

**TEST BANK**

# DEATHQUEST

**4<sup>TH</sup>** EDITION

AN INTRODUCTION  
TO THE THEORY  
AND PRACTICE OF  
CAPITAL PUNISHMENT  
IN THE UNITED STATES



ROBERT M. BOHM

 anderson publishing

Copyright © 2014 Anderson Publishing

1. From which of the following did the U.S. Supreme Court derive its appellate jurisdiction in death penalty cases?

- a. the U.S. Constitution
- b. the U.S. President
- \*c. its power of judicial review
- d. the will of the people
- e. none of the above

2. In what case and in what year was the U.S. Supreme Court's power of judicial review confirmed?

- \*a. *Marbury v. Madison* (1803)
- b. *United States v. Wilson* (1810)
- c. *Ex Parte Wells* (1815)
- d. *Langworthy v. Hamilton* (1818)
- e. none of the above

3. *Solesbee v. Balkcom* (1950) was one of two cases that challenged the constitutionality of capital punishment prior to 1968. What was the issue addressed in this case?

- a. whether a state is permitted to attempt a second execution by electrocution after the first attempt failed
- \*b. whether a governor is allowed to determine an inmate's sanity where finding an inmate insane would prevent his or her execution
- c. whether racial discrimination on the part of jurors, who had total discretion in the sentencing decision, infected death cases for rape in at least some Arkansas counties
- d. whether prospective jurors could be excused simply because they were opposed to capital punishment
- e. none of the above

4. *Solesbee v. Balkcom* (1950) was one of two cases that challenged the constitutionality of capital punishment prior to 1968. What was the other case?

- a. *Powell v. Alabama*
- b. *In re Kemmler*
- c. *Wilkinson v. Utah*
- \*d. *Louisiana ex rel. Francis v. Resweber*
- e. none of the above

5. What was the subject of *United States v. Wilson* (1833), *Ex parte Wells* (1855) and *Biddle v. Perovich* (1927)?

- a. execution methods
- \*b. clemency
- c. capital juries
- d. double jeopardy
- e. none of the above

6. What was the subject of *In re Medley* (1890), *Rooney v. North Dakota* (1905), and *Malloy v. South Carolina* (1915)?

- a. double jeopardy
- b. clemency
- \*c. ex post facto
- d. sentencing
- e. none of the above

7. What was the subject of *Craemer v. Washington* (1897), *Robinson v. United States* (1945), and *Williams v. New York* (1949)?

- a. double jeopardy
- b. clemency
- c. ex post facto
- \*d. sentencing
- e. none of the above

8. What was the subject of *Winston v. United States*, *Strather v. United States*, and *Smith v. United States* (1899), *Aldridge v. United States* (1931), *Norris v. Alabama* (1935), and *Patton v. Mississippi* (1948)?

- a. execution methods
- b. clemency
- \*c. capital juries
- d. double jeopardy
- e. none of the above

9. Which of the following descriptions best describes what happened to 29-year-old pencil factory manager Leo Frank, who, in 1913, was tried, convicted, and sentenced to death in Atlanta, Georgia, for the murder of his 13-year-old employee Mary Phagan?

- a. He was discovered to be innocent and pardoned by the governor.
- b. His Supreme Court challenge was denied, and he was executed.
- \*c. He was lynched.
- d. He was the first death row inmate to be elected governor of a state.
- e. none of the above

10. Which of the following cases involved the so-called "Scottsboro boys"?

- \*a. *Powell v. Alabama*
- b. *Maxwell v. Bishop*
- c. *Furman v. Georgia*
- d. *Proffitt v. Florida*
- e. none of the above

11. The Supreme Court has held that failure to provide counsel in a capital case violates "due process" as required under the 14th Amendment.

- \*a. True
- b. False

12. In *Ex parte Milligan* (71 U.S. 2), in 1866, the issue before the Court in this case was the problem of military power over civilians.

\*a. True

b. False

13. *Powell v. Alabama* (287 U.S. 45, 1932) involved the so-called "Scottsboro Boys."

\*a. True

b. False

14. Founding Fathers Alexander Hamilton and James Madison strongly objected to the Supreme Court exercising judicial review.

a. True

\*b. False

15. Throughout its history, the Court has rejected as unworthy of review the vast majority of cases appealed to it.

\*a. True

b. False