

***Corrections: An Introduction, 6e (Seiter)***  
**Chapter 2 Sentencing and the Correctional Process**

2.1 Multiple Choice Questions

1) Which type of crime is punishable by one year or more of incarceration?

- A) felony
- B) misdemeanor
- C) drug
- D) infraction

Answer: A

Page Ref: 33

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

2) Which of the following is TRUE of pretrial diversion programs?

- A) Pretrial diversion programs offer people charged with crimes alternatives to traditional criminal justice proceedings.
- B) Pretrial diversion programs occur after a finding of guilt.
- C) Pretrial diversion programs are used for major offenders of laws, such as murder or aggravated assault.
- D) All offenders with successful pretrial diversion programs have a formal criminal record of the offense.

Answer: A

Page Ref: 34

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Intermediate

3) Which of the following is an advantage of a diversionary treatment program?

- A) Diversionary treatment programs cost considerably more than criminal justice processing.
- B) Diversionary treatment programs increase the demands on the court to process the case as a criminal activity.
- C) With diversionary treatment programs, offenders avoid the stigma associated with a criminal conviction.
- D) Diversionary treatment programs generally do not involve community treatment programs.

Answer: C

Page Ref: 35

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Intermediate

4) Which 1987 U.S. Supreme Court decision upheld the ability of a magistrate to confine an offender on the presumption that he or she was dangerous?

- A) *Bell v. Wolfish*
- B) *Williams v. New York*
- C) *United States v. Salerno*
- D) *Miranda v. Arizona*

Answer: C

Page Ref: 36-37

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Intermediate

5) Which of the following is a pledge of money or property in exchange for a promise to return for further criminal processing?

- A) plea bargain
- B) surety
- C) release on recognizance
- D) bail

Answer: D

Page Ref: 37

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

6) In which country did pretrial release programs originate?

- A) England
- B) China
- C) United States
- D) Babylon

Answer: A

Page Ref: 37

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

7) Which constitutional amendment states that excessive bail may NOT be required?

- A) Fourteenth
- B) Eighth
- C) First
- D) Fourth

Answer: B

Page Ref: 37

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

8) Which of the following is a problem with the system of bail as a requirement for release?

- A) The bail process discriminates against the poor.
- B) The bail process does not allow freedom to be bought.
- C) The ability to "make bail" is closely related to the risk of the offender.
- D) The availability of financial resources is closely related to the risk of the offender.

Answer: A

Page Ref: 38

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Intermediate

9) Which of the following is an alternative to bail?

- A) preventive detention
- B) personal recognizance
- C) pretrial diversion
- D) deferred prosecution

Answer: B

Page Ref: 39

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

10) Which of the following accurately describes plea bargaining?

- A) Plea bargaining is a contract in which the plaintiff pleads guilty in exchange for reduced compensation.
- B) Plea bargaining is a contract in which the defendant refuses to plead guilty in exchange for a reduced sentence.
- C) Plea bargaining is an agreement in which the defendant enters a plea of guilty in exchange for a reduced sentence.
- D) Plea bargaining is an agreement in which the plaintiff refuses to plead guilty in exchange for a compensation.

Answer: C

Page Ref: 41

Objective: Describe the role of plea bargaining.

Level: Basic

11) Which of the following is included in a presentence investigation (PSI)?

- A) information about the prosecution
- B) the offender's final sentence
- C) a list of sentences from similar cases
- D) the range of allowable sanctions

Answer: D

Page Ref: 42

Objective: Summarize the presentence investigation and how the presentence investigation report is used.

Level: Basic

12) For which of the following is a presentence investigation used?

- A) initiating a plea bargain deal
- B) determining the amount of bail

- C) sentencing by the court
- D) providing details solely in misdemeanor cases

Answer: C

Page Ref: 43

Objective: Summarize the presentence investigation and how the presentence investigation report is used.

Level: Basic

13) What percentage completion of sentence does the *truth in sentencing* reform require?

- A) 50 percent
- B) 95 percent
- C) 65 percent
- D) 85 percent

Answer: D

Page Ref: 50

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

14) Which of the following is NOT a sentencing option?

- A) capital punishment
- B) community service
- C) parole
- D) probation

Answer: C

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

15) Which of the following sentencing options authorized in state penal codes requires an offender to pay a fine or do community service in exchange for a waiver on jail time?

- A) short-time confinement
- B) imprisonment
- C) capital punishment
- D) economic sanctions

Answer: D

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

16) Which of the following is TRUE of indeterminate sentences?

- A) Determinate sentences have fixed term of sentences.
- B) Offenders are eligible for release following the completion of the term to be served.
- C) Offenders are subject to release by parole boards.
- D) Truth in sentencing is a form of indeterminate sentences.

Answer: C

Page Ref: 49-50

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

17) Who initiated the concept of "good time"?

- A) Alexander Maconochie
- B) the U.S. Supreme Court
- C) Jeremy Bentham
- D) Cesare Beccaria

Answer: A

Page Ref: 50

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

18) In which of the following sentencing models do judges have primary discretion in creating the sentence?

- A) mandatory minimum sentencing
- B) administrative form of sentencing
- C) judicial form of sentencing
- D) legislative form of sentencing

Answer: C

Page Ref: 51-52

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

19) In presumptive sentencing, what do mitigating circumstances indicate to a judge?

- A) that the felon is a third-time offender
- B) reasons to increase punishment
- C) that capital punishment is appropriate
- D) reasons for leniency

Answer: D

Page Ref: 53

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

- 20) Which of the following is a reason why states have adopted sentencing guidelines?
- A) Guidelines provide uniformity, ensuring that similar crimes merit similar sentences.
  - B) Guidelines relieve judges of the burden of providing written explanations for their decisions.
  - C) Guidelines increase prison jobs by promoting harsh sentences for minor offenses.
  - D) Guidelines discourage the use of planners for predicting the number of inmates in prisons.

Answer: A

Page Ref: 53-55

Objective: Compare the different types of sentences and sentencing models.

Level: Intermediate

- 21) Which of the following is a goal of mental health courts?

- A) increasing the repetition of contacts with the criminal justice system
- B) dealing with the underlying drug issues of clients
- C) stopping the use of communities to treat mentally ill individuals
- D) increasing public safety by reducing criminal activity by mentally ill individuals

Answer: D

Page Ref: 63

Objective: Suggest how drug, mental health, and other specialty courts are positive developments in the sentencing of criminal offenders.

Level: Intermediate

## 2.2 True/False Questions

- 1) The police, the courts, and judges make up the three major components of the criminal justice system.

Answer: FALSE

Page Ref: 33

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

- 2) Fewer than 30 percent of felony cases result in a guilty plea by the defendant, and instead go to trial.

Answer: FALSE

Page Ref: 41

Objective: Describe the role of plea bargaining.

Level: Intermediate

- 3) Most states require presentence investigations (PSIs) for felony cases that allow the possibility of probation.

Answer: TRUE

Page Ref: 43

Objective: Summarize the presentence investigation and how the presentence investigation report is used.

Level: Intermediate

4) The presentence investigation is intended to assist courts in the sentencing decision.

Answer: TRUE

Page Ref: 43

Objective: Summarize the presentence investigation and how the presentence investigation report is used.

Level: Basic

5) Historically, the presentence investigation was short, factual without opinion, and designed to avoid legal challenges by the defense.

Answer: FALSE

Page Ref: 44-45

Objective: Summarize the presentence investigation and how the presentence investigation report is used.

Level: Basic

6) Intermediate sanctions provide less supervision and monitoring than standard probation.

Answer: FALSE

Page Ref: 47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

7) In criminal cases, offenders can be charged with more than one crime or with several counts of the same crime.

Answer: TRUE

Page Ref: 47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

8) By the beginning of the twentieth century, preparation for release was considered an important part of the prison experience, and correctional systems provided programs to prepare inmates for the community transition.

Answer: TRUE

Page Ref: 49

Objective: Compare the different types of sentences and sentencing models.

Level: Intermediate

9) In 1994, California restricted the definition of three-strikes laws to exclude some second-felony offenders.

Answer: FALSE

Page Ref: 52

Objective: Compare the different types of sentences and sentencing models.

Level: Intermediate

10) Drug courts are usually a unit within the court system.

Answer: TRUE

Page Ref: 62

Objective: Suggest how drug, mental health, and other specialty courts are positive developments in the sentencing of criminal offenders.

Level: Basic

11) Mental health courts are merely drug courts handling the mentally ill.

Answer: FALSE

Page Ref: 63

Objective: Suggest how drug, mental health, and other specialty courts are positive developments in the sentencing of criminal offenders.

Level: Basic

12) A crime that is punishable by less than one year of incarceration is a felony.

Answer: FALSE

Page Ref: 33

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

13) Pretrial diversion programs are also referred to as "deferred prosecution" or "probation without adjudication."

Answer: TRUE

Page Ref: 34

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

14) Good time is used only in determinate sentences because it allows inmates to reduce the jail term until their eligibility for release.

Answer: FALSE

Page Ref: 50

Objective: Compare the different types of sentences and sentencing models.

Level: Intermediate

15) Under mandatory minimum sentences, the sentencing judge may impose a sentence of probation, assess a fine, or suspend the prison sentence as long as a reason is given.

Answer: FALSE

Page Ref: 52

Objective: Compare the different types of sentences and sentencing models.

Level: Intermediate



16) Nonincarceration sentences include economic sanctions, probation, and intermediate sanctions.

Answer: TRUE

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

### 2.3 Fill in the Blank Questions

1) \_\_\_\_\_ is the imposition of a criminal sanction by a judicial authority.

Answer: Sentencing

Page Ref: 33

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

2) \_\_\_\_\_ courts usually handle all the required judicial steps in one hearing and are often referred to as "assembly-line justice."

Answer: Misdemeanor

Page Ref: 33

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

3) \_\_\_\_\_ detention refers to detaining an accused person in jail in order to protect the community from crimes he or she is likely to commit if set free before trial.

Answer: Preventive

Page Ref: 36

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

4) A person who guarantees the accused person's appearance in court is a(n) \_\_\_\_\_.

Answer: surety

Page Ref: 37

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

5) Release on \_\_\_\_\_ refers to release from jail based only on the defendant's promise to appear for further court procedures.

Answer: recognizance

Page Ref: 39

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

6) Plea \_\_\_\_\_ is an agreement in which the defendant enters a plea of guilty in exchange for a reduced sentence in comparison to the sentence allowable for the charged offense.

Answer: bargaining

Page Ref: 41

Objective: Describe the role of plea bargaining.

Level: Basic

7) A requirement that an offender pay a fine or restitution to the victim as a part of the sentence is a(n) \_\_\_\_\_ sanction.

Answer: economic

Page Ref: 46

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

8) A prison sentence that is suspended on the condition that the offender follow certain prescribed rules and commit no further crimes is \_\_\_\_\_.

Answer: probation

Page Ref: 46

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

9) \_\_\_\_\_ sentencing is a predetermined range of a minimum, average, and maximum term for a specific crime for a "typical" offender, with allowances for mitigating and aggravating circumstances to be considered.

Answer: Presumptive

Page Ref: 53

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

10) \_\_\_\_\_ in sentencing requires completion of 85 percent of the sentence before prisoners are eligible for release.

Answer: Truth

Page Ref: 50

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

11) A sentence of a fixed term is a(n) \_\_\_\_\_ sentence.

Answer: determinate

Page Ref: 49

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

12) \_\_\_\_\_ time is a reward for good behavior in prison that gives inmates an opportunity to reduce their time in prison.

Answer: Good

Page Ref: 50

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

13) \_\_\_\_\_ minimum sentences require that for certain crimes or for certain types of offenders there must be a sentence to prison for a set minimum term.

Answer: Mandatory

Page Ref: 52

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

14) Laws that require judges to sentence third-time felons to extremely long or life sentences are called three-\_\_\_\_\_ laws.

Answer: strikes

Page Ref: 52

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

15) Sentencing \_\_\_\_\_ provide a system of structured sentences based on measures of offense severity and criminal history that is used to determine the length of the imprisonment.

Answer: guidelines

Page Ref: 53

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

## 2.4 Matching Questions

Match the sentencing option with the correct definition.

- A) Offender pays a fine or restitution
- B) Midrange punishments that fall between probation and imprisonment
- C) Sentence in jail for one year or less
- D) Sentence in prison for one year to life
- E) Prison sentence that is suspended for community supervision

1) Economic sanctions

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

2) Probation

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

3) Intermediate sanctions

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

4) Short term confinement

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

5) Imprisonment

Page Ref: 46-47

Objective: Compare the different types of sentences and sentencing models.

Level: Basic

Answers: 1) A 2) E 3) B 4) C 5) D

## 2.5 Essay Questions

1) Compare felonies and misdemeanors and give examples of each.

Answer: Answer (should include points such as):

Felonies are offenses that are punishable by one year or more in prison. Examples of felonies are murder charges, robbery and rape (answers may vary). Misdemeanors are less serious crimes with punishment of less than one year of incarceration. Often, punishment of misdemeanors results in probation or community service. Examples of misdemeanors are lower level drug charges or prostitution.

Page Ref: 33

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Basic

2) Explain the benefit of bail to an offender.

Answer: If an offender is granted bail, this allows him or her to maintain employment, education and family life that would be diminished or possibly destroyed by being detained in jail. In addition, the hope of bail is for the inmate to maintain societal norms rather than being exposed to a criminal lifestyle in jail.

Page Ref: 37-38

Objective: Summarize the pretrial process and describe the forms of release from jail pending trial.

Level: Intermediate

## 2.6 Critical Thinking Questions

1) How could the plea bargaining process be a potential detriment to the accused?

Answer: Answer should include discussion of how the pressure to plea averts the right to a trial by jury of one's peers, especially if the offender is innocent.

Page Ref: 41-42

Objective: Describe the role of plea bargaining.

Level: Intermediate

2) What is the benefit of including personal and life history information in an offender's PSI?

Answer: Answer should include discussion of how judges may be more lenient and/or sentence the offender to treatment dispositions rather than just incarceration if he/she has certain needs or traumatic life experiences.

Page Ref: 42-46

Objective: Summarize the presentence investigation and how the presentence investigation report is used.

Level: Intermediate