**Test Bank**

**to accompany**

**Current Legal Issues in Criminal Justice**

Prepared and edited by

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New York Oxford

OXFORD UNIVERSITY PRESS

Oxford University Press is a department of the University of Oxford. It furthers the University’s objective of excellence in research, scholarship, and education by publishing worldwide.

Oxford New York

Auckland Cape Town Dar es Salaam Hong Kong Karachi

Kuala Lumpur Madrid Melbourne Mexico City Nairobi

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Published in the United States of America by

Oxford University Press

198 Madison Avenue, New York, NY 10016

http://www.oup.com

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**ISBN 9780190202583**

Printing number: 9 8 7 6 5 4 3 2 1

Printed in the United States of America

on acid-free paper

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**Multiple-Choice Questions (Arranged by Chapter)**

**Chapter 1**

1. The Supreme Court in *Olmstead v. United States* (1928) involving the use of wiretapping by law enforcement officers held that there was no search because
   1. **The officers did not physically intrude on the defendants’ offices or houses.\***
   2. The defendants did not have any reasonable expectation of privacy in the contents of their conversations.
   3. The defendants did not have any objective expectation of privacy in areas outside their house.
   4. None of the above.
2. The Supreme Court in *Goldman v. United States* (1942) involving the use of detectaphone by law enforcement officers held that there was no search because
   1. The officers did not physically intrude on the defendant’s office when they placed the wiretap with electronic devices.
   2. **The officers did not physically intrude on the defendant’s office when they held the detectaphone against the defendant’s office walls while they were in the adjoining vacant office.\***
   3. The defendants did not have any reasonable expectation of privacy in the contents of their conversations.
   4. The defendants did not have any objective expectation of privacy in areas outside their office.
3. What are the two elements of the reasonable expectation of privacy test established by the Supreme Court in *Katz v. United States* (1967)?
   1. A person must have an objective expectation of privacy that he considers reasonable.
   2. A person must have manifested an actual, subjective expectation of privacy.
   3. That expectation must be one that society is prepared to recognize as reasonable.
   4. Both a and c.
   5. **Both b and c.\***
4. What did the Court rule in *Kyllo v. United States* (2001) when deciding on the use of a thermal imaging device by law enforcement officers to track the indoor cultivation of marijuana?
   1. The use of the thermal imaging device to know the contents of the home was not a search because heat emanating from the house is located in open fields.
   2. **The use of the thermal imaging device to know the contents of the home was a search because the device was not available to the general public.\***
   3. The use of the thermal imaging device to know the contents of the home was not a search because the defendants did not have any reasonable expectation of privacy in the heat.
   4. All of the above.
5. Which of the following cases used the property trespass test in determining whether police action was a search?
   1. *Katz v. United States.*
   2. *Kyllo v. United States.*
   3. *California v. Ciraolo.*
   4. ***United States v. Jones.*\***
6. Which of the following cases used the reasonable expectation of privacy test in determining whether police action was a search?
   1. *Olmstead v. United States.*
   2. ***Katz v. United States.*\***
   3. *United States v. Jones.*
   4. *Goldman v. United States.*
7. Which areas and objects are protected by the Fourth Amendment?
   1. Person.
   2. Houses.
   3. Papers and effects.
   4. Privacy rights.
   5. **All of the above.\***
8. Which of the following statements is true?
   1. The property trespass test for searches is used by the Supreme Court today.
   2. The reasonable expectation of privacy test for searches is in use by the Court today.
   3. The reasonable expectation of privacy test is no longer valid.
   4. **The reasonable expectation of privacy test has been supplemented by the property-based test for searches.\***
   5. None of the above.
9. A person has no reasonable expectation of privacy in which of the following areas?
   1. House.
   2. Curtilage.
   3. **Open fields.\***
   4. All of the above.
10. Which of the following surveillance technology devices did not involve the physical intrusion of law enforcement officers into constitutionally protected areas and hence was not considered a search?
    1. Detectaphone used in *Goldman v. United States* (1942).
    2. Aerial precision camera used in *Dow Chemical Co. v. United States* (1986).
    3. Beeper tracking device used in *United States v. Knotts* (1983).
    4. **All of the above.\***

**Chapter 2**

1. In ancient Greece, slaves were tortured
2. As punishment for crime.
3. For disobeying their owners.
4. **To ensure truthful testimony.\***
5. As public entertainment.
6. Ancient Rome employed torture
7. As a legal practice in treason cases.
8. Against slaves only.
9. Against all citizens.
10. **Against citizens of the lower classes.\***
11. English law did not employ torture in criminal trials because
12. The ordeal was used instead.
13. **Convictions did not require perfect proof.\***
14. It was forbidden by the Assizes of Clarendon.
15. Torture warrants were never issues.
16. Medieval continental trial procedure tried to ensure confessions obtained by torture were accurate by
17. **Having the suspect repeat his confession in court.\***
18. Preceding torture with prayer.
19. Corroborating the confession with evidence.
20. Issuing torture warrants.
21. The Hawkins–Leach dictum or rule held that
22. Confessions obtained by torture were admissible if the king signed a torture warrant.
23. Star Chamber convictions based on confessions required the confessions be voluntary.
24. English judges could only be removed from office for bad behavior.
25. **A false promise that a person who confessed would be released made the resulting confession inadmissible in court.\***
26. The common-law and American state voluntary confessions rule was designed to ensure the confessions were
27. Autonomous.
28. Transparent.
29. **Accurate.\***
30. Procedurally fair.
31. The English judges rules
32. Abolished police questioning.
33. Restated the common-law voluntariness test in clear language.
34. Were strongly resisted by chief constables.
35. **Instructed police to not cross-examine suspects giving voluntary statements.\***
36. The third-degree type of police interrogation was prevalent
37. In the early nineteenth century.
38. **In the period from 1890 to the 1930s.\***
39. In the period from about 1940 to the 1960s.
40. After 2000.
41. False confessions or guilty pleas are reported in \_\_\_ of DNA exonerations.
42. 5%.
43. 15%.
44. **25%.\***
45. 50%.
46. The Supreme Court’s due process rulings concerning coerced confessions
47. **Transcended the goals of the common-law voluntariness test.\***
48. Were essentially the same as the common-law voluntariness test.
49. Required that suspects be warned they had a right to silence.
50. Provided clear guidance to police.