

**Department of Justice, Law and Society**  
**Master's Comprehensive Examination**  
**Justice and Public Policy**  
**Fall, 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. While many anti-crime politicians, prosecutors, and victim advocates complain that those accused of crime are manipulating the system at every turn and getting off on technicalities, many Public Defenders see their clients as underdogs, "friendless individuals faced with the enormous power of the state" who are locked up for being poor, young, homeless, and drug-addicted. Please articulate the arguments of those who believe that the criminal justice system is unfair to African Americans. Cite evidence when possible.
  
2. The reading list includes discussions of many issues – 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. Discuss the development of community policing. What were the reasons for its introduction? Using the relevant research, including scholarly articles and empirical studies, outline the key features of community policing and assess its effectiveness as a policing style. What have been its notable failures and successes, and what challenges lie ahead?
4. Crime declined through most of the 1990s. Some authorities attribute much of this decline to the police. To what extent do the police deserve this credit? What light does research shed on this question? What factors outside of policing explain the decline? How might the police make (or how have they made) use of those factors? Please cite the relevant literature in addressing these issues.

## **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. According to one observer of the contemporary prison scene, "mature coping... is at the core of what we mean by correction or rehabilitation." Define the term mature coping, and argue for or against the proposition that mature coping is at the heart of the correctional enterprise. (Note that "the correctional enterprise" often hinges on successful re-entry into the free world after release from confinement.)

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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. Beginning with the Legal Realists in the 1930's, critics have argued that judicial decisionmaking is essentially a matter of personal discretion. Evaluate this view in light of alternative models of judicial decisionmaking found in the literature.
2. Gays and lesbians, like racial minorities and women, have faced discrimination in the past. Today, they are increasingly successful in obtaining legal protections. To what extent are the arguments used by feminist legal theorists and critical race theorists applicable to gays and lesbians?
3. Recently, a private salvage company found the remains of a French ship which sank 40 miles from Key West, Florida, in 1755. The ship had been chartered by Spain to carry gold, silver and gems extracted from mines in Mexico, Colombia and Peru, and its cargo is worth several billion dollars. What kinds of considerations should enter into determining who has a right to this very valuable property? Argue for your position, based on reading list materials, and respond to objections.
4. 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.