

Chapter 20 review

Multiple Choice

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

MAIN IDEAS

- ___ 1. The right to privacy inherent in the concept of due process has been applied with the most controversy recently in cases involving
- a. abortion.
 - b. searches and seizures.
 - c. bearing arms.
 - d. school attendance.
- ___ 2. 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.
- ___ 3. 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
 - b. bill of attainder
 - c. ex post facto law
 - d. indictment
- ___ 4. To have a fair trial, a person is guaranteed all of the following EXCEPT
- a. trial within a reasonable time.
 - b. trial by a jury.
 - c. adequate defense.
 - d. media coverage if demanded.
- ___ 5. 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.
- ___ 6. 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.
- ___ 7. The most important difference between procedural and substantive due process is that
- a. substantive due process was recognized first by the Supreme Court.
 - b. procedural due process deals with governmental methods and how they are used, whereas substantive due process deals with the fairness of laws.
 - c. the Supreme Court can rule on cases involving procedural due process but the States rule on cases of substantive due process.
 - d. only procedural due process is covered under the 14th Amendment Due Process Clause.
- ___ 8. 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.
- ___ 9. 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.
- ___ 10. 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.
- ___ 11. 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.
- ___ 12. 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.
- ___ 13. 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.
- ___ 14. For an arrest to be lawful, police must have either a warrant or
- a. a bill of attainder.
 - b. probable cause.
 - c. a writ of habeas corpus.
 - d. a grand jury indictment.
- ___ 15. 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.
- ___ 16. 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.
- ___ 17. The only crime that is specifically defined in the Constitution is
- a. espionage.
 - b. sabotage.
 - c. forceful government overthrow.
 - d. treason.

INTERPRETING CHARTS

Use the chart to answer the following questions.



- ___ 18. The second box from the bottom describes rights protected by
- preventive detention.
 - the 8th Amendment.
 - the Miranda Rule.
 - the use of two-stage trials.
- ___ 19. Which label should appear in the box marked Z?
- Right to appeal
 - Verdict of jury
 - No third degree or coerced confessions
 - Arrest on warrant or probable cause
- ___ 20. Which label should appear in the box marked Y?
- Right to appeal
 - Verdict of jury
 - No third degree or coerced confession
 - Arrest on warrant or probable cause

Matching

IDENTIFYING KEY TERMS

Match each item with the correct statement below. You will not use all the terms.

- police power
 - probable cause
 - bill of attainder
 - presentment
 - Miranda Rule
 - information
- ___ 21. Prosecutors in States often use a(n) ___ to show that there is enough evidence to bring a person to trial.
- ___ 22. Neither Congress nor the States can pass a(n) ___ that inflicts punishment without a court trial.
- ___ 23. The ___ begins with these words: "You have the right to remain silent."
- ___ 24. In order to obtain a warrant, police must have ___.

IDENTIFYING KEY TERMS

Match each item with the correct statement below. You will not use all the terms.

- bill of attainder
 - capital punishment
 - probable cause
 - bench trial
 - exclusionary rule
 - double jeopardy
- ___ 25. The prohibition of ___ prevents a person from being tried twice for the same crime.
- ___ 26. Current polls indicate that two of every three Americans support ___ for those convicted of murder.

- ____ 27. The ____ says that evidence gained as a result of an illegal act by police cannot be used against the person from whom it was seized.
- ____ 28. The defendant had a(n) ____ with only a judge deciding the case.

Other

IDENTIFYING KEY TERMS

Use each key term below in a sentence that shows the meaning of the term.

- 29. police power
- 30. bail
- 31. grand jury
- 32. bench trial
- 33. presentment
- 34. search warrant
- 35. involuntary servitude
- 36. due process