

1. Corrections serves which function for accused and convicted individuals:

- a. Management
- b. Punishment
- c. Supervision
- d. Treatment
- *e. All of the above

Answer location: p. 2

2. According to Durkheim, rituals of punishment function to _____.

- *a. Reaffirm the justness of social norms
- b. Reduce solidarity
- c. Inhibit the formation of close social bonds
- d. Undermine social norms

Answer location: p. 9

3. The earliest known written code of punishment was:

- a. British Common Law
- b. Early Roman Code
- c. The Civil Code
- *d. The Code of Hammurabi

Answer location: p. 5

4. Beccaria advocates that a system of punishment should include _____:

- a. Proportional punishment
- b. Certain punishment
- c. Swift punishment
- d. Make a lasting impression
- *e. All of the above

Answer location: p. 6

5. _____ believed that human action was often evoked by circumstances beyond their control.

- *a. Garofalo
- b. Bentham
- c. Beccaria
- d. Hammurabi

Answer location: p. 7

6. Bentham's philosophy of social control rests on the principle of _____.

- a. Retribution
- b. Restitution
- *c. Utility
- d. Torture

Answer location: p. 6

7. The Enlightenment concept of human nature sees individuals as all of the following except:

- a. Possessing free will

- *b. Constrained in their choices
- c. Hedonistic
- d. Rational

Answer location: p. 9

8. The notion of legal responsibility was called into question by _____.

- a. The classical school
- *b. Positivism
- c. The deterrence doctrine
- d. All of the above

Answer location: p. 7

9. The _____ model finds its roots in the medical model.

- a. Incapacitation
- b. Retribution
- *c. Rehabilitation
- d. Deterrence

Answer location: p. 15

10. Under Garofalo's sentencing guidelines, the _____ criminal would be subjected to transportation to a penal colony.

- *a. Impulsive
- b. Endemic
- c. Extreme
- d. Mentally ill

Answer location: p. 7

11. Which of the following is the most recently identified objective of the practice of punishment?

- a. Rehabilitation
- b. Retribution
- c. Incapacitation
- d. Deterrence
- *e. Reintegration

Answer location: p. 9

12. Nationwide, following release, approximately 33% of former prisoners reoffend within:

- a. The first year
- b. The third year
- *c. The first six months
- d. The second year

Answer location: p. 11

13. The effect of punishment on future behavior depends on:

- a. Swiftiness
- b. Severity
- c. Certainty
- *d. All of the above

Answer location: p. 6

14. General deterrence focuses on the prevention of criminal behavior in:

- a. The individual prisoner
- *b. The public as a whole
- c. The prison population
- d. None of the above

Answer location: p. 11

15. Which perspective on punishment assumes that individuals can be transformed through effective programming?

- a. Retribution
- *b. Reintegration
- c. Deterrence
- d. Incapacitation

Answer location: p. 15

16. According to Durkheim, _____ justice offers a balance between calming moral outrage and exciting emotions of empathy and sympathy.

- *a. Restitutive
- b. Repressive
- c. Retributive
- d. a & b

Answer location: p. 9

17. The Incapacitation perspective on punishment views offenders as _____.

- a. Generally good people who have made bad decisions
- b. Mentally ill who need treatment
- c. Rational beings who weighed the cost and benefit of their crime
- *d. Wicked people who need to be separated from innocent

Answer location: p. 12

18. Which country's incarceration rate approaches that of the United States?

- *a. Russia
- b. South Africa
- c. China
- d. England

Answer location: p. 17

19. Incapacitation works as a form of _____ while offenders are incarcerated.

- a. General deterrence
- b. Social defense
- c. Specific deterrence
- *d. b & c

Answer location: pgs. 12-13

20. Deterrence research in general finds that legal sanctions have _____ on criminality.

- *a. A substantial effect
- b. A mild effect
- c. No effect
- d. It is impossible to determine the effect

Answer location: p. 12

21. During what period in history did positivism emerge?

- a. Antiquity
- b. The Enlightenment
- *c. The 19th century
- d. The 20th century

Answer location: p. 6

22. The desire to exact revenge can be traced to _____.

- *a. Natural inclination
- b. Social norms
- c. Legal codes
- d. Familial beliefs

Answer location: p. 5

23. Positivists rejected much of the philosophical basis of classical thinkers' arguments, and instead relied on:

- *a. Studies of the causes of crime to determine appropriate punishment
- b. A view of individuals as hedonistic
- c. Similar punishments for similar crimes
- d. Swift justice regardless of the circumstances of a crime

Answer location: p. 7

24. The primary responsibility of the government of any country is to its citizens from those who would harm them.

- a. Gather
- b. Preserve
- *c. Protect
- d. Serve

Answer location: p. 2

25. What may be defined as the state authorized imposition of some form of deprivation-liberty, resources, or even life-upon a person justly convicted of a violation of the criminal law?

- a. Sentence
- *b. Punishment
- c. Retaliation
- d. Revenge

Answer location: p.5

26. In the cohort studies by Wolfgang, Figlio, and Sellin (1972), _____ committed over 70% of the murders, rapes, and robberies attributed to the group?

- *a. 6.3%

- b. 10.4%
- c. 20.6%
- d. 34.2%

Answer location: p. 14

27. Which doctrine maintains that all life goals are desirable only as means to the end of achieving pleasure or avoiding pain?

- a. Rationalism
- b. Revenge
- c. Utility
- *d. Hedonism

Answer location: p. 9

28. The method by which individuals are assumed to logically weigh the anticipated benefits of a given course of action against its possible costs is known as the:

- a. Utilitarian principle
- *b. Hedonistic calculus
- c. Punishment doctrine
- d. Code of Hammurabi.

Answer location: p. 9

29. _____ emphasizes community protections from criminals, and stresses that civil liberty can only have real meaning in a safe, well-ordered society.

- *a. Crime Control Model
- b. Due Process Model
- c. Retribution Model
- d. Restorative Model

Answer location: p. 16

30. Who proposed two “ideal type” models reflecting different value choices undergirding the operation of the criminal justice system.

- a. Bentham
- b. Beccaria
- *c. Packer
- d. Garofalo

Answer location: p. 16

31. True or False? The correctional enterprise is primarily about punishment.

- *a. True
- b. False

Answer location: p. 2

32. True or False? Penology is the study of the penal code.

- a. True
- *b. False

Answer location: p. 3

33. True or False? The 18th century marked the beginning of an era of brutal punishment.

a. True

*b. False

Answer location: p. 5

34. True or False? The Positivist school was created by Beccaria.

a. True

*b. False

Answer location: pgs. 6-7

35. True or False? Lex Talionis refers to the principle of the “greatest happiness for the greatest number.”

a. True

*b. False

Answer location: p. 6

36. True or False? The Enlightenment ideas eventually led to the Positivist school of thought.

a. True

*b. False

Answer location: p. 6

37. True or False? Positivist approaches to punishment invoked the notion of science to determine the causes of crime and craft the appropriate punishments.

*a. True

b. False

Answer location: p. 7

38. True or False? Severity of punishment is the most effective element in deterrence.

a. True

*b. False

Answer location: p. 11

39. True or False? The principle of utility was used to evaluate the success of prisons.

a. True

*b. False

Answer location: p. 6

40. True or False? The contrast effect compares the possible punishment for a crime to the life experience of individual to be punished.

*a. True

b. False

Answer location: p. 11

41. True or False? Both specific and general deterrence rely on individuals engaging in hedonistic calculus.

*a. True

b. False

Answer location: pgs. 10-11

42. True or False? Early state-controlled punishment was typically as severe as uncontrolled vengeance.

*a. True

b. False

Answer location: p. 5

43. True or False? Beccaria created the hedonistic calculus.

a. True

*b. False

Answer location: pgs 5-6

44. True or False? "Controlled vengeance" is about the state taking responsibility for punishing wrongdoers from the individuals who were wronged.

*a. True

b. False

Answer location: p. 5

45. True or False? Nobel Prize winning economist Gary Becker dismisses the idea that criminals lack the knowledge and the foresight to take punitive probabilities into consideration when deciding whether or not to continue committing crimes.

*a. True

b. False

Answer location: p. 11

46. True or False? There are two types of deterrence.

*a. True

b. False

Answer location: pgs. 10-11

47. True or False? The Crime Control Model is similar to an obstacle course in which impediments to carrying the accused's case further are encountered at every stage of processing.

a. True

*b. False

Answer location: p. 16

48. True or False? Incapacitation refers to a punishment strategy that largely reserves prison for a select group of offenders composed primarily of violence repeat offenders.

a. True

*b. False

Answer location: p. 12

49. True or False? Rehabilitation refers to the "just deserts" model that demands that punishment matches as closely as possible the degree of harm criminals have inflicted on their victims.

a. True

*b. False

Answer location: p. 12

50. True or False? Underlying all systems of criminal law is the philosophical belief that individuals are deterred by the threat of punishment.

*a. True

b. False

Answer location: p. 10

Type: E

51. What is 'corrections?'

*a. A Generic term covering a variety of functions carried out by government agencies having to do with the punishment, treatment, supervision, and management of individuals who have been convicted or accused of criminal offenses.

Answer location: p. 2

Type: E

52. What is the principle of utility?

*a. A philosophy which posits that human actions should be judged moral or immoral by their effect on happiness of the community.

Answer location: p. 6

Type: E

53. What is Rehabilitation?

*a. A philosophy of punishment aimed at "curing" criminals of their antisocial behavior.

Answer location: p. 15

Type: E

54. How does specific deterrence differ from general deterrence?

*a. Specific deterrence refers to the effect of punishment on the future behavior of persons who experience it. General deterrence refers to the preventive effect of the threat of punishment on the general population.

Answer location: p. 10-11

Type: E

55. What is hedonism?

*a. Hedonism is a doctrine that maintains that all life goals are desirable only as means to the end of achieving pleasure or avoiding pain. It goes without saying that pleasure is intrinsically desirable and pain is intrinsically undesirable, and that we all seek to maximize the former and minimize the latter.

Answer location: p. 9

Type: E

56. What is the function of punishment?

*a. Punishment functions as a form of social control.

Answer location: p. 7

Type: E

57. What is recidivism?

*a. Recidivism occurs when an ex-offender commits further crimes.

Answer location: p. 11

Type: E

58. Explain the contrast effect.

*a. The contrast effect is the contrast or comparison between the possible punishment for a given crime and the usual life experience of the person who may be punished.

Answer location: p. 11

Type: E

59. What is reintegration

*a. A philosophy of punishment that aims to use the time criminals are under correctional supervision to prepare them to reenter the free community as well equipped to do so as possible.

Answer location: p. 15

Type: E

60. What is selective incapacitation?

*a. Selective incapacitation refers to a punishment strategy that largely reserves prison for a distinct group of offenders composed primarily of violent repeat offenders.

Answer location: p. 13

Type: E

61. Explain the major objectives and justifications for punishment.

*a. Legal scholars have traditionally identified four major objectives or justifications for the practice of punishing criminals: retribution, deterrence, rehabilitation, and incapacitation. Criminal justice scholars have recently added a fifth purpose to the list: reintegration. Retribution is a “just deserts” model that demands that punishment matches as closely as possible the degree of harm criminals have inflicted on their victims—what they justly deserve. Those who commit minor crimes deserve minor punishments, and those who commit more serious crimes deserve more severe punishments. The principle behind deterrence is that people are deterred from crime by the threat of punishment. Deterrence may be either specific or general. Specific deterrence refers to the effect of punishment on the future behavior of persons who experience it. For specific deterrence to work, it is necessary that a previously punished person make a conscious connection between an intended criminal act and the punishment suffered as a result of similar acts committed in the past. General deterrence refers to the preventive effect of the threat of punishment on the general population; it is thus aimed at potential offenders. Punishing offenders serves as examples to the rest of us of what may happen if we violate the law, as we noted in the opening vignette. Incapacitation refers to the inability of criminals to victimize people outside prison walls while they are locked up. The term rehabilitation means to restore or return to constructive or healthy activity. Whereas deterrence and incapacitation are mainly justified on classical grounds, rehabilitation is primarily a positivist concept. The rehabilitative goal is based on a medical model that used to view criminal behavior as a moral sickness requiring treatment. Today, this model views criminality in terms of “faulty thinking” and criminals as in need of “programming” rather than “treatment.” The goal of rehabilitation is to change offenders’ attitudes so that they come to accept that their behavior was wrong, not to deter them by the threat of further punishment. The goal of reintegration is to use the time criminals are under correctional supervision to prepare them to reenter (or reintegrate with) the free community as well equipped to do so as possible. In effect, reintegration is not much different from rehabilitation, but it is more pragmatic, focusing on concrete programs such as job training rather than attitude change.

Answer location: p. 9-15

Type: E

62. Compare and contrast the rehabilitation and reintegration goals of punishment.

*a. The term rehabilitation means to restore or return to constructive or healthy activity. Whereas deterrence and incapacitation are mainly justified on classical grounds, rehabilitation is primarily a positivist concept. The rehabilitative goal is based on a medical model that used to view criminal behavior as a moral sickness requiring treatment. Today, this model views criminality in terms of “faulty thinking” and criminals as in need of “programming” rather than “treatment.” The goal of rehabilitation is to change offenders’ attitudes so that they come to accept that their behavior was wrong, not to deter them by the threat of further punishment. The goal of reintegration is to use the time criminals are under correctional supervision to prepare them to reenter (or reintegrate with) the free community as well equipped to do so as possible. In effect, reintegration is not much different from rehabilitation, but it is more pragmatic, focusing on concrete programs such as job training rather than attitude change.

Answer location: p. 15

Type: E

63. Who was Raffael Garofalo and what did he contribute to corrections?

*a. Italian lawyer Raffaele Garofalo (1852–1934) believed that because human action is often evoked by circumstances beyond human control (temperament, extreme poverty, intelligence, certain situations), the only thing to be considered at sentencing was the offenders’ “peculiarities,” or risk factors for crime. Garofalo’s (1885/1968) only concern for individualizing sentencing was the danger offenders posed to society, and his proposed sentences ranged from execution for what he called the extreme criminal (whom we might call psychopaths today), to transportation to penal colonies for impulsive criminals, to simply changing the law to deal with what he called endemic criminals (those who commit what we today might call victimless crimes).

Answer location: p. 7

Type: E

64. Who was Jeremy Bentham and what did he contribute to corrections?

*a. Another prominent figure was British lawyer and philosopher Jeremy Bentham (1748–1832). His major work, *Principles of Morals and Legislation* (1789/1948), is essentially a philosophy of social control based on the principle of utility, which posits that human actions should be judged moral or immoral by their effect on the happiness of the community. The proper function of the legislature is thus to make laws aimed at maximizing the pleasure and minimizing the pain of the largest number in society—“the greatest good for the greatest number” (p. 151). If legislators are to legislate according to the principle of utility, they must understand human motivation, which for Bentham (1789/1948) was easily summed up: “Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do” (p. 125). This was essentially the Enlightenment concept of human nature, which was seen as hedonistic, rational, and endowed with free will. The classical explanation of criminal behavior and how to prevent it can be derived from these three assumptions.

Answer location: p. 6

Type: E

65. What is deterrence? Explain the types of deterrence.

*a. The principle behind deterrence is that people are deterred from crime by the threat of punishment. Deterrence may be either specific or general. Specific deterrence refers to the effect of punishment on the future behavior of persons who experience it. For specific deterrence to work, it is necessary that a previously punished person make a conscious connection between an intended criminal act and the punishment suffered as a result of similar acts committed in the past. General deterrence refers to the preventive effect of the threat of punishment on the general population; it is thus aimed at potential offenders. Punishing offenders serves as examples to the rest of us of what may happen if we violate the law, as we noted in the opening vignette.

Answer location: p. 10-11

Type: E

66. Compare and Contrast the Crime Control Model with the Due Process Model.

*a. The first model is the crime control model. This model emphasizes community protection from criminals, and stresses that civil liberties can only have real meaning in a safe, well-ordered society. To achieve such a society it is necessary to suppress criminal activity swiftly, efficiently, and with finality, and demands well-oiled criminal justice system where cases are handled informally and uniformly in “assembly-line” fashion. Police officers must arrest suspects, prosecutors must prosecute them, and judges must sentence them “uncluttered with ceremonious rituals that do not advance the progress of the case” (Packer, 1997, p. 4). To achieve finality, the occasions for challenging the process (appeals) must be kept to a minimum. The assumption is that such a process will more efficiently screen out the innocent, and that those who are not may be considered “probably guilty.” Packer does not want us to think of a presumption of guilt as the conceptual opposite of the presumption of innocence, but rather “reduced to its barest essentials and when operating at its most successful pitch [the crime control model consists of two elements]: “(a) an administrative fact-finding process leading to the exoneration of the suspect, or to (b) the entry of a plea of guilty” (1997, p.5).

The due process model is the second model. Rather than a system run like an assembly line, the due process model is more like an obstacle course in which impediments to carrying the accused’s case further are encountered at every stage of processing. Police officers must obtain warrants when possible and must not interrogate suspects without the suspect’s consent, evidence may be suppressed, and various motions may be filed that may free a factually guilty person. These and other obstacles are placed in the way to prevent the efficient and speedy processing of cases. If the person is convicted, he or she may file numerous appeals, and it may take years to gain closure of the case. The due process model is more concerned with the integrity of the legal process than with its efficiency, and with legal guilt rather than whether the accused is factually guilty. Factual guilt translates into legal guilt only if the evidence used to determine it was obtained in a procedurally correct fashion.

Answer location: p. 16

Type: E

67. Which major objective and justification for punishment do you believe best fits how you feel? Why?

*a. Legal scholars have traditionally identified four major objectives or justifications for the practice of punishing criminals: retribution, deterrence, rehabilitation, and incapacitation. Criminal justice scholars have recently added a fifth purpose to the list: reintegration. Retribution is a “just deserts” model that demands that punishment matches as closely as possible the degree of harm criminals have inflicted on their victims—what they justly deserve. Those who commit minor crimes deserve minor punishments, and those who commit more serious crimes deserve more severe punishments. The principle behind deterrence is that people are deterred from crime by the threat of punishment. Deterrence may be either specific or general. Specific deterrence refers to the effect of punishment on the future behavior

of persons who experience it. For specific deterrence to work, it is necessary that a previously punished person make a conscious connection between an intended criminal act and the punishment suffered as a result of similar acts committed in the past. General deterrence refers to the preventive effect of the threat of punishment on the general population; it is thus aimed at potential offenders. Punishing offenders serves as examples to the rest of us of what may happen if we violate the law, as we noted in the opening vignette. Incapacitation refers to the inability of criminals to victimize people outside prison walls while they are locked up. The term rehabilitation means to restore or return to constructive or healthy activity. Whereas deterrence and incapacitation are mainly justified on classical grounds, rehabilitation is primarily a positivist concept. The rehabilitative goal is based on a medical model that used to view criminal behavior as a moral sickness requiring treatment. Today, this model views criminality in terms of “faulty thinking” and criminals as in need of “programming” rather than “treatment.” The goal of rehabilitation is to change offenders’ attitudes so that they come to accept that their behavior was wrong, not to deter them by the threat of further punishment. The goal of reintegration is to use the time criminals are under correctional supervision to prepare them to reenter (or reintegrate with) the free community as well equipped to do so as possible. In effect, reintegration is not much different from rehabilitation, but it is more pragmatic, focusing on concrete programs such as job training rather than attitude change.

Answer location: p. 9-15

Type: E

68. Explain Beccaria’s view on crime and punishment.

*a. Beccaria argued that punishments should be proportionate to the harm done, should be identical for identical crimes, and should be applied without reference to the social status of either offender or victim. Beccaria made no effort to plumb the depths of criminal character or motivation, arguing that crime is simply the result of “the despotic spirit which is in every man” (1963, p. 12). He also argued that tendency of “man” to give in to the “despotic spirit” had to be countered by the threat of punishment, which had to be certain, swift, and severe enough to outweigh any benefits offenders get from crime if they are to be deterred from future crime. He elaborated on these three elements of punishment as follows: Certainty: “The certainty of punishment, even if it be moderate, will always make a stronger impression than the fear of another which is more terrible but combined with the hope of impunity” (1963, p. 58). Swift: “The more promptly and the more closely punishment follows upon the commission of a crime, the more just and useful will it be” (1963, p. 55). Severity: “For a punishment to attain its end, the evil which it inflicts has only to exceed the advantage derivable from the crime; in this excess of evil one should include the . . . loss of the good which the crime might have produced. All beyond this is superfluous and for that reason tyrannical” (1963, p. 43). Beccaria makes clear that punishments must outweigh any benefits offenders get from crime if they are to be deterred from future crime. But such punishment should be as certain and as swift as possible if it is to have a lasting impression on the criminal and to deter others.

Answer location: p. 5-6

Type: E

69. Who was Emile Durkheim and how did he relate to the function of punishment?

*a. Sociologist Émile Durkheim (1858–1917) contended that punishment is functional for society in that the rituals of punishment reaffirm the justness of the social norms and allow citizens to express their moral outrage when others transgress those moral norms. Durkheim also recognized that we can temper punishment with sympathy. He observed that over the course of social evolution, humankind had moved from retributive justice (characterized by cruel and vengeful punishments) to restitutive

justice (characterized by reparation—“making amends”). Retributive justice is driven by the natural passion for punitive revenge that “ceases only when exhausted . . . only after it has destroyed” (Durkheim, 1893/1964, p. 86). Restitutive justice is driven by simple deterrence and is more humanistic and tolerant, although it is still “at least in part, a work of vengeance.” (pp. 88–89). For Durkheim, restitutive responses to wrongdoers offer a balance between calming moral outrage on the one hand and exciting the emotions of empathy and sympathy on the other.

Answer location: p. 9

Type: E

70. Taking a comparative corrections approach, discuss the four legal traditions and why they are useful to know.

*a. Knowledge of systems other than our own provides us with a new understanding and appreciation of our own, and will better equip us to identify both the strengths and weaknesses of the American system. Our aim is to examine a representative country of each of the four main families of law in the world today—common, civil or code, Islamic, and socialist. The countries we primarily (but not exclusively) focus on are the United Kingdom (England and Wales; the other two countries of the United Kingdom—Scotland and Northern Ireland, have separate correctional systems), France, China, and Saudi Arabia. These countries were chosen because each best illustrates their respective family of law. The common law originated many centuries ago in England—the country with which the United States shares the heritage of law, language, and culture—and has slowly evolved over the centuries. We focus on France to examine the civil law tradition because modern civil (or code) law began under Napoleon in 1804. China is chosen because it is the largest socialist legal system in the world. Finally, Saudi Arabia was chosen to illustrate the Islamic legal tradition because the Koran (Islam’s holy book) functions as the Saudi Arabian constitution (Walsh & Hemmens, 2014). The civil, socialist, and Islamic legal traditions are all code systems, which are systems that come “ready-made” rather than systems that evolved slowly as did the common law. Judges in code countries cannot “make law” by precedent as they can in common law countries. Rather, they are supposed to act uniformly in accordance with the criminal code, and consequently there is less judicial oversight of the correctional system in those countries.

Answer location: p. 15