



DIRIGO SAFETY, LLC

PUBLIC SAFETY ADVOCATES

# Detective's Exam Study Guide

DSDESG.V.1b

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## About the Dirigo Safety Detective’s Exam:

The Dirigo Safety Detective’s Exam (DSDE) is a relevant, customized, and economical alternative to “canned” detective’s promotional examination administration. The DSDE represents original work by experienced Maine law enforcement officers who have served in different capacities with various law enforcement agencies throughout Maine. This examination consists of 50 questions in a singular 50-question test. There is a one-and-a-half-hour time limit.

The examination is designed to encourage officers to increase their knowledge of, as well as their ability to understand and apply, topics that are directly relevant to Maine law enforcement officers. These are areas of knowledge that a newly promoted detective would be expected to know well, which include:

- Maine Criminal Law and Selected Other Statutes (Titles 15, 17-A, 25 M.R.S.).
- The Maine Office of the Attorney General Case Law Updates.
- Maine Criminal Justice Academy Mandatory and Other Model Policies.

- Maine Office of the Attorney General: Protocol for the Investigation of Deaths, Probable Deaths, and Missing Persons. Version: August 15, 2017.

### **The Exam Process:**

There is one section consisting of fifty multiple choice questions. Each question is weighed equally. Questions for each examination are randomly assigned and taken from a pre-approved bank of questions developed by Dirigo Safety, LLC. Each testing process will have a *Host Agency Representative* and a *Dirigo Safety Exam Proctor*.

1. The Dirigo Safety Exam Proctor will arrive at the testing site with the appropriate number of exams and a sign in-roster.
2. The Hosting Agency Representative will have all examinees sign the roster and issue randomly assigned numbers and a name tag with a matching number to each examinee. The Hosting Agency Representative will keep the roster confidential and not disclose the names and numbers to the Dirigo Safety Exam Proctor. The Hosting Agency Representative may exit the process at that point.
3. The Dirigo Safety Exam Proctor will distribute the numbered exams to the person wearing the corresponding numbered name tag.
4. The Dirigo Safety Exam Proctor will begin the exam and monitor the examinees during the testing process. The Proctor will also keep track of time.
5. At the conclusion of the exam, the Dirigo Safety Exam Proctor will collect all the exams and answer sheets.
6. The Dirigo Safety Exam Proctor will maintain custody of the answer sheets until they are delivered to a Dirigo Safety Exam Grader. The Dirigo Safety Exam Grader will not know the identity of the test takers.
7. The Dirigo Safety Exam Grader will send the corrected answer sheets with a grade posted at the top, together with a breakdown of how many questions the exam taker missed in each section (if any) back to the Dirigo Safety Exam Proctor, who will then forward the results to the Hosting Agency Representative.

## Study Suggestions:

[Title 15 M.R.S. Maine Juvenile Code](#): Chapters 501, 503, 505, 507, 509, 511 §3001 - 3501

[Title 17-A M.R.S. Maine Criminal Code](#): General Principles & Substantive Offenses.

*AG's Office Case Law updates for the most recent decade.*

<https://www.maine.gov/dps/mcja/training/mandatory/law.htm>

*Maine Criminal Justice Academy Mandatory and Model Policies.*

<https://www.maine.gov/dps/mcja/links/index.htm>

Maine Law Enforcement Officer's Manual (LEOM) (2013-2016), Swan Island Press.

Maine Office of the Attorney General: *Protocol for the Investigation of Deaths, Probable Deaths, and Missing Persons*. Version: August 15, 2017.

## The following specific case law decisions need to be thoroughly understood:

*Supreme Court Decision – Miranda v. Arizona. Retrieved from*

<https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-miranda-v-arizona>

*Supreme Court Decision – Edwards v. Arizona. Retrieved from*

<https://supreme.justia.com/cases/federal/us/451/477/>

*Supreme Court Decision – Maryland v. Shatzer. Retrieved from*

<https://www.oyez.org/cases/2009/08-680>

*Supreme Court Decision – Missouri v. Seibert. Retrieved from*

<https://www.oyez.org/cases/2003/02-1371>

*Supreme Court Decision – McNeil v. Wisconsin. Retrieved from*

<https://www.oyez.org/cases/1990/90-5319>

*Maine Law Court Decision – State v. Andrew J. Kierstead. Retrieved from*

<https://caselaw.findlaw.com/me-supreme-judicial-court/1699584.html>

*Maine Law Court Decision – State v. Nathaneal K. Nightingale. Retrieved from*

<https://law.justia.com/cases/maine/supreme-court/2012/2012-me-132.html>

*Maine Law Court Decision – State v. Douglas Annis. Retrieved from*

<https://law.justia.com/cases/maine/supreme-court/2018/2018-me-15.html>

### Exam Taking Suggestions:

- **Read Section Directions Before the Test**  
Carefully review the directions for each section before the test.
- **Answer the Questions You Know First**  
As you go through each section, answer all the questions you know the answers to first. Mark all the questions that you do not immediately know the answer to and then return and answer them later.
- **Eliminate Incorrect Answers**  
If you can eliminate even one choice for the selection of possible answers then guess. Sometimes it is easier to eliminate answers that you know to be incorrect than to identify the correct answer. Eliminating all the incorrect answers often leads to the correct answer.
- **Be Neat**  
Do not be sloppy when filling in the answer grid for student-produced response questions and avoid stray marks.
- **Your First Response is Usually Correct**  
Your first response to a question is usually correct. Do not change an answer unless you are certain you have made an error.
- **There is Only One Correct Answer**  
Only select one answer for each question because there is only one correct answer. Sometimes it may seem that there is more than one answer. Select the best answer for each question.
- **Do Not Skip Questions--Guess**  
You are not penalized for guessing. However, before guessing, always try to eliminate at least one incorrect answer choice.
- **Pay Attention**  
Make sure you are placing your answers in the correct number space and section on your answer sheet. It is easy to place your answer in the wrong place if you are not paying close attention.
- **Know What to Expect on the Test**  
You need to know the types of questions to expect on the test. There are 50 questions on the exam. They are all multiple choice of varying degrees of difficulty and all questions are weighed equally.
- **Budget Your Time**  
Pace yourself! This test is timed. Only spend a few moments on the easy questions and do not get bogged down on the more difficult questions. You can always come back to them if you have more time later.

## Bibliography

Ferdico J. (Ed.) (2020) *Maine Criminal Statutes (2020-2021)*, Swan Island Press.

Ferdico J. (Ed.) (2020) *Maine Motor Vehicle Statutes (2020-2021)*, Swan Island Press.

Ferdico J. & S. Watson, *Maine Law Enforcement Officer's Manual (LEOM) (2013-2016)*, Swan Island Press.

*Supreme Court Decision – Edwards v. Arizona. Retrieved from*  
<https://supreme.justia.com/cases/federal/us/451/477/>

*Supreme Court Decision – Maryland v. Shatzer. Retrieved from*  
<https://www.oyez.org/cases/2009/08-680>

*Supreme Court Decision – Missouri v. Seibert. Retrieved from*  
<https://www.oyez.org/cases/2003/02-1371>

*Supreme Court Decision – McNeil v. Wisconsin. Retrieved from*  
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*Maine Law Court Decision – State v. Andrew J. Kierstead. Retrieved from*  
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*Maine Law Court Decision – State v. Nathaneal K. Nightingale. Retrieved from*  
<https://law.justia.com/cases/maine/supreme-court/2012/2012-me-132.html>

*Maine Law Court Decision – State v. Douglas Annis. Retrieved from*  
<https://law.justia.com/cases/maine/supreme-court/2018/2018-me-15.html>

*Maine Law Court Decision – State v. Timothy M. Hunt. Retrieved from*  
<https://law.justia.com/cases/maine/supreme-court/2016/2016-me-172.html>

# Question Exemplars

Choose the correct answer:

1. According to 17-A M.R.S. § 1111, possession of 11 or more hypodermic apparatus is illegal in Maine.
  - a. True
  - b. False

**Answer:** The correct answer is “a.” <http://legislature.maine.gov/statutes/17-A/title17-Asec1111.html>

2. Under 34-B M.R.S. § 3862, what standard of proof does an officer need to take an individual into *protective custody*?
  - a. Articulate Suspicion
  - b. Probable Cause
  - c. A Preponderance of the Evidence
  - d. Clear and Convincing Evidence

**Answer:** The correct answer is “b.” <http://legislature.maine.gov/statutes/34-B/title34-Bsec3862.html>

3. 17-A M.R.S. § 210-A indicates a person is guilty of *Stalking* if they intentionally or knowingly engage in a course of conduct directed at or concerning a specific person that would cause a reasonable person to:
  - a. Laugh uncontrollably.
  - b. To suffer serious inconvenience or emotional distress; to fear bodily injury or to fear bodily injury to a close relation.
  - c. To fear death or to fear the death of a close relation; to fear damage or destruction to or tampering with property.
  - d. To fear injury to or the death of an animal owned by or in possession and control of that specific person.
  - e. b & c, or d

**Answer:** The correct answer is “e.” <http://legislature.maine.gov/statutes/17-A/title17-Asec210-A.html>



4. May John be charged with both the *Burglary* and the *Aggravated Criminal Mischief* arising out of the same event?
- No. Any crime committed after remaining where not licensed or privilege to do so falls under the umbrella of the *Burglary*.
  - Yes, according to 17-A M.R.S. § 401 a person may be convicted of both burglary and the crime the person committed after entering the structure.
  - No, because John did not commit either of those crimes.
  - Yes, because officers can charge John with any crime regardless of PC.

**Answer:** The correct answer is “b.” <http://legislature.maine.gov/statutes/17-A/title17-Asec401.html>

5. What is the definition of “probable cause to arrest” used by the Maine Supreme Court in *State v. Parkinson*, 389 A.2d 1, 8 (Me. 1978) according to Chapter 1 of the Maine LEOM?
- When “the facts and circumstances within [the officer’s] knowledge and of which they have reasonably trustworthy information [are] sufficient in themselves to warrant a man of reasonable caution in the belief that [property subject to seizure under the law would be found in a particular place or on a particular person.]”
  - When a reasonable person would believe that “criminal activity is afoot.”
  - Where “facts and circumstances within the knowledge of the officers and of which they have reasonably trustworthy information would warrant a prudent and cautious person to believe that the arrestee did commit or is committing the [crime].”
  - None of the above.

**Answer:** The correct answer is “c.” Maine LEOM 1-1

6. In *State v. Tozier*, 2006 ME 105, the court held that “an officer does not violate the Fourth Amendment by making a traffic stop when the officer randomly checks a license plate number of a vehicle on a public road, learns the owner’s license has been suspended or revoked, and observes that no other circumstances that demonstrate the driver is not the vehicle’s owner.”
- True; but only when it occurs during the day.
  - False; because officers are not allowed to “guess” who is driving the vehicle.
  - True; it is reasonable for an officer to suspect that the owner is driving the vehicle.
  - False; this would be an arbitrary stop.

**Answer:** The correct answer is “c.” Maine LEOM 4-39