

Undersheriff Bob Burnison Alternative Guest Speaker Worksheet

Multiple Choice: Identify the choice that best completes the statement or answers the question.

- _____ 1. The Fifth Amendment provides the defendant with
- a free attorney if he or she cannot afford one.
 - the right to remain silent.
 - a speedy trial.
 - all of the above
- _____ 2. Statements made by a defendant in custody before he or she has been given the *Miranda* warnings
- are admissible if the state can prove the defendant had a prior arrest record and therefore did not need the warnings.
 - are admissible at trial if the defendant's statement can be corroborated by other evidence.
 - are admissible at trial if the defendant repeats them after police give the warnings.
 - make the arrest invalid.
- _____ 3. Which of the following statements about the *Miranda* warnings is true?
- There are no exceptions to the *Miranda* rule.
 - The Court does not limit the impact of the *Miranda* rule.
 - Failure to give *Miranda* warnings does not affect the validity of an arrest.
 - Police must inform people of their *Miranda* rights after questioning.
- _____ 4. Simon belonged to a political group responsible for blowing up several corporate offices of multinational companies. Acting on a tip, the police surround Simon in front of the offices of a major corporation and ask him where the explosives are. Simon tells them. His statements are
- inadmissible because he was not given the *Miranda* warnings.
 - inadmissible because he was never charged with a crime.
 - admissible because he was a known criminal.
 - admissible because of the public safety exception to *Miranda*.

Short Answer

- What are the two ways of making an arrest?
- What are the criticisms of using profiles to help establish reasonable suspicion or probable cause?
- What is a stop and frisk?
- T'Andre refuses to speak to an officer who stops him on the street to ask questions. How does T'Andre's refusal to speak affect the determination of probable cause?
- Where in the constitution is the right to privacy written?
- What is the impact of a police officer's failure to read the *Miranda* warnings to an arrested person?