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Type: E
1. Explain the doctrine of incorporation.
*a. Through the Fourteenth Amendment, the states are bound by the Bill of Rights. This is known as the doctrine of incorporation.
@ Type: SA; Learning objective: Know the constitutional guarantees protected by the Bill of Rights; Cognitive domain: Comprehension; Answer location: Introduction, pp.27

2. Which of the following amendments includes protections and guarantees that exist at the heart of democracy?
*a. First Amendment
b. Second Amendment
c. Fourth Amendment
d. Eighth Amendment
@ Type: MC; Learning objective: Know the constitutional guarantees protected by the Bill of Rights; Cognitive domain: Application; Answer location: First Amendment, pp.28

3. Which of the following rights is not promised in the First Amendment?
a. Free speech
*b. Speedy trial
c. Freedom of press
d. Right to petition the state for redress
@ Type: MC; Learning objective: Know the constitutional guarantees protected by the Bill of Rights; Cognitive domain: Application; Answer location: First Amendment, pp.28

4. The right to speak freely is the bedrock of a democratic society.
*a. True
b. False
@ Type: TF; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Comprehension; Answer location: Freedom of Speech, pp.28

5. Free speech is not protected in which of the following societies?
*a. Totalitarian and Militaristic
b. Totalitarian and Democratic
c. Democratic and Militaristic
d. Democratic and Communist
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Freedom of Speech, pp.28

6. The First Amendment prevents the government from restricting expression base on its
a. ideas.

b. subject matter.
c. message.
*d. All of the above
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Comprehension; Answer location: Freedom of Speech, pp.28

7. Freedom of speech and expression encourage people to speak freely without fear of punishment.
*a. True
b. False
@ Type: TF; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Knowledge; Answer location: Freedom of Speech, pp.28

Type: E
8. What did the U.S. Supreme Court rule in *Brandenburg v. Ohio* (1969).
*a. The Court ruled that Brandenburg's speech is not protected under the First Amendment because his advocacy might lead to a violent public eruption.
@ Type: SA; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Knowledge; Answer location: Freedom of Speech, pp.29

9. Symbolic speech must be designed to communicate a message.
*a. True
b. False
@ Type: TF; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Comprehension; Answer location: Symbolic Speech, pp.31

Type: E
10. Identify the key issues that are generally at the root of flag burning.
*a. According to the authors, individuals who have resorted to flag burning are doing so because of their discontent with U.S. laws, policies, or practices.
@ Type: SA; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Comprehension; Answer location: Symbolic Speech, pp.31

11. Which of the following cases involved the burning of a draft card?
a. *Tinker v. Des Moines* (1969)
b. *Schacht v. U.S.* (1970)
*c. *U.S. v. O'Brien* (1968)
d. *Brown v. Louisiana* (1966)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.34

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12. Which of the following cases involved the burning of a cross?
a. *U.S. v. Grace* (1983)
b. *Spence v. Washington* (1974)
c. *Texas v. Johnson & U.S. v. Eichman* (1989, 1990)
*d. *R.A.V v. St. Paul & Virginia v. Black* (1992, 2003)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.34

13. Which of the following cases involved the refusal to salute the U.S. flag?
*a. *W. VA State Board of Ed. v. Barnette* (1943)
b. *U.S. v. Grace* (1983)
c. *Spence v. Washington* (1974)
d. *Schacht v. U.S.* (1970)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.34

14. Which of the following cases involved picketing outside of the Supreme Court?
a. *Schacht v. U.S.* (1970)
b. *Spence v. Washington* (1974)
c. *Texas v. Johnson & U.S. v. Eichman* (1989, 1990)
*d. *U.S. v. Grace* (1983)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.34

15. Which of the following cases involved the wearing of a military uniform to protest war?
a. *Brown v. Louisiana* (1966)
b. *Tinker v. Des Moines* (1969)
*c. *Schacht v. U.S.* (1970)
d. *Texas v. Johnson & U.S. v. Eichman* (1989, 1990)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.34

16. Which of the following cases involved a sitting-in protest at a library, which was geared towards the issues of segregation.
a. *Texas v. Johnson & U.S. v. Eichman* (1989, 1990)
*b. *Brown v. Louisiana* (1966)
c. *Spence v. Washington* (1974)
d. *Tinker v. Des Moines* (1969)

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@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.34

Type: E
17. What did the U.S. Supreme Court rule in *Spence v. Washington* (1974)?
*a. The Court upheld Spence's speech as constitutional and stated that the flag carries different meanings for different people.
@ Type: SA; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Knowledge; Answer location: Symbolic Speech, pp.35

18. The Supreme Court reversed the conviction on the grounds that flag burning was constitutionally protected by symbolic speech in which of the following cases?
a. *Spence v. Washington* (1974)?
*b. *Texas v. Johnson* (1989)
c. *Tinker v. Des Moines* (1969)
d. *Brown v. Louisiana* (1966)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.35

Type: E
19. Explain the Flag Protection Act.
*a. The Flag Protection Act made it unlawful to deface an American flag.
@ Type: SA; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Knowledge; Answer location: Symbolic Speech, pp.35

20. In which of the following cases was the Flag Protection Act challenged?
a. *Texas v. Johnson* (1989)
b. *Schacht v. U.S.* (1970)
*c. *U.S. v. Eichman* (1990)
d. *U.S. v. Grace* (1983)
@ Type: MC; Learning objective: Define symbolic speech and provide examples of constitutionally protected symbolic speech; Cognitive domain: Application; Answer location: Symbolic Speech, pp.35

21. Which of the following are categories of speech that does not have constitutional protection?
a. Obscenity
b. Fighting words
c. Language that causes clear and present danger
*d. All of the above

@ Type: MC; Learning objective: Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Application; Answer location: The Limits of Free Speech, pp.35

22. Obscenity is protected by the U.S. Constitution.
*a. True
b. False
@ Type: TF; Learning objective: Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Knowledge; Answer location: The Limits of Free Speech, pp.35

23. The Supreme Court looks at which of the following factors when deciding whether something is obscene?
a. Whether material is lewd
b. Whether the material violated community standards
c. Whether the material had social value
*d. All of the above
@ Type: MC; Learning objective: State the test for obscenity; Cognitive domain: Application; Answer location: Obscenity, pp.35

24. The U.S. Supreme Court has stopped using the *Miller* test to decide whether material is obscene.
a. True
*b. False
@ Type: TF; Learning objective: State the test for obscenity; Cognitive domain: Knowledge; Answer location: Obscenity, pp.36

25. In which of the following cases did the Supreme Court hold that a person has a right to have obscene material in the privacy of their own home?
a. *Miller v. California* (1973)
b. *Jacobellis v. Ohio* (1964)
*c. *Stanley v. Georgia* (1969)
d. *Chaplinksy v. New Hampshire* (1942)
@ Type: MC; Learning objective: State the test for obscenity; Cognitive domain: Application; Answer location: Obscenity, pp.36

26. In which of the following cases did the Supreme Court hold that stats can prohibit intentionally hateful communication?
a. *Stanley v. Georgia* (1969)
b. *Wisconsin v. Mitchell* (1993)
c. *Chaplinksy v. New Hampshire* (1942)
*d. *R.A.V. v. St. Paul* (1992)
@ Type: MC; Learning objective: Provide the definition of fighting words; Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Application; Answer location: Fighting Words and Hate Speech, pp. 37

27. The Court held that it is constitutional for a state to impose a longer sentence against an offender for a racially motivated crime in the _____ case.
*a. *Wisconsin v. Mitchell* (1993)
b. *Chaplinksy v. New Hampshire* (1942)
c. *R.A.V v. St. Paul* (1992)
d. *Schenck v. United States* (1919)
@ Type: MC; Learning objective: Provide the definition of fighting words; Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Knowledge; Answer location: Fighting Words and Hate Speech, pp. 37

28. Speech that creates an immediate threat of violence is not constitutionally protected.
*a. True
b. False
@ Type: TF; Learning objective: Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Comprehension; Answer location: Imminent Lawless Action, pp.38

29. Protected forms of speech can be regulated by the state.
*a. True
b. False
@ Type: TF; Learning objective: Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Comprehension; Answer location: Time, Place, and Manner Restrictions, pp. 38

30. The government can decide on which of the following?
a. When public speech is permissible
b. Where public speech is permission
c. Under what circumstance is speech permissible
*d. All of the above
@ Type: MC; Learning objective: Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Comprehension; Answer location: Time, Place, and Manner Restrictions, pp. 38

31. Which of the following are considered to be restrictions imposed by states and municipalities, among other entities?
a. Time
b. Place
c. Manner
*d. All of the above
@ Type: MC; Learning objective: Identify the circumstances when the criminal law may infringe upon individual rights; Cognitive domain: Comprehension; Answer location: Time, Place, and Manner Restrictions, pp. 38

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32. The Second Amendment protects right to assemble.
a. True
*b. False
@ Type: TF; Learning objective: Explain freedom of assembly; Cognitive domain: Comprehension; Answer location: Freedom of Assembly, pp.38

33. The Supreme Court has upheld the practice of animal sacrifice for members of the Santeria religion.
*a. True
b. False
@ Type: TF; Learning objective: Discuss the right to free exercise of religion; Cognitive domain: Comprehension; Answer location: Free Exercise of Religion, pp.38

34. Which of the following amendments protects ones right to bear arms?
a. First Amendment
*b. Second Amendment
c. Third Amendment
d. Fourth Amendment
@ Type: MC; Learning objective: Summarize the right to bear arms; Cognitive domain: Comprehension; Answer location: Second Amendment, pp.39

35. In the _____ case the Court held that the Second Amendment applies to the states through the Fourteenth Amendment's due process clause.
a. *District of Columbia v. Heller* (2008)
b. *Edwards v. South Carolina* (1963)
*c. *McDonald v. Chicago* (2010)
d. *Harmelin v. Michigan* (1991)
@ Type: MC; Learning objective: Summarize the right to bear arms; Cognitive domain: Comprehension; Answer location: Second Amendment, pp.42

36. There are two due process clauses.
*a. True
b. False
@ Type: TF; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Comprehension; Answer location: Due Process, pp.42

37. The _____ Amendment guarantees due process for federal laws.
a. First
b. Second
*c. Fifth
d. Fourteenth
@ Type: MC; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Comprehension; Answer location: Due Process, pp.42

38. The Fourteenth Amendment guarantees due process for state laws.
*a. True
b. False
@ Type: TF; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Comprehension; Answer location: Due Process, pp.42

39. The prohibition against cruel and unusual punishment refers to pretrial jail terms.
a. True
*b. False
@ Type: TF; Learning objective: Explain the prohibition against cruel and unusual punishment; Cognitive domain: Comprehension; Answer location: Eighth Amendment, pp.43

40. In _____ the U.S. Supreme Court held that as long as a sentence is not grossly disproportionate to the crime, it may be upheld.
*a. *Harmelin v. Michigan* (1991)
b. *Graham v. Florida* (2010).
c. *McLaughlin v. Florida* (1964)
d. *Loving v. Virginia* (1967)
@ Type: MC; Learning objective: Explain the prohibition against cruel and unusual punishment; Cognitive domain: Comprehension; Answer location: Eighth Amendment, pp.43

41. Which of the following clauses was added to the Fourteenth Amendment?
a. Due Process Clause
*b. Equal Protection Clause
c. Establishment Clause
d. Probable Clause
@ Type: MC; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Comprehension; Answer location: Equal Protection Clause, pp.43

42. The Fourteenth Amendment was passed in
a. 1800
b. 1856
c. 1862
*d. 1868
@ Type: MC; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Knowledge; Answer location: Equal Protection Clause, pp.43

43. Equal protection challenges have been raised in which of the following cases?
a. Racial desegregation

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b. Interracial marriage
c. Capital punishment
*d. All of the above
@ Type: MC; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Comprehension; Answer location: Equal Protection Clause, pp. 43

44. In 1967, _____ states have anti-miscegenation laws.
a. 10
b. 14
*c. 16
d. 19
@ Type: MC; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Knowledge; Answer location: Equal Protection Clause, pp.43

45. A key concern with vague laws is that they may be used to punish members of socially marginal groups.
*a. True
b. False
@ Type: TF; Learning objective: Differentiate between the due process clause and the equal protection clause; Cognitive domain: Comprehension; Answer location: Due Process, pp.46

46. The right to privacy has evolved through Supreme Court decisions.
*a. True
b. False
@ Type: TF; Learning objective: Know the constitutional sources for the right to privacy; Cognitive domain: Comprehension; Answer location: Right to Privacy, pp.47

47. The right to privacy covers which of the following areas?
a. Contraception
b. Family relations
c. Sexual relations
*d. All of the above
@ Type: MC; Learning objective: Know the constitutional sources for the right to privacy; Cognitive domain: Comprehension; Answer location: Right to Privacy, pp.47

48. The right to privacy has roots in all of the following amendments except?
*a. Third Amendment
b. Fourth Amendment
c. Ninth Amendment
d. Fourteenth Amendment
@ Type: MC; Learning objective: Know the constitutional sources for the right to privacy; Cognitive domain: Comprehension; Answer location: Right to Privacy, pp.47

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49. The right to terminate a pregnancy is one of the most contentious areas involving right to privacy.
*a. True
b. False
@ Type: TF; Learning objective: Know the constitutional sources for the right to privacy; Cognitive domain: Comprehension; Answer location: Right to Privacy, pp.47

50. Which of the following restrictions have been upheld by Supreme Court cases after *Roe v. Wade* (1973)?
a. 24-hour waiting period
b. Informed consent provisions
c. Parental consent for minors
*d. All of the above
@ Type: MC; Learning objective: Know the constitutional sources for the right to privacy; Cognitive domain: Knowledge; Answer location: Right to Privacy, pp.47

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