**chapter 20-21 review**

**Multiple Choice**

*Identify the letter of the choice that best completes the statement or answers the question.*

**MAIN IDEAS**

\_\_\_\_ 1. The main reason that there is no exact definition of the due process guarantees is that the

|  |  |
| --- | --- |
| a. | Constitution is too specific. |
| b. | guarantees protect citizens against unfair processes, but not unfair laws. |
| c. | The Supreme Court only defines the guarantees on a case-by-case basis. |
| d. | courts do not want to give away too much specific information to potential lawbreakers. |

\_\_\_\_ 2. The right to privacy inherent in the concept of due process has been applied with the most controversy recently in cases involving

|  |  |  |  |
| --- | --- | --- | --- |
| a. | abortion. | c. | bearing arms. |
| b. | searches and seizures. | d. | school attendance. |

\_\_\_\_ 3. Under the 2nd Amendment,

|  |  |
| --- | --- |
| a. | there is no limitation on the free flow of guns within the United States. |
| b. | the States cannot limit a person's right to own a gun. |
| c. | each State has the right to have a militia. |
| d. | no citizen may own a gun. |

\_\_\_\_ 4. A(n) \_\_\_\_, requires the police to bring a prisoner before the court and explain why he or she should not be released.

|  |  |  |  |
| --- | --- | --- | --- |
| a. | writ of habeas corpus | c. | ex post facto law |
| b. | bill of attainder | d. | indictment |

\_\_\_\_ 5. To have a fair trial, a person is guaranteed all of the following EXCEPT

|  |  |  |  |
| --- | --- | --- | --- |
| a. | trial within a reasonable time. | c. | adequate defense. |
| b. | trial by a jury. | d. | media coverage if demanded. |

\_\_\_\_ 6. The main reason the Constitution dealt specifically with the crime of treason was that

|  |  |
| --- | --- |
| a. | treason was not considered a serious crime before the Constitution was written. |
| b. | treason is a crime against the country, not against individuals. |
| c. | the Framers knew the charge of treason can be used for political reasons. |
| d. | the Framers wanted to prevent all treason in order to protect the democracy. |

\_\_\_\_ 7. Which of the following was declared by the Supreme Court to be "cruel and unusual punishment"?

|  |  |
| --- | --- |
| a. | denying inmates needed medical treatment |
| b. | use of the electric chair as a form of execution |
| c. | placing two inmates in a cell built for one |
| d. | use of the firing squad as a form of execution |

\_\_\_\_ 8. The main purpose of the exclusionary rule is to

|  |  |
| --- | --- |
| a. | deter police misconduct. |
| b. | prevent people who are clearly guilty from going free. |
| c. | allow certain kinds of "tainted" evidence to be used in court. |
| d. | allow for honest mistakes by police officers. |

\_\_\_\_ 9. The guarantee against double jeopardy protects a person from being tried

|  |  |
| --- | --- |
| a. | for more than one crime committed at any one time. |
| b. | twice for the same crime. |
| c. | for a crime the person did not commit. |
| d. | for a federal crime in a State court. |

\_\_\_\_ 10. According to the Supreme Court, capital punishment

|  |  |
| --- | --- |
| a. | is not cruel and unusual punishment. |
| b. | is cruel and unusual punishment. |
| c. | can only be imposed after a two-stage trial. |
| d. | can be a mandatory penalty for certain crimes. |

\_\_\_\_ 11. The Supreme Court cases *Jones* v. *Mayer* (1968) and  *Runyon* v. *McCrary* (1976) have

|  |  |
| --- | --- |
| a. | avoided dealing with the problem of discrimination by individuals against minorities. |
| b. | strengthened the 13th Amendment by upholding the right of  Congress to outlaw discrimination against minorities. |
| c. | weakened the 13th Amendment by denying Congress the right to outlaw discrimination. |
| d. | said that charges of on-the-job discrimination should be handled according to the discretion of the individual States. |

\_\_\_\_ 12. The inclusion of two due process clauses in the Constitution reflects the fact that

|  |  |
| --- | --- |
| a. | due process has two quite different meanings. |
| b. | the Constitution is written poorly in regards to due process. |
| c. | due process is very easy to define. |
| d. | the Bill of Rights is for the National Government, and the 14th Amendment is for the States and their local governments. |

\_\_\_\_ 13. The 13th Amendment forbids

|  |  |
| --- | --- |
| a. | any form of military service. |
| b. | slavery and most forms of involuntary servitude. |
| c. | the draft. |
| d. | all of the above. |

\_\_\_\_ 14. When arresting a person, police must

|  |  |
| --- | --- |
| a. | always have a warrant in order to search for a weapon. |
| b. | refrain from searching for destructible evidence. |
| c. | have probable cause to believe the person is involved in criminal activity. |
| d. | seize the person in a public place. |

\_\_\_\_ 15. A grand jury

|  |  |
| --- | --- |
| a. | decides the guilt or innocence of those accused of crimes. |
| b. | conducts its proceedings in public. |
| c. | issues an indictment when it finds enough evidence to warrant a trial. |
| d. | plays a role in all federal and most State criminal cases today. |

\_\_\_\_ 16. In *Furman* v. *Georgia*, 1972, the Court ruled that

|  |  |
| --- | --- |
| a. | the death penalty is "cruel and unusual punishment." |
| b. | existing death penalty laws were unconstitutional because they gave too much discretion to judges and juries. |
| c. | putting two prisoners in a cell built for one is considered cruel and unusual punishment. |
| d. | States can impose the death penalty for the sale of narcotics. |

\_\_\_\_ 17. The States' police power is defined as the right to

|  |  |
| --- | --- |
| a. | protect public health, safety, morals, and the general welfare. |
| b. | punish those who commit crimes against the citizenry. |
| c. | keep a militia and an armed law enforcement agency. |
| d. | allow its citizenry to keep and bear arms. |

\_\_\_\_ 18. Which of the following statements about the 4th Amendment is TRUE?

|  |  |
| --- | --- |
| a. | It applies only to the States. |
| b. | It prohibits all arrests made without a warrant. |
| c. | It has been of little importance in our history. |
| d. | It forbids unreasonable searches and seizures. |

\_\_\_\_ 19. For an arrest to be lawful, police must have either a warrant or

|  |  |  |  |
| --- | --- | --- | --- |
| a. | a bill of attainder. | c. | a writ of habeas corpus. |
| b. | probable cause. | d. | a grand jury indictment. |

\_\_\_\_ 20. The writ of habeas corpus is intended to prevent

|  |  |
| --- | --- |
| a. | a prisoner from being tried for the same crime twice. |
| b. | the accused from being brought before a judge. |
| c. | the accused from being unjustly arrested and imprisoned without cause. |
| d. | defendants from being denied a lawyer. |

\_\_\_\_ 21. Because the Supreme Court has never found the 2nd Amendment to be within the meaning of the 14th Amendment's Due Process clause,

|  |  |
| --- | --- |
| a. | citizens are free to keep arms in their home without government restrictions. |
| b. | States can limit the right to keep and bear arms. |
| c. | citizens are strictly forbidden to keep guns in their homes. |
| d. | States may not keep militias. |

\_\_\_\_ 22. The 6th Amendment's guarantee of a speedy and public trial is aimed at

|  |  |
| --- | --- |
| a. | deterring potential criminals by fear of swift and certain punishment. |
| b. | trying those accused of crimes without undue delay and avoiding secret trials. |
| c. | eliminating overcrowded dockets in the nation's criminal courts. |
| d. | preventing jurors from being unduly influenced by public opinion. |

\_\_\_\_ 23. The only crime that is specifically defined in the Constitution is

|  |  |  |  |
| --- | --- | --- | --- |
| a. | espionage. | c. | forceful government overthrow. |
| b. | sabotage. | d. | treason. |

\_\_\_\_ 24. Which is the MOST accurate description of the way minority groups historically have been treated in the United States?

|  |  |
| --- | --- |
| a. | with complete equality |
| b. | with reluctance to accept their equality |
| c. | with a sincere recognition of their cultural differences |
| d. | with willing acceptance of immigrants, but only forced acceptance of those minorities already residing in the United States |

\_\_\_\_ 25. In regard to the issue of equality, the Constitution states that

|  |  |
| --- | --- |
| a. | all people are equal in all ways. |
| b. | slaves should be equal to free people. |
| c. | no person can be denied equal protection of the laws. |
| d. | government cannot draw distinctions between persons and groups. |

\_\_\_\_ 26. With \_\_\_\_, the Federal Government hopes to overcome effects of past discrimination.

|  |  |  |  |
| --- | --- | --- | --- |
| a. | affirmative action | c. | reverse discrimination |
| b. | de facto segregation | d. | denaturalization |

\_\_\_\_ 27. A person can become a citizen of the United States by all of the following means EXCEPT

|  |  |
| --- | --- |
| a. | being born in the United States. |
| b. | being born beyond American jurisdiction to American parents. |
| c. | by an act of Congress or a treaty. |
| d. | illegally crossing the Mexican border into Texas. |

\_\_\_\_ 28. Over time, the makeup of the American population has become

|  |  |  |  |
| --- | --- | --- | --- |
| a. | more diverse. | c. | less heterogeneous. |
| b. | more stable. | d. | less ethnic. |

\_\_\_\_ 29. In the past, women have been denied which of the following?

|  |  |  |  |
| --- | --- | --- | --- |
| a. | the right to own property | c. | suffrage |
| b. | educational opportunities | d. | all of the above |

\_\_\_\_ 30. Laws that treat men and women differently

|  |  |
| --- | --- |
| a. | are always constitutional. |
| b. | are always unconstitutional. |
| c. | may be upheld by the Supreme Court if they meet certain criteria. |
| d. | may be passed by Congress but not by States. |

\_\_\_\_ 31. De jure segregation

|  |  |
| --- | --- |
| a. | no longer exists in this country. |
| b. | existed only in the South. |
| c. | is caused mainly by housing patterns. |
| d. | was the result of laws or other government actions. |

\_\_\_\_ 32. The Civil Rights Act of 1964

|  |  |
| --- | --- |
| a. | outlaws discrimination in public accommodations and hiring practices. |
| b. | is not a meaningful piece of civil rights legislation. |
| c. | does not apply to restaurants and eating-places. |
| d. | does not include voting rights provisions. |

\_\_\_\_ 33. An amnesty program was established by the Immigration and Reform Act of 1986 to address which of the following problems?

|  |  |
| --- | --- |
| a. | Undocumented aliens had troubled and divided many groups. |
| b. | There was not enough border patrol officers to combat the problem of illegal immigration. |
| c. | Employers were unwilling to hire undocumented aliens. |
| d. | The establishment of a quota system had angered many immigrants. |

\_\_\_\_ 34. The continuing theme of immigration policy in the United States has been to

|  |  |
| --- | --- |
| a. | allow all refugees a safe haven. |
| b. | help many from other countries become citizens of the United States. |
| c. | exert limited control over who can enter the country. |
| d. | adapt regulations to fit changing conditions at a particular time. |

\_\_\_\_ 35. Citizenship by birth is determined by the rules

|  |  |
| --- | --- |
| a. | of naturalization and denaturalization. |
| b. | of jus soli and jus sanguinis. |
| c. | set forth in the amendments to the Constitution. |
| d. | of individual or collective naturalization. |

\_\_\_\_ 36. One reason that women earn 80 cents for every dollar earned by men is that

|  |  |
| --- | --- |
| a. | they are in the minority. |
| b. | on average, women are less capable for business than men. |
| c. | on average, only low paying occupations were open to women. |
| d. | historically, women have never formed labor unions to achieve equal pay. |

\_\_\_\_ 37. The first major Supreme Court case that challenged affirmative action was

|  |  |
| --- | --- |
| a. | *University of California* v*. Bakke.* |
| b. | *Brown* v. *Board of Education of Topeka.* |
| c. | *Plessy* v. *Ferguson.* |
| d. | *Hoyt* v. *Florida.* |

\_\_\_\_ 38. In an earlier part of United States history, Congress

|  |  |
| --- | --- |
| a. | consistently acted for the benefit of minority groups. |
| b. | pursued legislation aiding African Americans, but not women. |
| c. | pursued legislation aiding women only. |
| d. | helped further the discrimination of minorities by inaction. |

\_\_\_\_ 39. The action of the Supreme Court in regards to job quotas has been to

|  |  |
| --- | --- |
| a. | uphold all quotas. |
| b. | affirm that race is the only factor in making affirmative action decisions. |
| c. | uphold quotas when they help overcome effects of long-standing biases. |
| d. | deny the use of all quotas because they take rights away from people who are equally or more qualified for certain positions. |

\_\_\_\_ 40. Undocumented aliens are those who enter the United States

|  |  |
| --- | --- |
| a. | across the Mexican or Canadian borders. |
| b. | legally to work in seasonal jobs. |
| c. | without following proper legal procedures. |
| d. | as naturalized citizens. |

\_\_\_\_ 41. Which fact could NOT be used as an example of how minority groups have been treated in the United States?

|  |  |
| --- | --- |
| a. | African Americans have consistently faced unjust treatment. |
| b. | Native Americans were forcibly moved to reservations. |
| c. | Japanese Americans were moved to "war relocation camps." |
| d. | Cuban Americans fled the Castro dictatorship. |

\_\_\_\_ 42. One test that the Supreme Court uses to determine the validity of laws that discriminate between groups of people is the

|  |  |  |  |
| --- | --- | --- | --- |
| a. | Due Process test. | c. | Constitution. |
| b. | rational basis test. | d. | Equal Protection test. |

\_\_\_\_ 43. Which of the following statements does NOT accurately describe the Supreme Court decision in *Brown* v. *Board of Education of  Topeka?*

|  |  |
| --- | --- |
| a. | It reversed the earlier decision in *Plessy* v. *Ferguson.* |
| b. | It held that segregation by race in public education is unconstitutional. |
| c. | It quickly brought about integration of schools in this country. |
| d. | It struck down the separate-but-equal doctrine in education. |

\_\_\_\_ 44. Congress did not pass civil rights legislation from the 1870s to the late 1950s MAINLY because

|  |  |
| --- | --- |
| a. | those in power were unaware, unconcerned, or strongly opposed. |
| b. | the Constitution had stated the civil rights of all and no further action was needed. |
| c. | civil rights leaders did not try to make gains for their people. |
| d. | people believed that the existing laws were adequate for all. |

\_\_\_\_ 45. The response of the Supreme Court to affirmative action programs today can BEST be described as

|  |  |
| --- | --- |
| a. | completely supportive since its inception. |
| b. | non-supportive until recent years. |
| c. | conservative in rendering decisions. |
| d. | inflammatory in its decisions. |

\_\_\_\_ 46. Which part of the Constitution declares that a person can become an American citizen either by birth or naturalization?

|  |  |  |  |
| --- | --- | --- | --- |
| a. | 14th Amendment | c. | the Bill of Rights |
| b. | the Preamble | d. | 13th Amendment |

\_\_\_\_ 47. The Constitution's statement regarding the equality of  all persons can be found in both

|  |  |
| --- | --- |
| a. | the 14th Amendment and the Due Process Clause. |
| b. | the Due Process Clause and the 5th Amendment. |
| c. | the 14th Amendment and the rational basis test. |
| d. | the separate-but-equal doctrine and the case of *Orr* v. *Orr.* |

**chapter 20-21 review**

**Answer Section**

**MULTIPLE CHOICE**

1. ANS: C DIF: Average REF: 564 OBJ: 20.1.1

TOP: Due Process

2. ANS: A DIF: Average REF: 564 OBJ: 20.1.3

TOP: Due Process

3. ANS: C DIF: Average REF: 571 OBJ: 20.2.2

TOP: Right to Keep and Bear Arms

4. ANS: A DIF: Average REF: 576 OBJ: 20.3.1

TOP: Writ of Habeas Corpus

5. ANS: D DIF: Average REF: 576 OBJ: 20.3.3

TOP: Rights of the Accused

6. ANS: C DIF: Average REF: 588 OBJ: 20.4.4

TOP: Treason

7. ANS: A DIF: Average REF: 586 OBJ: 20.4.2

TOP: Cruel and Unusual Punishment

8. ANS: A DIF: Average REF: 573 OBJ: 20.2.3

TOP: Exclusionary Rule

9. ANS: B DIF: Average REF: 578 OBJ: 20.3.2

TOP: Double Jeopardy

10. ANS: A DIF: Average REF: 587 OBJ: 20.4.3

TOP: Capital Punishment

11. ANS: B DIF: Average REF: 570 OBJ: 20.2.1

TOP: Discrimination

12. ANS: D DIF: Average REF: 564 OBJ: 20.1.1

TOP: Due Process

13. ANS: B DIF: Average REF: 569 OBJ: 20.2.1

TOP: Slavery and Involuntary Servitude

14. ANS: C DIF: Average REF: 572 OBJ: 20.2.3

TOP: Probable Cause

15. ANS: C DIF: Average REF: 578 OBJ: 20.3.2

TOP: Grand Jury

16. ANS: B DIF: Average REF: 587 OBJ: 20.4.2

TOP: Capital Punishment

17. ANS: B DIF: Average REF: 566 OBJ: 20.1.1

TOP: Police Power

18. ANS: D DIF: Average REF: 571 OBJ: 20.2.3

TOP: Unresonable Searches and Seizures

19. ANS: B DIF: Average REF: 572 OBJ: 20.2.3

TOP: Probable Cause

20. ANS: C DIF: Average REF: 576 OBJ: 20.3.1

TOP: Writ of Habeas Corpus

21. ANS: B DIF: Average REF: 571 OBJ: 20.2.2

TOP: Right to Keep and Bear Arms

22. ANS: B DIF: Average REF: 579 OBJ: 20.3.3

TOP: Speedy and Public Trial

23. ANS: D DIF: Average REF: 588 OBJ: 20.4.4

TOP: Treason

24. ANS: B DIF: Average REF: 594 OBJ: 21.1.2

TOP: Discrimination in American Society

25. ANS: C DIF: Average REF: 594 OBJ: 21.2.1

TOP: Discrimination in American Society

26. ANS: A DIF: Average REF: 609 OBJ: 21.3.2

TOP: Affirmative Action

27. ANS: D DIF: Average REF: 613 OBJ: 21.4.1

TOP: Citizen

28. ANS: A DIF: Average REF: 594 OBJ: 21.1.1

TOP: Heterogeneous

29. ANS: D DIF: Average REF: 598 OBJ: 21.1.3

TOP: Discrimination Against Women

30. ANS: C DIF: Average REF: 598 OBJ: 21.2.3

TOP: Discrimination Against Women

31. ANS: D DIF: Average REF: 604 OBJ: 21.2.2

TOP: De Jure Segregation

32. ANS: A DIF: Average REF: 608 OBJ: 21.3.1

TOP: Civil Rights Act of 1964

33. ANS: A DIF: Average REF: 618 OBJ: 21.4.5

TOP: Immigration and Reform Act of 1986

34. ANS: D DIF: Average REF: 616 OBJ: 21.4.4

TOP: Immigration Policy

35. ANS: B DIF: Average REF: 613 OBJ: 21.4.2

TOP: Jus Sanguinis and Jus Soli

36. ANS: C DIF: Average REF: 598 OBJ: 21.1.3

TOP: Discrimination Against Women

37. ANS: A DIF: Average REF: 609 OBJ: 21.2.1

TOP: Affirmative Action

38. ANS: D DIF: Average REF: 594 OBJ: 21.1.2

TOP: Discrimination in American Society

39. ANS: C DIF: Average REF: 610 OBJ: 21.3.2

TOP: Quota

40. ANS: C DIF: Average REF: 617 OBJ: 21.4.5

TOP: Undocumented Aliens

41. ANS: D DIF: Average REF: 594 OBJ: 21.1.2

TOP: Discrimination in American Society

42. ANS: B DIF: Average REF: 602 OBJ: 21.2.1

TOP: Rational Bias Test

43. ANS: C DIF: Average REF: 603 OBJ: 21.2.2

TOP: Integration

44. ANS: A DIF: Average REF: 594 OBJ: 21.3.1

TOP: Discrimination in American Society

45. ANS: C DIF: Average REF: 609 OBJ: 21.3.2

TOP: Affirmative Action

46. ANS: A DIF: Average REF: 614 OBJ: 21.4.1

TOP: Naturalization

47. ANS: A DIF: Average REF: 601 OBJ: 21.2.1

TOP: Equal Protection Clause