

Department of Justice, Law and Criminology
Master's Comprehensive Examination
[Justice and Public Policy]
Fall, 2014

INSTRUCTIONS: Answer any **two** of the following four questions. Include in your answers references to the relevant literature, case law, and/or 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. You have three hours in which to complete this examination.

Question 1: Recent events in Ferguson, Missouri and elsewhere serve as a potent reminder of the challenges of policing in a free society. Please summarize the research evidence on the capacity of police to control crime while behaving in a just and legitimate manner. Must police engage in unlawful practices to control crime effectively? How might heavy-handed policing undermine the capacity of the police to control crime? Please make certain to base your response on the scholarly literature, including both theory and research evidence.

Question 2: You are the consultant to a newly appointed warden of a prison. You are asked to advise on matters relating to the administration of executions. The warden, who must supervise executions, asks you to give her a sense of the history of executions, including (a) the conditions of death row confinement that precede executions and (b) the execution process as undertaken by her execution team. As a cautionary note, you decide to end your far-ranging and well-documented examination of the death penalty with a discussion of botched executions.

Question 3: The year is 2021. You emerge from the rubble of nuclear war to discover that the criminal justice system has been demolished. At first you are disoriented, then depressed, but soon you realize, "This is my big chance to make a difference in the field!" Immediately, you set to work framing a new paradigm for criminal justice, focusing on policing or corrections (your choice). Describe what your new approach to policing or corrections would be and justify why you selected that approach. Be sure to cite the relevant literature.

4. In Robert Agnew's 2013 Presidential Address to the American Society of Criminology, he stated, "Most leading crime theories and crime-control policies are based on the assumption that people are self-interested. But recent work in a variety of fields has challenged this assumption, suggesting that people are both self-interested and socially concerned." (Agnew 2014:1). In your essay, discuss how "self interest" plays a role in crime policy. Which theory of criminality is most consistent with the use of "self interested" policy to address crime? By contrast, discuss a theory of criminality which lends itself more to crime policy that is driven by "social concern."

Department of Justice, Law and Criminology
Master's Comprehensive Examination
[Jurisprudence and Social Thought]
Fall, 2014

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1) Is there any such thing as international law? Answer with respect to the views of HLA Hart and Ronald Dworkin. You may also include the views of one other legal theorist of your choice.

2) Do we have any moral or legal obligation to pay reparations for Slavery? In answering this question please refer to the social contract theories of Locke, Rousseau, Rawls and Nozick.

3) Various Critical Theories of law argue that no objective meaning of law is possible because people come from too many varied interpretive communities. In two recent decisions, the Supreme Court has, for the first time, given first amendment rights of free speech (*Citizens United*) and religious freedom (Hobby Lobby) to public corporations.

In reaching this decision, corporations have gone from "fictional persons" who can be sued in court, to 14th amendment persons who have some rights not available to living people in Guantanamo Bay.

How would critical theories of law respond to this new idea of personhood, recently developed by the Roberts Court? In answering this question refer to the views of at least TWO critical theories of law (i.e. Critical Legal Studies, Critical Race Studies, and Feminist Jurisprudence). Please also give a potential response to their critique from any theory of law you choose.

4) Compare and contrast Locke, Rousseau and Rawls with respect to their conception of a social contract. Evaluate the strengths and weaknesses of their approaches in utilizing this conception. In developing this evaluation, consider how their approaches help to clarify important issues of law and justice.

Department of Justice, Law and Criminology
Master's Comprehensive Examination
[Terrorism and Homeland Security Policy]
Fall, 2014

INSTRUCTIONS: Answer any **two** of the following four questions. Include in your answers references to the relevant literature, case law, and/or 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. You have three hours in which to complete this examination.

1. Dzhokhar Tsarnaev, the surviving Boston Marathon bomber, is accused of committing offenses that could be prosecuted either federally or locally. What are the advantages and disadvantages of each of these options? Please cite the relevant literature to support your response.

2. Terrorism has exploded in Iraq and Syria over the past year. Identify and describe two major terrorist groups that are responsible for this growth. What strike you as the most viable options for countering these two groups? Please support your response by citing the relevant literature.

3. Rank these current terrorist threats to the US Homeland:

Returned foreign fighters

The Islamic State

The Israeli-Gaza conflict

Domestic extremists, such as Sovereign Citizens

Explain your rankings, cite evidence, and justify using relevant literature.

4. The 9/11 Commission Report asked what caused the 9/11 attacks and what can be done to prevent future attacks. What do you see as the greatest strengths of the report? What do you see as its greatest shortcomings? Are its recommendations still applicable to the major terrorist threats that the United States faces today? If so, how? If not, why? Please respond using the relevant literature.