# CRJ 425 Homework #2 (Exam II Review)

**This review sheet serves as a mandatory homework assignment. For the purpose of the homework, please answer only questions that include square brackets, and your answer should be placed inside the brackets. Once you complete the review sheet, upload the Word file to Blackboard by the end of Tuesday, July 28, 2020.**

**For the preparation of the exam, you should be familiar with all information on this handout. Exam II has 30 multiple-choice questions.**

Chapter 5: (Race, Ethnicity, and Courts)

1. The landmark case in the 1930s that the U.S. Supreme Court first addressed the issue of the right to counsel was **[ ]**. The ruling of this case has benefited a number of minority defendants. This court case was based on the famous **[ ]** case.

2. The main ruling of the following cases (free counsel for indigent defendants):

* *Powell v. Alabama* (1932): **[ ]**
* *Johnson v. Zerbst* (1938): **[ ]**
* *Gideon v. Wainwright* (1963): **[ ]**
* *Douglas v. California* (1963): **[ ]**
* *Argersinger v. Hamlin* (1972): **[ ]**

3.The main ruling in *Coker v. Georgia (1977)*:**[ ]**

4. In both federal and state courts, which racial/ethnic group generally is represented by court-appointed counsel less frequently? **[ ]**

5. Is the hypothesis that private attorneys perform more effectively than court-appointed counsel supported by research? **[ ]**

6. Understand several types of disadvantages African American and Hispanic defendants would face in criminal courts. See PowerPoint “*Possibility of Being at a Disadvantage for Minorities Compared to Whites.*”

7. Understand the main difference in bail reforms between the 1960s and the late 1970s. The focus of bail reform efforts in the 1960s that led to the Bail Reform Act of 1966, was on **[ ]**. The focus of bail reform efforts beginning the late 1970s that led to the Bail Reform Act of 1984 was on **[ ]**. See the handout on Blackboard for Chapter 5.

8. Repeated studies consistently show that pretrial detention has **[ ]** effects on later case processing decisions (e.g., sentencing decisions). In other words, due to economic disadvantage, Black and Hispanic defendants are less likely than White defendants to post bail and be released prior to trial. Furthermore, regardless of race/ethnicity, defendants detained prior to trial are more likely than those released to receive harsher punishment once convicted.

9. Which racial/ethnic group has been found to have lowest odds of pretrial release in both federal and state courts? **[ ]** This is particularly true in federal courts, as a substantial number of them violate federal immigration laws. Many of these offenders are undocumented; therefore, judges generally do not want them to go back to the community before trial. It is very likely that they will disappear and will not come back for trial.

10. Regarding bail decisions,

* which racial/ethnic group would most likely receive the “release on recognizance” option? **[ ]**
* which extralegal factor has been widely used as a consideration in judges’ bail decisions? **[ ]**. This factor is seen as being able to reflect a defendant's strong tie to the community. However, the consideration of this factor makes Blacks at a disadvantage because they often lack this condition.
* what is the most important reason why Blacks are in custody prior to trial? **[ ]**
* are Black and Hispanic defendants more likely than whites to be charged with pretrial misconduct (e.g., being rearrested, failing to appear, and being a fugitive)? **[ ]**

11. According to existing research findings, what conclusion can we make in regard to the relationship between race/ethnicity and prosecutorial charging decisions? In other words, does research show consistent or conflicting results as to whether racial/ethnic minority suspects have higher odds of being charged than their white counterparts? **[ ]**

 Wu (2016) has recently used a quantitative meta-analysis to address the issue of racial discrimination in the prosecutor's decision as to whether to charge/prosecute. What did he find? **[ ]**

12. The implementation of **[ ]** resulted in an increased number of prosecutions for Blacks and Hispanics and amplified racial disparity.

13. In the O.J. Simpson's murder trial back in the mid-1990s,

* how did the jury consist of in terms of race/ethnicity? **[ ]**
* what strategy did O.J.’s counsel use that ultimately led to his “not guilty” verdict? **[ ]**
* what issue was involved in this case in which jurors have the power to not apply the law to the case despite their belief that the defendant is guilty? **[ ]** This practice has resulted in the heated discussion of the equation: " Black defendant + Black Jurors + non-conviction = miscarriage of justice." As suggested by many observers, the jury in O.J.'s case used this power to acquit him of the murder charge.

14. Several factors have been found to result in wrongful convictions. Which factor was the most critical that ultimately led to the conviction of a large number of innocent people, particularly Blacks? **[ ]**

15. Understand several differences between grand juries and petit juries.

16. In which case did the U.S. Supreme Court rule that Mexican Americans had equal protection under the 14th Amendment and had the right to serve on the jury? **[ ]**

17. What is jurymandering? **[ ]**

18. What is a peremptory challenge? **[ ]**

What is the purpose of a peremptory challenge used by the prosecution and defense in theory? **[ ]** However, the reality is that both sides use their peremptory challenges to stack the deck.

In *Batson v. Kentucky* (1986), the U.S. Supreme Court dealt with the relationship between **[ ]** and **[ ]**.

19. Which racial/ethnic group had the most exonerations for rape (at 64%), though in 2002 this group represented only 29% of incarcerated rapists? **[ ]**

20. Concerns about false convictions also are based on research showing not only that a disproportionate number of those exonerated have been racial minorities but that the disparity is particularly stark in **[ ]** offenses.

21. Mitchell, Haw, Pfeifer, Meissner (Mitchell et al., 2005) used a quantitative meta-analysis to address the issue of racial discrimination in the jury's decision to convict or sentence a defendant. What did they find? **[ ]**

Chapter 6: (Race, Ethnicity, and Sentencing)

1. Be familiar with the 5 explanations for racial disparities in sentencing. See PowerPoints.

2. Be familiar with other extralegal factors that can interact with race/ethnicity to generate an effect on sentencing outcomes. What are these extralegal factors that have been examined by research? **[ ]**

3. Regarding the effect of race/ethnicity on sentencing, what do we mean by an interaction effect? **[ ]**

What do we mean by an indirect effect? **[ ]**

4. Are noncitizen defendants, specifically illegal immigrants, treated differently than citizen defendants? How?

Incarceration decisions: **[ ]**

Sentence length decisions: **[ ]**

5. In examining the relationship between race and sentencing, it is important to distinguish research conducted during a particular period of time from that conducted during other periods of time because the rigor of research methodology has been improved over time and findings of these studies may show different results. Be familiar with research findings regarding the race effect during different periods of time. See PowerPoints.

6. Mitchell (2005) used a meta-analysis to address the issue of racial discrimination in sentencing. What did he find? **[ ]**

7. Be familiar with the recent Pennsylvania research (Steffensmeier & Demuth, 2001) on Hispanic offenders. How were Hispanic offenders treated in sentencing based on the findings of recent research? **[ ]**

8. What is the liberation hypothesis when applied to sentencing? **[ ]**

Does Spohn and Cederblom’s (1991) research reveal support for this hypothesis? **[ ]**

9. Based on current evidence, how do minority judges sentence, compared to White judges? More leniently? **[ ]**