

Vocabulary

State of Mind

Mens Rea

Motive

Strict Liability

Statutory Rape

Elements

Felony

Misdemeanor

Principal

Accomplice

Accessory before the Fact

Accessory after the Fact

Crime of Omission

Inchoate Crimes

Solicitation

Attempt

Conspiracy

Overt

PROBLEMS

7.1 Anton is a bully. One night while eating at a local diner, he notices Derek eating at a nearby table. Anton does not like the band displayed on Derek's T0shirt, so to show his pals who is in charge, Anton orders Derek to sit at another table. When Derek refuses, Anton punches him in the jaw. As a result of the injury, Derek misses several weeks of work and has to pay both medical and dental bills.

- a. [Has Anton violated civil laws, criminal laws, or both?](#)

- b. Who decides whether Anton should be charged criminally? Who decides whether or not to sue Anton in a civil action?
- c. If Anton is charged with a crime and is sued in a civil action , would the civil and criminal cases be tried together? Why or why not?
- d. Is going to court the only way to handle this problem? What alternatives are there and which do you think would work best?

8.2 Harold and Marci decide to burglarize Superior Jewelers. Their friend Carl, and employee at Superior, helps by telling them the location of the store vault. Marci drives a van to the store and acts as the lookout while Harold goes inside and cracks the safe. After Harold and Marci make their getaway, Harold meets a friend, Shawn, who was not involved in the actual burglary. Harold tells Shawn about the burglary, and Shawn helps Harold get a train out of town. David, a former classmate of Harold and Marci, witnesses the crime but does not tell the police, even though he recognizes both Harold and Marci.

How will each person be charged? Explain.

Harold

Marci

Carl

Shawn

David

The Drowning Girl

1. Would any witnesses be criminally liable?
2. Should any of them be liable?
3. JILL
4. ABE
5. KRISTI
6. CHIN
7. HANNAH

8.3 Examine the following situations and decide whether any of the individuals involved would be guilty of the crime of attempt.

- a. Martin, a bank teller, figures out a foolproof method of stealing money from the bank. It takes him some time to get up the nerve to steal any money. Finally, he makes up his mind and tells his girlfriend, Yuka, that tomorrow he will steal the money. Yuka goes to the police, and Martin is arrested an hour later.
- b. Gilbert, an accomplished thief, is caught while trying to pick Lewis's pocket. He pleads not guilty and says he cannot possibly be convicted, because Lewis did not have a penny on him.
- c. Rita and Anwar decide to rob a liquor store. They meet at a pub and talk over their plans. Rita leaves to buy a revolver, and Anwar leaves to steal a car for use in their getaway. Rita is arrested as she walks out of the gun shop with her new revolver. Anwar is arrested while trying to hot-wire a car.
- d. Amy decides to burn down her store to collect the insurance money. She spreads gasoline around the building. She is arrested while leaving the store to get a book of matches.

8.4 Three students- Johnson, Hector, and Rajana- hate school. On Monday, they discuss a plan to commit arson and burn down their school. On Tuesday, the three of them purchase kerosene and matches at the local hardware store. On Wednesday, Johnson, Hector, and Rajana load the kerosene and matches into Hector's truck and drive together to the school. They carry the kerosene and matches towards the school, pour kerosene near the school and light a match. A police officer notices them and runs over to arrest them.

- a. At what point, if any, are Johnson, Hector, and Rajana guilty of the crime of conspiracy in most states?
- b. At what point, if any, are Johnson, Hector, and Rajana guilty of the crime of attempted arson?
- c. Assume that Johnson changes his mind and decides not to participate in the arson after he goes to the hardware store with Hector and Rajana to purchase the kerosene and matches. Could he be charged with any crime? If so, what crime?