

CHAPTER 14 QUIZ

TRUE/FALSE

1. The application of the Exclusionary Rule sometimes results in guilty people going free.
2. If police obtain a confession in violation of the *Miranda* case, the confession could still be used in court to impeach the defendant.
3. Under current Supreme Court rulings, if police do not physically intrude upon the property interest of a person, there is no search.
4. Rational suspicion is more than just a hunch, but less than probable cause.
5. The use of excessive force violates the Fourth Amendment because it is unreasonable.
6. The Supreme Court has held that drug testing of new mothers by a state hospital to detect criminal activity, which was reported to law enforcement, was unreasonable.
7. The constitutional right against self-incrimination prohibits government from forcing anyone to give a DNA sample.
8. Because of the Fifth Amendment, no state can pursue felony charges against an individual unless there is a grand jury hearing.
9. Laws that require additional punishment for repeat offenders (three strikes laws) most often violate the Eighth Amendment prohibition on cruel and unusual punishment.
10. At one point in time, the Supreme Court held that all death penalties in effect were unconstitutional.

MULTIPLE CHOICE

1. Detailed rules of criminal procedure for state cases are found in
 - A. the Constitution.
 - B. federal rules of court and codes.
 - C. state rules of court and codes.
 - D. All of the above.

2. The Exclusionary Rule
 - A. is expressly stated in the Constitution.
 - B. is a result of Supreme Court decisions.
 - C. applies only in federal cases.
 - D. applies only in state cases.

3. The “fruit of the poisonous tree” doctrine
 - A. extends the Exclusionary Rule to evidence indirectly obtained as a result of illegal police conduct.
 - B. results in dismissal of police officers who act illegally.
 - C. applies only to drug-related crimes.
 - D. All of the above.

4. If police have a search warrant that appears to be valid, but for some reason is not, evidence found while executing the warrant might be admissible in court because of
 - A. the Good Faith Exception.
 - B. the Impeachment Exception.
 - C. an Independent Source or inevitable discovery.
 - D. the Attenuation Exception.

5. Officer Smith uses a thermal imaging device to try to detect if unusual heat is coming from Jones’s house. He does not have a warrant. This conduct is
 - A. probably an illegal search because the officer needs a warrant in this case.
 - B. probably not illegal because this is not a search.
 - C. probably not illegal if Officer Smith in good faith believes he can do this.
 - D. probably not illegal because any heat coming from the house is in plain view.

6. Detentions and pat downs are allowed
 - A. if the officer has a hunch that something is wrong.
 - B. if the officer receives any complaint from a citizen.
 - C. if the officer has rational suspicion to believe the person detained is involved in criminal activity.
 - D. only if there is probable cause to believe the individual committed a crime.

7. *Miranda* warnings must be read

- A. whenever a person is questioned.
- B. whenever a person is arrested.
- C. whenever a person is detained.
- D. whenever a person undergoes custodial interrogation.

8. The right to court-appointed counsel for indigent defendants in all state felony cases

- A. was recognized by the Supreme Court in the early 1930s with the case of *Powell v. Alabama* (*Scottsboro* case).
- B. was recognized by the Supreme Court in the 1960s with the case of *Gideon v. Wainwright*.
- C. was recognized by the Supreme Court in the 1940s with the case of *Betts v. Brady*.
- D. has never been recognized by the Supreme Court.

9. The right to a jury trial in a criminal case means the

- A. right to twelve jurors.
- B. right to a unanimous verdict.
- C. right to an impartial jury.
- D. All of the above.

10. The rule of proportionality requires

- A. that the punishment fit the crime.
- B. that the punishment not be grossly disproportionate to the crime.
- C. that the states have exclusive right to determine sentence.
- D. None of the above.