

Moak: Criminal Justice Procedure, 8th Edition

Chapter 2: The 4th Amendment

Multiple Choice

1. Citizen's expectation of the right to privacy is guaranteed by what amendment?

- a. 1st
- b. 4th
- c. 6th
- d. 8th

Ans: b

2. When determining _____, how far the place is from the home is often used as one of the general criteria.

- a. reasonable expectation of privacy
- b. a warrant
- c. fruits of the poisonous tree
- d. good faith

Ans: a

3. Which of the following is a characteristic of a warrant?

- a. permits law enforcement to act
- b. is a writ from a judge
- c. allows a search, seizure, or arrest
- d. all of the above

Ans: d

4. The 4th Amendment right to privacy was upheld in?

- a. Mapp v. Ohio
- b. Katz v. United States
- c. United States v. Leon
- d. Stanford v. Texas

Ans: b

5. The 4th Amendment protects

- a. trucks
- b. cars
- c. houses
- d. sport utility vehicles

Ans: c

6. In Mapp v. Ohio, the exclusionary was extended to

- a. the states
- b. Canada
- c. Mexico
- d. all of the above

Ans: a

7. The exclusionary rule is defined as

- a. the exclusion of an officer from testifying in a case.
- b. the exclusion of a witness from testifying in a case.
- c. evidence excluded at trial as a result of an improperly conducted search or seizure.
- d. none of the above

Ans: c

8. As a result of United States v. Leon, the _____ was “carved” out of the exclusionary rule.

- a. fruits of the poisonous tree
- b. warrant requirement
- c. inevitable discovery
- d. good faith exception

Ans: d

9. Fruits of the poisonous tree refers to _____

- a. additional evidence obtained from the results of an initial bad search.
- b. intentional misconduct by police officers.
- c. evidence discovered illegally that would have eventually been discovered legally.
- d. all of the above

Ans: a

10. The 4th amendment guarantees

- a. right to a jury trial
- b. due process
- c. freedom from unreasonable searches
- d. freedom of speech

Ans: c

11. The inevitable discovery doctrine was used in the case of

- a. Katz v. United States
- b. Nix v. Williams
- c. Mapp v. Ohio
- d. United States v. Leon

Ans: b

12. What level of proof is required by the 4th amendment?

- a. probable cause
- b. reasonable suspicion
- c. beyond a reasonable doubt
- d. preponderance of the evidence

Ans: a

13. Only a neutral and detached _____ may issue a warrant.

- a. police office
- b. sheriff
- c. jury
- d. magistrate

Ans: a

14. The USA Patriot Act was enacted as a result of

- a. September 11th
- b. Pearl Harbor
- c. Desert Storm
- d. death of Saddam Hussein

Ans: a

15. One provision of the USA Patriot Act is

- a. enhanced wiretaps
- b. enhanced electronic surveillance
- c. sneak-and-peek search warrant provisions
- d. all of the above

Ans: d

16. All arrests must be made with a warrant.

- a. True
- b. False

Ans: a

17. Searches can never be conducted without a warrant.

- a. True
- b. False

Ans: b

18. The exclusionary rule applies in federal and state cases.

- a. True
- b. False

Ans: a

19. The “good faith” exception allows officers to unknowingly use an invalid warrant.

- a. True
- b. False

Ans: a

20. The USA Patriot Act prohibits special sneak-and-peek search warrants.

- a. True
- b. False

Ans: b