

NC BLET STUDY GUIDE ELEMENTS

1. After reviewing the legal materials used for the study of criminal elements found in Chapters 1–5 of North Carolina Crimes 7th ed., identify:

a) States of mind, including general and specific intent, transferred intent, negligence, and strict liability

Answer: General intent is a broad intention to perform an act; specific intent includes a mental element of planning and foresight. Transferred intent applies when the intended act affects a different person. Negligence (criminal negligence or culpable negligence) involves thoughtless disregard for consequences. Strict liability offenses do not require proof of intent.

b) Bars and defenses, including the statute of limitations

Answer: Bars include constitutional/statutory protections like double jeopardy and lack of jurisdiction. The statute of limitations is 2 years for misdemeanors; no limit for felonies. Defenses include self-defense, insanity, mistake, and others negating an element of the crime.

c) Participants in crimes, including principals, aiding and abetting, and accessory

Answer: Principals commit the entire crime. Aiding and abetting involves knowingly helping another commit a crime. Accessories before the fact assist before the crime without being present.

d) Felony and misdemeanor crime

Answer: Classified by severity and punishment—felonies are more serious and include classes A (most serious) to I; misdemeanors include classes A1 to 3.

e) General crimes including attempt, conspiracy, and accessory before and after the fact

Answer: Attempt involves intent and an overt act toward a crime. Conspiracy is an agreement to commit a crime. Accessories assist before or after the crime without direct participation.

2. State the difference in law enforcement responses between criminal offenses and civil matters and identify the appropriate response to the following situations:

a) Money disputes

Answer: Typically civil matters—officers should not intervene unless there is a crime (e.g., fraud). Parties should be referred to civil court.

b) Failure to return rental property

Answer: May be civil or criminal depending on intent—investigation should determine if there's criminal intent like fraud or larceny.

c) Landlord/tenant conflicts

Answer: Usually civil unless involving threats or violence. Officers should preserve peace and refer parties to civil remedies.

3. Recite the elements of the following common criminal offenses:

a) Resist, delay, obstruct an officer

Answer: Willfully and unlawfully resisting, delaying, or obstructing a public officer performing an official duty. Class 2 misdemeanor; elevated if serious injury occurs.

b) Larceny

Answer: Taking personal property of another without consent, with intent to permanently deprive. Classified by value and other factors (e.g., from person, of firearm).

c) Trespass

****Answer:**

- First-degree: Unlawful entry into enclosed/secured premises/building.
- Second-degree: Remaining after being told to leave or posted notice.**

d) Simple assault

Answer: An overt act or attempt to cause injury or a show of force putting another in fear. Common law offense. Class 2 misdemeanor.

e) Affray (simple and aggravated)

****Answer:**

- Simple: A fight in public that causes public alarm.
- Aggravated: Same, but includes serious injury, use of weapon, or assault on certain protected individuals.**

f) Carrying a concealed pistol or gun

Answer: Unlawful to carry concealed pistol/gun without a permit. Class 2 misdemeanor; second offense is a Class H felony.

g) Carrying concealed weapon other than a pistol or gun

Answer: Willfully carrying concealed deadly weapon (e.g., knife, stun gun) other than a firearm without legal justification. Class 2 misdemeanor.

h) Communicating threats

Answer: Willfully threatening injury to person/property, threat communicated, reasonable belief it will be carried out, and victim believes it. Class 1 misdemeanor.

4. Identify the most appropriate criminal charge after reading a series of hypothetical cases.

Answer: Refer to page 20–21 of the lesson for case facts. Use context to assign charges like affray, second-degree trespass, communicating threats, carrying concealed weapons, resist/delay/obstruct, larceny, and first-degree trespass, depending on the facts.

5. Using the North Carolina Crimes and other resources, properly identify and classify various criminal offenses.

Answer: Officers should refer to statutes (Ch. 14, 15, 20, etc.) and the NC Crimes manual to verify elements and classifications for crimes such as homicide, assault, sexual assault, larceny, burglary, arson, trespass, disorderly conduct, and drug offenses. Detailed classifications depend on elements like victim status, use of weapon, intent, and injury caused.
