

LESSON 4—1 QUIZ

Legal Concepts

Directions: Place a *T* for True or an *F* for False in the Answers column to show whether each of the following statements is true or false.

	Answers
1. A crime is an offense against an individual.	1. _____
2. A misdemeanor is a serious crime that is usually punishable by a long prison sentence in a federal prison.	2. _____
3. Burglary is classified as a crime against realty.	3. _____
4. A corporation cannot be convicted of criminal intent.	4. _____
5. White-collar crimes are offenses committed in the business world.	5. _____
6. A hate crime can only be committed against a person of another race.	6. _____
7. False pretenses is a type of fraud.	7. _____
8. A civil offense is committed against an individual.	8. _____
9. A minor traffic offense does not require criminal intent.	9. _____
10. Corporate officers can be held criminally responsible for an employee's crime.	10. _____
11. Conspiracy is not considered a separate crime from the crime the parties planned to commit.	11. _____
12. Which court can overturn decisions made by the Supreme Court?	12. _____
13. Lying under oath is called extortion.	13. _____
14. Larceny may be considered either a felony or a misdemeanor, depending on the value of the property stolen.	14. _____

Legal Application

15. Jessica Grayson is a secretary at Washington High School. She is in charge of ordering janitorial supplies from Joe's Cleaning Center. Jessica is also authorized to write and sign the checks for these supplies. Jessica is friends with Jake Emerson, who works at Joe's. Once a month, Jessica writes an order for \$300 worth of supplies that the school really doesn't need. Jake signs the business manager's name from Joe's on the checks and gives them back to Jessica. She cashes the checks and deposits them into her own savings account. Jake makes sure the supplies are never delivered to the school. Are Jessica and Jake both committing a crime? If so, what crime(s)?

LESSON 4—1 RETEACH

Directions: Write the category names and the available points in columns on the chalkboard. Read the clue as its respective category and point value is chosen. Erase each point value amount as it is chosen. Students should answer in the form of a question. For example, the correct response to the first category at 300 would be “What is bribery?” When a student answers correctly, give them credit for the number of points and let them choose the next clue. If a student answers incorrectly, the points are subtracted from their score and another student may answer.

Business-Related Crimes	Crime Classification	Elements of Crime
100	100	100
200	200	200
300	300	300
400	400	400
500	500	500
600	600	600
700	700	700

Clues to be read to students:

Business-Related Crimes

- 100—Another name for business crime. (**white-collar crime**)
- 200—A crime where a person obtains money by lying about a past or existing fact. (**false pretenses**)
- 300—A crime where money is offered to influence the performance of an official. (**bribery**)
- 400—A type of law that forbids competing price fixing. (**antitrust**)
- 500—A type of larceny where a building is entered without permission. (**burglary**)
- 600—A person who receives stolen property. (**fence**)
- 700—An agreement between two or more persons to commit a crime. (**conspiracy**)

Crime Classification

- 100—A serious crime that is punishable by confinement in a state prison or a large fine. (**felony**)
- 200—Obscenity is a crime against (?). (**decency**)
- 300—A less serious crime that is punishable by confinement in a county or city jail. (**misdemeanor**)
- 400—Lying under oath. (**perjury**)
- 500—A lesser misdemeanor where the defendant cannot be jailed. (**infraction**)
- 600—The smallest fine for committing a felony. (**\$1,000**)
- 700—The shortest jail term for committing a felony. (**1 year**)

Elements of Crime

- 100—A crime against an individual but not against society. (**civil offense**)
- 200—A punishable offense against society. (**crime**)
- 300—Criminal intent means the defendant intended to do (?). (**evil**)
- 400—The age, under early common law, that was below the age of reason. (**7**)
- 500—The age of criminal liability in most states. (**18**)
- 600—Name two of the three elements of crime. (**duty, violation of duty, criminal intent**)
- 700—The doctrine that holds corporate officers responsible for employee crimes. (**vicarious criminal liability**)

LESSON 4—2 QUIZ

Legal Concepts

Directions: Fill in the blank(s) with the most appropriate term or phrase to complete the sentence.

	Answers
1. Prior to a search, the officer must first establish _____?	1. _____
2. _____? is the use of force by a victim who is in fear for his or her life.	2. _____
3. _____? defenses are based on the ability to disprove, justify, or excuse the alleged crime.	3. _____
4. A defendant may escape criminal liability by establishing a(n) _____?	4. _____
5. _____? is freedom from prosecution even when one has committed the crime as charged.	5. _____
6. _____? defenses are based on problems with the way evidence is obtained.	6. _____
7. An accused person who does not know the difference between right and wrong may claim to have _____?	7. _____
8. A witness who refuses to testify after the grant of immunity is said to be in _____?	8. _____

Legal Applications

- Pierre delivers pizza for a pizza shop in France. He always tries to gain entrance to the homes of high-income customers. Sometimes customers leave the room to find the correct amount of money for the pizza. Pierre has been able to steal several small valuable items over the past two years, which he later sold on the black market. Pierre is arrested by the French police, forced to answer questions, and compelled to give the names of two of his friends who have heard about his stealing. He is proved guilty on the basis of his friends' testimony and his own statements on the night of his arrest. Could this conviction hold under French law?
- How would Pierre's case have been handled differently in the United States?

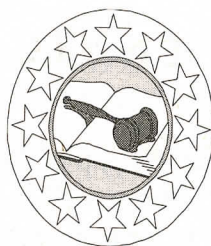
LESSON 4—2 RETEACH

Directions: Write the answers to Questions 1–10 on the blanks provided. The answer to Question 11 should appear in the vertical boxes.

	11.	
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2.	<input style="width: 20px; height: 20px;" type="text"/>	-----
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1. A(n) _____ hearing determines if there is sufficient cause to hold the defendant for trial.
2. Group of citizens elected to hear evidence in secret.
3. A type of defense where the use of force appears to be necessary to prevent harm or death to the victim.
4. An accused person who does not know the difference between right and wrong can claim criminal _____.
5. An argument made by a defendant to escape criminal liability.
6. A person has a constitutional _____ to due process.
7. A grant of freedom from prosecution.
8. A witness who refuses to testify after being granted immunity is in _____ of court.
9. An accused criminal must be proven guilty beyond a _____ doubt.
10. Written accusation declaring there is sufficient evidence to try a specific individual for a specific crime.
11. A penalty imposed by a court.

CHAPTER 4



TEST

SECTION I—IDENTIFY LEGAL TERMS

Directions: Place a *T* for True or an *F* for False in the Answers column to show whether each of the following statements is true or false.

- | | Answers |
|-----------------------------------------------------------------------------------------------------------------|----------------|
| 1. The three elements of most crimes are the duty, the breach of the duty, and criminal intent. | 1. _____ |
| 2. Generally, all the jurors must vote for conviction before a person can be convicted of a crime. | 2. _____ |
| 3. The existence of a duty in criminal law is usually proved in court by the testimony of an expert witness. | 3. _____ |
| 4. The prosecution and the defense may issue a subpoena. | 4. _____ |
| 5. A person released on his or her own recognizance must post a bond. | 5. _____ |
| 6. It is not a crime to buy property that you know has been stolen. | 6. _____ |
| 7. A Miranda warning must be issued for most confessions to be valid. | 7. _____ |
| 8. A grant of immunity can eliminate a person's right to refuse to testify on the grounds of self-incrimination | 8. _____ |
| 9. What is a crime for an adult is juvenile delinquency for a minor. | 9. _____ |
| 10. An expert witness performs the cross examination. | 10. _____ |

SECTION II—THINK CRITICALLY ABOUT LEGAL CONCEPTS

Directions: In the Answers column at the right of each statement, write the letter that represents the word, or group of words, that correctly completes the statement.

- | | Answers |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 11. What is the standard of proof in a criminal case? (a) proof by clear and convincing evidence, (b) proof by a preponderance of the evidence, (c) proof beyond a reasonable doubt, (d) none of these | 11. _____ |

SECTION II (Concluded)

Answers

12. What is the age in which one is considered capable of criminal intent by the statutes in most states? (a) 7 (b) 14, (c) 18, (d) 21 12. _____
13. Why would a defendant accept a plea bargain? (a) to avoid the risk of being convicted of a more serious offense, (b) to confront the accuser at the trial, (c) to save the court time and money, (d) to win favor with a judge 13. _____
14. Criminal intent generally means that the defendant (a) intended to do evil, (b) intended to commit the act, (c) both a and b, (d) none of these 14. _____
15. Vicarious criminal liability refers to (a) accomplices, (b) burglary, (c) children, (d) corporations 15. _____
16. Which of the following is *not* a constitutional right of an accused? (a) the right to be represented by a lawyer, (b) the right to be subject to arrest only when there is probable cause, (c) the right to refuse to testify against oneself, (d) the right to a private cell when in jail 16. _____
17. What can the government do to compel a witness to testify after she or he has asserted the right against self-incrimination? (a) arrest the witness, (b) ask the judge to hold the witness in contempt, (c) grant immunity, (d) plea bargain 17. _____
18. Which of the following would *not* create a procedural defense? (a) the denial of the right to cross-examine witnesses, (b) the establishment of an alibi, (c) failure to provide the defendant with a lawyer during a criminal trial, (d) the use of force to coerce a confession 18. _____
19. White-collar crimes (a) do not cause injury to people, (b) involve force or violence, (c) cause physical damage to property, (c) none of these 19. _____
20. Which of the following is the best definition of contempt of court? (a) actions that interfere with the administration of justice, (b) failure to file an appeal on time, (c) words that express disrespect for witnesses, (d) willful disregard of the instruction of one's lawyer 20. _____
21. Shortly after his or her arrest, the defendant is brought before the court in a proceeding called a(n) (a) indictment, (b) voir dire, (c) arraignment, (d) preliminary hearing 21. _____