

CHAPTER 1

The Evolution of the Law of Criminal Evidence

Chapter 1 Multiple Choice

Select the correct answer.

1. Law that defines the parameters of social behaviors is known as:

- a. Common law
- b. Procedural law
- c. Substantive law
- d. Relevant law

Answer: c

Objective: Examine the history of law and the legal process.

Page number: 2

Level: Basic

2. Laws that defines the process of adjudication are known as:

- a. Case law
- b. Procedural law
- c. Substantive law
- d. Civil law

Answer: b

Objective: Examine the history of law and the legal process.

Page number: 2

Level: Basic

3. Crimes that are defined as behaviors which are inherently wrong or immoral in and of themselves are called:

- a. *Mala in se*
- b. *Mala et al*
- c. *Mala prohibita*
- d. *Malice in partum*

Answer: a

Objective: Examine the history of law and the legal process.

Page number: 2

Level: Basic

4. Crimes with behaviors which are not naturally immoral, but whose wrongness lays in their legal prohibition are called:

- a. Civil law
- b. *Mala in se*
- c. *Mala et al*
- d. *Mala prohibita*

Answer: d

Objective: Examine the history of law and the legal process.

Page number: 3

Level: Basic

5. This provides a guarantee against unlawful imprisonment:

- a. *Mala prohibita*
- b. *Mala in se*
- c. *Habeas corpus*
- d. Bill of Rights

Answer: c

Objective: Explain the concept of judicial review.

Page number: 12

Level: Basic

6. Secular legal systems emerged with the advent of the:

- a. Romans
- b. Greeks
- c. Hebrews
- d. Chinese

Answer: b

Objective: Examine the history of law and the legal process.

Page number: 4

Level: Intermediate

7. Which legal system proved to be the most pervasive and foundational of all of the legal systems identified by Wigmore?

- a. Mesopotamian
- b. Roman
- c. Hindu
- d. Egyptian

Answer: d

Objective: Examine the history of law and the legal process.

Page number: 3

Level: Intermediate

8. Which legal system, identified by Wigmore, is best known for its development of a complex network of commercial custom and law?

- a. Hindu
- b. Mesopotamian
- c. Hebrew
- d. Slavic

Answer: b

Objective: Examine the history of law and the legal process.

Page number: 3

Level: Intermediate

9. The emergence of this legal system was secular, based entirely on mythology, and spread throughout Western Europe as the population fled the invading Asiatic tribes was:

- a. Roman

- b. Germanic
- c. Slavic
- d. Chinese

Answer: b

Objective: Examine the history of law and the legal process.

Page number: 4

Level: Intermediate

10. One of the oldest and most universal systems of law dates back to the ancient Phoenicians:

- a. Egyptian
- b. Roman
- c. Maritime
- d. Hebrew

Answer: c

Objective: Examine the history of law and the legal process.

Page number: 4

Level: Basic

11. Which of the following is known as the oldest legal code in the world?

- a. Canon Law
- b. Roman Common Law
- c. The Torah
- d. Code of Hammurabi

Answer: d

Objective: Examine the history of law and the legal process.

Page number: 6

Level: Basic

12. What type of law refers to the system of law established in England and spread too much of the English-speaking world?

- a. Civil Law
- b. Common Law
- c. Procedural Law
- d. Case Law

Answer: b

Objective: Examine the history of law and the legal process.

Page number: 7

Level: Basic

13. Civil law is a legal system derived from:

- a. Roman Law
- b. Greek Law
- c. English Law
- d. Papal Law

Answer: a

Objective: Examine the history of law and the legal process.

Page number: 8

Level: Basic

14. Most criminal offenses are violations of:

- a. Federal law
- b. State law
- c. Municipal law
- d. County law

Answer: b

Objective: Examine the role of state constitutions, rules of evidence, and case law as they relate to evidence.

Page number: 35

Level: Intermediate

15. The Bill of Rights consists of ____ Amendments to the U.S. Constitution.

- a. Fourteen
- b. Twelve
- c. Ten
- d. Five

Answer: c

Objective: Identify and discuss the implications of the Bill of Rights regarding evidence.

Page number: 14

Level: Basic

16. Which Amendment is commonly referred to as the Freedom of Speech and Religion Amendment?

- a. First
- b. Second
- c. Fourth
- d. Fifth

Answer: a

Objective: Identify and discuss the implications of the Bill of Rights regarding evidence.

Page number: 15

Level: Basic

17. Which Amendment specifically precludes searches and seizures without probable cause?

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

Answer: b

Objective: Identify and discuss the implications of the Bill of Rights regarding evidence.

Page number: 16

Level: Basic

18. Which Amendment grants individuals the right of a speedy and public trial, the right to an impartial jury of one's peers, the right to be informed of the charges against one, the right to confront witnesses, the right to subpoena, and the right to counsel?

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

Answer: d

Objective: Identify and discuss the implications of the Bill of Rights regarding evidence.

Page number: 22

Level: Basic

19. The vast majority of evidence law has been founded upon _____ principles.

- a. Civil law
- b. Common law
- c. Procedural law
- d. Substantive law

Answer: b

Objective: Examine the history of the rules of evidence.

Page number: 34

Level: Intermediate

20. The introduction of the _____ signaled the end to the common law of evidence.

- a. Black's Rules of Evidence
- b. Uniform Rules of Evidence
- c. Statutory Rules of Evidence
- d. The Supreme Court Rules of Evidence

Answer: b

Objective: Examine the history of the rules of evidence.

Page number: 34

Level: Intermediate

Chapter 1 True or False

Select the appropriate answer, based on whether the statement is true or false.

1. Evidence may be defined as the demonstration of truth or untruth regarding allegations made within a court of law.

- a. True
- b. False

Answer: a

Objective: Examine the history of the rules of evidence.

Page number: 2

Level: Intermediate

2. The introduction of evidence within the United States is haphazard manner at best.

- a. True