

## CRIMINAL QUIZ #2:

1. In Local Criminal Court, defendant receives \_\_ peremptory challenges for regular jurors.
  - a) 1.
  - b) 2.
  - c) 3.
  - d) 5.
  
2. Which of the following sentences of imprisonment would be served in the county jail?
  - a) Determinite.
  - b) Indeterminite.
  - c) Definite.
  - d) Indefinite.
  
3. In NYC Criminal Court, defendant shall only be entitled to jury trial when potential sentence of incarceration exceeds:
  - a) 3 months.
  - b) 6 months.
  - c) 12 months.
  - d) 1 year.
  
4. In determining whether a defendant may be sentenced as a 2nd or persistent Violent Felony Offender, generally convictions occurring more than \_\_ years ago are not considered.
  - a) 5.
  - b) 10.
  - c) 20.
  - d) none of the above.
  
5. Regarding a sentence of imprisonment resultant of rape conviction, prosecutor must provide victim a form - by which to indicate preference to be notified of escape/release - within how many days?
  - a) 20.
  - b) 30.
  - c) 60.
  - d) none of the above.
  
6. Which of the following is not an allowable form of bail?

- a) cash.
- b) insurance policy.
- c) bond.
- d) all of the above are valid.

7. Which of the following statements regarding rendition of jury verdict are true?

- a) the jury must be individually polled as to their verdict.
- b) the jury must be collectively polled as to their verdict.
- c) both.
- d) neither.

8. Lifetime probation may only be terminated after how many years?

- a) 3.
- b) 5.
- c) 7.
- d) 10.

9. Final order of protection resulting from a non-"family offense" may be for a maximum of any of the following periods, except:

- a) Felony = 8 years from conviction.
- b) Class A Misdemeanor = 5 years from conviction.
- c) other offense = 2 years from conviction.
- d) all of the above are correct.

10. All of the following statements regarding waiver of jury trial upon indictment are true, except:

- a) defendant must sign waiver.
- b) waiver must be in open court.
- c) defendant may waive jury trial as of right in any case.
- d) waiver of jury results in single judge as "exclusive trier of fact".

11. Where defendant shall be incarcerated for failing to pay a fine which was part of the sentence, which of the following would not be an allowable period?

- a) Petty Offense = 15 days.
- b) Misdemeanor = 1/2 of statutory sentence.
- c) Felony = 1 year.
- d) all of the above are correct.

12. The Court must submit all \_\_\_ charges to the jury.

- a) concurrent.

- b) consecutive.
- c) inclusory.
- d) inconsistent.

13. In Local Criminal Court, JHO may try cases when both sides consent, except for:

- a) Class A Misdemeanor.
- b) Class B Misdemeanor.
- c) Unclassified Misdemeanors.
- d) all of the above.

14. An Appearance Bond is where the surety is the:

- a) Defendant.
- b) Principal.
- c) Insurance Company.
- d) Bondsman.

15. Local Criminal Court jury has \_\_\_ regular members.

- a) 6.
- b) 12.
- c) 16.
- d) 23.

16. Secured bail bond may be by:

- a) real property equal to the undertaking.
- b) personal property at least 2x the undertaking.
- c) both.
- d) neither.

17. When Superior Court jury is viewing premises during trial, which of the following applies.

- a) Court must be present.
- b) Jury must be kept together by court officer.
- c) Prosecutor and defendant must be present.
- d) all of the above are correct.

18. For an action in the Supreme Court, Defendant's motion to dismiss must generally be made within \_\_\_ days of arraignment.

- a) 20.
- b) 30.
- c) 45.

d) 60.

19. Partially secured bail bond is by a maximum of:

- a) 3%.
- b) 5%.
- c) 10%.
- d) 15%.

20. When alleged victim of rape requests HIV testing of defendant within 48 hours of arraignment, and the Court so-orders, testing must occur within:

- a) 10 days.
- b) 15 days.
- c) 20 days.
- d) none of the above.

21. Upon conviction for a crime specified as a "family offense", order of protection may provide for which of the following terms?

- a) allowing access to residence in order to retrieve all personal belongings.
- b) permitting visitation.
- c) refrain from unjustifiably killing a companion animal (as defined within Agriculture and Market Laws).
- d) all of the above.

22. County Court Judge's order - made upon Defendant's motion to dismiss - directing reduction of charges and Prosecutor's Information filing in local criminal court, shall be stayed for a period of not less than:

- a) 20 days.
- b) 30 days.
- c) 45 days.
- d) 60 days.

23. Deliberating jury must have consent of both parties in order to take which of the following with them?

- a) trial exhibits.
- b) list of witnesses.
- c) statute text.
- d) list of charges.

24. Prior to sentencing, defendant may be placed under interim probation on a trial basis for a maximum period of:

- a) 6 months.
- b) 12 months.
- c) 1 year.
- d) 18 months.

25. If the Court accepts an incomplete jury verdict, ignored charges are deemed:

- a) dismissed.
- b) acquitted.
- c) not guilty.
- d) none of the above.

26. When defendant is on probation, Court can enlarge a condition on \_\_\_ days written notice.

- a) 10.
- b) 15.
- c) 20.
- d) none of the above.

27. Upon a felony conviction, victim may make statement at sentencing upon how many days notice to the Court?

- a) 7.
- b) 10.
- c) 14.
- d) 21.

28. When a mistrial is declared before the jury retires to deliberate, a new trial will be for all charges not:

- a) dismissed.
- b) acquitted.
- c) both.
- d) neither.

29. If defendant's firearms license is suspended by an ex-parte order of protection, he/she shall be entitled to a hearing within \_\_\_ days.

- a) 7.
- b) 10.
- c) 14.
- d) 15.

30. An order ending supervision by the Commissioner of Mental Health for a defendant "not responsible by reason of mental defect" is called:

- a) Release.
- b) Termination.
- c) Discharge.
- d) none of the above.

31. Pre-sentence fingerprint report shall be required for all \_\_ convictions.

- a) Felonies.
- b) Misdemeanors.
- c) both.
- d) neither.

32. When defendant is "not responsible by reason of mental defect", commitment order is for a period of:

- a) 6 months.
- b) 12 months.
- c) 1 year.
- d) 2 years.

33. Upon forfeiture of bail, defendant may make application for remission within:

- a) 30 days.
- b) 45 days.
- c) 6 months.
- d) 1 year.

34. The Court may order a pre-sentence report when Defendant stands convicted of any:

- a) Felony.
- b) Misdemeanor.
- c) both.
- d) neither.