The Murder Book - Understanding Homicide Today 1st edition Davies Test Bank

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OLL Quiz CT Template – MS with General Feedback

Instructions for completion:

- Overwrite all blue text including:
  - chapter and question number;
  - answer options (deleting as appropriate whether correct or incorrect). You can have between 2 and 8 answer options;
  - general feedback and page reference back to the text.
- Do not alter any black text other than incrementing the question number under the title field.
- Include any necessary images in place (in either the question stem or the answer choices) in your Word manuscripts.

Type: Multiple Response		
Title: Chapter 2 Question 1		
1)	Where was the first homicide statute in the United States Instituted?	
Feedback: Review the information on U.S. Law **Section reference: U.S. Law: A Brief History**		
Correct	**a.#**	Pennsylvania
Incorrect	**b.#**	Washington D.C.
Incorrect	**c.#**	New Jersey
Incorrect	**d.#**	Massachusetts
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 2		
2)	Wes K. was shooting pigeons on his street when one of the bullets went through the neighbor's fence where it struck the neighbor and killed him instantly. According to the Model Penal Code, Wes could be charged with murder because:	
Feedback: . The elements of homicide are (1) purposely, knowingly, recklessly, or negligently (2) causing the death of (3) another human being. **Section reference:** HOMICIDE-MODEL PENAL CODE DEFINITION		
Incorrect	**a.#**	Wes hated his neighbor and this could be considered a motive for murder
Incorrect	**b.#**	It is against the law to discharge firearms within city limits
Incorrect	**c.#**	He didn't know his neighbor was home
Correct	**d.#**	Wes was acting reckless
END OF QUESTION		

Type: Multiple Response	
Title: Chapter 2 Question 3	
3)	Each of the following may be considered provocation for a killing to be deemed manslaughter except for:
Feedback: Provocations for a killing to be deemed manslaughter include illegal arrest, adultery with the offender's spouse, physical injury, or mutual combat. **Section reference:** Box 2.4 and section on Manslaughter	

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Incorrect	**a.#**	Adultery with offender's spouse
Correct	**b.#**	Taunting words
Incorrect	**c.#**	Illegal arrest
Incorrect	**d.#**	Mutual combat
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 4		
4)	Prosecutor Bates decided to charge a youngster with a lesser crime because there was evidence that the youngster's father was severely abusive toward the youngster. What is prosecutor bates considering?	
Feedback: Mitigating circumstances are those that make the murder appear less heinous, 16 THE MURDER BOOK dav54885_ch02_006-022.indd 16 04/01/21 10:03 PM such as when a killer is under the influence of a substance that may have contributed to the killing. **Section reference:** Degrees of Murder		
Correct/Incorrect	**a.#**	Felonious circumstances
Correct/Incorrect	**b.#**	Defense motions
Correct	**c.#**	Mitigating circumstances
Correct/Incorrect	**d.#**	Aggravating circumstances
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 5		
5)	According to the felony murder rule, in which of these situations may Robert be found guilty of murder?	
Feedback: Type general feedback here (maximum of 1000 characters (including spaces)) **Section reference:** Felony Murder		
Correct/Incorrect	**a.#**	Robert is a getaway driver and the police shoot a guard while Robert's accomplices are robbing a bank.
Correct/Incorrect	**b.#**	Robert shoots at a man he is trying to rob. The man runs into traffic and is hit by a car which kills him.
Correct/Incorrect	**c.#**	Robert's accomplice is shot by a guard while Robert and his accomplice are robbing a bank.
Correct/Incorrect	**d.#**	In each of these situations, Robert may be found guilty of murder following the felony murder rule.
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 6		
6)	What is capital murder?	
Feedback: Capital murders are those in which the punishment may be death. The U.S. federal government and 28 states allow for the punishment of death for murder. **Section reference:** Capital Murder		
Correct	**a.#**	**Murders in which the punishment may be death.**
Incorrect	**b.#**	**Murders which happen in the nation's capital.**

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Incorrect	**c.#**	Murders involving mitigating circumstances.
Incorrect	**d.#**	None of these is correct.
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 7		
7)	8. Beardsley was originally found guilty of manslaughter in the killing of Ms. Burns who he had spent the weekend with drinking and taking morphine pills. Did the Supreme Court uphold the guilty verdict?	
Feedback: If there is no legal duty, your act of omission may not be counted against you **Section reference:** Box 2.6		
Incorrect	**a.#**	Yes, the Supreme Court upheld the guilty verdict because Beardsley failed to perform his duty to care for Burns.
Incorrect	**b.#**	No, the Supreme Court overturned the guilty verdict because Beardsley did not supply the morphine to Burns.
Correct	**c.#**	No, the Supreme Court overturned the guilty verdict because Beardsley had no legal duty to save Burns.
Incorrect	**d.#**	Yes, the Supreme Court upheld the guilty verdict because Beardsley's legal duty to save Burns was transferred to the man who moved Burns out of the apartment.
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 8		
8)	This is the unlawful killing of a human being without premeditation.	
Feedback: Manslaughter is the unlawful killing of a human being without premeditation. It is not a degree of murder, but a distinct offense even though it is sometimes referred to as third degree murder **Section reference:** Manslaughter		
Incorrect	**a.#**	Murder
Correct	**b.#**	Manslaughter
Incorrect	**c.#**	First Degree Murder
Incorrect	**d.#**	Unlawful Murder
END OF QUESTION		

Type: Multiple Response		
Title: Chapter 2 Question 9		
9)	If a child dies from malnutrition in a state that follows the Model Penal Code, what is the most likely charge?	
Feedback: Negligent homicide is a criminal homicide that is committed negligently. In other words, a person may be responsible for causing the death of another if they fail to perform some duty **Section reference:** Negligent Homicide		
Incorrect	**a.#**	Manslaughter
Incorrect	**b.#**	Infanticide
Correct	**c.#**	Negligent Homicide
Incorrect	**d.#**	Involuntary Murder

END OF QUESTION

Type: Multiple Response		
Title: Chapter 2 Question 10		
10)	It is easier to find an individual responsible for a wrongful death than it is to find them guilty of murder because	
Feedback: In criminal cases, the burden of proof is “beyond a reasonable doubt,” whereas in a civil case the burden of proof is a “preponderance of evidence.” **Section reference:** Box 2.8		
Correct	**a.#**	The burden of proof is lower in civil case
Incorrect	**b.#**	This is untrue, it is just as difficult to find someone responsible for wrongful death
Incorrect	**c.#**	Civil courts do no use juries
Incorrect	**d.#**	You can hire your own lawyer for a civil case
END OF QUESTION		

[Duplicate table to add more questions.]