

Test Bank for Criminal Justice The Essentials 6th Lab

Chapter 2: Issues of Law

Test Bank

Type: multiple choice question

Title: Chapter 02 - Question 01

1. The practice of transforming unwritten local customs into written codes of behavior for the entire country established the English tradition of

- *a. common law.
- b. precedent.
- c. administrative law.
- d. mala in se.

Type: multiple choice question

Title: Chapter 02 - Question 02

2. Laws created by legislatures are called

- a. legislative code.
- *b. statutory law.
- c. criminal law.
- d. constitutional law.

Type: multiple choice question

Title: Chapter 02 - Question 03

3. The term used to illustrate that the law applies to everyone, even to government bodies, is called

- a. equal protection.
- b. common law.
- *c. rule of law.
- d. general welfare.

Type: true-false

Title: Chapter 02 - Question 04

4. Case law comes from decisions made by judges.

- *a. True
- b. False

Type: multiple choice question

Title: Chapter 02 - Question 05

5. _____ describes the processes and actions that must be followed when carrying out the law.

- a. Fourth Amendment
- *b. Procedural law
- c. Administrative law
- d. Habeas corpus

Type: multiple choice question

Title: Chapter 02 - Question 06

6. The _____ states that the government cannot punish individuals for wrongdoing unless a law exists to define the conduct as a crime and to prescribe a punishment for it.

- *a. principle of legality
- b. habeas corpus
- c. administrative law
- d. common law

Type: true-false

Title: Chapter 02 - Question 07

7. Mens rea is always required for someone to be punished for engaging in criminal behavior.

- a. True
- *b. False

Type: multiple choice question

Title: Chapter 02 - Question 08

8. A _____ is when individuals are required by law to act, but fail to do so.

- a. civil tort
- b. criminal act
- *c. act of omission
- d. victimless crime

Type: multiple choice question

Title: Chapter 02 - Question 09

9. When intent need not be present in order for an individual to be held liable for a crime, it is called

- *a. strict liability.
- b. mens rea.
- c. omission.
- d. corpus delicti.

Type: multiple choice question

Title: Chapter 02 - Question 10

10. Which type of causation is called the “but for” causation?

- a. Concurrent cause
- *b. Direct cause
- c. Proximate cause
- d. Harmful cause

Type: multiple choice question

Title: Chapter 02 - Question 11

11. Crimes that are committed within the realm of one’s work or employment are considered

- a. corporate crime.
- *b. white-collar crime.
- c. employee theft.
- d. public order offenses.

Type: multiple choice question

Title: Chapter 02 - Question 12

12. The justification of self-defense requires all but which of the following?

- a. An ordinary person would have believed that force was to be used.
- b. Force is needed to defend oneself.
- c. Force is to be used to protect oneself from harm, not to inflict harm needlessly.
- *d. A prior attack took place.

Type: true-false

Title: Chapter 02 - Question 13

13. The first legal definition of insanity was known as the M’Naghten Rule.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 14

14. Intoxication is never a defense to criminal liability.

- a. True
- *b. False

Type: multiple choice question

Title: Chapter 02 - Question 15

15. Recent proposals to combat computer-related crime have been to extend the _____ statutes.

- a. Homeland Security
- *b. Racketeering Influenced and Corrupt Organization
- c. Patriot Act
- d. White-Collar Crime Act

Type: multiple choice question

Title: Chapter 02 - Question 16

16. The _____ provision prohibits retroactive laws.

- a. habeas corpus
- *b. ex post facto
- c. attainder
- d. administrative law

Type: true-false

Title: Chapter 02 - Question 17

17. The right to habeas corpus allows an individual to challenge illegal confinement by the government.

- *a. True
- b. False

Type: multiple choice question

Title: Chapter 02 - Question 18

18. The protection against unreasonable searches and seizures by government entities is covered by the

- a. First Amendment.
- *b. Fourth Amendment.
- c. Fifth Amendment.
- d. Eighth Amendment.

Type: multiple choice question

Title: Chapter 02 - Question 19

19. Searches and seizures that violate Fourth Amendment provisions are subject to the

- a. habeas corpus rule.
- *b. exclusionary rule.
- c. probable cause rule.
- d. incrimination rule.

Type: multiple choice question

Title: Chapter 02 - Question 20

20. Which of the following is NOT covered in the Fifth Amendment?

- a. Self-incrimination
- *b. Right to privacy
- c. Double jeopardy
- d. Grand jury

Type: true-false

Title: Chapter 02 - Question 21

21. A grand jury consists of a number of ordinary citizens who review the charges against an individual and decide if the charges warrant a trial.

- *a. True
- b. False

Type: multiple choice question

Title: Chapter 02 - Question 22

22. The rights to speedy, public, and impartial trials and trials by jury are covered in the

- a. Fourth Amendment.
- b. Fifth Amendment.
- *c. Sixth Amendment.
- d. Eighth Amendment.

Type: multiple choice question

Title: Chapter 02 - Question 23

23. The right to counsel is guaranteed in the

- a. Fourth Amendment.
- b. Fifth Amendment.
- *c. Sixth Amendment.
- d. Eighth Amendment.

Type: multiple choice question

Title: Chapter 02 - Question 24

24. The cruel and unusual punishment clause appears in the

- a. Fourth Amendment.
- b. Fifth Amendment.
- c. Sixth Amendment.
- *d. Eighth Amendment.

Type: true-false

Title: Chapter 02 - Question 25

25. Mala in se crimes are those that are prohibited, but not necessarily bad.

- a. True
- *b. False

Type: true-false

Title: Chapter 02 - Question 26

26. The Fourteenth Amendment includes the state due process clause.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 27

27. The legislative branch is responsible for issuing executive orders.

- a. True
- *b. False

Type: multiple choice question

Title: Chapter 02 - Question 28

28. Which of the following is considered the highest source of law in the country?

- a. Case law
- *b. Constitutional law
- c. Statutory law
- d. Administrative law

Type: multiple choice question

Title: Chapter 02 - Question 29

29. Which of the following is the standard of proof that police must meet in order to secure a warrant?

- a. Reasonable suspicion
- *b. Probable cause
- c. Preponderance of the evidence
- d. Clear and convincing evidence

Type: true-false

Title: Chapter 02 - Question 30

30. The purpose of a public trial is for the public to be a watchdog over government actions.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 31

31. Punishments for property crimes are generally not as severe as punishments for crimes against the person.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 32

32. Individuals from all socioeconomic classes can and do engage in white-collar crime.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 33

33. The Bill of Rights was created to provide the government with more power to prohibit the rights of citizens.

- a. True
- *b. False

Type: multiple choice question

Title: Chapter 02 - Question 34

34. Which of the following prohibits the government from prosecuting an individual twice for the same crime?

- *a. Double jeopardy
- b. Grand jury
- c. Self-incrimination
- d. Cruel and unusual Punishment

Type: true-false

Title: Chapter 02 - Question 35

35. The U.S. Supreme Court has ruled that warrantless use of GPS to track suspects is unconstitutional.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 36

36. Punishments for drug offenses can range from probation to the death penalty.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 37

37. Civil law covers issues such as divorces, wrongful injury, and wills.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 38

38. The criminal law in the United States is taken from the French tradition of common law.

- a. True
- *b. False

Type: true-false

Title: Chapter 02 - Question 39

39. All laws in the United States must abide by the U.S. Constitution.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 40

40. Many morals offenses involve sexual behavior, like prostitution.

- *a. True
- b. False

Type: true-false

Title: Chapter 02 - Question 41

41. It is fairly easy to investigate Internet crime in the United States.

- a. True
- *b. False

Type: multiple choice question

Title: Chapter 02 - Question 42

42. Which of the following ruled that it is unconstitutional to execute a mentally retarded offender?

- a. *Roper v. Simmons*
- b. *Gregg v. Georgia*
- c. *Coker v. Georgia*
- *d. *Atkins v. Virginia*

Type: essay/short answer question

Title: Chapter 02 - Question 43

43. How does substantive law differ from procedural law?

Type: essay/short answer question

Title: Chapter 02 - Question 44

44. What are two examples of substantive law? Provide examples of each.

Type: essay/short answer question

Title: Chapter 02 - Question 45

45. Provide examples of each of the following types of crimes:

- a. Personal crimes
- b. Property crimes
- c. Crimes against public order
- d. Drug offenses
- e. White-collar crimes

Type: essay/short answer question

Title: Chapter 02 - Question 46

46. Identify the two main parts that make up the federal constitution.

Type: essay/short answer question

Title: Chapter 02 - Question 47

47. What needs to be in a legal warrant?

Type: essay/short answer question

Title: Chapter 02 - Question 48

48. Explain what is meant by “incorporation” and how it has been established.

Type: essay/short answer question

Title: Chapter 02 - Question 49

49. What is the difference between “justifications” and “excuses” with regard to defenses to criminal liability? Provide one example of each.