

Department of Justice, Law and Society
Master's Comprehensive Examination
Justice and Public Policy
Summer, 2007

Instructions: Answer any two of the following six questions. Include in your answers references to the relevant literature, case law and other sources. Label each answer by topic and number. Please begin each answer on a new page. Remember to write your 4-digit ID number on all pages.

Justice and Public Policy:

1. Choose two (2) crime control strategies (e.g., the police, the physical environment, prosecution and sentencing, prisons, community corrections, developmental prevention etc.), and discuss how these strategies address (or fail to address) some of the possible causes of crime.
2. The reading list includes discussions of many issues – juries, the criminal justice system, punishment, juvenile justice, crime, errors of justice, discretion, drugs and crime etc. Based on your readings, training, and experience, what do you believe are two of the most important things that should be changed about the criminal justice system? Explain what is wrong, and provide suggestions for how the system could be improved. (If you do not believe anything should be changed, please choose two areas that others have argued should be changed). Please remember to cite sources from the reading list.

Policing:

3. In 1994 President Clinton proposed, and Congress passed, a bill providing for 100,000 police officers in local police jurisdictions throughout the country to deal with crime. Does the addition of police contribute to the reduction of crime rates? In particular, what are the strengths and weaknesses of this legislation? Support your discussion with references to relevant studies and scholarly writings.
4. Police departments vary substantially regarding their use of discretion in handling domestic violence cases. What are the basic options for police departments in setting policy for these cases? What are the pros and cons of each option? What empirical evidence supports various policy options? How valid is the evidence? Please cite the relevant literature.

Corrections:

5. Today's prisons are more densely populated than ever before. Our prisons also hold a large and rapidly growing complement of drug offenders, many of them young black men serving long mandatory minimum sentences comparable to those for homicide. Consider the implications of our shifting prison population -- more drug offenders, more African Americans, and more long-termers generally, climbing what one observer called "a Mount Everest of time" -- for the nature and quality of life in the contemporary prison community.

6. You are a newly appointed warden of a prison for women. Your goal is to run a humane prison. You are dismayed to find that there is no easy definition of what constitutes a humane prison, for men or women, let alone a manual telling you how to go about running such an institution. Your assignment is to define the term "humane prison" and to develop a manual – or at least an outline of a manual – for running such a prison.

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Instructions: Answer any two of the following four questions. Include in your answers references to the relevant literature, case law and other sources. Label each answer by number. Please begin each answer on a new page. Remember to write your 4-digit ID number on all pages.

1. Scholars writing in the law and society field have proposed various definitions of the law. Identify three of these definitions found in the works mentioned in the Law and Society reading list. Review the implications of each of these definitions for the relevance of moral theory to jurisprudence.
2. The connection between morality and the law has been widely debated. Explain the principal issues in this debate and the positions taken by key figures, giving attention to the source and limits of our moral obligation to obey the law and the role of morality in judicial decisionmaking.
3. Is there really an original understanding of the U.S. Constitution? If so, what is it? If not, why not? Why is this an important question for legal theory? Include in your answer various points of view found in the literature.
4. Social contract theorists suggest that government is legitimate where it has the consent of the governed. Compare the different senses which several such authors have given the concept of "consent." How do these differences affect the outcome of each author's theory? Can the requirement of consent ever be met?