**Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Constitutional Law Exam**

1. \_\_\_\_ Someone has been found not guilty of capital murder. He cannot be tried again for that crime. What amendment gives this protection?

a. 4th

b. 5th

c. 6th

d. 14th

2. \_\_\_\_ Jurors hearing a court case must be impartial; they cannot discriminate. What amendment requires jurors to be fair when serving over a court case?

a. 6th

b. 4th

c. 5th

d. 7th

3. \_\_\_\_ All arrests and searches must be legal and require knowledge that a person may commit or has committed an offense. What amendment protects against unreasonable searches and seizures?

a. 8th

b. 5th

c. 4th

d. 6th

4. \_\_\_\_ Arrests and searches must contain a certain element. Without it, the arrest and/or search are invalid. What is required to arrest or search an individual?

a. Reasonable suspicion

b. Probable cause

c. Clear and Convincing evidence

d. Nothing is needed to arrest or search

5. \_\_\_\_ You have a right to have an attorney present with you during any felony criminal proceeding. What amendment gives you this freedom?

a. 5th

b. 6th

c. 7th

d. 4th

6. \_\_\_\_ Your words can be used against you as evidence. You have the right to remain silent and do not have to say anything that might incriminate you in a court of law. What amendment protects you against self-incrimination?

a. 14th

b. 5th

c. 6th

d. 4th

7. \_\_\_\_ Keeping you in jail for many years while waiting for your court date is prohibited in the United States. What amendment gives individuals the right to have a speedy trial?

a. 8th

b. 4th

c. 6th

d. 5th

8. \_\_\_\_ What is the warning (or rights) that officers say to individuals arrested for a criminal offense prior to interrogation?

a. Arrest warning

b. Judge’s warning

c. Criminal Rights

d. Miranda Warning

9. \_\_\_\_ Which amendment protects against unreasonable searches and seizures?

a. 14th

b. 4th

c. 5th

d. 6th

10. \_\_\_\_ Which amendment protects against self-incrimination?

a. 5th

b. 6th

c. 14th

d. 4th

11. \_\_\_\_ Which amendment gives the right to an attorney?

a. 4th

b. 6th

c. 5th

d. 14th

12. \_\_\_\_ Which amendment says persons must be indicted by a grand jury?

a. 6th

b. 5th

c. 4th

d. 14th

13. \_\_\_\_Which amendment gives the right to be tried by impartial jury?

a. 7th

b. 4th

c. 6th

d. 5th

14. \_\_\_\_Which amendment gives the right to a public and speedy trial?

a. 6th

b. 5th

c. 14th

d. 4th

15. \_\_\_\_ Which amendment prevents police from forcing a confession?

a. 6th

b. 5th

c. 14th

d. 4th

16. \_\_\_\_Which of the following is not an element of arrest?

a. Use of force

b. Authority

c. Taking into custody

d. Suspect understands they are arrested

17. \_\_\_\_ Constructive custody is defined as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

a. Control exercised over another that subjects the person to the officer’s general authority

b. Investigative detention that lasts only as long as necessary

c. Actual, corporeal, and forcible detention of another

d. A person is taken into custody or placed under restraint

18. \_\_\_\_ Excessive force may be used to make an arrest.

a. True

b. False

19. \_\_\_\_Which Supreme Court cases says that if an apparent item of contraband is in plain view, it may be seized?

a. Florida v. Royer

b. Mapp v. Ohio

c. Coolidge v. New Hampshire

d. Terry v. Ohio

20. \_\_\_\_Which of the following is not a category of evidence?

a. Plain view

b. Fruits of a crime

c. Contraband

d. Tools of a crime

21.\_\_\_\_ The Exclusionary Rule developed out of which Supreme Court case?

a. Florida v. Royer

b. Mapp v. Ohio

c. Terry v. Ohio

d. Coolidge v. New Hampshire

22. \_\_\_\_You may be arrested anytime of the night or day.

a. True

b. False

23. Which of the following is not an element of arrest?

a. Understanding of subject that they are arrested

b. Officers authority to make the arrest

c. Person must be taken into custody

d. Frisk performed by officer

24. \_\_\_\_Which of the following is not a building block for probable cause?

a. Physical Evidence

b. Furtive movement

c. Contraband in plain view

d. All are building blocks for probable cause

25. \_\_\_\_A stop is justified in all circumstances except \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

a. An officer doesn’t like the way you look

b. Suspect fits the description of a wanted person

c. Suspect is present in a crime scene area

d. Suspect is running away

26. \_\_\_\_ Which Supreme Court case gives officers the right to “frisk” a person they have legally detained if the officer believes the person has a weapon?

a. Florida v. Royer

b. Terry v. Ohio

c. Coolidge v. New Hampshire

d. Mapp v. Ohio

27. \_\_\_\_Which Supreme Court case found that officers may detain you only as long as necessary to complete their investigation?

a. Terry v. Ohio

b. Coolidge v. New Hampshire

c. Florida v. Royer

d. Mapp v. Ohio

28. \_\_\_\_A Search Warrant may be issued if the officer has reasonable suspicion.

a. True

b. False

29. \_\_\_\_A Search Warrant must describe the place to be searched and the property to be seized.

a. True

b. False

30. \_\_\_\_What level of proof does an administrator at your school have to have in order to search you or your property?

a. Mere hunch

b. Probable cause

c. Don’t need any proof, you are at school

d. Reasonable suspicion

31. \_\_\_\_Police officers at a school campus must have what level of proof for a search?

a. Do not need any, they are the police

b. Reasonable suspicion

c. Probable cause

d. Mere hunch

32. \_\_\_\_Which Supreme Court case holds that evidence that is obtained in an illegal

search can be excluded from both state and federal cases?

a. Mapp v. Ohio

b. Terry v. Ohio

c. Florida v. Royer

d. Coolidge v. New Hampshire

33. \_\_\_\_If consent is given for a search, that consent can be withdrawn at any time.

a. True

b. False

34. \_\_\_\_A search of a person or immediate area of control can legally be conducted after

an arrest.

a. True

b. False

35. \_\_\_\_A search is defined as a prying into open places.

a. True

b. False

36. \_\_\_\_The 4th amendment protects places, not people.

a. True

b. False

37. \_\_\_\_Which of the following is not an exception to a search warrant?

a. Open field

b. Anything with consent

c. Private property

d. Inventory

38. \_\_\_\_Which U.S. Supreme Court case ruled that self-incriminating evidence cannot be

used against someone who is compelled by force to confess?

a. Mapp v. Ohio

b. Brown v. Mississippi

c. Terry v. Ohio

d. Coolidge v. New Hampshire

39. \_\_\_\_ Which U.S. Supreme Court case ruled that there is no constitutional requirement to give a defendant a trial within a specified time limit?

a. Brown v. Mississippi

b. Washington v. Texas

c. Barker v. Wingo

d. Pointer v. Texas

40. \_\_\_\_ Which U.S. Supreme Court case ruled that defendants have a fundamental right to present their own witnesses to establish a defense?

a. Pointer v. Texas

b. Barker v. Wingo

c. Washington v. Texas

d. Mapp v. Ohio

41. \_\_\_\_Which U.S. Supreme Court case ruled that defendants have a fundamental right to confront witnesses against them at trial?

a. Washington v. Texas

b. Barker v. Wingo

c. Pointer v. Texas

d. Brown v. Mississippi

42. \_\_\_\_Which U.S. Supreme Court case ruled that all defendants are entitled the

appointment of an attorney in a felony case?

a. Gideon v. Wainwright

b. Pointer v. Texas

c. Washington v. Texas

d. Brown v. Mississippi

43. \_\_\_\_Which is not a fundamental right of due process under the 14th amendment?

a. Notice of proceedings

b. A fair hearing

c. A prejudiced jury

d. Opportunity to prepare for a hearing

44. \_\_\_\_Offenders in a correctional setting can only be searched with probable cause.

a. True

b. False