

Chapter 01: An Introduction to Forensic Psychology

Chapter 01 Multiple Choice Questions

1. Alfred Binet conducted a series of studies to examine how question types influenced the accuracy of child eyewitnesses. He found that:
- moderately leading questions result in the most accurate answers
 - free recall results in the most accurate answers
 - highly leading questions result in the most accurate answers
 - free recall results in the least accurate answers
 - eyewitness accuracy did not vary across question type

Difficulty: Moderate

QuestionID: 01-1-01

Page-Reference: 4

Answer: free recall results in the most accurate answers

2. A professor arranges for a confederate to enter his classroom, steal her wallet, and run out. The researcher then asks her students to provide a description of the "offender" in an effort to study eyewitness recall. This is an example of:
- a verifiable experiment
 - a virtual experiment
 - a reality experiment
 - a misinformation test
 - a subjective recall test

Difficulty: Easy

QuestionID: 01-1-02

Page-Reference: 4

Answer: a reality experiment

3. Stern's 1901 experiment involved a bogus quarrel between two students in which a gun was involved. Stern concluded that:
- racial discrimination is common
 - pre-trial media has a strong influence on eyewitness accuracy
 - retroactive memory-falsification tends to occur
 - emotional arousal influences accuracy of recall
 - this test allowed him to classify students into good and poor witnesses

Difficulty: Moderate

QuestionID: 01-1-03

Page-Reference: 4

Answer: emotional arousal influences accuracy of recall

4. Place the following events in chronological order:
- 1 – Cattell conducts some of the first experiments in North America on the psychology of testimony.
 - 2 – APA recognizes forensic psychology as a specialty discipline.
 - 3 – Hugo Munsterberg publishes *On the Witness Stand*.
 - 4 – The U.S. Supreme court lays out the *Daubert* criteria for determining when scientific evidence should be admitted in court.
- 4, 2, 3, 1
 - 3, 4, 2, 1
 - 4, 3, 2, 1
 - 1, 2, 3, 4
 - 1, 3, 4, 2

Difficulty: Hard
QuestionID: 01-1-04
Page-Reference: 4-5, 12, 21

Answer: 1, 3, 4, 2

5. Which psychologist conducted some of the first experiments in the U.S. on eyewitness testimony?
- Wundt
 - Cattell
 - Binet
 - Stern
 - von Schrenck-Notzing

Difficulty: Easy
QuestionID: 01-1-05
Page-Reference: 4

Answer: Cattell

6. In Binet's studies on suggestibility and testimony in children, what type of technique produced the most accurate recall?
- prompted recall
 - mildly leading
 - free recall
 - highly misleading
 - recognition

Difficulty: Moderate
QuestionID: 01-1-06
Page-Reference: 4

Answer: free recall

7. According to von Schrenck-Notzing, extensive pretrial press coverage could influence the testimony of people by causing what he called:

- post-event misinformation
- memory contamination
- source monitoring errors
- exposure distortion
- retroactive memory falsification

Difficulty: Easy
QuestionID: 01-1-07
Page-Reference: 5

Answer: retroactive memory falsification

8. In 1906, Hugo Munsterberg worked on the criminal case of a young disabled man (Richard Ivens) from Chicago. As part of this work, Munsterberg examined:

- eyewitness testimony accuracy
- criminal responsibility
- mental health records
- interrogation records
- juror selection methods

Difficulty: Moderate
QuestionID: 01-1-08
Page-Reference: 5

Answer: interrogation records

9. Which of the following psychologists would be most interested in the expert testimony provided by von Schrenck-Notzing in 1896?

- a psychologist interested in the diagnosis of juvenile delinquents
- a psychologist interested in the effect of pre-trial press coverage
- a psychologist interested in the problems with hypnotic interviewing
- a psychologist interested in the accuracy of child eyewitnesses
- a psychologist interested in lie detection

Difficulty: Moderate
QuestionID: 01-1-09
Page-Reference: 5

Answer: a psychologist interested in the effect of pre-trial press coverage

10. Which of the following individuals would be most surprised to hear about research showing that child eyewitnesses can be highly inaccurate?

- Varendonck
- Bandura
- Marston
- Von Schrenck-Notzing
- Ceci

Difficulty: Hard
QuestionID: 01-1-10
Page-Reference: 5

Answer: Varendonck

11. Which of the following psychologists would be most interested in the expert testimony provided by Varendonck in 1911?

- a psychologist interested in the diagnosis of juvenile delinquents
- a psychologist interested in the effect of pre-trial press coverage
- a psychologist interested in the problems with hypnotic interviewing
- a psychologist interested in the accuracy of child eyewitnesses
- a psychologist interested in factors that influence jury decision making

Difficulty: Moderate
QuestionID: 01-1-11
Page-Reference: 5

Answer: a psychologist interested in the accuracy of child eyewitnesses

12. Who is considered the father of forensic psychology?

- John Henry Wigmore
- Wilhelm Wundt
- James Ogloff
- James Cattell
- Hugo Munsterberg

Difficulty: Easy
QuestionID: 01-1-12
Page-Reference: 6

Answer: Hugo Munsterberg

13. Which of the following is the correct pairing of psychologist to their research?

- Munsterberg – *On the Witness Stand*
- Varendonck – *La Suggestibilite*
- Von Schrenck-Notzing – "Measurements of Accuracy of Recollection"
- Cattell – retroactive memory falsification
- Wigmore – *Kriminal Psychologie*

Difficulty: Moderate
QuestionID: 01-1-13
Page-Reference: 6

Answer: Munsterberg – *On the Witness Stand*

14. Which law professor provided a critical response to Hugo Munsterberg's claims that psychology had much offer to the legal system?

William Wundt
James McKeen Cattell
William James
John Henry Wigmore
Franz von Liszt

Difficulty: Moderate
QuestionID: 01-1-14
Page-Reference: 6

Answer: John Henry Wigmore

15. According to Sheldon's (1949) constitutional theory, which of the following types of individuals are most likely to become involved with crime?

ectomorphs
mesomorphs
those with lesions in the temporal lobe
those having experienced maternal deprivation
men with two Y chromosomes

Difficulty: Moderate
QuestionID: 01-1-15
Page-Reference: 7

Answer: mesomorphs

16. According to Sutherland's (1939) differential association theory, crime is the result of:

poverty
labelling
learning
socio-economic strain
high levels of extraversion and neuroticism

Difficulty: Moderate
QuestionID: 01-1-16
Page-Reference: 7

Answer: learning

17. Which of the following theorists is associated most closely with labelling theories of crime?

Merton
Becker
Sutherland
Bowlby
Bandura

Difficulty: Easy
QuestionID: 01-1-17
Page-Reference: 7

Answer: Becker

18. According to Eysenck, which of the following would be at risk for criminal behaviour?

- someone with good conditionability
- someone with low levels of extraversion and neuroticism
- someone with high levels of extraversion and neuroticism
- someone who is easy to socialize
- someone with low self-control

Difficulty: Moderate
QuestionID: 01-1-18
Page-Reference: 7-8

Answer: someone with high levels of extraversion and neuroticism

19. Which of the following is the correct pairing of psychologist(s) to theory?

- Sheldon – strain theory
- Eysenck – chromosomal theory
- Akers – social learning theory
- Gottfredson and Hirschi – biosocial theory
- Sutherland – dyscontrol theory

Difficulty: Moderate
QuestionID: 01-1-19
Page-Reference: 7-8

Answer: Akers – social learning theory

20. What was the first case that a psychologist served as an expert witness in the United States?

- State v. Driver*
- People v. Hawthorne*
- Brown v. Board of Education*
- R. v. Hubbert*
- Daubert v. Merrell Dow Pharmaceuticals*

Difficulty: Moderate
QuestionID: 01-1-20
Page-Reference: 8

Answer: *State v. Driver*

21. The issue in the case of *Jenkins v. United States* (1962) that is of most interest to forensic psychologists is:

- the right for a defendant to plead not guilty by reason of insanity
- the duty to inform a third party of potential risks
- the duty to report suspected cases of child abuse
- the admissibility of expert testimony from psychologists on mental disorders
- the use of psychology in civil trials

Difficulty: Moderate

QuestionID: 01-1-21

Page-Reference: 8

Answer: the admissibility of expert testimony from psychologists on mental disorders

22. What area of have Canadian forensic psychologists made the most significant contributions?

- Eyewitness testimony
- Jury decision making
- Deception detection
- Risk assessment and treatment
- Police selection and training

Difficulty: Easy

QuestionID: 01-1-22

Page-Reference: 10

Answer: Risk assessment and treatment

23. The first federal correctional psychologist was hired in what province or territory?

- British Columbia
- Ontario
- Quebec
- Northwest Territories
- Alberta

Difficulty: Hard

QuestionID: 01-1-23

Page-Reference: 9

Answer: Quebec

24. In what legal case did the Supreme Court of Canada first define the criteria for determining when the testimony of expert witnesses, including psychologists, would be admitted in court?

- R. v. Daubert*
- R. v. Mohan*
- R. v. Gladue*
- R. v. Oickle*
- R. v. Hubbert*

Difficulty: Moderate
QuestionID: 01-1-24
Page-Reference: 9, 24

Answer: *R. v. Mohan*

25. Which of the following points demonstrates that forensic psychology has established itself as a legitimate discipline?

The development of professional associations that represent the interests of forensic psychologists.
A consensus on the definition of forensic psychology.
The fact that forensic psychologists now regularly take on the role of legal scholar.
The fact that criteria for admitting expert testimony from forensic psychologists have become more lenient.
Widespread prescription privileges for forensic psychologists.

Difficulty: Easy
QuestionID: 01-1-25
Page-Reference: 10-12

Answer: The development of professional associations that represent the interests of forensic psychologists.

26. According to the narrow definition of forensic psychology, which of the following specialists would *not* be considered a forensic psychologist?

A psychologist who provides risk assessments to the parole board.
A psychologist who studies how psychopathy influences patterns of offending.
A psychologist who treats victims and perpetrators of intimate partner violence.
A psychologist who consults with lawyers concerning whether their clients are fit to stand trial.
A psychologist who provides court-mandated treatment to offenders.

Difficulty: Moderate
QuestionID: 01-1-26
Page-Reference: 12-13

Answer: A psychologist who studies how psychopathy influences patterns of offending.

27. Which of the following is *not* a likely activity of a clinical forensic psychologist?

Studying the effects of lighting conditions on eyewitness recall.
Evaluating the parents of a troubled teen for custody and access recommendations.
Delivering treatment programs to high risk sex offenders.
Assessing juvenile delinquents in detention centres for behavioural problems.
Practising relaxation techniques with police officers on leave due to burnout.

Difficulty: Easy
QuestionID: 01-1-27
Page-Reference: 13-14

Answer: Studying the effects of lighting conditions on eyewitness recall.

28. **What is the main difference between a clinical forensic psychologist and a forensic psychiatrist?**

- Forensic psychiatrists cannot provide expert testimony in court.
- Clinical forensic psychologists can prescribe medication.
- Forensic psychiatrists aren't concerned with mental health issues.
- Clinical forensic psychologists rely more on a medical model of mental illness.
- Forensic psychiatrists are medical doctors.

Difficulty: Easy
QuestionID: 01-1-28
Page-Reference: 13-14

Answer: Forensic psychiatrists are medical doctors.

29. **Which task is likely to be performed by an experimental forensic psychologist?**

- Examining the effects of judges' instructions on jury verdicts.
- Providing expert testimony.
- Examining the effects of correctional programs on reoffending rates.
- Studying the effects of police stress on job satisfaction.
- All of the above.

Difficulty: Easy
QuestionID: 01-1-29
Page-Reference: 14-15

Answer: All of the above.

30. **Which forensic discipline is concerned with examining the remains of dead bodies in an attempt to determine the time and cause of death through an autopsy?**

- Forensic anthropology
- Forensic odontology
- Forensic entomology
- Forensic pathology
- Forensic podiatry

Difficulty: Moderate
QuestionID: 01-1-30
Page-Reference: 14

Answer: Forensic pathology

31. **Dr. Fahmy works with the police to determine time of death by examining insect activity surrounding a dead body. Which of the following disciplines does Dr. Fahmy work in?**

- Forensic anthropology
- Forensic odontology
- Forensic entomology
- Forensic pathology
- Forensic podiatry

Difficulty: Moderate
QuestionID: 01-1-31
Page-Reference: 14

Answer: Forensic entomology

32. Which of the following is an example of "psychology in the law"?

- A psychologist providing expert testimony in court on the accuracy of eyewitness identification.
- Examining how we can improve the assessment of fitness to stand trial.
- Validating a tool for predicting risk of violence.
- A researcher examining factors that affect police decision making in a lab setting.
- Studying the impact of a new interrogation technique to see if it decreases the likelihood that people will make false confessions.

Difficulty: Moderate
QuestionID: 01-1-32
Page-Reference: 16

Answer: A psychologist providing expert testimony in court on the accuracy of eyewitness identification.

33. Judges use findings from psychological research to decide whether a witness on the stand is lying or not. This is a good example of:

- psychology and the law
- psychology in the law
- informational influence
- normalization
- psychology of the law

Difficulty: Moderate
QuestionID: 01-1-33
Page-Reference: 16

Answer: psychology in the law

34. Which of the following is an example of research classified as "psychology *and* the law"?

- providing expert testimony on child witnesses
- studying the accuracy of eyewitnesses
- police using proper interviewing techniques
- studying how judicial discretion influences future criminal behaviour
- examining how court rulings influence forensic psychologists

Difficulty: Hard
QuestionID: 01-1-34
Page-Reference: 16

Answer: studying the accuracy of eyewitnesses

35. Which of the following is an example of research classified as "psychology of the law"?

- Research on the relationship between police stress and use of force decision-making.
- A study on how different judges decide on sentences.
- Studying the effect of the law on the amount of crime in our society.
- A longitudinal study of a sex offender treatment program.
- An investigation into how well clinicians can predict future offending.

Difficulty: Hard
QuestionID: 01-1-35
Page-Reference: 17

Answer: Studying the effect of the law on the amount of crime in our society.

36. Which legal ruling requires the police to ensure that youth interrogation rights are explained in a language that is appropriate to a youth's age and understanding?

- R. v. L.T.H.*
- R. v. Mohan*
- R. v. Gladue*
- R. v. Oickle*
- R. v. Swain*

Difficulty: Hard
QuestionID: 01-1-36
Page-Reference: 17

Answer: *R. v. L.T.H.*

37. In what legal case did the Supreme Court of Canada set the guidelines for when, and how, expert testimony should be used in cases involving battered woman syndrome?

- R. v. Lavallee*
- R. v. Mohan*
- R. v. Gladue*
- R. v. Oickle*
- R. v. Hubbert*

Difficulty: Moderate
QuestionID: 01-1-37
Page-Reference: 17

Answer: *R. v. Lavallee*

38. In what legal case did the Supreme Court of Canada rule that police interrogation techniques using some psychological coercion were an acceptable way to extract confessions?

- R. v. Swain*
- R. v. L.T.H.*
- R. v. Gladue*
- R. v. Oickle*
- R. v. Hubbert*

Difficulty: Moderate
QuestionID: 01-1-38
Page-Reference: 17

Answer: *R. v. Oickle*

39. In what legal case did the Supreme Court of Canada formally acknowledge that jurors can be biased by different sources of information?

R. v. Swain
R. v. L.T.H.
R. v. Williams
R. v. Oickle
R. v. Hubbert

Difficulty: Moderate
QuestionID: 01-1-39
Page-Reference: 17

Answer: *R. v. Williams*

40. What is the main difference between an expert witness and other witnesses in court?

Expert witnesses are not cross-examined.
Expert witnesses can only testify about what they directly observed.
Expert witnesses are able to offer their opinion to the court.
Expert witnesses are only available for the prosecution.
Expert witnesses do not have to meet any criteria before they are allowed to testify.

Difficulty: Moderate
QuestionID: 01-1-40
Page-Reference: 18

Answer: Expert witnesses are able to offer their opinion to the court.

41. What would be considered the most ethical behaviour for a psychologist who is hired as an expert witness?

Provide testimony consistent with the party that hired you.
Ensure that both the defence and the prosecution have an expert witness.
Provide testimony relevant to the case as you understand it.
Discuss your testimony with both the defence team and the prosecution team.
Provide only a written report rather than testify in person.

Difficulty: Hard
QuestionID: 01-1-41
Page-Reference: 18

Answer: Provide testimony relevant to the case as you understand it.

42. Hess (2006) describes seven ways that law and psychology differ. Which of the following statements is *false*?

Psychology is nomothetic and law is idiographic.

Psychology is prescriptive and law is descriptive.

Psychological knowledge is gained through research and legal knowledge is gained through precedent.

A psychologist's behaviour is severely limited within the court while the behaviour of a lawyer is less restricted.

Psychology believes in the quest for objective truths whereas the law defines truth subjectively.

Difficulty: Moderate

QuestionID: 01-1-42

Page-Reference: 19

Answer: Psychology is prescriptive and law is descriptive.

43. According to Hess (2006), which of the following accurately represents one way that law and psychology can be contrasted?

Law is idiographic while psychology is nomothetic.

Law is descriptive while psychology is prescriptive.

Law is proactive while psychology is reactive.

Law is academic while psychology is operational.

Law defines truth objectively while psychology defines truth subjectively.

Difficulty: Moderate

QuestionID: 01-1-43

Page-Reference: 19

Answer: Law is idiographic while psychology is nomothetic.

44. Which of the following was *not* identified by Hess (2006) as a way that law and psychology is different?

latitude

principles

criteria

purpose

epistemology

Difficulty: Moderate

QuestionID: 01-1-44

Page-Reference: 19

Answer: purpose

45. The "general acceptance test" relates to:

- eyewitness recall
- child witnesses
- aggression and segregation in schools
- suggestive questioning techniques
- the admissibility of expert testimony

Difficulty: Easy
QuestionID: 01-1-45
Page-Reference: 20-21

Answer: the admissibility of expert testimony

46. Which of the following is *not* specified by the *Daubert* criteria?

- The research adheres to professional standards.
- The research is falsifiable.
- The research has been peer reviewed.
- The research has a recognized rate of error.
- The research has been conducted in real-world (i.e., non-lab) settings.

Difficulty: Moderate
QuestionID: 01-1-46
Page-Reference: 21

Answer: The research has been conducted in real-world (i.e., non-lab) settings.

47. Why is the case of *R. v. Mohan* (1994) important for forensic psychologists?

- It stressed the duty to protect a third party.
- It dealt with the admissibility of expert evidence.
- It established guidelines for reporting child abuse.
- It highlighted the importance of client confidentiality.
- It dealt with the issue of racial segregation.

Difficulty: Easy
QuestionID: 01-1-47
Page-Reference: 21-22

Answer: It dealt with the admissibility of expert evidence.

48. According to *R. v. Mohan* (1994), which criteria is not a consideration by judges when determining the admissibility of expert testimony?

- The expert must be qualified.
- The testimony must provide information that goes beyond the jurors' common understanding.
- The evidence provided must be necessary for assisting the trier of fact.
- The testimony must have been allowed into evidence by a higher court.
- The evidence must not violate any rules of exclusion.

Difficulty: Moderate
QuestionID: 01-1-48
Page-Reference: 21-22

Answer: The testimony must have been allowed into evidence by a higher court.

49. **What is the significance of the case of *White Burgess Langille Inman v. Abbott and Haliburton Co.*?**

- It dealt with junk science in the court room.
- It ruled that expert witnesses should be independent and impartial.
- It dealt with issues associated with the insanity defence.
- It highlighted the importance of voluntary (i.e., non-coercive) confessions.
- It established guidelines for cross-examination.

Difficulty: Moderate
QuestionID: 01-1-49
Page-Reference: 22

Answer: It ruled that expert witnesses should be independent and impartial.

Chapter 01 Short Answer Questions

1. **What are the three major categories of crime theories discussed in your text? List the three categories and describe a specific theory that fits into each category.**

Difficulty: Hard
QuestionID: 01-2-01
Page-Reference: 7-8

Answer: a. Biological theories

- E.g., Sheldon's constitutional theory suggests that body build and temperament are linked; mesomorphs, due to their aggressive nature and muscular build, are more likely to become involved in crime.

b. Sociological theories

- E.g., Merton's strain theory suggests that certain people (e.g., those from the lower class) have restricted access to legitimate means (e.g., education) to achieve valued goals of success (e.g., high paying jobs); some of these individuals will turn to illegitimate means (e.g., crime) in an attempt to achieve these goals.

c. Psychological theories

- E.g., Bowlby's theory of maternal deprivation suggests that early separation of children from their mothers prevents effective social development from taking place; without effective social development, children will experience problems developing positive social relationships and will instead develop antisocial inclinations.

2. **Provide a broad definition of forensic psychology.**

Difficulty: Moderate
QuestionID: 01-2-02
Page-Reference: 12-13

Answer: According to Bartol and Bartol (2006), forensic psychology is defined as (a) the research endeavour that examines aspects of human behaviour directly related to the legal process and (b) the professional practice of psychology within or in consultation with a legal system that embraces both civil and criminal law.

3. **Name the three different types of roles that forensic psychologists can play. Describe the sorts of activities that each type would be involved in (use examples).**

Difficulty: Moderate
QuestionID: 01-2-03
Page-Reference: 13-15

Answer: a. Clinician

- As a clinician, the forensic psychologist is interested in mental health issues as they pertain to the legal system. Activities can include research (e.g., validating an assessment tool) and practice (e.g., making risk assessment decisions).

b. Researcher

- As a researcher, the forensic psychologist is concerned with mental health issues as they pertain to the legal system, but also any other research issues that relate to the law or legal system. Examples of potential activities include examining the effectiveness of risk assessment strategies, determining factors that influence jury decision making, studying the impact of questioning style on eyewitness recall, etc.

c. Legal scholar

- As a legal scholar, the forensic psychologist is interested in the analysis of mental health law and psychologically oriented legal movements. Most of the activities of the legal scholar revolve around policy analysis (e.g., taser use in police agencies) and legislative consultation (e.g., mandatory arrest legislation in domestic violence cases).

4. **According to Haney (1980), there are three primary ways in which psychology and law relate to one another. List, define, and provide an example of each.**

Difficulty: Hard
QuestionID: 01-2-04
Page-Reference: 16-17

Answer: a. Psychology and the law

- Psychology is viewed as a separate discipline to the law and is used to test various assumptions made by the law or legal system.

- E.g., determining whether risk of violence can be accurately predicted using a specific assessment tool

b. Psychology in the law

- Psychological knowledge is applied directly within the context of the legal system as it operates.

- E.g., the provision of expert testimony about factors that influence the accuracy of eyewitness identifications in a court case

c. Psychology of the law

- Psychology is used to study the law itself

- E.g., a legal scholar examining whether certain laws have helped to reduce the crime rate

5. **According to Cutler and Kovera (2011), what are the two main functions of expert witnesses? How do expert witnesses differ from ordinary witnesses in court?**

Difficulty: Moderate
QuestionID: 01-2-05
Page-Reference: 18

Answer: - The two main functions of expert witnesses are to provide the court with information that assists them in understanding the issues at hand and to provide the court with an opinion (which must fall within the limits of their areas of expertise).

- Expert witnesses differ from ordinary witnesses in that they are able to provide their opinion on a particular matter, whereas ordinary witnesses are only able to testify about what they have directly observed.

6. **Hess (2006) discusses at least seven different ways that psychology and law differ. List and define four of these differences (i.e., dimensions). Make sure you mention how psychology and law are different on each dimension.**

Difficulty: Hard
QuestionID: 01-2-06
Page-Reference: 19

Answer: a. Knowledge

- In psychology, knowledge is gained through cumulative research.

- In the law, knowledge is acquired through precedent, logical thinking, and case law.

b. Methodology

- In psychology, methods are predominantly nomothetic (i.e., goal is to uncover general trends and processes).

- In the law, the methodological approach is idiographic (i.e., operates on a case-by-case basis).

c. Nature of law

- Psychology is descriptive, the goal being to describe how people behave.

- Law is prescriptive, telling people how they should behave.

d. Epistemology

- In psychology, it is assumed that there is an objective truth that can potentially be uncovered using the experimental method.

- In the law, truth is defined subjectively and is based on who can present the most convincing argument.

e. Principles

- In psychology, alternative explanations are considered (i.e., falsifiability).

- The lawyer's goal is to convince the court that his/her explanation is solely correct.

f. Criteria

- Psychology is cautious and conservative in accepting a hypothesis as true (results must be replicated, etc.).

- Law decides truth on the basis of a single case and a criterion that is far more lenient.

g. Latitude

- The behaviour of a psychologist providing expert testimony in court is severely restricted.

- The behaviour of a lawyer within the court is subject to far fewer restrictions.

Note. The student need only provide four of the seven dimensions to receive full marks.

7. **What is the "general acceptance test"? What is the main criticism associated with this test?**

Difficulty: Moderate
QuestionID: 01-2-07
Page-Reference: 20-21

Answer: - The general acceptance test is a standard for accepting expert testimony. It states that expert testimony will be admissible in court if the basis of the testimony is generally accepted within the scientific community in which it belongs.

- This test formed the basis for admissibility decisions for many years in the United States; however, the major criticism associated with it comes from the vagueness of terms such as "general acceptance" and "the particular field in which it belongs" and whether judges are able to appropriately determine the scope of these terms.

8. What are the four specific *Daubert* criteria defined by the U.S. Supreme Court that determine when scientific evidence is considered reliable?

Difficulty: Easy
QuestionID: 01-2-08
Page-Reference: 21

Answer: 1) The research has been peer reviewed.
2) The research is testable (i.e., falsifiable through experimentation).
3) The research has a recognized rate of error.
4) The research adheres to professional standards.

9. What are the *Mohan* criteria? List and define the four criteria, and identify a potential problem that applies to all of them.

Difficulty: Hard
QuestionID: 01-2-09
Page-Reference: 21-22

Answer: a. The *Mohan* criteria are the Canadian criteria which outline factors that should be considered when determining the admissibility of expert testimony in court. The four criteria are:

- The evidence must be relevant.
- The evidence must be necessary for assisting the trier of fact (i.e., it goes beyond the common understanding of court).
- The evidence must not violate any rules of exclusion (i.e., it must not relate to whether a witness is telling the truth).
- The testimony must be provided by a qualified expert.

b. These criteria are potentially problematic as they are highly subject to the discretion of the judge and judges can sometimes be wrong (e.g., the judge determines if the evidence actually goes beyond the common understanding of the jury).