

2019

AP[®] CollegeBoard

AP[®] United States Government and Politics

Sample Student Responses and Scoring Commentary

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AP[®] UNITED STATES GOVERNMENT AND POLITICS

2019 SCORING GUIDELINES

Question 3

4 points

Part A: 1 point

One point is earned for identifying the clause in the Fourteenth Amendment that was used as the basis for the decision in both *Brown v. Board of Education* and *Hernandez v. Texas*.

- Equal Protection clause

Scoring Note: Due Process clause does not earn the point.

Part B: 2 points

The first point is earned for only describing a relevant fact from the required case.

- *Brown* was about segregated schools/racial discrimination in schools.

Scoring Note: The response must be a relevant case fact and NOT the reasoning, decision, or the majority opinion.

The second point is earned for correctly explaining how the facts of both cases led to a similar decision.

- In *Brown*, segregated schools led to discrimination against African American students, which was a violation of the Constitution/Equal Protection Clause. In *Hernandez*, discrimination against Mexican Americans in jury service was found to be a violation of the Constitution/Equal Protection Clause because it led to the conviction of Hernandez by a jury that excluded Mexican Americans.

Part C: 1 point

One point is earned for explaining how an interest group could use the decision in *Hernandez v. Texas* to advance its agenda.

- An interest group could write amicus curiae briefs to encourage the Court to apply the decision from *Hernandez* in similar cases.
- An interest group could lobby members of Congress to expand civil rights using the *Hernandez* case.
- An interest group could sponsor court cases encouraging the Court to apply the decision in *Hernandez*.

A score of zero (0) is assigned to an answer that is off-task or is attempted but earns no points.

A score of NR is assigned to an answer that is blank.

Important: Completely fill in the circle that corresponds to the question you are answering on this page. Do not skip lines.

Question 1

Question 2

Question 3

Question 4



A.) In both *Brown v. Board of Education* and *Hernandez v. Texas*, the Equal Protection Clause of the Fourteenth Amendment was used as the basis for the decision.

B.) For *Brown v. Board of Education*, *Brown* and 3 ~~and~~ other cases used different circumstances from the distance it took to walk to the Black school compared to the closer white school, to the funding for the schools. *Hernandez* was able to show how the jury was discriminatory.

Both of these facts were instances where African Americans were unequally treated by the law and thus gave reason for the Supreme Court to hear the case and rule that the Equal Protection Clause of the 14th Amendment was violated.

C.) An interest group could use the decision in *Hernandez v. Texas* as precedent and bring another trial case to a court in order to secure more strict guidelines on how a jury is picked and how to prevent this *de facto* or *de jure* segregation. They could also write amicus curiae briefs for the Supreme Court on future cases in which they cite the decision in *Hernandez v. Texas* as reason for the court to rule a certain way. Each action resulting in a decision that affects public policy and fulfills the interest group's agenda.

Use a pen with black or dark blue ink only. Do NOT write your name. Do NOT write outside the box.

Important: Completely fill in the circle that corresponds to the question you are answering on this page. Do not skip lines.

Question 1

Question 2

Question 3

Question 4



A.) The equal protections clause in the 14th amendment was the basis in both Brown v. Board of Education & Hernandez v. Texas.

B.) In Brown v. Board of Education, the ~~sup~~ supreme court ruled ~~about~~ down the Plessy v. Ferguson idea of separate but equal was never actually equal when a young African American girl faced discrimination as she was not allowed to go to the school near her that was ~~was~~ all white. This form of segregation was found to be discrimination that is not allowed under the 14th amendment. While in the case of Hernandez v. Texas, there was evident discrimination against Mexican Americans in Jackson County when ^{an all white} a jury convicted a Mexican American man of murder. In both cases there was evident discrimination that violated the 14th amendment, while this discrimination occurred in different ways, the Supreme Court saw the evident prejudice in both cases on the basis of race.

C.) An interest group that promotes minorities rights through fair trials could use Hernandez v. Texas to advance ~~their~~ their cause by ^{showing} showing the legal precedent for having a jury of peers that are not biased against different races. This could lead ~~on~~ the groups to be able to ~~use~~ ~~a~~ rally for legislation that ensures ~~on~~ fair juries.

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Important: Completely fill in the circle that corresponds to the question you are answering on this page. Do not skip lines.

Question 1

Question 2

Question 3

Question 4



- A. The equal protection clause was used as the basis for the rulings in both cases, as it specifies that all citizens are entitled to equal protection under the law despite their race, gender, or nationality.
- B. The facts in both cases showed a clear prejudice towards the appellant based on their race, which was a clear violation of the Fourteenth Amendment.
- C. By using the decision found in *Hernandez v. Texas*, an interest group that advocates for the rights of the accused could bring up previous examples of court discrimination.

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AP[®] UNITED STATES GOVERNMENT AND POLITICS

2019 SCORING COMMENTARY

Question 3

Note: Student samples are quoted verbatim and may contain spelling and grammatical errors.

Overview

This question expected students to read a case summary of a nonrequired Supreme Court case (*Hernandez v. Texas*) and compare it to a case required in the course (*Brown v. Board of Education*). Students were asked to identify the common clause of the United States Constitution that applied to both cases. Students were then to explain how the facts in both cases led to the Supreme Court reaching a similar decision in both. Finally, students were expected to demonstrate an understanding of the tactics an interest group would use to advance its agenda in favor of the nonrequired case (*Hernandez*).

Sample: 3A

Score: 4

The response earned 1 point in part A for identifying “the equal protection clause.”

The response earned 2 points in part B: 1 point for describing a relevant fact from the required case by stating “distance it took to walk to the Black school compared to the closer white school” and 1 point for explaining how the facts in both cases led to a similar decision: “Hernandez was able to show how the jury was discriminatory. Both of these facts were instances where ... Americans were unequally treated by the law and thus have reason for the Supreme Court to ... rule that the equal protections clause of the 14th Amendment was violated”.

The response earned 1 point in part C for explaining how an interest group could use the decision in *Hernandez* to advance its agenda: “An interest group could use the decision in *Hernandez v Texas* as precedent and bring another trial case to court in order to secure more strict guidelines on how a jury is picked.” The response identifies a strategy (bring another case to court) and an outcome (secure more strict guidelines).

Sample: 3B

Score: 3

The response earned 1 point in part A for identifying “the equal protections clause.”

The response earned 2 points in part B: 1 point for describing a relevant fact from the required case, “a young African American girl faced discrimination as she was not allowed to go to the school near her that was all white,” and 1 point for explaining how the facts in both cases led to a similar decision: “while in the case of *Hernandez v Texas*, there was evident discrimination against Mexican Americans ... when an all-white jury convicted a Mexican American man of murder. In both cases, there was evident discrimination that violates the 14th amendment.”

The response did not earn the point in part C as it does not indicate both an interest group strategy and a desired outcome.

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2019 SCORING COMMENTARY**

Question 3 (continued)

Sample: 3C

Score: 1

The response earned 1 point in part A for identifying "[t]he equal protection clause."

The response earned no points in part B because no relevant case facts are included for either *Brown* or *Hernandez*.

The response did not earn a point in part C for not explaining how an interest group could use the decision in *Hernandez* to advance its agenda. To earn a point, the response must indicate an interest group strategy, as well as a desired outcome. Neither are indicated.