

**ADMINISTRATION OF JUSTICE**  
***Homework Exam Review***

**CRIMES AGAINST THE PERSON**

Name: \_\_\_\_\_ Period: \_\_\_\_\_ Row: \_\_\_\_\_

**HOMICIDE**

1. Define the criminal justice system's view of death:  
\_\_\_\_\_  
\_\_\_\_\_
2. In a homicide the killing may be the result of a human. It can be caused by a person omitting \_\_\_\_\_
3. A homicide can only occur if the person dies within \_\_\_\_\_
4. There need be no body produced in order for \_\_\_\_\_
5. In murder of the first degree, one of the elements requires malice  
\_\_\_\_\_
6. Expressed malice simply means –  
\_\_\_\_\_  
\_\_\_\_\_
- 7-11. In most states murder is first degree when the killing is perpetrated by means of:
  7. \_\_\_\_\_
  8. \_\_\_\_\_
  9. \_\_\_\_\_
  10. \_\_\_\_\_
  11. \_\_\_\_\_
- 12-16. In most states murder is of the first degree when the death results during the commission or attempt to commit one of the following crimes:
  12. \_\_\_\_\_
  13. \_\_\_\_\_
  14. \_\_\_\_\_
  15. \_\_\_\_\_
  16. \_\_\_\_\_
17. If murder is committed during a felony other than those enumerated in first degree murder it will be at least: \_\_\_\_\_
18. In some states death as a result of driving while intoxicated can be classified as:  
\_\_\_\_\_
19. In the crime of manslaughter there is an absence of:  
\_\_\_\_\_

20. Involuntary manslaughter will occur during the commission of a \_\_\_\_\_ which results in death.

An example of involuntary manslaughter – John gets mad at Bill and punches him in the nose while working at a construction site. Bill falls backward into a rod sticking out of a cement wall and his lung is punctured causing Bill to die.

21. What crime has been committed when John punches Bill? \_\_\_\_\_
22. Is the crime a misdemeanor or a felony? \_\_\_\_\_
23. Involuntary manslaughter occurs in the commission of a lawful act which might produce death in \_\_\_\_\_, or without \_\_\_\_\_ and \_\_\_\_\_

Example: Joe goes hunting with his high powered rifle. He is up all night playing cards and getting drunk. The next morning he goes hunting for a deer and shoots wildly in a clump of moving bushes. Out rolls another hunter, shot through the head.

24. Involuntary manslaughter may result from a failure to perform a legal duty, such as child \_\_\_\_\_

25-29. Vehicular manslaughter the elements are:

25. No intent \_\_\_\_\_  
In the commission of a misdemeanor involving \_\_\_\_\_
26. \_\_\_\_\_  
Example: Driving 60 miles an hour in a residential area, skidding around a corner and hitting a child
27. In the commission of a misdemeanor but with \_\_\_\_\_
28. In the commission of a lawful act which might produce death, \_\_\_\_\_  
Know example: Driving the speed limit, a friend leans out the window to hand something a friend in an adjacent car. The friend falls out the window and gets run over
29. In the commission of a lawful act which might produce death, but with \_\_\_\_\_

### **LAWFUL HOMICIDE – TWO TYPES**

30-33. Excusable homicide - elements

30. There is no \_\_\_\_\_
31. There is no \_\_\_\_\_
32. There is no \_\_\_\_\_
33. Key words to excusable homicide are \_\_\_\_\_ and \_\_\_\_\_

34-39. Justifiable homicide includes

34. In obedience to any judgment of a \_\_\_\_\_ (execution)
35. Overcoming \_\_\_\_\_ to execution of some legal process or \_\_\_\_\_ or a felony, to do great \_\_\_\_\_

- 36. Generally, when resisting any attempt at \_\_\_\_\_ or a felony, to do great \_\_\_\_\_
- 37. Defense of habitation, \_\_\_\_\_
- 38. No obligation to give warnings before \_\_\_\_\_ of habitation
- 39. No duty to \_\_\_\_\_

## KIDNAPPING

- 40. The crime of kidnapping is the unlawful moving of a person from one place to another (asportation) against his will. Consent obtained by fraud is \_\_\_\_\_

## ROBBERY

- 41. Corpus of robbery includes the \_\_\_\_\_ taking (asportation) of the personal property of another from their person or immediate \_\_\_\_\_
- 42. Corpus of robbery includes taking of property against his will accomplished by means of \_\_\_\_\_ or \_\_\_\_\_
- 43-44. Fear in robbery can be the threat of unlawful injury to
  - 43. \_\_\_\_\_
  - 44. His \_\_\_\_\_
- 45. Any \_\_\_\_\_ of his, or
- 46-49. The fear of immediate and \_\_\_\_\_ injury to
  - 47. The \_\_\_\_\_
  - 48. His \_\_\_\_\_
  - 49. Anyone in his \_\_\_\_\_ (includes \_\_\_\_\_)

## ASSAULT

- 50-52. Corpus of Assault
  - 50. An assault is an unlawful \_\_\_\_\_ (to commit battery)
  - 51. Coupled with the present ability - must establish that the act \_\_\_\_\_ by assailant is \_\_\_\_\_ of being carried out
  - 52. To commit a violent injury upon the person of another "Violent" injury merely means the \_\_\_\_\_ application of \_\_\_\_\_
- 53-55. Corpus of Assault On A Peace Officer or Fireman,
  - 53. When the person knows or should know that the person \_\_\_\_\_ is a policeman or fireman
  - 54. When the above victim is actually \_\_\_\_\_ in the performance of his or her \_\_\_\_\_

55. Includes off-duty peace officer who intervenes in crime in progress when he \_\_\_\_\_

## BATTERY

### 56-57. Corpus of Battery

56. Any \_\_\_\_\_ and unlawful use of force or \_\_\_\_\_
57. Battery is a completed \_\_\_\_\_
- 58-63. "Serious injury" is defined as a serious \_\_\_\_\_ or physical condition, including, but not limited to, the following conditions:
59. Loss of \_\_\_\_\_
60. Bone \_\_\_\_\_
61. Protracted loss or \_\_\_\_\_ of function of any bodily \_\_\_\_\_ or \_\_\_\_\_
62. A wound requiring \_\_\_\_\_
63. Serious \_\_\_\_\_

## ASSAULT WITH A DEADLY WEAPON (ADW)

### 64-66 Corpus of Assault With A Deadly Weapon (ADW)

64. Every person who commits an \_\_\_\_\_ upon the person of another with a \_\_\_\_\_ weapon, or
65. A "deadly" weapon is any object, \_\_\_\_\_, or weapon which, from the manner in which it is used, is capable and likely to \_\_\_\_\_
66. Depends not upon the purpose for which the instrument was made, but the \_\_\_\_\_

## RAPE

67. Corpus of Rape - An act of sexual intercourse in which penetration of the vagina by a penis is required, however, (penetration may be however \_\_\_\_\_)
68. Can involve woman \_\_\_\_\_ a man
69. It is accomplished against a person's will by means of \_\_\_\_\_ or fear of immediate and unlawful \_\_\_\_\_
70. Where the person is at the time \_\_\_\_\_ of the nature of the act, and this is \_\_\_\_\_ to the accused
71. Rape of Spouse: When reported within \_\_\_\_\_ of the act (to authorities)
- 72-76. Corpus of Unlawful Sexual Intercourse
72. \_\_\_\_\_
73. \_\_\_\_\_

74. Not the wife \_\_\_\_\_
75. When the victim is \_\_\_\_\_
76. Parent(s) may bring \_\_\_\_\_ against offender without consent/involvement of their \_\_\_\_\_

### **CHILD MOLESTATION**

#### **77-83. Corpus of Child Molestation**

77. Any person who \_\_\_\_\_ and \_\_\_\_\_ commits any lewd or lascivious act
78. Upon the \_\_\_\_\_ or any \_\_\_\_\_ or member thereof
79. Of a child under the a certain age (14 years of age \_\_\_\_\_)
80. Victim may be either male or \_\_\_\_\_
81. With the intent of arousing, \_\_\_\_\_ to, or gratifying the lust, passion, \_\_\_\_\_ desires
82. Of either the \_\_\_\_\_ or the child
83. Immaterial whether victim participated \_\_\_\_\_ or not

### **INDECENT EXPOSURE**

#### **84-87. Corpus of Indecent Exposure**

84. Every person who \_\_\_\_\_ and \_\_\_\_\_
85. Either exposes his person or \_\_\_\_\_ thereof
86. In any public place, or in any place where there are present persons to be \_\_\_\_\_
87. Nude sunbathing is not violation of this section because the act is \_\_\_\_\_