

Name: _____ Date: _____

Directions: Working in pairs, evaluate whether certain actions should be crimes, and if so, whether they should be felonies or misdemeanors. Each pair should:

1. Read and discuss "Criminal Acts?" below. Each of the persons described is an adult.
2. Answer the following questions for each act described:
 - a. Should the act described be a crime? Why/why not?
 - b. If so, should it be a felony or a misdemeanor? Explain your choice.

Criminal Acts?

1. **Margaret tells the police that an officer who stopped her on the street was verbally abusive to her. She is lying.**

2. **Sam sees a young boy struggling in a pond and calling for help. Sam does nothing and the boy drowns.**

3. **Ruby promises to give Harry \$1,000 if he graduates from college. He graduates and she refuses to give him the money.**

4. **Robert holds a toy pistol to Ashley's head and demands all of her cash and jewelry. She believes it's a real gun and hands over the goods.**

5. **Pedro calls a local pizza parlor and orders five pizzas to be delivered to a phony address.**

6. **John lets his dog run wild around the neighborhood, even though he knows that the dog scares young children and constantly knocks over garbage cans looking for food.**

Directions: You will analyze five cases to determine whether or not a crime has been committed. Working in groups of four:

1. Read and discuss the five cases that follow.
2. Refer to the explanations above of the four basic elements of a crime — (a) act, (b) intent, (c) concurrence of act and intent, and (d) causation.
3. Assign one element of a crime to each person in the group. Have that person say whether that element is present in each case, and then discuss whether the whole group agrees.
4. When the discussion is completed, assign one case to each group member for reporting back to the whole class. Be prepared to explain and discuss each element.

Did They Commit Crimes?

Case 1: Marcos and his friends, Tim and Jill, were having a beer together at their local bar. When Tim went to the jukebox to play more music, Marcos asked Jill to dance. Tim became jealous and punched Marcos in the face. Tim has been charged with battery.

Case 2: Karen told everyone that she hated Emily for stealing her boyfriend. Karen said she wanted to hurt Emily. Two months pass and Karen nudges a flowerpot off her second-floor patio as Emily stands below. The flowerpot hits Emily and gives her a concussion. Karen swears that she forgot all about her threats and didn't mean any harm. Karen is charged with battery.

Case 3: Mr. Ray Anderson sat on his front porch cleaning his rifle. Many children were playing on the sidewalk in front of his home. When Anderson turned the gun over, it went off, killing one of the children in the crowd. He has been charged with involuntary manslaughter.

Case 4: Susan was shopping in her favorite department store. She saw a sweater that she liked, stuffed it into her book bag, and ran out of the store. A security guard caught her. Susan has been charged with shoplifting.

Case 5: Gayle shoots Mary in the big toe. Mary goes to the hospital to have her toe examined and treated. One week later, Mary dies of blood poisoning that she got from an unsterilized medical instrument. Gayle is charged with murder.

