

**Department of Justice, Law and Society**  
**Master's Comprehensive Examination**  
**Justice and Public Policy**  
**Fall, 2008**

**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. Many legislatures have passed "three strikes and you're out" laws to deal with crime and the public's fear of crime. What are the primary strengths and weaknesses of such laws? What research evidence supports these arguments?
2. Deterrence and incapacitation involve different understandings of how to prevent crime. Give an account of these understandings and use the relevant literature to illustrate the strengths and limitations of deterrence and incapacitation.

**Corrections:**

3. 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.
4. What do we know about the nature and prevalence of prison violence in men's and women's prisons? Is prison sexual violence an extension of predatory violence in prison or does it stand alone as a problem with a distinct pattern of causes and effects? How would you reform prisons to reduce or eliminate the problem of prison violence.

## **Policing:**

5. The terrorist attack of September 11, 2001 may have profound implications for the relationship between local and national security needs, and for the need to balance the preservation of both security and liberty. Several scholars have written that community and problem-oriented policing are no longer relevant as we enter into an era of increased police paramilitarization in response to terrorism threats. What is generally meant by "community-oriented" and "problem-oriented" policing? Please cite the relevant literature when providing definitions and descriptions. Are we in a new era of policing? Are community and problem-oriented policing compatible with policing terrorism? Please justify your answers with the appropriate research literature.
  
6. The Chief of the Metropolitan Police Department has been instructed by the political leaders in the city to initiate a comprehensive review of the police department and to develop a strategic plan for the department. Given that research on policing over the past two decades has influenced the way police departments operate, he has asked you, a police researcher, to prepare a research document that explains "what works and doesn't work in policing in modern America." He has also asked that you summarize the relevant studies and their key findings. In addition, include any possible challenges to conventional thinking, policies, and/or procedures, increases/reductions in cost or efficiency, and recommendations on new programs or studies in which the Metropolitan Police Department should take part.

|

**Department of Justice, Law and Society**  
**Master's Comprehensive Examination**  
**Law and Society**  
**Fall, 2008**

**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. Outline and compare Durkheim, Marx and Weber's theories of how legal systems change in response to other broad scale social transformations. Compare their arguments in a systematic way. Discuss the implications of these theories for Western law.
2. Trace the evolution of individual rights from the Warren Court to the present day. Be certain to discuss the rights enjoyed by specific groups of individuals (i.e., the rights of women and minority groups). If possible cite relevant court cases that illustrate the changes. Analyze the consequences for society at large of these legal changes.
3. Mainstream legal theories present law as a constraint on government, while critics emphasize the use of law by the powerful as a way of maintaining current power relations. Which of these views most accurately reflects the role of law in the contemporary U.S.? Consider the views of theorists on each side of the issue.
4. 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.