



**The Law and Society Review
at the
University of California
Santa Barbara**

Volume I

2001–2002

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The Law and Society Review at the University of California, Santa Barbara, is published annually by undergraduate students at UCSB under the leadership of Law & Society Program faculty. The Law & Society Program, an interdisciplinary major, draws faculty from the humanities and social sciences and utilizes both a theoretical and empirical approach to the understanding of law, with courses ranging from alternative dispute resolution to criminal justice. The Program is among the most diverse majors at the University and is designed to explore topics extremely relevant to current issues facing our country. *The Law and Society Review* aims to be an interdisciplinary endeavor, seeking submissions from undergraduates in all majors and disciplines in order to gain a more comprehensive outlook on contemporary law in action within our society. *The Law and Society Review* is an undergraduate, peer-reviewed journal highlighting outstanding undergraduate scholarship, including articles devoted to undergraduate research and fieldwork, and theoretical thought processes.

Selection Criteria

The Law and Society Review at the University of California, Santa Barbara, carefully considers all submissions of undergraduate scholarship received. Submissions are reviewed and considered anonymously, without regard to the author name, major, political affiliation, race, color, national origin, religion, sex, physical abilities, age, ancestry, marital status, sexual orientation, prior publications, or pending publication offers. Authors of submission must have undergraduate standing at the University of California, Santa Barbara, at the time the submission was written and works can be submitted no later than one school calendar year from the author's commencement from UCSB. Publication in the *Law and Society Review* does not prohibit authors' submissions to concurrent or future publication in other journals or publications, nor are previously published works in other journals or publications ineligible for publication in the *Law and Society Review*, permitting the prior publication allows.

Editorial Disclaimer

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Contributors

Eric W. Buetzow is currently a junior Law & Society student at the University of California at Santa Barbara. He grew up in Novato, California, where he lived until coming to study at UCSB. Throughout his college tenure, he has been active in the College of Letters & Science Honors Program, campus sports activities, and interning as a law clerk for public interest attorneys. Currently, Eric does work for a law-based fair housing task force, which aims to help combat housing discrimination. With regard to his achievements, he attributes them wholly to the unyielding love and support from his family, friends, and loved ones. Eric looks forward to furthering his education in law and policy.

Jonathan E. Cruz graduated from UCSB in 2001 with a B.A. in Sociology and a minor in Music. He will begin a J.D. program at Loyola Law School in Los Angeles in the Fall of 2003 and plans to combine his interest in law with his love of music to establish a career in entertainment law.

John Ginder is a senior at UCSB majoring in Global Studies with a Political and Socioeconomic emphasis. He grew up in Santa Barbara and attended the University of Oregon for two years after graduating from Santa Barbara High School. John moved back to his hometown intending to transfer to UCSB and major in Film Studies. After taking an interest in international law and politics, John decided to major in Global Studies. Upon graduation in June 2002, he will be applying to law schools and hopes to pursue a career in international law.

John Salinas Lopez is a fourth year senior majoring in Law and Society and Microbiology, with a concentration in genetic engineering. He is interested in the growing spectrum of law within the processes of the biotechnology industry. He plans to complete Master of Science graduate work in the area of regulatory processing for bio/pharmaceutical and biodevice development, with the ultimate goal of a career practicing patent law. When John is not reading books or flipping test tubes, he enjoys an active athletic lifestyle. As a proud member of the Big Brothers Big Sisters Program in Santa Barbara County, he enjoys playing video games and eating ice cream with his little brother Angel.

TiTi Nguyen grew up in Virginia, thirty miles from Washington, D.C. While at UCSB, she has interned at the Santa Barbara Superior Court Own Recognition Unit as well as the Federal Bureau of Investigation in Washington, D.C. TiTi graduated Winter 2002 from UCSB with a B.A. in Law and Society (Criminal Justice emphasis) and a B.S. in Computer Science. Upon graduation, she received Highest Honors, the Academic Excellence Award, and Distinction in the Major of Law and Society for her Senior Honors Thesis work. Next year, she will attend the University of California School of Law at Berkeley and study technology law.

Joey Chella Soto is a senior Environmental Studies major at UCSB. She was raised in San Juan Capistrano, California, which is known for its picturesque landscapes and the historic Mission of San Juan Capistrano. Joey enjoys outdoor recreation and views life as an endless adventure. She loves to travel, which can be a bit inconvenient at times, but she has found that it is possible to balance hard work and play. She plans to achieve a career in environmental law, and hopes to attain the outstanding insight and knowledge that her professors at UCSB possess.

Christi Thompson is a senior majoring in Law and Society. She grew up in Carmel Valley, where she was recently married. She met her husband while in her sophomore year of college, and they are both currently students at UCSB. Christi plans to get a Ph.D. in Sociology and then devote her life to her family and raising a child.

Roger J. Thompson is a Regent Scholar at UCSB majoring in History and has a particular fascination with modern U.S. history. He plans to pursue a Ph.D. in History and eventually teach and write. His current research includes a study of the Red Scare of 1919-1920 in Los Angeles as well as Arab and Muslim racism in America post-9/11. The essay published in this journal was written as an Honor's project for Professor Hasegawa. He is happily married to Christi Thompson and lives in Santa Barbara. Comments can be directed to rogerthompson4@cox.net.

Todd R. Tunstall was born and raised in San Dimas, California, a small town on the outskirts of Los Angeles County. He is currently a third-year Law and Society student at UCSB and planning on graduating with an emphasis in Criminal Justice and a minor in Global Peace and Security. He hopes that after graduation in the Spring of 2003 his degree will help him springboard in to a career in the F.B.I.

Julie Zhalkovsky is originally from the former Soviet Union. She was born and grew up in the city of Odessa in the former republic and current nation of Ukraine. Currently, Julie's family resides in San Francisco, where she plans on returning upon graduation from UCSB in June of 2002. Julie graduates in June with a bachelor's degree in Law and Society. Upon graduation, she plans on attending a top law school and looks forward to a long and rewarding career as an attorney, considering the field of civil rights litigation as her legal emphasis.

Santa Barbara County Bar Foundation Paper Prize Awards

The Santa Barbara County Bar Foundation is the sponsor of the *Law and Society Review's* annual paper prize competition. Every submission to the *Review* is eligible for the prizes, with first prize receiving \$500, second prize \$200, and third prize \$100. After the submissions have been chosen for publication, the *Review* selects paper prize award winners that exemplify outstanding scholarly undergraduate writing in the field of law and society.

2001-2002 Paper Prize Award Recipients

First Prize

Joey Chella Soto

*Hearst Development Case:
A Dispute Turned Negotiation*

Second Prize

John Ginder

Rethinking National Missile Defense

Third Prize

Christi Thompson

*The Impact of Three-Strikes:
A Socio-Legal Perspective*

Editors' Note

The publication of this journal marks the inaugural year of the *Law and Society Review at UCSB*. Recognizing the need for the development of publication forums for undergraduates, the *Review* was established this year as an outlet specifically for undergraduate expression in the broad field of law and society scholarship. We strove to generate a foundation so that the *Review* will continue as an annual publication.

This *Review* is a testament to the extensive reach of law into all facets of society. Modeling the approach of the Law & Society Program, the *Review* is an interdisciplinary endeavor, highlighting a diversity of outlooks and demonstrating the widespread influence law has in society. The articles in the publication include topics ranging from science and technology, Supreme Court case analyses, California state and local issues, and a conspiracy theory. Many of the articles reflect September 11th's undeniable connection to historical events and its implications for a vast array of contemporary issues.

The broad reach of the *Review* to undergraduates across the UCSB campus is indisputable. After unneeded anxiety about the success of our efforts, the *Review* received sixty-eight submissions from students in thirteen undergraduate disciplines—Global Studies, Environmental Studies, Business Economics, Philosophy, Anthropology, Sociology, Spanish, History, Political Science, Communication, Computer Science, Psychology, and Law & Society—and four class levels, including recent UCSB graduates.

The *Review* owes a debt of gratitude to our faculty advisor, Eve Darian-Smith. Her belief in the importance of undergraduate scholarship and research is unwavering and vitally important to the existence of this *Review*.

It is with great pride and accomplishment that we present to you this inaugural 2001-2002 edition of the *Law and Society Review at UCSB*.

Sincerely,

Sarah Cramer
Co-Chief Editor

Monica Fawzy
Co-Chief Editor