REF: 23 OBJ: 10

ESSAY QUESTIONS

1. Define and explain the difference between criminology and criminal justice.
ANS:
- Criminology explains the etiology (origin), extent, and nature of crime in society, while criminal justice refers to the study of the agencies of social control—police, courts, and corrections.
 - Criminologists are mainly concerned with identifying the suspected cause of crime, and criminal justice scholars spend their time identifying effective methods of crime control.
- REF: 5 OBJ: 1

2. Criminology is related to the study of deviance. Explain how criminology, deviant behaviors and crime overlap.

ANS:

- Deviance refers to the study of behavior that departs from social norms. Included within the broad spectrum of deviant acts are behaviors ranging from violent crimes to joining a nudist colony. Not all crimes are deviant or unusual acts, and not all deviant acts are illegal.
- The shifting definition of deviant behavior is closely associated with our concepts of crime.
- Criminal justice experts cannot begin to design effective programs of crime prevention or rehabilitation without understanding the nature and cause of crime.

REF: 5

OBJ: 1, 3

3. Identify and discuss three sub-areas of the criminological enterprise.

ANS:

- Criminal Statistics and Research Methodology: Gathering valid crime data. Devising new research methods; measuring crime patterns and trends.
- The Sociology of Law/Law and Society: Determining the origin of law. Measuring the forces that can change laws and society.
- Theory Construction and Testing: Predicting individual behavior. Understanding the cause of crime rates and trends.
- Criminal Behavior Systems and Crime Typologies: Determining the nature and cause of specific crime patterns. Studying violence, theft, organized, white-collar, and public order crimes.
- Penology and Social Control: Studying the correction and control of criminal behavior. Using scientific methods to assess the effectiveness of crime control and offender treatment programs.
- Victimology/Victims and Victimization: Studying the nature and cause of victimization. Aiding crime victims; understanding the nature and extent of victimization; developing theories of victimization risk.

REF: 6-11

OBJ: 2

4. Define the consensus view of crime, the conflict view of crime, and the interactionist view of crime. Compare and contrast these three perspectives.

ANS:

- The conflict view sees the law as a tool of the ruling class. Crime is a politically defined concept and used to control the underclass.
- “Real crimes” are not outlawed under the conflict perspective.
- The consensus perspective reflects public opinion and that agreement exists on outlawed behaviour. The laws define what is and is not a crime, and are applied to all citizens equally.

- According to the interactionist view, moral entrepreneurs define crime and crimes are illegal because society defines them that way. The definition of crime evolves according to the moral standards of those in power.

REF: 12-14 OBJ: 4

5. Identify the various categories of law and their purpose.

ANS:

- Substantive criminal law is the written code that defines crimes and their punishments, reflects the values, beliefs, and opinions of society's mainstream. It involves such issues as the mental and physical elements of crime, crime categories, and criminal defenses.
- Procedural criminal law set out the basic rules of practice in the criminal justice system. Some elements of the law of criminal procedure are the rules of evidence, the law of arrest, the law of search and seizure, questions of appeal, jury selection, and the right to counsel.
- Civil law governs relations between private parties, including both individuals and organizations (such as business enterprises and/or corporations). It is used to resolve, control, and shape such personal interactions as contracts, wills and trusts, property ownership, and commerce.
- Administrative/public law deals with the government and its relationships with individuals or other governments. It governs the administration and regulation of city, county, state, and federal government agencies.

REF: 16 OBJ: 5

6. Discuss the relationship between criminal law and the U.S. Constitution.

ANS:

- All criminal law in the United States must conform to the rules and dictates of the U.S. Constitution
- If too broad or too vague, criminal laws have been interpreted as violating constitutional principles.
- The Constitution prohibits laws that make a person's status a crime, such as a drug addict.
- The Constitution limits laws that are overly cruel and/or capricious.

REF: 16-17 OBJ: 9

7. Discuss four different goals achieved through the implementation of criminal law.

ANS:

- Those who hold political power rely on criminal law to formally prohibit behaviors believed to threaten societal well-being or to challenge their authority (enforcing social control).
- By punishing people who infringe on the rights, property, and freedom of others, the law shifts the burden of revenge from the individual to the state (discouraging revenge).
- Criminal law reflects constantly changing public opinions and moral values (expressing public opinion and morality).

- Deterring criminal behavior can be achieved through criminal law as has a social control function. By implementing criminal law, it can control, restrain, and direct human behavior through its sanctioning power.
- The deterrent power of criminal law is tied to the authority it gives the state to sanction or punish offenders (punishing wrongdoing).
- All legal systems are designed to support and maintain the boundaries of the social system they serve (maintaining social order).
- The criminal law can be used to restore to victims what they have lost. Punishments such as fines, forfeiture, and restitution are connected to this legal goal (provide restoration)

REF: 18-19 OBJ: 6

8. Describe the difference between a felony and misdemeanor and provide examples of each.

ANS:

- A felony is a serious offense that carries a penalty of imprisonment, usually for one year or more, and may entail loss of political rights. Felony crimes include murder, rape, and burglary.
- A misdemeanor is a minor crime usually punished by a short jail term and/or a fine. Crimes such as unarmed assault and battery, petty larceny, and disturbing the peace are misdemeanors.

REF: 18 OBJ: 8

9. Beginning with common law and concluding with contemporary law, explain how criminal law has evolved as society has evolved.

ANS:

- The criminal law used in U.S. jurisdictions traces its origin to the English system.
- Using local custom and rules of conduct, judges would make decisions, which eventually were published and used to decide conflicts on a case by case basis.
- If a new rule was successfully applied in a number of different cases, it would become a precedent. These precedents would then be commonly applied in all similar cases—hence the term common law.
- English common law evolved constantly to fit specific incidents that the judges encountered.
- In the contemporary U.S. legal system, lawmakers have codified common-law crimes into state and federal penal codes that govern almost all phases of human enterprise, including commerce, family life, property transfer, and the regulation of interpersonal conflict.
- U.S. law contains elements that control personal relationships between individuals (civil law) and public relationships between individuals and the government (substantive criminal law, procedural criminal law and administrative law).

REF: 15-19 OBJ: 7

10. What ethical issues should criminologists consider when conducting criminological research and why should these issues be considered?

ANS:

- What To Study?
- Criminologists should be concerned about the topics studied.
- Government and institutional funding has influenced the direction of criminological inquiry, thus ethical issues arise when topics or methods appear biased or areas of inquiry are ignored due to limited, if any, sponsorship.
- A potential conflict of interest may arise when the institution funding research is itself one of the principal subjects of the research project.
- The objectivity of research may be questioned if studies are funded by organizations that have a vested interest in the outcome of the research.
- Whom To Study?
- Another ethical issue revolves around the selection of research subjects.
- Perhaps partially due to funding, criminologists focus their attention on the poor and minorities while ignoring the middle-class criminal who may be committing white-collar crime, organized crime, or government crime. In doing so, research findings can significantly affect individuals and groups, potentially justifying any harsh measures taken against them.
- How to Study?
- Another area of concern involves the methods used in conducting research, especially the use of deception.
- Criminologists must take extreme care when they select subjects for their research studies to ensure that they are selected in an unbiased and random manner.

REF: 23-24

OBJ: 10