

INSTRUCTIONS

Applicants must submit a 2 – 4 page paper on an issue of public law and policy. Please ensure that you double-space your paper, and also that you provide some basic research. Utilize the footnote feature for all citations, and ensure that you also make a good faith effort to have citations correct per Bluebook rules. You may use periodicals, legal journals and articles, Internet sources (must be credible Internet sites), and any other forms of authority as found in the Bluebook.

We will judge your papers based upon, among other criteria, the content, organization, and persuasiveness of the paper. If you have any questions, feel free to contact Nicole Schave, incoming Editor-in-Chief, at nschave01@hamlineuniversity.edu. However, please refrain from mentioning anything to do with what topic you may or have selected, as the selection process is anonymous. The public policy paper, in addition to all other application materials, must be received **no later than June 8, 2012 at 5:00pm in the Registrar's Office**. Please refer to the handout on what procedures to follow when turning in your application materials. Thank you, and good luck!

TOPIC #1 – The Public's Interest in TSA Searches versus an Individual's Right to Privacy

Starting in 2007, the Transportation Security Administration (TSA) implemented Advanced Imaging Technology (AIT), which heightened airport security measures. Because AIT reveals personal information such as prosthetics and breast implants, many critics argue that AIT violates an individual's Fourth Amendment right to privacy. However, proponents argue that AIT is necessary to increase airport security and protect against terrorism.¹

For this topic, examine any form of case law, scholarly journal or law review articles, or other sources of authority on the issue of whether as a public policy concern TSA searches should be allowed or not. Please integrate whatever information you find into a persuasive, public policy argument for which you determine the content and direction.

¹ Jennifer Levine, *Over-Exposed? TSA Scanners and the Fourth Amendment Right to Privacy*, 16 J. TECH. L. & POL'Y 175 (2011).

TOPIC #2 – Plea Bargains and whether they should be allowed in our Criminal Justice System

Approximately 90% of criminal cases result in a guilty plea. Plea bargaining, therefore, has a substantial impact on our criminal justice system. There are many benefits to plea bargaining, such as providing a reduction on judicial resources, providing greater certainty and control for the defendant on the outcome of his or her case, and providing victims with some assurance that

the defendant will be held responsible for his or her crime. There are also many downfalls to plea bargaining, some of which are discussed in the articles below. For this topic, assess the public policy concerns over whether plea bargains should be allowed, and provide persuasive reasoning and support for whatever position you take in regards to whether plea bargains should or should not be allowed.

The following articles will help provide further insight into this topic:

<http://www.cato.org/pubs/regulation/regv26n3/v26n3-7.pdf>

http://www.americanbar.org/content/dam/aba/publishing/criminal_justice_section_newsletter/crimjust_cjmag_23_3_yaroshefsky.authcheckdam.pdf

TOPIC #3 – Constitutional Protections, Freedom of Speech, Bullying & Suicide

There are numerous stories, including the recent documentary “Bully”, that have become prevalent in the media over the last few years dealing with the topic of bullying and suicide, and what types of restraints can or should be placed on freedom of speech in order to help alleviate this enormous problem. For this topic, provide a basic summary of some of the public policy concerns, legal analyses, and scholarly work on how any restrictions may or may not have an impact on the Constitutional protection of freedom of speech.

TOPIC #4 – Open Topic

All applicants may choose any other topic that fits within the guise of public law and policy in their public policy paper. All other requirements set forth still will apply, so please ensure you include basic research on your topic, as well as making a good faith effort on your citations to be in accordance with the Bluebook.