Test Bank for Legal Guide for Police - Constitutional Issues 12th Walker

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Walker & Hemmens, Legal Guide for Police (12th ed.)

Test Bank – Chapter 2

Multiple-Choice Questions

1. The _____ states that unconstitutionally seized evidence will not be admitted at trial.
    a. *Wolf v. Colorado*
    *b. exclusionary rule
    c. Bill of Rights
    d. United States Constitution

2. The Exclusionary Rule was extended to all courts in _____.
    a. *Miranda v. Arizona*
    b. *Wolf v. Colorado*
    *c. *Mapp v. Ohio*
    d. *Gideon v. Wainwright*

3. If officers act under the impression they have a valid search warrant and that warrant later turns out to be invalid, Courts may still admit the evidence by/for _____.
    *a. the good faith exception
    b. impeachment purposes
    c. grand jury proceedings
    d. civil matters

4. Unconstitutionally seized evidence can be used as a rebuttal to the testimony of the defendant. This practice is known as _____.
    a. good faith
    b. testimony
    c. hearsay
    *d. impeachment

5. If unconstitutionally seized evidence would have been found at some point in the future, regardless of the unconstitutional search, the Court will allow this evidence to be admitted during trial via the _____ exception.
    a. good faith
    b. grand jury
    *c. inevitable discovery
    d. impeachment

6. The plaintiff in a tort action must prove that _____.
    a. the defendant had a duty
    b. the defendant breached his/her duty

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c. a breach of duty caused an injury to the plaintiff
*d. all of the above

7. The statute of Title 42 United States Code § 1983 concerns _____.
a. civil liabilities of Congress
b. tort actions
*c. civil remedies
d. police officer rights

8. If an officer is alleged to have violated an individual's civil rights, he or she may use the defense of _____.
a. involuntary seizure
*b. qualified immunity
c. limited liability
d. vicarious liability

9. The doctrine of _____ states that a master (or police agency) is liable for the actions of the servant (or individual police officer).
*a. *respondeat superior*
b. limited liability
c. municipal liability
d. tort actions

10. _____ states that police agencies can be held civilly liable for the actions of the officers they employ.
a. Limited liability
b. Tort law
*c. Vicarious liability
d. The United States Constitution

11. The doctrine of _____ states that cities can be held civilly liable for the actions of their police agencies.
a. limited liability
b. tort actions
c. *de jour* liability
*d. municipal liability

12. Title 42 United States Code § 1983 allows individuals claiming civil rights violations to sue _____.
a. individual officers
b. police departments
c. municipalities
*d. all of the above

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13. Agencies and municipalities often try to avoid civil liability by _____.
    a. implementing accountability waivers
    b. implementing rigorous training protocols
    c. establishing clear policy
    *d. both b and c

14. Title 42 United States Code § 1983 states that officers can be held _____ for civil rights violations.
    *a. civilly liable
    b. criminally liable
    c. tortuously liable
    d. both a and b

15. The police often engage in _____. These actions are not amenable to prior planning and procedure and involve "on-the-spot" decisions.
    a. reasonable actions
    *b. discretionary functions
    c. policy modification
    d. qualified actions

True/False Questions

1. The exclusionary rule is explicitly written in the Constitution.
    a. True
    *b. False

2. All countries utilize the exclusionary rule.
    a. True
    *b. False

3. *Mapp v. Ohio* applied the exclusionary rule to state court proceedings.
    *a. True
    b. False

4. The exclusionary rule excludes all evidence seized without a warrant.
    a. True
    *b. False

5. The good faith exception to the exclusionary rule is usually limited to mistakes made by magistrates.
    *a. True
    b. False

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6. Illegally seized evidence can be used for impeachment purposes.
    *a. True
    b. False

7. The exclusionary rule applies to all illegally seized evidence at grand jury proceedings.
    a. True
    *b. False

8. Police officers can be held civilly liable for violating the civil rights of an individual.
    *a. True
    b. False

9. Police officers cannot be held criminally liable for violating the civil rights of an individual.
    a. True
    *b. False

10. Police officers can claim qualified immunity during civil and criminal proceedings.
    *a. True
    b. False

11. An action fulfills the requirement of *willfullness* if the action was done voluntarily and intentionally.
    *a. True
    b. False

12. A supervisor and agency can never be held liable for the action of a subordinate.
    a. True
    *b. False

13. The Supreme Court has stated that municipalities can be held liable for the actions of the officers they employ.
    *a. True
    b. False

14. Officers can be held liable for failing to intervene as another officer violates the civil rights of an individual.
    *a. True
    b. False

15. *Mapp v. Ohio* primarily concerns evidence seized by violating Fourth Amendment protections.
    *a. True
    b. False

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