

Exam: 406235RR - General Principles of Criminal Liability

When you have completed your exam and reviewed your answers, click **Submit Exam**. Answers will not be recorded until you hit **Submit Exam**. If you need to exit before completing the exam, click **Cancel Exam**.

Questions 1 to 20: Select the best answer to each question. Note that a question and its answers may be split across a page break, so be sure that you have seen the *entire* question and *all* the answers before choosing an answer.

1. The *equal protection clause* is found in the _____ Amendment.

- A. Eighth
- B. First
- C. Fourteenth
- D. Fourth

2. Sherri was cleaning her prized pistol at the state fair in Oklahoma when it fired into the crowd of onlookers at the event. Fortunately, no one was injured. However, after the police investigated, Sherri was arrested for attempted murder. As Sherri's defense attorney, you should assert that she's *not* guilty because

- A. no one was injured.
- B. she didn't have the specific intent to kill anyone.
- C. cleaning one's pistol is legal in Oklahoma.
- D. she didn't know the gun was loaded.

3. Lucy asks Frank to kill Jim. Unbeknownst to Lucy, Frank is an undercover police officer. Frank falsely says, "Okay, I'll do it." Lucy is therefore guilty of

- A. facilitation.
- B. solicitation.
- C. attempt.
- D. conspiracy.

4. When prosecuting a crime, the state must prove that the wrongful act was the _____ of the resulting harm.

- A. proximate cause
- B. actus reus
- C. mens rea
- D. remote cause

5. A legislator introduces a bill that declares, "It is a felony to do bad acts." This law will *most* likely be deemed unconstitutional because of the

- A. prohibition on bills of attainder.
- B. Eighth Amendment.
- C. equal protection clause.

D. due process clauses.

6. The Latin phrase *nullum crimen sine lege* means

- A. "no crime without law."
- B. "a vague statute is void."
- C. "after the fact."
- D. "overbroad statutes are unconstitutional."

7. Mary shouts, "I intend to kill you, Jill!" and then shoots Jill. Mary's actions illustrate _____ intent.

- A. general
- B. constructive
- C. specific
- D. reckless

8. Consider this scenario: Kim is arrested, charged with robbing ABC Bank (a state crime), and then acquitted. Later, the federal government charges and tries her in federal court for robbing the federally insured ABC Bank (a federal crime). Which one of the following statements about this scenario is *true*?

- A. Kim can be tried on the federal charge because the crimes are different, even though only one bank was involved.
- B. The federal charge is barred by double jeopardy.
- C. Because Kim was acquitted for the state crime, she's automatically acquitted for the federal crime.
- D. Kim can be tried on the federal charge, but only because she was acquitted from the state charge.

9. Which one of the following statements about felonies and misdemeanors is *true*?

- A. Felonies are federal crimes and misdemeanors are state crimes.
- B. Felony offenders are typically imprisoned in prisons, and misdemeanor offenders are typically imprisoned in only local jails.
- C. Felonies and misdemeanors are similar in terms of the possible punishment.
- D. Felonies are frequently subdivided into classes while misdemeanors aren't.

10. Craig aims his gun at Bob, intending to kill Bob. However, when Craig fires the gun, he misses Bob and instead kills Mabel, Craig's own sister. In this scenario, Craig will *not* be

- A. innocent due to lack of proximate causation.
- B. innocent due to lack of intent.
- C. guilty of attempted murder of Bob.
- D. guilty of intentional murder under the doctrine of transferred intent.

11. Jane, without intending to harm anyone, closes her eyes and fires a gun into a crowd at the mall, killing Sue. In this scenario, Jane had _____ intent.

- A. specific
- B. constructive
- C. special
- D. general

12. Pauline is a California assistant district attorney assigned to prosecute a case against Max "the Ax

Murderer" Milano. If Pauline is unsure what, exactly, to charge him with, what should she consult as her source for applicable crimes?

- A. The investigator who arrested Max the Ax Murderer
- B. Another attorney, because Pauline is new to the office
- C. The common law, because murder is a really old crime
- D. Her state's statutes, because most states have defined and codified modern crimes

13. Larry is holding his gun when he suddenly suffers a seizure, causing him to squeeze the trigger and kill Bob. There may not be actus reus because there's no

- A. social harm
- B. omission to act
- C. causation
- D. voluntary act.

14. The mens rea element of a crime is the _____ element of a crime.

- A. concurrence
- B. culpability
- C. causation
- D. physical

15. Janet is charged with a crime. Her crime has received a lot of publicity locally, and everyone thinks she's guilty. In this scenario, the *best* choice for Janet's attorney is to ask for a change of

- A. custody.
- B. jurisdiction.
- C. indictment.
- D. venue.

16. Asking or inciting another person to commit a crime is the anticipatory crime of

- A. solicitation.
- B. attempt.
- C. conspiracy.
- D. compounding.

17. Bob was charged with armed robbery, but was later acquitted. Two years after his acquittal, a witness comes forward and tells police that Bob confessed to the robbery. Bob was charged again with the robbery. If you're defending Bob, your defense should be that the second charge violates

- A. the Eighth Amendment.
- B. equal protection.
- C. double jeopardy.
- D. due process.

18. Bob sends to Fred an e-mail that states, "Dear Fred, please kill Steve for me." Fred never receives the e-mail. In this scenario, Bob is guilty of

- A. attempt.
- B. facilitation.
- C. conspiracy.
- D. solicitation.

19. Bob goes to a restaurant and leaves his blue umbrella at the door. Another patron leaves a black umbrella at the door. As Bob leaves, he notices the two umbrellas and decides to steal the other patron's blue umbrella. As he reaches for the umbrella, he's arrested. Bob is guilty of _____ to steal.

- A. solicitation
- B. facilitation
- C. attempt
- D. conspiracy

20. Larry kills Sally and runs to Mark's house to hide. The police knock on Mark's door and ask where Larry is. Mark falsely tells them, "I don't know." Mark may therefore be considered a/an

- A. solicitor.
 - B. accomplice.
 - C. accessory.
 - D. perpetrator.
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End of exam