

QUESTIONS FOR CRITICAL ANALYSIS

1. Give an example of a criminal law whose main purpose seems to be teaching societal boundaries rather than protecting citizens from harm. Do you think this behavior should be illegal? Explain your answer.

2. While behind the wheel, Emil suffers an epileptic seizure and passes out. The car careens onto the sidewalk and strikes a group of schoolgirls, badly injuring four of them. Emil knew that he was subject to epileptic attacks that rendered him likely to lose consciousness. What are the arguments for and

against charging Emil with committing a crime? Which argument do you feel is stronger? Why?

3. Nine-year-old Savannah lies to her grandmother Jessica about eating candy bars. As punishment, Jessica forces Savannah to run for three hours without a rest. Severely dehydrated, the girl has a seizure and dies. What should be the criminal charge against Jessica, and why?

4. On a dating app, a fourteen-year-old misrepresents herself as being seventeen years old. Based on this information, a nineteen-year-old

meets and has sex with her. Is it fair that the nineteen-year-old is found guilty of statutory rape? Why or why not?

5. Suppose that Louisiana's legislature passes a law allowing law enforcement officers to forcibly remove residents from their homes in the face of an imminent hurricane. Why might a court uphold this law even though, in most circumstances, such forcible removal would violate the residents' due process rights? If you were a judge, would you uphold Louisiana's new law?

KEY TERMS

actus reus 107

duty to retreat 120

procedural criminal law 122