**Chapter 3: Criminal Law**

**Test Bank**

**Type: multiple choice question**

**Title:** Chapter 3 - Question 1

**1)** Written on an ancient stone tablet, this collection of over 250 laws covered a wide range of issues.

**a.** Code of Justinian

**b.** Magna Carta

**c.** Ten Commandments

\***d.** Code of Hummurabi

**Type: multiple choice question**

**Title:** Chapter 3 - Question 2

**2)** Laws must be \_\_\_\_\_.

**a.** Published in the criminal code

**b.** Enacted by the legislature

**c.** Enforced in a fair and even handed manner by the authorities

\***d.** All of the above

**Type: multiple choice question**

**Title:** Chapter 3 - Question 3

**3)** This major English document contributed to U.S. law.

\***a.** Magna Carta

**b.** Assize of Clarendon

**c.** Constitution

**d.** Code of Hammurabi

**Type: multiple choice question**

**Title:** Chapter 3 - Question 4

**4)** This is sometimes called case law, judiciary law, or unwritten law.

**a.** Statutory law

\***b.** Common law

**c.** Constitutional law

**d.** Tort law

**Type: multiple choice question**

**Title:** Chapter 3 - Question 5

**5)** This type of law is enacted by legislatures.

\***a.** Statutory law

**b.** Written law

**c.** Common law

**d.** precedent

**Type: multiple choice question**

**Title:** Chapter 3 - Question 6

**6)** In legal terminology, this is the state of a child who has not yet reached the specified age to be considered an adult.

**a.** Delinquency

\***b.** Infancy

**c.** Minority

**d.** All of the above

**Type: multiple choice question**

**Title:** Chapter 3 - Question 7

**7)** Common law is based on this.

\***a.** Precedent

**b.** Discretion

**c.** Penal code

**d.** The Magna Carta

**Type: multiple choice question**

**Title:** Chapter 3 - Question 8

**8)** Which issue guides precedent?

**a.** Predictability

**b.** Efficiency

**c.** Reliability

\***d.** All of the above

**Type: multiple choice question**

**Title:** Chapter 3 - Question 9

**9)** What is the legal principle in which courts are bound by the decisions of previous courts called?

**a.** *Lex talionis*

**b.** *habeas corpus*

**c.** *Nolo contendere*

*\****d.** *Stare decisis*

**Type: multiple choice question**

**Title:** Chapter 3 - Question 10

**10)** What are the first 10 amendments to the Constitution called?

**a.** First Ten Amendments

**b.** 10 Commandments

\***c.** Bill of Rights

**d.** Code of Hammurabi

**Type: multiple choice question**

**Title:** Chapter 3 - Question 11

**11)** This writ is issued to bring a party before the court.

**a.** warrant

**b.** *Stare decisis*

**c.** *Lex talionis*

*\****d.** *Habeas corpus*

**Type: multiple choice question**

**Title:** Chapter 3 - Question 12

**12)** According to this Amendment, "No person shall be held to answer for a capital, or otherwise, infamous crime, unless on a presentment or indictment of a grand jury..."

**a.** Sixth

\***b.** Fifth

**c.** Eighth

**d.** Fourth

**Type: multiple choice question**

**Title:** Chapter 3 - Question 13

**13)** Which is one of the three criteria used to determine what behaviors are made criminal?

**a.** the effects of the law

**b.** the existence of other means to protect society from undesirable behavior

**c.** The enforceability of the law

\***d.** All of the above

**Type: multiple choice question**

**Title:** Chapter 3 - Question 14

**14)** This type of law covers personal wrongs and damage and includes libel, slander, assault, trespass, and negligence.

\***a.** Tort law

**b.** Substantive law

**c.** Civil law

**d.** Criminal law

**Type: multiple choice question**

**Title:** Chapter 3 - Question 15

**15)** This legal principle states that a person cannot be tried twice for the same offense.

\***a.** Double jeopardy

**b.** *Lex talionis*

**c.** *Habeas corpus*

**d.** Double standar

**Type: multiple choice question**

**Title:** Chapter 3 - Question 16

**16)** This type of law sets forth what behaviors are defined as crime.

**a.** Procedural

**b.** Tort

\***c.** Substantive

**d.** Civil

**Type: multiple choice question**

**Title:** Chapter 3 - Question 17

**17)** This type of law prescribes the methods for the enforcement and use of the law.

**a.** Substantive

**b.** Criminal

**c.** Civil

\***d.** Procedural

**Type: multiple choice question**

**Title:** Chapter 3 - Question 18

**18)** This type of law comes from judicial decisions and requires judges to consider how previous cases dealt with similar issues.

\***a.** Case law

**b.** Criminal law

**c.** Tort law

**d.** Civil law

**Type: multiple choice question**

**Title:** Chapter 3 - Question 19

**19)** This type of offense includes murder, rape, assault, larceny, and arson.

**a.** misdemeanor

**b.** Inchoate offense

\***c.** Felony

**d.** conspiracy

**Type: multiple choice question**

**Title:** Chapter 3 - Question 20

**20)** Usually the maximum incarceration for this type of offense is up to one year in jail.

**a.** Inchoate offense

**b.** felony

\***c.** Misdemeanor

**d.** Civil crime

**Type: multiple choice question**

**Title:** Chapter 3 - Question 21

**21)** An example of this type of offense is conspiracy.

**a.** Misdemeanor

\***b.** Inchoate offense

**c.** Sensational crime

**d.** Terrorism

**Type: multiple choice question**

**Title:** Chapter 3 - Question 22

**22)** *Actus reus*, *mens rea*, and concurrence constitute this.

\***a.** *Corpus delicti*

**b.** An inchoate offense

**c.** “guilty deed”

**d.** *Stare decisis*

**Type: multiple choice question**

**Title:** Chapter 3 - Question 23

**23)** What does *mens rea* mean?

**a.** Not guilty

**b.** An eye for an eye

\***c.** Guilty mind

**d.** Guilty deed

**Type: multiple choice question**

**Title:** Chapter 3 - Question 24

**24)** This defense attempts to give physical or psychological reasons that a defendant cannot comprehend his or her criminal actions, their harm(s), or their punishment.

\***a.** Insanity defense

**b.** Actus reus

**c.** Infancy

**d.** alibi

**Type: multiple choice question**

**Title:** Chapter 3 - Question 25

**25)** This type of offense tends to involve offenses in which the public's welfare is at issue.

**a.** Civil offense

**b.** Status offense

\***c.** Strict liability

**d.** Inchoate offense

**Type: true-false**

**Title:** Chapter 3 - Question 26

**26)** Insanity is a legal term, not a medical term.

\***a.** True

**b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 27

**27)** The Magna Carta contributed little to U.S. law.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 28

**28)** Common law and statutory law are the same thing.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 29

**29)** The Supreme Court created a new test for insanity in *Durham v. United States*.

\***a.** True

**b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 30

**30)** The excuse of age is called "juvenile exclusion."

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 31

**31)** New laws can abridge rights given in the Constitution.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 32

**32)** The double jeopardy defense is based on common law and the Fifth Amendment.

\***a.** True

**b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 33

**33)** The early North American colonies rejected the principles of English common law that called for cases to be decided on precedent.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 34

**34)** The Bill of Rights is not especially important to the criminal law.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 35

**35)** There is a fairly consistent pattern of laws across the United States.

\***a.** True

**b.** False

**Type: true-false**

**Title:** Chapter 3 – Question 36

**36)** The substantive law is concerned with how criminal justice officials enforce the law.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 37

**37)** Law is derived from a single source.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 38

**38)** The foundation for the criminal justice system is the civil law.

**a.** True

\***b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 39

**39)** The rule of law is an important differentiating feature between democratic societies and authoritarian ones.

**\*a.** True

**b.** False

**Type: true-false**

**Title:** Chapter 3 - Question 40

**40)** There are no exceptions to the requirement of the presence of both *mens rea* and *actus reus* to constitute an offense.

**a.** True

\***b.** False