

## Test Item File

## CHAPTER 1

### What Is Criminal Justice?

#### Chapter 1 Multiple Choice

Choose the most appropriate answer to the following questions:

1. Which model below best assumes that the system's components work together harmoniously to achieve justice?

- a. Due Process model
- b. Conflict model
- c. Individual rights model
- d. Consensus model

Answer: d

Objective: Define the due process of law, including where the American legal system guarantees due process.

Page number: 13

Level: Basic

2. James Eagan Holmes is well known because of his deadly attack in:

- a. Aurora, Colorado.
- b. Newtown, Connecticut.
- c. Columbine High School.
- d. Newark, Delaware.

Answer: a

Objective: Summarize the history of crime in America and corresponding changes in the American criminal justice system.

Page number: 3

Level: Basic

3. During which step in the pretrial activities does a judicial officer determine if a crime has been committed?

- a. Indictment
- b. Information
- c. Preliminary Hearing
- d. Information

Answer: c

Objective: Describe the process of the American criminal justice system including the stages of criminal case processing.

Page number: 17

Level: Intermediate

4. Multiculturalism is often used in conjunction with what other term?

- a. Traditionalist
- b. Diversity
- c. Homogeneous

d. Ethnocentric

Answer: b

Objective: Explain how multiculturalism and diversity present challenges to and opportunities for the American system of criminal justice.

Page number: 24

Level: Intermediate

5. Which of the following refers to crime fighting strategies that have been scientifically tested and are based on social science research?

- a. Crime-control model
- b. Evidence-based practice
- c. Social-control model
- d. Criminology

Answer: b

Objective: Explain the relationship of criminal justice to general concepts of equity and fairness.

Page number: 22

Level: Intermediate

6. Which stage in the criminal justice process involves taking pictures and fingerprints of a suspect?

- a. Arraignment
- b. Indictment
- c. Preliminary Hearing
- d. Booking

Answer: d

Objective: Describe the process of American criminal justice including the stages of criminal case processing.

Page number: 16

Level: Basic

7. What are the three major components of the Criminal Justice System?

- a. Police, Courts, Corrections
- b. Police, Legislature, Corrections
- c. Police, Courts, Legislature
- d. Police, Legislature, Community

Answer: a

Objective: Describe the American criminal justice system in terms of its three major components and their respective functions.

Page number: 13

Level: Intermediate

8. The rights guaranteed to all members of American society by the U.S. Constitution are particularly important to criminal defendants facing formal processing by the criminal justice system. These rights are also known as:

- a. Society's rights.
- b. Group rights.

- c. Individual rights.
- d. Fifth Amendment rights.

Answer: c

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of Criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 6

Level: Intermediate

9. A(n)\_\_\_\_\_ is defined as criminal proceedings: the examination in court of the issues of fact and relevant law in a case for the purpose of convicting or acquitting the defendant.

- a. Trial
- b. Indictment
- c. Arraignment
- d. Probable Cause

Answer: a

Objective: Describe the process of American criminal justice, including the stages of criminal case processing.

Page number: 19

Level: Intermediate

10. One who believes that under certain circumstances involving a criminal threat to public safety, the interests of society should take precedence over individual rights is a:

- a. Social Justice Advocate.
- b. Public Safety Advocate.
- c. Multiculturalism Advocate.
- d. Civil Justice Advocate.

Answer: b

Objective: Describe the public order (crime control) and individual rights (due process) perspectives of criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 10

Level: Intermediate

11. A criminal justice perspective model that emphasizes the efficient arrest and conviction of criminal offenders is known as:

- a. Social control model.
- b. Due process model.
- c. Crime-control model.
- d. Omnibus bill model.

Answer: c

Objective: Define *due process of law*, including where the American legal system guarantees due process.

Page number: 22

Level: Intermediate

12. Two or more sentences imposed at the same time, after conviction for more than one offense, and served at the same time is:

- a. Consecutive sentencing.
- b. Double Jeopardy sentencing.
- c. Single sentencing.
- d. Concurrent sentencing.

Answer: d

Objective: Describe the process of American criminal justice, including the stages of criminal case processing.

Page number: 20

Level: Intermediate

13. A condition said to exist when a group is faced with social change, uneven development of culture, maladaptiveness, disharmony, conflict, and lack of consensus is also known as:

- a. Social order.
- b. Social chaos.
- c. Social organization.
- d. Social disorganization.

Answer: d

Objective: Summarize the history of crime in America and corresponding changes in the American criminal justice system.

Page number: 6

Level: Intermediate

14. Race and Ethnicity are buzz words that people use when discussing:

- a. Religion.
- b. Fourth Amendment.
- c. Multiculturalism.
- d. Terrorism.

Answer: c

Objective: Explain how multiculturalism and diversity present challenges to and opportunities for the American system of criminal justice.

Page number: 26

Level: Intermediate

15. Which of the following describes the scientific study of the causes and prevention of crime and the rehabilitation and punishment of offenders?

- a. Incarceration
- b. Criminology
- c. Indictment
- d. Multiculturalism

Answer: b

Objective: Summarize the history of crime in America and corresponding changes in the American criminal justice system.

Page number: 24

Level: Intermediate

16. Which Amendment to the U.S. Constitution is concerned with the defendant's right to a trial by jury?

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

Answer: c

Objective: Define Due Process of law, including where in the American Legal System guarantees due process.

Page number: 19

Level: Intermediate

17. Which of the following is a formal, written accusation submitted to a court by a prosecutor, alleging that a specified person has committed a specified offense?

- a. An Information
- b. An Arraignment
- c. An Indictment
- d. Arrest Report

Answer: a

Objective: Define Due Process of law, including where in the American Legal System guarantees due process.

Page number: 18

Level: Difficult

18. An ideal that embraces all aspects of civilized life and that is linked to fundamental notions of fairness and to cultural beliefs about right and wrong is known as:

- a. Public order advocacy.
- b. Individual rights advocacy.
- c. Social justice.
- d. Individual justice.

Answer: c

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 10

Level: Intermediate

## **Chapter 1 True-False**

1. The conflict model assumes that the criminal justice system's components function primarily to serve their own interests.

- a. True
- b. False

Answer: a

Objective: Describe the American criminal justice system in terms of its three major components and their respective functions.

Page number: 13

Level: Intermediate

2. The Corrections stage begins once a defendant has been convicted, but before sentencing.

a. True

b. False

Answer: b

Objective: Describe the American criminal justice system in terms of its three major components and their respective functions.

Page number: 20

Level: Intermediate

3. Due Process is a guaranteed right found only in the Fifth Amendment to the U.S. Constitution.

a. True

b. False

Answer: b

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of Criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 20

Level: Basic

4. The Crime-control model is defined as a criminal justice perspective that emphasizes the efficient arrest and conviction of criminal offenders.

a. True

b. False

Answer: a

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of Criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 22

Level: Intermediate

5. Both Adam Lanza and James Eagan Holmes were high achievers in school and were thought to be very bright.

a. True

b. False

Answer: a

Objective: Summarize the history of crime in America and corresponding changes in the American criminal justice system.

Page number: 3

Level: Basic

6. Bernie Madoff was found not guilty of fraud after a lengthy trial.

- a. True
- b. False

Answer: b

Objective: Summarize the history of crime in America and corresponding changes in the American criminal justice system.

Page number: 7

Level: Basic

7. Criminology is the scientific study of the causes and prevention of crime and the rehabilitation and punishment of offenders.

- a. True
- b. False

Answer: a

Objective: Summarize the history of crime in America and corresponding changes in the American criminal justice system

Page number: 24

Level: Basic

8. A consecutive sentence occurs when one of two or more sentences imposed at the same time, after conviction for more than one offense, are served in sequence with the other sentence.

- a. True
- b. False

Answer: a

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of Criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 20

Level: Basic

9. A concurrent sentence occurs when one of two or more sentences imposed at the same time, after conviction for more than one offense, are served at the same time.

- a. True
- b. False

Answer: a

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of Criminal justice, concluding with how the criminal justice system balances the two perspectives.

Page number: 20

Level: Basic

10. Crimes can have legally acceptable justifications or excuses.

- a. True
- b. False

Answer: b

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of criminal justice.



Page number: 4

Level: Basic

11. A public-order advocate is one who believes that under certain circumstances involving a criminal threat to public safety, the interests of society should take precedence over individual rights.

a. True

b. False

Answer: a

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of criminal justice.

Page number: 10

Level: Basic

12. Criminal law is the law of civil procedure and the array of procedures and activities having to do with private rights and remedies sought by civil action.

a. True

b. False

Answer: b

Objective: Describe the public-order (crime-control) and individual-rights (due process) perspectives of criminal justice.

Page number: 11

Level: Basic

13. The Consensus model is a criminal justice perspective that assumes that the system's components work together harmoniously to achieve the social product we call justice.

a. True

b. False

Answer: a

Objective: Explain the relationship of criminal justice to general concepts of equity and fairness.

Page number: 13

Level: Intermediate

14. The Conflict model is a criminal justice perspective that assumes that the system's components function primarily to serve their own interests. According to this theoretical framework, justice is more a product of conflicts among agencies within the system than it is the result of cooperation among component agencies.

a. True

b. False

Answer: a

Objective: Explain the relationship of criminal justice to general concepts of equity and fairness.

Page number: 13

Level: Intermediate

15. Evidence-based practice involves crime-fighting strategies that have been scientifically tested and are based on social science research.

- a. True
- b. False

Answer: a

Objective: Describe the role of evidence-based practice in contemporary criminal justice.

Page number: 22

Level: Intermediate

### **Chapter 1 Fill in the Blank**

Fill in the blank with the word or phrase that best completes or answers the question.

1. Not guilty, guilty, and no contest are all acceptable pleas at the\_\_\_\_\_.

Answer: Arraignment

Objective: Describe the American Justice system in terms of its three major components and their respective functions.

Page number: 18

Level: Intermediate

2. A(n) \_\_\_\_\_ jury is a group of jurors, who have been selected according to law and have been sworn to hear the evidence and to determine whether there is sufficient evidence to bring the accused person to trial, convened to investigate criminal activity generally.

Answer: Grand

Objective: Describe the process of American criminal justice, including the stages of criminal case processing

Page number: 18

Level: Intermediate

3. A(n) \_\_\_\_\_ occurs when conduct, for which there is no legally acceptable justification or excuse, is in violation of the criminal laws of a state, the federal government, or a local jurisdiction.

Answer: Crime

Objective: Describe the process of American criminal justice, including the stages of criminal case processing

Page number: 4

Level: Intermediate

4. The \_\_\_\_\_ model of criminal justice assumes that each of the component parts strive toward a common goal.

Answer: Consensus

Objective: Describe the American criminal justice system in terms of its three major components and their respective functions

Page number: 13

Level: Intermediate

5. A(n) \_\_\_\_\_ warrant is issued by a judge and provides the legal basis for an apprehension by police officers for crimes not committed in their presence.

Answer: Arrest

Objective: Describe the American criminal justice system in terms of its three major components and their respective functions

Page number: 16

Level: Intermediate

6. A criminal justice perspective that assumes that the system's components function primarily to serve their own interests is known as the \_\_\_\_\_ model.

Answer: Conflict

Objective: Explain the relationship of criminal justice to general concepts of equity and fairness.

Page number: 13

Level: Intermediate

7. A(n) \_\_\_\_\_ is issued by a judicial officer directing a law enforcement officer to perform a specified act and affording the officer protection from damages if he or she performs it.

Answer: Warrant

Objective: Describe the process of American criminal justice, including the stages of criminal case processing

Page number: 16

Level: Basic

8. An administrative procedure where pictures, fingerprints, and personal information are obtained. A record of the events leading up to and including the arrest is created and in some jurisdictions, DNA evidence may be collected at this time. This is known as the \_\_\_\_\_ stage in the criminal arrest processing.

Answer: Booking

Objective: Describe the process of American criminal justice, including the stages of criminal case processing

Page number: 16

Level: Basic

9. \_\_\_\_\_ is the money or property pledged to the court or actually deposited with the court to affect the release of a person from legal custody.

Answer: Bail

Objective: Describe the process of American criminal justice, including the stages of criminal case processing

Page number: 17

Level: Basic

## Chapter 1 Matching

Match the term in the numbered column with the answer in the lettered column.

1. Preliminary Hearing	a. A law enforcement or correctional administrative process officially recording an
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	entry into detention after arrest and identifying the person, the place, the time, the reason for the arrest, and the arresting authority
2. Booking	b. A formal written accusation submitted to a court by a prosecutor alleging that a specified person has committed a specified offense
3. Probable cause	c. A proceeding before a judicial officer in which it must be shown that a crime was committed, the crime occurred within the jurisdiction of the court, and there are reasonable grounds to believe that the defendant did the crime
4. Information	d. A set of facts and circumstances that would induce a reasonably intelligent and prudent person to believe that a specified person has committed a specified crime
5. Public-order advocate	e. One who seeks to protect personal freedoms within the process of criminal justice
6. Justice	f. One who believes that under certain circumstances involving a criminal threat to public safety, the interests of society should take precedence over individual rights
7. Individual-rights advocate	g. The performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders
8. Administration of justice	h. A criminal justice perspective that assumes that the system's components work together harmoniously to achieve the social product we call <i>justice</i>
9. Consensus model	i. In criminal proceedings, a writ issued by a judicial officer directing a law enforcement officer to perform a specified act and affording the officer protection from damages if he or she performs it
10. Warrant	j. The principle of fairness, the ideal of moral equity

- |      |      |
|------|------|
| 1. c | 6. j |
| 2. a | 7. e |

- |      |       |
|------|-------|
| 3. d | 8. g  |
| 4. b | 9. h  |
| 5. f | 10. i |

Objective: Describe the process of American criminal justice including the stages of criminal case processing.

Page number: 9-18

Level: Basic

## **Chapter 1 Essay**

Provide detailed and comprehensive information to support your answer. Where applicable, use examples to support your answers.

1. Define multiculturalism and discuss the importance of multiculturalism in the criminal justice process.

Answer: Multiculturalism describes a society that is home to a multitude of different cultures, each with its own set of norms, values, and routine behaviors. Although American society today is truly a multicultural society, composed of a wide variety of racial and ethnic heritages, diverse religions, incongruous values, disparate traditions, and distinct languages, multiculturalism in America is not new. Race, ethnicity, diversity, and religion are all parts of this response and how they influence the justice system. Multiculturalism is the existence within one society of diverse groups that maintain unique cultural identities while frequently accepting and participating in the larger society's legal and political systems. Multiculturalism is often used in conjunction with the term diversity to identify many distinctions of social significance. Discussion of diversity and its impact on multiculturalism adds to the response.

Objective: Explain how multiculturalism and diversity present challenges to and opportunities for the American system of criminal justice.

Page number: 25

2. Compare and contrast the three main components of the criminal justice system.

Answer: The police enforce the law, investigate crimes, apprehend offenders, reduce and prevent crime, maintain public order, ensure community safety, provide emergency and related community services, and protect the fundamental rights and freedoms of individuals.

The courts conduct fair and impartial trials, decide criminal cases, ensure due process, determine guilt or innocence, impose sentences on the guilty, uphold the law, require fairness throughout the justice process, protect the rights and freedoms of anyone facing processing by the justice system, and provide a check on the exercise of power by other justice system agencies.

Corrections carry out sentences imposed by the courts; provide safe and humane custody and supervision of offenders; protect the community; rehabilitate, reform, and reintegrate convicted offenders back into the community; and respect the legal and human rights of the convicted.

Objective: Describe the American criminal justice system in terms of its three major components and their respective functions.

Page number: 24

Level: Intermediate

3. Compare and contrast the four main components of the pre-trial part of the criminal justice system.

Answer: Investigation – After a crime has been discovered, evidence is gathered and follow-up investigations attempt to reconstruct the sequence of activities leading up to and including the criminal event. Efforts to identify suspects are initiated.

Warrant – An arrest warrant issued by a judge provides the legal basis for an apprehension of suspects by police.

Arrest – In an arrest, a person is taken into custody, limiting the arrestee's freedom. Arrest is a serious step in the process of justice. During arrest and before questioning, defendants are usually advised of their constitutional rights, or *Miranda* rights.

Booking – Following arrest, suspects are booked. Booking is an administrative procedure where pictures, fingerprints, and personal information are obtained. A record of the events leading up to and including the arrest is created. In some jurisdictions, DNA evidence may be collected from arrestees.

Objective Describe the process of American criminal justice, including the stages of criminal case processing.

Page number: 16

Level: Intermediate

4. List and explain the four steps in the pretrial activities.

Answer: First appearance – Within hours of arrest, suspects must be brought before a magistrate (a judicial officer) for an initial appearance. The judge will tell them of the charges against them, again advise them of their rights, and may sometimes provide the opportunity for bail.

Preliminary hearing – The purpose of a preliminary hearing is to establish whether sufficient evidence exists against a person to continue the justice process. At the preliminary hearing, the hearing judge will seek to determine whether there is probable cause. The process provides the prosecutor with an opportunity to test the strength of the evidence.

Information or indictment – In some states the prosecutor may seek to continue the case against a defendant by filing an information with the court. Other states require an indictment be returned by a grand jury. The grand jury hears evidence presented by the prosecutor and decides whether the case should go to trial.

Arraignment–At arraignment the accused stands before a judge and hears the information or indictment against him. Defendants are again notified of their rights and asked to enter a plea. Pleas include not guilty, guilty, and no contest. No contest may result in a conviction but cannot be used in trial as an admission of guilt.

Objective: Describe the process of American criminal justice, including the stages of criminal case processing.

Page number: 17

Level: Intermediate

5. Compare and contrast the consensus and conflict models found in the criminal justice system.

Answer: Consensus model -A criminal justice perspective that assumes that the system's components work together harmoniously to achieve the social product we call *justice*. Conflict model - A criminal justice perspective that assumes that the system's components

function primarily to serve their own interests. According to this theoretical framework, justice is more a product of conflicts among agencies within the system than it is the result of cooperation among component agencies.

Objective: Explain the relationship of criminal justice to general concepts of equity and fairness.

Page number: 13

Level: Intermediate

## **Chapter 1 Critical Thinking**

Answer each part of the following questions with succinct and comprehensive information by citing examples of various models, laws, and justice theories in your answer.

1. Analyze and comment on what is meant by due process of law to you. Support your opinions with facts and data.

Answer: A right guaranteed by the Fifth, Sixth, and Fourteenth Amendments to the U.S. Constitution and generally understood, in legal concepts to mean the due course of legal proceedings according to the rules and forms established for the protection of individual rights. In criminal proceedings due process of law is generally understood to include: a law creating and defining the offense, an impartial tribunal having jurisdictional authority over the case, accusation in proper form, notice, and opportunity to defend, trial according to established procedures and discharge from all restraints or obligations unless convicted.

Objective: To describe the public order and individual rights perspectives of criminal justice.

Page number: 20

Level: Difficult

2. What does justice mean to you? Discuss the three types of justice and their effect on individual rights to support your answer.

Answer: Civil justice – The civil law, the law of civil procedure, and the array of procedures and activities having to do with private rights and remedies sought by civil action. Civil justice cannot be separated from social justice because the justice enacted in our nation's civil courts reflects basic American understandings of right and wrong. Social justice is a concept that embraces all aspects of civilized life. It is linked to notions of fairness and cultural beliefs about right and wrong.

Criminal justice – In the strictest sense, this encompasses the criminal (penal) law, the law of criminal procedure, and the array of procedures and activities having to do with the enforcement of this body of law. Criminal justice cannot be separated from social justice because the justice enacted in our nation's criminal courts reflects basic American understandings of right and wrong.

Administration of justice – The performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. Individual rights and how they conflict with the rights of society when seeking justice should also be discussed.

Objective: Explain the relationship of criminal justice to general concepts of equity and fairness.

Page number: 11

Level: Intermediate

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