

Simulated Exam #4 – Captains/Lieutenants Answer Key

1. A – 2C:11-1d
2. B – 2C:12-1b5a & 2C:12-3
3. C – State of NJ v. KIRK (App. Div.1985) – Know you KIRK guidelines – tested numerous times
4. D – use our acronym MACE PIOS
5. D – 2C:1-5d, State v. Felder (App. Div. 2000)
6. B – 2C:27-2, 2C:27-10
7. C – 2C:2-12, State v. Talbolt (1976)
8. A – 2C:3-4, 2C:3-5, 2C:3-6
9. C – State v. Martinez (App. Div. 1989)
10. B – 2C:13-2, State v. Worthy (App. Div. 2000)
11. D – 2C:36-3, a 4th degree crime. Choice A. would be a 3rd degree but the age must be under 18 years old, not 21. Choice B. is a disorderly persons offense. Choice C. the advertisement must be in some sort of publication, not word-of-mouth.
12. C – State v. Spivey (2004). Choice I. is 2C:39-4.1a, Choice II is 2C:35-5b(1) or and Choice V. is 2C:35-7.1 (there is no affirmative defense that the act occurred within a private residence as there is in 2C:35-7). Choice III is incorrect as there is not enough fact presented to charge with Wandering 2C:33-2.1 and Choice IV is incorrect as there are no facts indicating that the juvenile was being used, solicited, directed, hired or employed, 2C:35-6
13. C – State v. S.C. (App. Div. 1996), 2C:35-6
14. D – State v. White (Law Div. 1991) – 39:4-50.2
15. C – 2C:35-7e
16. A – Choice II is incorrect since the facts do not state Albert refused to submit to breath samples. Choice III is incorrect as Albert must first be convicted of D.W.I. to charge this statute, a disorderly persons offense. Choice IV is incorrect as this statute deals with sexual type offenses against minors.
17. D – State v. Zeidell (App. Div. 1996), 2C:14-2b
18. C – 2C:14-4, 4th degree Lewdness due to the children’s ages, State v. Hackett (2001)
19. B – State v. Mendez (2002), 2C:28-6(1)
20. B – State v. Ainis (Law Div. 1998); the syringe is considered a weapon in this case. Always go with the most serious charge that fits if not a 2-tier situation.
21. C – 2C:15-2 – State v. Williams (App. Div. 1996)
22. A – 2C:28-8, State v. Cantor (App. Div. 1987)
23. B – 2C:28-6 – State v. Mendez (2002)
24. C – 2C:20-3 and 2C:18-2, State v. Subin (App. Div. 1988)
25. D – 2C:29-9, State v. Marquez (App. Div. 1994)
26. C – 2C:29-1

27. A – 2A:4A-61(a)(3), Juvenile Matters – III. Juvenile Processing, Fingerprinting, DNA Collection, and Complaint Entry, Fingerprints and Photographs, B. Fingerprinting.
28. A – 2C:28-6 – State v. Mendez (2002)
29. D – State in the Interest of M.C., Lodi: National Wholesale Liquidators (App. Div. 2000) The Court found that the State failed to prove its case beyond a reasonable doubt, the Appellate Division emphasized that third-degree arson “requires as its first element proof that the accused ‘purposely start[ed] a fire.’ 2C:17-1b.” As was held in State in the Interest of M.N., the accused must purposely start the fire, not merely ignite something capable of causing the fire. Although an aerosol-can-torch may be more dangerous than a lighter, the can’s spray did nothing more than extend the flame, and M.C. was not charged or tried for setting the contents of the can on fire. Since the flame from M.C.’s torch touched nothing, he did not set the fire. Therefore, he was not guilty of either count of arson. The court also found that there was insufficient evidence to prove the charge of failing to report or control a dangerous fire, 2C:17-1c.(2). This offense requires proof that the “fire was started, albeit lawfully, by [the accused] or with his assent, or on property in his custody or control.” Since the court found that the fire started without M.C.’s knowledge, “it can hardly be said that it was started with his assent.”
30. D - S.Z. v. M.C. (App. Div. 2011)
31. C – 2A:4A-61
32. A – State v. Hoffman (1997)
33. A – Mandatory In-Service Law Enforcement Training (Due to a Particular Assignment)
34. B – II and IV
35. A – 2C:7-2, Megan’s Law
36. C
37. B – Mandatory Training / Vehicular Pursuit Guidelines
38. A – 2A:161A-3, Strip and Body Cavity Search Guidelines
39. A – 2C:20-11
40. D – 2C:18-1
41. D – 2C:12-1a2
42. C – Sex Offender Registration and Community Notification Laws, Notice to Offenders of Duty to Register
43. D – Property and Evidence Function
44. C – Strip Search and Body Cavity Search Requirements
45. C – Strip Search and Body Cavity Search Requirements
46. B – 2C:20-3, State v. Smalls (App. Div. 1998)
47. B – NCIC information is to be entered promptly. NIBIN information is to be entered as expeditiously as possible.
48. C – 2C:17-1
49. D – Drug Free School Zone
50. B – This is not a domestic violence case
51. D – 2C:33-2a – Choices A. and B. need 5 or more participants to qualify

- 52. B – State v. Kazanes (1999); The evidence presented in this case is insufficient to support a Wandering charge
- 53. B – Firearms Qualifications
- 54. A – Vehicular Pursuits
- 55. B – II, 2C:27-2 and IV, 2C:30-2

Questions #56 through #70 pertain to the text, *Basic Handbook of Police Supervision – A Practical Guide for Law Enforcement Supervisors* by Gerald W. Garner

- 56. B – Page 4: The text clearly states that new supervisors must recognize “what you say and do has much greater impact now.”
- 57. B – Page 16: The passage says loyalty includes having “the personal courage” to speak privately and offer honest opinions. By remaining silent, Monroe fails this test of loyalty.
- 58. D – Page 32: The passage emphasizes a private, persistent but gentle inquiry approach.
- 59. B – Page 44: The text defines empathy as understanding someone’s situation without necessarily excusing the behavior.
- 60. B – Page 57-58: The text states that impartiality must override personal relationships.
- 61. C – Page 70: The passage clearly advises tailoring speech to the audience while maintaining professionalism and respect.
- 62. C – Page 80: The key purpose of a performance appraisal is effective communication. If the person it’s about doesn’t understand it, the appraisal has failed its core function— even if it sounds impressive.
- 63. C – Page 102: This is a deliberate and unethical act—a clear example of a mistake of the heart, which the text says must be disciplined more seriously than honest or accidental errors.
- 64. B – Page 122: Immediate correction of unsafe tactics is required.
- 65. C – Page 136: Accuracy in real time helps build public trust and avoids misinformation.
- 66. A – Page – 148: Demonstrating quiet support and offering help reinforces a strong working relationship and shows empathy.
- 67. A – Page 158-159: The book offers a similar real-life example and recommends this tactic.
- 68. A – Page 172-173: The passage emphasizes building credibility by recognizing wrongdoing while upholding personal accountability.
- 69. C – Page 180: The veteran chief in the text emphasizes learning not only from good role models but especially from bad ones, using their failures as lessons in what not to do.
- 70. A – Page 192: Family or home support is critical for success. Without it, even a desirable assignment can become a source of personal and professional strain.