**Writing Exercise on Retributive and Utilitarian Models of Justice**

Romechia Simms was charged with manslaughter and child abuse in the death of her 3-year-old son. They were found in a playground in LaPlata, Maryland one morning in May, 2015. She was pushing his dead body in a swing; he had died of hypothermia and dehydration as she pushed him in the swing for 40 hours, even in the rain. She has been diagnosed with schizophrenia and bipolar disorder (Brown & Nirappil, 2015).

**Please answer ALL questions, and write concisely and to the point. Use the correct terms for the key concepts, as taught on the PPTs.** Please use a standard word processing package (e.g., Word, PDF) and double-space your answers. Please label your answers with the letters and numbers for the questions (1, 2A, and 2B).

1. Imagine you’re her defense attorney. **Name** three principles of ***procedural*** justice in a retributive or utilitarian system of justice (**not** the general principles of any fair process – trustworthy motives, neutrality/impartiality, public participation, and dignity and respect), and explain how you would do your job in keeping with each of those principles of the retributive (or utilitarian) justice process. Describe how you would put each of them into practice as her defense attorney – specify exactly *what you would do* to implement each principle. **Do NOT use “society takes responsibility for responding to violations of the social contract” or “Victim’s role is to assist the justice system’s response to the offender, not to control the process.”** *(15 points each for a total of 45 points).*
2. Now imagine you’re the prosecutor, and she’s just been convicted. In this question you need to apply the principles of distributive justice under the retributive and utilitarian models. You should not apply the general principles of any fair outcome; in other words, **don’t** write about equity, equality, and need. And don’t worry about Maryland sentencing laws; you’re applying the theories in a hypothetical justice system.

A. If you wanted the court to take a retributive approach to ***distributive*** justice, what sentence would you ask for and what principles would you offer to justify it? Be specific about the sentence you would request. Note that this is not about your opinion on what would be a fair and reasonable outcome, this is about what would be a retributive outcome. *(25 points).*

B. If you wanted the court to take a utilitarian approach to ***distributive*** justice, what sentences would you ask for to achieve each of the three methods of crime prevention under the utilitarian model? For each, name the method of crime prevention and state what sentence you would ask for and *how that sentence could prevent crime*. Be specific about the sentences you would request, and show that you understand what each method of crime prevention is about. Note that this is not about your opinion on what would be fair and reasonable outcomes, this is about what would be utilitarian outcomes. *(10 points each for a total of 30 points).*

Brown, D., & Nirappil, F. (2015, December 3). Bail posted in son’s death. *The Washington Post*, pp. B1, B4.

**Sample Answer Format**

1. Procedural justice

A. Principle of . . . As her defense attorney, I would implement this principle by . . .

B. Principle of . . . As her defense attorney, I would implement this principle by . . .

C. Principle of . . . As her defense attorney, I would implement this principle by . . .

2. Distributive justice

A. Retributive approach: As the prosecutor, I would ask for a sentence of . . . This sentence would be justified in a retributive system on the principles of

. . .

B. Utilitarian approach: As the prosecutor, I would ask for a sentence to achieve crime prevention through:

1. The . . . method of crime prevention: I would ask the court to sentence her to . . . because . . .

2. The . . . method of crime prevention: I would ask the court to sentence her to . . . because . . .

3. The . . . method of crime prevention: I would ask the court to sentence her to . . . because . . .