

QUESTION 3

Steve and Frank became acquainted at a correctional facility for mentally ill violent offenders. Steve was an inmate who had to take antipsychotic medication to prevent paranoia. Frank was employed as a kitchen helper. Once they discovered that they both wanted to be actors, they hatched a scheme to kidnap a famous actor, Art, upon Steve's release from the facility, and to show him their acting skills. They believed that, once Art saw how talented they were, he would help them get acting jobs. They would then release him.

When Steve was released, he stopped taking his antipsychotic medication. As a result, he went in and out of paranoia. On bad days, he developed a belief that Frank had supernatural powers and that he had to do what Frank said or Frank would kill him. While Frank knew Steve was mentally ill, he was not aware of the severity of his illness.

Steve and Frank located Art's house, kidnapped him and took him to a remote location. During the kidnapping, Steve believed that Art was going with them willingly to assist them in their acting careers. After they arrived at the location, and while Frank was out, Steve beat Art and took his wallet. In a panic, Steve stole a car and drove away at a high rate of speed.

A police officer followed Steve and tried to stop him. Steve, believing the kidnapping, battery, and robbery had been discovered, attempted to escape by driving greatly in excess of the speed limit. During the high speed chase, the officer's car spun out of control and he died in the accident.

1. What charges, if any, can reasonably be brought against Frank for the beating of Art and the taking of his wallet? Discuss.
2. What charges, if any, can reasonably be brought against Frank for the death of the police officer? Discuss.
3. What defenses, if any, can Steve reasonably raise against a charge of kidnapping Art?

Discuss.