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Excited Delirium and Use of Force by Police

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On a hot summer night in South Texas, deputies with the Dimmit County Sheriff's Office responded to a call about a man acting bizarrely. The deputies found 26-year-old Juan Lozano screaming and running around. Officers used physical force to restrain Lozano and after being handcuffed, he began making snoring noises. He was transported to the hospital where he was pronounced dead. This is not an uncommon occurrence in law enforcement today. Of the 289 in-custody deaths in Texas between 2005 and 2017, 50 have involved violent struggles by law enforcement officers attempting to restrain an individual exhibiting signs of what forensic medical personnel term *excited delirium syndrome* (Dexheimer & Schwartz, 2017). In 14 of these cases, officers used a conducted energy device, also referred to as a taser, during the encounter. The symptoms of excited delirium syndrome include bizarre behavior, agitation, high pain tolerance, removal of clothing,

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skin that is hot to the touch, and a display of “super human” strength where the subject is often under the influence of a stimulant drug, such as methamphetamine or cocaine (Michaud, 2013). This condition is brought about by drug use or mental illness, and the agitated person enters a “fatal spiral,” often while struggling against restraints (Damon, 2017). Williams (2008) speculates that excited delirium, a common cause of in-custody death, kills about 800 people every year throughout the United States.

Any time a law enforcement officer uses force and the person dies, the agency in which the officer is employed and the officer face immense scrutiny and liability. Police executives need to understand the legal ramification of action or inaction when constructing use of force policies. This paper will examine Texas law, the Fifth Circuit Court’s and other decisions, related literature, and trends across the United States on how police are handling non-criminal cases to understand the best strategy that officers and agencies need to adopt when responding to persons suffering from excited delirium syndrome.

Texas Law

Texas peace officers can draw from Chapter 9 of the Texas Penal Code for the lawful use of force while making arrests and searches, to protect themselves or others. Section 9.34, Protection of Life and Health, gives a person the right to use force, but not deadly force, against an individual

who the person believes is committing suicide or inflicting serious bodily injury to himself or herself. In many cases of excited delirium syndrome, the subject has violated a minor penal code offense of disorderly conduct or a pedestrian-related traffic code offense for running in the street. In these situations, the officers can lawfully use force to arrest the individual. If the person is inside his or her own home and destroying property, there may be no penal code offense. The officers run afoul of the penal code unless the person is attempting suicide or inflicting bodily harm on himself. In case of an emergency, a person is justified in using force, or even deadly force, to preserve the other’s life (§ 9.34b).

Officers can look to Texas case law under “community care taking” for guidance on using force to assist a person in need of emergency medical treatment. In *Wright v. State* (1999), the Texas Court of Criminal Appeals recognized the “community care taking” role of Texas peace officers. The case involved a deputy who stopped a vehicle after observing the passenger vomiting out of the window. During the stop, the officer smelled marijuana and noticed alcohol in plain view. The passenger was arrested and convicted of possession of marijuana. He appealed the conviction, which led to the court’s decision that Texas peace officers may stop an individual who they believe, based on the totality of circumstances, is in need of help. In the absence of any violation of the law, officers would

not be justified to make the stop under the automobile exception. Citing the US. Supreme Court decision in *Cady v. Dombrowski* (1973), the *Wright* court ruled that the “community care taking” role of police officers would fall under exceptions to the Fourth Amendment and justify the stop. The court provided standards to measure reasonableness of the officer’s response, including the nature and amount of distress exhibited by the subject, where the subject is located, whether they have assistance independent of the officer, and to what extent are they a danger to themselves or others (*Wright v. State*, 1999). The *Wright* decision would justify an officer stopping an individual suffering from excited delirium syndrome, but it does not address the use of force by the officer. The following Fifth Circuit cases examine the liability of officers for using restraints in excited delirium cases.

Cases Specific to Excited Delirium Syndrome

The first Fifth Circuit case was *Gutierrez v. City of San Antonio*. In this case, two officers, Walter and Solis, spotted Gutierrez around midnight of November 27, 1994, wearing a pair of trousers but no shirt and bare feet, stumbling around in an intersection. Gutierrez was running around in circles, his eyes were glassy, he claimed that he was shot, but the officers did not find any wound from a shot. However, he had abrasions on his chest and was bleeding. When asked if he had taken drugs, Gutierrez said he had “some bad coke.” The officers handcuffed him for his safety but did not arrest him.

Solis called for an ambulance. During this time, Gutierrez was calm. When he was taken to the EMS vehicle, he became violent all of a sudden. So, he was brought back to the patrol car to be transported to a hospital. Gutierrez started kicking the back seat of the car. To subdue him, the officers put him in a “hog-tie,” a nylon rope with a loop on one end and a clasp on the other. In about 10 minutes Gutierrez became very still. When they reached the hospital, he was face down on the seat, which had restricted his breathing. He was soon pronounced dead. In the autopsy report, it was stated that hog-tying can cause relative hypoxia and was a contributory cause to Gutierrez’s death.

Gutierrez’s family sued, claiming a violation of his rights under the Fourth and Fourteenth Amendments. In order to demonstrate that hog-tying was a violation of Gutierrez’s clearly established rights, they introduced three pieces of evidence. First was a 1991 San Diego Task Force Study, which the San Antonio Police Department (SAPD) had in November 1994, indicating that the combination of hog-tying a drug-affected person in cocaine psychosis (excited delirium) and positional asphyxia (placing them in a face-down prone position) can lead to death (Sudden Custody Death Syndrome). The next was an article titled “Sudden Custody Death Syndrome: The Role of Hogtying,” that appeared in the fall 1994 issue of *Criminal Law Update*. The last was a memo issued by SAPD Captain Benavides 10 days after Gutierrez’s death

that said hog-tying was prohibited. The district court denied summary judgment on the Fourth and Fourteenth Amendment claims. The officers appealed.

The Fifth Circuit held that it was impossible to determine whether the officers' actions were objectively reasonable in light of the disputed facts and dismissed the appeal of the Fourth Amendment claim and rendered a take nothing verdict on the Fourteenth Amendment claim as it did not apply to this case.

The second case related to excited delirium decided by the United States Court of Appeals for the Fifth Circuit was *Khan v. Normand* (2012). Nayeem Khan suffered from a mental illness. On July 17, 2007, around closing time at a store, Khan started running around and screaming that people outside the store were trying to kill him. The store's security guard and an off-duty deputy handcuffed Khan with his hands in front of his body. When police officers arrived, they escorted him out of the store. Khan forcefully resisted, thrashing his legs and attempting to bite. The officers put him in a four-point restraint. Almost immediately, Khan stopped breathing. The officers removed the restraints and performed CPR on Khan until the ambulance arrived. Khan began to breathe but died later that night. Khan's parents sued the officers for excessive use of force. Citing *Gutierrez v. City of San Antonio* (1998) and *Hill v. Carroll County, Mississippi* (2009), the district court concluded that

the officers did not use excessive force. In *Hill v. Carroll County, Mississippi*, the Fifth Circuit had affirmed that a four-point restraint was not objectively unreasonable force. The Fifth Circuit Court of Appeals granted qualified immunity to the officers given the fact that Khan was not left face down in the four-point restraint for an extended period of time and that Khan was under constant supervision, thereby allowing the officers to revive him when he stopped breathing. The use of force and tasers to subdue actively resisting persons suffering from mental health have so far been found to be constitutional by courts (Worley & Worley, 2014). However, in light of advancements in medical sciences, policies adopted by other agencies for handling the mentally ill, and decisions of other Circuits, the Fifth Circuit Court will soon revisit its holding.

Trend toward Restricting Restraints in Non-Criminal Cases

In 2016, in *Armstrong v. Village of Pinehurst*, the Fourth Circuit Court of Appeals ruled officers used unconstitutional force when they attempted to restrain Ronald Armstrong for an involuntary mental health commitment. Police used several cycles of a conducted energy device during a struggle, which resulted in Armstrong's death. The court applied the objective reasonableness standard of *Graham v. Conner* (1989) to the force used by officers against Armstrong. In *Graham*, the United States Supreme Court listed three questions

for the police to consider when using force: What is the seriousness of the crime? Does the suspect pose an imminent threat to the public or the officer? Is the suspect resisting arrest or trying to escape? After the *Armstrong* case, many law enforcement agencies adopted more restrictive policies for the use of electronic control devices. While the court granted qualified immunity to the officers, it ruled that the force was objectively unreasonable and that qualified immunity would not be granted to officers in similar cases in the future.

In April of 2017, the Sixth Circuit Court of Appeals created a new test specifically for measuring the objective reasonableness of police use of force in non-criminal incidents. In *Hill v. Miracle* (2017), the court found that the *Graham* standard does not apply to the complexity of a non-criminal use of force. Since the person has not committed a crime and the officer is not attempting to arrest the individual, two of the three *Graham* standards do not apply. In the *Hill* case, a deputy was assisting emergency medical staff with controlling a combative man suffering from a diabetic episode. The deputy used a conducted energy device to control Hill long enough for paramedics to administer medication, which brought Hill under control. Since Hill was not committing a crime or resisting arrest, the court created a new standard of objective reasonableness for police use of force during medical emergencies. Was the person having a medical emergency that

left him incapable of making rational decisions and placing himself or others in imminent threat of death or injury? Was force necessary to address the immediate threat? Was the force used more than reasonably necessary to address the threat? If the person was incapable of making rational decisions, placing himself or others in harm's way, and the force was necessary to subdue the subject, the court should rule that the officers have qualified immunity as long as the force was not excessive.

Ken Wallentine, a special agent for the Utah Attorney General and a recognized expert in police use of force, believes there is a shift in how the courts are evaluating reasonableness of force used by police against persons suffering from mental illness or excited delirium syndrome. While the *Armstrong* court found the use of force on a mentally ill person under the circumstances to be objectively unreasonable, the *Hill* court laid a new standard for the use of force by the police in non-criminal medical cases (Wallentine, 2017).

A key to using force under the Protection of Life and Health and "community care taking" circumstance often comes down to the officer's ability to recognize the symptoms and medical dangers of excited delirium syndrome. Śliwicka, Szatner, and Solonynko (2019) conducted a case study in Warsaw, Poland, on three fatal excited delirium syndrome cases involving police use of force. The researchers discovered that excited delirium syndrome usually occurs in overweight

young to middle-aged males with a history of stimulant drug abuse. The person is likely to show signs of agitation, “super human” strength, and profuse sweating. In the three case studies of fatal incidents, they also noted that physical restraint plays a critical role in compounding the physical conditions of excited delirium (Śliwicka et al., 2019).

In April of 2017, the International Association of Chiefs of Police (IACP) published a concepts and issues paper to assist law enforcement agencies with responding to individuals displaying signs of excited delirium syndrome. The IACP publication provides steps for recognizing and properly responding to a person displaying excited delirium syndrome. Officers should attempt to use de-escalation tactics with the person, gather a sufficient number of officers to make the area safe, and physically control the person without a prolonged physical struggle or placing the person face down on his chest (IACP, 2017). Once under control, the subject should be evaluated by emergency medical staff and transported to a hospital for treatment. The IACP and other studies have been helpful in providing guidance on what type of lawful force should be used when controlling a person exhibiting excited delirium syndrome, but no mandate is mentioned.

As to what liability an officer may face for inaction or refusing to use force on a person suffering from a health issue or excited delirium

syndrome, a concurring judge in *Armstrong v. Village of Pinehurst* suggested that law enforcement will soon learn omission is generally not actionable (Wallentine, 2017). This direction is now seen in California where some law enforcement agencies are adopting policies and procedures requiring officers to use disengagement strategies for persons in crisis. In Plumas County California, deputies will no longer respond to persons threatening to commit suicide (Chabria, 2019). Cities with more resources, like Los Angeles and San Francisco, have developed new approaches to handling non-criminal cases where they deploy crisis intervention teams with officers and behavioral health professionals (Chabria, 2019). According to this *LA Times* article, several cities are now putting together patrol teams that have one officer and one clinician, and the collaborative model is getting positive results in situations related to mental health crises.

Another concern for law enforcement is the potential for a person to die in custody days after experiencing an episode of excited delirium. A recent study found that a subject died in custody four days after being restrained by the police while he was displaying symptoms of excited delirium (Kennedy & Savard, 2017). The study focused on the need for training and policies regarding use of force by police when dealing with persons exhibiting signs of excited delirium. It also called for a consideration of not placing persons who experienced excited delirium in lock-ups (Kennedy

& Savard, 2017). The United States law enforcement policies and practices may be ahead of those of the rest of the world in identifying and dealing with excited delirium syndrome. European police and corrections facilities have more in-custody deaths related to drugs and alcohol while the United States and Canada experience more natural causes of deaths per prisoner (Heide & Chan, 2018). According to the study, one factor may be training and awareness of the U.S. law enforcement officers. However, the aging prison population in the U.S. cannot be ruled out as impacting the statistics. In any case, more research is needed on sudden in-custody deaths of persons suffering from excited delirium.

Conclusion

Today's law enforcement officers have extreme challenges in dealing with individuals suffering from excited delirium. Any attempt to physically control a person suffering from excited delirium will be highly scrutinized in both criminal and civil courts if the person dies in police custody. Like California, police chiefs and sheriffs in the rest of the country should consider adopting policies and procedures requiring officers to use disengagement strategies for persons displaying symptoms of excited delirium. It would also be advisable to have a clinician as a member of a patrol team so that persons exhibiting signs of excited delirium and other mental health issues can be effectively disengaged without using restraints and possibly

without any coercive intervention of law enforcement officers.

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FROM THE PRESIDENT AND IMMEDIATE PAST PRESIDENT

At the end of an emergency phone conference of the ACJS Executive Board held on March 12, 2020, we made a unanimous decision to cancel the upcoming 57th Annual Meeting of the Academy in San Antonio. What may now seem as inevitable was, at the time, a difficult and unprecedented decision. Never before in the history of our organization have we gone ahead and completely shut down an Annual Meeting, one that we had planned for and worked toward for more than a year. In late February, we were actually encouraged by reports that some academic and professional conferences were continuing to take place. This changed in the second week of March as we learned of an increasing number of such gatherings being cancelled in response to travel bans by various academic institutions and other employers, along with the start of lockdowns, social distancing, and related preventive measures. It is now clear, in retrospect, that we made the right decision given the combination of circumstances involving a deadly pandemic of a virus infection with no known cure and the lack of anticipatory national leadership, planning and preparation for the spread of COVID-19. Although there will be financial consequences for the Academy, we have to always give the utmost importance to the health and safety of our members and attendees.

During the week when the Annual Meeting would have been held, office holders were busy with virtual meetings to keep the organization running smoothly. We discussed a Budget for 2021-2022 proposed by Heather Pfeifer for her presidential year. We also held a year-end Board meeting on March 27 to complete our review of annual reports from various ACJS committees, sections, affiliated regional groups, and journals. Among the matters discussed and approved were procedures for refunding registration fees to members and attendees affected by the cancellation. Finally, outgoing President Prabha Unnithan handed over a “virtual “gavel to the incoming President Cassia Spohn, who now leads ACJS.

We are planning for a “normal” Annual Meeting in April 2021 in Orlando. The meeting will be held at the Caribe Royale Resort, which has just undergone a multi-million-dollar renovation. The program co-chairs, Dawn Beichner and Stephanie Mizrahi, are hard at work and will soon be issuing a call for presentations at the upcoming conference, the theme of which is “Reforming and Transforming Criminal Justice.” Reflecting this, the call for presentations includes several topics related to criminal justice reform and we encourage members to submit proposals addressing these issues. We also have added a section on Justice Realignment during the Pandemic, and we hope that members will propose presentations that focus on this important and timely topic.

We realize that these are uncertain times but we are hopeful that the members of the Academy will be able to gather in Orlando to share their research, to network, and to enjoy the Florida sunshine.

Prabha Unnithan

Colorado State University

Immediate Past President

Cassia Spohn

Arizona State University

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Policing in the Age of Stochastic Terrorism

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On August 4, 2019, two words became the most searched-for term on dictionary.com, according to their official Twitter account. Those words were “stochastic terrorism.” What is stochastic terrorism, exactly? *Stochastic* by itself simply means a random sequence of observations. *Stochastic terrorism*, however, refers more specifically to the “public demonization of a person or group resulting in the incitement of a violent act, which is statistically probably but whose specifics cannot be predicted” (<https://www.dictionary.com/browse/stochastic-terrorism>). In a paper on the quantitative risk assessment of terrorism, Woo (2002) first described a more resilient type of terrorism, one with no centralization but a set of cells that could contain as few as a single individual and that is geographically dispersed. This presents a significant issue for law enforcement.

The stochastic model relies both on randomness and the use of media to incite and/or promote violent action. It is a model in which organizations and perceived leaders of an ideology use the media attention they receive as a pulpit. With an increase of inflammatory rhetoric, both online and in mainstream media, it relies on the statistical probability of some lone actor taking this rhetoric as a call to arms (Bell, 2019). While

predictable to some degree as a larger trend—for example, both DHS and FBI made predictions in 2009 of an increase in right wing extremism and again in 2015 (Office of Intelligence and Analysis, 2009, 2015)—the model of stochastic terrorism is individually unpredictable. For law enforcement, the inability to predict the who, what, where, and when of a mass casualty incident (despite the evidence and environment indicating one) suggests new modalities for training and preparedness as standard practice.

We face a new, 21st-century problem with which the standard practices of policing are having trouble keeping pace. The Internet age allows the spread of information around the world in rapid time. While useful in times of crises to “check in” with friends and family, it also raises the issue of how to report on acts of extreme rhetoric and violence. In the premeditated attack on two mosques in Christchurch, New Zealand almost one year ago, 51 Muslim worshipers were murdered and another 40 were injured by a 28-year-old Australian citizen, self-identified as a white supremacist, who espoused far right and anti-immigrant rhetoric. The shooter left behind a manifesto reportedly praising President Donald Trump as a “symbol of renewed white identity” (Smith, Radnofsky, Givetas, & Banic, 2019). Inspired by the this act of terrorism—to the degree the shooter’s words can be trusted—a 21-year-old Texas man opened fire at a Walmart in El Paso, killing 22 people with the intent of

targeting people of Mexican descent. The shooter posted racist and hate-filled rants, decrying the “invasion” of the United States by Mexican immigrants on the web forum 8chan (Wong, 2019). Earlier in the year, four men were arrested for plotting an attack on a Muslim community in upstate New York. There were frequent references to a “liberal/Muslim horde” and Trump throughout at least one of the group member’s online social media accounts (Sommer, 2019). In a nationwide review conducted by ABC News, since 2015, 36 criminal cases were verifiably identified as cases in which Donald Trump was invoked in a direct connection with violent acts, threats of violence, or assault allegations (Levine, 2019). In the majority of these cases (29 of 36), there was some echoing of the president’s rhetoric. In 10 cases, Trump’s rhetoric was cited in court to explain a defendant’s behavior (Levine, 2019).

Millions of Americans and people around the world hear President Trump’s divisive language on a daily basis. The overwhelming majority of them will never go on to commit a violent act. But that is not really the goal. The stochastic model simply relies on only a few unstable individuals responding to this rhetoric. In doing so, the stochastic terrorist can claim plausible deniability and the individual can be labeled as an unstable lone wolf. In truth, to the unstable person, this is the equivalent of leaving a lit match next to canister of gasoline to see what happens. While President

Trump may bear some responsibility for stoking the flames of the most fanatical on the far right, he is by no means alone. Other media figures on conservative and far right networks online and in the mainstream news also contribute to this growing phenomenon. Alex Jones of Infowars, a well-known conspiracy theorist, and Jack Posobiec of One America News Network, bear some responsibility for “Pizzagate,” for example. This was a conspiracy theory that evolved on the web forums 4chan and 8chan in the wake of the WikiLeaks Hilary Clinton e-mail release. It involved Hillary Clinton, her campaign manager John Podesta, and claims of a secret child sex ring being run out of pizza shop in Washington, D.C. Acting on this, a gunman went to the shop with an AR-15 and fired several shots (Tannehill, 2019). For law enforcement, it is next to impossible to predict who is most likely to act on such rhetoric.

These attacks are all part of an upward trend, according to the FBI. In 2019, the FBI made 107 arrests linked to domestic terrorism, according to testimony given by Director Wray last November (Owen, 2020). Wray also stated that the threat posed by the far right is so extreme it is being elevated to “national threat priority,” giving it the same priority and resources as it devotes to ISIS. This is important news, for several reasons. After September 11, much of the resources investigating domestic terror and the far right were shifted to studying the threat of Islamic Jihadi terrorism. While resources might

have shifted, the actual threat posed did not. In 2018 alone, domestic extremists killed at least 50 people, with every perpetrator having ties to at least one far right extremist movement (ADL, 2019). Firearms were the weapon of choice for maximum impact, causing 38 deaths and 33 injuries. This is higher than the number of deaths in 2017 (37) but lower than the numbers in 2015 (70) and 2016 (72).

With the change in policy resulting in the FBI dedicating more services and attention to the threat of far right domestic attacks, it can be assumed that some degree of resources will go toward new training. A previous study on the training of law enforcement indicated only 23% of local law enforcement and 30% of state law enforcement received any counterterrorism or antiterrorism training, with 70% of local department training coming from some federal agency (Chermak, Freilich, & Shemtob, 2009). The study further indicated relatively few resources dedicated to domestic threats. The authors point to SLATT (State and Local Anti-Terrorism Training), a program that has provided anti-terrorism training since 1996. The majority of their training focuses on international, foreign-inspired terrorism. At the time of this writing, SLATT has no training offerings on its website (Slatt.org) and is undergoing curriculum redevelopment. Other training options included courses from the Anti-Defamation League and Southern Poverty Law Center. Each of these trainings is useful but by no means ubiquitous in

curriculum, scope, or reach. What surveys exist on local law enforcement and the threats they face from domestic far right groups and individuals are limited and dated (see Freilich, Chermak, & Simone, 2009). These surveys were conducted during a wave of Jihadi terrorism fears and likely reflect that cultural moment to a degree.

Current data from both the DHS and FBI indicate that more domestic terror events are likely to occur. With local law enforcement being the most likely to notice aberrant behavior within the population they monitor, it is imperative that training modalities be updated to reflect these current domestic threats. If the stochastic model is accurate, it should be expected that more attacks like the one in El Paso, like Caesar Sayoc and his mail bombs, and like the attack on the Tree of Life synagogue in Pittsburg will occur. Understanding the prevalence of the current far right movement is only Step One.

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**The Revelation of Domestic Minor Sex
Trafficking Victims in Middle Schools: Why
Officers and Educators Need to Examine This
Epidemic Affecting Middle School–Aged
Victims**

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Domestic Minor Sex Trafficking (DMST) is the commercial sexual exploitation of American children within the U.S. borders and is synonymous with child sex slavery, child sex trafficking, prostitution of children, and commercial sexual exploitation of children (Dysart, 2013). DMST is an epidemic affecting adolescents in both rural and metropolitan communities, especially in schools. Law enforcement, advocates, medical professionals, and school officials are dedicating increasing amounts of time and energy attempting to interdict and identify victims of DMST. Unfortunately, victims of DMST seldom self-identify or are identified after the fact and before any intervention can take place. Pardee et al. (2016) estimated that the average age of girls at entry as female juvenile prostitutes is 12 to 14 years of age. In another study the reported national average age of entry into prostitution is 13–15 years (Hoback, 2016). The United States Department of Health and Human Services estimates that between 100,000 and 325,000 American youth are at risk for sexual exploitation (Pardee et al., 2016). Every day in the

United States adolescents are being either enticed, coerced, or forced into some type of prostitution in local communities by a known trafficker.

A trafficker is “anyone who receives money or commodity in exchange for the sexual exploitation of another person including but not limited to a pimp, boyfriend, girlfriend, father, mother, brother, sister, uncle, aunt, coach, teacher, or anyone exerting control over a minor including a peer” (Children’s Justice Act, 2016). So how could this be happening? What are the risk factors creating a DMST environment?

Environmental factors such as family situation (domestic violence, abuse, neglect, parental substance abuse, and single-parent homes), frequent encounters with child welfare services, poverty, and homelessness appear to be significant risk factors for DMST (Pardee et al., 2016). Prostituted children live a life continually threatened with violence and physical abuse such as burns, broken and fractured bones, and forms of torture such as having boiling water forced into their mouths (Cecchet & Thoburn, 2014). Additional risk factors or signs of DMST are chronic truancy and absconding (running away) from the home, from one abusive situation into another. The FBI is reported to have more than 7,000 pending investigations involving child exploitation, including sex trafficking of minors and child pornography (Harpster, 2014). According to Butler (2015), the FBI indicates that more than half of the

minors arrested on prostitution charges in America are black. This supports the Shared Hope International, a nonprofit organization, report that most of the identified victims in Texas cities are racial minorities and come from households with vulnerable socioeconomic status (Butler, 2015).

There are psychological and physiological conditions correlated with a DMST victim. Children trafficked for sexual exploitation often experience mental health problems, suffer physical and sexual assaults, have low self-esteem, are at a high risk for HIV/AIDS and other sexually transmitted infections, and have poor access to health care (Ernewein & Nieves, 2015). Other health considerations include an increased risk for a wide variety of medical problems and health-compromising behaviors such as high rates of pregnancy, abortion, and sexually transmitted diseases (Children's Justice Act, 2016). Ernewein and Nieves (2015) reported that common physical health problems of human sex trafficking victims include headache (82.3%), fatigue (81.3%), dizziness (70.3%), back pain (68.8%), and memory problems (62%). Common psychological problems of trafficking victims include depression, anxiety, suicidal ideation, posttraumatic stress disorder, and addiction (Ernewein & Nieves, 2015). The purpose of this research is to provide a descriptive analysis of the existence of DMST in the public school system and of at-risk students' awareness of the danger of becoming a DMST victim.

Methodology

Design and Method

This study is a descriptive and quantitative analysis of the responses from 192 middle school-aged participants (aged 11–17) in the East Texas region in local public schools and in area juvenile detention facilities. The anonymous responses were from participants who participated in a grant-funded program addressing the vulnerabilities of becoming a DMST victim in local communities. At the beginning of the program(s) a survey was administered to each participant to assess their awareness of and exposure to DMST. This research is focused on the results of those surveys, and the study was reviewed and approved by the IRB Committee at the University of Texas at Tyler.

Demographics

The sample consisted of 192 middle school or junior high school-aged respondents in the East Texas region who were assessed to be “at-risk” for being victims of DMST between 2016 and 2018. Of the participants, 94% were enrolled in one of seven different middle or junior high schools, and approximately 6% were residing in a juvenile detention facility for a status offense at the time of this study.

The participants were females, aged 11 to 18, residing in the East Texas area, who displayed 3 or 4 of the following risk factors and fit in the secondary or tertiary tiers of vulnerability: isolation,

emotional distress, homelessness, little or no supervision, frequent runaway, poverty, family dysfunction, substance abuse, mental illness, childhood sexual abuse, promotion of sexual exploitation by family members or peers, lack of social support, and juvenile delinquency.

Of those participants, 28% identified as Caucasian, 51% African American, 21% Hispanic, and 1% Asian or Native American. Ten percent reported mixed race or did not answer this question. One participant reported her age as 11. Sixteen percent reported being the age of 12, 47% were 13, 28% were 14, 6% were 15, 1.6% were 16, and only one reported being 17.

The questions in the research instrument were designed to measure the awareness of DMST, such as identifying a trafficker, the grooming process, and the vulnerabilities of becoming a DMST victim.

Findings

The first question in the instrument asked the participant whether she knew anyone who had been asked to have sex with another person for money. It is worth reporting that 21% of all the participants responded “yes” to this question, thus supporting the working hypothesis that DMST is prevalent among middle school-aged children. Of those who were 12 years of age, 4.2% responded yes to this question, while 6.2% of the 13-year-old participants responded yes. Of the 14-year-old category 7.8%, and 1.6% of 15 year olds, responded

yes to this question. Overwhelmingly, 78.6% responded “no” to this question, and one respondent failed to answer the question. It was not clear to the researcher whether this response rate was valid or whether there were participants who intentionally avoided answering this question.

The second question asked, “Have you ever been asked to perform a sex act for money or another benefit?” There was a total of 17 (9%) respondents who answered “yes” to this question. Upon a closer examination of the data, the results revealed that two of those respondents were 12 years old. Ten of the 13-year-old respondents responded “yes,” along with three 14-year-old females and two 15-year-old females. It should be noted that these numbers represent only those respondents who admitted that they had been asked to engage in some type of sexual activity in the past.

The third question asked the respondents to identify the characteristics of a trafficker, and 59.3% of the respondents were able to do so. Nine percent reported that the trafficker was a “boyfriend,” and 8.3% of the participants believed the intention of the trafficker was “to help a victim off the street.” Twenty-two percent reported that they were “not sure” who a trafficker was.

The final question asked, “When a victim performs a sex act for money, who benefits?” There were seven possible answers: (1) the victim only; (2) the buyer only; (3) the trafficker only; (4) both the buyer and the trafficker; (5) all parties benefit;

(6) both the victim and the trafficker; and (7) both the victim and the buyer benefit. Twelve percent believed the buyer benefits and 33.9% believed that solely the trafficker benefits. Approximately 45% (44.8%) believed both the buyer and the trafficker benefit. It should be noted that this was the desired answer in the instrument. Only 2.6% of the respondents indicated that they felt everyone benefitted, and less than 3% reported that both the victim and the trafficker benefit.

Conclusion

The conclusions in this study support the existing body of knowledge that middle school-aged girls who are determined to be “at risk” are at a high percentage of risk for becoming a DMST victim. This research also supports the theory that more attention to this epidemic for this population warrants more coordinated training with school resource officers, child protective service providers, advocates, and school officials. Of the participants, 21% reported that they personally knew someone who had been forced to engage in either prostitution or a sex act. While only 9% of the participants admitted to having been personally involved with a DMST act, there is speculation that this number is underreported in the study. Furthermore, the data supports the occurrence of DMST vulnerability in that just over half of the participants could accurately identify a trafficker when asked. There was confusion as to the characteristics and perceived intentions of a trafficker during the study.

This would support the notions that most traffickers are known by the victims or that the grooming process is occurring during a DMST incident.

Future research is needed and would benefit from a broader study and increased sample size to include elementary, middle or junior high, and high school-aged children of both genders in public and private school settings. In addition, providing this instrument to more detained youth and those on probation in various juvenile detention facilities, accessing both genders, would provide additional information about the characteristics of becoming a DMST victim. The response rates would provide more detail as to the magnitude of DMST in both metropolitan and rural communities. Instead of avoiding this topic of conversation as many families and districts often do, now is the time to promote awareness of DMST in the schools and in the community. Through a collaborative effort, DMST traffickers can be identified and held accountable while providing the maximum safety for a vulnerable population.

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***Book Review: Darren Hudson, Arie Perliger,
Riley Post, and Zachary Hohman,
The Irrational Terrorist & Other Persistent
Terrorism Myths.***

**Lynne Rienner Publishers, Inc., 2020. ISBN-
13: 978-1626378506**

**Joseph Dule*
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The Irrational Terrorist & Other Persistent Terrorism Myths, by Darren Hudson, Arie Perliger, Riley Post, and Zachary Hohman, is nothing short of a terrorism myth-busting tour de force. As you might be aware, opinions about root causes of terrorism and policy ideas are not in short supply. While academic research on the topic of terrorism and counter-terrorism (CT) has increased greatly since the 1960s, the general public still appears poorly informed. This effort to dispel popular notions about terrorism is an important undertaking. As in medicine, an accurate diagnosis of the problem is necessary for effective treatment.

To start, Hudson and colleagues challenge the conventional wisdom that “terrorism” lacks a consensus definition. Rather, they argue that the majority of scholars actually quite agree that terrorism includes the use of violence against civilians and/or noncombatants, is political, and aims to generate psychological impact. Confusion over the term happens because terrorism is a prominent policy issue, and thus it attracts a lot of

attention from nonacademic experts who are not well-versed in the literature. Further, other countries and organizations may be reluctant to apply the label when their own interests are at stake (e.g., fear of retaliation at home or against their deployed peacekeepers).

The idea that religious terrorism is not political is the next claim they rebut. Rather—they argue—all terrorism is political. By discussing the most capable and durable “religious” groups (Hamas and Hezbollah), the authors illustrate how these groups emphasize nationalism and not a global jihadist narrative. Similarly, most ISIS and AQ-aligned groups do not operate beyond their country of origin. While these groups may give *bayat* (a pledge to senior leadership), their grievances remain highly local—just like their targets. They also discuss how the majority of suicide terrorism occurs in contexts of real (or perceived) military occupation. Expulsion of a foreign military is more a political than religious goal. Additionally, Western recruits of groups like ISIS are almost invariably religious neophytes and seem to be drawn to the cause for other reasons.

There is also a widespread assumption that terrorists are poor and uneducated. Consequently, the combined foreign aid from the U.S. to Iraq, Somalia, Sudan, and Syria has soared from 1 billion dollars per year (between 1996–2000) to 9 billion dollars per years (2002–2013). For example, in the 1990s the highest USAID sum Pakistan received

was 11 million dollars in 1995; in 2010, Pakistan received 1.3 billion dollars. By discussing the 9/11 hijackers, Hezbollah, Palestinian support for terrorism, and Cold War-era revolutionary movements, the authors demonstrate how terrorists tend not to be poor or uneducated; instead, they posit an inverted U model, whereby the likelihood of terrorism increases as wealth and education increase, but then decreases once a person reaches extreme wealth because the costs for violence become too high.

The next myth they tackle pertains to mental health. Most research shows that terrorists are not “crazy.” Importantly, however, when it comes to “lone actors” mental health issues appear to play a more prominent role. The authors then lay out a series of theories and assess their evidentiary support to include major clinical illness, personality disorder, personality types, social learning theory, frustration aggression hypothesis, relative deprivation, terror management theory, significance quest theory, sensation seeking, RWA and SDO, cognitive styles, and uncertainty-identity theory. While several of these theories enjoy “partial support,” only uncertainty-identity theory enjoys “good support.” Recent research has shown that uncertainty motivates people to join groups. Simply put, when there is instability and government uncertainty, people may join movements (terrorist and otherwise) to help reduce

uncertainty because they can provide them a clear normative framework to help guide their behavior.

Next, they challenge popular portrayals in the media of terrorists as either being rag-tag Spartans living in caves or small cell-based groups. In reality, terrorist organizations take many shapes, ranging from amorphous to highly centralized. Frequently, groups morph from one organizational style to another because they are constantly at risk of being penetrated by various security services. By way of example, they highlight how groups may fit various different models to include chain networks, hub or star networks, multi-network, and other iterations of social networks. They suggest, however, that these structures “shift with the wind.” They help elucidate this point by way of analogy: the sand dune. A sand dune shifts and morphs, following the path of least resistance as wind blows it around. It’s there and we can see it, but it has no clearly defined structure. Then, in the blink of an eye it disappears and reemerges. Like the sand dune, terrorist organizations tend to morph frequently in response to their environment, which can seriously impede CT efforts.

The next chapter illuminates the disparity between actual risk and perceived risk. In short, people persistently worry and are anxious about terrorism despite the actual level of risk being exceptionally low (this is particularly the case in the West). The authors discuss the impact of media and how information cascades work. Further, they

assess how groups like the Islamic State have used Hollywood-style propaganda videos on social media to broadcast their horrific atrocities. A single graphic video (such as a beheading) can send shockwaves across the world. They suggest a few things government can do to win this “information war,” but clearly much more needs to be done.

The authors then tackle four critical myths of counter-terrorism. First, the idea that a coherent CT strategy produces predictable responses is inaccurate. Certain attacks may precipitate a response, but sometimes they will not. Responses are highly variable and inconsistent. The large number of institutions involved further complicates research efforts to understand how CT policy functions. Second, they dispel the idea that military force is ineffective in CT. While military force certainly is no panacea to combat terrorism, it has contributed to CT successes in Chechnya and Dagestan, against Hamas, the Tamil Tigers in Sri Lanka, Shining Path in Peru, and more recently against ISIS in Syria. Third, the idea that democracies need not give up civil liberty to protect themselves against terrorism is unfounded.

Virtually all democracies facing terrorism implement various CT measures that afford law enforcement additional legal tools. For example, out of 83 democracies facing terrorist threats, only 22% never enacted additional CT legislation that (in some way) undermines democratic practices. And lastly, the idea that we don’t and shouldn’t negotiate with terrorists is false. Instead, the authors argue that conciliation with terrorists is almost inherent to most enduring conflicts that involve state and substate actors.

If you are in the market for a new terrorism or CT book to incorporate in the classroom, please consider giving Hudson and colleagues’ book a read. Perhaps most impressive, the authors manage to accomplish all of the above in just 140 pages (with an additional 20 pages of references). In my view, the brevity of this book is perhaps its strongest advantage. Each chapter is intensively researched, yet deliberately concise. Further, important points are illuminated using rich case studies. As such, this book is both an engaging and effortless read. Conceivably anyone with an interest in terrorism can—and will want to—follow along.



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Book Review: James Garbarino, *Miller's Children: Why Giving Teenage Killers a Second Chance Matters for All of Us*. University of California Press, 2018.

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University of New Haven**

Over the past decade, the U.S. Supreme Court has made life-changing reforms in the juvenile justice system. The contextual interpretation of “cruel and unusual punishment” in the Eighth Amendment has led to multiple reconsiderations regarding the treatment of juveniles. For example, in 2010, *Graham v. Florida* prohibited life sentences without parole for juveniles who commit a non-homicide offense. In 2012, the Court’s ruling in *Miller v. Alabama* declared mandatory life sentences without the possibility of parole for youth to be cruel and unusual punishment by reason of adolescence. This decision was made on the basis that children have less capacity and competency, are more influenced by peer pressure, and have a greater potential for rehabilitation, in comparison to adults. Following this decision, *Montgomery v. Louisiana* (2016) enabled the *Miller* decision to be applied retroactively throughout the country, which initiated more than 1,800 resentencing hearings.

James Garbarino, a psychological expert witness in murder cases for more than two decades, was involved in many of these juvenile cases. He

served as an adviser to the National Committee to Prevent Child Abuse, the National Institute for Mental Health, and the Federal Bureau of Investigations. He is currently the chair of the Humanistic Psychology Department and senior faculty fellow with the Center for Human Rights of Children at Loyola University Chicago. His expertise in child and adolescent development led him to be called to these hearings and to interview “teenage killers” who are now grown adults. He has authored four books: *Lost Boys: Why Our Sons Turn Violent and How We Can Save Them* (1999), *Children and the Dark Side of Human Experience* (2008), *Listening to Killers: Lessons Learned from My 20 Years as a Psychological Expert Witness in Murder Cases* (2015), and *Miller's Children: Why Giving Teenage Killers a Second Chance Matters for All of Us* (2018). His most recent book provides an in-depth analysis of the teenage killer population, their stories, and their transformations following the *Miller v. Alabama* (2012) decision.

When beginning *Miller's Children*, I expected to be presented with traumatic childhood stories, with the author’s intent to draw the reader’s sympathy toward these offenders. Instead, I was presented with more than just narratives and case reviews. The detailed look into the lives of both the offender and victim is a perspective many would not normally encounter. By connecting on a personal level with this population, readers gain a greater insight into their trauma, pathways, and childhood experiences. Lessons on forensic psychology,

adolescent development, and spiritual transformations produce a more profound understanding of the issue of teenage killers. A lengthy historical overview and current trend analysis of the juvenile justice system also generate an educational and emotional experience that readers of all levels can appreciate.

Garbarino dedicated *Miller's Children* to "the men and women who have made the journey of rehabilitation and transformation," with the intent to inform a deeper understanding of these children and their actions. His interviews with numerous inmates shed light on various case outcomes, guiding factors, and hopeful futures. Policy questions he sought to answer include: What is the developmentally appropriate length of sentence for a juvenile killer? Should there be minimum and maximum sentences for this population? How soon should eligibility for parole begin and what are the appropriate standards? Should these cases be considered on a case-by-case basis? What is the prognosis of teenage killers when they are released? How likely is this population to reoffend?

To make a decision effectively in the best interest of the child, the community's safety, and the victim's rights, relevant legal actors require a great deal of knowledge, time, and commitment to each juvenile case. The overlap of neuroscience, psychology, and criminal justice in juvenile cases requires expertise in all three areas to fully comprehend the extent of past childhood experiences, the present crime committed, and the

potential for future success. This creates a barrier for most legal actors, as well as the general public, in understanding the full scope of the work. Garbarino shared his experiences in all three areas in this book, in order to help readers understand the complexities of these cases.

There are many challenges to arguing morality, as individuals are entitled to their own values and beliefs about right and wrong, justice, and punishment. These are the challenges that many juvenile offenders face as their crimes tend to overshadow their youth. Garbarino carefully navigates these philosophical issues with a unique perspective and supportive data. As he states, "One of the principal conclusions I have drawn from my more than two decades as a psychological expert witness in murder cases is that a good working hypothesis in approaching most killers is that they are untreated traumatized children inhabiting and controlling the minds and hearts of scary teenagers and men" (Garbarino, 2018, p. 98).

Garbarino references contributions made by many additional publications, such as research studies, advocacy organizations, court cases, and legislation. He uses information gathered by the Innocence Project and the Sentencing Project to support his claims. He highlights other researchers in the field, such as Robert Zagar, who developed an extremely effective approach to identifying youths at high risk for committing murder in Chicago. Garbarino also features court cases and decisions with supporting documentation, including

the cases of *Roper v. Simmons* (2005), *Tatum v. Arizona* (2016), *Nelson v. Heyne* (1973), *Kennedy v. Louisiana* (2008), and *Atkins v. Virginia* (2002).

Garbarino provides an overview of rehabilitation processes, traumatic childhood experiences, and the transformations post-release in these cases. This brings to light the additional influences on a child's upbringing, such as religion, race, mental health, and parenting. The book uses case studies to support each section, with information spanning from childhood all the way to incarceration. When putting an interview with an inmate into perspective by relating their case history, childhood, and incarceration experience, Garbarino references their Adverse Childhood Experience (ACE) score. These scores were normally very high, many of which were representative of only 1% of America's population.

The consequences of life imprisonment for youth highlighted throughout this book include both a lack of motivation among inmates and a lack of care by staff to invest in the rehabilitation process. Institutionalization from living in prison for so long and the influence of other inmates, especially for juveniles transferred to adult court, also can impact negatively on their future. When addressing these negative outcomes for youth, Garbarino (2018) states, "Perhaps they are not children, these young killers, but for the most part they are not adults" (p. 86). One of the greatest barriers to appropriately addressing the needs of this young adult population is the hard age limits between the juvenile justice

system and the adult justice system. As he discusses in the book, many teenage killers are treated like adults due to the severity of the crime committed, but not necessarily due to needs and services they require, which may ultimately violate their right to treatment.

Garbarino's emphasis on finding effective supports for children, intervening before it's "too late," and seeing a child as "immature" rather than "evil" is difficult to argue against. He expresses a great deal of sympathy and clearly chose this career path out of a passion for helping and understanding this population to the fullest. Although this sentiment may be difficult for others outside of the field to comprehend, Garbarino does an excellent job providing real-life examples and using language for a general audience. His ideas are easy to follow, as he takes the time to explain terms and concepts, including definitions and relevant research on psychopaths vs. sociopaths, cognitive behavioral therapies, different types of trauma and remorse, various DSM diagnoses, the 40 Developmental Assets, and resilience factors. He also uses popular media references, such as movies, video games, television shows, and highly publicized cases and federal legislation. Although it can be difficult to keep track of the names and cases he frequently refers to throughout the book, he references the chapters these cases were presented in, so readers can go back and familiarize themselves as needed.

Garbarino prefaces the book by stating he cannot say with certainty that these interviews and

cases are representative of the entire population, but they are real and factual. He did not simply “cherry pick” the best cases to support his argument and does not shy away from explaining exceptional circumstances in which a second chance may not be realistic. He discusses cruel murder cases and interviews with callous offenders, which he admits were dark and troublesome. An entire chapter is dedicated to recognizing the small portion of murderers who may be developmentally damaged beyond the point of recovery or rehabilitation. Although there may not be hope in sight for some murderers, he is clear in stating that he continues to believe there may eventually be hope for all, given time and scientific advancements. He emphasizes the need to hope for a child, rather than giving up on them.

Miller’s Children is informative, moving, and real. I found myself so captivated by each page, I lost my sense of time. With the great amount of coverage of various topics, including the criminal justice system, psychology, religion, and child development, there is a lot to be learned by those in

and outside of these fields. Garbarino (2018) concludes, “In a strange way this work has been profoundly refreshing—emotionally, scientifically, and spiritually” (p. 144). This is also how I would describe my reading experience of *Miller’s Children*: refreshing, emotional, scientific, and spiritual.

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**Book Review: Colin Rogers and Bernhard
Frevel, Eds.**

Higher Education and Police:

An International View.

**Springer International Publishing, 2018. 274
pages, ISBN 9783319644080**

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Required education is a recurring topic in policing. Despite limited evidence of its impact on the field, there are frequent calls for more educated police officers. In *Higher Education and Police: An International View*, Colin Rogers and Bernhard Frevel present a collection of essays from across the globe that describe the growing interest in higher education and policing and how the two institutions can jointly improve law enforcement. There are three sections in the book—professionalization, innovation, and application—each containing unique perspectives and thought-provoking questions about how to address emerging challenges given the evolving landscape of policing across the world.

Rogers and Frevel open their introductory chapter with a discussion of the implications of globalization, innovations in technology, and increasing expectations from the community in an atmosphere of decreased funding and strained community relationships. They argue that because the growing complexity of police work involves

partnerships with organizations who require degree-level education, the police should also understand the value of science in their work. One might question the need for all individual police officers to have this capability but also recognize the need for police agencies to refrain from “what we’ve always done” as a justification for not improving training, education, and relationships between researchers and practitioners.

In Part I, Professionalization, the collection of essays details the history and influence of higher education on policing and the journey to professionalization. The authors discuss the integration of education and training, tenuous relationships between the two, and questions concerning how to achieve professionalization when it has no common definition. The first essay, by Stephen Tong and Katja M. Hallenberg, explains the complex history of training and education in England and Wales since policing’s establishment in 1829. Shifting priorities, financial issues, and exposed racism after the 2003 BBC documentary, *Secret Policeman*, produced calls for improvements to police officer training and education. This push for change encourages integration of higher education, police training, and police research. Finally, the authors suggest including officers in curriculum development to ensure education and training are relevant to daily activities.

Next, Anders Green explores vocational and academic police training in Sweden. He uses the

phrase “an educational muddle” to describe the complications of politics and bridging the gap between practical and theoretical police education. He discusses continued debate between ruling parties, numerous reforms (including the consolidation of 21 county agencies into one national Police Authority), and the closing of the Swedish National Police Academy (SNPA) to form three new universities: Umeå, Linnæus, and Södertörn. While these reforms were not all implemented at the time of publication, this collaborative effort with an emphasis on evidence-based practices and recruitment of police researchers is a positive first step.

In Chapter 4, Stephen Darroch reflects on the relationship between higher education and policing in New Zealand. While not the central theme of the essay, the most important takeaway involves questions Darroch proposes regarding what skills a police officer should have, what they should be able to do, what they should know, and what professionalization even means. Intelligence lead policing (ILP) and theoretical concepts like the Routine Activities Approach spread through the rank-and-file of the New Zealand Police (NZP) and reignited an interest in police education. Because of this, Darroch argues that police need to be able to understand the underlying concepts of research methods, statistics, and have scientific knowledge about policing in general. In an effort to provide this type of education, the New Zealand Police engaged

with a polytechnic school, which may be more in line with training for police.

In Part II, innovation is necessary in a world that presents new challenges for policing. This section illustrates how police agencies in some countries adapt and work to overcome such challenges. In Chapter 5, Colin Rogers and Bethan Smith discuss the College of Policing (CoP) in England and Wales. The CoP provides police with necessary practical and theoretical skillsets. With its focus on evidence-based practices, research, and proper implementation, the CoP may be a facilitator for change. The CoP is itself innovative, but so are the two pathways to the career of policing, either through obtaining a degree or through an apprenticeship program. As seen in the first section of the book, however, there are some difficulties with getting academics and practitioners to acknowledge the benefits of collaboration.

In Chapter 6, Zheng Chen illustrates the unique aspects of China’s higher education system by examining three police universities (two national and one provincial). China’s police academies and universities are fully integrated. In the China People’s Public Security University (CPPSU), students learn the theoretical components of police science while gaining practical skills. CCPSU also places emphasis on international cooperation, which is particularly important in the age of increasing globalization. The Criminal Investigation Police University of China (CIPUC)

focuses primarily on forensic science and investigations, but it also incorporates practical training and encourages research. The courses offered through CIPUC focus on various crime types, including emerging issues such as technology and cyber-security. Unlike the national colleges, the Hubei University of Police (HUP) supplies provincial agencies with in-service and new officer training and is the national training school for police chiefs and other national police agencies. In closing, Chen acknowledges that this model is new, but promising. This may be a framework for other police agencies to explore.

Throughout Chapter 7, Jose-Vicente Tavares dos Santos discusses building democratic policing education and training in Latin American. He examines the similarities and differences between the Military and Civil Police Schools and the difficulty in disengaging from the military model to form a policing paradigm that is cognizant of human rights. It is no surprise to learn there is resistance to such dramatic change and innovation. Tavares dos Santos suggests that by continuing to build relationships between academics and institutions of higher education, police in Argentina and Brazil can break through the traditional frameworks that infringe upon a more democratic lifestyle. This essay is an excellent example of how, despite vast differences in underlying structure, countries see similar issues

with connecting academia and the practical work of policing.

In Chapter 8, André Konze and Detlef Nogala discuss the results from a survey on current training and education throughout the European Union (EU), after the Bologna Process. The Bologna Process was an effort to innovate education and sought to impact police training through standardization. The survey results revealed that the education level of all law enforcement agencies had increased significantly. This was particularly the case for middle- and senior-ranked officers. However, the plan envisioned by the Bologna Process has not been as fruitful as expected. It is important to note that Konze and Nogala stress the need for research to evaluate the impact of requiring higher education. This impact evaluation is imperative to ensure the call for higher education has empirical support.

The final section of the book, Application, examines how some European countries have applied higher education and policing. The authors discuss ways in which their countries have integrated academics and practical training, increased education levels of police officers, and moved toward professionalization. In Chapter 9, Aun Hunsanger Andresen and Nina Jon introduce us to the Norwegian Police University College master's program. The primary goal of the program is to increase the analytical skill set of police. Using the term *knowledge-driven policing*, Andresen and

Jon discuss several master's theses to show how the students developed important analytical skills that would benefit law enforcement. The application of theory to strategy provides a practical example of how research can be used, which is an important step in demonstrating the reciprocal benefit of academic and vocational knowledge.

Frevel next discusses how the Kienbaum Report led to efforts to professionalize policing in Germany. The Kienbaum Report evaluated the skills required to carry out everyday duties, including respecting the rights of the community. The report acknowledged that "being a police officer is challenging and needs so many different qualifications that the job marks the indicators for being categorized for the 'upper career path'" (p. 201). This led to some member states embracing either a two- or three-tiered rank system. In North Rhine-Westphalia's two-tier system, police officers now undergo a three-year bachelor's program and have a higher salary, but they must work more hours per week and received cuts to vacation and Christmas bonuses. While this had significant implications for policing in Germany, the most startling revelation comes near the end of the chapter:

It seems ridiculous that in the days of new public management, austerity and changing challenges to policing, there is still no evaluation of the higher education and the

policing performance in *Länder* with two-versus three-tier systems. (p. 213)

Frevel explains that this is for political reasons. While not surprising, it is unfortunate. Making such sweeping changes without evaluation could cause officials to miss unintended consequences.

Chapter 11 brings us to the Netherlands, with an essay from Jan Heinan and Harry Peeters. What is particularly fascinating about their discussion is the joint venture between academics and policing to develop occupational profiles that require professional, contextual, social, and individual categorical competencies. These categories increase in complexity, based on the European Qualifications Framework (EQF). Senior policing functions also include three competency categories of management, implementation, and support. The important implications from this chapter include the focus on diploma equivalence and accreditation of bachelor's and master's programs, use of competencies and dual training, and commitment to research. This may be a practical framework for other police agencies to consider when integrating education and training.

Finally, Tracey Green closes the book with a discussion of police education in New South Wales, Australia. The New South Wales Police Force (NSWPF) is an example of a successful collaboration between universities and the police. NSWPF and Charles Sturt University (CSU) have carried out integration of academic education with

the needs and skill sets of the NSWPF through an associate degree in policing practice (ADPP). Since officers need to obtain the ADPP to join the NSWPF, both the university and the NSWPF must work together to ensure requirements for both institutions are met.

Through the collection of essays, Rogers and Frevel's *Higher Education and Police: An International View* illustrates how different countries approach the emerging challenges of globalization. The common themes throughout are the difficulty of merging theoretical concepts with practical training and the need for research. Beyond these limitations, however, are solutions. Although academia and policing have different goals, there is potential for reciprocal benefit.

Despite the benefits of academic-practitioner relationships, research on the impact of more educated police officers is inconsistent. Behaviorally, there is evidence that officers with higher levels of education are less likely to use force (Paoline & Terrill, 2007; Rydberg & Terrill, 2010), but other behaviors have not been evaluated. Further, there have been inconsistent findings regarding the relationship between education and

attitudes (Paoline, Terrill, & Rossler, 2015). As Paoline et al. (2015) point out, expanding the research methods to include qualitative questions, such as *why* officers get degrees when they are not required, will be helpful in addressing this research gap and will provide evidence to justify the nearly 60-year call for increased education levels of police officers. Ultimately, higher education levels should not be discouraged, but there is a need for additional research to determine the benefits and guard for unintended consequences.

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**Book Review: Ryan Lugalia-Hollon and
Daniel Cooper, *The War on
Neighborhoods; Policing, Prisons, and
Punishment in a Divided City*.**

**Beacon Press, 2018. 234 pages, ISBN:
9780807071861. US \$18.00/CAN \$24.00**

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The War on Neighborhoods: Policing, Prison, and Punishment in a Divided City is an in-depth analysis of the extreme sociological differences between neighborhoods in the city of Chicago. Some of the most disadvantaged and underserved neighborhoods are explored, with specific focus on the West Side neighborhood of Austin. How and why those areas have historically suffered disparate challenges is the focal point of the book. The authors also assess many of those challenges, along with how they believe the inequities can be remedied.

The authors begin with an Introduction titled “The Heroin Highway,” which is a literal and symbolic description of the Eisenhower Expressway that runs through Chicago. For those unfamiliar with Chicago, the authors authentically depict, through imagery, the divided city. They use the “Heroin Highway” to begin describing the drastic differences in everyday life, literally existing only exits apart on the highway. The introduction highlights the extreme socioeconomic and social

organizational differences in geography, race, unemployment, and incarceration rates. Using the “Heroin Highway” metaphor, the authors create the backdrop for the detailed examination they are about to reveal based on the city’s history, and why they believe certain neighborhoods in Chicago are hardest hit by inequalities and injustices.

In the following eight chapters, Drs. Lugalia-Hollon and Cooper pay particular attention to the Chicago neighborhood of Austin, provide a historical perspective on the city of Chicago, and explain how neighborhoods like Austin came to be high in incarceration. Further, they describe our system’s overreliance on punishment, detail the disparity between other areas within the same city, and consider the reasons for further decline of these areas. They conclude by relating reform efforts and, finally, provide their recommendations to realize true change.

In the first chapter, the authors liken the distribution of opportunity in Chicago to the “Swiss Alps.” They describe social problems in neighborhoods like Austin that have plagued the area for generations. Historical accounts of discriminatory policies, racially restricted covenants that prohibited non-white families from moving into certain neighborhoods, and predatory lending that targeted lower income areas all explain how these areas were purposefully shaped for continued oppression and multigenerational poverty conditions. Due to these policies, Austin began to

experience disparate median household incomes and home property values. Underfunded schools providing inadequate education, white flight, and shorter life expectancies for Austin residents are just a few of the additional social problems discussed. In this opening chapter, the authors seek “to connect the deep history of racial inequity in the US to the genesis of a high-incarceration area like Austin” (p. 25).

In Chapter 2, the authors express their belief in the overreliance on punitive measures, especially incarceration, in this country. They discuss the significant “get-tough on crime” policy changes that disproportionately affected minorities, especially in the Austin neighborhood. They specifically note that several of the changes that occurred between 1984 and 2002 substantially influenced the way drug offenders were charged and sentenced, which led to more Austin residents being targeted for arrest. They claim, though, that none of those changes did anything to stop drugs from entering Chicago. The authors illustrate this point by advising readers that heroin use has significantly increased in the city and surrounding suburbs, Chicago still ranks as a leading heroin market, and Chicago is the only US metropolitan city to rank in the top five for the four main categories of drugs.

This chapter illustrates the authors’ belief that social or health problems are seen by system actors as personal choices, or poor decision making, and argue that government uses punishment (for

some) to deal with the problems that arise out of unemployment, mental health problems, and addiction, rather than actually combatting the root causes of those social problems. They continue the discussion of drug use, its impacts, and how some policy changes actually created worse conditions (e.g., asset forfeiture laws creating outdoor drug markets). They opine that instead of attempting to engage prosocial supports, especially for youth, local leaders use incarceration as the solution and have promulgated policies that continue to help the downtown district prosper at the expense of the west and south sides.

Chapters 3 and 4 enumerate the authors’ belief in politically misguided policymaking, resource allocation, and policing policies (i.e., order maintenance policing, hot spots policing, and stop and frisk policies). They remind readers that although major media attention focuses on shootings in Chicago, sexual assault and domestic violence crimes are also significant concerns in the city, with victims suffering trauma that they do not have the time or resources to treat. They discuss in greater detail the increased access to drugs by young people in these areas, as well as gang membership. These chapters are critical components of the authors’ overall argument that government must “do more than simply punish disadvantage” (p. 66).

They describe the fact that labeling youth (especially youth in areas like Austin) as thugs, gangbangers, and predators, as well as blaming and

labeling their parents as bad, irresponsible, or absent (Cox, 2016) dehumanizes them and allows others to lose empathy for them. As a salient point in Chapter 3, the authors appropriately note that police officers are not typically trained to recognize that there are numerous factors and conditions in life that have tremendous impacts on behavior and that behavior and humanity are not as simple as “criminal” or “knowing right from wrong.” At this point in the book, the authors begin to offer ways in which some of these problems can be healed, such as alternatives to punitive measures and restorative justice practices.

Chapter 4 is largely devoted to policing issues. The authors describe how children in Austin are raised to fear the police and that police should be seen as supportive powers, yet are seen as the exact opposite. The Chicago Police Department’s questionable practices are discussed, as well as arrest rates (and “quotas”), crime rates, false confessions, and disturbingly, the number of unarmed people killed by the police in recent years.

Chapters 5 and 6 delve into the perceptions of who or what is to blame for the problems youth face in Austin. Chapter 5, titled “Missing Parents,” addresses how so many in society look to blame parents, especially absent fathers, for their children’s troubled trajectories. The authors point out that like many politicians, former President Obama contributed to the rhetoric on absent fathers. Further, they remind readers that parents are not

necessarily missing by choice; that the forced removal through mass incarceration of mostly black men is to blame for the absence of parental influence and resulting problems for their children. The cycle of familial stress and trauma, along with financial burdens and ultimately negative impacts on the community as a whole, are examined.

Chapter 6, “Missing Systems,” in addition to addressing the community impacts of missing parents, discusses missing critical social services, such as the extreme disinvestment in schools. In Chicago (and nationally), the amount of money invested in prisons has far exceeded the amount invested in schools. The authors argue that “we are so caught up in investing in prisons that schools are often an afterthought” (p. 119) and that social services have been drastically reduced, in part to pay for prisons. The authors make strong arguments that efforts to divert youth away from the system are failing. With social services and prosocial programs being underfunded or completely eliminated—leaving fewer places for youth to go for positive activities—it is no surprise that “missing systems” contribute to the cumulative disadvantage Austin youth experience. The fact that the very youth these services are being taken from are those who are most in need of them supports the argument of purposeful discriminatory practices that result in punitive rather than diversionary practices. These chapters can be adequately summarized as

reminding readers of the “it takes a village to raise a child” (p. 113) approach.

In the last two Chapters, 7 and 8, the authors point out that although there is ample evidence suggesting punitive policies do not fix social problems, they continue to be emphasized. They question why there is little interest in investing monies into human and community development, rather than using resources to maintain the current system of incarceration. They argue that political forces continue to win out over evidence-based approaches and that public sector unions are more powerful in keeping prisons open and overpopulated so that people have jobs, rather than advancing true solutions to social problems. Instead, they advocate for reallocating funds currently spent on incarceration to a host of social services that would repair the damage done by social injustices.

As they begin to conclude in these late chapters, the authors remind readers that “police officers cannot end addiction, that state’s attorneys cannot provide work alternatives to street-level dealers, and that judges have disturbingly little influence over the anger, pain, and trauma that flows into their courtrooms daily” (p. 167). Finally, and most concerning, “there are other deeply entrenched stakeholders that have an interest in preventing any truly deep justice system reform” (p. 147).

In their conclusion, salient points that concentrated punishment contributes to social disorder and that punitive policies often have the

opposite of the desired effect are discussed. Additionally, faulting those for their circumstances of poverty, race, mental illness, and the like will continue to ensure disparate outcomes and certainly will not lead to safer neighborhoods. They argue that solving these challenges will take a multidisciplinary, collaborative approach. They share their vision of removing prison as the “go-to” option for our youth and providing a trauma-informed system that utilizes restorative justice approaches to address some of these challenges. Ultimately, in their concluding chapter, “The Path to Peace,” the authors suggest five approaches to realizing true system reform. They suggest reinvesting justice dollars and shifting spending to social services rather than incarceration. They also advocate for educating stakeholders and community leaders in restorative practices. Strengthening networks to support local leaders and creating prosocial supports to help keep juveniles out of the system are also critical in the journey to reform.

The War on Neighborhoods: Policing, Prisons, and Punishment in a Divided City is an exploration of many of the societal issues that have created disadvantage, especially among the minority population in the Austin neighborhood of Chicago. By providing a historical background, the authors enlighten readers as to how neighborhoods like Austin have come to suffer such extreme disadvantage and inequities. The book can be a valuable tool for criminology, criminal justice, and

sociology professors to use in educating students on the realities of disparate policies, practices, and outcomes in the United States. Through the use of a complex city and comparisons of neighborhoods within, students can recognize how history along with current practices continue to promote disparate outcomes. The authors touch on many of the most

pressing criminal justice issues of the 21st century; therefore, the book can also serve as an overview to criminal justice policymaking and the factors that affect it.

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