

Name: \_\_\_\_\_

Date: \_\_\_\_\_

## **Kidnapping, Unlawful Restraint, and Smuggling of Persons Exam**

1. \_\_\_\_\_ Restraint is "without consent" if it is accomplished by which of the following?
  - A** Force
  - B** Intimidation
  - C** Deception
  - D** All of the Above
  
2. \_\_\_\_\_ Which of the following is the term that means "to restrain a person with intent to prevent his freedom by hiding him where he won't be found or using or threatening to use deadly force"?
  - A** Abduct
  - B** Kidnap
  - C** Restrain
  - D** Conceal
  
3. \_\_\_\_\_ Which of the following is the term that means "to restrict a person's movements without consent in such a way as to interfere with their liberty"?
  - A** Abduct
  - B** Kidnap
  - C** Restrain
  - D** Conceal
  
4. \_\_\_\_\_ Under what age is a person considered away without consent if the parent has not given them permission to leave?
  - A** 12
  - B** 13
  - C** 14
  - D** 17
  
5. \_\_\_\_\_ What is the punishment for kidnapping?
  - A** State jail felony
  - B** Third-degree felony
  - C** Second-degree felony
  - D** First-degree felony
  
6. \_\_\_\_\_ What is the level of punishment for aggravated kidnapping?
  - A** State jail felony
  - B** Third-degree felony
  - C** Second-degree felony
  - D** First-degree felony

7. \_\_\_\_\_ What is the minimum level of punishment for unlawful restraint?
- A** Class B misdemeanor
  - B** Class A misdemeanor
  - C** State jail felony
  - D** Third-degree felony
8. \_\_\_\_\_ What is the level of punishment for unlawful restraint when the victim is under 17?
- A** Class B misdemeanor
  - B** Class A misdemeanor
  - C** State jail felony
  - D** Third-degree felony
9. \_\_\_\_\_ What is the minimum punishment for smuggling of persons?
- A** Class B misdemeanor
  - B** Class A misdemeanor
  - C** State jail felony
  - D** Third-degree felony
10. \_\_\_\_\_ Which of the following qualifies as a “relative” according to the law?
- A** Parent/Stepparent
  - B** Sibling
  - C** Adoptive Relative
  - D** Aunt/Uncle
  - E** All of the Above
11. \_\_\_\_\_ Steve had been handled by the criminal justice system many times. One day, while at his home, the warrant squad pulled up, intending to serve Steve with an arrest warrant for probation violations. Steve looked out the window and, upon seeing the police, grabbed Billie, a plumber who had been in the home fixing pipes that day. Steve said to Billie, “If you don't do exactly what I say, you won't live to see tomorrow.” Steve then went to the door holding Billie by the neck and instructed the warrant officers to leave. Steve should be charged with which of the following?
- A** Unlawful Restraint – Class A misdemeanor
  - B** Unlawful Restraint – State jail felony
  - C** Unlawful Restraint – Third-degree felony
  - D** Kidnapping
  - E** Aggravated Kidnapping

12. \_\_\_\_\_ Benny and Suki are husband and wife. They got into an argument and woke up their neighbors, who called the police. When the police knocked on the door, Benny grabbed Suki, pushed her up into the attic, and then shut and locked the door, trapping Suki inside the attic. Benny answered the door and the police eventually found Suki in the attic. What should Benny be charged with?
- A Unlawful Restraint – Class A misdemeanor
  - B Unlawful Restraint – State jail felony
  - C Unlawful Restraint – Third-degree felony
  - D Kidnapping
  - E Aggravated Kidnapping
13. \_\_\_\_\_ George is placed under arrest for fighting and taken to jail. During the book-in process George reaches around the counter and grabs the guard. George pins the guard's arms behind his back, preventing the guard from moving. What should George be charged with?
- A Unlawful Restraint – Class A misdemeanor
  - B Unlawful Restraint – State jail felony
  - C Unlawful Restraint – Third-degree felony
  - D Kidnapping
  - E Aggravated Kidnapping
14. \_\_\_\_\_ Toni abducts Rita and writes a letter to Rita's mother asking for \$100,000. Toni should be charged with which of the following?
- A Unlawful Restraint – Class A misdemeanor
  - B Unlawful Restraint – State jail felony
  - C Unlawful Restraint – Third-degree felony
  - D Kidnapping
  - E Aggravated Kidnapping
15. \_\_\_\_\_ Dwight has been arrested for attacking his wife, Stephanie, and is put in the back of the squad car by Officer Jabbar, who leaves the door of the squad car cracked open. Dwight is handcuffed with his hands in the front of his body instead of the back. Officer Jabbar begins to take photos of Stephanie's injuries when Dwight gets out of the car while still handcuffed and restrains Stephanie by placing his hands over Stephanie's head and putting a choke hold on her. What crime has Dwight committed?
- A Unlawful Restraint – Class A misdemeanor
  - B Unlawful Restraint – State jail felony
  - C Unlawful Restraint – Third-degree felony
  - D Kidnapping
  - E Aggravated Kidnapping

16. \_\_\_\_\_ Tyrone is driving around a neighborhood where he sees Fouad. Tyrone points a gun at Fouad and tells him to get into the car. Tyrone should be charged with which of the following?
- A** Unlawful Restraint – Class A misdemeanor
  - B** Unlawful Restraint – State jail felony
  - C** Unlawful Restraint – Third-degree felony
  - D** Kidnapping
  - E** Aggravated Kidnapping
17. \_\_\_\_\_ Peter feels guilty about taking Rosa and releases her in a park. Can Peter’s charge be lowered one degree when he is in court?
- A** Yes
  - B** No
18. \_\_\_\_\_ Thomas is an 18-wheeler driver in need of some money. Thomas is dropping a load off in a town near the Mexican border when he is presented with a proposal to pick up 30 undocumented immigrants and take them to Dallas. Thomas agrees. Thomas is committing what crime?
- A** Unlawful Restraint – Class A misdemeanor
  - B** Unlawful Restraint – State jail felony
  - C** Unlawful Restraint – Third-degree felony
  - D** Smuggling of Persons
  - E** None of the Above
19. \_\_\_\_\_ Kelsey is at a family reunion when he sees his 10-year old nephew arguing with his mom. The nephew is so upset with his mom that he takes off running across the street without looking to see if traffic is coming. His mom yells for help. Kelsey sees a car coming toward his nephew and decides to intervene by grabbing his nephew and taking him back to his mom, even though the nephew is kicking and screaming. The nephew claims that Kelsey is violating his free will. What should Kelsey be charged with?
- A** Unlawful Restraint – Class A misdemeanor
  - B** Unlawful Restraint – State jail felony
  - C** Unlawful Restraint – Third-degree felony
  - D** Smuggling of Persons
  - E** None of the Above

20. \_\_\_\_\_ Albert is committing a felony by robbing a gas station. Albert does not have a weapon during the robbery. Albert gets the money from the cash register then grabs the clerk and forces him into Albert's car to keep the clerk from calling the police while Albert is leaving. Albert should be charged with what?
- A** Unlawful Restraint – Class A misdemeanor
  - B** Unlawful Restraint – State jail felony
  - C** Unlawful Restraint – Third-degree felony
  - D** Kidnapping
  - E** Aggravated Kidnapping
  - F**
21. \_\_\_\_\_ The maximum punishment for smuggling of persons is a third-degree felony.
- A** True
  - B** False
22. \_\_\_\_\_ Restraint is “without consent” if it is accomplished by also transporting the victim outside a 120-mile radius from the victim's residence.
- A** True
  - B** False
23. \_\_\_\_\_ Relatives and family members cannot be charged with abduction/kidnapping.
- A** True
  - B** False
24. \_\_\_\_\_ The charge of aggravated kidnapping includes the act of using a hostage as a shield.
- A** True
  - B** False
25. \_\_\_\_\_ At the punishment stage of trial, voluntarily releasing a kidnapped person will not affect the defendant's sentence.
- A** True
  - B** False