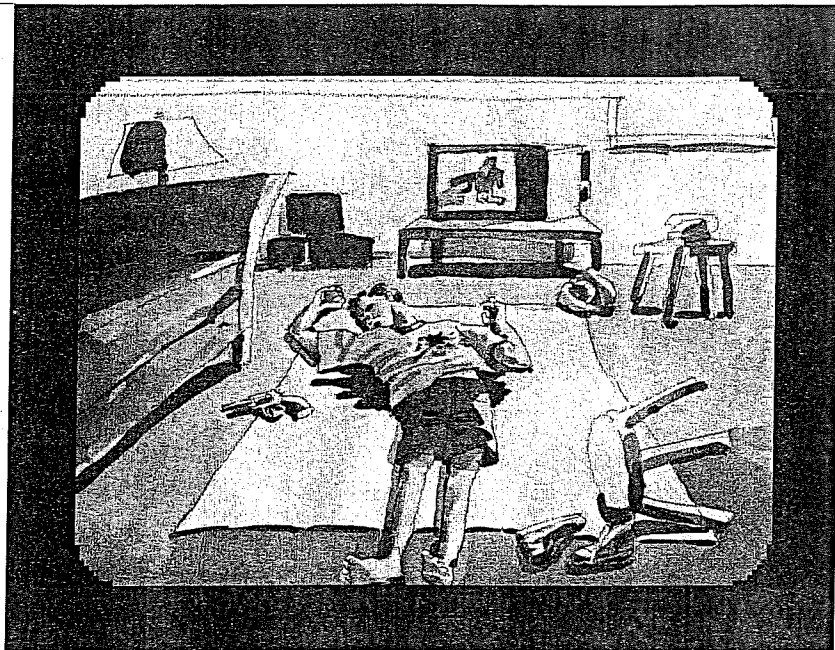


Omar
8-26-13

Who Is Responsible for a Crime?

Ten-year-old Omar S. was watching a TV movie with a friend. The people in the movie were playing a game with guns that were not real. Omar's friend said, "We can do that!" He went home to get a real gun to show Omar. The gun did not belong to him. It belonged to his father. Omar's friend tried to unlock the gun. It went off by accident, shooting Omar and killing him.



Did Omar's friend commit murder? Was it just an accident? In this chapter, you will discover just how the law decides whether a crime has been committed in situations like this. It will tell who is **responsible** for committing the crime.

CHECK vocabulary words in bold.
LOOK UP word meanings in the glossary beginning on page 92.

How does the law decide whether a crime has been committed? In most cases, a crime has been committed if (1) an **unlawful** act was committed and (2) the person planned to commit the unlawful act.



CRITICAL THINKING

What is the main goal of the criminal justice system, in your opinion?

For a person to be responsible for a crime, the law says the person had to know what she was doing at the time.

However, you do not have to know that the act is unlawful to be guilty. For example, suppose you are driving 65 miles per hour, which is legal in the state where you live, in a state where the speed limit is only 55 miles per hour. If the police stop you, can you say that you did not know the speed limit? The answer is no.

The law says that people should know the laws. It is everyone's responsibility to learn about them. When something is a responsibility, there is no good excuse for not knowing the right thing to do or not do.

Who is not responsible for a crime? The law says a person must have **intent** to commit a crime. Intent means that a person knows what he or she is doing. Here are some groups of people who usually do not have intent or a reason to commit a crime.

Children. Very young children are not usually held responsible for crimes. Children who commit crimes are usually sent to juvenile court. Each state says how old a child can be and still go to juvenile court. The



Former offender Teddy E. says: "I was in prison for murder. Now I help teens deal with the police in a positive way. I see a connection between communities and prison. Poor neighborhoods, broken homes and overcrowded schools all put fuel into the anger of young people."



CRITICAL THINKING

Why do you think there are courts for juveniles and courts for adults? Is this a good idea? Why or why not?

age can be under eighteen, under seventeen, or under sixteen. Make sure to check the law in your state.

People who are mentally ill or mentally slow. It may be decided that a person is not able to know the difference between right and wrong. That person is **judged** not able to have the intent to commit a crime.

People who make a mistake of fact. Suppose that you had some money you did not know was fake, or **counterfeit**, money. If you then bought something with this money, would that be a crime? The answer is no. However, if you *knew* you were spending counterfeit money, then you would be guilty.

People who are forced into an action. Suppose that a bank robber jumped into your car. Chances are you would be surprised and afraid. If the robber then threatened to shoot you if you did not help him get away, would you be guilty of helping this person to escape because you did not stop the car? The answer is no. You would have been forced to act and would not have had a choice. It never was your intent to commit a crime.

People who act in self-defense. Did you know that you are allowed to use some physical force to defend or protect yourself or your property? However, the exact amount of force that may be used depends on the situation. Every situation is different. You may be found guilty of a crime if you use more force than the law allows for that situation. Always use your judgment.

DID YOU KNOW? Some people think that the actual makers of handguns should be responsible for the crimes committed with handguns by others.

Chapter 2: Who Is Responsible for a Crime?

1. Who owned the gun that killed Omar's friend? _____
2. This chapter will tell you what? _____
3. What must a person know to be responsible for a crime? _____

4. It is everyone's responsibility to learn about what? _____
5. What must a person have to commit a crime? _____
6. What does intent mean? _____
7. Name five groups of people that usually do not have intent or a reason to commit a crime:
 - A. _____
 - B. _____
 - C. _____
 - D. _____
 - E. _____
8. Where are children who commit crimes usually sent? _____
9. How old does a child need to be to be sent to juvenile court? _____

10. People that do not know the difference between right and wrong are: _____

11. When a person is judged mentally ill they are not able to do what? _____

12. Is it a crime to buy something with counterfeit money? _____
13. What would make spending counterfeit money a crime? _____

14. If someone forces you to drive a car in a robbery, is that a crime? _____
15. Why? _____
16. When are you allowed to use some physical force? _____
17. When could you be guilty of a crime in using force to protect yourself? _____

18. What was Teddy E. in prison for? _____
19. What does he think fuels young people's anger? _____
20. Some people think what about makers of handguns? _____

8-26-13

Critical Thinking

(Pages 7 & 8)

1. How does the law decide whether a crime has been committed?
2. Who is not responsible for a crime?
3. Why do you think there are courts for juveniles and others for adults?
4. In your opinion, what is the main goal of a court?
5. Why could a mentally ill person not be guilty of a crime?

6. Describe a situation where you could be forced to do something wrong but not be guilty of a crime.

7. When could you be guilty of a crime when using self defense?