

# PUBLIC SERVICE AND LEGAL TCOLE

**Texas Commission on Law Enforcement Certification Exam**

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## Question: 1

Which of the following statements about the Texas Health and Safety Code regarding simulated controlled substances is correct?

- A. Manufacture/delivery is not an offense because these substances are basically placebos.
- B. Manufacture/delivery in the discharge of peace officer duties is defense to prosecution.
- C. Manufacture/delivery if believing it is a controlled substance is a defense to prosecution.
- D. Manufacture/delivery in duties of a licensed pharmacist is not a defense to prosecution.

**Answer: B**

Explanation:

According to Section 482.002 of the Texas Health and Safety Code, manufacturing a simulated controlled substance (which is represented as a controlled substance but is chemically different) with intent to deliver or delivering it in the discharge of official peace officer duties is a defense to prosecution. Manufacture or delivery of such substances is an offense. Doing so for a licensed medical practitioner for its use as a placebo in research or practice is a defense to prosecution, as is manufacture/delivery by licensed pharmacists or other authorized medical practitioners. However, this does not mean it is not otherwise an offense. It is not a defense to prosecution to manufacture/deliver these believing they are true controlled substances.

## Question: 2

Which statement is most accurate regarding juveniles' interactions with police officers?

- A. Peer pressure motivates teenagers to conform, so they are more compliant.
- B. Teens' more dependent status means they are less likely to take the initiative.
- C. Adolescents idolize authority figures, so they are respectful of police officers.
- D. Normal internal and external factors cause teens to act out and defy authority.

**Answer: D**

Explanation:

Adolescents normally are affected by internal influences: they are engaged in the process of finding their own identities and separating from their parents, so they need to assert their independence. They can react to police the same as against parental control. Some teens' development of independence is more difficult and involves acting out and rebelling against authority. External influences such as peer pressure motivate them to conform to peers' actions and expectations, but not usually to respect or comply with authority figures.

## Question: 3

Which of the following statements is true about the Uniform Interstate Compact on Juveniles?

- A. Juvenile delinquent parolees or probationers must be supervised by their own states.
- B. Non-delinquent juveniles who run away from home are not covered by this compact
- C. Juvenile delinquents who escape or abscond are returned by other states in this pact.
- D. It does not allow additional cooperative measures to protect juveniles and the public.

**Answer: C**

Explanation:

One provision of the Uniform Interstate Compact on Juveniles asserts that if juvenile delinquents escape or abscond from their state of residence, other states cooperate to return them. This compact also provides that juvenile delinquents on parole or probation are cooperatively supervised by all states contracting to the agreement. It additionally provides that runaway juveniles who are not delinquent be returned by other contracting states to their home state. This compact also provides for additional cooperative measures by any two or more of the contracting states to protect juveniles and the public.

## Question: 4

What are the only 2 offenses that by themselves are not sufficient grounds for arrest in the State of Texas?

- A. Jaywalking and running a stop sign
- B. Stalking and possession of a controlled substance
- C. Expired license and disturbing the peace
- D. Speeding and open container

**Answer: D**

Explanation:

In the State of Texas, one may not be arrested for Speeding or Open Container violations. However,

in situations where officers may be inclined to make an arrest, there will almost certainly be additional violations cited. In the case of excessive speeding, a charge of reckless driving is often the attached offense. With open container, the most common accompanying offenses warranting an arrest are Driving while Intoxicated, reckless driving and Public Intoxication.

### Question: 5

Which of the following statements is true regarding a peace officer's written communications?

- A. Evaluations of a peace officer's competence do not consider his or her writing.
- B. The written communications of a peace officer are seen by only private readers.
- C. Judicial and administrative proceedings may employ them as source documents.
- D. Police reports are not commonly used for statistical data or reference materials.

**Answer: C**

Explanation:

Court and other legal proceedings often use peace officers' reports and other written communications as source documents for facts and observations pertinent to the case. In evaluations of a peace officer's competence, including performance evaluations, the officer's writing is one of the factors used. Officers' written documents are viewed by diverse readers, including the officer's employing agency, anyone working within the criminal justice system, and the public. It is common practice to use police reports to obtain statistical data and as reference materials for judicial proceedings, administrative publications, etc.

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