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Name:_____ Class:_____ Date:_____

Chapter 01

1. Which is the purpose of laws?
   a. Legislate moral behavior
   b. Control human nature
   c. Serve as a mechanism for conflict resolution
   d. All of these are correct.

ANSWER: c

2. What is the purpose of the Fifth Amendment to the U.S. Constitution?
   a. Prevents undue searches and seizures
   b. It safeguards us against self-incrimination
   c. Protects spouses from testifying against spouses
   d. Provides the right to peaceful protest

ANSWER: b

3. Edward Rosenheimer was charged with a hit-and-run accident, but he claimed that the law requiring him to report the accident to the police was unconstitutional because it forced him to incriminate himself, violating the U.S. Constitution. A New York judge agreed and released him from custody. This case eventually came before the New York Court of Appeals; what was this court's decision?
   a. Rosenheimer's original verdict was upheld because the law forcing him to incriminate himself was said by this court to be unconstitutional.
   b. Rosenheimer was released from custody because the Court of General Sessions in New York State said that the hit-and-run regulation should be removed because of unconstitutionality.
   c. The New York Court of Appeals concluded that the right to avoid self-incrimination did not outweigh the right of injured persons to seek redress for their sufferings.
   d. The New York Court of Appeals concluded that the right of injured persons to seek redress for their sufferings did not outweigh the right to avoid self-incrimination.

ANSWER: c

4. Which type of researcher is concerned with comparing laws (and mechanisms for instituting and altering laws) in different societies and relating them to other characteristics of these societies?
   a. Anthropologist
   b. Sociologist
   c. Philosopher
   d. Psychologist

ANSWER: a

5. If a researcher is interested in the study a specific society and examines its institutions (e.g., the family, the church, or the subculture) to determine their role in developing adherence to the law, that researcher is most likely which of these?
   a. Psychologist
   b. Sociologist
   c. Anthropologist
   d. Philosopher

ANSWER: b

6. Psychology assumes that individual characteristics affect how the legal system operates and in turn the legal system

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affects individual characteristics and behavior. As defined in the text, *characteristics* may include which of the following?

a. Socioeconomic status
b. Personal values
c. Minority status
d. All of these are correct.

ANSWER: b

7. Most forensic psychologists are trained as which of the following?

a. Social psychologists
b. Clinical psychologists
c. Counseling psychologists
d. Criminologists

ANSWER: b

8. According to Kurt Lewin, what influences the behavior of an individual in the legal system?

a. One's personal qualities
b. One's social class
c. Both one's personal qualities and one's social class
d. One's attitudes

ANSWER: a

9. A common role for a forensic psychologist is which of the following?

a. Evaluate whether a defendant was sane at the time the crime was committed.
b. Determine if the DNA from the defendant matches the DNA collected at the crime scene.
c. Investigate the role that social class plays in criminal behavior.
d. Examine if the evidence is appropriate to introduce in court.

ANSWER: a

10. The United States is perhaps the most individualistic society where people can deviate from the norm or make their own choices to a greater degree. What are two deeply desired values?

a. Individualism and free will
b. Freedom and personal autonomy
c. Freedom with personal responsibility
d. Personal responsibility and personal autonomy

ANSWER: b

11. In 2017, a law known as the "show me your papers law," which prohibits local authorities from limiting the ability of law enforcement or court personnel to demand proof of a person's immigration status and report it to federal officials, was passed in which state?

a. Baltimore
b. Florida
c. Texas
d. New York

ANSWER: c

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Chapter 01

12. Most of the U.S. Supreme Court decisions, like the *Miranda* rule, that provided more explicit rights for those suspected of breaking the law, occurred during which decade?

a. 1950s
b. 1960s
c. 1970s
d. 1980s

ANSWER: b

13. In more recent cases, the Supreme Court has ruled in favor of law enforcement as opposed to individuals suspected of breaking the law. In *Florence v. Board of Chosen Freeholders*, the Court ruled which of the following?

a. Police can stop a motorist whom they believe has violated traffic laws even if their ulterior motive is to investigate the possibility of drug dealing.
b. Jail officials can strip search petty offenders even when there is no suspicion of carrying a weapon or contraband.
c. Police can conduct "no-knock" raids on individual homes.
d. Police can use deception in order to extract a confession from a suspect.

ANSWER: b

14. The due process model would subscribe to which of the following statements?

a. It is better for one innocent person to be convicted than for many guilty persons to go free.
b. It is better for many guilty persons to go free than to convict one innocent person.
c. *Miranda* rights are detrimental to convicting guilty persons.
d. The "three-strikes" law is in place to protect society from dangerous criminals.

ANSWER: b

15. Which of the following is a basic characteristic of the crime control model of the criminal justice system?

a. The system should present obstacles to the conviction of defendants to protect the innocent.
b. The suspect is assumed to be innocent until proven guilty in a court of law.
c. Emphasis in the courts should be for efficient detection and prosecution of criminals.
d. Greater control needs to be exerted over the police in their investigation of suspects to protect individual rights.

ANSWER: c

16. Due to the recession between 2007 and 2009, the federal and state budgets tightened, forcing reevaluation of "tough on crime policies" leading to alternative programs to reduce repeat offence. These alternatives have included which of the following?

a. Diversionary, community-based treatment programs
b. Educational and reentry programs for inmates
c. Substance abuse and mental health treatment programs for inmates
d. All of these are correct.

ANSWER: d

17. The First Amendment to the U.S. Constitution protects freedom of speech including which of the following?

a. Calls to violence
b. Perjury

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c. Racially offensive speech
d. Crimes against others

ANSWER: c

18. Which of the following is true about the United States and its prisoners?
a. The United States has a similar amount of incarceration of its citizens when compared with other developed nations.
b. The United States incarcerates a higher percentage of its citizens than any other developed nation.
c. The United States incarcerates a lower percentage of its citizens than any other developed nation.
d. The United States incarcerates a proportional amount of criminals when compared to its crime rate.

ANSWER: b

19. The principle of equality is often at odds with which value when implementing laws and punishing offenders?
a. Proportionality
b. Discretion
c. Equity
d. Liberty

ANSWER: b

20. Fill in the blanks in the following sentence: One might argue that the stop and frisk procedures used in New York City violate the principle of equality and rely on profiling, as 52% of stops between 2004 and 2012 were of _____ .
a. Biracial Individuals
b. Hispanics
c. Caucasians
d. African Americans

ANSWER: d

21. Which of the following practices most clearly violates the principle of equality?
a. Racial profiling
b. Proportionate sentencing
c. Harsh sentencing
d. Proportionate profiling

ANSWER: a

22. Which resolution of a choice does determinate sentencing favor?
a. Equality, rather than discretion
b. Discretion, rather than equality
c. Common good, rather than Constitutional rights
d. Constitutional rights, rather than common good

ANSWER: a

23. The principle of proportionality reflects which idea?
a. There should be the same proportion of European Americans arrested for crime as African Americans.

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b. The defendant's punishment should be related to the magnitude of the offense.
c. Repeat offenders who commit minor crimes should receive extensive rehabilitation.
d. A defendant who commits minor crimes should receive a harsh punishment if the defendant is a habitual offender.

ANSWER: b

24. Despite the principle of equality, discretion is often displayed by which of the following?
a. Parole officers
b. Police officer
c. Probation officers
d. All of these are correct.

ANSWER: d

25. Commuting a death sentence to life imprisonment is a type of discretion referred to as which?
a. Severity mitigation
b. Clemency
c. Reversal
d. Leniency

ANSWER: b

26. Fill in the blank in the following sentence: Troy Davis was convicted of murdering a police officer and faced execution in Georgia. Which type of petition was presented to Georgia Board of Pardons and Parole to commute Davis's sentence to life in prison rather than execution in an effort to save his life?
a. Settlement
b. Clemency
c. Reversal
d. Leniency

ANSWER: b

27. Fill in the blanks in the following sentence: The tendency of judges to administer differing penalties for the same crime is referred to as _____.
a. biased sentencing
b. inequality in sentencing
c. sentencing disparity
d. mandatory sentencing

ANSWER: c

28. Which of the following does determinate sentencing accomplish?
a. Equality
b. Discretion
c. Proportionality
d. Leniency

ANSWER: a

29. John, the plaintiff in a civil trial, sued his employer for wrongful termination. Now that the trial is over, John is

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pleased that he had a chance to have his voice heard and feels he was treated fairly and justly by the system, even though the outcome was not in his favor. According to the text, this perception of the fairness is an important component of which?

a. Equal justice
b. Procedural justice
c. Plaintiff's rights
d. The American Bar Association's ethical standard of practice

ANSWER: b

30. What percentage of defendants plea bargain?

a. 80–85 percent
b. 50-55 percent
c. 60–75 percent
d. 90–95 percent

ANSWER: d

31. Which of the following is a possible benefit of plea bargaining?

a. Increased chances for acquittal
b. Decreased chances for acquittal
c. Reduced sentences and sanctions for defendants
d. Reduction of criminal offending.

ANSWER: c

32. In civil cases, what procedure parallels the plea bargaining of criminal proceedings?

a. Mitigation
b. Settlement negotiation
c. Outside negotiation
d. Mediation

ANSWER: b

33. *Amicus curiae* means which of the following?

a. Let the decision stand
b. Truth of the law
c. Friend of the court
d. Right of the court

ANSWER: c

34. When faced with making legal decisions, judges are reluctant to make decisions that contradict earlier judicial decisions. This propensity is an example of which principle?

a. *Stare decisis*
b. Stability
c. Proportionality
d. Consistency

ANSWER: a

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Chapter 01

35. During a train trip in Louisiana in the 1890s, Homer Plessy wanted to sit in a "Whites only" railroad car, but because of his ancestry (he had a Black great-grandparent), he was not allowed, by law, to sit in this car. When he took his claim to court, the U.S. Supreme Court eventually ruled which of the following?

a. He should have been allowed to sit in the "Whites only" railroad car as the statute violated equal rights.
b. The statute that segregated railroad cars by race did not fail to give Plessy equal protection under the law.
c. The statute that segregated railroad cars by race failed to give Plessy equal protection under the law.
d. The statute did not apply to him because his African American ancestry was a great-grandparent.

ANSWER: b

36. George McLaurin was the first Black student admitted to the University of Oklahoma's graduate school of education. After enrolling in the program, McLaurin was segregated from his classmates. In *McLaurin v. Oklahoma State Regents* (1950), the Supreme Court concluded which of the following?

a. McLaurin's rights were upheld by the University of Oklahoma, being admitted to the graduate school.
b. McLaurin's rights were not violated by the University of Oklahoma by being segregated from his classmates.
c. The restrictions set up by the University of Oklahoma impaired and inhibited McLaurin's ability to study, discuss, and exchange views with other students.
d. The restrictions set up by the University of Oklahoma did not impair nor inhibit McLaurin's ability to study, discuss, or exchange views with other students.

ANSWER: c

37. Fill in the blanks in the following sentence: Whereas lawyers are typically adversarial and engage in "either-or" thinking, psychologists are expected to be _____ and think more in terms of _____.

a. unbiased; absolutes
b. empathetic; probabilities
c. truthful; absolutes
d. objective; probabilities

ANSWER: d

38. Tatiana Tarasoff was killed by Prosenjit Poddar, a graduate student at the University of California. Tatiana's parents sued and the case was heard by the Supreme Court of California. The *Tarasoff* case is important because of which of the following?

a. It gave a legal definition of "dangerousness" in order to protect potential victims of someone in psychotherapy.
b. It upheld the right of the family to seek redress when a dangerous person admitted by the university commits a crime.
c. It concluded that psychotherapists are required to retain client confidentiality due to the ethics rules provided by the American Psychological Association even if a client may be violent.
d. It specified that psychotherapists have a duty to use reasonable care to protect identifiable, potential victims from clients in psychotherapy who threaten violence.

ANSWER: d

39. A basic scientist's work is which?

a. To conduct research to apply to law
b. Not intended to be applied
c. To be unbiased and evidence-based
d. Can only be applied to law in limited circumstances

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Chapter 01

ANSWER: b

40. Two psychologists separately do research on whether pornography causes men to attack women. The first, Dr. A, is interested in testing his theory of arousal and its effects on aggressive behavior. He has no interest in reducing violence rates in the real world. In contrast, Dr. B does her research because she wants to reduce the number of incidents in which women are victims of violent men. Based on this information, which of the following statements is correct?

a. Both Drs. A and B are applied scientists.
b. Both Drs. A and B are research scientists.
c. Dr. A is a basic scientist; Dr. B is an applied scientist.
d. Dr. A is a research scientist; Dr. B is an applied scientist.

ANSWER: c

41. For a person to testify as an expert witness, which is correct?

a. The expert witness must have a Ph.D. in the field of testimony.
b. Both sides must agree on the person's expertise in the field of testimony.
c. The judge must agree to admit the testimony of the expert witness.
d. The expert witness must have direct knowledge of the field of testimony.

ANSWER: c

42. Expert witnesses are which of the following?

a. Hired by one side but supposed to remain impartial
b. Hired by one side and supposed to support that side only
c. Hired by the court to be an unbiased arbitrator who remains impartial
d. Not allowed to be paid after the verdict in order to prevent partiality

ANSWER: a

43. The *Daubert* decision listed four factors that judges should consider in assessing the validity and subsequent admissibility of the expert's testimony. Which of the following is *not* one of these four factors?

a. Whether the expert's theory or technique can and has been tested
b. The impartiality of the expert's testimony, theory, or technique
c. Whether the expert's theory or technique has been evaluated by peer review
d. The extent to which the expert's technique and claims have been generally accepted by the relevant scientific community

ANSWER: b

44. Which of the following decisions led to judges deciding whether potential expert testimony should be admissible in court by using the standards of science?

a. *Blakely v. Washington* (2003)
b. *Shang v. California* (2003)
c. *Daubert v. Merrell Dow* (1993)
d. *United States v. Shah* (1993)

ANSWER: c

45. A psychologist is asked to determine if Project New Chance, a program to help people receiving public assistance obtain and keep employment, has achieved its goals. How would we best label this psychologist's role?

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Wrightsmans Psychology and the Legal System 10th edition Heilbrun Test Bank

Chapter 01

a. Program researcher
b. Policy scientist
c. Policy evaluator
d. Program advocate

ANSWER: c

46. A police department develops "community watch" groups to reduce the crime rate. A psychologist is called to assist in designing and critiquing this innovation. How would we best label this psychologist's role?
a. Policy evaluator
b. Policy advocate
c. Program evaluator
d. Program advocate

ANSWER: a

47. Laws regulating the areas in which people may smoke cigarettes illustrate the conflict between individual rights and public safety.
a. True
b. False

ANSWER: True

48. Jerry Sandusky was granted a retrial.
a. True
b. False

ANSWER: False

49. In recent years, judges have been allowed less discretion in sentencing.
a. True
b. False

ANSWER: False

50. Jay has recently told his therapist that he is having violent thoughts. According to the *Tarasoff* decision, the therapist has the duty to warn Jay's family and place of employment that Jay is a potential threat.
a. True
b. False

ANSWER: False

51. Kurt Lewin, a founder of social psychology, proposed that behavior is a function of both the person and the environment. Qualities of the external environment and pressures from the situation affect an individual's behavior.
a. True
b. False

ANSWER: True

52. Gay, lesbian, and transgender troops have served openly in the U.S. military since 2016.
a. True
b. False

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Chapter 01

ANSWER: True

53. Unlike the crime control model, the due process model, favored in the 1990s, places primary value on the protection of citizens, including criminal suspects, from possible abuses by the police and the law enforcement system generally.

a. True

b. False

ANSWER: False

54. The U.S. Supreme Court recognizes that juveniles are capable of understanding right and wrong just as can an adult, so they may be tried and punished equally to an adult.

a. True

b. False

ANSWER: False

55. In determinate sentencing, judges and parole commissions can determine the sentence.

a. True

b. False

ANSWER: False

56. Explain, define, and contrast the conflict between the rights of individuals and the rights of society in the due process model and the crime control model.

ANSWER: Answers may vary.

The values underlying each of these models are legitimate, and the goal of our society is to achieve a balance between them. But because different priorities are important to each model, there is constant tension between them. The due process model, favored in the 1960s, places primary value on the protection of citizens, including criminal suspects, from possible abuses by the police and the law enforcement system generally. It assumes the innocence of suspects and requires that they be treated fairly (receive "due process") by the criminal justice system. It subscribes to the maxim that "it is better that ten guilty persons shall go free than that one innocent person should suffer." Thus, the due process model emphasizes the rights of individuals, especially those suspected of crimes, over the temptation by society to assume suspects are guilty even before a trial. In contrast, the crime control model, favored in the 1990s, seeks the apprehension and punishment of lawbreakers. It emphasizes the efficient detection of suspects and the effective prosecution of defendants to help ensure that criminal activity is being contained or reduced.

57. Discuss the kinds of ethical questions that emerge when a psychologist becomes a consultant in the selection of jurors.

ANSWER: Answers may vary.

Many ethical questions emerge when the psychologist becomes a consultant for one side in the selection of jurors. Just how far should the selection procedures go? Should jurors have to answer consultants' intrusive questions about their private lives? Should consultants be able to sculpt the jury to their clients' advantage? Do these techniques simply constitute the latest tools in the attorney's arsenal of trial tactics? Or do they bias the proceedings and jeopardize the willingness of citizens to participate in the process? These questions deal with fairness, and scientific jury selection may conflict with the way some people interpret the intent of the law.

58. Do you agree that "conflict resolution" and "truth," are not always incompatible? Why or why not? Discuss with reference to one of the cases covered in the text.

ANSWER: Answers may vary.

"Conflict resolution" and "truth," as goals, are not always incompatible. When all participants in a legal dispute are able to raise concerns and provide supporting documentation, the goal of learning the truth

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becomes more attainable. But frequently there is tension between these goals, and in some instances, the satisfactory resolution of a conflict may be socially and morally preferable to discovering an objective truth. Yet resolving conflict in a hurried or haphazard manner can have a downside, as illustrated by the experience of Richard Jewell. Jewell was a security guard at the 1996 Summer Olympics in Atlanta. Shortly after a bombing that disrupted the Games, the FBI began to question Jewell, who had discovered the bomb. Although at first the FBI denied that he was a suspect, they treated him like one, and his name and photograph were widely publicized. The pressure to find the person responsible for this terrifying act—and the desire to give people a sense that no more bombings would occur because the perpetrator had been caught—doubtless influenced the premature focus on Richard Jewell. Despite relentless FBI investigation, no charges were brought against Jewell, and in 2005, Eric Rudolph, a fugitive who lived in the hills of North Carolina for years after the bombing, pleaded guilty of the offense.

59. Describe the state of Louisiana's dispute with Homer Plessy during the 1890s, including the results and importance of the trial.

ANSWER: Answers may vary.

During a train trip in Louisiana in the 1890s, Plessy sat down in a "Whites Only" railroad car. Plessy's ancestry was mostly White, but he had one Black great-grandparent. Therefore, according to the laws of Louisiana at that time, Plessy was considered Black. However, he refused to move to a car designated for "colored" passengers, as a recently passed state law required. He took his claim to court, but a New Orleans judge ruled that, contrary to Plessy's argument, the statute that segregated railroad cars by race did not violate the Fourteenth Amendment to the Constitution. In other words, it did not fail to give Plessy "equal protection under the law." Plessy persisted in his appeal, and eventually, in 1896, the U.S. Supreme Court upheld the decision of the judge and the lower courts. Judge Henry Billings Brown, speaking for the majority faction of the Supreme Court, declared that laws that had established separate facilities for the races did not necessarily imply that one race was inferior to the other.

60. Which of the following is one of five distinct roles for psychologists in the legal system?

a. Policy evaluator
b. Forensic evaluator
c. Consultant
d. All of these are correct.

ANSWER: d

61. Which of the following is true of a basic scientist?

a. They often work with policy evaluators.
b. They do not have a specific area of expertise.
c. They want their research used in the real world.
d. They study a phenomenon for the satisfaction of understanding it.

ANSWER: d

62. Which of the following is true of an applied scientist?

a. They often work with policy evaluators.
b. They do not have a specific area of expertise.
c. They want their research used in the real world.
d. They study a phenomenon for the satisfaction of understanding it.

ANSWER: c

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Chapter 01

63. Which side, as part of its presentation of the evidence, may ask the judge to allow expert witnesses to testify?
    a. Prosecution
    b. Defense
    c. Prosecution and defense
    d. Neither the prosecution nor the defense

ANSWER: c

64. Which of the following is true of a policy evaluator?
    a. They often work with basic scientists.
    b. They assess how well an intervention has worked.
    c. They want their research used in the real world.
    d. They study a phenomenon so that they can present policy as law.

ANSWER: b

65. What is one clear implication of the *Daubert* decision?
    a. Judges must become savvy consumers of science if they are to decide which opinions qualify as "scientific."
    b. Judges must take into account the juveniles' developmental status in sentencing.
    c. Expert witnesses have to remain unbiased no matter which side they are hired by.
    d. Psychotherapists can break confidentiality in order to protect identified potential victims of violent acts.

ANSWER: a

66. A forensic mental health assessment is usually reserved for which?
    a. Prosecution
    b. Defense
    c. Judge
    d. Prosecution or defense

ANSWER: b

67. Forensic evaluators assess matters such as which of the following?
    a. The effects custody arrangements after divorce
    b. The impact of DNA evidence on a trial
    c. The veracity of a physiological report on a trial
    d. The impact of sentencing on rate of recidivism

ANSWER: a

68. Which researcher might study how attendance at religious services impacts criminality?
    a. Psychologist
    b. Anthropologist
    c. Sociologist
    d. Philosopher

ANSWER: c

69. Which researcher looks at the impact of institutions on crime?
    a. Anthropologists

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b. Sociologists
c. Psychologists
d. Physiologists

ANSWER: b

70. Which researchers might look at the impact of laws on individuals?
a. Psychologists
b. Sociologists
c. Anthropologists
d. Philosophers

ANSWER: d

71. Which of the following scenarios illustrates the rights of individuals versus the common good?
a. COVID 19 policies regarding wearing masks
b. Smoking in restaurants being prohibited because of second-hand smoke
c. Mandatory flu vaccinations for nursing staff at hospitals
d. All of the above

ANSWER: d

72. Which of the following is true of the *Miranda* rule?
a. Guarantees the right to remain silent
b. Guarantees the right to equal representation
c. Protects against unlawful search and seizure
d. All of the above

ANSWER: a

73. What are two of the models of the criminal justice system?
a. Crime prevention and due process models
b. Crime control and due process models
c. Crime control and equal process models
d. Crime prevention and equal process models

ANSWER: b

74. Equality is best serviced by
a. Discriminate sentencing
b. Racial profiling
c. Implicit bias
d. All of the above

ANSWER: a

75. The *show me your papers law* illustrated which of the following?
a. Crime prevention model
b. Crime control model
c. Due process model

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d. Equal process model

ANSWER: b

76. Which is the principle of proportionality?
a. The same proportion of persons should be found guilty of a crime whether they are White or Black.
b. The punishment should be consistent with the number of offenses of the perpetrator.
c. The punishment should be consistently related to the magnitude of the offense.
d. None of the above

ANSWER: c

77. Which of the following is true in regard to discretion in juvenile justice?
a. Juveniles are more likely to be rehabilitated than repeat adult offenders.
b. Juveniles sentenced to the same sentence as an adult spent more of their life behind bars.
c. Juveniles may be at a different developmental stage than adults.
d. All of the above

ANSWER: d

78. Why do sentencing disparities occur?
a. Because state laws typically determine sentencing options, so sentencing can differ state to state
b. Because there is not enough space in the prison system
c. Because of discriminate sentencing
d. Because police officers arrest people who are underrepresented or peoples of color more often than others.

ANSWER: a

79. In the Tatiana Tarasoff case, the California Supreme Court ruled in favor of Tatiana's parents and held the university negligent.
a. True
b. False

ANSWER: True

80. Expert testimony may be useful in employee discrimination by enlightening the jury on selection and promotion procedures.
a. True
b. False

ANSWER: True

81. When testifying as experts, psychologists have an ethical responsibility to the side that hired them.
a. True
b. False

ANSWER: False

82. The policy evaluator provides data to answer questions such as "I have instituted a policy; how do I know whether it was effective?"
a. True
b. False

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Wrightsmans Psychology and the Legal System 10th edition Heilbrun Test Bank

Chapter 01

ANSWER: True

83. Discretion in the legal system involves considering the circumstances of certain offenders and offenses to determine the appropriate consequences for wrongdoing.

a. True

b. False

ANSWER: True

84. In the 1990s, the Supreme Court established a number of principles that provided or expanded explicit rights for those suspected of breaking the law.

a. True

b. False

ANSWER: False

85. Tension between individual rights and the common good is one example of the basic choices that pervade the psychological study of the law.

a. True

b. False

ANSWER: True

86. Define racial bias and implicit bias, how these two are related, and their consequences in our justice system.

ANSWER: One explanation for this disparity is racial bias, whereby police officers, prosecutors, jurors, and judges use an individual's race as a basis for judging their behavior. Race-based stereotypes affect beliefs about offenders' culpability and dangerousness, as well as perceptions of the likelihood of reoffending (Spohn, 2015). Sometimes bias and stereotyping is explicit and intentional, and other times it is implicit and unintentional. Implicit bias is especially concerning, since people are unaware that they are being influenced by race; for example, they may get a "bad feeling" from a Latino defendant (Kovera, 2019). But once these biases occur, they can act as a filter for interpreting and using other information about the offender and the circumstances. Fortunately, some studies have shown that once decision makers are made aware of the potential for racial bias, they can largely avoid it (Pearson et al., 2009).

87. Define, explain, and give an example of therapeutic jurisprudence.

ANSWER: The idea that the law is a social force with consequences for people's well-being is an approach termed therapeutic jurisprudence. Reform-minded lawyers, jurists, and legal scholars advocate for legal procedures and institutions that facilitate therapeutic ends. They ask how the law can be applied or reformed to enhance individuals' welfare. Therapeutic jurisprudence has been applied in nearly all areas of the law including criminal law, family law, employment law, probate, health care, workers' compensation, and labor arbitration. One example is sentencing drug offenders to rehabilitation programs rather than prison

88. Explain the importance of the following statement and how it relates to our legal system and psychologists' roles within it: "Law relies on precedents; psychology relies on scientific methods."

ANSWER: In contrast to the law, which relies on precedents, psychology is generally committed to the idea that there is an objective world of experience that can be understood by adherence to the rules of science—systematic testing of hypotheses by observation and experimental methodology. As a scientist, the psychologist should be committed to a public, impersonal, objective pursuit of truth, relying on methods that can be repeated by others and interpreting results by using predetermined standards.

89. What are the issues and benefits with using randomized controlled trials (RCT) in law?

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Chapter 01

ANSWER: We note very few examples of such studies in law. There are easily understood reasons why this is so; to conduct an RCT in a legal setting, the investigator must convince decision makers to randomly assign participants to an experimental condition involving an intervention that is not yet established. Judges, parole boards, and prison wardens are understandably reluctant to agree to this. One possible parameter of RCTs in legal contexts involves using a "treatment as usual" control group and comparing that to an experimental group that includes treatment as usual plus other components. Doing so can help investigators to convince reluctant decision makers that nobody is likely to be put at greater risk of harm by this—including citizens who could be victims of future crime if the outcome involved reoffending

90. What is meant by saying that "Laws are human creations?"

ANSWER: Given that the body of laws has such a widespread impact, we might expect that the law is a part of nature, that it was originally discovered by a set of archaeologists or explorers.
But our laws are not chiseled in stone. Rather, laws are human creations that evolve out of the needs for order and consistency. To be responsive to a constantly changing society, our laws must also change. As some become outdated, others take their place.

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