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Name:_____ Class:_____ Date:_____

Chapter 01: Multiple Choice

1. The knowledge and skills of developmental psychologists might be most relevant for the legal system in which case?
   a. When studying the dynamics of jury deliberation.
   b. When assessing a mentally ill defendant for potential risk of violence.
   c. When deciding whether the eyewitness is able to remember the scene of a crime.
   d. When evaluating which custody arrangement will most benefit the child.

ANSWER: d

2. The knowledge and skills of clinical psychologists might be most relevant for the legal system in which case?
   a. When selecting jurors potentially sympathetic to the defendant.
   b. When assessing a mentally ill defendant for potential risk of violence.
   c. When deciding whether the eyewitness is able to remember the scene of a crime.
   d. When evaluating which custody arrangement will most benefit the child.

ANSWER: b

3. The knowledge and skills of cognitive psychologists might be most relevant for the legal system in which case?
   a. When selecting jurors potentially sympathetic to the defendant.
   b. When assessing a mentally ill defendant for potential risk of violence.
   c. When deciding whether the eyewitness is able to remember the scene of a crime.
   d. When evaluating which custody arrangement will most benefit the child.

ANSWER: c

4. The knowledge and skills of social psychologists might be most relevant for the legal system in which case?
   a. When studying the dynamics of jury deliberation.
   b. When assessing a mentally ill defendant for potential risk of violence.
   c. When deciding whether the eyewitness is able to remember the scene of a crime.
   d. When evaluating which custody arrangement will most benefit the child.

ANSWER: a

5. Berta is a developmental psychologist. Her knowledge and skills might be most relevant for the legal system in which case?
   a. When evaluating the state of mind of a teenager who brought guns to school.
   b. When deciding whether jurors understand jury instructions correctly.
   c. When assessing a mentally ill defendant's competency to stand trial.
   d. When studying how the type of interrogation is related to the likelihood of false confession.

ANSWER: a

6. Santiago is a clinical psychologist. His knowledge and skills might be most relevant for the legal system in which case?
   a. When evaluating the state of mind of a teenager who brought guns to school.
   b. When deciding whether jurors understand jury instructions correctly.

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Chapter 01: Multiple Choice

c. When assessing a mentally ill defendant's competency to stand trial.
d. When studying how the type of interrogation is related to the likelihood of false confession.

ANSWER: c

7. Nia is a cognitive psychologist. Her knowledge and skills might be most relevant for the legal system in which case?
a. When advising on the assessment of violence risk for the defendant.
b. When deciding whether jurors understand jury instructions correctly.
c. When assessing a mentally ill defendant's competency to stand trial.
d. When studying the impact of domestic violence exposure on children.

ANSWER: b

8. Jasmine is a social psychologist. Her knowledge and skills might be most relevant for the legal system in which case?
a. When advising on the assessment of violence risk for the defendant.
b. When deciding whether jurors understand jury instructions correctly.
c. When assessing a mentally ill defendant's competency to stand trial.
d. When studying how the type of interrogation is related to the likelihood of false confession.

ANSWER: d

9. Sam is a cognitive psychologist. What aspect of the legal process might he provide assistance with in court?
a. Determining the general fairness of the legal system.
b. Advising at what age children are fully cognizant of their actions within the law.
c. Evaluating the defendant's competence to stand trial.
d. Clarifying whether jurors understand the instructions for deliberating a verdict.

ANSWER: d

10. Which two events in 1908 led to the recognition by psychologists that their ideas could be used to transform the legal system?
a. the publication of *On the Witness Stand*, the case of *Brown v. Board of Education*
b. the case of *Muller v. Oregon*, the publication of *On the Witness Stand*
c. Sigmund Freud's speech to Austrian judges about unconscious processes, the case of *Muller v. Oregon*
d. the legal realism movement, the case of *Muller v. Oregon*

ANSWER: b

11. Brandeis's brief in *Muller v. Oregon* (1908) was a milestone in the development of the psychology and law union because it:
a. relied on expert testimony from professional psychologists.
b. expanded graduate training for psychologists.
c. mandated the use of research training for judges.
d. opened the door for U.S. courts to use social scientific evidence.

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Chapter 01: Multiple Choice

ANSWER: d

12. The _____ approach treats laws as being actively constructed by judges as serving social policy goals, whereas _____ treats laws as evolved to reflect the principles found in nature.
    a. legal objectivism; environmental law
    b. environmental law; legal objectivism
    c. legal realism; natural law
    d. natural law; legal realism

ANSWER: c

13. Legal realists:
    a. thought judicial decisions reflected principles found in nature.
    b. felt judges used careful logic to arrive at a single correct decision in a particular case.
    c. believed judges constructed the law through their interpretations of evidence and precedent.
    d. showed little interest in applying social science research to the legal system.

ANSWER: c

14. Legal realism, as expressed by Karl Llewellyn in the 1920s and 1930s, embodied all of these views EXCEPT:
    a. law should promote the common good.
    b. law should be judged independent of its effects.
    c. social science research should be embraced.
    d. judges should be active interpreters of the law.

ANSWER: b

15. The famous *Brown v. Board of Education* (1954) case, besides being one of the most important Supreme Court rulings of the twentieth century, was a milestone in the psychology and law alliance because:
    a. the ruling cited research conducted by social scientists.
    b. the judge admonished social scientists for their testimony.
    c. the jury overruled the social science expert's opinion.
    d. jurors' opinions were influenced by the expert's testimony.

ANSWER: a

16. In the 1960s and 1970s, all of these tendencies were developing EXCEPT:
    a. there was growing pessimism about the alliance of psychology and law.
    b. the legal system was becoming more receptive toward social scientific research.
    c. psychologists were becoming more eager to apply research to law-related matters.
    d. there was enthusiasm about using therapeutic methods to rehabilitate criminals.

ANSWER: a

17. When psychology and law are discussed as embodying different cultures, the underlying cultural differences viewed as most important are:

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Chapter 01: Multiple Choice

a. language, cuisine, and music.
b. style, demeanor, and gestures.
c. traits, opinions, and achievements.
d. behaviors, values, and beliefs.

ANSWER: d

18. When psychology and law are discussed as embodying different cultures, the underlying differences between the two fields considered most important are:
a. peer-review practices and precedents.
b. goals, methods, and styles of inquiry.
c. burdens of proof and levels of adequacy.
d. levels of education required for practice.

ANSWER: b

19. During the trial, each side is trying to win the case. However, the goal of the legal system overall is to:
a. achieve justice.
b. achieve peace.
c. obtain compensation for all parties.
d. not be hampered by fairness.

ANSWER: a

20. _____ can be described as an effort to figure out how the world works, whereas _____ provides a system for meting out just deserts.
a. Law; science
b. Science; culture
c. Culture; law
d. Science; law

ANSWER: d

21. The primary goal of psychological science is to:
a. study the effects of laws on humans under various conditions.
b. regulate human behavior.
c. demonstrate how punishment works.
d. provide accurate explanations of human behavior.

ANSWER: d

22. According to the text, psychology _____, whereas the legal system _____.
a. emphasizes the characteristics of groups; emphasizes individual cases
b. emphasizes individual cases; emphasizes the characteristics of groups
c. applies abstract principles; understands the general nature of humans
d. develops legal protocol; generalizes the details of a case

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Chapter 01: Multiple Choice

ANSWER: a

23. According to the text, legal culture tries to avoid:
    a. opinions.
    b. decisions.
    c. uncertainty.
    d. injustice.

ANSWER: c

24. Courts have been more receptive to clinical psychologists than to other types of psychologists. The most probable reason is that, like lawyers, clinicians:
    a. can lie easily to achieve their ends.
    b. are oriented toward the individual case.
    c. care more about justice than the truth.
    d. have a background in scientific methods.

ANSWER: b

25. The law is based on _____, whereas psychology is based on _____.
    a. authority; empiricism
    b. procedure; advocacy
    c. empiricism; authority
    d. objectivity; procedure

ANSWER: a

26. Which statement is NOT true concerning precedent?
    a. judges are strongly constrained by the doctrine of *stare decisis*
    b. a connection to precedent can substantially increase the persuasiveness of a legal argument
    c. precedents are past decisions on legal issues
    d. precedent is continually revised in response to social change

ANSWER: d

27. Precedents can BEST be described as:
    a. legal cases that have established a rule later applied to other cases with similar issues.
    b. past decisions dictating all future cases, regardless of how well the rule fits new cases.
    c. reviews of facts in a case that occurred in a similar jurisdiction.
    d. rulings on the matters that were applied to the same plaintiff or defendant in an earlier case.

ANSWER: a

28. At the end of the nineteenth century, Justice Oliver Wendell Holmes famously said, "Law is the government of the living by the dead." His saying reflects the currently relevant principle that:
    a. criminal murder cases have to be solved even if the suspect is already dead.

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Chapter 01: Multiple Choice

b. past decisions are often discarded to make way for future understanding.
c. applying laws is a living, breathing, constantly changing process.
d. legal rulings in cases decided a long time ago may still apply to current cases.

ANSWER: d

29. Which statement is NOT true of lawyers in the U.S. legal system?
a. lawyers do a bit of acting at times
b. lawyers must be advocates for their clients
c. lawyers can knowingly permit witnesses to lie under oath
d. lawyers actively promote a one-sided view of the facts

ANSWER: c

30. Which statement is NOT true of scientists?
a. values and biases do not impact scientists
b. scientists must strive for objectivity
c. researchers may disagree about the correct interpretation of data
d. scientists are not capable of perfect objectivity

ANSWER: a

31. The basis of the adversarial legal system is the belief that:
a. the prosecution depends on the adverse nature of the case.
b. truth will emerge as a result of the contest between opposing sides.
c. the defense only depends on eyewitness testimony.
d. the truth always prevails.

ANSWER: b

32. During the trial, attorneys make opening statements and closing arguments for the purpose of:
a. swaying the expert's opinion.
b. convincing the opposing side's attorneys.
c. advancing their version of the evidence.
d. finding out the truth of what happened.

ANSWER: c

33. Differences in goals, methods, and styles of inquiry made the relationship between psychology and law:
a. natural and harmonious
b. difficult but important
c. impossible to forge
d. successful in every way

ANSWER: b

34. Sylvester is hired by the defense to help select jurors who would be less likely to convict. This is an

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Chapter 01: Multiple Choice

example of a psychologist acting in the _____ role in the legal system.

a. advisor
b. evaluator
c. reformer
d. clinician

ANSWER: a

35. Trial consultants are usually hired to:

a. prepare witnesses and shape trial strategy.
b. cite law and write abbreviated briefs.
c. perform psychological evaluations and risk assessment.
d. conduct research and advocate for reform.

ANSWER: a

36. Get-tough interventions like Scared Straight and boot camps have been found:

a. extremely effective in reducing recidivism.
b. not to work and even backfire.
c. promising but in need of further evaluations.
d. not to be amenable to evaluation.

ANSWER: b

37. _____ evaluations provide ongoing information about a program's effectiveness, while _____ evaluations judge overall effectiveness and recommend whether a program should be continued.

a. Policy; program
b. Summative; formative
c. Formative; summative
d. Program; policy

ANSWER: c

38. Psychologists as evaluators are most likely doing research to answer which question?

a. Who committed the crime?
b. Can laws be improved?
c. Does the policy or program work?
d. Is the lawyer using an effective trial strategy?

ANSWER: c

39. Ricardo is conducting research to determine the effectiveness of the D.A.R.E. program. This is an example of a psychologist acting in the _____ role in the legal system.

a. advisor
b. evaluator
c. reformer

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Chapter 01: Multiple Choice

d. clinician

ANSWER: b

40. Isabella is advocating for a change in the way domestic violence victims are treated by the police and the courts. This is an example of a psychologist acting in the _____ role in the legal system.

a. advisor
b. evaluator
c. reformer
d. clinician

ANSWER: c

41. Which statement is NOT true about psychologists as reformers?

a. psychologists must wait for absolute certainty before communicating their findings and advocating for a position
b. to promote change a psychologist must step away from the role of objective scientist
c. psychologists must grapple with whether or not they have sufficient confidence in their findings before advocating a particular change
d. many psychologists are uncomfortable playing the role of reformer

ANSWER: a

42. In consideration of scientific testimony, *gatekeeping* in the legal sense includes:

a. determining the court session protocol and procedures.
b. assessing the scientific validity of potential testimony.
c. counseling juries on the value of scientific evidence.
d. providing instructions to the jurors before they start deliberation.

ANSWER: b

43. For a reasonable evaluation of the scientific validity of a potential expert testimony, sufficient understanding of _____ is needed.

a. court proceedings
b. jury instructions
c. research methods
d. legal terminology

ANSWER: c

44. According to the text, the term *gatekeeper* refers to:

a. securing the courtroom.
b. the sorting of various briefs for the purpose of finding relevant precedents.
c. establishing the triers of fact.
d. the assessment of scientific validity of testimony before allowing it in trial.

ANSWER: d

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Chapter 01: Multiple Choice

45. Roles that psychologists may play in the legal system include:
    a. auxiliary judges.
    b. gatekeepers.
    c. reformers.
    d. parapsychologists.

ANSWER: c

46. The *Daubert* trilogy of cases impacts trial courts by:
    a. putting the burden of decisions about allowing expert testimony on trial judges.
    b. demonstrating that judges understand social science research and methods.
    c. making judges take statistics courses and regular refresher training.
    d. proving scientific research is well understood by key actors in the legal system.

ANSWER: a

47. The ways the *Daubert* trilogy affected the legal system include all of these EXCEPT:
    a. judges are now more likely to exclude expert testimony, even if it's scientifically sound.
    b. lawyers often "shop around" for an expert who would support their side.
    c. superior courts are more likely to question trial judges' decisions about allowing expert testimony.
    d. experts are virtually never prosecuted for perjury, even if they provided biased and scientifically incompetent testimony.

ANSWER: c

48. According to the article "Neuroscience in the Courtroom," recent advances in neuroscience have:
    a. improved the reliability of expert witnesses.
    b. increased cohesiveness of jury decision making.
    c. made brain scans a universally accepted piece of evidence at trials.
    d. raised important questions about free will and personal responsibility.

ANSWER: d

49. Psychologists testifying in court feel it is their responsibility to correctly and clearly present scientific findings, even if this may lead to an unfair verdict by the jury. According to Saks (1990), such an expert fulfills the role of:
    a. conduit-educator.
    b. philosopher-advocate.
    c. hired gun.
    d. inadvertent influencer.

ANSWER: a

50. Which statement is NOT true about cross-disciplinary education?
    a. exposure to psychological science is likely to make lawyers and judges less receptive to scientific testimony
    b. psychologists with legal training are more likely to communicate their findings to legal professionals

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Chapter 01: Multiple Choice

c. psychologists with legal training are better equipped to ask questions that are useful to the legal system

d. exposure to psychological science is likely to make lawyers and judges less receptive to testimony lacking a solid scientific foundation

ANSWER: a

51. *Amicus curiae* briefs:

a. help experts testifying in court get their point across.

b. provide a way to influence the court when expert testimony is not allowed.

c. summarize the questions raised by the jury during the deliberation of a verdict.

d. reflect scientists' lack of interest in the legal system.

ANSWER: b

52. According to the text, when writing *amicus curiae* briefs, it may be hard for psychologists to balance the goals of:

a. science translation and advocacy.

b. authoritativeness and leniency.

c. speculation and deliberation.

d. reflectivity and action orientation.

ANSWER: a

53. The text mentions several impactful ways for scientists to influence the thinking of legal professionals. Which is NOT one of them?

a. disseminating the knowledge gained from research studies by describing them in popular press like *Time* magazine

b. participating in continuing education programs that judges and lawyers are required to attend

c. lobbying legislators to pass laws requiring the testimony of psychologists at every trial

d. making scientific findings easy to understand and accessible to the public

ANSWER: c

54. Which is NOT a way that psychologists have influenced the thinking of legislatures?

a. translating voluminous research into a series of recommendations

b. serving as expert witnesses in individual cases

c. testifying before the U.S. Congress

d. none of the above

ANSWER: b

55. The roles of psychologists and their influence in the legal system created which positive change?

a. Judges now tend to be well informed about the recent advances in psychological research.

b. Judges are now more likely to accept expert testimony from psychologists as truth.

c. Judges have to articulate more clearly what their decisions are based on.

d. Judges often defer to the jury regarding whether an expert should be allowed to testify.

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Chapter 01: Multiple Choice

ANSWER: c

56. Which event sequence is in the correct order?
    a. arrest, investigation, booking, preliminary hearing
    b. investigation, arrest, initial appearance, booking
    c. arrest, investigation, booking, initial appearance
    d. investigation, arrest, booking, initial appearance

ANSWER: d

57. Monica is a clinical psychologist hired by the defense to testify on whether or not a defendant is likely to be dangerous in the future. This is an example of a psychologist acting in the _____ role in the legal system.
    a. clinician
    b. evaluator
    c. reformer
    d. advisor

ANSWER: d

58. Which is NOT an advisory role played by psychologists?
    a. trail consulting
    b. actively promoting change in the legal system
    c. testifying on whether a defendant is competent to stand trail
    d. writing briefs submitted to the court

ANSWER: b

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Name:_____ Class:_____ Date:_____

Chapter 01: Essay

1. Compare and contrast the approaches of psychology and law. Which system is more open to change?

ANSWER: Main points:

- Psychology and law represent two different cultures.
- They differ in goals (truth vs. justice), methods (data vs. rulings), and styles of inquiry (objectivity vs. advocacy).
- Psychology as a science is based on relativism (of knowledge and theories, or interpretations of facts).
- Law as a system is rooted in the past (rulings, precedents).
- Psychology is more egalitarian, law is a more hierarchical system.
- Psychology is more open to change since science implies skepticism and new discoveries, while law abides by past decisions (precedents).

2. Discuss why it might be difficult for psychologists to maintain their impartiality as scientists while trying to successfully fulfill their roles as experts testifying in court.

ANSWER: Main points:

- The U.S. legal system is adversarial.
- Often experts are hired by either defense or prosecution with the expectation of helping one side of the trial.
- Lawyers tend to "shop around" for an expert who would testify the way the lawyer needs.
- Experts may have ideals or convictions they want to advocate for.
- Being effective as an expert in court requires presenting a clear-cut, easy-to-understand picture.
- At the same time, science is rarely clear-cut or simple, it requires objectivity and skepticism about our own and others' findings.
- Conflicting explanations for the same facts are not uncommon in science but must be presented as clear, one sided, and convincing in court.

3. How did trial judges become the gatekeepers for expert testimony? Are there any problems with their gatekeeping role? How can the system be improved?

ANSWER: Main points:

- Under the *Daubert* standard (trilogy of Supreme Court decisions), trial judges are the sole decision makers on whether to allow expert testimony.
- Judges are expected to be "amateur scientists" to figure out if the proposed expert testimony has enough merit.
- Judges generally do not have any training in social science research methods and thus may not be able to discern between good and not-so-good science.
- To improve the system, judges need to undergo mandatory training in research methods and be kept abreast of new scientific knowledge in the field of forensic psychology and other social sciences through continuing education.

4. Geert Hofstede found that cultures could be differentiated on the dimension of "uncertainty avoidance." Discuss why legal culture ranks high on uncertainty avoidance, while the scientific process does not.

ANSWER: Main points:

- The legal system must render final, unambiguous decisions.
- Putting an end to legal disputes requires clear, binding rulings.

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Chapter 01: Essay

- The search for truth in the legal system is conducted in pursuit of a final judgment.
- No single research study is ever conclusive and no finding is truly definitive.
- Judgments made by scientists are not dichotomous, they are probabilistic.
- In science, no conclusion is final and current understandings are subject to revision.

5. Given the fundamental differences between psychology and law, and the difficulty of changing the legal system, why should psychologists bother to continue investigating the legal system?

ANSWER: Main points:

- The legal system is pervasive and powerful and therefore should be informed by the best available scientific knowledge.
- The law shapes our lives from birth to death and involvement in the legal system carries significant consequences.
- Many issues confronted by the legal system are psychological and can be answered by conducting research.
- For example, questions about what is considered fair treatment, why people commit crimes, and so on.

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