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From the Editor

Dear Colleagues,

Welcome to the second issue of Volume Five, but not the last. Commencing with this volume, we are expanding to three issues, of which Issue Three will be our Winter issue. You may anticipate a January publication date for that issue.

At the semi-annual business meeting in Cincinnati, Ohio, the SWACJ members voted to begin the process of expanding to a quarterly format. This is in anticipation of one day aligning with a print journal publisher. Moving to four issues a year should demonstrate the journal’s ability to sustain a quarterly format. I believe we can.

Over the past year, the number of submissions has again increased, and we have worked as many articles through the review process as we had in the previous two volumes. Three things have made that happen. First is the number of people turning to SWJCJ as an outlet for their research, which we most gratefully appreciate. Second is our managing editor who has deftly tracked the status of all the articles, ushering them through review. Third is the many reviewers who have not only agreed to help out with the review process, but have provided a great service to the journal and researchers alike, improving the quality of articles ultimately published. The results, I believe, can be found in the four articles in this issue.

The first, by Mike Johnson, is a highly innovative article that deals with a unique research topic: prisoner art. The second article, regarding criminal justice and non-criminal justice students’ views of the death penalty, presents findings that are insightful in regard to our students. The third article explores the issue of racial disparity among juvenile offenders at the decision point of detention. Finally, the last article is one I can readily identify with as a former police officer, and that is officer perceptions of false burglar alarm calls.

I would also like to note that Rob Worley reviews a new book by my former co-editor and current ACJS President, Wes Johnson, titled The Criminalization of Mental Illness. Dorothy McClellan reviews an interest-
ing book—*Investigating the Russian Mafia*—which I just read this past summer, and which was written by friend, colleague, and student, Joe Serio. Finally, Ed Schauer reviews a new book titled *Prisons in America*, by one of the premier researchers in criminal justice, Marilyn McShane.

In closing, as this issue goes to press, we should be enjoying the annual meeting in Denver, Colorado, and it is there that we will make the final decision on my replacement. Whoever that may be, I will introduce you in the Winter issue of Volume Five.

Please keep the submissions coming!

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A Place for Art in Prison: Art as A Tool for Rehabilitation and Management

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ABSTRACT
An analysis of the contemporary literature on prison art programs reveals that art can be a valuable tool in corrections, despite a decline in support of such programs. Scholars with diverse backgrounds in research, teaching, art, therapy, and administration report that artistic activities have several benefits for prisoner rehabilitation and institutional management. These benefits fit into four general categories: therapeutic, educational, prison quality-of-life management, and societal (community involvement). Photographs of drawings made on the interior of a county jail are included to illustrate the creative potential that exists behind bars. Art programs may be widely useful because artistic activities respond to prisoners’ basic human need for creative self-development, autonomy, and expression. While research testing the effectiveness of prison art programs is needed, it appears that artistic activities have the potential to improve prisoners’ involvement in rehabilitation programs.

Key Words: prison art programs, rehabilitation, management, jail wall drawings

INTRODUCTION

Correctional strategies have yet to prove their effectiveness in reducing re-offending (Newbold, 2003). Criminal sanctioning itself does not respond to individuals’ criminogenic needs and is not linked with reduced recidivism (Bonta, 1996). However, while many conventional approaches to prisoner rehabilitation do not “work” very well (Palmer, 1994), it is false to claim that “nothing works”—some correctional programs show successful outcomes and others show promise (Gendreau, 1996; Palmer, 1994; MacKenzie, 2006). Also, there is evidence that the failures of correctional programs are exaggerated. Some states recently experienced reductions in re-incarceration rates (Austin, 2001), and crude recidivism rates can be deceptive in that they include re-arrests for less serious offenses and technical violations (Newbold, 2003). Further, prison rehabilitation programs may work in ways other than preventing future crime, such as humanizing the prison environment (Newbold, 2003) and improving prison
management. For example, a study of an in-prison therapeutic community treatment program in Delaware reported lower levels of institutional disorder (grievances filed and rule violations by prisoners) compared to non-treatment units, and offered strong evidence against the possibility that the treatment unit simply houses better behaved prisoners with less severe criminal histories (Dietz, O’Connell, Scarpitti, 2003).

Efforts at rehabilitation are worthwhile, but better methods need to be developed. Generally, the search for better programs should involve the replication and refinement of successful strategies, as well as the development of new ones. Integrated, or, “multi-modal” programs that address a variety of offender needs, including personal development, are being targeted as promising correctional approaches (Harper, Man, Taylor and Niven, 2005; MacKenzie, 2006). At issue here is the possibility that creative activities such as art can perform an effective role in offender rehabilitation. This essay is the product of an extensive analysis of the recent academic and professional literature on prison art programs. It covers diverse scholarly work produced in the disciplines of the social sciences and professions of corrections, education, and art.

ART IN PRISON

Prison art programs foster the creation of many fascinating works of art, such as those presented in Phyllis Kornfeld’s *Cellblock Visions: Prison Art in America* (1997) and Gussak and Virshup’s (1997) anthology text, *Drawing Time: Art Therapy in Prisons and Other Correctional Settings*. These works articulate the aesthetic and rehabilitative value of prison art programs and the artwork they produce. Kornfeld (1997) argues that the value of such programs is multi-dimensional—they offer simultaneous opportunities for therapy, education, vocation, and recreation. Despite the apparent need to explore alternative approaches to corrections, and the well-established functions of prison art programs—such as therapy, humanizing prisoners, producing fine works of art, and providing constructive alternatives to destructive behavior (safer environments)—there has been decreased support for such programs, and many of them have been cut altogether (Kornfeld, 1997).

Art has a long tradition in prison (Ursprung, 1997). Gussak and Ploumis-Devick (2004, p. 35) remark that “creativity and artistic expression are naturally inherent in correctional settings.” During the twentieth century, prisoner art and craft work became widely recognized as a viable category of art in western countries and adopted by governmental and correctional authorities in work, vocational, educational, and therapeutic programming (Cardinal, 1997; van der Hoeven, 1988). Some prisoners and ex-prisoners have even been able to achieve mainstream popularity. Both current and past works of prisoner art dealt with the same ideas and themes expressed by non-imprisoned artists—the broader social, cultural, political, and aesthetic concerns of the time—not just the more immediate concerns of imprisonment, with some expressing protest and feelings of discontent and others more mundane or benign everyday matters (Cardinal, 1997).

Prison art, education, and therapy programs in the United States declined sharply in the 1980s, likely due to broad political and perceived public demands for prisons to cease providing prisoners with what were thought to be unwarranted privileges and amenities (Hillman, 2003). Arts programs seem to be more highly regarded in England (Schoonover, 1986), but programs there too experienced sharp cuts in the late 1990s (Clements, 2004). It is difficult to find evidence that prison art programs largely failed in meeting treatment and institutional
management objectives. The decreased support for art programs in corrections actually seems to contradict their demonstrated value (Hillman, 2003) and the professional opinions of the people doing their planning, implementation, and evaluation.

Benefits of Prison Art Programs

In various forms, prison art programs have received a great deal of validation from researchers, teachers, artists, therapists and counselors, and administrators. The benefits identified by this community of scholars and practitioners fit into four general categories: therapy, education, institutional management, and societal (outside of the prison).

Therapeutic Benefits

_Art Therapy with Offenders_, edited by Marian Liebmann (1994), is an anthology of articles written by therapists with extensive experience working with prisoners that makes a strong case for the benefits of art therapy in corrections. Liebmann summarizes seven key benefits. 1) Art can be a form of communication for those who have problems with verbal communication. 2) It can act as a bridge between therapist and client for dealing jointly with issues that make clients uncomfortable. 3) It is a means of self-expression and self-exploration. 4) It provides a safe and acceptable way to express, release, and deal with potentially destructive feelings like anger and aggression. 5) It yields concrete products that can be used to initiate discussion and note developments over time. 6) It gets the client actively involved. 7) It lets clients be creative and perhaps enjoy themselves. Gussak (1997a, pp. 9-10) too sums up the advantages of art therapy in prison: it communicates concrete nonverbal messages not available through verbal therapy, bypasses one’s reluctance to explore treatment issues honestly, removes the vulnerability associated with verbal expression, allows one to make expressions that would be threatening in verbal form, allows one to make expressions socially acceptable to both the prison subculture and outside culture, taps into the creativity that stems from the intense need for diversion and escape in prison, “produces mitigation of symptoms without verbal interpretation,” and provides another option to those with poor literacy and verbal communication skills.

Art’s products—“art as craft” (as good artwork) and processes—“art as self-expression” both have demonstrated therapeutic value (Riches, 1994a). Art therapy is seen by many as an important part of treatment plans aimed at helping offenders overcome problems associated with issues such as substance abuse and traumatic childhood experiences (Williams, 2003). It can be particularly helpful in treating prisoners with vulnerabilities due to mental illness and disability (Cheney, 1997; Day and Onorato, 1989; Delshadian, 2003; Edwards, 1994; Karban and West, 1994; Sundaram, 1997; Teasdale, 1997; Woodall, Diamond, and Howe, 1997) and physical impairment (Sundaram, 1997; Taylor, 1997), and as a potential way to identify those who are at high risk of committing self-harm (Cheney, 1997; Day and Onorato, 1989). During the past decade, some therapists have begun to use art therapy with incarcerated females with histories of sexual, physical, and emotional abuse (Day and Onorato, 1997). Day and Onorato’s (1997) work with incarcerated female trauma survivors led them to view art therapy as an effective way to treat prisoners and propose that it be more widely used. Merriam’s (1998) case analyses of incarcerated female survivors showed that art images enabled women to safely reconnect with and contain potentially destructive thoughts and feelings associated with traumatic experiences. One pilot program used visual art, storytelling, music, and journaling to heal and empower incarcerated women with histories of abuse largely through self-concept
change and a reconstruction of their identities as survivors. This program established a model that could be applied to other populations, including male prisoners, and other intervention topics (Williams and Taylor, 2004). Art therapy may also be used to respond to other types of traumatic experiences. For example, a pilot study program used art therapy to treat incarcerated women who were grieving the death of a loved one, with favorable results (Ferszt, Hayes, DeFedele and Horn, 2004). By putting more of a focus on the artistic image, separate from the person, art therapy gives clients some distance with which to more easily discuss disowned thoughts and feelings (Merriam, 1998).

Art therapy focuses heavily on healing processes. The making of visual images generates self-insights, brings suppressed feelings to the surface, and helps participants cope with the stress of prison life (Hall, 1997; Merriam, 1998; Riches, 1994a; Schoonover, 1986; Teasdale, 1995). It offers prisoners a non-destructive, therapeutic release for their feelings of distress associated with the deprivation of prison life as well as states of mental health extending beyond the incarceration experience (Day and Onorato, 1989; Hall, 1997; Williams, 2003). Quasi-experimental studies (pilot and follow-up) conducted by Gussak (2006 and 2007) to quantify the effects of art therapy on prisoners found that art therapy groups significantly reduced depressive symptoms and improved mood. Further, feelings that one may be uncomfortable expressing outward or are hard to put into words can be externalized through visual images (Day and Onorato, 1989; Cronin, 1994; Gussak and Ploumis-Devick, 2004; Merriam, 1998; Teasdale, 1995). A visual activity framework provides prisoners an appropriate opportunity to express pent up feelings—“to be able to see what one feels and thinks” (Teasdale, 1995, p. 9). Things that one cannot, or should not, say “out loud” can more safely be said with, for instance, colors, lines, and shapes (Hall, 1997). In this sense, art is “the ultimate hidden weapon” because of its ability to “hide” the therapeutic process—to allow clients to express themselves without the threat of retaliation from the “environment” (Gussak, 1997b, p. 61). Further, in making a contrast to verbal therapy, Teasdale (1997, p. 215) writes that art therapy “allows for a physical record of thoughts and ideas to be kept and matured. The storing of images enables a visual diary to be maintained for future reference and feedback.”

Art-making helps prisoners gain self confidence “by making them feel productive, normal, and human” (Williams, 2003, p. 3). Learning art can build self-esteem (Clements, 2004; Merriam, 1998; Riches, 1994a; Schoonover, 1986) and creating it can instill a feeling of self-worth (Grace, 1993; Karban and West, 1994). Engaging in artistic activities helps prisoners redefine and maintain their social identities in response to the loss of identity provoked by prison life (Hall, 1997). Prisoners can be made to feel valued and important through the individualized attention and compassion received from teachers and counselors (Day and Onorato, 1989), as well as the admiration and respect they receive for creating good work (Baroody-Hart and Farrell, 1987; Gussak and Ploumis-Devick, 2004; Kornfeld, 1997); the status of “artist” fosters favorable self-identification and counters some of the stigma attached to being in prison (Hall, 1997; Williams, 2003). Further, the self-confidence that clients gain from improving their artistic skills helps them achieve in other areas of their lives (Edwards, 1994).

One of the uncomfortable issues that prisoners deal with in therapy is one of the most important goals of correctional rehabilitation—taking responsibility for their offenses. Art can help confront offending behavior (McCourt, 1994; Teasdale, 1997), break the cycle of violence and fear that characterizes the lives of many violent offenders (Graef, 2002), and explore strategies against re-offending (Grace, 1993). It can be used as a process to help clients emerge from
avoidance and denial (Graef, 2002; Murphy, 1994), come to terms with the realization that they have hurt others, and cope with shame (Murphy, 1994). As a safer form of ventilation, art teaches an alternative outlet for angry and aggressive feelings that clients may tend to project outward as destructive behavior (Cronin, 1994; Graef, 2002; Gussak, 1997a; Hall, 1997; McCourt, 1994; Merriam, 1998). Also, art can help improve relationships between prisoners and their families on the outside. Artwork presented or given to families convey thoughts and feelings that are difficult to express verbally even to family members, give the family something concrete to enjoy and be proud of, and therefore help improve the imprisoned family member’s sense of self-worth (Murphy, 1994; Riches, 1994a; Schoonover, 1986).

Art can be a useful part of collective activities in prison. Art therapy is also highly effective in prison group therapy and therapeutic community (TC) programs. Group art therapy assists the members of a TC in being open and honest with one another about their emotions and treatment issues, and it allows them to carry over and further explore issues that arise in other group therapeutic venues (Teasdale, 1997). Even if addressing offender behavior is not the primary goal of an art program, working in groups, in theatrical and musical productions for instance, can go far to help facilitate the kinds of transformations expected of prisoners. As Aylott (2002, p. 5) put it, “The experience of working as part of a team, recognising and fulfilling your responsibilities, being valued for your contribution, and depending on and valuing the contribution of others, are part of the experience required to become a responsible citizen.”

*Educational Benefits*

Art activities are believed to have a special place and value in the prison education curriculum (Billington, 2002), and many educational programs have included artistic components (Williams, 2003). Also, because education is so much a part of individual growth and contributes to one’s well-being, many aspects of art education are closely linked, and overlap, with those of art therapy (Edwards, 1994; Riches, 1994a). Teaching can take place in art therapy by encouraging clients to look at and learn about the world in a fresh way—not only by making artwork but also by analyzing the work of others (Edwards, 1994), and the arts can be used to develop multicultural awareness and appreciation among prisoners (Carlyle, 2000; Gussak and Ploumis-Devick, 2004). The creativity and new ways of thinking involved in learning art coincide with rehabilitative needs, especially as they concern emancipation and empowerment. Engaging in art offers prisoners opportunities to explore their inner potential and alternative interests, improve their communication abilities, appreciate their own and others’ ideas and cultures, become active citizens, and develop the critical attitude necessary to examine lifestyle (Clements, 2004).

Curricular and pedagogical innovations enhance the learning of incarcerated students. For example, a successful arts-based educational program for women in a Florida prison integrated art and health education as a way to promote wellness and global self-development (Mullen, 1999). There is reason to believe that prison adult-education programs that focus narrowly on sets of basic, key, and cognitive skills are much less rehabilitative (associated with low amounts of reduced recidivism) than those that also focus on arts and humanities. Perhaps this is because arts and humanities offer the creativity and heuristic learning, and encourage the self-discipline and autonomy, that enables the profound personal transformation demanded by true rehabilitation (Clements, 2004). It should be apparent that art and craft activities in prison are not merely recreational. They strengthen cognitive abilities—knowledge is acquired through the senses—
and in terms of development of the whole self, they help students integrate knowledge, feelings, and manual skills (Clements, 2004; Riches, 1994a). Recent research shows that programs that truly address prisoners' multiple educational needs, and are well implemented, are more strongly associated with improved employment capabilities and reduced re-incarceration; these effective programs will likely contain academic, vocational, social skill, emotional self-management, and artistic education (Vacca, 2004). The arts, therefore, are more than supplementary to prison education—they are integral to achieving its primary goals (Graef, 2002).

Art education can foster student self-directedness (Clements, 2004). Self-direction affords individuals more of a chance to “turn their lives around,” and to desist offending. However, self-direction requires high degrees of freedom and autonomy. Freedom of exploration and expression is not just liberating, it is also empowering. If education is to truly rehabilitate incarcerated students, it must not only empower them through the acquisition of human and social capital, it must at the same time emancipate them from the confines of social psychological institutionalization. Art, as part of a more creative and expressive curriculum that encourages spontaneous and participatory learning, gives incarcerated students the ability and freedom to self-direct their personal transformations, and thus the rehabilitative process (Clements, 2004).

Educational programs are more effective when instruction engages topics that motivate and sustain students’ interests (Vacca, 2004). Art education serves to attract and enable incarcerated students who have experienced little academic success and may be reluctant to participate in educational programs (Clements, 2004; Gussak and Ploumis-Devick, 2004; Leach, 2002; Riches, 1994a; Schoonover, 1986); it is a hands-on approach to learning that offers the opportunity to do well at another important type of study (Riches, 1994a). For example, one county prison art project in Pennsylvania incorporated art-making and creative writing into basic general education programs (adult education/GED) that also included computer instruction. The project created a publication outlet for students’ works—the Anthology of Inmate Art—which increased enrollment in the overall education program, created camaraderie among students, and made a favorable impression on guards, members of the community, and other prisoners (Hawk, Bohna, Jr., Riddell, and Stark, 1993).

Benefits to Institutional Management

Many of art’s benefits are shared by prisoners and the institution (Grace, 1993; Graef, 2002; Riches, 1994b; Schoonover, 1986). For example, an outside evaluation of the women’s art and wellness education program mentioned earlier showed outcomes favorable to interpersonal safety (accompanied by fewer disciplinary actions) in addition to students’ personal and interpersonal growth (improved self-esteem, self-concept, and relationships with others) (Mullen, 1999). Art programs contribute to the security and quality of life of the prison (Clements, 2004; Gussak and Ploumis-Devick, 2004; Schoonover, 1986). They help build peaceful, cooperative relationships among prisoners, among staff, and between prisoners and staff (Day and Onorato, 1989; Hall, 1997; van der Hoeven, 1988). Artistic activities provide prisoners some respite or temporary escape from the harsh, tedious, controlling, regimented, and lonely life of imprisonment (Day and Onorato, 1989; Gussak and Ploumis-Devick, 2004; Hall, 1997; Riches, 1994; Schoonover, 1986) and can improve their attitudes and behavior in the short and long term (Graef, 2002). Many prisoners choose art as a way to deal with boredom (Baroody-Hart and Farrell, 1987; Clements, 2004; Gussak, 1997a; Williams, 2003). Art programs help humanize the prisoners and their environment by providing a form of recreation, a source of
decoration, a way to make gifts and items for sale or trade, and a connection to the outside world—sometimes symbolic, sometimes communicative (Hall, 1997; Williams, 2003), and they serve as an alternative way to vent frustration and aggression and as a distraction from acting out (Clements, 2004; Day and Onorato, 1989; Hall, 1997; Riches, 1994a).

Some evidence exists to suggest a relationship between art programs and reduced disruptive behavior on the part of prisoners (Gussak and Ploumis-Devick, 2004; Riches, 1994b; Schoonover, 1986). Arts and crafts may even change the behavior of very difficult, seemingly incorrigible, prisoners who are reluctant to participate in programs that offer constructive activities (Leach, 2002). The necessity for disciplinary control measures such as restraints and isolation may be reduced when artistic activities are available as options for emotional ventilation (Day and Onorato, 1989). Those who take being an artist seriously, especially, have to depend on guards for some of the resources and privileges to engage in art-making, and so must conform to rules in order to develop mutually beneficial relationships with them (Baroody-Hart and Farrell, 1987). Thus, as a management tool, art programs can reduce violent behavior and harmful stress, and the financial costs of responding to such matters (Schoonover, 1986; Williams, 2003).

Prison is a harsh environment that threatens to deprive its residents of liberty, power, and individuality, and over time, erodes their relationships with the outside world. Artistic activities help some survive prison by making “doing time” less burdensome (Baroody-Hart and Farrell, 1987; Schoonover, 1986). Baroody-Hart and Farrell (1987) identified a subculture of serious artists made up of prisoners who use commitment to being an artist to distance themselves from the violent and exploitive threats emanating from the general prison population (by integrating into the safer artist subculture), as well as the disturbing aspects of prison bureaucracy. The controlled environment allows prisoners few outlets for creative expression, stimulation, and self-development (Williams, 2003). Art programs help meet “the need for constructive, creative, and purposeful activities to offset the deleterious and dehumanising effects of prisons life” and encourage “personal development, self-esteem, and a small degree of autonomy” (Riches, 1994a, p. 79). In the disempowering environment of prison, “Art therapy offers the possibility of self-empowerment… because art making is such a highly personal and self-directed activity” (Merriam, 1998, p. 158). Art involves acts of creation that are inherently liberating and exploratory, even inside the restrictive space of prison (Grace, 1993). Creative activities may then especially play a key role in directing the energies of prisoners with long-term and life sentences. Art may be one of their few opportunities to live creatively within the boundaries of social acceptability and develop as decent humans in such a long-term environment (McCourt, 1994; Murphy, 1994).

Benefits to Society

The benefits of creative rehabilitative activities extend well beyond prison. Incarcerated artists can make valuable aesthetic contributions to society. For one, their work can be put on display in museums, galleries, and other venues for the public to enjoy. One partnership between Frackville Prison and the Philadelphia Museum of Art—“Inside Out”—produced exhibitions of prisoner art that showcased several hundred paintings and drawings and earned favorable public response (Wisker, 1997). Artwork exposed to the outside may have the added benefits of raising the relevance and value of prisoners’ involvement with the arts and, potentially, attracting more involvement and appreciation from the outer community (Aylott,
2002; Wisker, 1997). Also, artists may be able to sell their work on the outside (Baroody-Hart and Farrell, 1987). Selling artwork can be used as a way to earn legitimate income (Riches, 1994b; Williams, 2003), engage in productive exchanges with the community before and after release, and as a way to help fund the art programs—proceeds may be split between the artist and the program (Williams, 2003). With guidance, education, and training, some participants in correctional art programs, although likely only a few, could put their various creative talents to use in artistic and vocational careers (Schoonover, 1986). One program in the United Kingdom, the Summit Group, seeks to engage prisoners in a variety of artistic activities through collaboration with the wider community (with schools, business, industry, etc.). One of the group’s projects was writing music for an original piece of drama performed at a local school (Aylott, 2002). Another prison in the UK has collaborated with a local theatre company several times, including a project that produced a video and resource pack on drugs for social workers and educators (Carlyle, 2000).

The Prison Creative Arts Project (PCAP), based at the University of Michigan, has worked collaboratively with prisoners and correctional facilities in generating several arts projects (Alexander and Gothard, 2006). These projects provide “creative spaces” inside of the harsh environment of prison and extend into the outer community. The PCAP’s Sisters Within Theater Troupe has performed over twenty plays and has held several workshops in prisons, juvenile facilities, and high schools. The Sisters of Unique Lyrics (SOUL) contribute readings and anthologies to prison workshops. The PCAP holds an Annual Exhibition of Art by Michigan Prisoners, and its Portfolio Project helps incarcerated young people present their work to judges, employers, and teachers. Its Speakers Bureau brings the voices of the incarcerated to the public, and its Linkage Project connects the formerly incarcerated with community arts mentors (Alexander and Gothard, 2006).

Art programming may better prepare prisoners for aftercare and community reintegration. Ideally, the integration process for released prisoners begins during incarceration—rehabilitation programs can be designed to help prepare them for eventual community re-entry (Elliott-Marshall, Ramsay, and Stewart, 2005). A study of over 4,000 male and female California state prisoners showed that increased time spent in prison-based therapeutic community treatment predicted increased participation in aftercare as well as decreased returns to custody during a 12-month period, and that increased time in aftercare too predicted decreased 12-month returns to custody (Burdon, Messina, and Prendergast, 2004). Also, one program in Florida—the “Life Skills Project,” a multi-agency project that works with participants from jail to aftercare/reentry, showed some reduced recidivism as well as favorable cognitive, emotional, and behavioral outcomes. The program’s curriculum included many topics, including self-development, communication skills, interpersonal relationship development, stress management, and accessing community resources (Jalazo, 2005). Any of these topics could incorporate artistic activities.

Finally, perhaps as a culmination of the many specific benefits of correctional art programs, another potential benefit is reduced recidivism—a benefit that may not be established because it has not been given enough of a chance (Gussak and Ploumis-Devick, 2004; Schoonover, 1986; Williams, 2003). Teasdale (1995) proposed that art therapy be included as part of treatment services to counter criminality, and that the outcomes of such services be assessed especially in terms of recidivism. Art may motivate prisoners to purposely engage in therapy programs that assist offenders in changing their attitudes and circumstances in favor of desistance (Teasdale,
1995). In his Foreword to *Art Therapy with Offenders* (Liebmann’s anthology), Judge Stephen Tumim, HM Chief Inspector of Prisons (1994) writes:

> The making of art in prison provides an “enabling space” for the prisoner overwhelmed by the clatter and disruption of prison life. I see the provision of some sort of art centre as an essential component of a proper regime. To anyone who attended the performance of musicals in the London prisons over the last two years, it is clear that the therapy has extended beyond its obvious aims. It opens a prospect of useful work for those who can take part in it, one way or another, and it opens the possibility of a more creative life for many after release.

> To summarize the benefits of prison art programs, artistic activities assist in prisoner rehabilitation by serving educational and therapeutic functions as well as providing opportunities to contribute to and connect with the community outside of prison. Further, prison art programs serve a managerial function by improving the quality of life for both prisoners and staff.

**Jail Wall Drawings: An Illustration of Creativity**

While little literature discusses the value of artistic activities specifically to jails, the potential to nurture constructive creativity may also exist in the more temporary holding environment of jail. In his analysis of jail wall artwork, Hanes (2005) features images drawn on the walls of a county jail and discusses the importance that creative expression has for enduring the conditions of incarceration. The following Figures 1 through 8 feature examples of several drawings made by men on the interior of a vacant county jail in Indiana. They were photographed in October of 2002.

![FIGURE 1](image-url)
FIGURE 3

The next figures, 4 through 8 (pages 111–114), capture a collection of work created in one cell, apparently by one artist. Figure 4 displays a group of images, while Figures 5 through 7 break them down individually. These drawings were quite large, covering about the entire width of a wall and nearly one half of its height. The drawing in Figure 8 was about the same size as the other three and done in a separate space.

These drawings speak to the creative potential that exists behind bars and hopefully suggests the opportunity to get the incarcerated more involved in constructive creative activities—both as a way to “do their time” productively and as a way to prepare them to engage the community after release. The drawings show that incarcerated artists can be quite talented, their work can be fascinating and worthy of appreciation and support, and that they have a strong desire to express themselves.
CONCLUSION

An analysis of the literature shows that a great deal of work favoring the use of artistic activities in prison can be found. Arts in corrections are strongly supported by theoretical arguments, anecdotal testimony from practitioners, and empirical research. Of course, like any other program or technique, art rehabilitation programming will have to be properly implemented to know of its effectiveness. Many correctional programs fail because they are not properly implemented, not necessarily because they are based on weak theories (Bonta, 1996; Gendreau, 1996; Harper, Man, Taylor and Niven, 2005; Palmer, 1994; MacKenzie, 2006). To be properly implemented, correctional art programs need cooperation from everyone working in the correctional setting (Day and Onorato, 1989; Grace, 1993; Riches, 1994; Mackie, 1994), and art professionals need proper support and training (Schoonover, 1986). Riches (1994, p. 78) writes, “Treatment and reform programmes, including art education and art therapy, are generally successful when prisoners, prison staff, and teachers or therapists enjoy a measure of mutual trust, and respect and discipline is not jeopardised.”

Before ending then, a point should be made regarding what is likely one of the biggest challenges to the constructive use of creative activities in corrections: censorship. Factors such as institutional and program rules, political ideology, and personal opinions of correctional administrators and staff can suppress artistic creation and self-exploration (Kornfeld, 1997; Mullen, 1999), but so too can the prisoner subculture of toughness and the inner inhibitions
of the artists—they may be afraid to explore their own thoughts and feelings and expose them to others (Kornfeld, 1997). Censorship interferes with freedom of expression and, potentially, rehabilitation (Mullen, 1999). Just as many other artists, prisoner artists will often produce work that is shocking and offensive, even some which may seem to be inconsistent with the popular expectations of a rehabilitating offender. The status of offender prevents the prisoner from receiving the same degree of license to create controversial work that is granted to non-incarcerated artists. For example, authorities and the general public may be apprehensive toward violent imagery created by persons convicted of violent crimes, as it will be assumed that their artwork is an indicator that they still have strong violent criminal tendencies. However, this will be a misperception in many cases, and considerations such as therapeutic release and the opportunity to explore suppressed feelings should outweigh the discomfort associated with the imagery present in some prisoner art. Misinterpretations of prisoner artwork are fueled by a contradiction inherent in prison art: the prison is punitive, but creative activities are very rewarding. Prison is intended to strip power and deliver pain; art empowers and delivers happiness. Those who adhere strongly to the punitive ideology are more likely to be suspicious of creative activities and view prisoner art as a threat or problem, or, to have a “paranoid reaction” to it (Gussak, 1997b). Hopefully, administrators and staff can be assured that prison and jail art programs do not threaten processes aimed at security and offender accountability (Gussak, 1997b) and will support teachers and therapists in taking steps necessary to ensure great amounts of freedom of expression in prison and jail art programs.

Like most people, prisoners desire to be productive and will seek creative autonomy and outlets for expression. Aesthetics-enhanced rehabilitation programs provide such outlets for creative expression. Perhaps then, incarcerated individuals will become more seriously involved in rehabilitation programs if opportunities for creative expression are provided, which in turn should boost the programs’ potential to enhance reform and reduce re-offending. Also, it seems that art programs can improve the daily operations of the prison and promote a safer environment for both prisoners and staff. While the literature offers plenty of reasons to believe in the potential of prison art programs, their effectiveness has rarely been tested in empirical research (Gussak, 2006 and 2007; Gussak and Ploumis-Devick, 2004). Gussak (2006 and 2007), Mullen (1999), Merriam (1998), and Hawk, Bohna Jr., Riddell, and Stark (1993) are among the few published studies that evaluate art programs (each reporting favorable outcomes). Clearly, much more research needs to be done to judge art’s effectiveness as a tool for prisoner rehabilitation and institutional management.
REFERENCES


BIOGRAPHICAL SKETCH

Lee Michael Johnson is an assistant professor of criminology at the University of West Georgia. He received his Ph.D. in Sociology from Iowa State University in 2001. His research interests are in juvenile delinquency, prevention, and intervention, as well as victimization and alternative corrections. His background includes work with behavior-disordered and delinquent youth in residential treatment, including creative and recreational activities. He has published on the topics of jail artwork, criminal justice system involvement and youth crime, victim blaming, and criminal victimization and depression. His teaching areas include juvenile delinquency, victimology, crime and social inequality, family violence, criminological theory, criminal justice, and social problems.

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The Death Penalty Through the Lenses of Criminology and Criminal Justice Students and Non-CRCJ Students

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**ABSTRACT**
This study examines the relationship between the level of knowledge and perception regarding capital punishment among criminology/criminal justice (CRCJ) students and non-CRCJ majors. The data were obtained from a sample of CRCJ and non-CRCJ majors enrolled at a major urban university in Texas in 2006. Measurement focuses on differences between the major groups on items of knowledge about the death penalty and a second grouping of items on perceptions and opinions of the death penalty. CRCJ majors were more knowledgeable regarding capital punishment than non-majors but there was little significant difference between the two groups on the perception items. The most significant findings in the study related more to the race variable than to any other factor with majority and non-majority respondents having significant differences on seven variables addressing perceptions of the death penalty.

**Key Words:** knowledge and perception regarding capital punishment, capital punishment, death penalty in Texas

**INTRODUCTION**

The Eighth Amendment to the United States Constitution states “Excessive bail shall not be required, nor excessive fines imposed” and most importantly “nor cruel and unusual punishments inflicted.” Whether one believes the death penalty to be cruel and unusual or a just sentence in the face of an egregious crime, many Americans support the death penalty without
knowing or caring much about the way in which it is carried out (Bedau, 1997; Furman v. Georgia, 1972; Walker, Spohn & Delone, 1996). Supreme Court Chief Justice William Brennan observed,

It is tempting to pretend that [those] on death row share a fate in no way connected to our own, that our treatment of them sounds no echoes beyond the chambers in which they die. Such an illusion is ultimately corrosive, for the reverberations of injustice are not so easily confined… the way in which we choose those who will die reveals the depth of moral commitment among the living. (Bedau, 1997, p. 299)

Chief Justice Brennan’s observation has not been lost on those who have been wrongly condemned to die. In 1996, DNA testing proved that not one of the so-called “Ford Heights Four” was responsible for the rape and murder of a Chicago woman and her companion. Since then, more than 75 cases of persons wrongfully convicted have surfaced (McCormick, 1998). Still other capital murder defendants must contend with attorneys who spend little time preparing for trial, sleeping lawyers, and courts that refuse to acknowledge the ineffectiveness of counsel claims that follow (Shapiro, 1997). Further, the death penalty has become a popular position for politicians who do not wish to appear soft on crime (Cockburn, 2001). Capital punishment is the most severe sentence that can be given and one that is impossible for society to correct once administered. Therefore, the level of knowledge that future policy-makers have about the death penalty and how that shapes their perceptions and actions is important to every American, for one can never be certain that the mistake of justice will not befall them.

The question presented in this study is whether support for the death penalty has any correlation with knowledge about the death penalty, and if CRCJ students and students in other majors differ in knowledge and support for capital punishment. Supreme Court Justice Thurgood Marshall stated in Furman v. Georgia (1972) that Americans know little about capital punishment. He believed that if the average citizen knew the facts, almost no-one would support the use of capital punishment. However, he further hypothesized that if one supported the death penalty for retributive reasons, no amount of knowledge would change their opinion (Furman v. Georgia, 1972).

Filling the gap in the current literature may provide meaningful data not only for scholarly discourse, but also for politicians and criminal justice professionals. Although several studies have examined the differences between criminal justice majors’ and non-majors’ knowledge and perception, none have done so in the State of Texas, an active death penalty state that has been responsible for a disproportionate share of the executions (Death Penalty Information Center, 2006).

OVERVIEW OF CAPITAL PUNISHMENT IN AMERICA

The level of support for the death penalty dropped in 1966 to only 42% which was the lowest level of support ever recorded (Bedau, 1997; Bohm, 2003; Dike, 1981), and in 1968 executions ceased as the death penalty was being challenged in the United States Supreme Court. In 1972, the Court found in Furman that the death penalty had been applied in “an arbitrary and capricious manner” and therefore its application was unconstitutional. The death penalty itself was not found to be unconstitutional, but the Court said that there were no legislated standards and juries could apply the death penalty to any murder. They also thought that the death penalty
violated the rights of minorities who were sentenced to death more often than Whites (Furman v. Georgia, 1972). This holding effectively commuted 629 sentences of death in 40 jurisdictions (Michigan State University, 2006). The moratorium on the death penalty would not be lifted until Gregg v. Georgia (1976) in which the Supreme Court reaffirmed the constitutionality of the death penalty (Bedau, 1997). Reforms included bifurcated trials in which guilt and punishment were assessed separately, automatic appellate review, sentencing guidelines, and proportionality review (Michigan State University, 2001).

Debate about the death penalty continues into the twenty-first century. In January of 2000, Governor Ryan of Illinois placed a moratorium on executions in the State of Illinois after discovering that the state had executed 12 people, but exonerated and released 13 people who had been condemned to die. As his last act of office, Governor Ryan generated an outpouring of controversy when he granted clemency to the remaining 156 Illinois death row inmates (Death Penalty Information Center, 2006). His actions ignited anger in victim’s rights proponents and elation for persons who oppose the death penalty (Death Penalty Information Center, 2006). In 2002, the Supreme Court held that it is unconstitutional to execute defendants who are mentally retarded (Atkins v. Virginia, 2002), and in 2005 the Court ruled that the execution of those who commit murder as juveniles is unconstitutional (Roper v. Simmons, 2005).

American Death Penalty Knowledge

Supreme Court Justice Marshall was troubled by the public’s support of capital punishment and believed that before public opinion should be considered in forming constitutional standards that opinion should be scrutinized in two ways. First, death penalty opinion must be based on an informed public that understood the death penalty, its effects, and how it was applied. Second, belief in the death penalty based on retribution is unacceptable since the Eighth Amendment was constructed to prevent the harsh realities of retribution (Bohm, 1987; Sarat & Vidmar, 1976), but those whose belief in capital punishment was justified on the basis of retribution would not change their opinions regardless of change in levels of knowledge (Sarat & Vidmar, 1976). Further, he hypothesized that Americans knew little about the death penalty, and if they were better informed, Americans would find the death penalty unacceptable and unconstitutional (Sarat & Vidmar, 1976)

The American Public and Perceptions of the Death Penalty

Scholars have found that while the majority of the American public favors capital punishment, not everyone supports it to the same degree. Baumer, Messner and Rosenfeld (2003) found that support varied across regions with some reporting as little as 50% and others as high as 90%. Metropolitan areas with either relatively high or low levels of educational attainment report less support for capital punishment. Conservative political climate and regions where homicide rates are high report more support for the death penalty. Overall, Baumer, et al. (2003) found that support averaged 70%.

Ellsworth and Gross (1994) suggest that not only do people know little about the death penalty, but that they hold strong opinions about capital punishment and do not want to be bothered with more information. According to the 1991 Gallup Poll, most people who cite deterrence as their main reason for supporting capital punishment would still support it even if it were proven that the death penalty does not reduce crime (Gallup & Newport, 1991). Although deterrence has been assumed to be more socially acceptable, some scholars have suggested that chang-
ing social norms have made retribution a socially acceptable reason for supporting the death penalty (Ellsworth & Gross, 1994). Further, those who are opposed to the death penalty more often oppose it only because they believe it is wrong, not because it may be applied unfairly or that innocent persons could be executed (Ellsworth & Gross, 1994). This may tend to indicate that for many persons, capital punishment is emotionally charged and may have little to do with utility, knowledge, or rational reasoning.

The Gallup poll data indicated that while one-third (34.5%) of Americans strongly supported the death penalty, African-Americans were 3.4 times more likely than Whites or those with higher incomes to have reservations about the death penalty. Further, the two variables most positively associated with having reservations about capital punishment were if one believed that capital punishment was applied unfairly or that innocent persons had been executed (Unever, et al., 2005). The May 2006 Gallup poll indicates that support for the death penalty has declined from 80% in 1994 to just 65%. Further, when life without parole is offered as an option, more (48%) choose life without parole than those who choose capital punishment (47%) (Death Penalty Information Center, 2006).

African-Americans and Whites differ in their perceptions of criminal justice. Blacks are more likely to perceive injustice than are Whites (Hagen & Albonetti, 1982). However, Anthony (1999) found that race is a relevant factor in both Blacks’ and Whites’ death penalty attitudes, but that Blacks were more flexible in their opinions. Persons living in the central city and Blacks who are of the professional managerial class are the most likely group to perceive injustice. Members of the “surplus” population are more likely to perceive injustice, with workers perceiving more injustice than employers and African-Americans more than Whites (Hagan & Albonetti, 1982). White males are the most likely to support capital punishment, while Black females are the least likely (Young, 1992).

Studies Addressing Knowledge and Perception among Criminology/Criminal Justice Majors

An opinion poll conducted in 1986 (Neser, et al., 1986) among criminology, police science and penology students measured student opinion on the implementation of capital punishment. Almost 85% believed that the retention of capital punishment in South Africa was important and that any other alternative to the death penalty was unacceptable. Among retentionists, more than 78% believed that abolishing the death penalty would lead to increased crime, while 69% of abolitionists believed it would have no effect on the crime rate. Demographically, this study found that females, older students, and those with higher incomes significantly oppose capital punishment in greater numbers, while there was no significant difference found with respect to race or level of education.

Bohm (1989) found that 82% of “uninformed” students favored the death penalty for some people convicted of murder. However, upon completion of a death penalty class, 26% of the “informed” students changed their opinion from being in favor of capital punishment to opposing it. However, Wright, et al. (1995) found that conducting a special death penalty class did not appear to change death penalty opinion.

Another study examined the instrumental and symbolic perspectives of capital punishment by using a sample of Puerto Rican students majoring in different social science disciplines: criminology, political science, public administration, social work, and sociology. The more that
subjects believed that capital punishment had been applied unfairly or that innocent persons had been convicted, the less likely subjects were to support the death penalty. Further, the more those subjects believed that the death penalty served as a deterrent and protection for society, the more likely they were to support the death penalty (Maxwell & Rivera-Vazquez, 1998). No differentiation was made between responses of the criminology students and those students who were majoring in other disciplines.

Anders (2003) examined the racial differences in perception among criminology and criminal justice students. Overall, minority and majority students differed very little in terms of knowledge about capital punishment. However, the difference in perception was much more pronounced with minorities more likely to feel that the death penalty was unfairly applied to other minorities. In addition, minorities were more likely to perceive that crimes against Whites were punished more harshly. Majority students appeared to be more punitive towards offenders than minorities. White students were more likely to support the death penalty even if evidence was presented showing that capital punishment did not act as a deterrent to murder. The responses when broken down into male/female were similar in nature, and few were statistically significant.

Although studies have addressed the differences in perception and knowledge, none have done so using a sample of students, differentiated by academic major, from the State of Texas which is the most active death penalty state in the nation (Death Penalty Information Center, 2006). This study was designed to address that issue.

METHODOLOGY AND DESIGN

This study was conducted to examine possible differences in knowledge and perception of capital punishment between students majoring in criminology and criminal justice and students majoring in other disciplines. Secondarily, the study explored whether those students having greater knowledge of capital punishment had weaker perceptions of its utility as a punishment. Research was conducted on a North Texas, urban university campus through the use of researcher administered, self-report surveys assessing two independent test groups. They were Criminology/Criminal justice (CRCJ) students and students majoring in other disciplines (non-CRCJ). The first group, CRCJ majors, consisted of 60 (n=60) respondents (49%) and the second (non-CRCJ majors) consisted of 62 (n=62) respondents (51%). Five respondents did not report a major. Further, the sample was divided into majority (n=68) and minority students (n=57), with only two respondents not stating an ethnicity for a total N of 127. Though not every question was completed, all respondents completed at least part of the survey resulting in a 100% response rate. T-tests were performed on the data to locate significant differences between the means of responses between the major groups.

Survey Design

The survey used in this study replicated in part a survey used by Pasupuleti et al. (2005) which measured differences of view among social work students and students in other majors. Among the survey questions in this study were two measures of deterrence, four retribution measures, one law and order, two incapacitation, and one measure each for morality, mercy, emotional response, innocence, and brutalization. In addition, questions numbered 1, 2, 8,
9 measure knowledge, while the remainder of the questions through number 14 measure perception and opinion. Questions numbered 1 through 14 are presented as statements using a Likert scale. Response categories ranged from agree strongly (1) to disagree strongly (5). Research began on this project in April 2006 following institutional review board approval. The survey instrument in its entirety can be found in appendix A.

Sampling Method
Six CRCJ classes were chosen for inclusion in the study. Selection was based on professor permission and resulted in two each from lower, upper, and graduate levels and included both day and evening classes. The classes were composed of one senior, one junior, two sophomore, and two graduate classes. Participants in the study consisted of 127 (n=127) students enrolled in these six CRCJ classes. The study is exploratory in nature and provides a basis for the examination of the possible differing levels of knowledge and perception regarding the death penalty among criminology/criminal justice students and non-CRCJ students. Because the results are based on a convenience sample, they should not be generalized beyond this study but are useful for comparison and sensitization purposes.

FINDINGS
Most respondents in this survey were female (53%), 30 years or age or less (88%), identified themselves as Caucasian (54%), and were either single or divorced (92%). The majority were full time students (85%), with more than half the respondents reporting that they were either sophomores or juniors in class standing (26% and 35% respectively). More than half the respondents (51%) were majors in fields other than criminology/criminal justice, with most reporting GPAs of 3.1 or higher (63%). Most respondents were registered to vote (83%), with the greatest percentage reporting Republican as their political affiliation (41%).

<table>
<thead>
<tr>
<th>Variable</th>
<th>%</th>
<th>Variable</th>
<th>%</th>
<th>Variable</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>53</td>
<td>Freshman</td>
<td>9</td>
<td>Rural</td>
<td>12</td>
</tr>
<tr>
<td>Male</td>
<td>47</td>
<td>Sophomore</td>
<td>26</td>
<td>Urban</td>
<td>43</td>
</tr>
<tr>
<td>Age 30 or less</td>
<td>88</td>
<td>Junior</td>
<td>35</td>
<td>Suburban</td>
<td>44</td>
</tr>
<tr>
<td>Age 31-40</td>
<td>7</td>
<td>Senior</td>
<td>15</td>
<td>Single</td>
<td>76</td>
</tr>
<tr>
<td>Age 41 and over</td>
<td>5</td>
<td>Graduate</td>
<td>15</td>
<td>Divorced</td>
<td>16</td>
</tr>
<tr>
<td>African-American</td>
<td>12</td>
<td>Full time students</td>
<td>85</td>
<td>Married</td>
<td>2</td>
</tr>
<tr>
<td>Caucasian</td>
<td>54</td>
<td>Part time students</td>
<td>14</td>
<td>Cohabitating</td>
<td>5</td>
</tr>
<tr>
<td>Hispanic</td>
<td>18</td>
<td>CRCJ major</td>
<td>49</td>
<td>Widowed</td>
<td>1</td>
</tr>
<tr>
<td>Asian</td>
<td>6</td>
<td>Other major</td>
<td>51</td>
<td>Live on campus</td>
<td>21</td>
</tr>
<tr>
<td>Native American</td>
<td>1</td>
<td>GPA 3.0 or less</td>
<td>37</td>
<td>GPA 3.1 or more</td>
<td>63</td>
</tr>
<tr>
<td>Other</td>
<td>9</td>
<td>Registered to vote</td>
<td>83</td>
<td>Democrat</td>
<td>28</td>
</tr>
<tr>
<td>Republican</td>
<td>41</td>
<td>Independent</td>
<td>11</td>
<td>Other or none</td>
<td>20</td>
</tr>
</tbody>
</table>

• Percentages may not total 100% due to surveys with incomplete responses.
Knowledge Items by Academic Major

Items in this section were presented within the survey to measure death penalty knowledge among CRCJ majors and non-majors. Two statements measured knowledge of deterrence and capital punishment, while the remaining two measured knowledge about the cost and utility of capital punishment. Only two questions in this section proved to be statistically significant. First, a mean of 3.0833 for CRCJ students and a mean of 2.4516 for non-CRCJ students was found for the statement “It costs more to incarcerate someone for life without parole than it does to execute that person” (p=.001). Next, CRCJ students had a mean of 2.7167 compared to 2.3548 for non-CRCJ majors in regards to the statement “most convicted murderers would kill again if given the opportunity” (p=.006). The responses offered by CRCJ and non-CRCJ majors to the statement “the death penalty is a more effective deterrent than life imprisonment” appeared to be similar with means of 2.8833 and 2.9194 respectively (p=.82). Further, for the question “after the execution of a murderer, violent crime in that state declines for several weeks” no statistical difference was detected. CRCJ majors’ mean was 3.60 compared to 3.4355 for non-CRCJ majors (p=.186).

The only statistically significant responses among CRCJ and non-CRCJ majors were in response to knowledge about costs and recidivism. Although differences were noted in response to the declining murder rate after an execution, the difference was not significant. Finally, on the responses as to whether execution serves as a more effective deterrent than life imprisonment, both CRCJ and non-CRCJ majors’ responses were similar.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Mean &amp; SD of CRCJ majors</th>
<th>Mean &amp; SD of non-CRCJ majors</th>
<th>P-Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>The death penalty is a more effective deterrent than life imprisonment.</td>
<td>2.8833 (1.26346)</td>
<td>2.9194 (1.2453)</td>
<td>.82</td>
</tr>
<tr>
<td>After the execution of a murderer, violent crime in that state declines for several weeks</td>
<td>3.60 (0.90573)</td>
<td>3.4355 (0.96871)</td>
<td>.186</td>
</tr>
<tr>
<td>It costs more money to incarcerate someone for life without parole than it does to execute that person.</td>
<td>3.0833 (1.45313)</td>
<td>2.4516 (1.43353)</td>
<td>.001**</td>
</tr>
<tr>
<td>Most convicted murderers would kill again if given the opportunity.</td>
<td>2.7167 (1.20861)</td>
<td>2.3548 (1.00974)</td>
<td>.006**</td>
</tr>
</tbody>
</table>

* Statistically significant at 0.05  **Statistically significant at 0.01

Perception/Opinion Items by Academic Major

Perception/opinion questions outnumbered those measuring knowledge, but less significance was found in the responses by major. The only significant finding was the question “the death penalty serves little purpose other than to demonstrate society’s cruelty.” CRCJ majors reported a mean of 3.9667, while non-CRCJ majors’ mean was 3.6452 (p=.033). Two questions showed near statistical significance. First, in response to “I become angry when a convicted murderer does not receive the death penalty” CRCJ majors’ mean was 3.2167 compared to non-
CRCJ majors mean of 2.9677 (p=.092). Second, non-CRCJ majors were more likely to believe “there is a good possibility that an innocent person will be executed” (mean of 2.0161) compared with their CRCJ counterparts (2.2167) (p=.107). Both groups were similar in response to “executions set a violent example that leads to further violence in society” with means reported of 3.4833 for CRCJ students and 3.50 for non-CRCJ students (p=.908).

Both groups showed little difference in opinion on whether mercy was more important than seeking revenge (p=.302) and the belief of an “eye for an eye, a life for a life” (p=.381). In regards to whether murderers deserve the death penalty, non-CRCJ students were more likely to agree with the statement (CRCJ mean of 2.6833 and non-CRCJ mean of 2.4839), but the findings were not statistically significant (p=.237). CRCJ majors were less likely to agree with the statement “it saddens me when a person is executed regardless of the crime they committed” with a mean of 3.6833 compared to the non-CRCJ majors’ mean of 3.4839 (p=.174), while non-CRCJ students were less likely to believe that capital punishment was necessary to maintain law and order (mean of 3.1452, compared to CRCJ majors’ mean of 2.9333) (p=.192).

Regarding whether 16-year-olds convicted of first-degree murder deserve the death penalty, non-CRCJ majors were more likely to agree with the statement (mean of 3.2903) than were CRCJ majors (mean of 3.50) (p=.141). None of these findings were statistically significant.

| Table 3. Perception/Oppinion Differences Among CRCJ & Non-CRCJ Majors |
|---------------------------------|-----------------|--------------------|--------|
| Statement                       | Mean & SD of CRCJ Majors | Mean & SD of non-CRCJ Majors | P-value |
| Murderers deserve the death penalty since they took a life. | 2.6833 (1.30827) | 2.4839 (1.31501) | .237   |
| I become angry when a convicted murderer does not receive the death penalty. | 3.2167 (1.18023) | 2.9677 (1.14473) | .092   |
| 16 year olds convicted of first degree murder deserve the death penalty. | 3.50 (1.24192) | 3.2903 (1.10716) | .141   |
| I believe in the idea of an “eye for an eye, a life for a life”. | 3.0167 (1.35911) | 2.8710 (1.29923) | .381   |
| The death penalty is necessary to maintain law and order. | 2.9333 (1.35129) | 3.1452 (1.26552) | .192   |
| The death penalty serves little purpose other than to demonstrate society’s cruelty. | 3.9667 (1.08872) | 3.6452 (1.16079) | .033*  |
| Showing mercy is more important than seeking revenge. | 3.1000 (1.02014) | 2.9516 (1.12246) | .302   |
| It saddens me when a person is executed, regardless of the crime they committed. | 3.6833 (1.14228) | 3.4839 (1.14150) | .174   |
| There is a good possibility that an innocent person will be executed. | 2.2167 (1.09066) | 2.0161 (0.96652) | .107   |
| Executions set a violent example that leads to further violence in society. | 3.4833 (1.12734) | 3.50 (1.12716) | .908   |

* Statistically significant at 0.05 ** Statistically significant at 0.01
Information Source(s)

The most frequently chosen print source by CRCJ majors and non-CRCJ majors alike was newspapers (city or other than campus) with 58% of each population reporting this source. College/campus newspaper was chosen by 26% of non-CRCJ majors, while 40% of CRCJ majors say they receive information from campus publications. Magazines were the least-chosen source by both groups with just 20% of CRCJ majors and 16% of non-CRCJ majors selecting this source of information. Television was by far the most-chosen source by both groups among all categories. Seventy-five percent of CRCJ majors and 82% of non-CRCJ majors get at least some of their information about capital punishment from television. The Internet was chosen by 53% of CRCJ majors and 55% of non-CRCJ majors, while radio was the least-chosen source among this category with just 35% of CRCJ majors and 29% of non-CRCJ majors choosing this option as one way of receiving information about the death penalty.

Finally, in their interactions with other people, CRCJ and non-CRCJ majors both report more often getting information from family members (38% and 47% respectively), followed by friends (32% for each population). Few respondents say they receive information from neighbors. Only 8% of CRCJ majors and 7% of non-CRCJ majors receive information from their neighbors. More non-CRCJ majors receive information from a religious institution than do CRCJ majors, and a greater number of CRCJ majors receive information from “other” than do non-CRCJ majors. Table 4 contains a complete summary of responses among CRCJ and non-CRCJ students.

Overall, while CRCJ majors and non-CRCJ majors reported some differences in information source among religious institution, college/campus newspaper, and other, no significant differences were noted in use of any of the other variables. A similar number of both groups reported using newspapers (city or other than campus), the Internet, and friends as sources of information. Small differences were noted among the remaining variables: family, neighbors, television, radio, and magazines.

| Table 4: Information Source Differences Among CRCJ & Non-CRCJ Majors in Percentages |
|-----------------------------------------------|-----------------|------------------|
| Statement                                   | CRCJ Majors    | Non-CRCJ Majors  |
| Family                                       | 38             | 47               |
| Friends                                      | 32             | 32               |
| Neighbors                                    | 8              | 7                |
| Television                                   | 75             | 82               |
| Radio                                        | 35             | 29               |
| Magazines                                    | 20             | 16               |
| Internet                                     | 53             | 55               |
| College/campus newspaper                     | 40             | 26               |
| Newspapers (city or other than campus)       | 58             | 58               |
| Religious institution                        | 5              | 17               |
| Other                                        | 27             | 15               |
Knowledge Items Among Majority/Minority Respondents

Majority members were more likely to agree that the death penalty is a more effective deterrent than life imprisonment. The mean among majority members was 2.7353 and minority members at 3.0877 (p=.035). Both minority and majority members appeared to be similarly knowledgeable about the costs of capital punishment, with a mean of 2.75 and 2.7544 stated for majority and minority members respectively (p=.981). No statistically significant difference was reported for the question of whether violent crime declines in a state after an execution. Majority members’ mean was 3.4706, while minority members’ mean was 3.5789 (p=.399). Finally, with a p-value of .791 “most convicted murderers would kill again if given the opportunity” was not statistically significant among majority students (2.5588) and minority students (2.5965).

<table>
<thead>
<tr>
<th>Statement</th>
<th>Mean &amp; SD of Majority students</th>
<th>Mean &amp; SD of Minority students</th>
<th>P-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>The death penalty is a more effective deterrent than life imprisonment.</td>
<td>2.7353 (1.27686)</td>
<td>3.0877 (1.22883)</td>
<td>.035*</td>
</tr>
<tr>
<td>After the execution of a murderer, violent crime in that state declines for several weeks.</td>
<td>3.4706 (.96924)</td>
<td>3.5789 (.96265)</td>
<td>.399</td>
</tr>
<tr>
<td>It costs more money to incarcerate someone for life without parole than it does to execute that person.</td>
<td>2.75 (1.57759)</td>
<td>2.7544 (1.37945)</td>
<td>.981</td>
</tr>
<tr>
<td>Most convicted murderers would kill again if given the opportunity.</td>
<td>2.5588 (1.21413)</td>
<td>2.5965 (1.06670)</td>
<td>.791</td>
</tr>
</tbody>
</table>

* Statistically significant at 0.05 ** Statistically significant at 0.01

Perception/Opinion Items Among Majority/Minority Respondents

Based on a review of the data, it is apparent that opinions and perceptions about capital punishment differed significantly for almost every question posed among minority and majority members. Of the three questions that did not report statistical significance, responses were more dissimilar than similar with one question approaching statistical significance.

The findings tend to suggest that majorities and minorities view the death penalty very differently. First, minorities tended to agree less with the statement that “murderers deserve the death penalty since they took a life.” While majorities’ mean was 2.3235, minorities’ mean was 2.9649 (p=.000). Further, minorities (1.8246) believed more than majority students (2.2941) that there is a good possibility that an innocent person will be executed (p=.000). With a mean of 3.7353 for majority students and a mean of 3.1754 for minorities, minority students were more likely to believe that executions set a violent example that can lead to further violence (p=.000). Minorities (3.4737) were also more likely than majority students (4.1176) to perceive that little purpose other than demonstrating society’s cruelty was served by the application of the death penalty (p=.000).
The data tend to indicate that minorities may have weaker retributive attitudes. Fewer minorities (3.3158) believed in the idea of “an eye for an eye” than did majority students (2.6912) (p=.000). Next, minorities (3.3509) were more likely to express sadness when a person was executed than were majority students (.3.75) (p=.004). Also, minorities (2.8246) expressed more interest in showing mercy rather than seeking revenge than did majorities (3.1618) (p=.025).

Statistical significance was not achieved on three statements. However, one item “I become angry when a convicted murderer does not receive the death penalty” approaches statistical significance. The mean for majority students was 3.000 and for minority students 3.2807 (p=.077). Minorities’ mean of 3.5439 and majorities’ mean of 3.3235 in regards to whether 16-year-olds deserved the death penalty did not approach statistical significance at .102. No statistical significance among minorities (3.1754) and majority members (2.8971) was found as to whether capital punishment is necessary in the interest of maintaining law and order (p=.122).

| TABLE 6. PERCEPTION/OPTION DIFFERENCES AMONG MAJORITY AND MINORITY STUDENTS |
| Statement                                                                 | Mean & SD of Majority students | Mean & SD of Minority students | P-value |
| Murderers deserve the death penalty since they took a life.                 | 2.3235 (1.2748)                | 2.9649 (1.26724)               | .000**  |
| I become angry when a convicted murderer does not receive the death penalty.| 3.000 (1.14605)                | 3.2807 (1.17647)               | .077    |
| 16 year olds convicted of first degree murder deserve the death penalty.    | 3.3235 (1.28645)               | 3.5439 (1.00125)               | .102    |
| I believe in the idea of an “eye for an eye, a life for a life”.            | 2.6912 (1.36324)               | 3.3158 (1.22704)               | .000**  |
| The death penalty is necessary to maintain law and order.                   | 2.8971 (1.31739)               | 3.1754 (1.33795)               | .122    |
| The death penalty serves little purpose other than to demonstrate society’s cruelty. | 4.1176 (1.09992)               | 3.4737 (1.0708)               | .000**  |
| Showing mercy is more important than seeking revenge.                       | 3.1618 (1.04539)               | 2.8246 (1.10393)               | .025*   |
| It saddens me when a person is executed, regardless of the crime they committed. | 3.75 (1.21403)                | 3.3509 (1.00873)               | .004*   |
| There is a good possibility that an innocent person will be executed.       | 2.2941 (1.09352)               | 1.8246 (.90874)                | .000**  |
| Executions set a violent example that leads to further violence in society. | 3.7353 (1.10112)               | 3.1754 (1.11999)               | .000**  |

* Statistically significant at 0.05 **Statistically significant at 0.01
Information Sources(s) Among Majority/Minority Respondents

A review of the data suggested that less difference was found in respondent’s information sources. Like CRCJ and non-CRCJ students, both minorities’ and majoritys’ three most-cited sources of information are television, city or other than campus newspapers, and the Internet.

Majority and minority students both chose newspapers (city or other than campus) as the most often chosen print source of information. Fifty-eight percent of majority students chose city newspapers, while 56% of minority students chose city newspapers. The college/campus newspaper was chosen by 35% of majority students and 32% of minority students, while an identical percentage in each population chose magazines as a source of information (18% for each population).

More respondents chose television as a source of information about capital punishment than any other choice offered. More than three-fourths of each group chose television as a source of information. The Internet was chosen by 52% of majority students and 54% of minorities, followed by radio at 31% (majority) and 33% (minority).

Majority students are more likely to receive information from family (49%) than from any other source in this category, while the same percentage of minority students receive information from friends and family (33%). Thirty-two percent of majority students receive information from friends, while few in either group receive information from their neighbors (4% of majority students and 11% of minorities). Just 9% of minority students learn about capital punishment through their religious institution, while 13% of majority students report religious institution as a source of information. “Other” is reported by 25% of majority students and 12% of minority students.

Taken as a whole, majority and minority students reported more similarities in information sources than differences. Students who were part of the majority more often chose family and religious institution, while minorities were more likely to receive information from neighbors. Similar percentages were noted among the remaining variables: friends, television, radio, magazines, the Internet, college/campus newspapers, and city newspapers. Table 7 contains a complete summary of responses among minority and majority students.

| Table 7. Information Source Differences Among Majority & Minority Students in Percentages |
|---------------------------------|-----------------|-----------------|
|                                 | Majority Students | Minority Students |
| Family                          | 49               | 33              |
| Friends                         | 32               | 33              |
| Neighbors                       | 4                | 11              |
| Television                      | 79               | 77              |
| Radio                           | 31               | 33              |
| Magazines                       | 18               | 18              |
| Internet                        | 52               | 54              |
| College/campus newspaper        | 35               | 32              |
| Newspapers (city or other than campus) | 59 | 56              |
| Religious institution           | 13               | 9               |
| Other                           | 25               | 12              |
IMPLICATIONS AND CONCLUSIONS

The findings of this study serve as an interpretation of the differences between CRCJ/non-CRCJ majors and minority/majority students in relation to knowledge and perceptions regarding capital punishment. The primary goal was to examine the possible relationship of perception and knowledge regarding the death penalty among criminology/criminal justice majors and their non-CRCJ counterparts.

Criminology/Criminal Justice Majors and non-CRCJ Majors

Criminology/criminal justice majors appeared to have more knowledge about the death penalty than did non-CRCJ majors. CRCJ majors knew more about the costs of the death penalty and that most convicted killers would not repeat their crime if given the chance to do so. Consistent with the informed opinions of most experts in the field of criminology (Radelet & Akers, 1996) both CRCJ and non-CRCJ majors were almost equally as likely to know that the death penalty is not a more effective general deterrent than being imprisoned for life. These results were expected and were likely due to CRCJ students enrolling in more criminology and criminal justice classes, and working or conversing with other people working in the field of criminal justice. While knowledge yielded some significant results, perceptions were similar among both academic major groups.

Counter to Bohm’s (1990) findings, CRCJ students were less likely to express anger and the opinion that murderers deserve to die than their non-CRCJ counterparts. Despite that finding, non-CRCJ students were the most likely to express sadness over an execution and to agree that showing mercy was more important than revenge. CRCJ students were more likely to see the death penalty as a law and order utilitarian measure. An almost identical result among both groups was achieved with reference to whether executions set an example that leads others in society to commit violent acts. The only significant finding was that non-CRCJ majors were more likely to agree that the death penalty serves little purpose other than the demonstration of society’s cruelty. The findings tend to indicate that CRCJ and non-CRCJ majors hold similar views on the death penalty regardless of their level of knowledge.

Majority and Minority Students

Minority students were more knowledgeable about the lack of deterrent effect of capital punishment. Both majority and minority students had similar knowledge in regard to the costs and likelihood of murderers repeating their crimes if given the opportunity. Although more minority students believed that violent crime declined after the execution of an offender, the results were not significant. Knowledge among both groups was more similar than different. With that in mind, it is interesting to note that perceptions about capital punishment yielded a different result.

Race is one of the more relevant issues in the debate on capital punishment. Therefore, the findings in regard to perception are instructive and important culturally and socially. Consistent with other studies on race and capital punishment (Arthur, 1998; Barkan & Cohn, 1994; Cohn, et al., 1991; Soss, et al., 2003; Unever, et al., 2005; Young, 2004), majority and minority respondents differed in their feelings about capital punishment. Although both groups reported similar knowledge about capital punishment, seven of ten questions were statistically significant, with an eighth question approaching significance. The pattern of findings tends to
indicate that minority students are less punitive than are majority students, consistent with studies showing that Whites are more likely to support the death penalty than minorities (Arthur, 1998; Baker, et al., 2005; Hagen & Albonetti, 1982; Unever, et al., 2005). Minority students more often expressed sadness when a person was executed, and more often believed that an innocent person was likely to be executed. Further, the death penalty was viewed by minorities as an example of society’s cruelty and a violent example that was likely to promote further violence in society. Finally, the only three questions which did not reach statistical significance were in regard to anger over a convicted murderer who does not receive the death penalty, whether 16-year-old murderers deserved to die and the notion that the death penalty is a necessary law and order measure.

CRCJ students may have more knowledge about capital punishment because of greater classroom and/or field experience, as well as socializing with others who hold positions in police departments, correctional facilities or in the community supervision field. Further, because they are criminology/criminal justice majors, CRCJ students may pay more attention to news reports, read more news articles, and generally discuss the death penalty more than non-CRCJ students. The data tend to indicate that although CRCJ students may have more death penalty knowledge than non-CRCJ students, perceptions and opinions about capital punishment are not necessarily influenced by the information CRCJ students are receiving; little significant difference exists between CRCJ and non-CRCJ students.

As supported by the previous literature, minority and majority students feel very differently about the death penalty (Arthur, 1998; Barkan & Cohn, 1994; Cohn, et al., 1991; Hagen & Albonetti, 1982). Because both groups indicated similar levels of knowledge about capital punishment, the data may tend to indicate that support for the death penalty is based on personal experience rather than level of knowledge. Thus, it may fall to criminal justice agencies, courts and communities to challenge the racial divide that exists in relation to death penalty perception.
APPENDIX A

Please answer each of the following questions by marking only one response. (The first 14 items were answered via a five-item Likert Scale from Agree Strongly to Disagree Strongly).

1. The death penalty is a more effective deterrent than life imprisonment.
2. After the execution of a murderer, violent crime in that state declines for several weeks.
3. Murderers deserve the death penalty since they took a life.
4. I become angry when a convicted murderer does not receive the death penalty.
5. 16-year-olds convicted of first degree murder deserve the death penalty.
6. I believe in the idea of an “eye for an eye, a life for a life.”
7. The death penalty is necessary to maintain law and order.
8. It costs more money to incarcerate someone for life without parole than it does to execute that person.
9. Most convicted murderers would kill again if given the opportunity.
10. The death penalty serves little purpose other than to demonstrate society’s cruelty.
11. Showing mercy is more important than seeking revenge.
12. It saddens me when a person is executed, regardless of the crime they committed.
13. There is a good possibility that an innocent person will be executed.
14. Executions set a violent example that leads to further violence in society.

INFORMATION SOURCE

15. Where do you get most of your information about the death penalty? (Please mark all that apply)
   { } Family { } Friends { } Neighbors { } Television { } Radio { } Magazines { } Internet
   { } College/campus newspaper { } Newspapers (city or other than campus) { } Other
   { } religious institution

16. Your sex: { } Male { } Female

17. Your age at last birthday:
   { } 18-24 years { } 25-30 years { } 31-35 years { } 36-40 years { } 41-45 years
   { } 46-50 years { } 51-55 years { } 56-60 years { } 61 & older

18. Do you identify yourself as:
   { } African American { } Caucasian { } Asian { } Native American { } Hispanic
   { } Pacific Islander { } Other
19. Your student status:
   { } Freshman { } Sophomore { } Junior { } Senior { } Graduate
20. Do you live on campus? { } Yes { } No
21. What is your marital status?
   { } Single { } Married { } Separated { } Divorced { } Cohabitating { } Widowed
22. Are you registered to vote? { } Yes { } No
23. What best describes your political affiliation?
   { } Democrat { } Republican { } Independent { } Other { } None
24. What is the size of the town or city in which you live?
   { } Rural { } Urban { } Suburban
25. What is your school enrollment status?
   { } Full time { } Part time
26. What is your major? _____________________________
27. What is your cumulative GPA at your university?
   { } less than 1.5 { } 1.5 to 2.0 { } 2.1 to 2.5
   { } 2.6 to 3.0 { } 3.1 to 3.5 { } 3.6 to 4.0
REFERENCES


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Investigating Racial Disparity at the Detention Decision:
The Role of Respectability

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Kansas State University

ABSTRACT
A concern over inequity and the existence of racial disparity of youth served by the juvenile justice system has long been a topic of considerable interest among scholars, policymakers, and court officials. Numerous empirical studies undertaken by academics and various public and private organizations have attempted to shed some light on this phenomenon. Research findings on disproportionate minority contact have hardly been uniform, leaving much of this practice unexplained. This study uses data obtained at the detention decision point over a three-year period examining variance in juvenile case processing related to race. Findings suggest that extra-legal factors influencing the decision to detain vary by race. The absence of informal social control in the lives of Non-White youth in the research population affects the odds of detention at arrest; however informal social control does not influence detention practices of the White population. These findings indicate that the subjective decision of intake officers still partially reflects stereotypical fears associated with minority populations.

Key Words: Disproportionate Minority Contact (DMC), juvenile justice
INTRODUCTION

A concern over inequity and the existence of racial disparity in the treatment of youth served by the juvenile justice system has long been a topic of considerable interest among scholars, policy makers, and court officials. This concern is evidenced by an expansive amount of research on the topic (Pope, Lovell, & HSia, 2002, p.18). Although numerous empirical studies have been undertaken by scholars, and various public and private organizations have attempted to shed light on this phenomenon, findings have not been uniform (Albonetti, 1991; Bishop & Frazier, 1996; Bridges & Steen, 1998; Cohen & Kluegel, 1979; Engen, Steen, & Bridges, 2002; Leiber, 2002; Sampson & Laub, 1993; Tittle & Curran, 1988; Tracy, 2002; Wordes, Bynum, & Corkey, 1994). While research regarding the impact of race and social context on juvenile justice processes is established, much of the current work in this area continues to be conducted within the confines of the criminal justice system (Johnson, 2005; Parker & Stultz, 2006; Schlesinger, 2005). Moreover, policymakers have only recently begun to address the issue. The current research evaluates factors that influence the differential treatment of minority youth in a small Kansas judicial district.

In 1992, the Juvenile Justice and Delinquency Prevention Act (JJDPA 1974) expanded national attention to include, as one of its four core requirements, the issue of Disproportionate Minority Confinement (DMC). The provision was implemented to address the phenomenon of disproportionality in the racial composition of youth housed in secure juvenile detention and juvenile correctional facilities as compared to their representation in the general population. The disproportional confinement of minority youth became apparent during the years 1987 to 1996, as delinquency cases involving detention increased 71% for African-American youth, while their White counterparts increased by only 18% (Stahl, 2003). Likewise, the rate at which African American youth were represented in juvenile correctional facilities increased from 28% to 40%, while accounting for only 15% of the at-risk population nationally (Stahl, 2003).

As this problem manifested itself on a national level, policymakers further expanded the scope of the JJDPA legislation. In 2002, the DMC component of the national JJDPA (1974) was broadened as confinement came to replace “contact,” in an effort to address the DMC phenomenon not only at those points designed to manage youth in a secure environment, but at all points of the juvenile justice system.

THE DETENTION DECISION

Each year as many as 600,000 youth are placed in secure detention environments pending further court hearings following an arrest for offending behaviors (Justice, 2004). In Kansas, detention remains a fairly common option for offender pretrial custodial care, and is widely used as a sanction for probation or aftercare violations. The utilization of detention, primarily to confine youth prior to adjudication, reflects community concerns that pretrial offenders will continue to offend or flee the jurisdiction of the court. In Kansas, legal statutes clearly define the criteria necessary to place a youth in detention upon arrest. Although legal factors define the detention criteria in the state, some subjectivity remains in the language of the statute (see Appendix A. Kansas’s Detention Criteria). The overwhelming racial disparity of youth housed, not only in detention facilities, but also in long-term juvenile correctional facilities, motivated expansion of the core requirements of the JJDPA act to include DMC.
The detention decision is a crucial point within the local system which may not only result in confinement for the youth, but also greatly influence the manner in which a case is subsequently processed (Leiber, 2003). The Kansas statute mandates considerable expediency (48 business hours during a normal business week) in bringing the youth before the court following detention. This procedure accelerates the legal processes subsequent to detention and, therefore, expedites disposition.

As with arrest, the decision to detain at charge does not involve judicial review. Street officers, in collaboration with juvenile intake staff, interpret the statute, perform risk-needs assessments, and levy an appropriate response. Intake officers act as core decision makers in regards to detention placement at arrest. Due to their position as entry-level employees within the local infrastructure, intake officers, often having substantially less education and experience than those at other points within the system, make detention decisions. As a result, in the absence of a concrete decision-making apparatus based on legal information, the subjectivity of the decision makers frequently results in variation in case-processing outcomes.

Due to the substantial academic and public interest in this topic, investigations addressing DMC started with the JJDPA itself, and increased in volume following the formalization of DMC as a JJDPA core requirement. However, interest in differential treatment based on race was a salient research topic for a much greater period of time (Albonetti, 1991; Bishop & Frazier, 1992; Cohen & Kluegel, 1979; Matsueda & Heimer, 1987; Tracy, 2002; Wordes et al., 1994).

**THEORETICAL FOUNDATIONS FOR DMC**

The overrepresentation and differential processing of minority youth in the criminal justice system has attracted the attention of scholars, policymakers, and criminal justice practitioners. Despite considerable interest in the topic, the existing literature on DMC is limited (Pope et al., 2002; Pope & Feyerherm, 1990). Conducting a review of DMC literature for the Office of Juvenile Justice and Delinquency Prevention, Pope, Lovell, and Hsia (2002) found only 34 published journal articles on the subject between 1989 and 2001. Additionally, research has frequently produced mixed results, adopted various theoretical foundations, and examined divergent units of analysis (Leiber, 2002; Pope et al., 2002; Pope & Feyerherm, 1990). Despite the dearth of research and mixed theoretical foundations, several authors have provided key theoretical contributions to the literature.

**THEORETICAL EXPLANATIONS OF DMC**

Explanations for the overrepresentation of minorities within the justice system have generally adopted one of two opposing theories. The *differential selection thesis* posits that minority youth are processed differently as a result of racial stereotyping and systemic bias within the juvenile justice system (Leiber, 2003; Tracy, 2002). Conversely, the *differential involvement hypothesis* purports that the systems handles minority youth differently due to factors related to the frequency, duration, and seriousness of criminal behavior; for example, arrest for a more serious criminal offense, past criminal records, and failed interventions (Tracy, 2002).

Regarding the latter explanation, some researchers suggest that focusing on DMC conceals a greater concern of the juvenile justice system—that of disproportionate minority involvement in criminal behavior. Tracy (2002) conducted research on DMC in Texas and argues that,
“The findings show an absence of strong and consistent race and ethnic differentials in juvenile processing...even when such differentials occur, they do not affect the most important stage of juvenile justice decision making—the final disposition” (p.175). The author argues that societal inequalities account for greater involvement of minority offenders in the justice system, rather than racism on the part of practitioners in the juvenile justice system.

Despite some research supporting the disproportionate minority involvement thesis, the vast majority of DMC literature focuses on differential case processing and treatment of minority offenders. In this regard, Sampson and Laub’s (1993) research remains a seminal contribution to the DMC literature. Using a macro-level of analysis guided by a conflict perspective, the authors provide several crucial findings relevant to this study. First, poverty and racial inequality increase the likelihood of juvenile justice involvement, particularly for pre-trial confinement in secure facilities. Regarding disposition, the authors find a disproportionate use of out-of-home placement of African-American youth adjudicated for property or drug offenses. These findings prompted Sampson and Laub (1993) to conclude that increased formal social control results in the confinement of African-American males because of their perceived threat to middle-class populations.

Other researchers have focused on the influence of social-psychological processes on the decision making of juvenile justice workers. For example, Tittle and Curran (1988) focus on the concept of symbolic threats as they relate to disparities in dispositional decisions in the juvenile justice system. Operating from a threat hypothesis, the authors focus on “elite” statuses of income, race, and age. Their findings did not indicate strong systematic variation in processing based solely on the degree of threat. However, the authors suggest that race has the strongest influence on decision making for drug and sex offenses in jurisdictions that have a large Non-White population. Consequently, Tittle and Curran argue that Non-White youths charged with specific offenses symbolize qualities that incite fear among White adults. Furthermore, they argue that a social-psychological perspective should focus on the application of sanctions to minority youth under conditions where these juveniles represent symbolic threats to community elites.

Other research examining social-psychological processes indicates that decision making interacts with race to influence court decision making based on concerns of localized communities. Drawing from court data, Leiber (2003) used a weighted sample of more than 7,000 youths to observe the influence of extra-legal, race, and family factors on case processing at all points within the juvenile justice system. He found that, controlling for offense characteristics and relevant legal factors, race influenced decision making in all four counties. However, the exact influence of race on juvenile justice decision points varied by county and was affected by the tradition, history, and correctional orientation of the local juvenile courts. Minority youths in the wealthiest and most crime-free county were disproportionally referred for additional court processing. Leiber also found a coupling of court control with a rehabilitation orientation in counties with higher levels of racial inequality and children born to unwed parents. This generated increased referrals for further court processing among African-American youth from single-parent households.

In a related study examining the joint influences of gender, race, and family structure, Leiber and Mack (2003) found that these factors affect decision making at several points in the juvenile justice system. For African-American males, family structure has a significant influ-
ence on how cases are processed. For instance, African-American males from single-parent homes are less likely to receive diversion and more likely to have a formal petition than White youth. The strongest indication of racial bias in this research occurs at intake; consistent with the symbolic threat hypothesis.

**Informal Social Control and “Respectability”**

The relationship between informal social control and workers’ assessments of “respectability” remains an understudied process in regards to juvenile case processing. Although these factors directly relate to symbolic threat theory and other DMC literature, there has been little examination of how the concept of respectability influences court processing and, more importantly, how race interacts with this concept to produce disproportionate outcomes by race. This notion of respectability plays an important role in Donald Black’s sociological analysis of the behavior of law.

In *The Behavior of Law* socio-legal theorist Donald Black (1976) argues that the concept of respectability, or normative location, strongly influences the outcomes of justice systems, or what he more broadly describes as “the behavior of law.” For Black, the presence of respectability predicts the relationship between informal social control and legal decision making. According to Black, “a juvenile with a past record is more vulnerable to law” (Black, 1976, p.11). Black defines law as the manifestation of governmental social control that embodies its own animated behavior varying across time and space. Under this assumption, prior criminal behavior and other prime markers of a lack of respectability of juvenile offenders may elevate the level of psychological discomfort experienced by intake officers (Tittle & Curran, 1988), and, consequently, an officer may be more likely to detain these youths at arrest.

When Staples (1987) directly applied the concept of respectability as an explanation of variation in juvenile justice processing, he found mixed results. Specifically, age, referral source, and prior offense history affected case processing in the juvenile justice system, providing some support for the notion that perceptions of respectability interact with informal social control in deciding case outcomes. Staples argued that fluctuations in historical contexts influence the application of formal social control to individuals considered unrespectable by society. Over time, some groups may be deemed more or less respectable depending on the social-historical context (Staples, 1987, p.18). This finding is particularly valuable for the current research, as some literature indicates that differences in the social context of units as small as judicial districts influences case processing according to characteristics such as race and family structure (Leiber, 2003). In other words, space and time govern the perception of respectability and the appropriate responses to those youth deemed as unrespectable.

Perceptions of respectability and culpability play distinct roles in juvenile offender case processing. Decision makers within the criminal justice system frequently assess beliefs regarding the origin of individual criminal behavior and the risk of further offending based on assessments of personal characteristics (Bridges & Steen, 1998). Official perceptions of juvenile offenders represent an important aspect of case processing, providing another example of differential assessment based on the interaction of race and evaluations of informal control and respectability. For instance, Bridges and Steen (1998) report that Black youths are described as more culpable, more dangerous, and less amenable to treatment than Whites committing similar offenses. These negative perceptions of Black youths expose them to more severe sanctions
and limit alternative treatments. In essence, informal assessments stemming from stereotypical images of violent Black males become manifested in formal court assessments of risk.

Within the confines of juvenile justice decision making, we assert that, although many extra-legal factors influence the decision to detain for all youth, a lack of informal social control and other prime markers of respectability will have the greatest influence on the processing of minority youths. We predict that the effects of information and data reflecting the presence of informal social control in youths’ backgrounds will influence the detention decision for all youth; however, these factors will vary by race. When one examines the statutory criteria for detention, legal variables such as “offense type” and “severity” are the most salient factors influencing the decision to detain. However, other factors previously appearing in the literature are also valuable in exploring the detention decision. For example, whether or not a youth was from a single-parent household may influence perceptions of levels of parental (informal) control and supervision. Within the context of the detention decision, we argue that decision makers are more likely to detain youth from single-parent households. In this instance, more legal social control is applied to the youth based on the perception that one parent cannot exert as much informal social control over their children as compared to two-parent households (Black, 1976). This assertion is supported by prior research denoting the interaction between family structure, minority status, and decision making by justice administrators (Leiber, 2003; Leiber & Mack, 2003).

A juvenile’s prior history partially determines the placement outcome for offenders in Kansas. Relevant factors include previous drug and alcohol treatment, concern for parental mental health, family criminal history, and other information available to police and intake staff when making placement decisions. In addition, the content of this information serves as an illustration of the presence and effectiveness of previous behavior interventions, as well as general family health (Matsueda & Heimer, 1987; Messner & Krohn, 1990). Based on these considerations, we test the following three hypotheses regarding detention outcomes in a Kansas judicial district.

H1. Offense type and severity will have the strongest influence on the relative odds of detention at arrest.

H2. Extra-legal factors that reflect the absence or presence of “informal social control” and “respectability” will influence the odds of detention at arrest for all youths.

H3. Extra-legal factors that reflect the absence and presence of “informal social control” and “respectability” will have a greater influence on the relative odds of detention for Non-White youths.

**METHODOLOGY**

**Data and Population**

Data collection for this study utilizes two primary sources of information. We include juvenile offender intakes conducted by a community corrections organization within the State of Kansas occurring between January 1, 2002, and December 31, 2004. The Juvenile Intake and Assessment Juvenile Information Management System (JJIAMS), a standardized intake assessment tool utilized by intake workers in the State of Kansas, provides the majority of
background information included in the analysis. The JJIAMS database management system contains detailed records regarding arrest outcomes for all juvenile intakes conducted by the local jurisdiction. Official admission reports from the primary juvenile detention facility used by the host judicial district provide additional detention information for this study. The data include only cases involving arrest and subsequent processing by juvenile intake. The authors eliminated all data regarding matters not applicable for processing by the district (state) court. As a result, the data excludes all administrative reports forwarded to the prosecutor without a formal arrest, all violations of municipal codes, and all traffic ordinance violations. Additionally, youths detained on active warrants or for probation violations were excluded, because the decision to detain in these instances is entered by a district court judge. After filtering all non-applicable cases, 497 juvenile offender intakes met the pre-defined criteria and are included in the sample.

At the point of contact, juvenile intake staff administer the Juvenile Intake and Assessment Questionnaire (JIAQ). In Kansas, the juvenile intake staff serve as gatekeepers of the juvenile justice system and the chief collection point of all front-end data. The JJIAMS database maintains self-report data collected during the interview conducted prior to the intake decision. Although the majority of information collected during the intake reflects the youth’s self-reports, the intake officers interpret the responses and code them accordingly. The JIAQ includes all relevant social, educational, familial, and behavioral information applicable to the processing of any juvenile matter. This valuable information helps intake workers make an appropriate placement decision. Table 1 displays information regarding relevant self-reported and arrest data.

Our data have a number of limitations that should be noted. Although the current measures are an adequate assessment of extra-legal factors, the intake worker’s rationale for detention was not specifically measured. Additionally, this study does not have details about the juveniles’ behavior at the time of intake that might also influence the decision-making process. Although the attitudes and assessments of intake workers are not formally included in the models, we utilize measures of non-legal factors that are incorporated into the JIAQ assessment process. Finally, the small sample size and data-collection process limits the generalizability of the findings. The sample size also required us to assess minorities as a group, which does not allow for unique examination of outcomes for race and ethnic subpopulations. This research represents part of an on-going federal and state DMC pilot project, and the current sample represents the first wave of data collection. Finally, the sample represents only data collected from law enforcement and court sources in one jurisdiction. In spite of these limitations, the current study does allow an examination of intake decision-making outcomes in the current jurisdiction and provides a foundation for further scholarship.

**Logistic Regression**

Logistic regression is the primary method of analysis, as it is the most appropriate tool when working with a dichotomous dependent variable such as the decision to detain. The dependent variable for this research is placement in detention at the point of arrest. Control variables reflecting whether or not the youths are of minority status, have family members with a criminal history, live in a single-parent household, have previously received drug and alcohol treatment, and are enrolled in school are constructed from JJIAMS data. Legal descriptors, such as type
and severity of the presenting offense, as well as prior arrest history, are also constructed from JIAJMS and arrest data. Coding details and descriptive statistics are displayed in Table 1.

<table>
<thead>
<tr>
<th>Variable</th>
<th>Coding Method</th>
<th>ALL</th>
<th>WHITE</th>
<th>NON-WHITE</th>
<th>X²</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dependent Variable</strong></td>
<td></td>
<td>N</td>
<td>%</td>
<td>N %</td>
<td></td>
</tr>
<tr>
<td>Detention Placement</td>
<td>1= Yes 0=No</td>
<td>59</td>
<td>11.8</td>
<td>40 11</td>
<td>19 14.1 .934</td>
</tr>
<tr>
<td><strong>Independent/Control Variables</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Felony Offense</td>
<td>1=Felony 0=Misdemeanor</td>
<td>145</td>
<td>29.1</td>
<td>106 29.2</td>
<td>39 29.1 .000</td>
</tr>
<tr>
<td>Person Offense</td>
<td>1=Person 0=Non-person</td>
<td>103</td>
<td>20.7</td>
<td>74 20.3</td>
<td>29 21.6 .794</td>
</tr>
<tr>
<td>Male</td>
<td>1=Male 0=Female</td>
<td>351</td>
<td>70.6</td>
<td>262 72.1</td>
<td>89 66.4 1.564</td>
</tr>
<tr>
<td>Racial Minority</td>
<td>1=Non-White 0=White</td>
<td>134</td>
<td>26.9</td>
<td>N/A N/A</td>
<td>N/A N/A N/A</td>
</tr>
<tr>
<td>Substance Abuse Tx</td>
<td>1=Any D/A Treatment 0=No Previous Access</td>
<td>49</td>
<td>9.8</td>
<td>39 10.7</td>
<td>10 7.4 1.186</td>
</tr>
<tr>
<td>Prior Arrests</td>
<td>1=Prior Arrest Record 0=No Priors</td>
<td>212</td>
<td>42.7</td>
<td>157 43.2</td>
<td>55 41 .195</td>
</tr>
<tr>
<td>Enrolled in School</td>
<td>1=Enrolled 0=Not Enrolled</td>
<td>405</td>
<td>81.5</td>
<td>296 81.5</td>
<td>109 81.3 .003</td>
</tr>
<tr>
<td>Family Criminal History</td>
<td>1=Family w/ Criminal History 0=No Family Criminal History</td>
<td>181</td>
<td>36.4</td>
<td>119 32.7</td>
<td>62 46.2 7.68*</td>
</tr>
<tr>
<td>Single Parent Household</td>
<td>1=Single Parent Home 0=More than One Parent/Guardian</td>
<td>122</td>
<td>24.4</td>
<td>86 23.6</td>
<td>36 26.8 .532</td>
</tr>
</tbody>
</table>

Χ² by race *(p<.05)
To test for interaction effects between race and case outcomes, we run separate regression models for minority and White youths and calculate Z-values to determine if the regression coefficients differ significantly across racial categories (For a detailed discussion of testing the equality of regression coefficients across sub-groups, see Paternoster, Brame, Mazerolle, & Piquero, 1998; Brame, Paternoster, Mazerolle, & Piquero, 1998). This analysis allows us to determine if causal effects are equivalent when estimated within two independent samples. We calculate Z-values according to the unbiased formula presented by Paternoster et al. (1998). For ease of interpretation, we report “yes” for Z-test reaching the value of statistical significance (an absolute value greater than 1.96) and “no” for non-significant values.

FINDINGS

An examination of the distribution of detained youths by racial category, provides evidence that some measure of disproportionality exists. Table 2 displays the racial breakdown of youths in the county’s population, of youths in the arrested sample, and of youths detained at arrest. All minority youths comprise less than 15% of the county’s total youth population, but they comprise 27% of those arrested, and 32.2% of youths detained at intake. The disparity of minority detention is of particular note among the African American youths in the research population. These youth represent less than 8% of the county’s population, but nearly a quarter of those detained. Even in a cursory manner, it is evident that some form of disproportionality based on race exists in the population of youth detained by the jurisdiction.

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>% of community youth age 10-17</th>
<th>% of arrests</th>
<th>% detained</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>85.5</td>
<td>73.0</td>
<td>67.8</td>
</tr>
<tr>
<td>African American</td>
<td>7.8</td>
<td>19.9</td>
<td>22.0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>4.2</td>
<td>3.2</td>
<td>5.1</td>
</tr>
<tr>
<td>Asian</td>
<td>2.0</td>
<td>1.8</td>
<td>1.7</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>.1</td>
<td>1.2</td>
<td>0</td>
</tr>
<tr>
<td>American Indian</td>
<td>.3</td>
<td>.8</td>
<td>3.3</td>
</tr>
<tr>
<td>All Minorities</td>
<td>14.5</td>
<td>27.0</td>
<td>32.2</td>
</tr>
</tbody>
</table>

In assessing the impact of extra-legal factors on the application of law, we conduct a number of logistic regressions with various combinations of independent variables and control variables. Table 3 presents a logistic regression analysis for the decision to detain for all youth in the research population. In accordance with Kansas statute and our first hypothesis, legal variables representing offense type and severity are two of the strongest in the model. Youths arrested for felony offenses are more than seven times as likely to be detained at intake than youths processed for misdemeanor offenses. This result is logical given that, under Kansas law, misdemeanor offenders are detained only under highly unusual circumstances (refer to Appendix A). Youths arrested for person offenses are four times more likely to be detained than youths charged with non-person offenses. Again, this finding is consistent with the detention criteria that directly address violent or person offenses.
TABLE 3. LOGISTIC REGRESSION FOR DECISION TO DETAIN FOR ALL YOUTH

<table>
<thead>
<tr>
<th>Variables</th>
<th>B</th>
<th>S.E.</th>
<th>Wald.</th>
<th>O.R.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Racial Minority</td>
<td>.556</td>
<td>.388</td>
<td>2.055</td>
<td>1.744</td>
</tr>
<tr>
<td>Male</td>
<td>1.075</td>
<td>.459</td>
<td>5.480</td>
<td>2.930*</td>
</tr>
<tr>
<td>Felony Offense</td>
<td>2.063</td>
<td>.372</td>
<td>30.373</td>
<td>7.868***</td>
</tr>
<tr>
<td>Person Offense</td>
<td>1.410</td>
<td>.371</td>
<td>14.451</td>
<td>4.095***</td>
</tr>
<tr>
<td>Prior Arrest History</td>
<td>.983</td>
<td>.384</td>
<td>6.555</td>
<td>2.673**</td>
</tr>
<tr>
<td>Substance Abuse Tx</td>
<td>1.679</td>
<td>.459</td>
<td>13.404</td>
<td>5.360***</td>
</tr>
<tr>
<td>Enrolled</td>
<td>-.708</td>
<td>.412</td>
<td>2.954</td>
<td>.492</td>
</tr>
<tr>
<td>Family Criminal History</td>
<td>.778</td>
<td>.363</td>
<td>4.584</td>
<td>2.177*</td>
</tr>
<tr>
<td>Single Parent Household</td>
<td>.762</td>
<td>.380</td>
<td>4.012</td>
<td>2.142*</td>
</tr>
</tbody>
</table>

*p<.05, **p<.01, ***p<.001 Nagelkerke R square .445

While controlling for other variables in the model, several of the offense history and control variables are statistically significant. Male arrestees are almost three times more likely to be detained at intake than female offenders. Indications of a criminal history or past deviant behavior also influence the odds of detention at arrest. Youths with a prior history of substance abuse treatment are more than five times more likely to be detained. Arrestees with a criminal history are more likely to be held in a secure setting (exp(B) = 2.673). These findings may be attributed to both subjective and objective decision making by intake officers. Kansas statute allows for the detention of youth with a history of felony adjudication, which could partially explain this finding. Additionally, the statute permits secure confinement if the arrested youth presents self-destructive behavior. Intake officers have a fair amount of discretion when interpreting what constitutes self-destructive behavior and are apt to consider past criminal behavior. Finally, research consistently shows a link between substance abuse and criminal behavior (Sorenson & Brownfield, 1995; Stahl, 2001). Consequently, juveniles with a history of drug abuse are more likely to be involved in criminal behavior, which influences an intake officer’s assessment of the juvenile’s behavior.

As predicted by the second hypothesis, a lack of informal social control significantly influences odds of detention. Residing in a family with a history of criminal behavior more than doubles the odds of detention at arrest. The odds of detention are also doubled if the youth resides in a single-parent home (exp(B) = 2.142). These findings support the theoretical foundation of this paper—the idea that in the absence of informal control, the juvenile justice system applies more “formal legal control.” Family criminal history and coming from a single-parent household significantly increases the probability of placement in detention upon arrest. None of the statutory requirements address these specific concerns, so their relationship with detention rests clearly in the subjective interpretation of the intake officer.

Because decisions to detain largely rest on legal criteria, one can reasonably assume that offense type and severity have the most salient effect on case processing outcomes. A primary goal of this paper is to investigate how legal and extra-legal factors in the decision to...
Many of the key legal and independent variables have a different influence on detention decisions for minorities as compared to Whites. For both populations, felony offenses have a strong relationship with the decision to detain at arrest. This factor is particularly salient for White youth. An arrest for a person offense is significant in both the White and Non-White models; however, the effect is much stronger for minority youth. One would expect these variables to remain significant in both models given the nature of the detention criteria in Kansas.

One interesting finding is that detention of males becomes insignificant among Whites, yet remains a powerful variable for the minority youth. This may reflect the fear of crime associated with Black males (Tittle and Curran, 1988).

For Whites, prior behavior appears as the most important extra-legal factor. White youths with a history of substance abuse treatment are more than seven times more likely to be detained. Additionally, prior criminal history among White youths more than triples the odds of detention (exp(B) = 3.478). Among Non-Whites in this study, criminal history and substance abuse are not significant.

The regression analysis for informal social control and measures of “respectability” again illustrates disparity between factors influencing the detention of White and Non-White youths, providing some support for the third hypothesis. According to the model, none of the remaining informal control or respectability variables are significant for White youths. For Non-White youths, all of these variables are significant. Family criminal history increases the odds of detention at arrest by four times for Non-White youth, yet it remains insignificant for White youths. Non-White youths from single-parent households are six times more likely to be detained than those residing in two-parent homes. This finding confirms the conclusions of

**Table 4. Logistic Regression for Decision to Detain Differentiated by Race**

<table>
<thead>
<tr>
<th>Variable</th>
<th>White Youth</th>
<th>Minority Youth</th>
<th>Z-Value</th>
<th>Significant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>.538</td>
<td>.552</td>
<td>1.713</td>
<td>1.43</td>
</tr>
<tr>
<td>Felony</td>
<td>2.360</td>
<td>.476</td>
<td>24.632***</td>
<td>.751</td>
</tr>
<tr>
<td>Person</td>
<td>1.001</td>
<td>.445</td>
<td>2.721*</td>
<td>2.846</td>
</tr>
<tr>
<td>Prior Arrest</td>
<td>1.246</td>
<td>.481</td>
<td>3.478**</td>
<td>-.783</td>
</tr>
<tr>
<td>Substance Tx</td>
<td>1.961</td>
<td>.515</td>
<td>7.106***</td>
<td>1.395</td>
</tr>
<tr>
<td>Family Criminal History</td>
<td>.545</td>
<td>.418</td>
<td>1.702</td>
<td>1.385</td>
</tr>
<tr>
<td>Single Parent Household</td>
<td>.723</td>
<td>.462</td>
<td>2.061</td>
<td>1.819</td>
</tr>
<tr>
<td>Enrolled</td>
<td>-.281</td>
<td>.540</td>
<td>.755</td>
<td>-2.727</td>
</tr>
</tbody>
</table>

Nagelkerke R square .367

* p.<.05, ** p.<.01, *** p.<.001
past research indicating an interaction between race and family structure in relation to court processing (Leiber, 2003).

It can be argued that, next to the family, school is the first introduction and the chief milieu of social control (Franklin, 1974; Spring, 2003). Therefore, it is permissible to assume that youth enrolled in school are subjected to more social control than those who are not. The appearance of social control via regular school attendance substantially decreases the likelihood of detention for Non-White youths \( \exp(B) = 0.065 \), but consistent with the other social factors, it is not significant for Whites.

The presence of family criminal history, single parent household, and school enrollment have effects on the decision to detain, which supports our assertion that familial and informal control factors play a more important role in case processing outcomes for Non-White youths. It is not necessarily our intent to assert how schools or families apply control and subsequently influence the application of law. Rather, we are interested in differences in how the presence of these already established sources of control vary between youth of minority and non-minority status, as well as how these controls subsequently influence the detention decision (Leiber, 2003; Leiber & Mack, 2003).

In the absence of legal controls, familial factors such as family criminal history and coming from a single-parent household influence the detention decision for Non-White youth. In the absence of a better explanation, this may largely be due to a pervasive negative stereotype, of the stability and effectiveness of minority families. This is important because these factors are not significant for White youths, which illustrates the presence of differential decision making based on race. The application of more legal formal control for Non-White youths based on familial rather than legal criteria is congruent with the law/social control relationship posited by Black (1976) and latent extra-legal stereotypes appearing in the symbolic threat literature (Tittle & Curran, 1988).

The final step of our analysis is to compare regression coefficients across racial types through the calculation of relevant \( Z\)-statistics. Table 4 reports the \( Z\)-statistics for the coefficients from the minority and White samples, providing “yes” responses to all \( Z\)-values reaching the 95% confidence level. “Yes” responses indicate that the probability of the values observed between two coefficients occurred by chance is less than 5% \( (z > 1.96) \). The prior arrest variable is significantly different across racial categories and works in different directions for White and minority youth. Finally, being enrolled in school has a stronger impact on the detention decisions for minority youth, providing additional support for hypothesis three.

**DISCUSSION AND CONCLUSION**

Our findings indicate that outcomes of juvenile justice processing of minority youths inevitably subjects them to more legal controls, regardless of the presence of previous behavior interventions and other indicators of serious delinquency. The differential detention of minority-youth-based familial features represents an important finding in the sample. When considering the consequences of pretrial detention, namely quicker case review processes with exposure to a correctional environment and contact with riskier peers, the relevant connection regarding the impact of familial features becomes amplified.
Although we do not have explicit measures of intake workers’ perceptions toward informal social control in relation to the detention decision, our findings reveal that sources of informal control continue to influence detention outcomes. It is plausible that decision makers consider the appearance of family dysfunction and disorganization to be a greater contributor to delinquency for minority families as compared to non-minority families (Leiber, 2003; Leiber & Mack, 2003).

The most plausible remedy for differential treatment at detention is the application of a formal decision-making apparatus or assessment tool based solely on legal criteria. Various forms of detention assessments arose during the detention reform process in the early 1990s, in part due to a response to the other core requirements of the JJDPA (i.e., deinstitutionalization of status offenders and jail removal). At a minimum, an assessment tool reduces some of the subjectivity still present in the statute and helps to ensure that decisions are based on presenting behaviors rather than misconceptions. We acknowledge that intake workers, court officials, and police organizations resist the utilization of assessment tools because of the loss of autonomy and the perceived threat to their status as professionals. Alternative detention environments, such as home arrest and shelter placements, offer another viable option for reducing disproportionality at detention while offering the additional benefit of lowering cost.

Remedies for DMC could include the use of multiple decision makers at detention and a complete review of each case subsequent to processing (Pope & Feyerherm, 1995). The involvement of more than one decision maker can reduce some of the latent stereotypes in justice processing. Additionally, such practices require that workers clearly articulate their rationale for detention, further illuminating any under-the-surface predispositions related to race. Reviewing previously processed cases may also refine the skills of intake workers and make all decisions transparent to workers and supervisors. Both of these practices can be easily implemented in existing jurisdiction at a relatively minor cost. In fact, if these practices reduce the use of costly detention placement, they may ultimately save money. This is true even in rural settings that often lack fiscal resources and adequate numbers of justice practitioners.

Although removing some of the subjectivity from the decision-making process and finding alternatives to detention may help to reduce the disproportionate detainment of minority youth, these tactics hardly address the greater difficulties that influence processing at all levels of the juvenile justice system. The stark reality is that racial minorities in this country still face copious amounts of social, educational, and economic disadvantage. These ever-present social facts and the shift to a “tough on crime” model promote increased disproportionate contact of minority youth.

Although this problem still looms large on the social horizon, we are encouraged by its acknowledgement and the subsequent legislation designed to address it. We are also hopeful of the on-going efforts of various early intervention and prevention programs intended to attack delinquency at the earliest stages of childhood development. Ultimately, we believe that these efforts will have substantial long-term effects in addressing the existing DMC crisis.

1. Detention assessment tools assist in crafting decisions based on legal criteria. Although the Kansas Detention Criteria (Appendix A), which directs the detention decision, places a great deal of emphasis on presenting behaviors, ambiguity regarding “seriously assaultive” and “self destructive” behaviors remains in the language. A formal decision-making tool which considers only presenting behavior and criminal behaviors would further reduce ambiguous language.
Future research should examine samples from jurisdictions with varying racial compositions in order to determine how differing proportions of minorities in the population influence the impact of respectability and the use of informal social control in the decision to detain. Block’s (1967) classic “threat hypothesis” suggests that discriminatory efforts by the majority are influenced by the level of minority concentration, but to our knowledge, this hypothesis has not been applied to the issue of juvenile detention. In addition, policy-oriented research should address the usefulness of assessment tools and other efforts to reduce disproportionate minority contact. This work should be sensitive, however, to the possibility that criminal justice workers are unlikely to freely relinquish their discretion and autonomy and, consequently, might pursue informal methods of discretionary decision making.
APPENDIX A: 38-1640. CRITERIA FOR DETENTION OF JUVENILE IN DETENTION FACILITY.

(a) Except as provided in subsection (b), the following are criteria for determining whether to place a juvenile in a juvenile detention facility pursuant to subsection © of K.S.A. 38-1624 or subsection (e) of K.S.A. 38-1632, and amendments thereto:

(1) There is oral or written verification that the juvenile is a fugitive sought for an offense in another jurisdiction or that the juvenile is currently an escapee from a juvenile detention facility.

(2) The juvenile is alleged to have committed an offense which if committed by an adult would constitute a class A, B or C felony if committed prior to July 1, 1993, or would constitute an off-grid felony, a nondrug severity level 1, 2, 3, 4, 5, 6 or 7 felony or drug level 1, 2 or 3 felony if committed on or after July 1, 1993, or would constitute a crime described in article 35 of chapter 21 of the Kansas Statutes Annotated.

(3) The juvenile is awaiting court action on another offense which if committed by an adult would constitute a felony.

(4) The juvenile has a record of failure to appear in court or there is probable cause to believe that the juvenile will flee the jurisdiction of the court.

(5) The juvenile has a history of violent behavior toward others.

(6) The juvenile exhibited seriously assaultive or destructive behavior at the time of being taken into custody and continued such behavior after taken into custody.

(7) The juvenile exhibited self-destructive behavior at the time of being taken into custody and continued such behavior after taken into custody.

(8) The juvenile has a record of adjudication or conviction of one or more offenses which if committed by an adult would constitute felonies.

(9) The juvenile is a juvenile offender who has been expelled from placement in a nonsecure facility as a result of the current alleged offense.

(10) The juvenile has been arrested by any court services officer or juvenile community correction officer pursuant to subsection (b) of K.S.A. 38-1624 and amendments thereto.

(b) No person 18 years of age or more shall be placed in a juvenile detention center.

(c) This section shall be part of and supplemental to the Kansas Juvenile Justice code.
REFERENCES


Leiber, M. J. (2002). Disproportionate minority contact (DMC) of youth: An analysis of the state and federal efforts to address the issue. *Crime and Delinquency, 48*(1), 3-45.


**BIOGRAPHICAL SKETCHES**

**Don Kurtz** is an assistant professor of social work at Kansas State University. His research interests include juvenile justice, probation outcomes, youth violence, family aggression, and the link between gender and violence. His research is published in the *Journal of Research in Crime and Delinquency* and the *Western Criminology Review*. He recently received Honorable Mention for his submission to the Division of Women and Crime graduate student paper competition at the American Society of Criminology annual meeting. Prior to seeking his doctorate, Don was employed as a juvenile probation officer.

**Travis Linnemann** supervises all federally-funded programs for Riley County Community Corrections and is a Ph.D. student at Kansas State University. His interests include delinquency, program evaluation, and the influences of race in juvenile justice case processing. Mr. Linnemann currently directs a three-year study—in conjunction with the OJJDP and the State
of Kansas Juvenile Justice Authority—investigating the presence of Disproportionate Minority Contact in the Kansas juvenile justice system. Travis has authored many research reports and was recently published in the *Western Criminology Review*.

**Ryan Spohn** is an assistant professor of sociology at Kansas State University with research interests in the areas of crime, juvenile delinquency, family violence, juvenile violence, and political sociology. His primary area of interest is the study of how social context influences the experience of child/adolescent abuse, abusive punishment, and neglect. His most recent publication appeared in *Social Forces*, examining the influence of religious and secular organizational involvement on political protest amongst African Americans. Current projects include an examination of the role of “fear of crime” on gun possession and gun-related delinquency amongst teenagers.
Law Enforcement Responses to Burglar Alarms in Texas

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Texas Christian University

Ronald G. Burns
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ABSTRACT
False burglar alarms are prominent among the challenges currently facing law enforcement agencies. Particularly, false burglar alarms cost police departments, and by extension taxpayers, millions of dollars annually. It is argued that false alarms consume extensive police resources which could be used to address more significant crime problems. Police officers and departments struggle with finding a balance between allocating resources to burglar alarm calls (the large majority of which are false alarms) and targeting resources to their many other law enforcement duties. The current research sheds light on officer perceptions regarding false alarms through analyses of survey responses from large local police and sheriff’s departments in Texas. All large departments in Texas were questioned regarding department policy and perceptions of departmental approaches to burglar alarms. The findings confirm that police departments do indeed devote a great deal of resources to unsubstantiated burglar alarms. Suggestions for addressing the problematic situation are offered.

Key Words: burglar alarms, police operations, police practices, responses to burglar alarm

INTRODUCTION
Among the challenges facing police departments in the United States today is responding to a large number of false burglar alarms. Officer responses to false burglar alarms consume a substantial portion of police resources and generate other tangible effects, such as officer complacency during alarm response. Further, it is argued that false alarm responses detract from everyday police practices, which arguably results in a greater likelihood of crime.
There is much debate between law enforcement agencies, home alarm users, and the security industry regarding how limited police resources are to be used for false alarm burglar alarm response. Alarm users pay alarm companies to monitor their homes or businesses and contact law enforcement when necessary. Law enforcement is funded by tax-paying citizens, including those who don’t receive the direct protection of a home alarm. Thus, it seems unjust and unfair for law enforcement to devote a notable portion of resources to mostly unsubstantiated burglar alarm calls. As a result, many law enforcement agencies are revisiting and revising their alarm response policies. In light of the current shortage of police officers in many departments and the increased concern for homeland security, the need to maximize officer efforts is imminent. The present work sheds light on recent law enforcement responses to burglar alarms in Texas and provides insight on how law enforcement officers perceive the false alarm situation.

LITERATURE REVIEW

Despite the significant problems associated with police responses to false alarms, there is a notable dearth of research in the area. Available numbers suggest the significance of burglar alarms in terms of police resources, public use, and market interests. For instance, there were an estimated eighteen to 21 million alarm systems in the U.S. as of 2001, 15 million of which were monitored. Approximately 1.5 million new systems are added each year (Sampson, 2001). Nearly $25.9 billion was spent on professionally installed electronic security systems and services in 2006. Thirty-three percent of the security installations were for residential customers, 37% for commercial establishments, and 30% for large industrial facilities (Security Sales and Integration, 2006). The market for security alarms and related products is anticipated to increase 3.8% per year through 2010, to $4.6 billion (NBFAA). To be sure, the security industry is big business and security professionals are protective of their booming industry.

Law enforcement, however, has voiced concerns about how false burglar alarm responses drain resources. Blackstone, Hakim, & Spiegel (2002) suggested false alarms account for 10–20% of all calls for service, with 94–99% of all burglar alarms involving no crime. In 2000, law enforcement officials responded to 36 million false burglar alarms at an estimated cost of $1.8 billion. The alarm problem consumed an estimated 35,000 officers who could have been addressing more substantive law enforcement duties (Blackstone, Hakim, and Spiegel, 2002). In addition to the financial resources consumed, consistently responding to false alarms could result in greater danger to officers. Particularly, Moslow (1994) warns that repeated false alarm response breeds officer complacency and can negatively affect response to a truly dangerous situation.

While many states and municipalities are revisiting their alarm response policies, Texas recently took steps to address the wasted resources inherent in law enforcement responses to false burglar alarms. In 2005, Texas Governor Rick Perry signed legislation that provides a framework for managing security alarms in Texas, with the goal of reducing unnecessary police dispatches. The bill, SB 568, provides guidance for municipalities to follow when developing alarm ordinances or policies. Three key aspects of the legislation are: (1) an industry standard equipment, CP-01, which has received support from the International Association of Chiefs of Police and maintains several enhanced features designed to minimize user error; (2) enhanced call verification, which involves the alarm monitoring center placing two calls to a customer in an attempt to increase the probability of a valid alarm prior to dispatching law enforcement.
officers; and (3) an alarm permit system combined with an escalating fine structure which is designed as incentive for alarm users to detect and correct errors.

The research literature regarding law enforcement responses to burglar alarms extends beyond the criminal justice arena. Economics professors Erwin Blackstone, Simon Hakim, Uriel Spiegel, and Yochanan Shachmurove published several works in this area, with particular emphases on cost/benefit analyses. Hakim, Rengert, and Shachmurove (1995) identified reduced burglary, assault, rape, and fire incidents as social benefits of alarm ownership. However, they noted that 94–98% of all alarm activations are false and 20–30% of officer time is devoted to false alarm response. Based on their calculations, alarm ownership yields greater benefits than costs for many reasons, including the removal of burglars from the community, the facilitation of officers monitoring unguarded property, and the encouragement of commercial development in response to lower crime rates. The authors proposed a model for efficient false alarm fee collection based upon fines that match department costs and a requirement that all monies collected are allocated directly to police alarm unit resources.

The same researchers found similar results in their 1996 study, commenting on the social justice associated with using public funds to serve those with private alarms. They argue that to adequately meet the requirements of social justice, the net benefits to the public must outweigh the costs they bear to support a private service. They restate their contention that alarm owners must be properly charged for police response, and all fines collected from false alarms should be allocated to the police.

Some jurisdictions have shifted alarm responsibility to private security companies in an attempt to alleviate the burdens posed by requiring law enforcement to respond to most false alarms. In the verified response approach, law enforcement agents respond only if an alarm is dispatched by security guards physically at the location. The alarm company sends its own employees to confirm a burglary and call the police if they find any signs of a crime. The security officers must watch the entrances until police arrive and may not enter the premises unless someone’s life is in danger. Adoption of a verified response approach may result in higher costs of owning a burglar alarm, for example, as the shift in resources is passed from the police to the security industry and then to the public. For instance, consumers pay as little as $5 to as much as a couple of hundred dollars per month in places where alarm companies contract with private security firms to alleviate the burden on police (Jackson, 2004).

Las Vegas, Nevada, instituted the verified response system in 1991. Prior to the change, officer response time to the scene averaged 45 minutes at a cost of $75 per response. Only 1–2% of alarms were valid. Annual budget savings exceeded $600,000 after the measure was introduced, and police response time dropped significantly. Salt Lake City, Utah, adopted the same ordinance in 2000 with similar results (Sampson, 2001). Several options in addition to verified response are also available to law enforcement agencies (see Appendix A).

In 2001, Rana Sampson published a U.S. Department of Justice-sponsored report titled *False Burglar Alarms* as a part of the Problem-Oriented Policing Guides for Police series. Sampson provided an overview of the false alarm problem and an analysis of alarm distribution. She noted no relationship between the burglary rate decline from 1982 to the late 1990s and the simultaneous increase in alarm ownership. Sampson offered questions departments can answer to help them best assess and respond to the false burglar alarm problem, including a list of criteria by which police can assess their response practices, such as the number of alarm
calls, the cost of handling false alarms, the personnel hours devoted to false alarm response, etc. Sampson categorized the varied responses to false burglar alarms into three categories: best responses, responses with limited effectiveness, and responses not recommended. Verified response and charging a fee for service for all false holdup, duress, and panic alarms were among the most effective practices, and responding “priority one” to all calls was deemed the least effective approach (Sampson, 2001).

The extensive amount of resources used in response to false alarms encourages the need for study in this area. Accordingly, the present research contributes to this need through analyzing both the varied approaches to addressing the false burglar alarm problem and Texas law enforcement perceptions of the problem.

METHODS

The present work contributes to the limited body of research in this area through analyzing survey responses from Texas law enforcement agencies. In fall 2006, a survey was sent to the 54 sheriff’s and police departments in Texas with at least 100 active duty officers as of 2003. Our goal was to better understand how large departments respond to the false alarm problem, as well as how department personnel perceive the problem.

A survey was faxed to each department with an introductory letter stating the nature of the research. Subjects were asked to complete the one-page survey and either mail or fax it back to the authors at their earliest convenience. The survey questions addressed three primary areas: the nature of each department’s response to burglar alarms, fees associated with responding to false alarms, and participant perceptions of false alarm response.

Efforts to increase the response rate included making the survey brief, faxing follow-up requests for participation at roughly three-week intervals, and making telephone calls to non-responding agencies. Subjects were offered the opportunity to receive the results upon completion of the study. Accordingly, copies of the results were sent to all participating agencies who requested them. Representatives from 33 of the 54 departments returned completed surveys, resulting in a 61.1% response rate. Nineteen of the 33 responding agencies were municipal departments (57.6%); 14 were sheriff’s departments (42.4%).

FINDINGS

The survey questions were categorized into three areas: “Response,” “Fees,” and “Perceptions.” The first set of questions involved department responses to burglar alarms. All subjects noted that their department responds to all alarm calls. Forty-five percent of the respondents (n=9) noted that their department treats alarm calls as a high priority, 40% (n=8) identified alarm calls as a medium-level priority, while only 15% (n=3) designated alarm calls a low-priority. The notable percentage of departments that reported treating alarms as a high priority seems controversial in light of Sampson’s (2001) suggestion that alarm calls should not receive high priority.

Subjects were also asked to comment on the nature of alarm calls. Particularly, they estimated that an average of 8.2% of all calls for service involve alarm calls. Of those calls, only an estimated 2.2% actually involved a crime. Roughly the same percentage of alarm calls to residential locations (2.0%) and calls to commercial establishments actually involved a crime.
The low percentage of alarm calls that actually involved a crime is consistent with findings in the research literatures. Table 1 depicts these findings.

**Table 1. Perceived Validity of Alarm Calls**

<table>
<thead>
<tr>
<th>Estimated percentage of all calls for service that involve burglar alarms</th>
<th>Mean</th>
<th>Median</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated percentage of all burglar alarms that actually involve a crime</td>
<td>2.2</td>
<td>1.2</td>
<td>31</td>
</tr>
<tr>
<td>Estimated percentage of all residential burglar alarms that actually involve a crime</td>
<td>2.0</td>
<td>1.0</td>
<td>24</td>
</tr>
<tr>
<td>Estimated percentage of all commercial burglar alarms that actually involve a crime</td>
<td>2.1</td>
<td>1.0</td>
<td>24</td>
</tr>
</tbody>
</table>

Subjects responded to a series of questions concerning their department’s policy regarding false alarms. One-third of the respondents noted that it was their department’s policy to alert alarm companies about false alarm abusers, and roughly 15% noted that it was their agency’s practice to publish alarm company false alarm rates on their Website. Most respondents (62.5%) reported that it was their department’s practice to educate businesses and citizens regarding police response to alarm calls, while over 90% of respondents noted that it was their agency’s practice to permit alarm companies to cancel dispatch to false alarm calls. Table 2 displays these findings.

**Table 2. Department Policy Regarding Burglar Alarms**

<table>
<thead>
<tr>
<th>Is it your department’s practice to alert alarm companies about false alarm abusers?</th>
<th>Number of Agencies (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>11 (33.3)</td>
</tr>
<tr>
<td>Is it your department’s practice to public alarm company false alarm rates on your Website?</td>
<td>5 (15.2)</td>
</tr>
<tr>
<td>It is your department’s practice to educate businesses and citizens regarding police response to alarm calls?</td>
<td>20 (62.5)</td>
</tr>
<tr>
<td>Is it your department’s practice to permit alarm companies to cancel dispatch to false alarm calls?</td>
<td>30 (90.9)</td>
</tr>
</tbody>
</table>

Subjects were also asked about fees associated with responses to alarm calls. Over three-quarters of respondents (75.8%) noted that their department required alarm users to register their alarms, with an average cost of $21.63 for doing so. Table 3 notes that only one department (3%) charged for all false alarm calls, while eight (24.2%) charged nothing to respond to alarm calls. Most departments required no charge for a certain number of responses, although alarm owners were responsible for a charge after a certain number of false alarm calls. Of the
19 respondents who noted their department charges a fee after a certain number of calls, most (14; 73.7%) provided alarm owners five free responses with a charge beginning with the sixth call. Just over 20% (21.1%) charged after the third false alarm call. Only one agency (5.3%) charged after the ninth call.

<table>
<thead>
<tr>
<th>Department policy regarding responses to burglar alarms</th>
<th>Number of Agencies</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charge a standard, flat fee for all responses to false alarm calls</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>Charge an escalating fee for multiple responses to false alarm calls</td>
<td>5</td>
<td>15.2</td>
</tr>
<tr>
<td>No charge for response to false alarm calls</td>
<td>8</td>
<td>24.2</td>
</tr>
<tr>
<td>No charge for a certain number of responses; charges for additional responses</td>
<td>19</td>
<td>57.6</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
<td>100.0</td>
</tr>
</tbody>
</table>

The final set of questions pertained to subjects’ perceptions of burglar alarms in general. Almost two-thirds of respondents (62.5%) believed that private alarm companies should shoulder more of the financial burden of law enforcement responses to false alarms. As noted in Table 4, most respondents were somewhat or very satisfied with their department’s current response policy to burglar alarms. Only 21.9% reported being very or somewhat unsatisfied with their department’s policy.

<table>
<thead>
<tr>
<th>“How satisfied are you with your department’s current response policy to burglar alarms?”</th>
<th>n</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Satisfied</td>
<td>12</td>
<td>37.5</td>
</tr>
<tr>
<td>Somewhat Satisfied</td>
<td>9</td>
<td>28.1</td>
</tr>
<tr>
<td>Neutral</td>
<td>4</td>
<td>12.5</td>
</tr>
<tr>
<td>Somewhat Unsatisfied</td>
<td>4</td>
<td>12.5</td>
</tr>
<tr>
<td>Very Unsatisfied</td>
<td>3</td>
<td>9.4</td>
</tr>
<tr>
<td>Total</td>
<td>32</td>
<td>100</td>
</tr>
</tbody>
</table>

Subjects were also asked about their perceptions of the utility of burglar alarms. Most respondents (56.3%) believed burglar alarms are a somewhat effective crime prevention method. Just under 20% believed alarms provide a very effective method for preventing crime. Only six respondents (18.8%) noted that burglar alarms are a very or somewhat ineffective method of crime prevention. Table 5 depicts these results.
DISCUSSION

Several limitations to the current study warrant mention. The use of survey research to assess department policies is limited due to the inherent reliance on respondents to provide accurate data. While the desired unit of analysis is the agency, an individual within the agency had to provide the desired information. Along these lines, assessing the perception of one individual from each law enforcement agency is limited in that one person’s opinion may not be reflective of the department as a whole. Surveying large law enforcement agencies could also be considered a limitation as many smaller departments face the same issues, yet their input is absent from the current results. Larger departments were selected due to their heavier involvement with responding to burglar alarms. Further, results from the present study are limited to the State of Texas. These limitations are certainly worthy of mention and are issues of consideration in future research, yet none significantly alters the contributions of the present work.

The present findings shed light on current law enforcement practices and perceptions of false alarm response while offering direction for further study. For instance, respondents were most likely to note that their department treats burglar alarms with high priority. Treating alarms as “priority one,” however, is not recommended by some, including Sampson (2001) who notes that doing so is unnecessary in light of the high number of false alarms and does nothing to address the underlying causes of false alarms. Further, it appears that large law enforcement agencies in Texas face many of the same challenges as departments across the U.S. with regard to wasted resources spent on responding to false alarms. Specifically, respondents estimated that burglar alarm calls comprise roughly eight % of all calls received for service, with only an estimated 2% of the burglar alarm calls actually involving a crime.

The central question surrounding police response to false burglar alarms concerns what departments should do to address the false alarm problem. Law enforcement officials have numerous options at their disposal that would help to prevent or discourage false alarm calls. For instance, departments can: 1) make their false alarm rates available to the public, 2) educate alarm users regarding burglar alarms and the resources needed to respond to false alarms, and 3) notify alarm companies of any false alarm abusers to pressure them into more responsible

<table>
<thead>
<tr>
<th>TABLE 5. BURGLAR ALARMS AS CRIME PREVENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>“How Strongly do you Believe Burglar Alarms are an Effective Crime Prevention Method?”</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Very Effective</td>
</tr>
<tr>
<td>Somewhat Effective</td>
</tr>
<tr>
<td>Neutral</td>
</tr>
<tr>
<td>Somewhat Ineffective</td>
</tr>
<tr>
<td>Very Ineffective</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

* Percentage does not equal 100 due to rounding.
alarm use. While only a third of respondents reported that it was their practice to alert alarm companies about false alarm abusers and only 15% post alarm company false alarm rates on their website, most departments stress the utility of alarm user education. Some departments host seminars and/or visit repeat offenders in search of ways to reduce the number of false alarms; sometimes a fine will be waived for seminar attendance. However, research suggests education programs have few positive effects on the recurrence of false alarms (Blackstone, Hakim, and Spiegel, 2002).

Perhaps the most effective solution to the problem relates to financial manipulation. Specifically, one could argue that the best way to reduce false alarms is to bill alarm users for police response time and resources. However, one could also argue that since the police function is to protect and serve everyone, including alarm owners who make mistakes, it would be unjust to punish all alarm owners for the mishaps of a few. In response, departments have balanced these conflicting interests by allowing alarm users a set number of free responses. Sampson (2001) believes that approach is only marginally effective, and that departments should either institute a verified response policy or bill every false alarm individually. Conversely, some law enforcement officials claim that fines are an ineffective deterrent (Sostek, 1998).

Several respondents in the present study noted that their department was moving toward a verified response approach, and others noted a preference for their department to do so. Although verified response seems fiscally pragmatic, some of its facets have drawn criticism. First, resources needed to verify intruder presence would be shifted from law enforcement agencies to private security companies. Second, response time would increase for calls that involve a crime in progress. Third, alarm companies would incur increased response duties. However, some alarm industry officials view a verified response system as an opportunity to market higher end, more sophisticated alarm systems (Sostek, 1998).

It may be the case that resources spent on police department responses to alarms, both legitimate and false, are simply the costs of fighting crime. For instance, false alarm rates remain in the 94–99% range, and the cost of police response remains high, yet most department officials seem content with their agency’s policy. Further, they strongly believe burglar alarms are an effective means of crime prevention. Such attitudes may imply that the high false alarm rate is simply the unavoidable price citizens must pay for the real alarms.

Perhaps the most fruitful approach to addressing the false alarm problem is to better understand why false alarms occur and who is responsible. The three main causes for false alarms are faulty equipment, poor installation, and user error (Sampson, 2001), with user error responsible for an estimated 76% of all false alarm calls (Blackstone, Hakim, and Spiegel, 2002). Further, estimates suggested that 20% of alarm systems were responsible for 80% of false alarms (Blackstone, Hakim, and Spiegel, 2002), meaning that a small group of offenders are responsible for a large consumption of wasted police resources. Is a monetary penalty for false alarms practical? Should the alarm industry be accountable for their role in false alarms, for instance, in cases involving faulty equipment? Should the small group of offenders receive notably enhanced penalties? These are among the many questions open to debate and worthy of future research efforts.

The dearth of scholarly literature in this area leaves room for study. Qualitative assessments of both law enforcement agencies and private security companies would also contribute to the body of literature in this area. For instance, one might examine the level of profes-
sionalism shown by officers responding to alarm calls, or perhaps examine the marketing and manufacturing efforts of the private security industry. Other research efforts might: 1) examine the precise financial impacts that result from false alarm reduction, 2) further investigate whether or not alarms prevent crime, 3) assess whether or not Texas SB 568 impacts alarm calls and police responses, and/or 4) observe how false alarms specifically alter officer response time or decrease safety.

In the end, cooperation and collaboration by the primary groups associated with false alarms is essential to effectively address the problem. Law enforcement, the security industry, and alarm owners must agree upon the best way to let burglar alarms prevent crime without wasting resources. Further, it is important to consider the input of residents and companies who choose not to use alarms. Much of the difficulty in getting these groups to work harmoniously concerns their individual interests. For instance, homeowners with alarms want security, and many view the police as public servants who should respond to all burglar alarm calls. Security professionals are protective of their industry and largely seek to continue providing security services without undue burden, such as having to verify the presence of a crime in order to generate a visit from police. Law enforcement agencies feel pressure to confront a wide array of issues within the community, yet they often must do so in the absence of sufficient resources. Law enforcement argues that responses to false alarms consume many resources that could be used to promote a greater sense of safety in the community. Those without alarms may feel that alarm owners are receiving preferential treatment. Finding agreement among these large and powerful groups will go far toward effectively addressing the problem. Doing so, however, is no easy task.

CONCLUSION

Some researchers commented on the use of technology as a means of alleviating police resources in response to false alarms. For instance, Anya Sostek (1998) argues that video monitoring may be the best verification, as the physical presence of an individual responding to the call would not be required. Randy Southerland (1999) discusses an interactive video monitoring system developed from Gulf War technology that is able to visually distinguish between a human and a stray animal, changes in lighting, etc. The use of such technology would arguably reduce the cost of fines and a large security staff for commercial establishments. Further, it would free up much of the police resources currently devoted to responding to false alarms. Unfortunately for homeowners and businesses, it would also raise the cost of having an alarm.

It is imperative that all interested parties cooperate to find a solution if successful change is to occur. The interested and involved parties must work together with the goal of finding the most efficient and effective way to serve the public. An example of the effectiveness of cooperation among the groups is found in the Model Cities and States Program, which was initiated by the alarm industry and the International Association of Chiefs of Police to assist alarm coordinators in their efforts to identify chronic false activators and work with them to reduce repeat false activations. Alarm owners and the security industry must balance their desire for protection and fiscal frugality with law enforcement’s need to more effectively utilize resources. It is hoped that such a balance will be struck and a feasible solution discovered.

Law enforcement effectiveness depends largely on how departments react to changes in a protean society. Increased use of burglar alarms, and the need to respond to them are among
those changes. We’ve seen law enforcement agencies successfully shift their focus in response to societal changes on many occasions, for instance, toward a more community-oriented approach at a time when police-community relations were poor, and by demonstrating concern for homeland security in response to terrorist threats and attacks. With regard to the increased use of burglar alarms and limited police resources, how then, do law enforcement agencies work effectively within the confines of a budget, yet remain responsive to burglar alarm users? While the present research is not designed to directly answer this question, several suggestions are offered in light of the present findings and the research literature.
APPENDIX A

Law enforcement agencies have instituted a wide variety of responses since alarm use became widespread in the late 1980s. The following identifies the primary response policies adopted by law enforcement (Sampson, 2001). See Rana Sampson’s *False Burglar Alarms* (2001) for elaboration.

- Requiring alarm companies to visually verify alarm legitimacy prior to calling the police.
- Charging a fee for service for all false holdup, duress, and panic alarms.
- Establishing a fee for service for all false alarm calls.
- Establishing an ordinance with escalating fines for false alarms.
- Accepting dispatch cancellations from alarm companies.
- Alerting alarm companies about false alarm abusers.
- Publishing alarm companies false alarm rates on Websites or elsewhere.
- Holding false alarm classes.
- Lowering the call priority of alarms.
- Responding “priority one” to alarm calls.
REFERENCES


BIOGRAPHICAL SKETCHES

**Sean Blackwell** has a Bachelor of Science in Criminal Justice degree from Texas Christian University. His research interests include social control of the homeless, socioeconomic factors and crime, and genocide.

**Ronald G. Burns** is an associate professor and director of the criminal justice program at Texas Christian University. He is the author or editor of six books and over 35 journal articles and book chapters. His research interests include policing issues, corporate deviance, and environmental crimes. Recent publications include articles in the *Journal of Criminal Justice Education*, the *Journal of Criminal Justice*, and *Crime and Delinquency*. 
BOOK REVIEW


Robert M. Worley, Penn State Altoona

The Criminalization of Mental Illness, written by Risdon N. Slate and W. Wesley Johnson, provides extraordinary insights into the manner by which people with mental illness are processed through the criminal justice system. The authors contend that the U.S. Department of Health and Human Services estimates that as many as one in five individuals may become afflicted with a mental illness during the course of his or her life. In fact, the lead author courageously admits that he was diagnosed with manic depression at an early point in his life. In order to demonstrate that virtually anyone with a mental illness can experience a negative encounter with unsympathetic law enforcement officers, Slate describes an experience that he had with South Carolina police officers. While suffering a manic episode, he was taken to jail and later placed in isolation in a strip cell. During this same incident, the lead author was even assaulted by another inmate. Clearly, Slate’s personal example reflects the notion that law enforcement personnel are mismanaging persons with mental illnesses. This, in fact, is one of the major themes of the book. Slate and Johnson contend that persons with mental illness face numerous obstacles and often become frequent fliers as they are recycled through the criminal justice system.

The authors do a remarkably good job of tracing the history of societal attitudes towards persons with mental illness. They contend that even as far back as 7,000 to 8,000 years ago, cranial trephining was utilized in order to cure persons believed to be suffering from a mental illness. It was believed that by removing a portion of the skull, evil spirits would be released. Slate and Johnson state that this practice still exists today in parts of Africa and South America. In addition to providing a detailed discussion of the Pre-Civilization Era, the authors also discuss the evolution of society’s understanding of mental illness during both the Era of Enlightenment and the Reform Era. This makes for particularly fascinating reading and is sure to appeal to scholars who are interested in the historical aspects of mental illness. The authors state that it was Dr. Benjamin Rush, the Father of American Psychiatry, who was among the first scholars to declare that having a mental illness did not entail being possessed by demons. While today this is common knowledge, at the time this was a very radical position, according to the authors. In addition to this, Slate and Johnson provide numerous U.S. Supreme Court Cases that relate to issues involving the mentally ill. In particular, they provide a detailed discussion of Buck v. Bell (1927), the case that permitted forced sterilization. The authors also place each of the cases in the appropriate historical context. For this reason, the Criminalization of Mental Illness would appeal as much to a historian as it would a criminal justice scholar.

In addition to providing an overview of the history of mental illness, this work also proposes the argument that criminal justice practitioners have become the first point of contact...
when a person with a mental illness has a crisis. In fact, there is an exceptionally interesting chapter on jails and the processing of persons with mental illnesses. Slate and Johnson contend that today’s jails are responsible for the largest amount of inpatient psychiatric facilities in the United States. Also, jails unlike mental health hospitals do not have the luxury of turning some clients away. The authors cite numerous studies that illustrate the problems faced by jail administrators. They state that the Harris County, Texas, jail may have processed as many as 25,000 mentally-ill inmates in 2006. Slate and Johnson also point to one study which contends that the Los Angeles County Twin Towers Jail has as many as 3,300 mentally-ill offenders on any given day of the week. In fact, the authors suggest that the largest inpatient facility in virtually any given city may very likely be the local correctional facility. This has enormous repercussions, especially if jail employees are not receiving proper training in dealing with offenders who exhibit signs of mental illness.

While the above chapter on jails is quite thought provoking, Slate and Johnson provide an equally compelling discussion of the incarceration experiences of mentally-ill offenders in state and federal prisons. They contend that in 2005 there may have been as many as 775,000 inmates with at least some type of a mental health problem. They also suggest that this special population has a high likelihood of being victimized during their incarceration. This may be partially due to powerful anti-psychotic medications that can significantly impair reaction times. Also, other inmates may perceive these offenders as weak or worthy of victimization. The book also suggests that mentally-ill inmates are more likely than other prisoners to be disciplined for breaking institutional rules. Not surprisingly, mentally-ill offenders tend to serve their maximum sentence, especially when their condition is not taken into consideration as a mitigating circumstance during their disciplinary hearing. In spite of the many issues associated with these inmates, the authors contend that only seven state correctional agencies provide their officers with any meaningful form of training in this area. Interestingly, they argue that Texas provides significant instruction in this area compared to other regions. According to this work, correctional officers in this state are required to complete twenty hours of specialized training. Given the high prevalence of mentally-ill offenders in state and federal prisons, one can only hope that other states will begin to follow suit.

One of the major strengths of The Criminalization of Mental Illness is that it also provides a candid discussion of the type of psychological problems that have the potential to plague criminal justice practitioners. For example, the authors provide a detailed explanation of Post-Traumatic Stress Disorder (PTSD) and how it can devastate individuals who work closely with offenders. In fact, Slate and Johnson contend that some practitioners who have experienced PTSD may deliberately avoid being sympathetic towards mentally-ill persons, so they will not be forced to relive any painful experiences. They suggest that as many as 13% of police officers may meet the criteria for having PTSD. Also, the likelihood increases for officers who have had exposures to life-threatening situations. Slate and Johnson also contend that there must be a culture change which does not stigmatize mental illnesses, such as PTSD. In other words, practitioners must feel free to seek help without the fear of being ostracized by other employees. While this work tends to focus mainly on the experiences of the clients of the criminal justice system, the authors definitely should be commended for recognizing that practitioners too can be afflicted with mental illnesses. They argue convincingly that this may be a result of the stress and long hours associated with working in law enforcement.
I thoroughly enjoyed this work and would recommend it to anyone who has an interest in issues involving mental illness and the criminal justice system. I have seen a few books in this area, but have never found one quite as comprehensive and well-researched. The authors also utilize studies that are extremely timely and relevant. Many of the articles that are cited throughout the text are only a year or two old. For this reason, the book would be especially useful for either criminal justice practitioners or scholars who may need a good reference book in this area. *The Criminalization of Mental Illness* could also be utilized as either primary or supplemental reading material for a graduate-level course. It is well-suited for either the Master’s or Ph.D. level and may even be appropriate for some upper-level, undergraduate courses. There is no doubt that the authors spent an incredible amount of time in researching this book, and it shows. It is, without exception, one of the best academic books that I have read in many years.
BOOK REVIEW


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For more than two decades, Joseph D. Serio has dedicated himself to understanding Russian crime and culture. This native New Yorker has studied, worked, and lived in Russia. In his complex, compelling book *Investigating the Russian Mafia*, Serio offers us privileged insights from his extraordinary vantage point as a visiting scholar in the Organized Crime Control Directorate of the Soviet Ministry of Internal Affairs (1990-1991), as a media and security consultant, and then Director of the Moscow office of Kroll Associates—the global corporate investigative and business intelligence firm (1993-1999).

Serio’s analysis of Russian organized (and sometimes disorganized) crime is multi-faceted and interdisciplinary—providing criminological, historical, economic, political, sociological, and psychological perspectives on the subject. Serio takes us on what feels to have been his personal journey of exploration and education to understand the Russians. We are treated to keen, for Westerners, not easily-gained insights into Russian language, life, history, and crime.

*Investigating the Russian Mafia* is not another armchair analysis of this tantalizing subject: Serio’s account is spiced with anecdotes and quotes from private conversations held with senior KGB and MVD figures. As an invited participant in high-level meetings with Russian officials and international investigators of organized crime, Serio was privy to information rarely shared with outsiders. These experiences, not to mention his extensive investigative activities over the course of his long tenure in Moscow, contribute to the book’s authoritative flavor and insider look at the topic.

From a scholarly perspective, Serio reviews the best literature in the field—Russian and Western. His chapters, footnotes, and epigraphs are a rich resource for the reader and reference foremost scholars, the Russian press, as well as Russian literature. Serio’s mastery of the Russian language gives him, now us, access to information generally out of reach to American readers and writers. As Serio aptly puts it in the preface, this book is “part investigation, part conversation, and part anecdote” (ix).

In Part I, “Words & Numbers,” the four chapters entitled, “Mafia,” “Russia,” “Information,” and “Statistics” serve as an introduction for students, law enforcement professionals, and international businesspeople new to the Russian scene. He provides fundamental information about the country, its history, political system, and crime “statistics,” as well as verbal snapshots of life and crime in the 1980s and 1990s.

In the chapter, “Mafia,” Serio attempts to demystify the term “mafia,” dissecting it into discrete parts: Ivan Ivanovich as Mafia, Crime Groups as Mafia, The State as Mafia, The Communist Party as Mafia, and The All-Union as Mafia. After sharing with us the views of many, Serio conceded: “In reality, of course, the ‘mafia’ label was purely subjective and was paraded around whenever someone—almost anyone—had an interest to do so” (p. 15).
“There was no Russian ‘mafia’ as we thought of it in the West. Were there powerful crime groups with developed structures? Of course there were…. (p. 12). At the end of the day (and chapter), Serio admits,

My preference is to avoid using the word “mafia” altogether because it simply failed to do what language is meant to do: communicate specific meanings through words. When conducting investigations in Russia in the second half of the 1990s on behalf of Western corporations, our team was required to look at a case as objectively as possible, to determine if the subject under investigation represented a threat to the Western partner. Using the term “mafia” raised more questions than it answered. If a field operative reported that the subject, Ivan Ivanovich, was “mafia” or connected to the “mafia,” it didn’t mean anything…. (pp. 28-29)

Investigating the Russian mafia appears to be something akin to pursuing a chameleon on a Scottish kilt.

In Part II, “Roots,” Serio traces the problem of criminal groups and corruption over time—from 1555 through the Soviet era, and into the post-Soviet 1990s. In this section, he effectively points up both continuities and changes in the nature of crime as a function of the material and political conditions of life. In the chapters entitled “Legacies” and “The Economy,” he lays the groundwork for Part III, “On the Front Lines.” We read of autocracy, the ordinary citizen fighting for survival, the businessman coping with “a tough and arbitrary tax regime,” omnipresent crime, bribery, corruption, and state favoritism. These phenomena are nothing new to Russia. Students will enjoy the chapter “Vory v Zakone” (the thieves’ brotherhood) which takes us into the heart of the criminal underworld, and describes some key players, their tattoos, rituals, codes, and prison experiences.

Professors who consider adopting this book for a course need not fear that Serio’s extensive stays in Russia infected him with Marxist sympathies. Serio leaves the description of the New Soviet Man to those who parody it as Homo Sovieticus, “the species whose most highly developed skills involved the hunting and gathering of scarce goods in an urban environment” (Sheila Fitzpatrick quoted on p. 125). But to avoid being accused of attacking a straw man, perhaps we should pay at least symbolic homage to the Marxist tradition: the dialectic calls for expression. There were those who envisioned the new socialist person as the perfection of human being, in whom the fullest, harmonious development of the physical, intellectual, emotional, and spiritual are combined and refined.

In 1920, Anton Semyonovich Makarenko, a young schoolteacher, was summoned by the Chief of the Department of Public Education and charged with the task of turning the besprizorniki—the wandering, abandoned, homeless, orphaned, dangerous youth in his region—young casualties of the Civil War, into the New Soviet Man. The Chief told him, “The work’s got to be done. We’ll have to judge by results. The main thing isn’t just a colony for juvenile delinquents, but—you know!—…social re-education. We’ve got to create the new man—our sort of man. That’s your job! Anyhow, we’ve all got to learn, and you’ll learn” (Makarenko, p. 31).

As Serio tells us, at that time there were 7 million besprizorniki in the country, 20,000 of whom “saturated the Kitaigorod section of Moscow near the Kremlin and fanned out across the city” (p. 119), but he doesn’t tell us about the efforts to create a new society and a new person. There would be few new buildings and desks, just revolutionary ideals and fervor to accom-
plish the task. Makarenko established the Gorky Colony where, with love, conviction, Marxist principles, and hardly a kopek, he succeeded, by any standards you might apply.

There were truly committed communists (capital “C” and small “c”) who believed that the private ownership of the means of production was not the final and highest stage of history. In fact, haven’t hundreds of generations survived in non-hierarchical, classless social systems? An end to capitalist relations of production is believed by some to be a necessary condition for the very survival of that unique experiment in natural history called human being. As Dr. Oliver S. Loud, professor of physical science at Antioch University, expressed it:

On this, our planet, there have been about 1000 human generations since Homo sapiens, alone among several hominid species, survived to become the culture-creating animal. Only the last 200 generations have been born into hierarchical, class structured social systems. We know enough...to calculate that posterity—if we win—could comprise 200 million human generations, while our sun continues to radiate stably into our cherished biosphere. Five generations, three of them already here, will either win or lose forever that immense human future. (Loud, p. 34)

The argument goes that on the economic base of capitalism we cannot achieve the material conditions for progress without war and imperialism, while socialism does not require those twin evils.

What might a nation of ingenious, inventive, deeply spiritual people have believed in order to have taken the difficult, thorny path of revolution and socialist construction? For so many to have risked so much for an idea, one might assume there was something noble, grand, and forward thinking in their vision.

Serio’s analysis follows the Cold War focus on the aberration. He shares with us many a “scathing indictment of the system as whole” (p. 136), reciting the litany of failures. And there is much to focus on—Stalin’s crimes, the elimination of the kulaks, the gross inadequacies of Gosplan, the “murderous Soviet regime,” the gulags and prisons, the distorted players and survivors of that political system. Serio documents the corruption, destruction and dissolution associated with a successful war, both internal and external, against the Soviet Union and Russia. But a passing glance at the palpable dialectic is in order.

That dialectic is perhaps illustrated by the parallel paths of our individual professional journeys. A cursory perusal of our curriculum vitae points up some fascinating similarities. East coast childhood, academic training at the State University of New York at Albany, Russian language and culture study at Norwich University, lengthy stays in Moscow in the Soviet and post-Soviet periods, criminal justice as our graduate field of study, jobs at Texas universities. When we first met, a little more than a year ago, we were both astounded to discover our common footsteps. Would we share the same worldview, as well? To borrow a phrase Serio uses, “the thin slice of life” in Russia that we each knew best was very different. Serio’s purview was the streets. Mine was the ivory tower. My slice is quite narrow, but I feel compelled to share just a bit of it with you, if only to indulge myself in a few poignant memories.

On the eve of the celebration of the Russian Revolution in 1984, a small group of Russian and American scholars from Moscow State University gathered in the mirrored dining room of the grand old Hotel Nacional, across from Red Square and the Kremlin. Snow fell softly on the turrets and spires. St. Basil’s beckoned as we gazed outward from our table by the huge elegantly draped windows. We sipped Russian champagne, ate caviar and blini, then Chicken
Kiev stuffed with fresh country butter and herbs. We danced with strangers, as was the gracious custom in the USSR, to beautiful Russian melodies of the string orchestra. And we toasted more than once a new beginning for this weary “superpower.”

In those days glasnost and perestroika were fresh ideas, sprinkled through every conversation, even on an evening of pure celebration. We left the dinner table shortly before midnight; snow caressed our cheeks and blurred our vision as we made our way across Prospekt Marx to join the crowd of young people converging after theater or dinner to witness the changing of the guards at Lenin’s Tomb. The vastness of the square, cold and windless, the beauty of the conifers topped with snow, the storybook quality of St. Basil’s colored wooden domes, the impenetrability and grandeur of the Kremlin walls and towers, the precise, compelling gait of the guards marching majestically across the expanse to the mausoleum, the clock chiming twelve.

We reminded one another that it was from this very spot that the Soviet armies marched off to the front in 1941, our gallant allies who lost 27 million people in the fight against fascism. And for a grand, long moment we recalled all this world capital has been and has seen. There is an extraordinary magic that drew many of us to Russia to study, work, and live. Perhaps it is that Russia I seek to recapture with each return, a romantic vision that bears little resemblance to the reality of any period of the nation’s history. Serio doesn’t say what exactly drew him to Russia.

Less than ten years later on another research trip, the Great Mob Wars raged, unrelenting dark skies hung over the city, the tower of the university, once ivory was grey. I wondered if Russia could wrest itself from the old forces of Stalinist evil and the new forces of capitalist greed that struggled to determine its destiny. The economic and political situation was harsh and ugly; the only foreigners who seemed to notice were the vultures at the International Trade Center angling to grab a piece of the carcass. The choice for Russians was between foolish hope and hopeless despair.

Colleagues, carved from the solid rock of “Mother Russia,” who had once believed in the selfless ideals to which they dedicated their lives, who suffered discomfort without complaint, participating willingly in the enormous social experiment of building socialism, now saw themselves as foot soldiers in a defeated army.

They had welcomed glasnost and perestroika, which came to the university before it did to the streets. A senior international scholar wrote with pride and euphoria in the fall of 1988: “Tamara and I, like everyone else in this country, sit glued to our TV sets day and night, listening to the voice of democracy. That this is happening here, that I have lived to see it, I would never have believed.” But by the early nineties many colleagues and friends suffered from anguish, self-doubt and a deep sense of national depreciation. Revelations that filled the newspapers in the period of glasnost, tarnished beyond redemption their memories, work, and history. All things associated with Stalin became symbols of shame and submission—even the construction of Moscow State University, damming the Dneiper, engineering and creating the channel between the Moscow and Volga Rivers, and building the trans-Siberian railroad.

Serio argues that there was “intensification and institutionalization of corruption” in this post-Soviet period and that the “law of the jungle” prevailed as a result of “the economic, social, and political chaos of the post-Soviet years, including the collapse of state regulatory institutions” (pp. 146-147). Later he returns to this theme: “The decline and dismantling of the Soviet Union, within a context of inept leadership personified by Mikhail Gorbachev and Boris
Yeltsin, meant that there were no longer any checks against the law of the jungle” (p. 265). (Should we conflate the roles played by these two dramatically different political figures?)

Also significant was the growing internal resistance to change. Russians became disillusioned with the new path of glasnost and perestroika (no entry for “perestroika” appears in Serio’s index) when these movements for openness and socialist restructuring failed to meet with people’s rising expectations for an open economy, an improved standard of living, participation in world trade and democracy.

The Russian people saw their country and its resources put up on the auction block, the door opened wide to international corporations that scrambled to gain access to the country’s resources. Russians saw vast amounts of wealth fraudulently sucked out of the country, the creation of ghost corporations and other grand corporate schemes to avoid taxation and funnel once public wealth into the private pockets of the few.

Serio explains that there were and are “vast interconnections between the underworld and upperworld in a context of globalization” (pp. 173-175). He cites his MVD host, General Gennady Chebotaryov, the former Deputy Chief of the MVD’s Organized Crime Control Directorate, who argues that

the vast majority of cooperatives and joint ventures at the end of the 1980s and beginning of the 1990s had been established by Communist Party officials and criminals primarily for signing fraudulent contracts with partners both in Russia and abroad as well as for moving massive amounts of both “dirty” money (money laundering) and “clean” money (capital flight), whether stolen from the Party, gotten through criminal means or simply sent abroad to avoid the tax police. (p. 232)

Many Russians realized that government had actually devalued companies to encourage foreign investment. They became increasingly angry and frustrated at losing what they had built over seventy years. Viewed through the prism of Soviet education, training, constitution, and laws they concluded that such behavior is criminal. They hadn’t consciously rescinded their collective ownership of the means of production, of the wealth of their country, the fruits of their labor. The Party wasn’t the owner of the country’s wealth. They were supposed to be the protectors of it. Civilians, individually and in groups, gave themselves permission to take back what they viewed as rightfully theirs. The deepening divide between leaders and civilians, the growing distrust of public officials, and the power vacuum left by the collapse of the Soviet Union combined to create a fertile environment for “entrepreneurs” seeking new opportunities.

As Serio describes the phenomenon: “The economic and social dislocations Russia experienced, combined with the historic influences…encouraged people who would not likely engage in such activity to form criminal enterprises for the purpose of committing crime in the course of pursuing both illegitimate as well as legitimate business goals” (p. 234). Most people did not have a criminal self-concept nor see themselves as the criminal element. But there can be no doubt, when a critical mass is reached, chaos ensues.

In moments of private reverie, I speculate on the fate of perestroika had it become a revolution from below. But be that as it may, the coups of August 1991 and September-October 1993 clinched it. As Hegel and Marx have told us, history always repeats itself. But in this succession of coups the usual order was reversed: history came first as farce and then as tragedy, a tragedy the climax to which is still unfolding.
If you too are generally tempted to turn to the end of a new book to see how it comes out, do not resist your urge. The final chapters, “Business,” “Law Enforcement,” and “Closing Comments” are worth reading first. In them, Serio gives us a glimpse of his hand and shares the actual investigative information about Russian organized crime that he and others have gathered. His summary of the 1997 report from the Center for Strategic and International Studies entitled “‘The Iron Triangle’ of Contemporary Russia,” is an extremely valuable analysis of organized crime and the relationship between business, bureaucracy, and crime groups. Serio’s sojourner account of Russian organized crime ends with his return to the U.S. in 1999.

As Serio points out, much has happened on the international scene to diminish interest in the Russian mafia. While it is unlikely that the threat of Russian organized crime will ever supplant terrorism and homeland security in the minds of U.S. authorities, Russia will never cease to fascinate, confuse, terrify, intimidate, and beguile the West.

Almost two decades after the collapse of the Soviet Union, Russia is still excluded from the World Trade Organization. This has effectively curbed the country’s economic and social development. Russia’s leaders will necessarily seek trade partners in China, the European Union, and the Middle East. While Vladimir Putin may be portrayed and perceived as an autocratic leader by the West, many Russians view him as a protector of Russian national interests, someone who has restored national pride and is working to ensure national prosperity.

The final moves in this economic, geo-political end game have yet to be made. One thing is certain, Russia’s key role in international politics and economics is assured by its vast holdings of natural resources, intellectual and military capital, and its strategic geo-political position. Serio’s detailed, interdisciplinary study of Russian organized crime will offer valuable insights to a broad audience for years to come.

Serio’s tireless efforts probing the underbelly of Russian society didn’t leave him unmoved by the qualities of the Russian soul. In “Closing Comments” he writes: “I find it impossible to look at Russia without fascination, awe, and perhaps a certain degree of pity” (p. 278). The tragedy of the tale he tells is deeper and more profound when seen in the light of the courage, endurance, intelligence, and nobility of the Russian people.

REFERENCES

BOOK REVIEW


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In the writing of *Prisons in America*, Marilyn McShane has created an exemplary and most useful introductory corrections textbook. The author states her purpose in the following terms: “This textbook strives to present a very basic picture of the framework of institutional corrections so that the forces that shape its character are evident to the beginning student of criminal justice” (p. xi). The text itself measures up to McShane’s purpose.

Being that *Prisons in America* is a textbook largely devoted to institutional corrections, and other aspects of corrections are not overviewed or summarized in the book, some correctional professors may conclude that the book is not sufficient in subject context to serve as the major text for an introductory undergraduate corrections course. On the other hand, this reader/user feels that *Prisons in America* is a sufficient introductory correctional textbook since other aspects of corrections are routinely covered in the courses of community corrections, or probation and parole, which are included in criminal justice undergraduate programs.

The textbooks available for sophomore criminal justice courses are almost universally weak in one, more, or all of several areas: Either they (1) use language too advanced for the average student’s comprehension, or (2) they contain far too much information to be covered in the course of a semester, or (3) they are prohibitively expensive.

*Prisons in America* avoids all of these weaknesses. First, McShane writes in easily understandable English. Freshman and sophomore students can read the book and understand it. Second, the material contained in the 12 chapters of the textbook can be readily covered in a three-hour course during a fall or spring semester. The 12 chapters in fact fit quite well into a two or four exam per semester schedule. And third, *Prisons in America* costs less than ½ as much as other commonly used introductory corrections texts.

Chapter 1, “Punishment and Rehabilitation,” first, introduces the reader to the philosophical concepts of the utility for and rationales for punishment. Second, an overview is presented of the state of punishment in early America. Third, the qualities—certainty, swiftness, and duration—of punishment are discussed. Fourth, the chapter ends with an essay on recent developments in correctional philosophy.

An overview of the history of incarceration from the beginnings of the penitentiary era to the beginning of the drug war era is included in the second chapter. One subject, often overlooked in correctional textbooks, is included in this chapter: The development of prisons and imprisonment in the American West.

Chapter 3 includes a short history of prison leasing and prison industry, as well as a discussion of the centrality of the work ethic in correctional treatment philosophy. Chapter 4 contains an introduction and broad overview of the correctional system as it exists today.

Prison management is discussed in the first section of Chapter 5, and the role of the correctional officer, and the conflicts therein, are explained in the remainder of the chapter. The
twin and interactive themes of prison classification and prison programming are explained in the sixth chapter.

Chapter 7 includes expositions upon the prisonization (or in-house socialization) of inmates, the realities of prison rules, and discipline relating to inmates. Chapter 8, consisting of a rather thorough explanation of violence in prison, includes the effects of violence upon the victims, the perpetrators, and the system, as well as the causes of violence.

The last four chapters include four additional major issues in modern corrections. Chapter 9 discusses the increasing medical needs for an aging prison population and the resultant increased costs for correctional systems. Chapter 10 covers legal issues and legal liabilities relating to and attaching to correctional systems and correctional employees. The critical rehabilitation issues of inmate family visitation, inmate privileges, and inmate recreation are the subjects of Chapter 11. And finally, Chapter 12 contains a comprehensive exposition of solutions to the malady of prison overcrowding.

Prisons in America could serve as a model for all other introductory criminal justice textbooks. First, it is written for student comprehension. Second, the entire content of the book can be readily included in a semester-long course. And finally, as to its cost, the book is a bargain. Well known for her correctional research and publication, Marilyn McShane, in producing Prisons in America, has made a valuable contribution to the correctional classroom.