

Unit 3: Action in Criminal Law

1. According to AR law (A.C.A. §5-2-202), how are the following terms defined? Explain how these terms are related and how they are different.

Act:

Omission:

Conduct:

2. Explain why a criminal act must be voluntary. Give an example of a circumstance where involuntariness makes an otherwise criminal act noncriminal.

3. Discuss the idea of **status** as an act under the criminal law.

4. Under what circumstances can a person be held criminally liable for **failure to act**?

5. Discuss the idea of **possession** as a act under the criminal law. Be sure to differentiate between **actual** and **constructive** possession.

Unit 4: The Guilty Mind

1. Define the term **culpability** and explain how it relates to our willingness to punish wrongdoers.

2. List and define the 4 culpable mental states recognized by AR criminal law (A.C.A. §5-2-202).

3. Describe how the *mens rea* element is usually proven in court.

4. Question 2 above divides intent into levels based on degree of culpability. Intent can also be organized around what exactly was intended. Define the following terms that accomplish this:

general intent:

specific intent:

transferred intent:

constructive intent:

5. What is a **strict liability** offense? Is this idea appropriate for minor violations, such as traffic fines? What about serious felonies? Justify your answers.