Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**The Making of Laws Exam**

1. \_\_\_\_\_Which of the following four is not an element of arrest?
   1. Use of Force
   2. Authority
   3. Taking into Custody
   4. Suspect understands they are arrested
2. \_\_\_\_\_Which of the following Supreme Court cases says if an apparent item of contraband is in plain view, it may be seized?
   1. Florida v. Royer
   2. Mapp v. Ohio
   3. Coolidge v. New Hampshire
   4. Terry v. Ohio
3. \_\_\_\_\_If a “protective sweep” is completed, and contraband not listed on the search warrant is found in plain view in a room not listed on the search warrant, the item may be seized and charges can be filed.
   1. True
   2. False
4. \_\_\_\_\_The Exclusionary Rule developed out of which Supreme Court case?
   1. Florida v. Royer
   2. Mapp v. Ohio
   3. Terry v. Ohio
   4. Coolidge v. New Hampshire
5. \_\_\_\_\_Sheila and Jan have T-shirts made that reflect their beliefs about breast cancer. Which 1st amendment right are they exercising?
   1. Religion
   2. Press
   3. Speech
   4. Petition
6. \_\_\_\_\_In which of the following locations can a person with a concealed handgun license legally carry their gun?
   1. Within 1,000 feet of a place of execution
   2. A school sporting event
   3. A Federal Court Building
   4. Their place of business
7. \_\_\_\_\_A person who is found with a loaded weapon in the seat next to them is in violation of what offense?
   1. Places weapons prohibited
   2. No offense
   3. Unlawfully carrying a weapon
   4. Felon in possession of weapon

8. \_\_\_\_\_Places weapons prohibited are what level of offense?

* 1. Class A
  2. Class B
  3. Felony 3
  4. State Jail Felony

9. \_\_\_\_\_Unlawfully carrying a weapon is what level of offense?

* 1. Class A
  2. Class B
  3. State Jail Felony
  4. 3rd Degree Felony

10. \_\_\_\_\_The Bill of Rights is the first ten amendments of the U.S. Constitution.

* 1. True
  2. False

11. \_\_\_\_\_What is the level of proof required for an arrest?

* 1. Beyond a reasonable doubt
  2. Probable Cause
  3. Reasonable suspicion
  4. Clear and convincing

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

* 1. Understanding of subject that they are arrested
  2. Officers authority to make the arrest
  3. Person must be taken into custody
  4. Frisk performed by officer

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

* 1. An officer doesn’t like the way you look
  2. Suspect fits the description of a wanted person
  3. Suspect is present in a crime scene area
  4. Suspect is running away

14. \_\_\_\_\_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?

* 1. Florida v. Royer
  2. Terry v. Ohio
  3. Coolidge v. New Hampshire
  4. Mapp v. Ohio

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

* 1. Terry v. Ohio
  2. Coolidge v. New Hampshire
  3. Florida v. Royer
  4. Mapp v. Ohio

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

* 1. True
  2. False

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

* 1. True
  2. False

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

* 1. Mere Hunch
  2. Probable Cause
  3. Don’t need any proof, you are at school
  4. Reasonable Suspicion

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

* 1. Don’t need any, they are the POLICE
  2. Reasonable suspicion
  3. Probable Cause
  4. Mere Hunch

20. \_\_\_\_\_Which Supreme Court case holds that evidence that is obtained in an illegal search can be excluded from both State and Federal cases?

* 1. Mapp v. Ohio
  2. Terry v. Ohio
  3. Florida v. Royer
  4. Coolidge v. New Hampshire

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

* 1. True
  2. False

22. \_\_\_\_\_Johnny commits a Possession of Prohibited Weapon, which is a Class A offense. He can be sentenced to what penalty?

* 1. 2 yrs/$4,000 fine
  2. 180 days/$500 fine
  3. 2 yrs/$2,000 fine
  4. 180 days/$2,000 fine

23. \_\_\_\_\_Rachel receives a ticket for speeding. Can Rachel be arrested?

* 1. Yes
  2. No

24. \_\_\_\_\_Jason is serving a State Jail sentence for theft of livestock ($1,500-$5,000). What is the punishment range that Jason can be sentenced to?

* 1. 2-10 yrs
  2. 1 yr
  3. 180 days-2 yrs
  4. None, Jason can receive probation

25. \_\_\_\_\_What is the punishment for a Class C ticket?

* 1. $500 fine/30 days in jail
  2. $500 fine only
  3. $2,000 fine/180 days jail
  4. None of the above

26. \_\_\_\_\_Gerard has a baggie of less than 2 oz of marijuana in his pocket. He is charged with a Class B offense for possession. What might his punishment be?

* 1. 2 yrs/$4,000 fine
  2. 2 yrs/$2,000 fine
  3. 180 days/$4,000 fine
  4. 180 days/$2,000 fine

27. \_\_\_\_What is the punishment for a 1st degree felony?

* 1. 2-10 yrs/$10K fine
  2. 2-20 yrs/#10K fine
  3. 2-99 yrs/$10K fine
  4. Death

28. \_\_\_\_\_What is the punishment for a 2nd degree Felony?

* 1. 2-10 yrs/$10K fine
  2. 2-20 yrs/$10K fine
  3. 2-99 yrs/$10K fine
  4. Death

29. \_\_\_\_\_What is the punishment for a 3rd degree felony?

* 1. 2-10 yrs/$10K fine
  2. 2-20 yrs/$10K fine
  3. 2-99 yrs/$10K fine
  4. Death

30. \_\_\_\_\_Which is not an inchoate offense as defined under Texas Penal Code?

* 1. Solicitation
  2. Attempt
  3. Intentionality
  4. Conspiracy

Match the correct Amendment with the appropriate statement.

1. 1st Amendment
2. 2nd Amendment
3. 4th Amendment
4. 5th Amendment
5. 6th Amendment
6. 8th Amendment
7. \_\_\_\_\_Protection against unreasonable searches and seizures
8. \_\_\_\_\_Freedom of expression
9. \_\_\_\_\_Right to bear arms
10. \_\_\_\_\_Protection against double jeopardy
11. \_\_\_\_\_Miranda rights
12. \_\_\_\_\_Protects against arrests without probable cause
13. \_\_\_\_\_Right to be tried by an impartial jury
14. \_\_\_\_\_Prohibits excessive fines and bail
15. \_\_\_\_\_Right to a public and speedy trial
16. \_\_\_\_\_Prohibits cruel and usual punishment