Community Based Corrections 12th edition Alarid Test Bank

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TRUE/FALSE

1 : Probation, as it is practiced today in the United States, evolved out of norms and traditions of the Greek, Roman, and Arab cultures.
A : true
B : false

Correct Answer : B

2 : Early British criminal law was dominated by the objectives of punishment and retribution.
A : true
B : false

Correct Answer : A

3 : At one time in England, more than 200 crimes were punishable by death, including many relatively minor property offenses.
A : true
B : false

Correct Answer : A

4 : A motion to quash is a court order that postpones the filing, imposition, or execution of a sentence if an offender can maintain good behavior.
A : true
B : false

Correct Answer : B

5 : Commonwealth v. Chase (1831) is often cited as an early example of how corporal punishment was first used in the United States.
A : true
B : false

Correct Answer : B

6 : An amercement refers to a monetary penalty imposed arbitrarily at the discretion of the court for an offense.
A : true
B : false

Correct Answer : A

7 : The father of probation in the United States was a bootmaker.
A : true
B : false

Correct Answer : A

8 : The procedure most closely related to modern probation is the indeterminate sentence.
A : true
B : false

Correct Answer : B

9 : The two kinds of suspended sentences are suspension of imposition of sentence and suspension of execution of sentence.
A : true
B : false

Correct Answer : A

10 : John Augustus, a Boston bootmaker in the mid-1800s, has been credited as being the Father of Probation in the United States.
A : true
B : false

Correct Answer : A

11 : Elmira, New York, is the location of the first juvenile justice system in the United States.
A : true
B : false

Correct Answer : B

12 : In 1984, the Comprehensive Crime Control Act abolished federal parole and brought all supervised prison releasees under the judicial control of federal probation departments.
A : true
B : false

Correct Answer : A

13 : Placing out, which was a process that placed delinquents who would have otherwise been sent to reform school in foster homes, was an early form of juvenile probation.
A : true
B : false

Correct Answer : A

14 : In the United States today, probation is exclusively administered by the executive branch of government.
A : true
B : false

Correct Answer : B

15 : In 1898, Vermont became the second state to pass a probation statute and adopted a county plan of organization.
A : true
B : false

Correct Answer : A

16 : Community corrections acts were developed as statewide agreements through which local government could receive funding to develop community correctional sanctions.

A : true
B : false

Correct Answer : B

17 : The casework model of community corrections that occurred from 1900 to 1970 in the United States emphasized fairness and due process.
A : true
B : false

Correct Answer : B

18 : The justice model of supervision that took place from 1982 to 2000 utilized an escalated system of sanctions that corresponded to the level of social harm that resulted from an offenders actions.
A : true
B : false

Correct Answer : A

19 : The brokerage of services era of community corrections involved identifying the needs of probationers and parolees and referring them to an appropriate community agency.
A : true
B : false

Correct Answer : A

20 : Police may use discretion to issue a civil citation to an adult who commits a status offense.
A : true
B : false

Correct Answer : B

MULTIPLE CHOICE

21 : Contemporary probation is the direct result of the effort in England and the United States to
A : avoid harsh corporal punishments.
B : ensure the capture of a greater number of offenders.
C : maximize punishment and retribution.
D : coordinate community corrections efforts with parole programs.

Correct Answer : A

22 : In early British criminal law, punishments consisted primarily of
A : prison.
B : jail.
C : corporal punishment.
D : fines.

Correct Answer : C

23 : In early British criminal law, a(n) _____ was a monetary penalty imposed arbitrarily at the discretion of a court for an offense.
A : amercement
B : filing
C : surety
D : motion to quash

Correct Answer : A

24 : The case of _____ is often cited as an example of the early use of release on recognizance.
A : Roper v. Simmons
B : Commonwealth v. Chase
C : Gideon v. Wainwright
D : In re Gault

Correct Answer : B

25 : Security for good behavior is similar to modern-day
A : bail.
B : fines.
C : day fines.
D : restitution.

Correct Answer : A

26 : A procedure that allowed the indictment to be held without further action but allowed the judge to impose certain conditions on the defendant was known as
A : good abearance.
B : recognizance.
C : abjuration.
D : laid on file.

Correct Answer : D

27 : Massachusettss judges often used this procedure to allow offenders to go free when they thought the statutory penalties were inhumane.
A : Abjuration
B : Motion to quash
C : Probation
D : Recognizance

Correct Answer : B

28 : A(n) _____ is a court order after a verdict, finding, or guilty plea that suspends or postpones an imposition or execution of a sentence during a period of good behavior.
A : suspended sentence
B : abeyance
C : recognizance
D : abjuration

Correct Answer : A

29 : In 1916, the U.S. Supreme Court resolved the issue of whether the courts had the power to indefinitely suspend sentences in which of the following cases?
A : Killits
B : Case
C : Gagnon
D : Pate

Correct Answer : A

30 : Who is known as the father of probation for the United States?
A : Matthew Hill
B : John Howard
C : Andrew Jackson
D : John Augustus

Correct Answer : D

31 : When an indictment is held in abeyance with neither dismissal nor final conviction, in cases in which the judge wishes to defer adjudication or suspend the sentence, it is
A : deferential adjudication.
B : laid on file.
C : mandated to probation.
D : deemed unworthy.

Correct Answer : B

32 : Statewide probation was first sanctified by statute in which of the following states in 1878?
A : Florida
B : Texas
C : Virginia
D : Massachusetts

Correct Answer : D

33 : Federal probation was not officially established until
A : 1905.
B : 1915.
C : 1925.
D : 1935.

Correct Answer : C

34 : _____ is considered to be one of the original cofounders of probation and has been credited for laying the foundation for probation in England.
A : Reverend Thomas Wright
B : Matthew Davenport Hill
C : Reverend Paul Klenowski
D : John Murray Spear

Correct Answer : B

35 : _____ refers to the an alternative program to traditional criminal justice sentences that provides first-time offenders with a chance to have the current charges against them if they

abide by a predetermined treatment plan to be carried out in the community.
A : Restoration
B : Diversion
C : Adjudication
D : Reformation

Correct Answer : B

36 : The National Probation Act was signed into law by
A : Calvin Coolidge.
B : Theodore Roosevelt.
C : Franklin Roosevelt.
D : Richard Nixon.

Correct Answer : A

37 : _____ are contractual agreements that assures county governments that they will receive state funding for its community-based correctional programs.
A : Community corrections acts
B : Restorative relief acts
C : State-based correctional relief acts
D : Diversionary corrections acts

Correct Answer : A

38 : From the 1700s to the early 1800s, children were disciplined and punished for crimes
A : by the church.
B : through an elaborate judicial process.
C : by a jury of their peers.
D : by parents and other adults in the community.

Correct Answer : D

39 : To protect children from exploitation in the early to mid-1800s, the New York Childrens Aid Society
A : shipped children to farmers in the West.
B : insisted on punitive measures of accountability.
C : developed local community corrections programs.
D : rallied political support for reform.

Correct Answer : A

40 : The first juvenile court was established in Chicago in
A : 1800.
B : 1899.
C : 1920.
D : 1955.

Correct Answer : B

41 : Juvenile probation was formed under English common law and the doctrine of _____, which is a Latin term for the doctrine that the state is parent and therefore serves as guardian of juveniles who might not be able to fend for themselves.

A : parens patriae
B : corpus delicti
C : habeas corpus
D : nolo contedere

Correct Answer : A

42 : Diversion is also known as
A : bail.
B : pretrial release.
C : deferred adjudication.
D : security for good behavior.

Correct Answer : C

43 : Probation systems are often either county or _____ controlled and funded.
A : locally
B : state
C : federally
D : none of the above

Correct Answer : B

44 : In the contemporary organizational structure of probation agencies in the United States, the practices are
A : uniform.
B : all state administered.
C : all county administered.
D : not uniform.

Correct Answer : D

45 : Which community corrections model in the United States utilized probation and parole officers as social workers who sought to diagnosis and treat those offenders (clients) they were assigned?
A : Brokerage of services
B : Case worker
C : Justice
D : Neighborhood-based supervision model

Correct Answer : A

46 : Which of the following agencies qualifies for funding through community corrections acts?
A : Federal probation
B : State parole
C : Local probation
D : County jail

Correct Answer : C

47 : A police officer who suspects a juvenile of smoking cigarettes can refer that juvenile directly to a deferred adjudication via
A : arrest.

B : mandatory sentencing.
C : shock incarceration.
D : civil citation.

Correct Answer : D

48 : The brokerage of services model in community corrections sought to provide
A : therapeutic services to probationers and parolees.
B : referral to appropriate community agencies.
C : supervision by a team of officers with individual specializations.
D : a focus on fairness and due process.

Correct Answer : B

49 : About _____% of current probationers have at least one prior conviction.
A : 20
B : 30
C : 40
D : 50

Correct Answer : D

FILL IN THE BLANK

50 : _____ as it is practiced today was devised to avoid the mechanical application of the harsh penal codes of earlier times.

Correct Answer : Probation

51 : A monetary penalty imposed arbitrarily by the court in punishment for an offense is known as a(n) _____.

Correct Answer : amercement

52 : Today, _____ is used to ensure a defendants presence at court, but the main goal was originally to humanize criminal law and mitigate its harshness.

Correct Answer : recognizance

53 : When the court enters an order after the verdict, finding, or plea that postpones the imposition, or execution, of sentence during the good behavior of the offender, it is known as a(n) _____.

Correct Answer : suspended sentence

54 : It is generally agreed that the first true probation law was enacted in the United States in 1878 and grew out of the work of _____, who is credited with being a founder of probation in America.

Correct Answer : John Augustus

55 : Federal probation was authorized in 1925 when President Coolidge signed the _____.

Correct Answer : National Probation Act

56 : _____ is the philosophy of allowing the state to serve as the guardian of juveniles who might not be able to fend for themselves.

Correct Answer : Parens patriae

57 : _____ was the person responsible for the establishment of the first juvenile court in 1899 in the city of Chicago, Illinois.

Correct Answer : Lucy Flower

58 : Vermont was the second state to pass a probation statute, adopting a(n) _____ plan of organization in 1898.

Correct Answer : county

59 : The chance to avoid a criminal record by completing a term of community supervision where an individual follows a predetermined treatment plan while agreeing to stay out of trouble is known as _____.

Correct Answer : deferred adjudication/diversion

60 : When an indictment is held in abeyance with neither dismissal nor final conviction, in cases in which the judge wishes to defer adjudication or suspend the sentence, it is _____.

Correct Answer : laid on file

61 : An oral or written request that the court repeal, nullify, or overturn a decision, usually made during or after the trial, is called a _____.

Correct Answer : motion to quash

62 : The community corrections model known as the _____ model sought to provide therapeutic services to probationers or parolees (often referred to as clients) to assist them in living productively in the community.

Correct Answer : casework

63 : Closely allied to the brokerage of services model of community corrections, the _____ model encourages probation and parole officers to form skills and linkages with community agencies in one or two areas only.

Correct Answer : community resources management team

64 : The vast majority of current U.S. probationers have been sentenced for a(n) _____ or alcohol violation.

Correct Answer : drug

ESSAY

65 : Discuss the significance of the decision in Commonwealth v. Chase.

Correct Answer : In the 1830 case of Commonwealth v. Chase, often cited as an example of the early use of release on recognizance, Judge Peter Oxenbridge Thacher found the defendant (Jerusha Chase) guilty on her plea, suspended the imposition of sentence, and ruled that the defendant was permitted to be released upon her word that she would reappear at a later date for her next court appearance. Recognizance came to be used in Massachusetts as a means of avoiding a final conviction of young and minor offenders in the hope that they would avoid further criminal behavior. The main thrust of recognizance was to humanize criminal law and to mitigate its harshness. Although recognizance was illegal in 1830, it is used today to ensure a defendant's presence in court and is neither a disposition nor a form of supervision in itself.

66 : What are the two kinds of suspended sentence? How do they differ, and how does the distinction between them affect the organization of our modern probation system?

Correct Answer : There are two kinds of suspended sentence—suspension of imposition of sentence and suspension of execution of sentence. In the case of suspension of imposition of sentence, a verdict or plea may be reached, but no sentence is pronounced, and there is no conviction. This means that there is no criminal record and no loss of civil rights provided law-abiding behavior continues for a specified period of time (for example, for three years). The withholding or postponement of sentence is revoked or terminated if the offender commits a new crime.In the case of suspension of execution of sentence, the defendant is placed on probation and the conviction remains on record. A conviction is followed by the execution of criminal sanctions and loss of civil rights and privileges. The suspended sentence can thus be either a separate disposition or a sentencing alternative connected with probation.

67 : What was the Ex parte United States court case? What was its impact on modern probation?

Correct Answer : In a case known as the "Killits" case, Judge Killits refused to vacate the suspended sentence even when the victim did not wish to prosecute. This case went all the way to the U.S. Supreme Court, and in 1916 the Court held that federal courts had no power to suspend indefinitely the imposition or execution of a sentence (Ex parte United States 242 U.S. 27, 1916). This aspect—the recognition of legislative authority to grant the power of indefinite suspension to the courts—made probation as now defined and practiced in the United States largely statutory. As a result of the Killits case, the president pardoned approximately 2,000 people. The Court, as a remedy to an indefinite suspension, suggested probation legislation.

68 : Who were John Augustus and Matthew Davenport Hill, and what was their role in regard to probation in their respective countries?

Correct Answer : The development of the probation idea can be credited to two cofounding individuals: John Augustus and Matthew Davenport Hill. The credit for founding probation in the United States is reserved for John Augustus, a Boston bootmaker. Augustus (1939) was committed to bailing out offenders that he deemed would return to court. The offenders would be ordered to appear before the court at a stated time, at which Augustus would accompany each to the courtroom. If the judge was satisfied with Augustus's account of his stewardship, the offender, instead of being committed to the House of Correction, would be fined one cent

and court costs and Augustus paid the fine. Matthew Davenport Hill was less known in the United States, but he deserves equal credit alongside John Augustus as a cofounder of probation. Hill laid the foundation of probation in England, where he lived and worked. Both pioneers supervised offenders in the community while reporting their behavior to the court. Release to the community was premised upon continued law-abiding behavior, as it is in contemporary probation.

69 : What are community corrections acts, and how do local-level, community correctional agencies benefit from them?

Correct Answer : To address concerns about local community differences and the lesser ability of local government to render political pull, community corrections acts were developed to expand local sentencing options in lieu of imprisonment. Community corrections acts (CCAs) are statewide agreements through which funds are granted to local governments to develop and deliver community correctional sanctions and services (McManus & Barclay, 1994). CCAs decentralize correctional sanctions so that they more closely reflect community values and attitudes. The first community corrections act was enacted in Minnesota in 1973, and such acts now exist in 28 states. State-run programs do not qualify as CCAs; only those that are operated locally or through private agencies qualify. In this way, local governments benefit from the greater revenue-generating capacity of state government.

70 : How has the concept of supervision changed over the past century? What factors have brought about these changes?

Correct Answer : The casework model was used from 1900 to 1970. It was oriented toward casework, providing therapeutic services to probationers or parolees (often referred to as clients) to assist them in living productively in the community. The literature of probation and parole supervision during this period was replete with medical and psychiatric terminology, such as treatment and diagnosis, and treatment plans were developed with the goal of rehabilitation. The service brokerage model emerged in about 1970 and was used for the following decade. Many services were needed by probationers and parolees that could be more readily and effectively provided by specialized community agencies that provide mental health, employment, housing, education, private welfare, and other services. The “service broker” type of probation or parole officer attempts to determine the needs of the probationer or parolee and locates and refers the client to the appropriate community agency. The justice model emerged after 1980 and remained the primary model through 2000. It advocates an escalated system of sanctions corresponding to the social harm resulting from the offense and the offender’s culpability. The justice model regards a sentence of probation not as an alternative to imprisonment but as a valid sanction in itself. The move from the treatment-oriented model was precipitated by research showing that it was not working effectively in many cases. The service brokerage model was thought to bring in the expertise of the entire community and give the probation officer more time to supervise the offender’s compliance with all of the conditions of probation. However, as the just deserts philosophy was accepted by the American population, the justice model emerged and remains popular with much of the public because it is viewed as being more punitive and more concerned with the social harm resulting from the offender’s act.

71 : You are a judge in a small Nebraska town. There is an opioid epidemic, and many of the dealers are minors. You need to come up with a consistent, clear plan for probation. Should probation of the juvenile offenders in your district be handled differently from that of adults? Contextualize your opinion using historical examples from your text.

Correct Answer : Answers will vary

72 : You live and work in Oregon as a state representative. There is increasing tension between local law enforcement and the governor, who wants more control in parole and probation supervision. You have to discuss the pros and cons of each side to the opposing side. What will you say to each? Use the Oregon Community Corrections Act from Box 2.1 of the text as a model for how things work in your state.

Correct Answer : Answers will vary

73 : You are running for governor on a civil liberties platform. Many of your potential constituents believe that parole and probation should be separate, but there is a conservative section of the state that believes the budgetary needs of the state requires they be combined. What do you feel is the best course of action, and how will you convince all voters that the executive branch of government is most effective to handle these cases? Use examples from the text to justify your opinion.

Correct Answer : Answers will vary

74 : Which of the two models of supervisionneighborhood-based or criminogenic needs-based do you think is most effective? Why? Discuss the benefits and drawbacks of each in your answer.

Correct Answer : Answers will vary

75 : You are a judge who must use discretion in order to determine how probationers are treated. Most of your cases are misdemeanors, and but budgetary concerns are pressuring you to make a one-size-fits-all decision that applies to both felonies and misdemeanors. You need to write an op-ed in your local newspaper arguing why felony probationers should be treated differently than misdemeanor offenders.

Correct Answer : Answers will vary