**Chapter 7: Police and the Constitution**

**TRUE/FALSE**

1. Police officers may use personal observation to establish probable cause.

T F

2. Evidence alone is not enough to establish probable cause.

T F

3. If evidence would have been inevitably discovered, it can be used in court even if illegally obtained.

T F

4. The precedent for “stop and frisk” was established in *Terry v. Ohio*.

T F

5. A tip to the police from a citizen can always be used to make a stop.

T F

6. A stop can be made on reasonable suspicion, but probable cause is needed to make an arrest.

T F

7. A police officer must verbally communicate, “you are under arrest” to validate an arrest of a suspect.

T F

8. An affidavit is a written statement of facts and must be sworn in front of a person empowered to administer the oath.

T F

9. Once a search warrant has been issued, officers are justified in searching every inch of space within the specified location.

T F

**MULTIPLE CHOICE**

1. Protection from unreasonable search and seizure is provided under

|  |  |
| --- | --- |
| a. | the Fourth Amendment. |
| b. | the Fifth Amendment. |
| c. | the Sixth Amendment. |
| d. | the Eighth Amendment. |

REF: 217

2. All of the following are legitimate sources of probable cause EXCEPT:

|  |  |
| --- | --- |
| a. | personal observation. |
| b. | reasonable suspicion. |
| c. | evidence |
| d. | informants. |

3. The Supreme Court created the “inevitable discovery” exception to the exclusionary rule in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

|  |  |
| --- | --- |
| a. | *U.S. v. Leon* (1984) |
| b. | *Nix v. Williams* (1984) |
| c. | *Mapp v. Ohio* (1961) |
| d. | *Weeks v. United States* (1914) |

REF: 219

4. The U.S. Supreme Court established the inevitable discovery exception to the exclusionary rule by its ruling in

|  |  |
| --- | --- |
| a. | *Rochin v. California* (1952). |
| b. | *Mapp v. Ohio* (1961). |
| c. | *Weeks v. United States* (1914). |
| d. | *Nix v. Williams* (1984). |

REF: 219

5. The U.S. Supreme Court’s ruling in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ created the good faith exception to the exclusionary rule.

|  |  |
| --- | --- |
| a. | *California v. Greenwood* (1988) |
| b. | *Wilson v. Arkansas* (1995) |
| c. | *Terry v. Ohio* (1968) |
| d. | *United States v. Leon* (1984) |

REF: 220

6. The requirement for a stop-and-frisk is that an officer has:

|  |  |
| --- | --- |
| a. | consent. |
| b. | probable cause. |
| c. | a warrant. |
| d. | reasonable suspicion. |

REF: 221

7. The U.S. Supreme Court’s ruling in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ defined “reasonable” suspicion in stop-and-frisk situations.

|  |  |
| --- | --- |
| a. | *California v. Greenwood* (1988) |
| b. | *Wilson v. Arkansas* (1995) |
| c. | *Terry v. Ohio* (1968) |
| d. | *United States v. Leon* (1984) |

REF: 221

8. The purpose of a frisk is to determine the presence of \_\_\_\_\_\_\_\_\_\_\_\_\_.

|  |  |
| --- | --- |
| a. | the suspect’s identification. |
| b. | weapons. |
| c. | contraband. |
| d. | evidence. |

REF: 222

9. The U.S. Supreme Court’s ruling in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ reiterated knock and announce requirements for police officers entering a dwelling.

|  |  |
| --- | --- |
| a. | *California v. Greenwood* (1988) |
| b. | *Wilson v. Arkansas* (1995) |
| c. | *Terry v. Ohio* (1968) |
| d. | *United States v. Leon* (1984) |

REF: 224

10. Which of the following is not one of del Carmen’s elements of arrest?

|  |  |
| --- | --- |
| a. | The officer has the intent to arrest |
| b. | The officer has the authority to make the arrest |
| c. | The officer has administered the Miranda warning |
| d. | The officer has detained the suspect |

REF: 224

11. Under certain exigent circumstances, police officers can enter a dwelling without announcing themselves. Which of he following is NOT an example of exigent circumstances?

|  |  |
| --- | --- |
| a. | The suspect is armed and dangerous. |
| b. | Persons inside the dwelling are destroying evidence. |
| c. | The suspect is being arrested for a violent felony. |
| d. | A felony is being committed at the time the officers enter. |

REF: 224-225

12. The U.S. Supreme Court established the recognized standard for a “reasonable expectation of privacy” in

|  |  |
| --- | --- |
| a. | *Katz v. United States* (1967). |
| b. | *Carroll v. United States* (1925). |
| c. | *Chimel v. California* (1969). |
| d. | *Schneckcloth v. Bustamonte* (1973). |

REF: 226

13. The U.S. Supreme Court’s ruling in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ denied the appellant’s claim to a reasonable expectation of privacy when it came to his garbage bags.

|  |  |
| --- | --- |
| a. | *California v. Greenwood* (1988) |
| b. | *Wilson v. Arkansas* (1995) |
| c. | *Terry v. Ohio* (1968) |
| d. | *United States v. Leon* (1984) |

REF: 227

14. Which of the following is not a criterion to obtain a valid warrant for electronic surveillance?

|  |  |
| --- | --- |
| a. | Detail the specific times that surveillance will be conducted. |
| b. | Show probable cause that a specific crime has been or will be committed. |
| c. | Detail “with particularity” the conversations to be monitored. |
| d. | Name the suspects and locations that will be monitored. |

REF: 235

**COMPLETION**

1. The basis for obtaining a search warrant is cause.

REF: 217 , 5

2. Evidence obtained in violation of the accused’s rights under the Fourth, Fifth, or Sixth Amendments is subject to the .

REF: 219

3. A search warrant, even if it is found to be technically invalid, may still produce admissible evidence under the exception.

REF: 220

4. The case that set the precedent for “reasonable” suspicion in stop and frisk situations was .

REF: 221

5. When police pat down a person’s clothing to look for weapons, they are conducting a .

REF: 222

6. An arrest warrant is a written order issued by a(n) .

REF: 224

7. If a crime is committed in the presence of a police officer, (s)he has the authority to make a(n) arrest.

REF: 225-226

8. Items resulting from a crime, such as stolen goods or narcotics may be subject to seizure with a(n) .

REF: 227

**Chapter 7: Police and the Constitution – Worksheet 2**

**TRUE/FALSE**

1. Police can make a warrantless search if the subject of the search voluntarily consents.

T F REF: 230

2. *Coolidge v. New Hampshire* first enunciated the automobile exception to the search warrant requirement.

T F REF: 231-232

3. The plain view doctrine allows clearly visible evidence to be seized at any time.

T F REF: 234

4. Under *Miranda*, a lawyer will be offered to a suspect if the suspect is indigent and therefore cannot afford one.

T F REF: 237

5. The Fifth Amendment guarantees protection against self-incrimination.

T F REF: 237

6. *Miranda* warnings must be administered during stop and frisks even though no arrest has been made.

T F REF: 239-240

7. Once a suspect invokes his or her Miranda warning, officers have twenty-four hours to complete the interrogation the suspect’s lawyer must be summoned.

T F REF: 240

8. Suspects are not entitled to legal counsel during showups and photo arrays.

T F REF: 244 0

**MULTIPLE CHOICE**

1. Where an arrest was based on probable cause, a search incident to this arrest is allowable provided by the Supreme Court in

|  |  |
| --- | --- |
| a. | *Katz v. United States* (1967). |
| b. | *Carroll v. United States* (1925). |
| c. | *Chimel v. California* (1969). |
| d. | *United States v. Robinson* (1973). |

REF: 229-230

2. The U.S. Supreme Court set the standard for consent searches in

|  |  |
| --- | --- |
| a. | *Katz v. United States* (1967). |
| b. | *Carroll v. United States* (1925). |
| c. | *Chimel v. California* (1969). |
| d. | *Schneckcloth v. Bustamonte* (1973). |

REF: 230

3. The U.S. Supreme Court limited the scope of search incidental to arrest to the area within the suspect’s “immediate control” in

|  |  |
| --- | --- |
| a. | *Katz v. United States* (1967). |
| b. | *Carroll v. United States* (1925). |
| c. | *Chimel v. California* (1969). |
| d. | *Schneckcloth v. Bustamonte* (1973). |

REF: 230

4. Which of the following is not true for consent searches?

|  |  |
| --- | --- |
| a. | Consent must be voluntary |
| b. | Consent has to be given by an authorized party |
| c. | The party giving consent must be advised they have the right to refuse |
| d. | Officers are not required to have probable cause to ask for consent to search |

REF: 230-231

5. The U.S. Supreme Court ruled that law distinguishes among automobiles, homes, and persons in questions involving police searches in

|  |  |
| --- | --- |
| a. | *Katz v. United States* (1967). |
| b. | *Carroll v. United States* (1925). |
| c. | *Chimel v. California* (1969). |
| d. | *Schneckcloth v. Bustamonte* (1973). |

REF: 231-232

6. In \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the Supreme Court ruled that the “true motivation” of police officers in making traffic stops is irrelevant as long as they had probable cause to believe a traffic law had been broken.

|  |  |
| --- | --- |
| a. | *Florida v. Bostick* |
| b. | *Katz v. United States* |
| c. | *Whren v United States* |
| d. | *Arizona v. Gant* |

REF: 232

7. The plain view doctrine was first enunciated by the Supreme Court in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

|  |  |
| --- | --- |
| a. | *Coolidge v. New Hampshire*. |
| b. | *Burger v. New York.* |
| c. | *Carroll v. United States.* |
| d. | *Whren v. United States.* |

REF: 234

8. Which of the following is not a criterion of a valid plain view seizure?

|  |  |
| --- | --- |
| a. | The item must be discovered inadvertently |
| b. | Additional investigation or testing must confirm the illegal nature of the item. |
| c. | The officer must be legally in a position to notice the item. |
| d. | The position of the item must lead to easy detection by an officer’s sight or some other sense. |

REF: 234

9. Protecting a person from self-incrimination is provided under the

|  |  |
| --- | --- |
| a. | 4th Amendment. |
| b. | 5th Amendment. |
| c. | 6th Amendment. |
| d. | 7th Amendment. |

REF: 237

10. Miranda is required when

|  |  |
| --- | --- |
| a. | a suspect is being arrested. |
| b. | a suspect is being questioned. |
| c. | a suspect is being booked. |
| d. | a suspect is in custody and being questioned. |

REF: 238

11. When police attempt to create a non-threatening environment in order to encourage a suspect to waive his or her Miranda rights, it is called

|  |  |
| --- | --- |
| a. | conditioning. |
| b. | deemphasizing. |
| c. | intimidation. |
| d. | persuasion. |

REF: 241

12. Which of the following is not a strategy used by police officers to obtain voluntary Miranda waivers from suspects?

|  |  |
| --- | --- |
| a. | Intimidation |
| b. | Conditioning |
| c. | Persuasion |
| d. | Deemphasizing |

REF: 241

13. Witnesses may be shown mug-shots of possible suspects during

|  |  |
| --- | --- |
| a. | showups. |
| b. | photo arrays. |
| c. | lineups. |
| d. | booking. |

REF: 244 0

14. In what identification procedure are suspects entitled to legal representation?

|  |  |
| --- | --- |
| a. | showups |
| b. | photo arrays |
| c. | lineups. |
| d. | booking. |

REF: 244 0

**COMPLETION**

1. Before going before a judge to ask for a warrant, a police officer must prepare a(n) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in which he or she provides specific, written information on the property they wish to search.

REF: 228

2. The search of a person and the immediate vicinity surrounding that person pursuant to a lawful arrest is called a search to arrest.

REF: 229-230

3. The limits for searches incidental to arrest were established in the case .

4. In *Coolidge V. New Hampshire* the U.S. Supreme Court ruled that a warrantless seizure may be made under the doctrine if specific criteria are met.

5. Direct questioning of a suspect to gather evidence of criminal activity and to try to gain a confession is .

6. A suspect must be read his or her Miranda rights before a \_\_\_\_\_\_\_\_\_\_\_\_ begins.

7. A occurs when either the suspect or the witness are returned to the crime scene for possible identification.