**Essentials of Criminal Justice**

**MULTIPLE CHOICE**

1. As a result of an increase in violent behavior during the 19th Century in America, early Criminal Justice agencies:

a. Rarely worked together in a systematic fashion

b. Worked together to create a seamless process of arrest and punishment

c. Appointed President Lyndon Johnson to the Wickersham Commission

d. Were primarily created in Washington D.C and Virginia

ANS: A

2. Which of the following statements is true?

|  |  |
| --- | --- |
| a. | From 1900 to 1935, the U.S. experienced a sustained increase in criminal activity. |
| b. | Organized gangs flourished in the largest cities of the U.S. in the early 1900s. |
| c. | The first criminal gangs formed before the Civil War in urban slums. |
| d. | All of the above statements are true. |

ANS: D

3. What commission, appointed by President Herbert Hoover, made a detailed analysis of the U.S. justice system and helped usher in the era of treatment and rehabilitation?

|  |  |
| --- | --- |
| a. | Chicago Crime Commission |
| b. | American Bar Foundation Commission |
| c. | Wickersham Commission |
| d. | President's Commission on Law Enforcement and Administration of Justice |

ANS: C

4. The use of the term "criminal justice system" reflected a view that justice agencies could be connected in an intricate yet often unobserved network of decision-making processes. When was the term "criminal justice system" first used?

|  |  |
| --- | --- |
| a. | After the findings of the Chicago Crime Commission |
| b. | After the findings of the American Bar Foundation project |
| c. | After the findings of the Wickersham Commission |
| d. | After the findings of the President's Commission on Law Enforcement and Administration of Justice |

ANS: B

5. In the 1950s, the American Bar Foundation project discovered that:

|  |  |
| --- | --- |
| a. | Most citizens were fearful of the police. |
| b. | Racial profiling was a serious problem. |
| c. | Most crime was not reported to the police. |
| d. | The justice system kept many procedures hidden from the public. |

ANS: D REF: p. 7 OBJ: 03

6. The contemporary criminal justice system can be divided into three main components:

|  |  |
| --- | --- |
| a. | Law enforcement, the courts, and the legislature. |
| b. | The courts, the correctional system, and the legislature. |
| c. | Law enforcement, the courts, and the correctional system. |
| d. | Law enforcement, the correctional system, and the legislature. |

ANS: C REF: p. 7-9 OBJ: 04

7. The corrections system is vast and costs federal, state, and local governments:

|  |  |
| --- | --- |
| a. | About $70 billion per year. |
| b. | About $115 billion per year. |
| c. | About $165 billion per year. |
| d. | About $215 billion per year. |

ANS: D REF: p. 9

8. The exercise of power is granted to those who control the criminal justice system. In policing they are given the power to;

a. charge

b. punish

c. use force, when necessary

d. sentence

ANS: C REF: p. 8 OBJ: 05

9. What is known about the correctional population in the United States over the past decade?

|  |  |
| --- | --- |
| a. | The correctional population has been consistently decreasing with 7 million people currently under the control of the correctional system. |
| b. | The correctional population has been consistently increasing with 7 million people currently under the control of the correctional system. |
| c. | The correctional population has fluctuated widely over the years with 7 million people currently under the control of the correctional system. |
| d. | The correctional population has remained steadily constant with 7 million people currently under the control of the correctional system. |

ANS: B REF: p. 9

10. Criminal justice can be viewed as a process that takes an offender through a series of decision points, beginning with arrest and concluding with reentry. Which of the following is an extralegal factor that critics argue may be involved in this process?

|  |  |
| --- | --- |
| a. | Offender's race |
| b. | Offender's prior record |
| c. | Seriousness of offense |
| d. | Available evidence |

ANS: A REF: p. 9

11. Discretion by police officers occurs during the first four stages of the criminal justice process. In order, what are those stages?

|  |  |
| --- | --- |
| a. | Initial contact, arrest, charging, custody |
| b. | Initial contact, investigation, arrest, charging |
| c. | Initial contact, investigation, arrest, custody |
| d. | Initial contact, arrest, investigation, charging |

ANS: C REF: p. 9-11

12. In the formal criminal justice process all defendants must go through which stage to ensure proper sentencing/punishment/dismissal/closure?

|  |  |
| --- | --- |
| a. | Arraignment |
| b. | Criminal trial |
| c. | Grand jury hearing |
| d. | Bail hearing |

ANS: A REF: 9-12 OBJ: 06

13. If the prosecution can present sufficient evidence, the grand jury will issue a(n) \_\_\_\_, which specifies the exact charges on which the accused must stand trial.

|  |  |
| --- | --- |
| a. | true bill of indictment |
| b. | information |
| c. | charging bill |
| d. | nolle prosequi |

ANS: A REF: p. 10

14. At what stage of the formal criminal justice process does the defendant enter a plea of guilty or not guilty?

|  |  |
| --- | --- |
| a. | Arraignment |
| b. | Criminal trial |
| c. | Preliminary hearing |
| d. | Bail hearing |

ANS: A REF: p. 10-11

15. Almost \_\_\_\_ percent of all cases end in a plea bargain, rather than a criminal trial.

|  |  |
| --- | --- |
| a. | 60 |
| b. | 70 |
| c. | 80 |
| d. | 90 |

ANS: D REF: p. 11

16. Which courts review whether the judge conducted the trial in an approved manner?

|  |  |
| --- | --- |
| a. | Magistrate courts |
| b. | Special courts |
| c. | Appellate courts |
| d. | There is no court to review the conduct of the judge during trial. |

ANS: C REF: p. 12

17. Approximately \_\_\_\_ percent of the people arrested on felony charges are eventually convicted in criminal court?

|  |  |
| --- | --- |
| a. | 30 |
| b. | 40 |
| c. | 50 |
| d. | 60 |

ANS: A REF: p. 12

18. For every 1000 crimes, approximately \_\_\_\_ people are sent to prison.

|  |  |
| --- | --- |
| a. | 20 |
| b. | 40 |
| c. | 60 |
| d. | 80 |

ANS: A REF: p. 12-13

19. Which of the following crimes would be placed in the top layer (layer 1) of the criminal justice "wedding cake"?

|  |  |
| --- | --- |
| a. | A noted celebrity is arrested for shooting her bodyguard. |
| b. | A burglary occurs at a local tavern. |
| c. | An individual is arrested for public drunkenness. |
| d. | A first time offender assaults a friend. |

ANS: A REF: p. 15

20. According to this justice perspective, the proper role of the justice system is to prevent crime through the judicious use of criminal sanctions. It demands an efficient system that hands out tough sanctions to those who violate the law.

|  |  |
| --- | --- |
| a. | Crime control |
| b. | Rehabilitation |
| c. | Due process |
| d. | Equal justice |

ANS: A REF: p. 16

21. Which of the following statements is false?

|  |  |
| --- | --- |
| a. | Crime control advocates call for harsh punishment as a deterrent to crime. |
| b. | Crime control advocates do not want legal technicalities to help the guilty go free and tie the hands of justice. |
| c. | Crime control advocates argue the more efficient the system, the greater its effectiveness. |
| d. | Crime control advocates do not question the criminal justice system's ability to rehabilitate offenders. |

ANS: D REF: p.16-17

22. According to this justice perspective, the justice system serves as a mechanism of caring for and treating people who cannot manage themselves. It assumes people are at the mercy of social, economic, and interpersonal conditions.

|  |  |
| --- | --- |
| a. | Crime control |
| b. | Rehabilitation |
| c. | Due process |
| d. | Equal justice |

ANS: B REF: p. 17

23. Adherents of this justice perspective believe that the greatest concern of the justice system should be providing fair and equitable treatment to those accused of committing a crime.

|  |  |
| --- | --- |
| a. | Crime control |
| b. | Rehabilitation |
| c. | Due process |
| d. | Equal justice |

ANS: C REF: p. 18

24. Proponents of this justice perspective are concerned about the effect of the stigma that criminal suspects bear when they are given negative labels such as "rapist" or "child molester." They believe that justice agencies should limit their involvement with criminal defendants.

|  |  |
| --- | --- |
| a. | Rehabilitation |
| b. | Nonintervention |
| c. | Equal justice |
| d. | Restorative justice |

ANS: B REF: p. 18-20

25. Which justice perspective advocates mediation rather than coercive punishment?

|  |  |
| --- | --- |
| a. | Rehabilitation |
| b. | Nonintervention |
| c. | Equal justice |
| d. | Restorative justice |

ANS: D REF: p. 20-21

26. If you believe that procedural fairness, civil rights, and the rule of law are inviolate principles, which justice perspective do you favor?

|  |  |
| --- | --- |
| a. | Crime control |
| b. | Due process |
| c. | Equal justice |
| d. | Rehabilitation |

ANS: B REF: p. 18

27. According to Non-Interventionists, the efforts to treat offenders may lead to further stigmata beyond the scope of the original offense is called?

|  |  |
| --- | --- |
| a. | Deinstitutionalization |
| b. | Nolo Presequi |
| c. | Victimless crime |
| d. | Widening the Net of Justice |

ANS: D REF: p. 19 OBJ: 09

\28. Advocates of this justice perspective point out that the justice system remains an adversarial process that pits the forces of the state against those of a solitary individual accused of a crime.

|  |  |
| --- | --- |
| a. | Crime control |
| b. | Due process |
| c. | Nonintervention |
| d. | Rehabilitation |

ANS: B REF: p. 18

29. Ethical issues transcend all elements of the justice system. Why are ethical standards so important in criminal justice?

|  |  |
| --- | --- |
| a. | Without ethical decision making, it is possible that individual civil rights and liberties will suffer. |
| b. | Agents of the criminal justice system have access to citizens' most personal information, raising concerns of privacy and confidentiality. |
| c. | Justice system personnel may work in an environment where moral ambiguity is widespread. |
| d. | Ethical standards are important in the justice system for all these reasons. |

ANS: D REF: p. 21-22

29. Which of the following is false regarding the ethical role of the prosecutor?

|  |  |
| --- | --- |
| a. | S/he has an obligation to uphold the law and obtain convictions as vigorously as possible |
| b. | S/he must share all evidence with the defense |
| c. | His or her dual role as representative of the people and officer of the court is ethically challenging |
| d. | S/he may use scare tactics and intimidation |

ANS: C REF: p. 24

30. Which of the following statements is false?

|  |  |
| --- | --- |
| a. | Ethical issues transcend all elements of the criminal justice system. |
| b. | It is often difficult to determine what is fair and just and balance this concern with the needs of the public. |
| c. | Ethical issues stop with the arrest of a suspect. |
| d. | Ethical behavior is important in law enforcement because officers have the authority to deprive individuals of their liberty. |

ANS: C REF: p. 22

**TRUE/FALSE**

1. Crime is higher today than it was in the 19th and early 20th centuries.

ANS: F REF: p. 6 OBJ: 02

2. Of the components in the Criminal Justice System, usually the correctional component comes before the other two components

ANS: F REF: p. 7-9 OBJ: 04

3. Criminal justice is defined as the system of law enforcement, adjudication, and correction that is directly involved in the apprehension, prosecution, and control of those charged with criminal offenses.

ANS: T REF: p. 7-9 OBJ: 01

4. The contemporary criminal justice system is society's instrument of formal social control.

ANS: T REF: p. 9 OBJ: 03

5. Most criminal cases are processed through the entire formal justice system.

ANS: F REF: p. 12

6. Police officers can arrest someone if they have a "gut feeling" that the person is guilty of a criminal offense.

ANS: F REF: p. 10

7. Less serious felonies make up the bottom layer (Level 4) of the criminal justice system wedding cake.

ANS: F REF: p. 15

8. The crime control perspective views the justice system as a means of caring for and treating people who cannot manage themselves.

ANS: F REF: p. 16

9. Non-Interventionists support the placement of first time offenders who commit minor crimes in informal community based treatment programs.

ANS: T REF: p. 18 OBJ: 09

10. The Criminal Justice system employs more people than are under correctional supervision in the US.

ANS: T REF: p. 9

**COMPLETION**

1. The first police agency was developed in 1829 in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

ANS: London REF: p. 6 OBJ: 02

2. An \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the condition that in order to make an arrest in a misdemeanor, the arresting officer must have personally witnessed the crime being committed

ANS: In presence requirement REF: p. 10 OBJ: 01

3. The term \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ became prominent around 1967 when the President's Commission on Law Enforcement and the Administration of Justice began a nationwide study of the nation's crime problem.

ANS: criminal justice REF: p. 7 OBJ: 01

3. The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ stage of justice gathers sufficient evidence to identify a suspect and support a legal arrest.

ANS: investigatory REF: p. 10

4. When prosecutors decide to take no further action after conducting a preliminary investigation of the legal matters of a case it is referred to as a(n) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

ANS: nolle prosequi REF: p. 10

5. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the term used to describe the process through which large numbers of cases are systematically filtered out of the formal criminal justice process.

ANS: Criminal justice funnel REF: p. 13

6. The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is comprised of the prosecutor, defense attorney, judge, and other court personnel who function to streamline the process of justice.

ANS: courtroom work group REF: p. 14

7. Millions of misdemeanors, such as disorderly conduct, shoplifting, public drunkenness, and minor assault, comprise \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the criminal justice "wedding cake." Lower courts handle these cases in an assembly-line fashion.

ANS: Level IV REF: p. 15

8. Decriminalization, deinstitutionalization, and pretrial diversion are favored by those adhering to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ perspective.

ANS: nonintervention REF: p. 19

9. The goal of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ perspective is to enable the offender to appreciate the damage caused, to make amends, and to be reintegrated back into society.

ANS: restorative justice REF: p. 20

10. The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ perspective has influenced the development of sentencing policies that emphasize mandatory punishments.

ANS: equal justice REF: p. 20

**ESSAY**

1. Illustrate, through the use of examples, that crime is not a recent phenomenon.

## ANS: Crime and violence have existed since the nation was formed. During the mid-nineteenth century, the struggle over slavery generated decades of conflict, crimes, and violence. Once again, during the Civil War crime was evident as it generated criminal gangs and widespread business crime. During the twentieth century the nation experienced sustained increase in criminal activity from 1900 to 1935. At this same time crime families developed in New York, Philadelphia, Chicago, and New Orleans.

REF: p. 6-7 OBJ: 02

2. Explain why Herbert Packer describes the criminal justice process as an assembly line process.

### ANS: Herbert Packer sees each stage of criminal justice process as a decision point through which cases flow. The concept of the assembly line comes from the fact that although there are many people who commit crime and are arrested and charged only about 30 percent of people arrested on felony charges are eventually convicted in criminal court. Additionally, almost one-third of convicts are released back into the community without having to do time in prison. The assembly line concept of justice is once again used when one sees that for every 1000 crimes, about 20 people are sent to prison.

REF: p. 12-13

3. Describe the main components of the contemporary criminal justice system. Include a discussion of the size of the system.

ANS: The components of the contemporary criminal justice system include the police, courts, and corrections. The police are usually the first responders within the criminal justice system and provide the first contact that most individuals have with the system. The court system encompasses the disposition and sentencing phase of the system. The courts are charged with seeking the truth and imposing sanctions for those that have been convicted and found guilty. The correctional component focuses on carrying out the punishment that is handed down by the courts in addition to the security and the maintenance of the offender who is serving their sanction. The system employs about 2.4 million people in thousands of independent law enforcement, court related and correctional agencies. Per capita, the expenditure for criminal justice functions is now more than $720 for every American each year.

REF: p. 8

4. Explain how the formal criminal justice system differs from the informal criminal justice system. What factors in the formal system of criminal justice impact and influence the informal criminal justice system?

## ANS: Few cases are actually processed through the entire formal system. A comprehensive view of formal criminal process normally includes but is not limited to:

### Initial contact

### Investigation

### Arrest

### Custody

### Charging

### Preliminary hearing/grand jury

### Arraignment

### Bail/detention

### Plea bargaining

### Trial/adjudication

### Sentencing/disposition

### Appeal/post-conviction remedies

### Correctional treatment

### Release

### Post-release

## The informal system is used much more often than the formal system as many cases are settled in an informal pattern of cooperation between the major actors in the justice process. Upwards of 80 percent of all felony cases and over 90 percent of misdemeanors are settled without trial.

REF: p. 9-12

5. Discuss how the criminal justice assembly line results in the concept of a "criminal justice funnel." What are the potential consequences of this model on society?

ANS: The attempt to describe the criminal justice as an assembly line as funnel is appropriate. Although crime has declined in recent years, more than 14 million people are arrested each year. It is massive undertaking to process, treat, and care for millions of people. In actual practice, many suspects are released before trial because of procedural error, problems with evidence, and dismissal by the prosecutor thus justice can be viewed as funnel that holds many cases in the beginning but dwindles to relatively few cases at its end.

REF: p. 12-13

6. The "wedding cake" model is an alternative to the traditional criminal justice flowchart. Using specific examples, elaborate the wedding cake model. Address how society and the justice system respond to crimes committed at each level.

### ANS: Samuel Walker describes the informal criminal justice process as a four-layer cake. Layer I involves celebrated cases such as Jared Lee Loughner who has been accused of shooting congresswoman Gabrielle Giffords and the Casey Anthony.murder trial and her acquittal. Layer II involves serious felonies that include rape and robbery. Layer III involves less serious felonies, offenses committed by young or first time offenders, or involves offenders known to one another such as domestic violence. Layer IV involves misdemeanors such as shoplifting, public drunkenness, minor assault.

REF: p. 15

7. Compare the crime control perspective of criminal justice to the due process perspective of criminal justice. How do these two perspectives differ and why? Elaborate how the use of one of the alternate perspectives on justice might change society's view on crime and criminals.

### ANS: The Crime control perspective argues that the proper role of the justice system is to prevent crime through judicious use of criminal sanctions. The premise questions the criminal justice system’s ability to rehabilitate offenders and argues that legal technicalities should not help the guilty go free. On the other hand Due process proponents argue that the greatest concern of the justice system should be providing fair and equitable treatment to those accused of crime. Its Advocates believe that legal principle of fairness and due process must be upheld. They also point out that the justice system need to remain an adversarial process

REF: p. 16-18

8. Compare and contrast the rehabilitation perspective of criminal justice to the restorative justice perspective of criminal justice. How do these two perspectives differ and why?

## ANS: The Rehabilitation perspective sees the justice system as a means of caring for and treating people who cannot manage themselves. It assumes that people are at the mercy of social, economic, and interpersonal conditions and interactions and argues that government programs can help reduce crime at both a societal and individual level. The restorative justice perspective may follow similar views in relation to the rehabilitation perspective but instead of fixing the individual the Restorative justice perspective argues that the true purpose of the criminal justice system is to promote a peaceful and just society by resolving conflict between criminal and victim should take place in the community in which it originated. The goal is to enable offender to appreciate the damage, make amends, and be reintegrated back into society. Often times this may not occur until rehabilitation has occurred.

REF: p. 17, 20-21

9. Discuss the role of ethics in the monitoring of sexual offenders from the perspective of two different personnel in the criminal justice system (police officer, corrections officer, defense attorney, prosecutor, etc.).

ANS: Sex offender laws are now used in all 50 states, and appeal to a political platform of ensuring that neighborhoods remain safe as well as appeasing the public’s desire to “do something” about child predators that live among us. For police officers, ethical behavior is particularly important in law enforcement because they have authority to deprive people of liberty. The role of monitoring sex offenders does not traditionally impact officers until a violation or suspected violation has occurred. Police officers strive to maintain considerable discretion over who to investigate, how the investigation should go, and how much effort is required. Monitoring Sex offenders may be one of the more difficult challenges for correctional officers despite the fact that they do not handle the traditional monitoring of sex offenders living in the community but rather while they are incarcerated. As sex offenders are often targets of victimization in prison and jail, Ethics are challenged by the discretion afforded to correctional workers and administrators.

REF: p. 21-22

10. Why are ethics important in criminal justice? Choose a component of the justice system and discuss ethical issues of importance.

### ANS: Ethics today is an especially important topic considering the power granted to those in control. Without ethical decision making, individual civil rights or personal liberties may suffer. Moral ambiguity is often the norm in the environment of justice system personnel. Ethics is especially important when considering the court process and the defense attorney who is often confronted with conflicting obligations to his/her client and profession. Additionally, the prosecutor may become tested when dual role of prosecutor causes him/her to experience role conflict.

REF: p. 21-25