True/False

1. An *ex post facto* law is a law which has a retroactive effect.

 a. True

 b. False

ANSWER: True

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

2. An alcoholic cannot be convicted for the offense of being drunk in a public place based upon the Eighth and Fourteenth Amendments.

 a. True

 b. False

ANSWER: False

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.09 - 01.09 Define circumstances that would make a criminal law a status crime

KEYWORDS: Bloom’s: Remember

3. Substantive criminal law deals with the minimum standards of behavior in society.

 a. True

 b. False

ANSWER: True

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Remember

4. Agencies within the legislative branch of government administer and enforce laws.

 a. True

 b. False

ANSWER: False

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

5. The “prior notice” doctrine requires that fair warning be given in language that the ordinary person will understand.

 a. True

 b. False

ANSWER: True

REFERENCES: The Principle of “No Punishment Without a Law for It”

LEARNING OBJECTIVES: CRLA.GAAN.18.01.06 *-* 01.06 Identify the general limitations on the exercise of the police power by government.

KEYWORDS: Bloom’s: Remember

6. Status crimes have no act requirement.

 a. True

 b. False

ANSWER: True

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.09 - 01.09 Define circumstances that would make a criminal law a status crime

KEYWORDS: Bloom’s: Remember

7. One reason a person would not commit a crime is that they fear arrest.

 a. True

 b. False

ANSWER: True

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.03 - 01.03 List the reasons people commit crimes, and why they do not

KEYWORDS: Bloom’s: Remember

8. Police power is the inherent power of the federal government, subject to constitutional limits, to enact criminal laws.

 a. True

 b. False

ANSWER: False

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.05 - 01.05 Know the meaning of police power

KEYWORDS: Bloom’s: Remember

9. One of the generally recognized goals of the criminal justice system is to protect society from dangerous and harmful people.

 a. True

 b. False

ANSWER: True

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 01.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Remember

10. All states have abolished common law crimes.

 a. True

 b. False

ANSWER: False

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Remember

Multiple Choice

11. Which branch of the government administers and enforces criminal laws?

 a. The legislative branch

 b. The judicial branch

 c. The executive branch

 d. The state branch

ANSWER: c

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

12. The \_\_\_\_\_ Amendment of the US Constitution provides that “[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

 a. First

 b. Fifth

 c. Eighth

 d. Tenth

ANSWER: d

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.05 - 01.05 Know the meaning of police power

KEYWORDS: Bloom’s: Remember

13. In the US, the supreme law of the land is considered to be:

 a. the constitution of each state.

 b. federal statutes.

 c. Presidential Executive Orders.

 d. the U.S. Constitution.

ANSWER: d

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 01.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Remember

14. Which branch of the government determines the constitutionality of laws or ordinances?

 a. The legislative branch

 b. The judicial branch

 c. The executive branch

 d. The state branch

ANSWER: b

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

15. Which statement is true regarding the standards set by moral laws compared to those set by criminal laws?

 a. The standards set by moral laws are generally higher than those set by criminal laws

 b. The standards set by moral laws are generally lower than those set by criminal laws

 c. The standards set by moral laws are generally the same as those set by criminal laws

 d. None of these choices

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.03 - 01.03 List the reasons people commit crimes, and why they do not

KEYWORDS: Bloom’s: Remember

16. The first and earliest source of criminal laws was:

 a. common law.

 b. administrative regulations.

 c. constitutions.

 d. statutes.

ANSWER: a

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Remember

17. Common law crimes in England were created by:

 a. judges.

 b. society.

 c. prosecutors.

 d. the king or queen.

ANSWER: a

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Remember

18. After the American Revolution, the source of much of the statutory crimes in this country came from:

 a. newly created crimes unknown to English common law.

 b. Roman law principles of crime.

 c. converted common law crimes .

 d. the extensive penal codes of several European countries.

ANSWER: c

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Remember

19. All of the following are constitutional limitations on criminal laws except?

 a. *Ex post facto* laws

 b. Bill of attainder

 c. Due process

 d. Overbreadth doctrine

ANSWER: d

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

20. Crime that is created by government administrative agencies under specific authority or guidelines granted to it by legislative bodies is called:

 a. administrative crime.

 b. statutory crime.

 c. common law crime.

 d. judicial crime.

ANSWER: a

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Remember

21. An example of private law is:

 a. criminal law.

 b. criminal procedure.

 c. divorce.

 d. Constitutional law.

ANSWER: c

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Remember

22. The law of criminal procedure deals with:

 a. the law followed in the investigation and processing of a crime.

 b. the definition of crimes.

 c. contractual issues.

 d. torts.

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Remember

23. The substantive criminal law:

 a. defines the standards of conduct for protection of the community.

 b. is an important branch of private law.

 c. is no longer followed in the US.

 d. defines the steps followed in processing a criminal case.

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Remember

24. A person might commit a crime for any of the following reasons except?

 a. rear of arrest and punishment.

 b. insufficient moral or ethical restraints.

 c. peer pressure.

 d. opportunity combined with capacity and skill.

ANSWER: a

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.03 - 01.03 List the reasons people commit crimes, and why they do not

KEYWORDS: Bloom’s: Remember

25. A tort is:

 a. a public wrong against society.

 b. a civil wrong done to a person or her property.

 c. a crime.

 d. always a moral wrong.

ANSWER: b

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Remember

26. If a person intentionally damages a building owned by another person, this action:

 a. is a crime, but not a tort.

 b. is a tort, but not a crime.

 c. is neither a tort nor a crime.

 d. is both a tort and a crime.

ANSWER: d

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Apply

27. The Latin maxim *nulla poena sine lege* means:

 a. no law without punishment.

 b. no punishment without a moral wrong.

 c. no punishment without law for it.

 d. no law without morality.

ANSWER: c

REFERENCES: The Principle of “No Punishment Without a Law for It”

LEARNING OBJECTIVES: CRLA.GAAN.18.01.06 - 01.06 Identify the general limitations on the exercise of the police power by government.

KEYWORDS: Bloom’s: Remember

28. Which is *not* one of the four generally recognized goals of the criminal justice system?

 a. Discourage people from committing crimes

 b. Protect society from dangerous people

 c. Punish people who have committed crimes

 d. Help victims harmed by crime

ANSWER: d

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 01.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Remember

29. To be enforceable, state criminal laws must be consistent with:

 a. civil law.

 b. substantive law.

 c. procedural law.

 d. the US and State Constitutions.

ANSWER: d

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.05 - 01.05 Know the meaning of police power

KEYWORDS: Bloom’s: Remember

30. An *ex post facto* law is basically a:

 a. legislative infliction of criminal punishment without a trial.

 b. retroactive criminal statute.

 c. limitation on freedom of speech.

 d. federal criminal statute.

ANSWER: b

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

31. A bill of attainder is:

 a. also known as an *ex post facto* law.

 b. a legislative act that inflicts punishment without a trial.

 c. a retroactive criminal statute.

 d. a type of international law.

ANSWER: b

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

32. The due process clause is found in the \_\_\_\_\_ Amendment of the US Constitution

 a. First

 b. Fourth

 c. Eighth

 d. Fourteenth

ANSWER: d

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

33. What is the name of the inherent power of every state and local government, subject to constitutional limits, to enact criminal laws?

 a. Police power

 b. Constitutional authority

 c. Bill of attainder

 d. Constitutional power

ANSWER: a

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.05 - 01.05 Know the meaning of police power

KEYWORDS: Bloom’s: Remember

34. Which branch of the government enacts criminal laws?

 a. The legislative branch

 b. The judicial branch

 c. The executive branch

 d. The state branch

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

35. A statute making heroin addiction, by itself, a crime would most likely:

 a. be upheld by the US Supreme Court.

 b. be found unconstitutional.

 c. violate the overbreadth doctrine.

 d. conflict with present-day drug statutes.

ANSWER: b

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.09 - 01.09 Define circumstances that would make a criminal law a status crime

KEYWORDS: Bloom’s: Remember

36. An unnecessarily broadly written law that invades the area of protected freedoms would be deemed unconstitutional on what grounds?

 a. Due process

 b. Bill of attainder

 c. Void of vagueness doctrine

 d. Overbreadth doctrine

ANSWER: d

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

37. The equal protection clause of the Fourteenth Amendment requires that:

 a. states treat all people as individuals.

 b. states treat all people generously.

 c. private groups treat all people alike.

 d. states treat all people alike.

ANSWER: d

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

38. The equal protection clause applies:

 a. to criminal laws only.

 b. to civil laws only.

 c. to both criminal and civil laws.

 d. to federal laws, not state laws.

ANSWER: c

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

39. The Latin maxim *nulla poena sine lege* is also known as:

 a. the principle of legality.

 b. the Fifth amendment principle.

 c. the retroactive prohibition principle.

 d. the legal principle of prohibition.

ANSWER: a

REFERENCES: The Principle of “No Punishment Without a Law for It”

LEARNING OBJECTIVES: CRLA.GAAN.18.01.06 *-* 01.06 Identify the general limitations on the exercise of the police power by government

KEYWORDS: Bloom’s: Remember

40. The Latin maxim *nulla poena sine lege*, also known as the principle of legality, requires that:

 a. there be no retroactive definition of criminal behavior by judicial decision.

 b. statutory definitions of crime be made with judicial concurrence.

 c. laws be written in plain English.

 d. crimes must be committed before a law can be written which outlaws it.

ANSWER: a

REFERENCES: The Principle of “No Punishment Without a Law for It”

LEARNING OBJECTIVES: CRLA.GAAN.18.01.06 - 01.06 Identify the general limitations on the exercise of the police power by government

KEYWORDS: Bloom’s: Remember

Scott is arrested for selling drugs. He is arraigned in county courthouse and pleads not guilty. His lawyer is working with the prosecutor in order to get a good deal and ends up with a plea bargain for just probation instead of prison time.

41. Scott was arrested by agents from the \_\_\_\_\_\_ branch of government.

 a. legislative branch

 b. judicial branch

 c. executive branch

 d. state branch

ANSWER: c

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Apply

42. Scott violated \_\_\_\_\_\_ law.

 a. criminal

 b. civil

 c. tort

 d. moral

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Apply

43. The marijuana laws which Scott violated are best described as what type of laws?

 a. Public and substantive

 b. Private and substantive

 c. Tort and public

 d. Substantive and tort

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Apply

Chad’s parents are both drug users and commit many different types of property crimes to support their drug addiction. Chad’s friends steal items from stores in order to support their lifestyle. Chad begins experimenting with drugs and starts to commit property crimes.

44. Chad started his drug use and criminal activities because:

 a. he was forced by his parents.

 b. his friends talked him into it.

 c. he was the product of his environment.

 d. he chose these decisions by free will.

ANSWER: c

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.03 - 01.03 List the reasons people commit crimes, and why they do not

KEYWORDS: Bloom’s: Apply

45. Chad commits property crimes:

 a. to support his drug addiction.

 b. to be with his friends.

 c. for the thrill of it.

 d. to help his parents.

ANSWER: a

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.03 - 01.03 List the reasons people commit crimes, and why they do not

KEYWORDS: Bloom’s: Apply

46. Chad eventually gets caught committing property crimes and using drugs. He is arrested, charged and convicted. He is given probation with intensive drug counseling and therapy. The goal of the criminal justice system in this situation is to:

 a. rehabilitate Chad.

 b. punish Chad.

 c. deter Chad.

 d. jail Chad.

ANSWER: a

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 01.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Apply

Julie owns a gun and has for several years. She is arrested for possession of a firearm within the city where she lives. The day following her arrest, the city passes a law making gun ownership of any kind illegal and punishable by a year in jail for the first offense. Julie is sentenced to one year and a day in prison.

47. Since Julie was sentenced to more than one year in prison. It is likely she was charged with a \_\_\_\_ crime.

 a. felony

 b. misdemeanor

 c. tort

 d. status

ANSWER: a

REFERENCES: Classifications of Crimes

LEARNING OBJECTIVES: CRLA.GAAN.18.01.07 *-* 01.07 Describe the classifications of crimes and the principle of legality

KEYWORDS: Bloom’s: Apply

48. Julie contends that because the law under which she was sentenced was passed the day after her arrest, her conviction on the gun possession charge is a clear violation of the principle of:

 a. *ex post facto* laws.

 b. bill of attainder.

 c. due process.

 d. overbreadth doctrine.

ANSWER: a

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Apply

49. Julie further contends that her conviction on the gun possession charge is a clear violation of the prohibition against *ex post facto* laws, which is guaranteed by \_\_\_\_\_\_\_\_\_\_\_ of the United States Constitution.

 a. Article VII

 b. Article IV

 c. Article II

 d. Article I

ANSWER: d

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

50. Julie wins her freedom on appeal, when the court rules the city's law is a violation of Julie's \_\_\_\_\_\_ Amendment right to own and possess firearms.

 a. First

 b. Fourth

 c. Second

 d. Eighth

ANSWER: c

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 *-* 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

51. A discretionary writ issued by the Court to review the decision of a lower court is called a:

 a. writ of certiorari.

 b. habeas corpus.

 c. *nulla poena sine lege*.

 d. tort.

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

52. A writ that compels the authority holding a person in confinement to explain the basis for that confinement is called a:

 a. writ of *certiorari*.

 b. writ of habeas corpus.

 c. *nulla poena sine lege*.

 d. tort.

ANSWER: b

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

53. A \_\_\_\_ is the most serious grade of crime and usually includes possibility of prison sentence.

 a. felony

 b. misdemeanor

 c. common law crime

 d. tort

ANSWER: a

REFERENCES: Classifications of Crimes

LEARNING OBJECTIVES: CRLA.GAAN.18.01.07 *-* 01.07 Describe the classifications of crimes and the principle of legality

KEYWORDS: Bloom’s: Remember

54. A \_\_\_\_\_\_ is a less serious offense and usually carries a sentence of imprisonment for no more than a year.

 a. felony

 b. misdemeanor

 c. common law crime

 d. tort

ANSWER: b

REFERENCES: Classifications of Crimes

LEARNING OBJECTIVES: CRLA.GAAN.18.01.07 - 01.07 Describe the classifications of crimes and the principle of legality

KEYWORDS: Bloom’s: Remember

55. The goals of the law include all of the following except to:

 a. rehabilitate.

 b. punish.

 c. deter.

 d. inconvenience.

ANSWER: d

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 01.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Remember

56. The constitutional guarantee that criminal arrests and trials must meet certain minimum standards of fairness is the definition of:

 a. due process.

 b. bill of attainder.

 c. void of vagueness doctrine.

 d. overbreadth doctrine.

ANSWER: a

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

57. If the language of a statute or ordinance is vague, it may be held unconstitutional under the:

 a. due process clause.

 b. bill of attainder clause.

 c. void for vagueness doctrine.

 d. overbreadth doctrine.

ANSWER: c

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

58. The Supreme Court held that the \_\_\_\_\_ Amendment protected an individual’s right to own and possess firearms, at least under federal criminal laws.

 a. First

 b. Second

 c. Fourth

 d. Sixth

ANSWER: b

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

59. In enacting criminal law, the state must be able to show all of the following except:

 a. a compelling public need.

 b. that the law does not contravene the US Constitution.

 c. that the language of the statute or ordinance clearly tells people what they are not to do.

 d. that the public really wants the law.

ANSWER: d

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.05 - 01.05 Know the meaning of police power

KEYWORDS: Bloom’s: Remember

60. \_\_\_\_ is the professional and scientific discipline directed to the recognition, identification, individualization, and evaluation of physical evidence by application of the natural sciences.

 a. Forensic science

 b. Criminology

 c. Scientific method

 d. Theory-based inquiry

ANSWER: a

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

Completion

61. Law enforcement agencies are found in the \_\_\_\_\_\_\_\_\_\_\_ branch of government.

ANSWER: executive

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

62. The area of the civil law that is closest to the criminal law is \_\_\_\_\_\_\_\_\_ law.

ANSWER: tort

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Remember

63. The equal protection clause is found in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amendment.

ANSWER: Fourteenth

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

64. A statute which is unclear, ambiguous and uncertain may violate the doctrine of void for \_\_\_\_\_\_\_\_\_\_.

ANSWER: vagueness

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

65. A legislative act that inflicts punishment without a trial is called a bill of \_\_\_\_\_\_\_\_\_\_\_\_.

ANSWER: attainder

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

66. A \_\_\_\_\_\_\_\_\_\_\_\_ asks the US Supreme Court to review the decision of a lower court.

ANSWER: writ of certiorari

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

67. The ban on cruel and unusual punishment is found in the \_\_\_\_\_\_\_\_\_\_\_\_\_ Amendment.

ANSWER: Eighth

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

68. One of the generally recognized goals of the criminal justice system is to \_\_\_\_ people who have committed crimes.

ANSWER: punish

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 01.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Remember

69. If being a diabetic was a crime, it would be classified as a \_\_\_\_ crime.

ANSWER: status

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.09 - 01.09 Define circumstances that would make a criminal law a status crime

KEYWORDS: Bloom’s: Remember

70. The document signed by King John in 1215 giving certain rights to his nobles is the \_\_\_\_\_.

ANSWER: Magna Carta

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Remember

71. A statute which is unclear, ambiguous and uncertain may violate the doctrine of void for \_\_\_\_\_\_\_\_\_\_.

ANSWER: vagueness

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

72. The most serious grade of crime, which usually includes the possibility of a prison sentence, is a \_\_\_\_.

ANSWER: felony

REFERENCES: Classifications of Crime

LEARNING OBJECTIVES: CRLA.GAAN.18.01.07 *-* 01.07 Describe the classifications of crimes and the principle of legality.

KEYWORDS: Bloom’s: Remember

73. Law enforcement agencies are found within the \_\_\_\_\_ branch of government and are charged with the enforcement of criminal laws, in addition to the performance of other duties.

ANSWER: executive

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Remember

74. An offense that carries punishment of a degree less than a felony, and usually does not involve a prison sentence, is a \_\_\_\_\_.

ANSWER: misdemeanor

REFERENCES: Classifications of Crime

LEARNING OBJECTIVES: CRLA.GAAN.18.01.07 - 01.0701.07 Describe the classifications of crimes and the principle of legality.

KEYWORDS: Bloom’s: Remember

75. Criminal law made retroactive to punish prior conduct not criminal when done is called \_\_\_\_\_.

ANSWER: *ex post facto*

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Remember

Essay

76. Discuss some of the differences that result depending upon whether a crime is classified as a felony or a misdemeanor.

ANSWER: N/A

REFERENCES: Classifications of Crimes

LEARNING OBJECTIVES: CRLA.GAAN.18.01.07 *-* 01.07 Describe the classifications of crimes and the principle of legality

KEYWORDS: Bloom’s: Understand

77. Compare and contrast public law and private law. What are the differences between criminal law and tort law?

ANSWER: N/A

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.02 - 01.02 Describe the difference between public law and private law, including the difference between criminal law and tort law

KEYWORDS: Bloom’s: Analyze

78. Compare and contrast reasons why a person might commit a crime as opposed to reasons why a person might not commit a crime.

ANSWER: N/A

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.03 - 01.03 List the reasons people commit crimes, and why they do not

KEYWORDS: Bloom’s: Analyze

79. Describe the following general constitutional limitations on criminal laws: Due Process, “Void for Vagueness”, and the Overbreadth Doctrine.

ANSWER: N/A

REFERENCES: General Constitutional Limitations on Criminal Laws

LEARNING OBJECTIVES: CRLA.GAAN.18.01.08 - 01.08 List and describe five specific constitutional limitations on the power to create a criminal law

KEYWORDS: Bloom’s: Understand

80. Discuss the meaning of police power.

ANSWER: N/A

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.05 - 01.05 Know the meaning of police power

KEYWORDS: Bloom’s: Understand

81. Explain how English common law developed. Trace the history of the common law in the United States. Where are most of today’s laws defined?

ANSWER: N/A

REFERENCES: Sources of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.10 - 01.10 Trace the origin of the common law to its place in criminal law today

KEYWORDS: Bloom’s: Understand

82. Compare and contrast the four main goals or purposes of the criminal justice system.

ANSWER: N/A

REFERENCES: Goals and Purposes of Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.04 - 10.04 Understand the four generally recognized goals of the criminal justice system

KEYWORDS: Bloom’s: Analyze

83. Identify the three branches of government. Describe the responsibilities of each of the branches regarding the criminal law.

ANSWER: N/A

REFERENCES: Important Concepts in Criminal Law

LEARNING OBJECTIVES: CRLA.GAAN.18.01.01 - 01.01 Identify the branches of government, and their relationship to the criminal law

KEYWORDS: Bloom’s: Understand

84. Discuss the general limitations on the exercise of police power. Relate the Tenth Amendment to police power.

ANSWER: N/A

REFERENCES: The Permissible Scope of Criminal Laws in the United States

LEARNING OBJECTIVES: CRLA.GAAN.18.01.06 - 01.06 Identify the general limitations on the exercise of the police power by government

KEYWORDS: Bloom’s: Understand

85. What is the meaning of *nulla poena sine lege*? How does it limit the police power of the state?

ANSWER: N/A

REFERENCES: The Principle of “No Punishment Without a Law for It”

LEARNING OBJECTIVES: CRLA.GAAN.18.01.06 - 01.06 Describe the classifications of crimes and the principle of legality

KEYWORDS: Bloom’s: Understand