

Student Study Guide
for
LAW AND
MENTAL HEALTH
A CASE-BASED APPROACH
SECOND EDITION

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Note about the Use of This Study Guide

This online Study Guide for the second edition comprises revised and edited questions that made up the first edition exam test bank, updated for new content. The questions are organized by chapter, and the answer key is located at the end of the document.

Many thanks, and we hope you enjoy the book and your course!

C. M. W. and R. G. M.

CHAPTER 1. Jury Selection and Process

1. The case(s) of _____ ruled that a jury of six persons is adequate, but the case of _____ ruled that juries of fewer than six persons are permissible if the decision is unanimous.
2. What is “scientific jury selection”?
 - a. the selection of juries when a scientific crime has been committed
 - b. using statistical principles to balance juror demographic representation
 - c. using a consultant to assist in jury selection
 - d. doing a medical background check on each juror
3. The case of *Strauder v. West Virginia* asserted that . . .
 - a. voir dire is a mandatory part of every criminal trial.
 - b. white male-only juries are unconstitutional and violate due process.
 - c. juries must consist of 12 persons for *criminal* trials only.
 - d. race-based juror exclusion is grounds for a criminal appeal.
4. What is a *Batson* objection?
 - a. objecting to the presence of a juror based on his or her race
 - b. claiming that a judge’s race will impact how he or she will rule on the case
 - c. objecting to the use of the *Batson* ruling in a trial
 - d. requesting an explanation for peremptorily striking a juror if exclusion based on race is expected
5. The case of *Ring v. Arizona* asserted that . . .
 - a. only a jury can impose the death penalty.
 - b. only a judge can impose the death penalty.
 - c. both judges and juries can impose the death penalty.
 - d. neither judges nor juries can impose the death penalty.
6. Habeas corpus is defined as . . .
 - a. “to say the truth.”
 - b. “beyond a reasonable doubt.”
 - c. “a body is present as evidence.”
 - d. “produce the body.”
7. What is the most common reason someone waives his or her right to a trial by jury?
 - a. fear of judgment by the jury
 - b. lack of funds to pay for representation
 - c. his or her defense rests primarily on legal technicalities
 - d. dislike of the legal system
8. Discuss the Mitchell–Stans trial, including the purpose of the trial, the atypical issues that occurred during the trial, and how this case illustrates the effects jury selection can have on the outcome of a case.
9. The jury system has not been modified in several years. What do you think are its greatest flaws, and how would you aim to correct these problems through judicial reforms?

CHAPTER 2. Admission of Expert Testimony and The Eyewitness

1. When a mental health professional testifies in court, he or she is often employed as a . . .
 - a. hearsay witness.
 - b. fact witness.
 - c. eyewitness.
 - d. expert witness.
2. The Federal Rules of Evidence asserted that the admissibility of expert testimony should be based on the concept of a _____ rather than _____.
3. Which of the following was NOT one of the factors established in the *Daubert* Court that are recommended to establish the reliability of a procedure used by an expert?
 - a. if it has achieved acceptance in the scientific community
 - b. if its use has already been accepted in a previous case
 - c. if it has undergone peer review
 - d. if it has been tested using scientific methodology
4. The decision of *United States v. Hall* affirmed that *Daubert* criteria are designed to evaluate . . .
 - a. social science evidence.
 - b. Newtonian science.
 - c. both a and b.
 - d. neither a or b.
5. How was the ruling in the case of *Frye v. United States* influential in the area of expert testimony?
 - a. It allowed expert testimony only in murder trials.
 - b. It stated that the judge must interview all expert witnesses before their testimony in order to determine if they would be valid witnesses.
 - c. It declared a mistrial because the expert witness had given false testimony against the defendant in the case.
 - d. It asserted that a technique must be accepted in its field in order to be admitted as evidence.
6. A legitimate concern resulting from the *Daubert* decision is that . . .
 - a. lawyers must determine if their methods are consistent with preestablished scientific standards.
 - b. expert witnesses must prove to the court while on the stand that their expertise is in a valid scientific arena.
 - c. judges (not scientists) have to decide what is valid science and what is “junk” science.
 - d. lawyers must submit pretrial reports to the judge proving that their witnesses have valid scientific backgrounds.
7. The case of _____ declared that the right of the defense to effective counsel is undermined if the prosecution can use experts that have been discarded by the defense.
8. Which case asserted that no witness would be disqualified due to age alone?

- a. *R. v. Love*
 - b. *Wheeler v. United States*
 - c. *Young v. Slaughterford*
 - d. *Meyer v. Weaver*
9. Which of the following was NOT a factor in determining accuracy established in *Neil v. Biggers*?
- a. the confirmation of one witness's testimony by another witness
 - b. the accuracy of the witness's description of the criminal
 - c. the witness's degree of attention
 - d. the length of time between the crime and confrontation
10. Discuss how the concept of expert testimony has progressed through the years in relation to the cases of *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, *United States v. Hall*, and *Kumho Tire Co. v. Carmichael*.
11. Explain the four phenomena that contribute to eyewitness inaccuracies described in *People v. LeGrand* and discuss how they influence trials involving eyewitnesses. Also discuss what else you would like to know about these phenomena if you were a scientist or juror.

CHAPTER 3. Informed Consent

1. The concept of informed consent originated from the _____ Amendment (protecting due process and equal protection) and has three key elements, including: _____, _____, and _____.
2. The concept of “informed consent” first appeared in . . .
 - a. *Salgo v. Leland Stanford Jr. Board of Trustees*.
 - b. *Schloendorff v. Society of New York Hospital*.
 - c. both a and b.
 - d. neither a nor b.
3. When someone is found “not guilty by reason of insanity,” it is an issue of criminal . . .
 - a. nondisclosure.
 - b. incapacity.
 - c. responsibility.
 - d. capacity.
4. In the case of _____, the Supreme Court overturned the jury’s decision because the defendant’s rights (i.e., to remain silent) were not disclosed to him when he was arrested.
5. In *Canterbury v. Spence*, the ruling determined that the “reasonable professional” standard should be disregarded in favor of
 - a. *Miranda* rights.
 - b. the prudent patient standard.
 - c. informed consent.
 - d. right to privacy.
6. The concept of informed consent to mental health treatment was examined in this case:
 - a. *Dickerson v. United States*.
 - b. *Kaimowitz v. State of Michigan*.
 - c. *Roe v. Wade*.
 - d. *Zinerman v. Burch*.
7. Which of the following is NOT a *Miranda* right?
 - a. right to a trial
 - b. right to remain silent
 - c. right to presence of an attorney
 - d. right to the appointment of an attorney if you cannot afford one
8. *Arizona v. Fulminante* examined the concept of informed consent in regard to . . .
 - a. consent to medical assistance.
 - b. coerced witness confessions.
 - c. Fifth Amendment rights for the accused.
 - d. making business investments.
9. *Miranda v. Arizona* was a landmark case in the United States. Discuss the crime Ernest

Miranda committed, as well the key points of the case that led to the original ruling and the Supreme Court's ruling. Also explain the concept of "*Miranda* rights."

10. Several changes have been made in various aspects of society to ensure informed consent, such as treatment and surgery risks. Discuss both positive and negative aspects of this practice, and how you personally feel about this situation, as well as ways in which you would modify practices involving informed consent.

CHAPTER 4. Confidentiality and Privileged Communication

1. The concept of _____ is a legal right that implies that a specific person has the right to decide for–against any disclosure of information.
2. True or False: The strongest form of privilege is between doctors and patients.
3. The appropriateness of testimonial privilege is determined by which of the following?
 - a. Communication occurs after confidentiality is established.
 - b. Confidentiality is essential to the communication between parties.
 - c. Injuries resulting from the breaking of confidentiality must be greater than societal benefits gained by the break.
 - d. All of the above.
4. The limits to confidentiality include . . .
 - a. suspected child abuse.
 - b. someone threatening to harm him- or herself or others.
 - c. both a and b.
 - d. none; confidentiality should never be broken.
5. True or False: If a professional is hired by a judge to assess a defendant, the defendant is the “owner of the privilege.”
6. The interpretation of the *Wigmore* criteria implies that if information is revealed to a third party . . .
 - a. there is no expectation of confidence, and no privilege exists.
 - b. there is expectation of confidence, and privilege exists.
 - c. there is no expectation of confidence, but privilege exists.
 - d. there is expectation of confidence, but no privilege exists.
7. Although employees can use employee assistance programs confidentially, supervisors can legally obtain information from these programs in all these ways EXCEPT:
 - a. if the supervisor suggested the employee contact the EAP.
 - b. if the employee files an injury claim.
 - c. if the employee sues for wrongful termination.
 - d. if the employee is suicidal.
8. In the case of *State v. Szemple*, the New Jersey Supreme Court found that . . .
 - a. in the priest–penitent privilege, the priest owns the privilege.
 - b. marital privilege does not prevent disclosure.
 - c. both a and b.
 - d. neither a nor b.
9. Discuss the case of *In re Lifschutz*: Explain the events that brought Lifschutz to court and what happened when he was on the stand; then discuss the decision of the Court.

CHAPTER 5. Duty to Warn and Protect

1. True or False: There is no consistent definition of the term *dangerous* that is used by the courts in regard to harm to self or others.
2. Which case established the duty of professionals to warn and protect?
 - a. *Dinnerstein v. State*
 - b. *Tarasoff v. the Regents of the University of California*
 - c. *Meier v. Ross General Hospital*
 - d. *McIntosh v. Milano*
3. The “dangerous patient” exception to confidentiality . . .
 - a. means that a therapist can break confidentiality if a patient is suicidal.
 - b. implies that if a patient is considered dangerous, the therapist can immediately stop seeing the patient.
 - c. it is dangerous to patients to deny confidentiality.
 - d. balances a patient’s right to privacy with the need for public safety.
4. In the *Tarasoff* case, California state law asserted that no person is required to control someone else’s actions, except if . . .
 - a. a therapist feels that a patient is too depressed to function normally.
 - b. a special relationship exists between the two people.
 - c. a doctor oversees a patient with mental instability in the hospital.
 - d. a waiver is signed, therefore turning over control to someone else.
5. While the *Tarasoff* case dealt with the duty to warn and protect in the case of a homicide, *Bellah v. Greenson* examined the duty to warn and protect in the case of . . .
 - a. a patient’s desire to commit arson.
 - b. a patient’s sexual abuse of a child.
 - c. a patient’s suicidality.
 - d. a patient’s excessive anger.
6. Most relevant court cases hold which of the following as a key element(s) in the duty to warn and protect?
 - a. a specific threat
 - b. a specific victim
 - c. a foreseeable danger
 - d. all of the above
7. True or False: In *Garner v. Stone*, the court found in favor of the client, even though the therapist did fulfill his duty to warn and protect.
8. In the case of *Almonte v. New York Medical College*, explain Dr. DeMasi’s actions during his treatment. Do you think Dr. Ingram did the right thing in not fulfilling his duty to warn and protect? Why? If not, what do you think he should have done differently?

CHAPTER 6. Competency

1. The competency doctrine was created to protect which of the following clients:
 - a. deaf clients
 - b. mute clients
 - c. “lunatic” clients
 - d. all of the above
2. Determining a client’s mental state during a legal process is relevant to assessing _____, while a client’s mental state at the time a crime was committed is relevant to _____.
3. Which of the following is NOT a required criterion to be considered competent to stand trial?
 - a. the ability to consult with an attorney with a degree of rational understanding
 - b. rational and factual understanding of the proceedings
 - c. being oriented to person, place, and time
 - d. all of the above are required
4. True or False: If a defendant cannot afford a mental health expert for a competency evaluation, the court is not required to provide one.
5. The case of _____ ensured that defendants must receive psychiatric expertise if the case involves issues of mental condition or dangerousness.
 - a. *Funk v. Commonwealth*
 - b. *Ake v. Oklahoma*
 - c. *Youtsey v. United States*
 - d. *Dusky v. United States*
6. The phrase “rational as well as factual” has been described to mean that the accused must understand which of the following to be considered competent?
 - a. the specifics of the allegation
 - b. the potential consequences of the trial
 - c. the merits of basic legal strategies
 - d. all of the above
7. The concept of competency to waive counsel was first examined in _____, but was detailed most specifically in _____.
8. Which of the following is NOT a criterion of competency to make a will?
 - a. having family members present when finalizing the will
 - b. knowing the extent of one’s property
 - c. understanding the property distribution stated in the will
 - d. comprehending the nature of a will
9. What did the Supreme Court rule in the case of *State v. Perry*?
 - a. The original trial’s verdict was overturned because Perry was declared insane.
 - b. Perry was released because his psychological disorder disappeared completely.

- c. Perry was spared the death penalty because he agreed to take medication for his psychological disorder.
 - d. Perry could not be forced to take medication in order to be declared competent for execution.
10. Discuss the trial of *Dusky v. United States*, including Dusky's mental health history and why he was put on trial. Explain the results of his original trial and what happened as a result of his Supreme Court appeal. Do you believe he was competent? Why or why not?
11. Name the additional types of competency mentioned in the chapter, and briefly explain each one. Which do you feel is most vital to the judicial system? Why? Which do you feel is inappropriate or unnecessary? Why? How would you change this type of competency?

CHAPTER 7. Insanity and Criminal Responsibility

1. The concept of criminal responsibility includes the concepts of _____ and _____.
2. Two factors must be present in order for a punishable crime to occur: _____, which is a behavior defined as illegal, and _____, which is general intent to commit the act.
 - a. mens rea; actus reus
 - b. actus reus; mens rea
 - c. rigor mortis; habeas corpus
 - d. citizen judex; voir dire
3. Which case provided the first formal legal test of insanity used in the United States?
 - a. *United States v. Hinckley*
 - b. *Regina v. Oxford*
 - c. *Davis v. United States*
 - d. *In re M'Naghten*
4. What is the *Durham* rule?
 - a. Those found criminally insane cannot be sentenced to death.
 - b. Someone claiming the insanity defense must provide experts to testify in court.
 - c. The jury must determine if a crime is connected to a mental disease or defect.
 - d. The insanity defense can only be used in murder trials.
5. True or False: The ALI standard can be used for all people with mental illness except those with antisocial personality disorder and psychopathy.
6. After John Hinckley was found not guilty by reason of insanity, the ALI rule was modified to state that . . .
 - a. the burden of proof is on the prosecution to prove that a defendant is sane despite his insanity defense.
 - b. the burden of proof is on the defendant to prove he or she is insane by clear and convincing evidence.
 - c. the burden of proof is on the jury to determine whether or not a defendant is insane.
 - d. none of the above.
7. The case of *Cowan v. State* ruled that it was _____ to abolish the insanity defense in Montana because doing so did not violate the _____ and _____ Amendments.
 - a. legal; Eighth and Fourteenth
 - b. illegal; Third and Eighteenth
 - c. constitutional; Fourth and Fifteenth
 - d. unconstitutional; Fifth and Eleventh
8. True or False: Federal courts are required to inform jurors that a defendant found not guilty by reason of insanity may receive civil commitment.
9. Discuss the *M'Naghten* case and explain the court's decision. Name two cases that followed

the *M'Naghten* trial; explain the results of these cases and how the resulting statutes modified the *M'Naghten* standard of criminal responsibility.

10. Review the progression of the insanity defense beginning with the *M'Naghten* trial and continuing through to the 1994 case of *Shannon v. United States*. Explain the changes that have occurred over the years. Also mention three cases that you think had a significant impact on the insanity defense and explain why you thought they had an impact.

CHAPTER 8. Civil Commitment and Dangerousness

1. According to Aristotle, the government has two powers: _____, which involves protecting citizens from harm, and _____, which involves caring for those who cannot care for themselves.
2. Which precedent was NOT established in the case of *In re Oakes*?
 - a. Involuntary treatment is justified to protect a person's welfare.
 - b. Caretakers should have a major role in making decisions for the mentally disordered.
 - c. Civil proceedings do not require due process policies as strict as those used in criminal trials.
 - d. The state does not have the right to confine a person against his or her free will.
3. In order to overrule a patient's refusal to receive treatment, what should be considered?
 - a. the existence of less restrictive treatment
 - b. the risk of permanent side effects from treatment
 - c. neither a nor b need to be considered
 - d. both a and b should be considered
4. True or False: The statutes and determining factors for commitment are the same in all 50 states.
5. Which case lead to an increase in the quality of inpatient treatment for committed persons?
 - a. *Rouse v. Cameron*
 - b. *Lake v. Cameron*
 - c. *Wyatt v. Stickney*
 - d. *In re Gault*
6. Which of the following is NOT a type of commitment for a person with mental illness?
 - a. criminal, in which a person is found guilty but needs mental health treatment
 - b. outpatient, where a patient lives in the community and is mandated to attend treatment
 - c. inpatient, which involves commitment to an institution
 - d. all of these are types of commitment
7. According to the ruling in *Addington v. Texas*, in order to have a person committed, it must be proven that the person is mentally ill according to the standard of proof known as _____, rather than the higher standard of _____.
8. The cases of *Olmstead v. L.C.*, *Sutton v. United Airlines*, and *Albertsons v. Kirkingburg* are unique because . . .
 - a. the rulings nullified previous civil commitment statutes and established a new commitment standard.
 - b. the rulings were focused on the Americans with Disabilities Act rather than constitutional rights.
 - c. all the defendants were successful in their attempts to sue hospitals for poor inpatient treatment.
 - d. they first began the discussion of "civil commitment" in the United States.

9. Which case established the use of the “Not Guilty by Reason of Insanity” statute as a per se commitment?
 - a. *Jones v. United States*
 - b. *Foucha v. Louisiana*
 - c. *Satterwhite v. Texas*
 - d. *Barefoot v. Estelle*
10. Discuss the case of *O'Connor v. Donaldson*. Explain Donaldson’s history and discuss why he brought the case to trial; also mention and explain the results of the trial and retrial.

CHAPTER 9. Hypnosis and The Polygraph

1. Which of the following is considered the “gold standard” of hypnotic scales?
 - a. Barber Suggestibility Scale
 - b. Form B of the Stanford Scales
 - c. Hypnotic Induction Profile
 - d. Form C of the Stanford Scales
2. True or False: In the case of *People v. Ebanks*, hypnotism was established as a valid practice that could be used for witness testimony.
3. In the case of *Harding v. State*, which of the following was NOT a criterion by which hypnosis was considered acceptable?
 - a. hiring a trained professional
 - b. no leading questions
 - c. a thorough evaluation of the defendant
 - d. all of these were important
4. Which of the following is NOT a *Hurd* rule?
 - a. The defendant’s lawyer must be present at the hypnosis session.
 - b. Hypnosis should be conducted by a licensed psychologist or psychiatrist.
 - c. The hypnosis session should be recorded.
 - d. The hypnotist should be independent of both the prosecution and defense.
5. True or False: The polygraph does not actually determine whether someone is lying; it measures states of arousal that are often present when someone is lying.
6. According to Grubin, which of the following is NOT monitored by a polygraph?
 - a. galvanic skin response
 - b. neural activity
 - c. cardiovascular activity
 - d. abdominal breathing patterns
7. Hypnosis was first considered an acceptable practice in which country?
 - a. Canada
 - b. Britain
 - c. United States
 - d. France
8. In the case of *Rock v. Arkansas*, the Supreme Court ruled that . . .
 - a. hypnosis is unconstitutional according to the Fifth, Sixth, and Fourteenth Amendments.
 - b. it is unconstitutional to force someone to undergo hypnosis.
 - c. hypnosis can only be used in murder trials.
 - d. it is unconstitutional to prevent a defendant’s hypnotically refreshed testimony in a criminal trial.
9. What is the purpose of the “control question” technique used by polygraphers?
 - a. It sets a baseline of response to emotional topics.

- b. It ensures that the machine itself is working properly.
 - c. It ensures that the polygrapher remains focused and on task during a polygraph session.
 - d. None of the above.
10. Do you believe that the idea of polygraphy is a valid science? Discuss the conclusions from the 2003 National Research Council Review of the Scientific Evidence on the Polygraph and why you do or do not agree with its decision. How do you think the science could be improved?

CHAPTER 10. Civil Rights of People From Gender and Sexual Minority Groups

1. In the case of *Bowers v. Hardwick*, the defense argued that sodomy was protected under the Amendment.
 - a. Third
 - b. Fourth
 - c. Sixth
 - d. Seventh
2. In the case of *Kentucky v. Wasson*, which of the following was NOT a claim made by the American Psychological Association?
 - a. Homosexuality is not a disorder.
 - b. People in sexual minority groups meet the criteria of other groups who are offered equal protection doctrine.
 - c. Sodomy statutes are psychologically damaging to people in sexual minority groups.
 - d. Homosexuality is determined before birth, so the statute is unfairly discriminatory.
3. What was the result of the Defense of Marriage Act of 1996?
 - a. People in same-sex couples were granted the right to marry.
 - b. Federal recognition of same-sex marriage was denied.
 - c. Gay and lesbian couples could not marry but did receive more rights in regard to civil unions.
 - d. Marriage became a requirement for gay and lesbian couples trying to adopt children.
4. Which state was the first to adopt the concept of a civil union for same-sex couples?
 - a. Hawaii
 - b. California
 - c. Vermont
 - d. Florida
5. In the case of _____, it was ruled that gender discrimination includes discrimination based on physical gender roles.
 - a. *Price Waterhouse v. Hopkins*
 - b. *DeLong v. DeLong*
 - c. *Kentucky v. Wasson*
 - d. *Bowers v. Hardwick*
6. True or False: In the case of *Boy Scouts of America v. Dale*, the Supreme Court ruled that it was unconstitutional for the Boy Scouts of America to exclude gay men from being part of the organization.
7. Explain the case of *DeLong v. DeLong*, including the verdicts from the first trial and the subsequent Supreme Court ruling. Discuss your feelings about this case. Do you believe the ruling was in the “best interests of the children?”
8. Discuss the details of the *Wasson* case and explain the argument regarding state constitutions and the U.S. Constitution. What is your opinion of this debate? Do you think the correct decision was made in this case? Why or why not?

CHAPTER 11. Personal Injury

1. Which of the following is NOT considered a tort?
 - a. false imprisonment
 - b. speeding
 - c. malpractice
 - d. invasion of privacy
2. Individuals may be liable for injuring someone if their actions are _____, (meant to cause injury), or _____ (not undertaken with proper caution).
3. Which of the following is a basic element of a tort?
 - a. duty
 - b. damages
 - c. causation
 - d. all of the above
4. Which of the following is NOT necessary in order to prove the intentional infliction of emotional injury?
 - a. proof that the defendant's conduct was extreme
 - b. proof that the emotional injury of the victim is severe
 - c. proof that the defendant is mentally sound
 - d. proof that the act directly caused the injury
5. In England, the doctrine used in personal injury cases during the 19th century was known as the . . .
 - a. citizen judex clause.
 - b. impact rule.
 - c. voir dire claim.
 - d. habeas corpus verdict.
6. The rule of an "orbit of danger" was expressed in which case?
 - a. *Palsgraf v. Long Island Railroad*
 - b. *Christy Bros. Circus v. Turnage*
 - c. *Bell v. Great Northern Railway Co.*
 - d. *Jones v. Brooklyn Heights Railroad*
7. True or False: According to the tort definition of sexual harassment, a nonconsensual physical act must have taken place during the course of the harassment.
8. Which of the following is NOT a type of compensatory damage?
 - a. impaired enjoyment of life
 - b. permanent injury
 - c. expenses incurred
 - d. all of the above are compensatory damages
9. Explain the case of *Dillon v. Legg*, including the verdicts of the lower court and the state supreme court.

10. Discuss the case of *Molzof v. United States* and explain what occurred, including the final verdicts. Do you consider “lost pleasure of life” reasonable grounds for compensatory damages? Why or why not? How would you have ruled in this case?

CHAPTER 12. Prisoners' Rights to Medical and Mental Health Treatment

1. True or False: The first American prison that exclusively held convicted criminals as a form of punishment opened in 1650.
2. True or False: The Eighth Amendment's protection against cruel and unusual punishment bears heavily on mental health-related issues for prisoners.
3. Civil commitment is for the purpose of when an individual is found not guilty by reason of insanity.
4. The two components of informed consent are that the person knows _____ and has _____.
5. For an inmate to sue on the grounds of being incarcerated in the absence of needed treatment, he must prove which of the following?
 - a. cruel and unusual punishment
 - b. that he or she is ill
 - c. deliberate indifference
 - d. a and b
6. In *Vitek v. Jones*, Nebraska law allowed whom of the following to place an inmate in any available mental health facility?
 - a. prison psychiatrist
 - b. warden
 - c. judge
 - d. director of correctional services
7. With regard to neglect, which of the following limited the ability of inmates to use class-action suits to bring about widespread reform?
 - a. the need to show actual injury
 - b. limited access to legal aid
 - c. that such lawsuits amounted to conspiracy on the part of the inmates
 - d. apathy among inmates
8. In *Sell v. United States* the court ruled that a defendant could be medicated against his or her will if which of the following conditions was met?
 - a. Medication is substantially likely to significantly further state interests.
 - b. Less intrusive interventions are unlikely to provide the same benefits.
 - c. It is in the best medical interests of the defendant.
 - d. All of the above must be met.

CHAPTER 13. Substance Use and Dependence

1. Historically, society has viewed alcohol or drug abuse as a _____ but _____ choice for which the individual was responsible.
2. In *Robinson v. California*, the trial judge originally instructed jurors to convict the defendant if they agreed he either committed the act of using or had the _____ of being an addict.
3. True or False: Under the harm reduction model, some chronic alcoholics are able to return to a pattern of social drinking after recovery.
4. Which of the following is not an assumption of the “medical” or “disease” model of addiction?
 - a. It is a physiological disorder, possibly genetically determined.
 - b. Addicts have virtually no control over the intake of the substance.
 - c. Addicts may retain their status as addicted, even when they abstain.
 - d. Addicts should be held responsible for staying in treatment.
5. In *Powell v. Texas*, the defendant was convicted of which of the following?
 - a. public intoxication
 - b. being an alcoholic
 - c. using illegal narcotics
 - d. possession of illegal narcotics
6. The defendant and his victims in *Montana v. Egelhoff* sold which of the following drugs?
 - a. cocaine
 - b. mushrooms
 - c. marijuana
 - d. LSD
7. The court in *Skinner v. Railway Labor Executives Association* found which of the following?
 - a. Students and staff of university athletic departments cannot be required to undergo random drug testing.
 - b. Employees who violate safety rules can be tested for drugs at random.
 - c. Drug testing can be required as a condition of employment.
 - d. Drug testing can be required as a condition of promotion.
8. Which of the following cases established that ordinary civil forfeiture of property is not a punishment?
 - a. *Chapman v. United States*
 - b. *United States v. Armstrong*
 - c. *United States v. Ursery*
 - d. *Harmelin v. Michigan*
9. Discuss the medical and moral deficiency models of addiction.

CHAPTER 14. Intellectual Disability

1. All of the following domains are considered when evaluating functional disruption in the diagnosis of Intellectual Disability EXCEPT:
 - a. psychological
 - b. social
 - c. practical
 - d. conceptual
2. True or False: In *Halderman v. Pennhurst*, the Court ruled that sweeping reforms would be implemented at Pennhurst State School and Hospital and that the institution would remain under close scrutiny.
3. William Jones received a sentence of _____ for his role in the murder committed by Daryl Atkins, whose death sentence was contested based on his diagnosis of mental retardation.
4. Staff at Pennhurst State School and Hospital were reported to have perpetrated all but which of the following abuses?
 - a. treatment neglect
 - b. lengthy restraints
 - c. sexual assault
 - d. negligent homicide
5. In *Youngberg v. Romeo*, the U.S. Supreme Court held that a state has an obligation to provide which of the following?
 - a. minimal habilitation
 - b. minimal services
 - c. the least restraint possible
 - d. all of the above
6. All of the following were required to meet criteria for mental retardation in the DSM-IV EXCEPT:
 - a. an IQ below 70
 - b. onset of problems before the age of 18
 - c. inability to communicate verbally
 - d. impairment in more than one area of daily functioning
7. In the case of Pennhurst State School and Hospital, how many minutes of beneficial treatment time did patients get per weekday?
 - a. 15
 - b. 20
 - c. 50
 - d. 130
8. In the initial trial of *Atkins v. Virginia*, the defense attorneys' tactic regarding their client's alleged Mental Retardation was which of the following?
 - a. that it should be considered during jury deliberation
 - b. they tried to exaggerate it

- c. that it should not be considered during jury deliberation
 - d. they were indifferent
9. Discuss the characteristics and influence of the Americans with Disabilities Act of 1990.

CHAPTER 15. Psychopathy and Antisocial Personality Disorder

1. True or False: The definition of antisocial personality disorder has remained virtually unchanged over the years since the publication of DSM-III-R.
2. By defining antisocial personality disorder as observable criminal behavior, the diagnostic reliability of the disorder was increased; however, this was at the expense of .
3. True or False: Inmates that score high in psychopathy do not recidivate at higher rates than inmates who do not present with psychopathy but are diagnosed with antisocial personality disorder.
4. Psychopathy has been shown to predict which type of recidivism?
 - a. general
 - b. violent
 - c. sexual
 - d. all of the above
5. How many men was John Wayne Gacy accused of murdering?
 - a. 33
 - b. 10
 - c. 67
 - d. over 100
6. Around the year 1800, Philippe Pinel coined the term _____ to describe individuals who manifest deviant behaviors but show no evidence of psychotic or cognitive disorders.
7. True or False: The definition of psychopathy is uniform across mental health literature and legal cases.
8. What is the cutoff score on the PCL-R to be considered in the “mixed” range?
 - a. 26
 - b. 31
 - c. 30
 - d. 34
9. Which of the following terms has been used to describe an antisocial personality?
 - a. psychopathy
 - b. sociopathy
 - c. manie sans délire
 - d. all of the above
10. Describe the “caveat paragraph” in *United States v. Currens* and mention what it specifically failed to address.
11. Discuss the case of John Wayne Gacy. Do you agree with his sentence?

CHAPTER 16. Capital Punishment

1. The case that limited prosecutors' practice of excluding any juror who expressed reservations about the death penalty was _____.
2. In the case of *Gregg v. Georgia*, the defendant was convicted of two counts of armed robbery and two counts of _____.
3. True or False: In the case of *Furman v. Georgia*, the U.S. Supreme Court ruled that the death penalty was unconstitutional.
4. The U.S. Supreme Court has ruled on which of the following issues regarding the death penalty?
 - a. differential application to defendants of minority groups
 - b. its application to juveniles
 - c. the method of execution
 - d. its application to those who are already terminally ill
5. Who wrote the essay "On Crimes and Punishment," in opposition of the death penalty?
 - a. Leviticus
 - b. Hammurabi
 - c. Voltaire
 - d. Beccaria
6. In the case of *Gregg v. Georgia*, the Court instructed the jury to consider which of the following aggravating circumstances?
 - a. The defendant was engaged in the commission of two other capital felonies.
 - b. The defendant committed the murder for the purpose of receiving money and property.
 - c. The offense was outrageously and wantonly vile, horrible, and inhuman.
 - d. All of the above
7. The voir dire procedure in capital cases is used to choose a jury that is what?
 - a. death-qualified
 - b. fair and balanced
 - c. made up of the defendant's peers
 - d. impartial
8. In *Lockhart v. McCree*, the American Psychological Association submitted all but which of the following information regarding death qualification?
 - a. Death-qualified juries are conviction prone.
 - b. Death qualification excludes a significantly large subset of the population.
 - c. Those excluded through death qualification do not share common attitudes on issues related to criminal justice.
 - d. Death qualification results in underrepresentation of blacks and women on juries.
9. Which of the following defendants discussed in this chapter was actually executed?
 - a. Troy Gregg
 - b. Johnny Paul Witt

- c. Charles Proffitt
 - d. All three were executed.
10. Discuss the opposing arguments and impact of *Wainwright v. Witt*.

CHAPTER 17. Sex Offenders

1. True or False: The terms *sexual psychopath* and *sexual predator* are psychological terms.
2. True or False: Laws requiring registered sex offenders to inform law enforcement officials of their current address began in the 1970s.
3. Under the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act of 1994, states stood to lose _____ percent of their federal funding for jails and prisons if they did not have a registration law.
4. The result of *New Jersey v. Timmendequas* was nationwide implementation of what is popularly known as _____.
5. Information from sex offender risk assessments can be used in which way?
 - a. to include the risk level in community notification materials
 - b. to determine the length of time that the offender must register
 - c. to determine the media through which notification will be made
 - d. all of the above
6. Sexual predator statutes fall under which type of law?
 - a. administrative
 - b. criminal
 - c. civil
 - d. mental health
7. With regard to the case of *Kansas v. Hendricks*, which of the following is true?
 - a. Leroy Hendricks was convicted of one sex offense.
 - b. Leroy Hendricks stated that the only way to stop him was to incarcerate him.
 - c. The Court found his commitment to be *ex post facto* punishment.
 - d. The Court found his commitment was not a punishment.
8. In *Kansas v. Crane*, commitment was found to be constitutional if which of the following was present in an individual?
 - a. serious difficulty in controlling his or her behavior
 - b. antisocial personality disorder
 - c. absolute lack of control
 - d. typical dangerousness
9. Discuss what is meant by *ex post facto* law and the problems associated with it.

CHAPTER 18. Foundations of Juvenile Law

1. True or False: Juvenile records are “sealed.”
2. A behavior that is illegal for juveniles but not for adults is known as a _____.
3. In *Kremens v. Bartley* the Court decided that individuals age _____ years and older have the same due process protections as adults in _____ proceedings.
4. True or False: The shift from criminal to juvenile code also saw a shift from a nonadversarial model to an adversarial model.
5. Which of the following was NOT established for juveniles under the *Gault* decision?
 - a. a requirement of notice of charges
 - b. a right to an attorney
 - c. a right to cross-examine and confront witnesses
 - d. a right to request a jury trial
6. In which case did the Court hold that a juvenile has a right to a trial by jury?
 - a. *McKeiver v. Pennsylvania*
 - b. *Breed v. Jones*
 - c. *Schall v. Martin*
 - d. None; juveniles do not have the right to a trial by jury.
7. In the case of *In re Kevin F.*, the Court decided which of the following?
 - a. that his threats to harm nonspecified victims were admissible
 - b. that his threats required a specific victim under *Tarasoff*
 - c. that his *Miranda* rights were violated by his therapist
 - d. a and b
8. List and discuss the “*Kent* criteria” used to determine whether or not a juvenile should be tried as an adult.

CHAPTER 19. School Law

1. Which of the following cases did not challenge the constitutionality of a state statute that required the segregation of African American and white public school students?
 - a. *Briggs v. Elliot*
 - b. *Brown v. Board of Education*
 - c. *Davis v. County School Board*
 - d. *Gebbart v. Belton*
2. The consensus of professional literature on suicide prevention in schools, as stated by Jacob and Hartshorne, included all but which of the following?
 - a. Staff must physically restrain the suicidal student.
 - b. Each school must orient staff and have a planned response to suicidal students.
 - c. The designated-trained staff member should be brought in when suicide potential emerges.
 - d. The student's parents should be informed, and the school should be prepared to appropriately refer the student.
3. Which of the following would a school district NOT be responsible for funding under *Cedar Rapids Community School District v. Garret F.*?
 - a. a doctoral-level psychologist
 - b. a master's-degree-level counselor
 - c. a physician
 - d. a nurse
4. Who was the African American psychologist whose research influenced the outcome of *Brown v. Board of Education*?
5. Which court ruled that in the case of school psychologists, confidential assessment information was also to be shared with the school?
 - a. *Pesce v. J Sterling Morton High School District 201, Cook County, Illinois*
 - b. *Merikken v. Cressman*
 - c. *In re Gault*
 - d. *People v. McKee*
6. The Civil Rights Act of 1964 provided desegregation in all places of _____.
7. Which two cases contradicted each other on their rulings regarding racially or culturally biased intelligence tests?
8. Discuss the issue of raw data in regard to testing and assessments. Do you think raw data should be presented instead of synthesized results? Why or why not?

CHAPTER 20. Child Abuse and Neglect

1. True or False: The first clear legal identification of the battered child syndrome was established in the case of *People v. Jackson*.
2. The organization that aided the first formal legal intervention in a child abuse case in 1875 was the _____.
3. Which of the following is considered abuse by some states?
 - a. emotional or psychological maltreatment
 - b. sexual exploitation
 - c. medical neglect
 - d. all of the above
4. Which of the following is NOT one of the “four Bs” of identifying signs of physical abuse?
 - a. bruises
 - b. broken bones
 - c. burns
 - d. bald spots
5. In the case of *DeShaney v. Winnebago County*, the Court ruled in which manner?
 - a. The State wasn't liable because the child was not in state custody.
 - b. The State was liable because the child was not in state custody.
 - c. The caseworker was required to report the abuse.
 - d. None of the above.
6. The case of *State v. Huss* involved the use of which of the following?
 - a. hypnosis
 - b. misinformation
 - c. suggestion
 - d. none of the above
7. In *Maryland v. Craig*, the court held that the state's duty to protect children from the emotional trauma that may result from being questioned by their abuser overrides _____.
8. Which of the following has been shown to bias children's memory at recall?
 - a. low IQ
 - b. repetition
 - c. intimidation
 - d. sleep deprivation
9. Do you agree with the U.S. Supreme Court's decision in *DeShaney v. Winnebago County*? Why or why not?

CHAPTER 21. Child Custody

1. True or False: Termination of parental rights and the placement decisions that follow are typically accomplished during the same court proceedings.
2. True or False: In more recent past, the welfare of the child is typically taken to mean the ability of the custodial parent to provide for the child's material and sustenance needs.
3. The case that established that custody decisions should be made with the "best interests of the child" in mind is _____.
4. The concept of the government bearing responsibility for the care and welfare of children following a change of custody is known as _____.
5. Which of the following are often initiating events for child custody proceedings?
 - a. parental separation or divorce
 - b. child abuse or neglect
 - c. incarceration of a parent
 - d. all of the above
6. The right to parent one's child is protected under the Fourteenth Amendment to the Constitution under the umbrella of which of these rights?
 - a. life, liberty, and property
 - b. manifest destiny
 - c. the pursuit of happiness
 - d. equal opportunity
7. From 1938 to the end of the 20th century, what percentage of custody cases was decided in favor of the mother?
 - a. 77%
 - b. 45%
 - c. 50%
 - d. 90%
8. In *Painter v. Bannister* it was established that the child would remain in the custody of his maternal grandparents given which of the following?
 - a. that he saw them as his "psychological parents"
 - b. that Mr. Painter had abandoned him
 - c. that Mr. Painter had undergone a full evaluation and was found unfit as a parent
 - d. that Mr. Painter's liberal lifestyle would constitute a lack of discipline
9. Which of the following is NOT one of the five factors outlined in the Uniform Marriage and Divorce Act to be considered in custody decisions?
 - a. the wishes of the child's parent or parents
 - b. the wishes of the child
 - c. the wishes of the court
 - d. the child's adjustment to his home, school, and community

10. The case that established standard of proof as “preponderance of evidence” for termination of parental rights as unconstitutional was:
 - a. *Addington v. Texas*
 - b. *Mathews v. Eldridge*
 - c. *Santosky v. Kramer*
 - d. *Kramer v. Kramer*
11. A psychologist’s expert opinion in custody cases should only be offered after which of the following has been completed?
 - a. a hearing in which details of the case are outlined
 - b. a psychological evaluation during which there is contact with all children and parents involved
 - c. a full psychological evaluation of the children
 - d. a full psychological evaluation of the parents

CHAPTER 22. Juvenile Competency and Culpability

1. True or False: Minors cannot be tried in adult criminal courts in all 50 states.
2. In the case of *In re Gault*, the family of the juvenile argued that the court's juvenile code violated the _____ Amendment's _____ clause.
3. Which state was the last to pass legislation recognizing the requirement that juveniles must be competent to be adjudicated?
 - a. Arizona
 - b. Oklahoma
 - c. Alabama
 - d. Oregon
4. In the cases *In re Hyrum H.* and *In re Jacob H.*, the boys were found incompetent to proceed due to lacking _____ understanding of the trial.
5. The court in *Kent v. United States* concluded that juveniles are entitled to which of the following:
 - a. effective assistance of counsel
 - b. a statement of reasons for the waiver determination
 - c. a hearing
 - d. all of the above
6. True or False: The juvenile justice system is a part of the criminal justice system.
7. Discuss the research on waiver to adult criminal court for juveniles. What has research found? Do you think there should be more or less restriction on waiver decisions?

Answer Key

CHAPTER 1. Jury Selection and Process

1. *Williams v. Florida/Ballew v. Georgia; Burch v. Louisiana*
2. c
3. b
4. d
5. a
6. d
7. c
8. John Mitchell and Maurice Stans were accused of conspiring to impede the SOC's investigation of Robert Vesco. Atypical features: both defendants were a part of President Richard Nixon's cabinet; a popular opinion survey was used in "scientific jury selection." There was a lack of randomization in the jury pool. Andrew Choa was chosen as a random alternative for the jury and became highly influential on the jury. The trial unexpectedly ended in an acquittal.
9. —

CHAPTER 2. Admission of Expert Testimony and the Eyewitness

1. d
2. helpfulness standard; scientific acceptance
3. b
4. b
5. d
6. c
7. *United States v. Alvarez*
8. b
9. a
10. *Daubert v. Merrell Dow Pharmaceuticals, Inc.*: *Frye* standard was insufficient, federal judges have the responsibility to review expert evidence to ensure that it rests on a reliable foundation and is relevant to the case.

United States v. Hall: Questioned the applicability of *Daubert* criteria to psychological testimony—drew a distinction between "Newtonian science" and social science evidence.

Kumho Tire Co. v. Carmichael: any "test" is subject to *Daubert* criteria, including nonscientific ones.

11. Confidence–accuracy correlation, Postevent information, Confidence malleability, Weapon focus

CHAPTER 3. Informed Consent

1. Fourteenth; voluntariness, disclosure, capacity
2. c
3. b
4. *Miranda v. Arizona*
5. b
6. d
7. a
8. b
9. Ernest Miranda restrained and raped a woman before letting her go. The Arizona Supreme Court affirmed his conviction despite his attorney’s argument that his confession was coerced and that he was unaware of his constitutional rights. On appeal, the U.S. Supreme Court overturned this decision and held that Miranda’s confession could not be admitted into evidence. The Court held that Miranda’s Fifth Amendment rights had been violated and reversed his conviction.
Miranda rights: police detainees may not be questioned until these rights are disclosed in order protect the detainee from violation of their constitutional rights.
10. —

CHAPTER 4. Confidentiality and Privileged Communication

1. privileged communication
2. False
3. d
4. c
5. False
6. a
7. b
8. c
9. Dr. Lifschutz was a psychotherapist who refused to testify on his client’s behalf due to confidentiality and was consequently jailed for contempt of court. The decision held that the owner of the confidentiality was not the psychotherapist, but the client, and this was known as the patient–litigant exception to the therapist–patient privilege.

CHAPTER 5. Duty To Warn and Protect

1. True
2. b
3. d
4. b
5. c
6. d
7. True
8. —

CHAPTER 6. Competency

1. d
2. competency to stand trial; criminal responsibility/insanity
3. d
4. False
5. b
6. d
7. *Faretta v. California; Godinez v. Moran*
8. a
9. d
10. *Dusky v. United States*: Dusky suffered from anxiety and depression, and voluntarily had himself hospitalized where he was diagnosed with anxiety and alcohol problems. It was also revealed in court that Dusky had been diagnosed with schizophrenia. Dusky was put on trial for kidnapping and attempted rape. The Federal Court found him competent to stand trial, and on appeal after a new competency evaluation, the U.S. Supreme Court also found him competent to stand trial. Dusky was found guilty and sentenced to 20 years.
11. Competency Prior to Trial, Competency in Habeas Corpus Proceedings, Competency to be Executed, Competency to Serve as a Juror, Competency to Make a Will, Competency to Waive Counsel

CHAPTER 7. Insanity and Criminal Responsibility

1. insanity or guilty but mentally ill; diminished capacity
2. b
3. d
4. c

5. True
6. b
7. a
8. False
9. Daniel M’Naghten was found to be insane after murdering another man, and was acquitted of his charges; *Durham v. United States*, *United States v. Brawner*
10. Students could discuss the following:
 - ALI Standard
 - *Durham v. United States*, *United States v. Brawner*
 - *Whalem v. United States*
 - *Frendak v. U.S.*
 - the case of John Hinckley
 - the Insanity Reform Act of 1984
 - *Cowan v. State*
 - *Shannon v. United States*: The U.S. Supreme Court held that federal trial courts are not required to inform jurors that a defendant found not guilty by reason of insanity will be subject to civil commitment.

CHAPTER 8. Civil Commitment and Dangerousness

1. police power; *parens patriae* power
2. d
3. d
4. False
5. c
6. d
7. clear and convincing evidence; beyond a reasonable doubt
8. b
9. a
10. Mr. Donaldson was first hospitalized and treated for a “nervous breakdown,” and later for paranoid schizophrenia. Mr. Donaldson was hospitalized again after experiencing delusions, which was supposed to last for a “few weeks” according to the judge, yet Mr. Donaldson remained in the hospital for 15 years. Upon release, Mr. Donaldson brought two of the doctors supervising his care to court, and his attorneys argued that he had not received anything more than custodial care. Mr. Donaldson was awarded compensatory damages by the trial Court, and this decision was appealed by the defendants appealed to the U.S. Supreme Court. The Court affirmed the trial Court’s decision.

CHAPTER 9. Hypnosis and the Polygraph

1. d
2. False
3. d
4. a
5. True
6. b
7. b
8. d
9. a
10. —

CHAPTER 10. Civil Rights of People from Gender and Sexual Minority Groups

1. b
2. d
3. b
4. c
5. a
6. False
7. *DeLong v. DeLong*: Janice and Joe DeLong filed for divorce, and went to court for custody of their children. The trial Court ultimately ruled that Joe receive sole custody of the children. Furthermore, the Court restricted Janice's visitation rights, ordering her to "keep any and all aspects of the homosexual lifestyle away from the minor children during the children's periods of visitation with her." On appeal, the original trial Court upheld its initial custody decision favoring the father, but relaxed the visitation restrictions against the mother.
8. Jeffrey Wasson was arrested by an undercover cop for solicitation to commit sodomy. At trial, Wasson's attorneys contended that the underlying charge of sodomy violated their client's rights to privacy and equal protection under the U.S. Constitution and the Kentucky State Constitution.

CHAPTER 11. Personal Injury

1. b
2. intentional; negligent
3. d

4. c
5. b
6. a
7. False
8. d
9. Mother and sister witness child get hit and killed by a car. The lower trial court recovered damages for the sister, as she was in the physical zone of danger, but not for the mother, as she was not. California Supreme Court appealed this ruling and reinstated damages for the mother. Extended “zone of danger” to emotional as well as physical injury.
10. Robert Molzof underwent lung surgery at the Veterans Administration hospital and was placed on a ventilator for oxygen following surgery. The ventilator’s alarm system was allegedly disconnected by an employee annoyed with its operation, leading to Mr. Molzof being deprived of oxygen for 8 minutes. Mr. Molzof suffered from irreversible brain loss, and his wife sought to recover damages from the U.S. government.
 - Mrs. Molzof was awarded \$75,750 in compensatory damages, but the Court declined to award damages for Mr. Molzof’s “loss of pleasure of life.”
 - On appeal, the U.S. Court of Appeals agreed with this ruling due to the fact that Mr. Molzof would not be able to enjoy the additional settlement.
 - The U.S. Supreme Court reversed this judgment and ruled that separate damages for loss of enjoyment of life were legitimate and recoverable because there was no way to properly “redress a comatose patient’s uncognizable loss.”

CHAPTER 12. Prisoners’ Rights to Medical and Mental Health Treatment

1. False
2. True
3. treatment
4. all relevant information; the capacity to make a decision
5. c
6. d
7. a
8. d

CHAPTER 13. Substance Use and Dependence

1. willing; immoral
2. status
3. True
4. d

5. a
6. b
7. b
8. c
9. Moral deficiency—People are responsible for choosing to use as well as anything that happened while intoxicated, including illegal behavior.
Medical—Most addictive disorders are biologically and genetically based, and result in impaired self-control.

CHAPTER 14. Intellectual Disability

1. a
2. False
3. life in prison, without the possibility of parole
4. d
5. d
6. c
7. a
8. c
9. Congress sought to “establish a clear and comprehensive prohibition of discrimination on the basis of disability”; the Americans with Disabilities Act remains the most powerful protection for individuals with a wide variety of disabilities.

CHAPTER 15. Psychopathy and Antisocial Personality Disorder

1. True
2. construct validity
3. False
4. d
5. a
6. manie sans délire
7. False
8. a
9. d
10. It stated that for a finding of not guilty by reason of insanity, mental illness could not be only comprised of criminal conduct or antisocial behavior. It failed to address that people high in psychopathy are sane per se.

11. Students could address any of the following:
- John Wayne Gacy was responsible for 33 deaths.
 - His victims were young men.
 - His first sentence was 10 years for a charge of sodomy.
 - He was given a diagnosis of APD during his first sentence.
 - For his second conviction, he received the death penalty.

CHAPTER 16. Capital Punishment

1. *Witherspoon v. Illinois*
2. murder
3. False
4. b
5. d
6. d
7. a
8. c
9. b
10. Prosecution had excluded potential jurors who expressed views opposing the death penalty. It was argued that some exclusions were made on subtle opinions that did not meet *Witherspoon* criteria. On appeal, the Eleventh Circuit ruled that due to the exclusions, the jury was not neutral on death penalty. The case was remanded back to the trial court, and the appeals process was exhausted. This case ultimately relaxed the standard for exclusion of jurors based on death qualification.

CHAPTER 17. Sex Offenders

1. False
2. False
3. 10
4. Megan's Law
5. d
6. c
7. d
8. a
9. *Ex post facto*: making something illegal after it has already been done. *Ex post facto* laws are explicitly prohibited by the U.S. Constitution. Laws that merely increase the penalty for a crime after the crime has been committed have also been interpreted as violating the *ex*

post facto prohibition. Sex offender registration and sexually violent predator laws have been challenged on these latter grounds as increasing the penalty for offenders who committed their crimes before the laws were enacted.

CHAPTER 18. Foundations of Juvenile Law

1. True
2. status offense
3. 14; civil commitment
4. False
5. d
6. d
7. a
8. The seriousness of the alleged offense and the potential danger to the community
 - The degree of violence and premeditation against a person and the degree of injury
 - The quality of evidence
 - Whether others involved will be tried as adults
 - The sophistication, maturity, and intelligence of the juvenile
 - The defendant's history and prospects for rehabilitation

CHAPTER 19. School Law

1. b
2. a
3. c
4. Dr. Kenneth Clark
5. a
6. public accommodation
7. *Larry P. v. Riles*; *PASE v. Hannon*
8. —

CHAPTER 20. Child Abuse and Neglect

1. True
2. Society for the Prevention of Cruelty to Animals
3. d

4. b
5. a
6. c
7. the defendant's Sixth Amendment right to confront their accuser
8. b
9. —

CHAPTER 21. Child Custody

1. False
2. False
3. *Finlay v. Finlay*
4. *parens patriae*
5. d
6. a
7. d
8. a
9. c
10. c
11. b

CHAPTER 22. Juvenile Competency and Culpability

1. False
2. Fourteenth; Due Process
3. b
4. rational
5. d
6. False
7. —