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Gendered Human Rights and the Search for Safety

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This brief article reviews our work on gendered violence and safety in women's correctional settings. My research partners, James Wells and Joycelyn Pollock, and I have studied the multidimensional aspects of risk and the intersections of gender with additional forms of disadvantage (Crenshaw, 2013; Joseph, 2005; Potter, 2013, 2015) to structure and sustain all forms of inequality within the prison. Building on Britton's concept that prisons are deeply gendered organizations, we explore the damaging consequences of gendered and other forms of intersectional inequalities in these carceral settings. Making up well under 10% of the U.S. prison population, imprisoned women are often a minor note in prison studies. In 2014, women made up just over 7% of the U.S. prison population, at 112,961 of the 1,561,500 prisoners in the U.S. (Carson, 2015).

These demographic facts are reflected in the social science literature—most scholarly work on prison addresses issues surrounding the incarceration of men. In outlining our current work on violence and conflict in women's prisons and jails (Owen, Wells, & Pollock, 2017), we claim that gendered harms in women's prisons can be seen as a form of state-sponsored suffering. We also direct attention to the consequences of structural inequities and away from individual pathologies as an explanation of prison conflict and violence.

These harms, we assert, are unnecessary and constitute human rights violations when viewed through the lens of international human rights standards for the treatment of women in prison. The *United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for*

Women Offenders (Bangkok Rules) serve as international standards to relieve the iatrogenic damage of imprisonment and better prepare women to reenter their communities (UN Economic and Social Council, 2010).

We have documented harm in three general locations of such unnecessary suffering: prison conditions, conflict and violence among the imprisoned women, and staff actions. As the way forward, we include details from international human right instruments and their application to prison reform. We begin by reviewing our mixed methods approach and how a reexamination of our research led us to our conclusion.

How Do We Know? Mixed Methods as Feminist Methods

We approached this research with a commitment to mixed methods, which combines the strengths of quantitative and qualitative methods while minimizing the weaknesses of each (Brent & Kraska, 2010; Jenness, 2010). Burgess-Proctor (2006) sees mixed methods as the best way to explicate intersectionality and other feminist concerns. We used mixed methods in foregrounding the experience of women through interviews and surveys measuring their perceptions of danger and safety. In witnessing women's experience with "disadvantage, discrimination, and despair" (Richie, 2004, p. 438) in the contemporary prison, we draw on data we collected during a decade of funded studies of women's prisons and jails (Owen & Wells, 2005; Owen & Moss, 2009; Owen, Wells, Pollock, Muscat, & Torres, 2008; Wells, Owen, & Parson, 2013). In these overlapping studies, we

interviewed more than 150 imprisoned women and dozens of staff using open-ended focus groups, asking women and staff to describe their experiences and perceptions of violence and safety in women's prisons. From the thick description (Geertz, 1983) generated by these interviews, we developed a survey instrument to measure women's perceptions of safety and violence, validating the questionnaire by surveying more than 4,000 women around the country. In this work, we explored factors related to sexual safety and violence in women's facilities, with support from the National Institute of Corrections (NIC) and the National Institute of Justice (NIJ) and funding provided under The Prison Rape Elimination Act of 2003 (PREA). Our technical reports provide an in-depth description of our findings, with a focus on improving sexual safety for confined women (Owen & Wells, 2005; Owen et al., 2008; Wells et al., 2013). Below, we summarize the findings of these three studies.

Staff Perspectives: Sexual Violence in Adult Jails and Prisons

Our first study of prison sexual violence was conducted between 2004 and 2006 using interviews with correctional staff at national correctional conferences and, in the second phase, in 12 jail and prison facilities that housed women and men (Owen & Wells, 2005; Owen & Moss, 2009). Owen and Moss (2009) found staff perspectives on sexual safety for women differed greatly from the views expressed by those working in men's prisons. Such gendered differences included more detailed discussions of the relational context of women's prisons and its influence on the complexity of sexual relations,

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touching, and other physical closeness in women's prison. Some staff noted that women's histories of abuse and trauma influenced same-sex behavior while incarcerated (Owen & Moss, 2009).

Gendered Violence and Safety: A Contextual Approach to Improving Safety in Women's Facilities

Following the *Staff Perspectives* study, we were funded by the NIJ to collect qualitative and quantitative data on the context of sexual violence in women's facilities (Owen et al., 2008). Between 2006 and 2008, we conducted more than 40 focus groups with imprisoned women and correctional staff in four different states. The majority of the focus groups (27) were conducted with women prisoners: 21 groups with women in prison and 6 groups with women in jail. The focus groups with prisoners were conducted in two sessions, resulting in four-hour interviews with each group.

We found that sexual violence is embedded in a broader, gendered context of violence and safety. Like all aspects of incarceration, violence in women's correctional facilities is markedly gendered and nested within a constellation of overlapping individual, relational, institutional, and societal factors. Violence, we found, is not the dominant aspect of everyday life, but it continuously exists as a potential, shaped by time, place, prison culture, interpersonal relationships, and staff actions. We also found that most staff and managers are committed to maintaining a safe environment. Ongoing tensions and conflicts, lack of economic opportunity, and few therapeutic options to address past victimization or to treat destructive relationship patterns all contribute to the potential for violence in women's facilities. However, our findings did not suggest that women's jails and prisons are increasingly dangerous. Although some patterns that shape vulnerability and aggression exist in any facility, most women learn to protect themselves and do their time safely. Despite these individualized efforts to seek safety, the structured disadvantage of prison creates and sustains risk at every turn (Owen et al., 2008).

The Development and Validation of the Women's Correctional Safety Scales

Building on the focus group data collected in the NIJ project described above, we constructed a lengthy battery of instruments and beta-tested it on almost 900 participants as part of the *Gendered Violence and Safety* study. The NIC then provided funding to further develop, refine, shorten, and validate the Women's Correctional Safety Scales (WCSS), a comprehensive battery of instruments to assess prisoner perceptions of safety and violence in women's facilities. The survey was validated with data from more than 4,000 women prisoners in 15 geographically dispersed federal, state, county, and private correctional facilities. (The WCSS has since been used to assess women's perceptions in additional settings, resulting in another 4,000 cases. Wells and Owen are currently working with the NIC to make our survey instrument more accessible to the research and practice world.)

Digging Deeper in the Data

Although the funded projects were designed to describe women's experiences and perceptions of violence and safety, a second look suggested another story embedded in these data. In reflecting on these empirical

investigations and our past work in this area, we realized we had missed some vital components of safety and violence in our earlier studies of incarcerated women (see Owen, 1998, 2005; Pollock, 2002). For example, Owen's description of the "mix" captured elements of prison subculture for women, but it did not detail the dynamics of conflict and violence in any depth. In our previous work, we argued that women's prisons and jails were less violent than male settings. This remains true: When viewed through a male lens, women's prisons and jails are, indeed, safer as women in prison tend not to engage in the physical and sexual hypermasculine violence observed in male prisons.

However, a deeper look at women's prison experiences from a gendered standpoint reveals more complex forms of conflict, danger, risk, and violence. Wooldredge and Steiner (2016) suggest that gender differences in background factors of imprisoned women and men may be "more relevant than confinement factors for predicting victimization risk among women" (p. 211). We argue that women's background factors and experiences, articulated in the pathways perspective (Owen, 1998; Bloom, Owen, & Covington, 2003), shape women's responses to imprisonment, with the threats embedded within the prison further reflecting the continuous cumulative disadvantage during their lives inside. In the book, we dig into our original data to describe a broader view of women's lives while imprisoned, and we focus on how the key elements of prison community, culture, capital, and conditions combine with pre-prison experiences to shape how women navigate this risky environment.

Gendered Harms and Intersectionality

The intersectional approach informs our work by underscoring the overlapping inequalities of race, class, gender, and sexual orientation that underpin women's status in the free world. Women's prisons provide a stark example of these intersecting and hierarchical forms of discrimination against women, the poor, and communities of color. Richie (2004) frames this argument precisely:

> I cannot imagine a place where one might stand and have a clearer view of concentrated disadvantage based on racial, class and gender inequality in the country than from inside the walls of women's prisons. There, behind the razor wire fences, concrete barricade, steel doors, metal bars, and thick plexiglass windows, nearly all the manifestations of gender domination that feminist scholars and activists have traditionally concerned themselves with—exploited labor, inadequate healthcare, dangerous living conditions, physical violence, and sexual assault are revealed at once. That gender oppression is significantly furthered by racism and poverty is undeniable from this point of view. Women's correctional facilities constitute nearly perfect examples of the consequences of the multiple subjugation and the compounding

impact of various stigmatized identities. The convergence of disadvantage, discrimination, and despair is staggering. In fact, it could be argued that prisons incarcerate a population of women who have experienced such a profound concentration of the most vicious forms of economic marginalization, institutionalized racism, and victimization that it can almost seem intentional or mundane. The pattern is clearly evident in almost every crowded visiting room, in every sparsely decorated cell, and in the stories of each woman held in degrading and dangerous conditions that characterize women's prisons and other correctional facilities in this country (p. 438).

In documenting women's experience with imprisonment, we argue threats to safety are bounded by multiple forms of inequality within the prison itself. Women's lived experiences while locked up, we assert, reflect the multiple and cumulative disadvantages that condition their pathways to prison and continue to shape their choices and chances in the total institution of the prison. In confronting these inequalities, women negotiate the myriad challenges to their safety inside prison by developing forms of prison capital. Such capital can be framed as protections from the threats in the carceral environment, in their interaction with other prisoners, and from the staff employed to protect them. Learning how to do time, we find, is based on leveraging prison-based forms of capital that can protect women from the harms of imprisonment.

For women whose pathways lead them to prison, such structured disadvantage is replicated and often magnified inside prison, which, in turn, increases the threats to their already tenuous safety and well-being. Women's safety is further compromised by the many contradictions embedded in the contemporary prison. We demonstrate how prisons manufacture risk and sustain unsafe conditions, thus contradicting their stated mission of "care and custody." Existing prison conditions, such as inadequate housing, untreated disease, minimal medical care, and inferior nutrition, create a context of risk and threat to women's well-being. Aspects of operational practice (e.g., gender-neutral classification systems and lack of women-centered services) also undermine women's ability to live safely inside prison (Van Voorhis, 2005, 2012; Bloom et al., 2003, 2004).

We claim these harms are unnecessary and constitute gendered human rights violations when viewed through the lens of international human rights standards for the treatment of women in prison. Human rights standards (Fellner, 2012; Labelle, 2015) and, more specifically, the *Bangkok Rules* (UN Economic and Social Council, 2010), serve as international standards to relieve the iatrogenic damage of imprisonment and better prepare women to reenter their communities. The *Bangkok Rules* and other international human rights instruments, however, have gained little traction in U.S. prisons. We return to the promise of the *Bangkok Rules* in our conclusion.

In addition to gendered disadvantage, our analysis introduces the notion of prison capital. We define capital as any type of resource, or access to a desired resource, that can keep a woman safe while she does her time. Prison

capital is also multidimensional: In addition to forms of social capital (who you know) and human capital (what you know), prison forms of cultural, emotional, and economic capital provide the foundation for the search for safety as women do their time. In the context of irrationality and inequality, women navigate these challenges embedded in prison life by marshalling stores of prison capital generated in the prison community. Women who develop and deploy their stocks of prison capital survive, and sometimes thrive, as they serve their prison sentences. Most can do their time safely by gaining economic capital, earning the cultural capital of respect and reputation, increasing emotional capital, and developing social capital through connections with nonthreatening and supportive prisoners and staff.

State-Sponsored Harm

We characterize the contemporary women's prison as state-sponsored suffering that violates universal human rights, as measured by the continuing litigation in the United Sates against deleterious and unconstitutional conditions of confinement. We agree with Simon (2007), who says the contemporary prison—confining women or men—is a political reaction to social problems grounded in inequality and disadvantage. The self-perpetuating cycle of punishment and degradation in both prison and free world communities holds women responsible for their situations but provides few tools to address the roots of their behavior and suffering. Suffering has become one of the personalized collateral consequences of imprisonment (Haney, 2006; de Alemida & Paes-Machado, 2015). Accelerating punitive sanctions has pushed thousands and thousands of Americans into prisons, stripping away the capital needed to

survive in any community through spiraling marginality. The spoiled identity of "former prisoner" further undermines chances of community reintegration. This suffering is maintained by the billions of dollars that funds U.S. prisons and their warehousing policies.

The challenges to the safety and well-being of women prisoners are not only problems in America's prisons. Globally, women in prison face many forms of discrimination and other consequences of gender inequality, reproducing harms identical to those we find in U.S. prisons (Barberet, 2013; Baker & Rytter, 2014; Ataby & Owen, 2014; UN Office on Drugs and Crime, 2015; Bastick & Townhead, 2008).

Reducing Harm Through Reform

Our recommendations for reducing harm in America's prisons has two dimensions: reducing the number of people in prison and decreasing state-sponsored suffering by bringing American prisons into the human rights context. One approach to reducing the number of people in prison is outlined in *Unlocking America* (Austin et al., 2007), which calls for legislative changes to reduce the policies that have fed the prison population boom: increased arrests, a higher conviction rate, and longer periods of incarceration.

Although we enthusiastically endorse progressive policy recommendations, we must also acknowledge the role of all forms of social inequality and inequity in producing crime and thus punishment. Realistically, prison managers cannot possibly be charged with solving the complex disparities in free world society. But they can be held accountable for the potential degradation and harm of the contemporary women's prison.

Reducing suffering in prisons for women also involves confronting the inequalities *within* prison life, by decreasing the iatrogenic damage of prison conditions and addressing the conflict and violence among women and with staff. Women's prisons should provide opportunities to remediate pathways by increasing all forms of capital. Prisons should protect women from—rather than expose them to—violence, harm, and suffering. The suffering of women in prison has been aggravated by the prison population boom and must be addressed through policy in tandem with internal prison reform. We advocate developing sound operational approaches that diminish suffering inside prisons and better prepare women for reentry by increasing their stocks of capital and providing vocational training, education, trauma and mental health treatment, medical care, and staff commitment to maintaining gendered respect and dignity. Incorporating the principle of sanctuary as suggested by S. Bloom (1997) by expanding the definition of safety to include physical, psychological, moral, and sexual safety is another worthwhile goal. In addition to the human rights model, we also find utility in noncustodial measures, as expressed in the Community Justice Model (Bloom & Owen, 2013) and in gender-responsive and trauma-informed practice (Bloom et al., 2003).

Women's Prisons and Human Rights

But there is more to do. Reducing suffering in women's prisons requires a system reform that goes beyond staff training and the provision of treatment programs for women. The human rights approach provides clear direction. As the UN Office on Drugs and Crime (2015) argues,

> Prisons need to be managed within an ethical framework, guided by international standards developed to protect the human rights of prisoners and to ensure that prisoners' treatment aims to facilitate their social reintegration, as a priority. (p. 26)

The Universal Declaration of Human Rights, first published by the United Nations in 1948, is the foundation for the human rights approach, enshrining the rights of humankind around the world. Grounded in the fundamental principle of nondiscrimination of any kind, Article 1 of the Declaration sets the stage by introducing the principles of dignity, justice, and equality. Human dignity and respect of every individual ensures the development of human and social potential. The Declaration, through specific articles, outlines the human rights relevant to prison settings: the right to physical security; freedom from torture and other cruel and unusual punishments; equal protection under the law; and a right to a community standard of living, including food, clothing, medical care, and social services. Although not a legally binding document, the Declaration has moral weight and is the basis for several human rights instruments relevant to prisons and jails. In applying these moral principles to specific settings, the 2004 Commission on Human Rights highlighted "the need for special vigilance with regard to the specific situation of children, juveniles, and women in the administration of justice, particularly while deprived of their liberty and their vulnerability to various forms of violence, abuse, injustice and humiliation" (UN General Assembly, 2015, p. 42).

The UN General Assembly (2015) notes these rights and principles are set forth in other international instruments, including the International Covenant on Civil and Political Rights; International Covenant on Economic,

Social, and Cultural Rights; Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Declaration on the Elimination of Violence against Women; and Convention on the Rights of the Child (see also Labelle, 2013; Fellner, 2012; and the websites of the United Nations [http://www.un.org], the Office of the High Commissioner of Human Rights [http://www.ohchr.org], and Prison Reform International [http://www.penalreform.org] for these documents and contextual discussion).

The Mandela Rules

Originally developed in the 1950s, the Standard Minimum Rules for the Treatment of Prisoners (SMR) have been recently updated and named the Mandela Rules, in honor of Nelson Mandela (UN General Assembly, 2015). The Rules of General Application are based on human rights to dignity, respect, protection from torture and safety:

> 1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.

Other rules address living conditions and specifically parse the state's responsibility to provide adequate health care (including reproductive care for women prisoners). Although the Bangkok Rules (described below) address

women's policy and practice in much more detail, the Mandela Rules addresses the problem of cross-gender supervision, specifically prohibiting men from working in direct contact with women prisoners.

The Bangkok Rules

The Bangkok Rules are intended to supplement existing international standards for the treatment of prisoners and those under other forms of confinement by providing a gender-appropriate blueprint for female offenders, both adult and juvenile. The rules are based on several dominant themes relevant to women offenders: providing for their safety, rehabilitation, and social reintegration while in custody or under any form of noncustodial measure; requiring that the programs and services address their gender-based needs in terms of health care (including pregnancy), mental health, and other therapeutic needs; and recognizing their histories as survivors of interpersonal violence and their caring responsibilities for children. Training staff on these specific issues is a fundamental aspect of the *Bangkok Rules.* Readers are directed to the full text of the rules for their substantive detail and to the accompanying commentary. Access to the *Bangkok Rules,* the implementation index, and corresponding multinational research on characteristics of women in prison is available from Penal Reform International (http://www.penalreform.org/) and the Thailand Institute of Justice (http://www.tijhailand.org/main/en/topic-focus/the-bangkok-rules).

Reducing Harm in Women's Prisons: The Way Forward

Reducing the unnecessary suffering in women's prisons is more than possible. The

human rights model of imprisonment, with a strong emphasis on gendered dignity, is the way forward. We further propose a policy debate about the purpose of the contemporary prison. John Irwin, pioneer in prison sociology, prisoner advocate, and mentor to many of us, raised the issue decades ago:

> My position is that we must understand exactly what we intend to accomplish by imprisonment and what happens in prison, and we must stop doing all the unnecessary things that degrade, embitter, cripple, and dehumanize prisoners. (Irwin, 1980, p. xxiii)

Like Irwin, we are forced to conclude that contemporary American prisons are damaging institutions. With prisons as the policy of first resort, many Americans have unquestioningly come to consider prison as the only possible response to crime. Partly driven by the war on drugs, itself an exercise in futility and inequality, incarceration has become "the new Jim Crow" (Alexander, 2010) in reproducing racial and class inequality. Prisoners are demonized and, within the ethos of personal responsibility, blamed for their economic and social situation. Women, with greater vulnerability to interpersonal physical and sexual violence, are further disadvantaged in an economic and social system based on income and class disparities. For women of color, such intersectionalities can compound the strain of racial oppression. The fact that most of these "bad people" come from the most disadvantaged neighborhoods is essential to the policy conversation.

Although we join the calls for reducing the prison population, we have our eyes on a more immediate prize: reducing the unnecessary suffering of imprisoned women. Combined with gender-responsive and trauma-informed practice, the human rights approach demonstrates that safety inside prison and improved outcomes at release can be designed and implemented in women's prisons. It is more than possible to develop a prison system that ensures women are safe by protecting them from the iatrogenic harms of prison conditions, keeping women safe inside by increasing all forms of capital, monitoring staff for appropriate interactions with women, and providing opportunities to address the gender inequalities that pave women's pathways into prison. As Nelson Mandela stated, "It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones." We should all be judged by the unnecessary suffering created and sustained by our nation's prisons. Reducing this suffering through a clear commitment to the inherent dignity and respect of all prisoners—women and men—is essential to this quest.

Author's Note: Of course, these views in no way represent the policies of our federal funding agencies.

References

Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York, NY: The New Press.

Ataby, T., & Owen, B. (2014). *Women prisoners and the implementation of the Bangkok Rules.* Bangkok: Thailand Institute of Justice.

Austin, J., Clear, T., Duster, T., Greenberg, D., Irwin, J., McCoy, . . . Page, J. (2007). *Unlocking America: Why and how to reduce America's prison population.* Washington, DC: JFA Institute.

Baker, J., & Rytter, T. (2014). *Conditions for women in prison: Needs, vulnerabilities and good practice.* Copenhagen, Denmark: Danish Institute Against Torture.

Barberet, R. (2013). *Women, crime and criminal justice: A global enquiry.* New York, NY: Routledge.

Bastick, M., & Townhead, L. (2008). *Women in prison: A commentary on the standard minimum rules for the treatment of prisoners.* Geneva: Quaker United Nations Office.

Belknap, J. (2015). *The invisible woman: Gender, crime, and justice*. Belmont, CA: Wadsworth.

Bloom, B., & Owen, B. (2013). *Women's community justice reform blueprint: A gender-responsive, family-focused approach to integrating criminal and community justice.* San Francisco, CA: City and County of San Francisco, Adult Probation Department and Sheriff's Department.

Bloom, B., Owen, B., & Covington, S. (2003). *Gender-responsive strategies: Research, practice, and guiding principles for women offenders*. Washington, DC: U.S. Department of Justice and National Institute of Corrections.

Bloom, S. (1997). *Sanctuary: Toward the evolution of sane societies.* New York, NY: Routledge.

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. GA Res 43/173, UN GAOR, 43rd sess, 76th plen mtg, UN Doc A/Res/43/173 (December 9, 1988).

Brent, J., & Kraska, K. (2010). Moving beyond our methodological default: A case for mixed methods. *Journal of Criminal Justice Education, 21*(4), 412–430.

Britton, D. (2003). *At work in the iron cage: The prison as a gendered organization.* New York: New York University Press.

Burgess-Proctor, A. (2006). Intersections of race, class, gender, and crime future directions for feminist criminology. *Feminist Criminology, 1*, 27–47.

Carson, E. (2015). *Prisoners in 2014.* Washington, DC: U.S. Department of Justice and Bureau of Justice Statistics.

Coyle, A. (2009). *A human rights approach to prison management.* London: International Centre for Prison Studies.

Crenshaw, K. (2012). From private violence to mass incarceration: Thinking intersectionally about women, race, and social control. *U.C.L.A. Law Review, 59*, 1418–1472.

de Almeida, O., & Paes-Machado, E. (2015). No place to run, no place to hide: Socio-organizational processes and patterns of inmate victimization. *Australian and New Zealand Journal of Criminology, 48*(2), 175–199.

Fellner, J. (2012). The human rights paradigm: A foundation for a criminal justice system we can be proud of. In M. Mauer & K. Epstein (Eds.), *To build a better criminal justice system* (pp. 16–17). Washington, DC: The Sentencing Project.

Geertz, C. (1983). Thick description: Toward an interpretive theory of culture. In R. Emerson (Ed.), *Contemporary field research: A collection of readings* (pp. 37–59). Boston: Little & Brown.

Haney, C. (2006). The wages of prison overcrowding: Harmful psychological consequences and dysfunctional correctional reactions. *Washington University Journal of Law and Policy, 22*(1), 265. Retrieved from http://openscholarship.wustl.edu/law_journal_law_policy/vol22/iss1/22

Irwin, J. (2008). *Prisons in turmoil.* Boston: Little, Brown.

Jenness, V. (2010). From policy to prisoners to people: A "soft-mixed methods" approach to studying transgender prisoners. *Journal of Contemporary Ethnography, 39*(5), 517–553.

Joseph, J. (2006). Intersectionality of race/ethnicity, class, and justice: Women of color. In A. Merlo & J. Pollock (Eds.), *Women, law, and social control* (pp. 292–315). Boston, MA: Pearson.

Labelle, D. (2013). *Criminal justice and human rights in the United States*. Atlanta, GA: U.S. Human Rights Network.

Office of the High Commissioner for Human Rights. (2012)*. The United Nations human rights treaty system.* New York, NY: The United Nations.

Owen, B. (1998). *In the mix: Struggle and survival in a women's prison*. Albany, NY: State University of Albany Press.

Owen, B. (2005). Gendered harm in the contemporary prison. In J. Irwin (Ed.), *The warehouse prison* (pp. 240–260)*.* Los Angeles, CA: Roxbury Press.

Owen, B., & Moss, A. (2009). Sexual violence in women's prisons & jails: Results from focus group interviews. *Staff Perspectives: Sexual Violence in Adult Prisons & Jails, 3*. Washington, DC: U.S. Department of Justice, National Institute of Corrections.

Owen, B., & Wells, J. (2005). *Staff perspectives on sexual violence in adult prisons and jails: Results from focus group interviews*. Washington, DC: National Institute of Corrections.

Owen, B., Wells, J., & Pollock, J. (2017). *In search of safety: Confronting inequality in women's imprisonment.* Oakland: University of California Press.

Owen, B., Wells, J., Pollock, J., Muscat, B., & Torres, S. (2008). *Gendered violence and safety: A contextual approach to improving security in women's facilities*. Washington, DC: National Institute of Justice.

Pollock, J. (2002). *Women, prison, and crime* (vol. 2). Belmont, CA: Wadsworth Thomson Learning.

Pollock, J. (2013). *Prisons and prison life: Costs and consequences*. Los Angeles, CA: Roxbury.

Pollock, J. (2014). *Women's crimes, criminology and corrections*. Long Grove, IL: Waveland Press.

Potter, H. (2013). Intersectional criminology: Interrogating identity and power in criminological research and theory. *Critical Criminology, 21*, 305–308.

Potter, H. (2015). *Intersectionality and criminology*. London and New York: Routledge.

Richie, B. (2004). Feminist ethnographies of women in prison. *Feminist Studies, 30*(2), 438–450.

Richie, B. (2012). *Arrested justice: Black women, violence and American's prison nation.* New York: NYU Press.

The Saguaro Seminar. (n.d.). About social capital. Retrieved from htts://www.hks.harvard.edu/programs/saguaro/about-social-capital

Simon, J. (2007). *Governing through crime.* New York, NY: Oxford University Press.

Steiner, B., & Wooldredge, J. (2009). Individual and environmental effects on assaults and nonviolent rule breaking by women in prison. *The Journal of Research in Crime and Delinquency, 46*, 437–467.

UN Economic and Social Council. (2010). *United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules).* ECOSOC Res 2010/16, UN Doc E/Res/2010/16 (July 22, 2010).

UN General Assembly. (2015). *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules).* GA Res 70/175, UN GAOR, 70th sess, UN Doc A/Res/70/175 (December 17, 2015).

UN Office on Drugs and Crime. (2012). *UNODC and the promotion and protection of human rights: Position paper*. Geneva: The United Nations.

UN Office on Drugs and Crime. (2015). *Women and imprisonment: The handbook for prison managers and policy-makers.* Vienna: The United Nations.

Wells, J., Owen, B., & Parson, S. (2013). *Development and validation of the Women's Correctional Safety Scales (WCSS): Tools for improving safety in women's facilities.* Washington, DC: National Institute of Corrections.

Wooldredge, J., & Steiner, B. (2016). Assessing the need for gender-specific explanations of prisoner victimization. *Justice Quarterly, 33*(2), 209–238.

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Since this is our last *ACJS Today* article, we wish to take a more serious, if not strident, tone. Our desire is not to unnecessarily enflame or gloss over the important complexities in our discussion, although we will likely be guilty of both. Instead, we wish to assail the remarkable assault on academic freedom, on free speech, and on fundamental fairness plaguing our campuses. Although the roots of our current problems date back decades, we argue that the professoriate enjoys much of the blame. For reasons we will discuss later, we have failed to exercise our intellectual obligations to protect and to promote the free exchange of ideas, to support open and candid discourse, and to demand fairness and proportionality in our institutions.

Tolerance: Out With the Old, in With the New

In recent months we have witnessed a frightening escalation of violence on American campuses. Consider these examples:

- At Berkeley, rioters clad in black ninja suits burned buildings, physically attacked other students, and threw explosive devices at the police. Protestors who numbered more than 1,500 waived signs that read "This Is War," all in response to a talk by Milo Yiannopoulos that was eventually canceled due to the violence. University of Berkeley police did almost nothing to quell protesters or to stop the violence. Nobody was arrested, and to date, no students or faculty have been held accountable. President Trump also took notice, tweeting, "If U.C. Berkeley does not allow free speech and practices violence on innocent people with a different point of view—NO FEDERAL FUNDS?"

- Charles Murray and his faculty co-sponsor at Middlebury College in Vermont were violently attacked by student protestors. Protesters set off fire alarms and chanted, "Racist, sexist, anti-gay, Charles Murray, go away," and then stormed the auditorium floor. Murray was moved to another room where he could live-stream his talk, an accommodation that is amazing in and of itself. While leaving, Murray and Middlebury professor Allison Stanger were assaulted by protesters, who then jumped on the vehicle they were traveling in. Protesters then followed Murray and Stanger to a restaurant where they continued their harassment. To date, nobody has been held accountable.

- At Claremont McKenna College in California, more than 300 protesters prevented those wanting to hear Heather Mac Donald speak from entering the auditorium. She, like Charles Murray, was relocated to an empty room where she could

live-stream her talk. Protesters banged on windows, yelled through megaphones, and eventually crippled the event. Mac Donald, they argued, was a "white supremacist" and a "fascist" because of her critiques of Black Lives Matter. According to the school newspaper, several administrators accompanied the protests, sympathizing with protesters' views. Again, nobody was held accountable and police did little to quell or to control the situation.

These events—and there are many more examples just like them—share some common features. Perhaps the most obvious is that the speakers were libertarian or conservative in their political leanings. For decades, nonliberal speakers have been the subject of campaigns by faculty and students to have their speaking engagements withdrawn or canceled. In what has become colloquially known as "disinvitation season," students and their faculty sponsors often create enough ruckus to either compel the university to cancel a speaking engagement or to entice the speaker to withdraw. According to the latest data from the Foundation for Individual Rights in Education (FIRE), disinvitations increased dramatically from 2000 to 2014, with more than 82 speakers (almost all of them nonliberal) unable to speak.

Understanding why conservative speakers would not be welcomed on many campuses is straightforward. Every piece of data shows that university professors are not only politically liberal but they are also more liberal than liberals in the general population. Criminology is no exception, as the ratio of liberals to conservatives ranges between 22:1 to 30:1 in data we collected from members of the American Society of Criminology.

Yet statistical disparities paint only part of the picture. After all, many liberal professors support free speech and open inquiry. What connects these events and the violence that has emerged is the growth and spread of a new campus dogma. The new campus dogma represents the distortion of ideals that many scholars, liberal and conservative alike, share: A belief in tolerance and the assumption of good will, a respect for diversity of views, and a commitment to procedural fairness.

Let's take the distortion of tolerance and the assumption of goodwill first. "The specific virtue of true tolerance," Budziszewski (2000, p. 7) tells us, "has to do with the fact that sometimes we put up with things we rightly consider mistaken, wrong, harmful, offensive, or in some other way not worth approval." We practice tolerance to "prevent graver evils" or to "advance greater goods." For example, we might allow a speaker on campus whose views we find noxious because suppression of views is likely worse—that is, we "prevent graver evils" by listening to those we disagree with at the same time we advance a greater good. Notice that Budziszewski's definition does not require of us to endorse ideas or beliefs we find wrongheaded, but also notice that tolerance can only occur when we are presented with ideas or beliefs we find wrongheaded. Tolerance in the absence of intellectual disagreement is not tolerance, just as being tolerant of those we disagree with is not an endorsement of their views.

After Charles Murray was run off the Middlebury campus, more than 450 alumni sent a signed letter to the school. They wrote:

His invitation to campus, then, is not an educational opportunity, but a threat…It is a message to every woman, every person of color, every first-generation student, every poor and working-class person, every disabled person and every queer person that not only their acceptance to and presence at Middlebury, but also their safety, their agency, their humanity and even their very right to exist are all up for debate.

Notice the lack of genuine tolerance and the assumption that Middlebury officials who hosted the event lacked goodwill. Instead, Murray's presence on campus was viewed as "a threat" that somehow endangered student "safety" and, yes, even students "very right to exist." The views expressed by the alumni—and presumably shared by some current students and faculty—are not only highly intolerant and lacking in goodwill, a reasonable argument could be made that they set the stage for the violent repression of ideas.

Critics will likely point out that students, faculty, and alumni at Middlebury are simply intolerant of someone they see as racist or sexist, or in the case of Heather Mac Donald, as someone they label a "fascist." Such a position, however, confuses true tolerance with endorsement of contrary views, and it overlooks the varied and meaningful harms that emerge when ideas are sanctioned.

What we see today is the type of tolerance discussed by Herbert Marcuse more than 50 years ago. Known as the "father of the new left," Marcuse's (1965) essay, "Repressive Tolerance," became the intellectual blueprint for the intolerance demonstrated by faculty and students. According to Marcuse,

Tolerance is extended to policies, conditions, and modes of behavior which should not be tolerated because they are impeding, if not destroying, the chances of creating an existence without fear or misery. This sort of tolerance strengthens the tyranny of the majority against which authentic liberals protested…Liberating tolerance, then, would mean intolerance against movements from the Right and toleration of movements from the Left. (p. 109).

There can be little doubt that "repressive tolerance" has been embraced by large swaths of some universities. Virtually any event, speech, or activity presented by someone on the political right, or by the rare liberal who breaks with current progressive viewpoints, will be greeted with protests and with calls to shut them down. Just recently, for example, Murray was invited to give a lecture at Indiana University. More than 200 faculty signed a letter to the administration requesting that his invitation to campus be "reconsidered." Following Marcuse, they wrote, "We are strong believers in academic freedom and free speech…At the same time…we believe that providing a platform to Charles Murray is highly irresponsible and detrimental to the university community." The irony is inescapable, but from a Marcusian point of view, understandable.

In the 1980s, conservatives were effective at shutting down arguments and in shifting the tide away from researching subjects they thought sacred. Today, however, threats to academic freedom and

open discourse come not from the political right and not from organizations external to our institutions but, as the Provost from Stanford University, John Etchemendy, said, the threat comes from within. "Over the years," wrote Etchemendy (2017), "I have watched a growing intolerance at universities in this country…a kind of intellectual intolerance, a political one-sidedness, that is the antithesis of what universities should stand for." Perhaps more important, Etchemendy tells us that this kind of "intellectual blindness" will be "more damaging because we won't even see it: We will write off those with opposing views as evil or ignorant or stupid. . . . We succumb to the all-purpose *ad hominem* because it is easier and more comforting that rational argument."

Weaponized Title IX

Criminologists specifically, but professors generally, are unusually concerned about procedural justice. Matters of procedural justice often guide reappointment and tenure and promotion decisions, for example, and they are often attached to deliberations concerning accusations of student misconduct. As for criminologists, we often scour data looking for any sign of bias in the criminal justice system, any disparity in outcomes that might be caused by bias, and any mechanism that might lead to a loss of procedural justice. We write about procedural justice, talk about procedural justice in our classes, and defend procedural justice publicly. Unless, however, we are talking about Title IX.

Under the Obama administration, the Office of Civil Rights (OCR) in the Department of Education sent to universities a "Dear Colleague" letter. The legally nonbinding letter, crafted by a small cabal of unelected bureaucrats, requested universities to alter their handling of sexual harassment and sexual assault allegations. The request was accompanied by a not-too-veiled threat from the Department of Justice stating universities could be sued and their research funds

eliminated if changes were not enacted. Almost overnight, universities weaponized Title IX. By adopting a "preponderance" of guilt standard, they dropped the bar so low on evidence necessary to reach an adverse finding that individuals, almost all of whom were men, could easily be found "responsible." Moreover, in a radical departure from almost all Western standards of jurisprudence, accusers could bring charges anonymously, they could no longer be questioned directly, and their claims were assumed to be true. Those brought before a Title IX tribunal could expect to not even be notified of their charges initially, they had no right to bring forth exculpatory evidence, nor was the tribunal required to consider any such exculpatory evidence. Even their defense could be used as evidence of their guilt.

Sexual assault is a serious crime, and some universities have engaged in behaviors that are illegal or deeply imprudent in covering up problems related to sexual assaults. Yet the OCR letter, and the accompanying changes they produced in the adjudication of Title IX complaints on campus, created a mesmerizing number of instances when procedural justice was defined downward to the point it was made irrelevant. There are numerous examples of faculty and students essentially railroaded out of a university—their fates sealed by a toxic mix of sexual politics, zealotry, and fear. Title IX cases exist in which the investigating officers found no evidence to corroborate an alleged victim's claim, yet the tribunal ruled the accused "responsible." In other cases, alleged victims were found to have lied by investigators. Even then, the

accused was found responsible. Third-hand accounts of possible victimization—accounts that were denied by the alleged victim—have also been pursued and, keeping with tradition, the accused was ruled responsible. Even when presented with exculpatory evidence, Title IX tribunals have found the male defendants "responsible." More recently, in a case that is currently being litigated, a male student committed suicide after being found responsible for harassment. According to the lawsuit, the student was kept in the dark about the charges, was banned from attending classes, was denied the opportunity to locate witnesses, and was denied an impartial hearing.

Title IX has now been fully weaponized. In the case of Laura Kipnis, a feminist professor from Northwestern University, students brought Title IX complaints about what she had published. Yes, you read that correctly, what she had published. Kipnis (2017) details her Title IX experiences in her book *Unwanted Advances: Sexual Paranoia Comes to Campus*, in which she also discusses other Title IX cases, such as the historian who had a Title IX complaint filed against him because of the books he required for his class. For those interested in understanding how sexual politics and the moral policing of faculty became fashionable and dangerous, we recommend Kipnis's book along with a book by K. C. Johnson and Stuart Taylor (2017), *The Campus Rape Frenzy: The Attack on Due Process at American Universities*.

To be clear: Title IX has been turned into a vehicle to sanction unwanted ideas, to surveil what faculty and students say and the ways they behave, and to punish with impunity those they believe guilty of violating amorphous and possibly illegal codes of conduct and standards for speech. Millions of dollars in lawsuits now stand in the wake of Title IX, as do lives forever altered and careers shattered. And it is

worth remembering that none of this was necessary as the OCR letter was legally nonbinding.

Last, we would be remiss to not mention the creation of Orwellian Bias Response Teams (BRT). These teams of faculty and, often, law enforcement officers investigate complaints of "bias," which is often so broadly defined that virtually anyone could be accused. Teach about sex differences? Bias. Discuss racial differences? Bias. Don't approve of veterans getting benefits? Bias. Don't call on someone in class enough, or too much? Bias. Assign books students don't like or agree with? Bias. But not only can students bring complaints anonymously to BRTs, so can faculty. Indeed, some BRTs encourage faculty to turn in their colleagues if they believe they have shown bias.

The existence of campus offices and personnel whose job it is to surveil, to locate, and to prosecute students and faculty for their ideas, their language, or their beliefs should be anathema to the professoriate. Sadly, however, many now accept this unprecedented level of control and arbitrary punitiveness out of fear they, too, may be targeted. As criminologists, we know that the rush to judgment often leads to injustice and that attempts to do away with due-process protections almost invariably lead to arbitrary and capricious behavior on the part of officials. Yet we have said nothing as the most basic tenets of procedural fairness have been violated by our institutions. Indeed, we seem to have been more concerned with the election of Donald Trump and in making our universities "sanctuary campuses" than in the

lives of our students and colleagues who have been subject to processes that mimic the Salem witch trials.

Moving Forward

Free speech, open inquiry, and tolerance for ideas are the lifeblood of a university. They are the bedrock principles that have informed our great institutions for decades, and they are the principles for which prior students and faculty fought and sacrificed to preserve. We inherited great institutions; we did not build them, so it is our belief that we should turn them over to the next generation of students and scholars hopefully better than they were. Can we say in all honesty that the university of 2017 is better, freer, and more tolerant than the university of 1960? If not, then it is our obligation to restore these guiding principles and to once again elevate fairness, true tolerance, and respect in our institutions. The professoriate can be the force to rebalance our institutions' core priorities. We can reinvigorate the ideals that made our universities great, that encouraged tolerance of conflicting views, and that modeled civility in intellectual exchanges. Moreover, we can be the force to push back against further calls to blacklist speakers, professors, or advocates of ideas the current dogma finds abhorrent. And we can be the force that causes universities to dismantle their systems of surveillance and their efforts to morally police students and faculty.

If we fail to speak up for traditional academic values, if we continue to shrug our collective shoulders at the unfair treatment of campus members, and if we remain silent as speakers are shouted down or, worse, physically assaulted, we will have lost all moral and professional footing. Legislative bodies, undoubtedly, will step in. Indeed, they may need to already. That said, what we will also lose is our ability to reason through complex and important ideas, to think critically about issues of great political and social importance, and to educate students free of fear. Today's campus environment is hostile to certain ideas and too often seeks to impose moral boundaries and moral penalties against those professors who do not march in lockstep with current dogma.

At the start of this essay, we quoted Heather Mac Donald. We did so not only because Mac Donald is often spoken of in less than flattering terms by criminologists, but also because her question goes to the heart of the matter. Where are the faculty? Where are the faculty when riots erupt, when speakers are shouted down or harmed, or when universities act in ways that betray our fundamental values? We, too, ask the same, "Where are the faculty?" More important, we ask, "Where are you?"

Author's Note: We wish to thank Dr. Robert Worley for his willingness to publish our works over the past few years.

Editor's Note: Hey, John and Kevin, it has been my pleasure to publish your fine work in *ACJS Today* over the past few years. But, you mentioned that this will be your "last" article. I don't think Dave Myers will let you off the hook that easy. I forgot to tell you that publishing in *ACJS Today* is a bit like joining the mafia – once you're in, you never get out!

References

Budziszewski, J. (2000). *True tolerance: Liberalism and the necessity of judgment*. New Brunswick, NJ: Transaction.

Etchemendy, J. (2017). John Etchmendy: 'The threat from within.' *Stanford News.* Retrieved from http://news.stanford.edu/2017/02/21/the-threat-from-within/

References

Budziszewski, J. (2000). *True tolerance: Liberalism and the necessity of judgment*. New Brunswick, NJ: Transaction.

Etchemendy, J. (2017). John Etchmendy: 'The threat from within.' *Stanford News.* Retrieved from http://news.stanford.edu/2017/02/21/the-threat-from-within/

Johnson, K. C., & Taylor, S. (2017). *The campus rape frenzy: The attack on due process at America's universities*. New York, NY: Encounter.

Kipnis, L. (2017). *Unwanted advances: Sexual paranoia comes to campus*. New York, NY: Harper.

Mac Donald, H. (2017). Get up, stand up. *City Journal*. Retrieved from https://www.city-journal.org/html/get-up-stand-up-15109.html

Marcuse, H. (1965). Repressive tolerance. In R. P. Wolff (Ed.), *A critique of pure tolerance* (pp. 95–137). Boston, MA: Beacon Press.

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An Overview of Unintended Consequences of Terrorism

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Following up on my previous piece in *ACJS Today* (Hsu, 2015), the aim of this article is to provide a broad look at the unintended consequences of counterterrorism actions. Examining and understanding when countermeasures do not produce anticipated outcomes carry important implications for research, policy, and the protection of property and human lives, which is why this topic is of particular interest for me. The following sections offer an overview of various unexpected outcomes that have been discussed in both the crime and terrorism studies literature.

Harmful Unintended Consequences

At the forefront of this discussion is perhaps the alarming assertion that counterterrorism actions foment costly or harmful unintended consequences (Hsu and McDowall, in press). An obvious, and much discussed, form of collateral damage is the displacement of terrorist attacks. The concern that offenders may relocate or change their modus operandi to offend in different ways has long been studied by crime and terrorism scholars (Reppetto, 1976; Sandler, Tschirhart, & Cauley, 1983). Harmful effects of crime displacement (or *malign* displacement) have been characterized as increasing victimization, producing a greater negative impact on the community, or moving crime toward more vulnerable groups of the population (Barr & Pease, 1990; Guerette & Bowers, 2009). Similarly, costly unintended consequences of terrorism displacement (or the *substitution effect*), such as terrorists turning their attention to attacking "soft" targets in response to target hardening, is a widespread concern for terrorism researchers (see, for e.g., Arce & Sandler, 2005; Cauley & Im, 1988; Enders & Sandler, 2004, 2012; Im, Cauley, & Sandler, 1987; Drake, 1998; Sandler & Lapan, 1988; Silke, 2011; Sandler, 2014) and the public at large ("Feel safer now?" 2008; Schneier, 2010).

Leading the way for an enduring apprehension of the displacement of terrorist attacks, Enders and Sandler (1993) found that government actions of increasing airport security and fortifying embassies led to a transfer of attacks to kidnappings and assassinations. More generally, a country's efforts to secure homeland targets from terrorist attacks may result in more attacks against its citizens and interests abroad because its foreign targets are now relatively less guarded (Enders & Sandler, 2006; Hsu, Vasquez, and McDowall, 2017; Sandler,

2010; Sandler & Siqueira, 2006). As a consequence, terrorism researchers caution that the unintended collateral damage from defensive counterterrorism interventions (e.g., hardening targets) may be more costly than intended consequences, especially if attacks are diverted to more vulnerable targets and populations with further bloodshed (Brandt & Sandler, 2010; Enders & Sandler, 1993, 2000; Hsu and McDowall, in press; Sandler, 2014).

Yet, the sentiment concerning displacement is quite different among crime scholars. Johnson, Guerette, and Bowers (2014) recently pointed out that the evidence for crime displacement as a result of focused crime control measures is largely absent in the criminological literature, such that offenders do not simply move to another location to continue offending (Weisburd et al., 2006; Bowers et al., 2011). In support of this, a recent series of criminological studies of terrorism displacement and the effectiveness of situational countermeasures have demonstrated that displacement is not a foregone conclusion; rather, it is limited in scope and does not completely offset the beneficial effects of counterterrorism security measures (Apel & Hsu, 2016; Clarke & Newman, 2006; Hsu & Apel, 2015; Perry et al., 2016).

Another concern for the possibility of unintended yet harmful consequences involves offensive counterterrorism actions. Unlike defensive measures (e.g., physical barriers, metal detectors, and checkpoints) that increase the difficulty or risk of carrying out attacks against potential targets, proactive or offensive measures directly confront the terrorists or their supporters by carrying out raids, preemptive attacks, arrests, and assassinations of terrorist leaders and operatives (Enders & Sandler, 2012). While these policies can diminish terrorists' resources and capabilities, they may engender

backlash effects that incite further terrorist violence or grievances that aid in the recruitment of future terrorists (Atran, 2003; Rosendorff & Sandler, 2004). Accordingly, LaFree, Dugan, and Korte (2009) and Argomaniz and Vidal-Diez (2015) have found evidence of backlash effects resulting from aggressive government counterterrorism actions.

Beneficial Unintended Consequences

Inefficient resource allocations, increasing terrorist violence, and further human casualties have understandably placed unintended harmful consequences at the center of many discussions on this matter. However, counterterrorism actions also have the potential to create beneficial unintended consequences. Like the so-called *diffusion of benefits* in the crime prevention literature (Clarke & Weisburd, 1994), a spread of beneficial effects beyond the counterterrorism intervention is a possible unexpected outcome (Clarke & Newman, 2006; Hsu, Vasquez, and McDowall, 2017; Hsu, 2015). For example, Hsu and Apel (2015) found a diffusion of benefits following the introduction of airport metal detectors: Along with the intended outcome of reducing hijackings, other forms of aviation attacks were prevented as well. Hsu and Apel reason that perhaps the overall heightened perception of aviation security deterred attackers from carrying out other types of aviation attacks. Likewise, Perry et al. (2016) found a greater-than-anticipated beneficial intervention effect regarding the construction of the Israeli West Bank Barrier that resulted in a reduction of attacks and fatalities on both the Israeli and Palestinian sides of the Barrier.

Besides a diffusion of benefits, an unintended reduction in other types of terrorist attacks may occur in response to a counterterrorism intervention because various kinds of attacks may be interrelated. Enders and Sandler (1993) provide a discussion of the possibility that terrorist attacks may *complement* one another, so that a combination of modes of attacks work together to achieve an objective for the terrorists. Thus, when an attack is prevented by a counterterrorism measure, the complementary terrorist events are also reduced (Enders & Sandler, 1993).

Conclusion

While this overview is not an exhaustive inventory of unintended consequences of counterterrorism, it is hoped that this brief article stimulates further study and discourse on the unintended consequences of counterterrorism efforts. This is a timely area of inquiry for criminologists as terrorism and counterterrorism have increasingly become more devoted topics of study in our field (Freilich & LaFree, 2015; LaFree and Freilich, 2016). In particular, regarding studying government responses to terrorism and possible unintended consequences, it is worth noting the endeavor by researchers Laura Dugan and Erica Chenoweth to systematically capture government counterterrorism efforts in their Government Actions in Terror Environments (GATE) databases (see Dugan & Chenoweth, 2012, 2013). Having these public data at hand offers a fresh opportunity for scholars to conduct proper evaluations of government responses to terrorism. Altogether, examining the unintended consequences of counterterrorism is an exciting and promising direction for future research, with

meaningful implications for policy and safeguarding human lives.

References

Apel, R., & Hsu, H. Y. (2016). Interrupted time series analysis in the study of terrorism. In G. LaFree & J. Freilich (Eds.), *The handbook of the criminology of terrorism*. Hoboken, NJ: Wiley-Blackwell.

Arce, D., & Sandler, T. (2005). Counterterrorism: A game-theoretic analysis. *Journal of Conflict Resolution, 49*, 183–200.

Argomaniz, J., & Vidal-Diez, A. (2015). Examining deterrence and backlash effects in counter-terrorism: The case of ETA. *Terrorism and Political Violence, 27,* 160–181.

Atran, S. (2003). Genesis of suicide terrorism. *Science, 7,* 1534–1539.

Barr, R., & Pease, K. (1990). Crime placement, displacement, and deflection. *Crime and Justice, 12,* 277–318.

Bowers, K. J., Johnson, S. D., Guerette, R. T., Summers, L., & Poynton, S. (2011). Spatial displacement and diffusion of benefits among geographically focused policing initiatives: A meta-analytical review. *Journal of Experimental Criminology, 7*, 347–374.

Brandt, P. T., & Sandler, T. (2010). What do transnational terrorists target? Has it changed? Are we safer? *Journal of Conflict Resolution, 54*, 214–236.

Cauley, J., & Im, E. I. (1988). Intervention policy analysis of skyjackings and other terrorist incidents. *The American Economic Review, 78*, 27–31.

Clarke, R. V., & Newman, G. R. (2006). *Outsmarting the terrorists.* Westport, CT: Praeger.

Clarke. R. V., & Weisburd, D. (1994). Diffusion of crime control benefits: Observations on the reverse of displacement. *Crime Prevention Studies, 2,* 165–183.

Drake, C. J. M. (1998). *Terrorists' target selection*. New York, NY: St. Martin's Press.

Dugan, L., & Chenoweth, E. (2012). Moving beyond deterrence: The effectiveness of raising the expected utility of abstaining from terrorism in Israel. *American Sociological Review, 77*, 597–624.

Dugan, L., & Chenoweth, E. (2013). Government actions in terror environments (GATE): A methodology that reveals how governments behave toward terrorists and their constituencies. In V. S. Subrahmanian (Ed.), *Handbook of computational approaches to counterterrorism*. New York, NY: Springer.

Enders, W., & Sandler, T. (1993). The effectiveness of antiterrorism policies: A vector autoregression-intervention analysis. *American Political Science Review, 87,* 829–844.

Enders, W., & Sandler, T. (2000). Is transnational terrorism becoming more threatening? A time-series investigation. *Journal of Conflict Resolution, 44,* 307–332.

Enders, W., & Sandler, T. (2004). What do we know about the substitution effect in transnational terrorism? In A. Silke (Ed.), *Research on terrorism: Trends, achievements and failures* (pp. 119–137). New York, NY: Frank Cass.

Enders, W., & Sandler, T. (2006). Distribution of transnational terrorism among countries by income, class, and geography after 9/11. *International Studies Quarterly, 50*, 367–393.

Enders, W., & Sandler, T. (2012). *The political economy of terrorism* (2nd ed.). New York, NY: Cambridge University Press.

"Feel safer now? Anti-terrorist spending," (2008, March 6). *The Economist*. Retrieved from http://www.economist.com/node/10808502

Freilich, J. D., & LaFree, G. (2015). Criminology theory and terrorism: Introduction to the special issue. *Terrorism and Political Violence, 27*, 1–8.

Guerette, R. T., & Bowers, K. J. (2009). Assessing the extent of crime displacement and diffusion of benefits: A review of situational crime prevention evaluations. *Criminology*, *47*(4), 1331–1368.

Hsu, H.Y., & McDowall, D. (in press). Does Target Hardening Result in Deadlier Terrorist Attacks Against Protected Targets? An Examination of Unintended Harmful Consequences. *Journal of Research in Crime and Delinquency*.

Hsu, H.Y., Vasquez, B.E., & McDowall, D. (2017). A Time-Series Analysis of Terrorism: Intervention, Displacement, and Diffusion of Benefits. *Justice Quarterly*. Advance online publication. doi:10.1080/07418825.2017.1340501.

Hsu, H. Y. (2015). Criminological study of terrorism: An overview of the situational approach. *ACJS Today, 40*(2), 31–34.

Hsu, H. Y., & Apel, R. (2015). A situational model of displacement and diffusion following the introduction of airport metal detectors. *Terrorism and Political Violence, 27*(1), 29–52.

Im, E. I., Cauley, J., & Sandler, T. (1987). Cycles and substitutions in terrorist activities: A spectral approach. *Kyklos, 40,* 238–255.

Johnson, S. D., Guerette, R. T., & Bowers, K. (2014). Crime displacement: What we know, what we don't know, and what it means for crime reduction. *Journal of Experimental Criminology, 10,* 549–571.

LaFree, G., & Freilich, J.D. (2016). Bringing Criminology into the Study of Terrorism. In G. LaFree and J.D. Freilich (Eds.) *The Handbook of the Criminology of Terrorism*. Hoboken, NJ: Wiley-Blackwell.

LaFree, G., Dugan, L., & Korte, R. (2009). The impact of British counterterrorist strategies on political violence in Northern Ireland: Comparing deterrence and backlash models. *Criminology, 47,* 17–45.

Perry, S., Apel, R., Newman, G. R., & Clarke, R. V. (2016). The situational prevention of terrorism: An evaluation of the Israeli West Bank barrier. *Journal of Quantitative Criminology*. doi:10.1007/s10940-016-9309-6.

Reppetto, T. A. (1976). Crime prevention and the displacement phenomenon. *Crime and Delinquency*, 166–177.

Rosendorff, P., & Sandler, T. (2004). Too much of a good thing? The proactive response dilemma. *Journal of Conflict Resolution, 48,* 657–671.

Sandler, T. (2010). Terrorism shocks: Domestic versus transnational responses. *Studies in Conflict & Terrorism, 33,* 893–910.

Sandler, T. (2014). The analytical study of terrorism: Taking stock. *Journal of Peace Research, 51,* 257–271.

Sandler, T., & Lapan, H. E. (1988). The calculus of dissent: An analysis of terrorists' choice of targets. *Synthèse, 76,* 245–261.

Sandler, T., & Siqueira, K. (2006). Global terrorism: Deterrence versus pre-emption. *Canadian Journal of Economics, 39,* 1370–1387.

Sandler, T., Tschirhart, J. T., & Cauley, J. (1983). A theoretical analysis of transnational terrorism. *American Political Science Review, 77,* 36–54.

Schneier, B. (2010). Airline security: A waste of money and time. *Crypto-Gram*. Retrieved from https://www.schneier.com/crypto-gram-1012.html#1

Silke, A. (2011). Understanding terrorist target selection. In A. Richards, P. Fussey, & A. Silke (Eds.), *Terrorism and the Olympics: Major event security and lessons for the future* (pp. 49–72). New York, NY: Routledge.

Weisburd, D., Wyckoff, L. A., Ready, J., Eck, J. E., Hinkle, J. C., & Gajewski, F. (2006). Does crime just move around the corner? A controlled study of spatial displacement and diffusion of crime control benefits. *Criminology, 44,* 549–592.

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Criminology and Research
Law Enforcement and Courts
Corrections and Delinquency Prevention

Sentencing: Individualized Considerations of Broad-Brush Reforms

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McCoy not only testified against Simpson, but much of the evidence suggested he only watched as Mrs. Davidson was drowned in the Neches River. Undoubtedly, some combination of his age, limited participation in the murder, and testimony against Simpson led to McCoy's second chance. Despite leniency given to McCoy, however, he now carried the burden of second chance. This burden meant that he would have to demonstrate his redeemable qualities in TYC [Texas Youth Commission] or face transfer to the less merciful Texas prison system. (Trulson, Haerle, Caudill, & DeLisi, 2016, pp. 111–112)

Edward McCoy, 13 years old at the time, accompanied his more criminally sophisticated older cousin and his cousin's wife in the repeated burglary of the home of 84-year-old retired school teacher and church organist, Geraldine Davidson (Carson, 2009; Stone, 2007). Mrs. Davidson returned home sooner than anticipated, interrupting the trio as they collected their bounty of Mrs. Davidson's jewelry. A series of unfortunate events unfolded from there.

The three assailants then climbed in the victim's car and drove to a couple of different locations to buy drugs. After purchasing marijuana in Palestine and making an unsuccessful attempt to buy some crack cocaine, they drove about ten miles to Grapeland to visit Simpson's aunt and her daughter, Shay. According to McCoy's testimony, Simpson opened the trunk and showed the victim to Shay. When Davidson asked for her medicine, Simpson told her, "Shut up" and slammed the lid closed. For the rest of the afternoon, the three drove around in the victim's car, congregating with various friends in Palestine, with Simpson occasionally opening the trunk to show off the victim (Carson, 2009, p. 1).

After picking up Simpson's 15-year-old brother, Lionel, the assailants pulled Mrs. Davidson from her car's trunk, "threw her on the ground,…re-taped her arms and legs more tightly, beat her, and returned her to the trunk" (Carson, 2009, p. 1). After stopping for burgers and fries at a local fast food restaurant, they then drove Mrs. Davidson to the Neches River, where they tied her to a concrete block and tossed her in, and watched as she drowned.

The oldest, Danielle Simpson, was executed; the younger Simpson and Jennifer Simpson (the wife of Danielle) were sentenced

to life in prison; and McCoy was sentenced under the Texas Determinate Sentencing Act (DSA). Passed in 1987, Texas's DSA provided an indeterminate and blended sentencing structure for serious and violent youthful offenders. It provided those convicted of the most serious crimes (e.g., capital murder) with a second chance after their incarceration in TYC.

Once reaching the age of majority, these offenders returned to the court of origin for a sentencing review. The court determined the most appropriate type of correctional supervision—released without community supervision, released with community supervision, or transfer to the Texas prison system—by considering a host of factors. Trulson and colleagues (2016) followed the released offenders for five years to observed their recidivism outcomes post-incarceration. After controlling for individual factors, their findings suggest only offenders sentenced for sexual offenses had significantly lower risks of recidivism. More to the point, though, sexual offenses was the only relevant offense classification in recidivism risk. This suggests the three other offense classifications (homicide, robbery, other violence) provided little utility in predicting future risk to the community.

Along those lines, the most consistent correlates of recidivism, as reported by Trulson and colleagues (2016), were independent of the offense of record—such as previous probation failures, a history of substance abuse, and assaultive behavior while incarcerated—after controlling for demographic factors. That said, approximately 62% of the released offenders recidivated within five years of release (Trulson et al., 2016). Sixty-two percent recidivism over five years suggests that approximately 40% of offenders sentenced for the most serious and violent crimes avoided contact with the criminal justice system for at least five

years after being released from a relatively small portion of their full sentence. It also suggests, however, that well over one-half the offenders sentenced for a serious or violent offense were released prematurely, given that they were arrested within five years after being released from incarceration (see Caudill & Trulson, 2016). Although Texas's DSA should be lauded for the individualized structure of these offenders returning to the sentencing court for review, there seems to be room for improvement in assessing criminal persistence at the micro level.

There is no doubt a remarkable movement toward applied practices in the Academy. There are many scholars focused on the development and promotion of social science in criminal justice (see, e.g., Andrews, Bonta, & Wormith, 2006; Andrews, Bonta, & Wormith, 2011; Lowenkamp, Latessa, & Holsinger, 2006; Lowenkamp, Latessa, & Smith, 2006), and there are ever-present new developments in the areas of static risks and dynamic needs, such as in how adverse childhood experiences correlate with later criminality (DeLisi et al., 2017). Still, there remains substantial work to be done around the utility of the criminal justice system, as evidence suggests that agents of the criminal justice system override the currently used assessment tools based on their professional judgement (Wormith, 2017 provides a succinct review of the structured professional judgement phenomenon).

Broad Brushes of Sentencing Reform

California most recently hopped on the sentencing reform train in the name of rehabilitation and, through a series of

decriminalization legislative actions, aimed to reduce the prison population. It began with Assembly Bill 109: Criminal Justice Realignment (AB 109, 2011), in which the state prison system would no longer accept offenders convicted of certain "low-level: non-violent, non-sexual, and non-serious" felonies. "Low-level" felony offenses refers to property (to include some measures of personal fraud) or drug-related offenses. California followed AB 109 with Proposition 47: The Safe Neighborhood and Schools Act in 2014 (Judicial Council of California, 2016), which reduced the offense level from felony to misdemeanor for drug possession and property crimes that result in the loss of less than $950.00.

Research on the public safety effects of these measures has been mixed, with much left unanswered (Caudill, Trulson, Marquart, Paten, Thomas, & Anderson, 2014; Lofstrom & Raphael, 2013; Sundt, Salisbury, & Harmon, 2016). For example, research conducted on the local outcomes of AB 109 suggest there was a ripple effect throughout the criminal justice system (Caudill et al., 2014). In addition to the immediate increase in property crime following implementation of AB 109 (Sundt et al., 2016; Lofstrom & Raphael, 2013), violence in the county jails increased (Caudill et al., 2014). The ripple effect of purging offenders from state prisons into communities based on their offense of record is evident.

Offense-based sentencing reform is not unique to California, nor is it unique to the present. Freeley (1983) explored the consequences of the 1970s New York Rockefeller Drug Law, when state legislation restricted prosecutorial tools—no plea bargaining and mandatory sentences, for example— and imposed longer prison sentences for drug

possession and distribution. This determinate sentencing strategy failed to consider both the individual and situational nature of crime and, more relevant here, the ripple effect of offense-based reform. Shortly after passage of the Rockefeller Drug Law, courts experienced increases in trial rates, producing "thrombosis" in the criminal justice system (p. 125). Court dockets backlogged while, along the way, case dismissal rates increased. The Rockefeller Drug Law may be considered successful if the goal was to sharpen the sword of justice by enhancing due process; otherwise, the consequences appear to outweigh the benefits. Only a few short years later, the main thrust of the legislation, restricting the ability to plea bargain, was repealed, suggesting the utility of case-by-case, or individualized, justice.

Moving Forward

It may be that reformers, whether aiming to enhance deterrence or to reduce the incarcerated population, look to broad-brush, offense-based approaches because of what appears to be a simple, easy to implement legislation. Instead, these offense-based reforms ripple through the criminal justice system, requiring those implementing the legislation (i.e., line-level criminal justice agents) to develop strategies to account for the changes while preserving public safety. Texas, in the mid-1980s, was forced to purge from the state prison system property crime offenders through artificial increases in good time. The results of this system purge found accelerated good time parolees were more likely to recidivate than offenders released because of earned good time (Ekland-Olson & Kelly, 1993; Joo, Ekland-

Olson, & Kelly, 1995). In addition to the ripple effect, this suggests that institutional behavior is relevant in the forecasting of recidivism and more valuable in the preservation of public safety.

Recent research has further demonstrated the value of basing correctional supervision on individual characteristics. Caudill and Trulson (2016) revealed in a recidivism study of more than 220 juvenile homicide offenders that institutional misconduct was associated with recidivism risk during the 10 years after release from incarceration. Not only were those offenders with a record of assaultive behavior toward staff at greater risk of recidivism but, independently, those offenders with higher program disruption scores were at greater risk of recidivism. The idea of using correctional officers' professional assessments of offenders' disruptive behaviors while incarcerated in the decision about risk to public safety may sound overly subjective, but discretion is inherent to individualized correctional supervision. After all, there is evidence suggesting grade school teachers, kindergarten teachers to be more specific, have an uncanny ability to identify those at risk for later criminality through observed disruption ratings (Hodgins, Larm, Ellenbogen, Vitaro, & Tremblay, 2013). Parole officers' subjective ratings, at least in one study, "based on crude proxies of the constructs under investigation matched those achieved by an exhaustive and highly structured research protocol" (Jones, Brown, & Zamble, 2010, p. 876). There should, at the very least, be a concerted effort to better estimate the value of the observed assessment as part of the broader evidence-based practices.

Conclusion

There is an opportunity to better understand individual risk to public safety through further exploration of the continuity of criminality. There is clearly a move away from clinical assessments and a push to further refine the validity and reliability of quantitative risk assessment tools (Cohen, 2017; Duwe & Rocque, 2017), but there is also the opportunity to explore observation-based assessments. Given the research on behavioral continuity across the pre-incarceration, incarceration, and post-incarceration spectrum (DeLisi, 2003; DeLisi et al., 2010; DeLisi, Trulson, Marquart, Drury, & Kosloski, 2011; Trulson, DeLisi, & Marquart, 2009) and the potential utility of observed-behavior ratings in predicting recidivism (Caudill & Trulson, 2016; Hodgins et al., 2013; Jones et al., 2010), policies that enhance and empower correctional officers' professional observations—such as direct supervision—may have a ripple effect into the community by reducing recidivism. There may even be behavioral modification benefits (through behavioral modeling and other evidence-based practices) of direct supervision of incapacitated offenders.

The resource consequences of a suggestion to return to direct supervision is not lost here. The increased social interactions between correctional officers and offenders would, however, position the officers better to inform decisions about transfers to community supervision. Having informed correctional officers engage offenders may, in addition to other potential benefits, allow for a more developed professional observation system. This all, however, is dependent on an indeterminate sentencing strategy in which decentralized discretion empowers local criminal justice officials to apply resources to individual cases. Broad-brush approaches—determinate sentencing, offense-based

minimums, and limits on prosecutorial enhancements—hinder the utility of the criminal justice system by overlooking the individualized and situational nature of behavior. On the other hand, decentralized criminal justice practices—indeterminate sentencing, further exploration of selective incapacitation based on criminal history and institutional behavior, and enhanced prosecutorial discretion—allow for further implementation of individualized correctional supervision and, potentially, individualized justice.

References

Andrews, D. A., Bonta, J., & Wormith, J. (2006). The recent past and near future of risk and/or need assessment. *Crime & Delinquency, 52*(1), 7–27.

Andrews, D. A., Bonta, J., & Wormith, J. (2011). The risk-need-responsivity (RNR) model: Does adding the Good Lives model contribute to effective crime prevention? *Criminal Justice and Behavior, 38*(7), 735–755.

Carson, D. (2009). *Execution report: Danielle Simpson.* Texas Execution Information Center. Retrieved from http://www.txexecutions.org/reports/445-Danielle-Simpson.htm

Caudill, J. W., & Trulson, C. R. (2016). The hazards of premature release: Recidivism outcomes of blended-sentenced juvenile homicide offenders. *Journal of Criminal Justice, 46,* 219–227.

Caudill, J. W., Trulson, C. R., Marquart, J. W., Patten, R., Thomas, M. O., & Anderson, S. (2014). Correctional destabilization and jail violence: The consequences of prison depopulation legislation. *Journal of Criminal Justice, 42*(6), 500–506.

Cohen, T. H. (2017). Automating risk assessment instruments and reliability: Examining an important but neglected area in risk assessment research. *Criminology & Public Policy*, *16*(1), 271–279.

DeLisi, M. (2003). Criminal careers behind bars. *Behavioral Sciences and the Law, 21,* 653–669.

DeLisi, M., Alcala, J., Kusow, A., Hochstetler, A., Heirigs, M. H., Caudill, J. W., Trulson, C. R., & Baglivio, M. T. (2017). Adverse childhood experiences, commitment offense, and race/ethnicity: Are the effects crime-, race-, and ethnicity-specific? *International Journal of Environmental Research and Public Health, 14*(3), 331.

DeLisi, M., Drury, A. J., Kosloski, A. E., Caudill, J. W., Conis, P. J., Anderson, C. A., Vaughn, M. G., & Beaver, K. M. (2010). The cycle of violence behind bars: Traumatization and institutional misconduct among juvenile delinquents in confinement. *Youth Violence & Juvenile Justice*, *8*(2), 107–121.

DeLisi, M., Trulson, C. R., Marquart, J. W., Drury, A. J., & Kosloski, A. E. (2011). Inside the prison black box: Toward a life course importation model of inmate behavior. *International Journal of Offender Therapy and Comparative Criminology, 55*(8), 1186–1207.

Duwe, G., & Rocque, M. (2017). Effects of automating recidivism risk assessment on reliability, predictive validity, and return on investment (ROI). *Criminology & Public Policy, 16*(1), 235–269.

Feeley, M. M. (1983). *Court reform on trial: Why simple solutions fail.* New York, NY: Basic Books.

Haqanee, Z., Peterson-Badali, M., & Skilling, T. (2015). Making "what works" work: Examining probation officers' experiences addressing the criminogenic needs of juvenile offenders. *Journal of Offender Rehabilitation, 54*(1), 37–59.

Hodgins, S., Larm, P., Ellenbogen, M., Vitaro, F., & Tremblay, R. E. (2013). Teachers' ratings of childhood behaviours predict adolescent and adult crime among 3016 males and females. *The Canadian Journal of Psychiatry, 58*(3), 143–150.

Jones, N. J., Brown, S. L., & Zamble, E. (2010). Predicting criminal recidivism in adult male offenders. *Criminal Justice and Behavior, 37*(8), 860–882.

Judicial Council of California. (2016). Early impacts of Proposition 47 on the courts. Retrieved from http://www.courts.ca.gov/documents/prop47-report-Early-Impacts-of-Proposition-47-on-the-Courts.pdf

Lofstrom, M., & Raphael, S. (2013). *Public safety realignment and crime rates in California*. San Francisco: Public Policy Institute of California.

Lowenkamp, C. T., Latessa, E. J., & Holsinger, A. M. (2006). The risk principle in action: What have we learned from 13,676 offenders and 97 correctional programs? *Crime & Delinquency*, *52*(1), 77–93.

Lowenkamp, C. T., Latessa, E. J., & Smith, P. (2006). Does correctional program quality really matter? The impact of adhering to the principles of effective intervention. *Criminology & Public Policy, 5*(3), 201–220.

Stone, P. (2013). Teen murder convict the be freed. *Huntsville Item*. Huntsville, TX. Retrieved from http://itemonline.com/archive/x518743527

Sundt, J., Salisbury, E. J., & Harmon, M. G. (2016). Is downsizing prisons dangerous? The effect of California's Realignment Act on public safety. *Criminology & Public Policy, 15*(2), 315–341.

Trulson, C. R., DeLisi, M., & Marquart, J. W. (2009). Institutional misconduct, delinquent background, and rearrest frequency among serious and violent delinquent offenders. *Crime & Delinquency, 57*(5), 709–731.

Trulson, C. R., Haerle, D., Caudill, J. W., & DeLisi, M. (2016). *Lost causes: Blended sentencing, second chances, and the Texas Youth Commission*. Austin: University of Texas Press.

Wormith, J. S. (2017). Automated offender risk assessment: The next generation or a black hole? *Criminology & Public Policy, 16*(1), 281–303.

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You Have the Right to Visit the Police Museum

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*Richard A. Ruck Jr.***

On a recent visit to Arizona, my wife and I had the opportunity to visit the City of Phoenix Police Museum (PPM). Modest and unassuming, the museum is located on the lower level of the former Phoenix City Hall within the bustling downtown area. If exploring the downtown district, one might not be aware of the existence of a unique destination that showcases the history of policing in the Phoenix area, from territorial law enforcement and marshals to contemporary examples of modern police practices used in Phoenix and throughout the United States.

The PPM consists of several large rooms that house numerous displays detailing Arizona's rich history from territory to a state, Phoenix city police history, written documents, photos, even a full-size former helicopter that had seen its share of law enforcement duty in the skies about the "Valley of the Sun." In a separate room affixed with ornamental stained glass from a local church that had been shuttered, the museum provides a more somber tribute to those Phoenix police officers who,

in the course of their duty, laid down their lives for the City of Phoenix.

As a retired police officer and an academic always curious to learn more about my passion for all things law enforcement, I found the museum to be the equivalent to my first visit to Dorney Park amusement area as a child. A sense of pride and camaraderie erupted between myself and the several museum guides (all of whom are retired Phoenix police officers) as we spoke of all things policing. As I shared my experiences from "back East," my new Arizona friends became magnanimous hosts, detailing their careers and how they collectively desired to create what is now the PPM. My visit to the PPM was the highlight of a trip that served as the backdrop of a birthday gift from my wife, but my visit was not yet complete.

In a darkened corner of the museum I noticed a large wall with a very familiar statement on display: "You have the right to remain silent." Indeed, there was the Miranda warning in its entirety and presented for all visitors to absorb. It became obvious that at that moment the "writing on the wall" had a deeper impact on my impromptu journey into American police history.

On March 3, 1963, Ernesto Miranda kidnapped a young female from a street in Phoenix not far from the place where I currently stood. Miranda transported the mentally challenged female to a remote desert area in the city where he raped and robbed her.

This act was investigated by the Phoenix Police Department, who arrested Miranda in the days following the crime.

Detective Carol Cooley took Miranda to the fifth floor of the former city hall and began a conversation that would eventually be cemented in legal, procedural, and pop culture history. Cooley asked Miranda questions regarding his involvement in the kidnapping, rape, and robbery of the female. Miranda was not advised of his "rights," as no obligation to do so expressly existed for police in 1963. According to Det. Cooley, Miranda at one point asked Cooley how he (Miranda) "did" in answering the questions posed by the police investigator. Cooley, seizing the opportunity to alter the dynamic of the interrogation, replied, "Not very good, Ernie."

Ernesto Miranda requested a sheet of paper and pen from Cooley. Miranda then calmly detailed his involvement in the crime the Phoenix police were investigating and admitted that he was, in fact, the person who committed the crime against the female (a copy of Miranda's written confession is on display at the museum). At the bottom of the official police form that contained his confession was the acknowledgment statement: "I do hereby swear that I make this statement voluntarily and of my own free will, with no threats, coercion, or promises of immunity, and with full knowledge of my legal rights, understanding any statement I make may be used against me" (Lief & Caldwell, 2006). Miranda was charged with the associated crimes, and a trial in state court ensued. Miranda was found guilty by a jury and sentenced to a concurrent term of 20–30 years' incarceration at the Arizona State Prison. He appealed his conviction to the Arizona Supreme Court, who affirmed the lower trial court verdict, reinforcing that at no time did Miranda ever request an attorney to be present during his interrogation with police. Upon filing a writ of certiorari to the United States Supreme Court (SCOTUS), Miranda was granted a final appellate review of his original criminal trial by what is loosely termed the "court of last resort" (*Miranda v. Arizona,* 1966).

In 1966, after much legal pondering, discussion, and debate, a divided SCOTUS bench overturned the lower court findings and sent the case back to Arizona. Miranda was placed on trial again, but this time the prosecution did not introduce the original written confession and used testimony from witnesses who claimed knowledge of Miranda's crime. As a result, in 1967, Miranda was found guilty for a second time; however, his subsequent appeals to both the Arizona and United States Supreme Court produced no relief from punishment and responsibility and he was sentenced to 20–30 years (*State v. Miranda,* 1969). He was paroled from prison in 1972 and returned to the streets he knew.

Miranda's life afterward was not a story of remorse, redemption, and rebirth; rather, he relished in his limited "fame" created by the imposition of the Miranda Rights warning that police throughout the country were now expected to utilize, with few exceptions. Miranda was known upon his release from prison to autograph police officer "Miranda cards" that officers kept in their uniform pockets while on duty. However, Miranda's life connected to the criminal underworld was never far behind him, and in 1976 he was stabbed to death outside a bar in Mesa, Arizona. Responding police took a male into custody for the murder of Ernesto Miranda, and in what could only be described as a poignant twist of fate, advised the male of his "Miranda rights"

prior to asking him any questions. Probable cause was elusive, however, and the suspected murderer of Miranda was released from custody. (It is widely rumored that shortly afterward that suspect fled to Mexico and was never seen again.)

Counter to many agencies that might react otherwise, the Phoenix Police Department did not recoil or demonstrate embarrassment in the days after the Miranda ruling by the United States Supreme Court. Instead, the agency became the model for law enforcement across the country in their approach to training and educating police officers, investigators, and others in the proper administration of the Miranda warning. As the margin of time increased from the original Miranda case decision, those constitutional protections afforded to all persons who are in police custody remain steadfast to this day and have found a home in the vernacular of some who profess to "know their rights" upon any tense encounter with a law enforcement officer.

Today, the staff of the Phoenix Police Museum demonstrates unwavering pride and relishes their connection to this pivotal moment in American law enforcement history. The Miranda exhibit, located in that unassuming corner of the museum, is a testament to the resilience and commitment these aging former Phoenix officers possess in ensuring that the events that led to this historic encounter of enduring constitutional significance are not suppressed, as the free and voluntary confession of a criminal had been in 1966, which led to a familiar statement we can all recite today: "You have the right to remain silent."

References

Lief, M., & Caldwell, H. M. (2006, August/September). You have the right to remain silent. *American Heritage.* Retrieved from http://www.americanheritage.com/articles/magazine/ah/2006/4/2006_4_48.shtml

Miranda v. Arizona, 384 US 436 (1966).

State v. Miranda, 104 Ariz. 174, 450 P.2d 364 (1969).

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Open Letter to the Members of the Academy of Criminal Justice Sciences

Delores D. Jones-Brown*

After what I experienced as an amazingly impactful annual meeting, I was saddened to hear that some members were uncomfortable with, and critical of, both the presidential speech and the content of the conference. I heard things like "There was too much focus on race," and "Some of the papers and presentations were not empirically sound."

My reply to these criticisms is that if we are to remain relevant as professionals and purveyors of knowledge, we must be responsive to the current realities, the interests of our students, and the world that surrounds them and us.

We must be mindful that, primarily, ours is a social science, not a science of hard and fast rules that always lead to the same result. We are a diverse collection of humans doing this work, not all of whom have had an equal say in the creation of the structures by which our work is evaluated or interpreted.

In order to collectively improve the human condition and strengthen our understanding of it, the fallacy of objectivity must be exposed. We must acknowledge that when it comes to social phenomena, scientific methods are replete with limitations and prone to error, substantially because we are all inside of the very thing we seek to study.

As social scientists, we need to be open, humble, and attuned to the limitless dynamics of that which is social. Science without connection to the real world and science that is dominated by some voices and experiences to the exclusion of others may be to blame for why we are once again experiencing public protests, both peaceful and violent, over police behaviors and system flaws that, over the past six decades, we have received billions of dollars in research funds to study and address.

If the goal is only to study these issues and not to work collectively to address them, we are mere "monitors" of crime and justice.

If we are only concerned with developing science that impacts crime without regard to justice, then we have failed in our mission to engage in "the vital interchange of ideas" and "develop and

share knowledge about critical issues regarding crime and criminal and social justice." These words are taken from our website under the "About ACJS" tab. I encourage us all to be mindful of them.

Looking forward to moving forward with a better understanding of our collective mission,

My very best,

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The Pervasive Underrepresentation of Criminology and Criminal Justice Courses at Nationally Ranked Liberal Arts Colleges

James Sutton, Hobart and William Smith Colleges*

James Sutton *

I currently work at a small, nationally ranked liberal arts college. As someone who spent the first five years of his academic career at a public comprehensive university and who received his undergraduate and graduate degrees at large state universities with criminology and criminal justice programs, I have been struck by the stark contrasts between the environment I work in now and the kinds of schools where I have spent most of my time.

Firsthand experience has taught many of us that criminology and criminal justice are among the most popular subjects on college campuses. Various reports further show that criminal justice is one of the fastest growing majors (American Sociological Association, 2014a), which is why it is not surprising that criminology and criminal justice are among the most sought after specializations when it comes

to hiring new faculty (American Sociological Association, 2008, 2014b; Jerde, 2014). These patterns have been consistent for several years now, and at this point most would probably say that criminology and criminal justice are well established on college campuses throughout the United States. But things are not always what they seem.

Upon arriving at my current institution, Hobart and William Smith Colleges, it was immediately clear that my areas of interest were foreign to nearly all of my new colleagues. I have now worked here for five years, and during this time I have come to see that criminology, criminal justice, and schools like mine do not typically go hand in hand. I recently decided to look into this more systematically and was astounded by what I found. I elaborate more on this in the following paragraphs, and I then conclude with some general thoughts on the implications of my findings.

I started my investigation by looking up the *US News and World Report's* top 100 national liberal arts colleges. I acknowledge that the methodology used to compile these rankings is controversial; I nonetheless needed a working frame, and this is the most widely used resource of this sort. Due to ties for some rankings, the list that I adopted for my analyses ultimately included 104 schools.

Using the member directory feature on the Academy of Criminal Justice Sciences (ACJS) webpage, I entered the names of all 104 schools, one by one, into the "search by affiliation" bar to see how many ACJS members work at the highest ranked liberal arts colleges. To my surprise, besides myself only one other member came up. Simply put, ACJS has a membership of nearly 3,000, but only 2 of us appear to be affiliated with the 104 highest ranked liberal arts colleges.

I decided next to conduct a similar search of the American Society of Criminology's (ASC) membership. In this case, there was no "search by affiliation" bar. However, a few thousand members are listed directly on the ASC webpage in alphabetical order. I therefore looked through each of these listings, one by one, and I found that only eight others besides myself are affiliated with these institutions. For sake of reference, ASC's membership totals more than 3,500.

It should be noted that a small number of ASC members do not have affiliations listed with their names. It is therefore possible that some of them work in liberal arts settings but do not show up in my tally. Moreover, in some cases members of ACJS or ASC who are affiliated with these 104 schools may have opted not to be included in the member directories. Be this as it may, faculty members from the highest ranked liberal arts schools are clearly, and severely, underrepresented within ACJS and ASC (incidentally, it appears that I am the only faculty member from these schools who is a member of both associations).

Upon determining that I could literally count the number of ACJS and ASC members from the highest ranked liberal arts colleges on two hands, I decided to look more closely at the curriculums and course offerings of the 104 schools

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Upon determining that I could literally count the number of ACJS and ASC members from the highest ranked liberal arts colleges on two hands, I decided to look more closely at the curriculums and course offerings of the 104 schools in my frame. Accordingly, I visited the webpages for each college, one by one, and perused course catalogs when available, departmental webpages, and related sections. Most basically, I found that *none* of these 104 schools offers a major in criminology or criminal justice.

I then focused my attention on the course offerings pertaining to criminology and criminal justice at each college, and toward this end I devised a coding scheme for examining these offerings systematically. For instance, I counted the number of schools that offered each of the following courses: Criminology; Deviance; Juvenile Delinquency/Juvenile Justice; Corrections; Law and Society/Sociology of Law. As I progressed, I found it necessary to also count "combo" courses (i.e., Crime and Delinquency; Criminology and Deviance). Some schools additionally had other courses that did not fit neatly into my scheme, so I made notes whenever there were these kinds of "esoteric" offerings. Although I have confidence in the overall reliability of my

strategy, I acknowledge that I may have missed a course or two here or there that was offered in programs I did not examine as closely (e.g., ethnic studies, women's studies). Given that I looked at hundreds of documents online that often varied greatly from one institution to the next, it is of course also possible that an occasional oversight could have occurred during this process.

When applying my scheme, I found that 29/104 schools (28%) offered *no* courses related to criminology or criminal justice. Another 22/104 (21%) offered just one course in these areas, and 25/104 (24%) offered two. For some of the schools with just one course, the offering was a combo course. There were also instances in which the offering was an esoteric course (i.e., "Crime in the News," Lewis and Clark College; "Crime and Inequality," St. Olaf College; "Campus Sexual Assault," Trinity College). Rounding out these figures, 12/104 schools (12%) offered three courses, and just 16/104 (15%) offered four or more. Putting this all together, if you are an undergraduate student with interests in criminology and criminal justice, the best you can hope for from nearly three-fourths of these schools is one or two courses, at the most. Moreover, at nearly a third of these schools you will be completely out of luck.

"Deviance" was the most frequently offered course within these areas (35/104), followed by "Criminology" (21/104) and "Law and Society/Sociology of Law" (20/104). None of these schools have a "Corrections" course on the books, but 12/104 have courses with titles that include the word *punishment*. For instance, "Punishment" and "Punishment and Social Order" were both recurring course names, while others were unique (i.e., "Race, Crime, and Punishment," Bates College; "Urban Crime and Punishment," Swarthmore College). A few schools also had course titles that did not feature

the word *punishment* but dealt with similar themes (i.e., "Hip Hop and Incarceration," Pitzer College; "Marginality, Criminality, Penalization," Sarah Lawrence College).

There were eight schools that offered "Juvenile Delinquency," and just one had "Juvenile Justice." I also found that eight schools had combo courses ("Crime and Deviance," N = 5; "Crime and Delinquency," N = 3). The following is a sample of the esoteric courses that I noted: "Violence Against Women" (Spelman College, Wheaton College), "Victimology" (Washington College), "Policing the American City" (Colby College), "Crime and Victimization" (Skidmore College), "Crime and Justice Over the Life Course" (Bates College), "Women, Crime, Prison" (Vassar College), "Wrongful Convictions" (Mount Holyoke College), "Criminal Justice System" (Davidson College, Transylvania University), and "Psychology of Crime" (U.S. Naval Academy).

As the summary of offerings outlined above shows, courses related to criminology and criminal justice are fewer and farther between at the top-ranked liberal arts colleges when compared to other kinds of institutions. It is important to also note that, depending on the school, having these courses listed in the catalog does not necessarily mean that they are regularly taught. For instance, some catalogs may be outdated and some courses may simply be offered infrequently. Moreover, when these courses are taught, adjunct faculty may be tasked with teaching them, given the specialized nature of the topics covered. Or, these courses may be taught occasionally at

some schools by visiting faculty members who are able to offer something "different" when filling in for tenured faculty members who are on sabbatical.

To offer a few other observations on course offerings, it seems that criminology and criminal justice courses at the highest ranked liberal arts colleges tend to have a sociological emphasis, with themes of inequality and oppression being especially prominent. Many of the sample course titles that I have presented also demonstrate more creativity than is often possible in other kinds of settings. Although the data clearly show that criminology and criminal justice are underrepresented at the top-ranked liberal arts colleges, it is nonetheless apparent that a number of people are still teaching these kinds of courses in these settings. However, only a handful of them have aligned themselves with ACJS or ASC. This is perplexing, and one explanation for this discrepancy may be that individuals who do not have formal training in criminology or criminal justice, and who therefore do not primarily identify with these areas, may teach many of these courses.

The patterns of underrepresentation of criminology and criminal justice at nationally ranked liberal arts colleges are pervasive and clear, whereas their meanings are likely open to various interpretations. Most basically, I see a number of lost opportunities. As is the case at other kinds of institutions, each year the top liberal arts colleges send thousands of ambitious new graduates into the world. A key distinction, however, is that few of these students have had opportunities to learn about viable pursuits pertaining to criminology and criminal justice. When promising students from some of our nation's most elite schools are systematically underexposed to our fields, they are less likely to find our graduate schools or to work with criminal justice agencies. In turn, these entities lose out on their potential contributions.

The fact that the highest ranked liberal arts colleges typically offer few to no courses in criminology and criminal justice (and no majors) is counterintuitive to me for several reasons. For starters, these institutions are tuition dependent and stand to lose a lot of money when prospective students who aspire to study these topics go elsewhere. Moreover, many popular ideals expressed in the mission statements of liberal arts colleges, such as fostering interdisciplinary inquiry, interrogating power and inequalities, applying theory to practice and action, engaging in community-based learning, and emphasizing humanistic concerns, are often hallmarks of courses and programs that focus on criminology and criminal justice. Indeed, I would argue that we can embody these ideals as much, if not more, than the "traditional" liberal arts disciplines.

Small liberal arts colleges seem to be built for what we do. They tend to feature small classes, often ranging from 5 to 25 students, which is conducive to field trips, experiential learning, internships, and interactive discussions on challenging topics. They also tend to have resources for bringing high-profile speakers to campus. For instance, my school was able to host two exonerated former death row prisoners from Witness to Innocence for a multiday event. There additionally are fewer bureaucratic constraints in these

environments relative to larger universities, which fosters creativity and innovation. Illustrative examples from my school include a course on prisons that I team taught with an English professor and a prisoner education program that we launched at a local prison (Sutton, 2014).

The underrepresentation of criminology and criminal justice at the nationally ranked liberal arts colleges is glaring once you take the time to look. When these institutions, for whatever reason, are not engaged in the dialogue and debates that occur within our professional associations and lie at the heart of our discipline, the result is myriad lost opportunities for all. I once heard it said that "the liberal arts should liberate one from the parochialism of his or her own mind and past experience." I am hard pressed to come up with subjects that can do this better than criminology and criminal justice.

References

American Sociological Association. (2008). *Too many or too few PhDs? Employment opportunities in academic sociology.* Washington, DC: Author.

American Sociological Association. (2014a). *Sociology, criminology concentrations, and criminal justice: Differences in reasons for majoring, skills, activities, and early outcomes?* Washington, DC: Author.

American Sociological Association (2014b). *Faculty position opportunities in sociology appear to hold steady: Position postings from the 2013 ASA job bank.* Washington, DC: Author.

Jerde, S. (June 18, 2014). Believe it or not, in some fields colleges can't find anybody to hire. *The Chronicle of Higher Education.* Retrieved from http://www.chronicle.com/article/Believe-It-or-Not-in-Some/147207

Sutton, J. E. (2014). Launching a prison education program. *Teaching/Learning Matters, 43*(2), 4–5.

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Highlights from the 2017 Conference in Kansas City

Ken Kerle (Dr. Jail) and ACJS Executive Director, Mary Stohr, hanging out at the Ice Cream Social
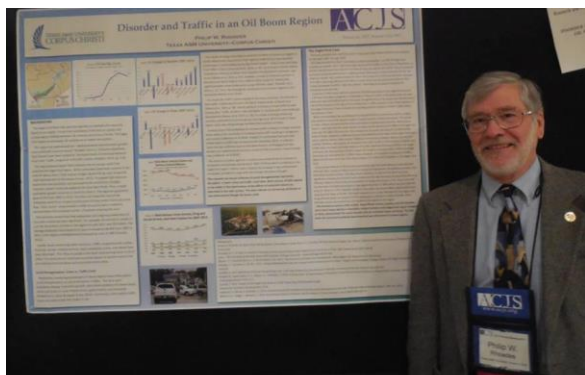

ACJS President Lorenzo Boyd hanging out with Program Chairs Nancy Marion and Will Oliver.


ACJS Members enjoying themselves at the Conference.

ACJS Past President Janice Joseph receives the coveted Becky Tatum Excellence Award from the Minorities and Women Section.

ACJS Member Philip Rhoades presenting his work titled, "Disorder and Traffic in an Oil Boom Region" at the Poster Session.

ACJS Members enjoying mouthwatering food at a delicious Awards Luncheon.
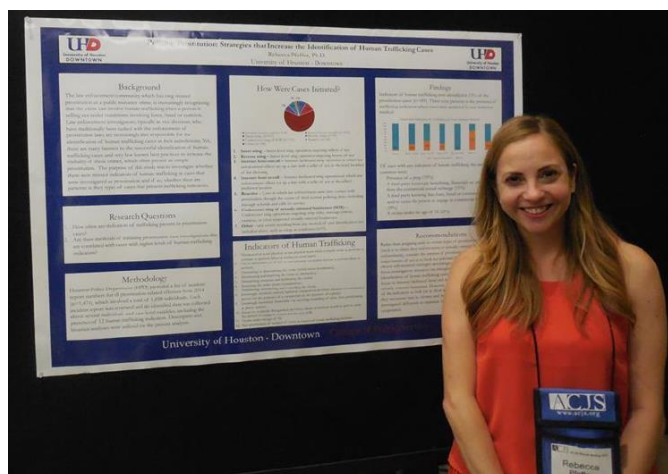
ACJS Member Rebecca Pfeffer presenting her work titled, "Policing Prostitution: Strategies that Increase the Identification of Human Trafficking Cases" at the Poster Session.

ACJS President ceremoniously passing the gavel to Incoming ACJS President, Nicole Piquero.

Mollee Steely presenting her work titled, "The Teacher Lover Phenomenon" (coauthored with Tusty ten Bensel) at the Poster Session.
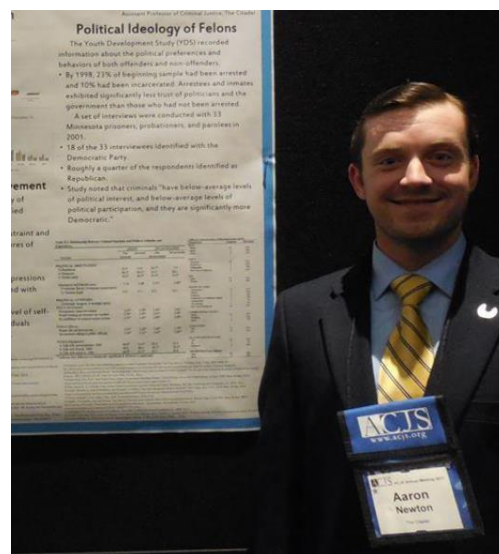
Aaron Newton presenting his work titled, "The Connection Between Political Ideology and Criminality" at the Poster Session.
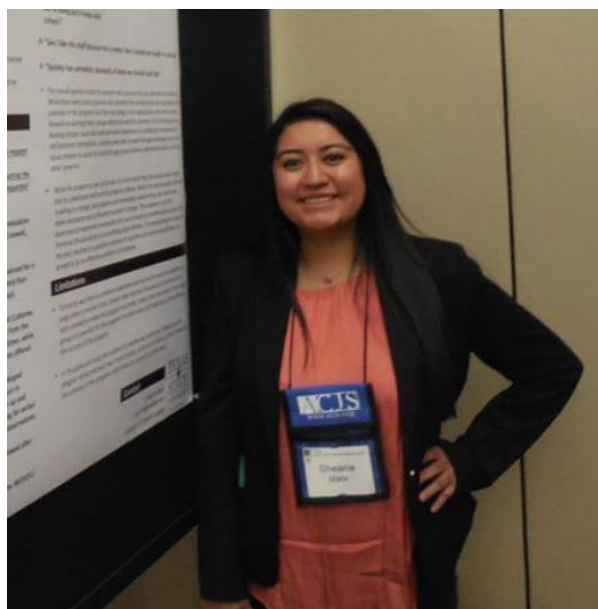
Sheana Yvette Mata presenting her work titled, "Treating Juvenile Offenders" at Poster Session.

Awards at the ACJS luncheon.

Reflecting on the Ins and Outs of Prison Research:
A Conversation with John Wooldredge

John Wooldredge*   ***Joseph L. Nedelec*****

Lately, it seems as though there is renewed interest in prison research. This may be due, in part, to the fact that many scholars, such as John Wooldredge, are having quite a bit of success in gaining access to these correctional institutions. John Wooldredge, in fact, has been studying prisons and prison culture for over 25 years. ACJS Member, Joseph Nedelec recently had the opportunity to visit with John and ask him a few questions about his very interesting work.

JN: A lot of your research focuses on correctional practice and institutional dynamics. Can you speak to what brought you into that area of research?

JW: Well, as a graduate student in sociology at the University of Illinois, my areas of specialization included criminology and demography. I also pursued an interest in courts, primarily through networking with political science faculty. Except for a couple of penology courses taken as an undergraduate, my interests in prisons and jails did not fully develop until I

was hired as an assistant professor in criminal justice at New Mexico State University, specifically for teaching corrections.

JN: It's interesting how the classes we teach often have an impact on our research agenda.

JW: This is not to say that my graduate school experiences had no influence on later choices. I was fortunate to work with great scholars at the University of Illinois who influenced some of my later substantive interests and the methods for studying them. For example, Rob Sampson introduced me to a BJS report on recently collected jail data, and we talked about the usefulness and feasibility of merging those data with census indicators at the county level. Rob also introduced me to multilevel modeling, which I eventually incorporated into my research on prisons and inmate adaptations to confinement. Bob Schoen taught me life tables and survival analyses, which I later applied to studies of sentencing effects on recidivism as well as correctional program effectiveness. Mike Gottfredson taught a course on court processing and introduced me to Jay Casper who, in turn, was responsible for developing my interests in disparities in felony case dispositions and outcomes, given his focus on plea bargaining and jury decision making. Jay also introduced me to Peter Nardulli, who not only provided me with court data to pursue my interests in case processing, but more than anyone else shaped my appreciation for ethnography and the need for face-to-face observations of what you are studying with quantitative data. All told, I was

very interested in criminal justice issues and how to study them by the time I went to New Mexico State University.

JN: You clearly had some amazing mentors. Tell me a bit more about your first academic gig.

JW: My position at NMSU was a replacement for a retired faculty member who once served as warden of USP Marion when it was the only supermax prison in the country. The Department of Criminal Justice at NMSU in the mid-1980s was in a period of transition, moving from police science to criminal justice, and so the courses were a mix of both academic theory and practice but with a heavier emphasis on the latter. For example, there was an entire semester course on the American Correctional Association's correctional standards for prisons and jails. This knowledge base was completely foreign to me, so I immersed myself in these types of materials. Larry Mays, who was department head at the time, was very supportive and took me to some nearby prisons and to the annual statewide DOC conference to facilitate my understanding of prison operations. Tom Winfree later joined the department and, through our research collaborations, also nurtured my interest in corrections research. Although I continued to pursue other research interests developed in graduate school, particularly in criminal courts and sentencing, I became very interested in corrections because of this exposure.

JN: Sounds like you were surrounded by some great people.

JW: Yes, indeed. The timing of my first position was also important because the late '80s was a period of massive prison population growth across the US, in conjunction with growing public and government cynicism toward prison treatment programs along with growing support for retributive sentencing practices and proportionate punishments. My specific research interests in corrections developed out of these two trends, focusing on the ill effects of crowded and punitive environments on inmate behaviors. As such, I developed interests in understanding prison and jail crowding, inmate suicide, and inmate misconduct, with less attention paid (until recently) to how programs might facilitate adaptation to confinement and reduce crime both inside and outside prison.

JN: Your work has obvious relevance for directing correctional policy and practice. What are some of the main hurdles that prevent greater integration of academic research into correctional practice?

JW: Most criminal justice academics and criminologists are not educated and trained in policy making. The strength of our research is uncovering problems with current practices and assessing their impact, but not developing *realistic* solutions to those problems. What we do is valuable for identifying relevant predictors of bad outcomes and for rank ordering these predictors in terms of importance, but there are feasibility issues with translating this knowledge into practice. For example, I might find that inmate-on-inmate violence in prisons can generally be reduced by increasing participation in education programs, improving communication and relations between inmates and officers, providing more meaningful structure to the daily routines of inmates, and so on. Yet, how do we increase the professionalization of

officers with shrinking budgets that prohibit raising hiring standards and improving training?

JN: Sounds challenging.

JW: Yeah, and it's also challenging to anticipate the consequences of a policy recommendation that may inflict more harm than good. For example, prisons are places where the convergence in time and space of motivated offenders and vulnerable targets is maximized, so a logical inference might be to further isolate certain types of inmates from each other to reduce inmate victimization. However, this method is not only costly but may counter potential benefits from treatment programs while potentially contributing to an inmate's depression by reducing social interaction and furthering a less "normal" living environment. And, even when we can provide realistic policy implications without unanticipated harms, sometimes there are suspicions among administrators and government officials who may not trust your findings because they themselves do not trust the data they provided you with in the first place.

JN: So, you and fellow ACJS member, Josh Cochran, were recently awarded an NIJ grant to examine the use and impact of restrictive housing. First, a huge congratulations to both of you! Can you speak to the overall goal of that project and what you hope to achieve in terms of informing practitioners in this area?

JW: Speaking of policy implications… this project is a perfect example of research that should uncover any downsides to restrictive housing in prison, if there are any, and yet translating this information into practice

could be challenging. There are several goals to the project, but the overall goal is to assess the impact of restrictive housing and how it is used in Ohio on the well-being of inmates confined in solitary as well as on the safety of other inmates and staff. We are looking at data from 2006 through 2016 that will permit longitudinal analyses of these impacts on inmate misconduct rates at the facility level and on the odds of subsequent misconduct, as well as the odds of post-release recidivism at the individual level. Ideally, our research will help to inform how restrictive housing might be used to enhance inmate and staff safety and well-being without any short- and long-term detrimental effects on the individuals placed in restrictive housing.

JN: Sounds exciting.

JW: It is very exciting. However, since we do not know what we will uncover at this point, imagine finding detrimental effects on the inmates confined to solitary simultaneously with no significant improvements in the general safety of other inmates and staff. The policy implication would be to use less solitary confinement, yet many custodial staff might be against this recommendation based on the relatively conservative views of custodial staff in Ohio.

JN: What else are you and Josh examining in this study?

JW: Another component to the study involves analysis of racial and ethnic disparities in the use of restrictive housing for prison rule violations. This will extend Josh's work on the subject in the state of Florida and add to the growing body of research on racial disparities in treatment *throughout* the criminal justice system. Important to all of this is an examination of officer and

administrator effects on recommendations for and use of solitary confinement. There's a lot of support for this project at the state level because we are fortunate to be working with some very progressive thinkers in the Ohio Department of Rehabilitation and Correction who are in the process of reforming the use of restrictive housing across the state.

JN: So, do you have any tips or words of wisdom for students who are interested in doing the type of research and work that you do?

JW: I would say to familiarize yourself early on with a variety of prisons in different settings and states to gain an understanding and appreciation for how prisoners and staff adapt to different prison environments. Restricting yourself to statistical analyses of archived data will inevitably lead to misinterpretations of empirical findings and naïve model specifications. Firsthand experiences provide an appreciation of what cannot be examined quantitatively while also informing better measures of what can be studied with statistics.

JN: And, how do you get the goodwill and approval of the correctional staff and the inmates you are studying?

JW: Well, whenever you go inside a prison facility to collect your own data, don't be disillusioned by recalcitrant officers who might endeavor to interfere with your data collection efforts. Most officers are very helpful, cooperative, and efficient, but all it takes is one or two in a facility to make your efforts more difficult. Resistance will also depend on the context, the research topic, size and composition of the research team, and how long you are there. For

the same reasons, you will probably have more inmates willing to be interviewed or to complete surveys than officers, but again that depends on the topic. And, you have to be patient when waiting for data from a state agency, not to mention answers to your questions about those data. The intentions of the folks who work in these places are always good, but the relatively small numbers of researchers in those departments usually mean they are constantly being pulled in a hundred different directions by their supervisors. And, you may come across a few ideologues. But, don't be intimidated by people who disagree with any quantitative finding that does not meet their definition of reality or does not fit with their personal philosophies of (in)justice. They will dismiss empiricism because they already "know" what is true based on their own, usually narrow, experiences. I say, report your findings as they are and let them rant. But, hey, I don't want to sound cynical because I'm not. This is a fascinating area of study, and it's going to keep both me and my future students interested and entertained for many, many years.

__John Wooldredge__ is a Professor in the School of Criminal Justice at the University of Cincinnati. His research and publications focus on institutional corrections (crowding, inmate crimes and victimizations) and criminal case processing (sentencing and recidivism, and level extralegal disparities in case processing and outcomes).

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The Case for Co-Ed Prisons: Why Thinking Outside the Box May be the Key to Rehabilitation

Robert M. Worley, Lamar University*
Jim P. Mann, Lamar University**

In the early 1970s, in the wake of the Civil Rights Movement and Lyndon B. Johnson's War on Poverty, there were fewer than 350,000 inmates residing in U.S. correctional facilities and only 96 prisoners per every 100,000 people in the population (Perkinson, 2010). Indeed, as Loïc Wacquant (2009) reminds us, some scholars, most notably David Rothman (1971) and Norval Morris (1974), even went so far as to speculate that correctional facilities were in an inevitable state of decline (also see Worley & Worley, 2013). It was during this time that an innovative and exciting experiment in offender rehabilitation was occurring on a verdant rise of land in the southeast corner of Fort Worth, Texas.

In his book, *Serving Time Together: Men and Women in Prison*, Charles Campbell reflects on his four-year tenure as warden of the Federal Correctional Institution (FCI) at Fort Worth, a co-ed prison facility where male and female inmates were encouraged to interact with one another, in order to assist in their rehabilitation. Prior to becoming part of the Federal Bureau of Prisons in 1971, FCI Fort Worth was a drug addiction hospital. As it states in the book, many of the hospital staff members stayed at the facility after it transitioned to a prison. Campbell suggests that his staff, which was composed mostly of Clinical Research Center holdovers, were uniquely receptive to experimental approaches conducive to rehabilitation. Throughout the book, the author discusses how he and his employees attempted to minimize the barriers between staff and inmates (in fact, he refers to inmates as "residents"). Campbell also discusses the "walk partnership program," in which male and female inmates were permitted to walk hand-in-hand around a running track. The author includes an excerpt from a pamphlet given to all offenders that outlined the norms and expectations of interacting with inmates of the opposite sex:

> Men and women need each other… . Enjoy the presence of one another but remember that physical contact is prohibited, except for discreet and momentary hand holding, or arm-in-arm contact while walking, standing, or seated on benches. No other type of physical contact between men and women residents is permitted and none whatsoever is permitted while seated or lying on the lawn. (p. 6)

Campbell notes that while he was warden of FCI Fort Worth, there were approximately four male inmates for every female inmate. According to the author, female residents were always the ones who selected a walk partner. About half of the male inmates participated in the walk partnership program. Interestingly enough, Campbell argues that many of the better

looking and more confident men did not participate in the walk partnership program (though many still had frequent contact with female inmates). As a result of this, the author observes that even the "shyest man" had an opportunity to "associate with women in a wholesome way" (p. 46). Even though it was expected that this experiment in co-ed corrections would generate at least some feelings of jealousy among male inmates, Campbell contends that this problem was mitigated, in large part, by effective counseling and supervision. The author argues that within 60 days' time, he and his staff members were able to create an inmate social structure that had an astonishingly low level of tension and animosity.

In his book, Campbell contends that the nature of the relationship between walk partners varied widely, ranging from inmates who had deeply felt romantic attachments (which often did not last) to "Dutch uncle relationships" (in which an older male inmate offered a younger female a measure of fatherly protection). The author asserts that there were platonic relationships as well as those based on a casual sexual interest. It was not uncommon for walk partners who were primarily interested in casual sex to violate the rules and land in trouble. This particular type of walk partner relationship tended to be "breezy and tentative" and many of the women were "*kept*; the male provided cigarettes and commissary snacks for the privilege of having a walk partner" (p. 47). Interestingly, Campbell notes that male inmates who were involved in Dutch uncle relationships often refrained from providing tobacco and commissary to their female walk partners, so as not to feel exploited. At FCI Fort Worth, there were also a number of married couples who naturally were walk partners. In some cases, if a husband was unable to secure a transfer to this co-ed facility, he would assign one of his fellow convicts to look after his incarcerated wife.

Campbell observes that during his tenure as warden, there were surprisingly few violations of the no sex prohibition and contends that often months would go by without anyone getting caught in the act. He attributes this compliance with the rules, in large part, to the fact that the majority of female inmates perceived that engaging in casual sex was simply not worth the risk and could get them shipped to a less desirable facility. Many of the female residents were former prostitutes, and as Campbell eloquently writes:

> Most of these women were giving up something they did not need anyway—a self-defeating way of manipulating males. In doing so, they were making themselves unavailable to the kind of abuse and exploitation which had characterized their lives (p. 52).

The author maintains he was extremely liberal in granting inmates furloughs and believes this may have also encouraged inmates to abide by the no sex rule. As the author writes, "My intent was to get into the furlough business like nobody ever had before" (p. 54). Campbell's extensive furlough program allowed offenders to spend time with their wives, husbands, and loved ones, which may have helped relieve the sexual tensions that built up as a result of inmates mingling closely with members of the opposite sex.

While Campbell explains that precautions were taken to prevent prisoners from engaging in sexual relationships with one another, he admits that occasionally pregnancies did occur. As it states in the book, eight female inmates became pregnant during FCI Fort Worth's first 18 months, though the author insinuates that some of these conceptions may have actually occurred on furloughs rather than inside the prison. In the early years, whenever an inmate became pregnant, abortion was zealously avoided, especially because it would not become legal in Texas until 1973. Prior to the U.S. Supreme Court landmark case, *Roe v. Wade* (1973), inmates who insisted on terminating their pregnancies were often sent to FCI Terminal Island, California, where abortion was a viable alternative.

It is evident from reading this book that the author felt conflicted about punishing pregnant inmates, even if they had violated the rules that prohibited sex. He writes that, more often than not, these women would be shipped to another prison. In many cases, the pregnant inmates would falsely attribute paternity to another inmate who had already been released, so as not to get the actual father in trouble. Even though *Serving Time Together* was written almost four decades ago, it is noteworthy that babies were frequently born in correctional facilities, much like they are today. One cannot help but wonder after reading this book whether or not pregnancy will continue to pose a daunting challenge for prison administrators in the years to come.

While Campbell notes that he inherited many impressively qualified and well-trained employees from the Clinical Research Center, he attributes the success of the experiment in co-corrections at FCI Fort Worth to strong inmate leadership. It seems evident from reading *Serving Time Together* that the warden and his staff members worked in

collaboration to create a culture that empowered inmates without jeopardizing institutional security. For example, Campbell describes how he created a Warden's Council, a committee composed of offenders who were elected by their peers. The primary purpose of the Warden's Council was to establish a dialogue between residents and the prison administration, which proved to be an effective management tool that was also conductive to rehabilitation. Campbell also reflects fondly on an occasion when he received a "statement of appreciation," signed by 50 offenders, who complimented a correctional officer for his efficiency and vigilance in enforcing the institutional rules.

It is apparent that Campbell was willing to take calculated risks during his tenure as warden. By mid-1972, only a year after assuming the helm of FCI Fort Worth, more than 50 inmates were being let out of the gates on a daily basis as part of innovative work release and study release programs. It was not long before the prison regime even permitted inmate drivers to chauffeur residents to and from their jobs all throughout the Fort Worth-Dallas area. Indeed, this proved to be a win-win for everyone involved. As Campbell notes, inmates who held work release jobs were able to pay taxes, support their families, and even contribute to their own keep at the correctional facility. He opines that these programs may have also provided inmates with a "transitional" experience that would lessen the adjustment difficulties for residents who were about to leave prison and join the "free world."

While Campbell's approach to prison management proved to be quite effective, the former warden notes that he nevertheless faced

obstacles in implementing work release and study programs. According to Campbell, in spite of their many benefits, these programs were often difficult to operate and required many staff hours. For example, multiple prison employees were needed in order to handle the wages and accounts of inmates who were involved in work release programs. These staff members also had to process the required subsistence payment of $2.00 per day that work release inmates paid to the U. S. Treasury. Also, Campbell asserts, "It did not long escape the attention of unemployed local citizens that inmates from the federal prison were on the payrolls of local firms" (p. 137). On top of this, concerns about public safety began to be expressed by members of Congress as well as by influential law enforcement officials. In fact, it was not long before Norman Carlson (the author's boss and director of the Bureau of Prisons) issued a system-wide precautionary admonition that strongly encouraged wardens to limit these programs.

In spite of Director Carlson's warning, Campbell contends that he and his staff used the work release and study release programs extensively at FCI Fort Worth. In fact, the author asserts that when he stepped down as warden in 1975, 15% of the facility's inmate population (which ranged from 400 to 525) was on work release or study release. Campbell admits that not all of the inmates who were on work release acted responsibly. Occasionally, there were runaways, and some residents took advantage of the privilege— sometimes seriously and sometimes only in minor ways. Nevertheless, Campbell defends his liberal usage of work release and study release programs. As he eloquently states in the book:

> There is no valid correctional purpose to be served by the placement of a person in a program like work release

if that person has no personal weaknesses likely to cause him or her eventually to get in trouble. Undue caution in the use of work release significantly limits its usefulness (p. 141).

Campbell contends that in addition to aggressively utilizing work and study release programs, he and his staff also made extensive use of furlough programs. As the author notes, furloughs provide inmates with opportunities to contact prospective employers as well as to reestablish family and community ties outside of prison. According to the author, between 1972 to 1975, the Federal Correctional Institutions at Fort Worth and Seagonville, Texas granted more furloughs than all of the other adult facilities in the Bureau of Prisons system combined. Campbell maintains that less than 1.5% of the inmates who were granted furloughs at FCI Fort Worth failed to return to the prison facility, and only a fraction of this number were involved in crimes before either turning themselves in or being apprehended. Even though Campbell argues that furloughs are an invaluable inmate management and rehabilitation tool, he concedes that when he was warden, they often created stress for correctional personnel (including himself) who were understandably worried about possible escapes. Interestingly, the author also notes that the problem of escape and tardiness from furloughs was most prevalent during the late summer and early fall.

According to Campbell, there were about 20 married couples serving time together during his tenure at FCI Fort Worth. In his book, he reflects on how the married couples often had unique complaints. For example, they were

subject to the same prohibitions concerning physical contact as inmates in the general population. The married inmates accepted that they were not permitted to have sexual intercourse; however, they still needed at least a modicum of privacy. Arrangements were made for married inmates to take furloughs together. Also, the warden created a married couples' lounge where they could "sit and talk with their arms around each other, or if they chose, they could yell at each other" (p. 185).

Though Campbell attempted to allow inmate married couples to live together in small apartments, he writes that his efforts were quickly quashed by BOP Director Norman Carlson. Campbell reflects on ongoing discussions between the director and he and his staff that "[Carlson] often reminded us that we were supposed to be running prisons, not social-welfare agencies…The time had come, he told us, when we needed to back off from the emphasis on programs and treatment. We needed to concentrate instead on running good, clean, humane prisons" (p. 192).

Indeed, in the wake of Robert Martinson's (1974) infamous report that "nothing works," it soon became evident to the Federal Bureau of Prisons (and also to Campbell) that the rehabilitation movement in corrections was ending and the penal harm movement was beginning (see Alexander, 2012; Clear, 2009). Spending on law enforcement and crime control began to increase exponentially in response to a rising crime rate. Also, in the aftermath of Richard Nixon's law and order presidency and the demise of Keynesian economics, James Q. Wilson (1975) and other academic elites began to argue that prisons should primarily be used as warehouses in which to incapacitate repeat offenders for long periods of time. It was around

this time that Campbell opted to step down as warden and become a full-time instructor at Texas Christian University in Fort Worth.

In the early 1980s, Jim P. Mann had the opportunity to work at the FCI Fort Worth about six years after Warden Campbell had resigned from his post. Initially working as a correctional officer, he was promoted to Receiving & Discharge (R&D) and helped process inmates entering prison and being transferred or discharged. In these positions, he personally witnessed the "comings and goings" of inmates while on the Yard, in the Housing Units, and beyond.

Professor Mann found *Serving Time Together* to be a delightful trip back in time, especially since he personally witnessed many of the innovations described in this book. Unlike other prisons with double fences topped with concertina wire, the facility had only one tall fence. But escape from the prison itself was rarely a concern. Similar to Warden Campbell's time, the inmates were still called "residents" and were empowered to rehabilitate themselves through numerous programs throughout the prison. This was before the creation of Federal Sentencing Guidelines and the elimination of parole for federal inmates. Therefore, correctional treatment programs were a means of gaining parole "points." Also, the facility was considered by the residents as an easy place to do time. As a result, Professor Mann had fewer disciplinary problems at FCI Fort Worth than with the inmates he supervised at other prisons.

The drug abuse treatment mission of FCI Fort Worth continued after Warden Campbell, but the population increased to include general population housing units for male and female

inmates as well as the DAP units. The percentage of female inmates was closer to that of the males by this time, but the prison still held more men. It was interesting to learn that the unit management system began at FCI Fort Worth. It was quickly adopted by other prisons and is now the system used throughout the Bureau of Prisons. Housing units today continue have a unit manager, case worker, and correctional counselor to "team" inmates regularly. The FCI Fort Worth staff, from correctional officers to department heads, were primarily BOP originals during Professor Mann's time there. Some of the older officers who had been ward attendants during the psychiatric hospital days were still present. Regrettably, some of them were noticeable because they were less professional in appearance and more flexible in their interpretation of the rules.

The most noticeable aspect of FCI Fort Worth was the male and female residents walking around the central courtyard holding hands. They called themselves "walkies" and had their own dating rituals. The pairings more or less followed the types Warden Campbell described. Inside each housing unit, there was a full-length mirror close to the door entering the compound. Residents would check themselves before leaving to make sure they were presentable for their walkie or hopeful future walkie. Of all the prisons in which Professor Mann worked, FCI Fort Worth had the most well-groomed inmates. Visiting day was always interesting. When the wives and husbands of the residents came to visit, a walkie pair would sit so they could see what the other's marital partner was doing. If one of the walkies saw something to make him or her jealous, there would be a loud argument in the Yard soon after. On the whole, however, the men and women lived fairly easily together. Nevertheless, while working in R&D, Professor

Mann remembers the U.S. Marshalls bringing an inmate who gave staff an interesting housing dilemma. Should a hermaphrodite inmate (born with male and female genitalia) be housed in the men's unit or women's unit? The inmate was initially housed with the men but soon moved to the women's unit and fit in very well. Only at FCI Fort Worth could such a challenge be met so easily.

FCI Fort Worth holds a special significance in Professor Mann's life. After long talks with the chief psychologist there, his desire to enter the mental health profession crystallized. He took a leave of absence to earn a PhD in counseling psychology and eventually returned to the Bureau of Prisons to become a chief psychologist as well. Prior to retiring from the BOP, Professor Mann had worked in every security level, minimum to high security penitentiaries, except the supermax at ADX Florence.

After reading *Serving Time Together,* one cannot help but ask, would co-ed prisons work today? Certainly the correctional pendulum has swung from the rehabilitation focus of Warden Campbell's FCI toward the conservative incapacitation motive resulting in mass incarceration. Today, there is a change in the inmate population, especially in the number of hardcore drug trafficking offenders and the rise of street gangs establishing themselves in prison. And then there was Warden Campbell himself, who was an "out-of-the-box" thinker when it came to prison rehabilitation. Warden Campbell was liberal-minded then, and he would be considered ultra-liberal today.

One of the many joys of reading *Serving Time Together: Men and Women in Prison* is that it

reminds us that there was a time (not too long ago) when some policymakers, and even a few prison administrators, dared to dream that correctional facilities had the potential to become egalitarian and therapeutic places of refuge capable of rendering positive, life-changing, and transformative experiences for offenders. We know that today the United States locks up more than 2.3 million people and has the dubious distinction of incarcerating 25% of the world's prisoners—while comprising only 5% of the global population (Garland, 2010; Perkinson, 2010). Despite the fact that both liberals and conservatives agree that America's criminal justice juggernaut has spun out of control, today there are very few academic books that propose meaningful strategies for correctional facilities to get back to the very important business of rehabilitation. While Charles Campbell's book does not necessarily do this either, it may nevertheless be one of the most important academic works you will ever read (assuming you are able to find it). *Serving Time Together* demonstrates rather convincingly that rehabilitation must be more than merely rhetoric, or a soundbite on *YouTube*, if it is ever to possibly succeed. Thinking outside the box may be the key again to returning to correctional rehabilitation.

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References

Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York, NY: The New Press.

Campbell, C. (1980). *Serving time together: Men and women in prison*. Fort Worth, TX: Texas Christian University, 1980.

Clear, T. R. (2009). *Imprisoning communities: How mass incarceration makes disadvantaged neighborhoods worse*. Williamsburg, VA: Oxford University Press.

Garland, D. (2010). *A peculiar institution: America's death penalty in an age of abolition*. Cambridge, MA: Belknap Press.

Morris, N. (1974). *The future of imprisonment*. Chicago, IL: University of Chicago Press.

Perkinson, R. (2010). *Texas tough: The rise of America's prison empire*. New York, NY: Picador.

Roe v. Wade. 410 U.S. 113 (1973).

Rothman, D. (1971). *The discovery of the asylum: Social order and disorder in the new republic*. Boston, MA: Little, Brown.

Wacquant, L. (2009). *Punishing the poor: The neoliberal government of social insecurity*. Durham, NC: Duke University Press.

Wilson, J. Q. (1975). *Thinking about crime*. New York, NY: Basic Books.

Worley, R. M., & Worley, V. B. (2013). The sex offender next door: Deconstructing the United States' obsession with sex offenders in an age of neoliberalism. *International Review of Law, Computers, and Technology, 27,* 335–344.

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Methodological Myths and the Role of Appeals in Criminal Justice Journals: The Case of Response Rates

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Methodological myths are widespread in our field, and they strongly influence student instruction as well as the peer review process. Let me provide an example. Outside of our field, there is a vast literature on the causes and consequences of survey nonresponse (Groves et al., 2002, 2009). Both are pressing concerns among survey methodologists because response rates have declined dramatically over the past several decades (Brick & Williams, 2013; Curtin et al., 2005). To illustrate, the typical response rate in telephone surveys by Pew Research fell from 36% to 9% between 1997 and 2012 (Kohut et al., 2012). Likewise, cumulative response rates in surveys by GfK Custom Research (formerly Knowledge Networks)—which "maintains perhaps the highest-quality publicly available survey platform" (Allcott, 2011, p. 99; see also Chang & Krosnick, 2009)—now commonly fall well under 10% (e.g., Schueler & West, 2016; Tourangeau et al., 2016; Weinberg et al., 2014). It is not surprising, then, that entire issues of *Public Opinion Quarterly* (2006: "Nonresponse Bias in Household Surveys") and *The ANNALS of the American Academy of*

Political and Social Science (2013: "The Nonresponse Challenge to Surveys and Statistics") have been devoted to examining survey nonresponse.

Numerous studies have tested whether there is a relationship between response rates and nonresponse bias (e.g., Curtin et al., 2000; Keeter et al., 2000, 2006; Kohout et al., 2012; Yeager et al., 2011). For example, Yeager et al. (2011) found that for both probability and nonprobability sample surveys, "response rates of the surveys were *negatively* correlated with their accuracy, challenging the notion that higher completion rates and response rates are indications of higher accuracy" (p. 732, emphasis added). The extant research has been synthesized and meta-analyzed (Groves, 2006; Groves & Peytcheva, 2009; Holbrook et al., 2008; Krosnick et al., 2015). The findings from these reviews are highly consistent:

> [The] nonresponse rate *alone* is a weak predictor of nonresponse bias (Groves, 2006, p. 662).

> [T]he nonresponse rate of a survey, by itself, is a poor predictor of the absolute relative nonresponse bias (Groves & Peytcheva, 2008, p. 174).

[Our] evidence challenges the assumptions that response rates are a key indicator of survey data quality and that efforts to increase response rates will necessarily be worth the expense (Holbrook et al., 2008, p. 528).

The negative signs of the regression coefficients for both demographic and substantive models suggest that as [the] nonresponse rate goes down, bias goes up! Such a counter-intuitive finding has been demonstrated with the 1998 Dutch integrated Survey on Household Living conditions (POLS)—the increase in response rate from 47% to 60% over a month resulted in larger biases in key survey statistics (Peytcheva & Groves, 2009, p. 198).

Krosnick and colleagues (2015) reviewed the extant research in their report on survey research to the National Science Foundation; they noted that "nonresponse bias is rarely notably related to [the] nonresponse rate" (p. 6). Similarly, Peytcheva (2013) summed up the extant evidence like this: "response rates are a poor indicator of nonresponse bias, and nonresponse bias is *estimate*—rather than survey—specific" (p. 90, emphasis added). The point bears reiterating: "most of the variation in nonresponse bias in survey estimates is *within* studies" (p. 90, emphasis added). This is because nonresponse bias requires the propensity to respond to be correlated with the specific survey variables of interest, and the magnitude of bias is a function of the magnitude of the correlation (Groves et al., 2009). Therefore, within a single survey, there may be large nonresponse bias for one variable, but not for another. And, even when nonresponse bias is present, it tends to have smaller effects on relationships between variables, which are the typical focus of criminal justice research, than on univariate estimates (e.g., means and proportions) (Heggestad et al., 2015; Lepkowski and Couper, 2002; Martikainen et al., 2007). Heggestad et al. (2015: 102) show that unless there is a sizable correlation between response propensity and survey variables, the effect of nonresponse bias on correlations between variables will tend to be relatively small (i.e., correlation deviations less than .05).

Given the abundant evidence, what do criminologists believe about response rates? Here is a sample of what our textbooks say about response rates:

> In survey research, a response rate of 60 percent is considered minimally acceptable, while a rate of 70 percent or greater is ideal (Jennings & Reingle, 2014, p. 67).

> A response rate of at least 50 percent is adequate for analysis and reporting. A response rate of at least 60 percent is good. And a response rate of 70 percent is very good (Maxfield & Babbie, 2014, p. 247).

Response rates of 50% are adequate for analysis and reporting, 60% is good, and 70% is very good (Dantzker & Hunter, 2011, p. 124).

A response rate below 60% is a disaster, and even a 70% response rate is not much more than minimally acceptable. It is hard to justify the representativeness of the sample if more than a third of those surveyed fail to respond … response rates in phone surveys tend to be very high, often above 80%, because few individuals will hang up on a polite caller or refuse to stop answering questions (at least within the first 30 minutes or so) (Bachman & Schutt, 2014, pp. 216–221).

Beyond failing to agree even with each other (e.g., 60% is "good," "minimally acceptable," and a "disaster"), these claims are all incorrect. For example, take the claim by Bachman and Schutt (2014, p. 221) that response rates in telephone surveys are "often above 80%." Holbrook et al. (2008) reviewed 114 random-digit-dial (RDD) telephone surveys conducted by government contractor survey research firms and news organizations. They found the response rates varied from a low of 4% to a high of 70%, with an average of 30%. In 2012, even Pew Research's "high-effort" telephone survey achieved a response rate of only 22% (Kohut et al., 2012). More generally, the idea that response rates below 50% are inadequate for analysis is misguided (see above). Otherwise, data from most of the recent American National Election Studies (ANES) conducted by Stanford University and the University of Michigan would be inadequate for analysis. Here are their response

rates (emphasis added): "The estimated overall response rate (AAPOR RR3) is *1 or 2 percent*" (2012 Direct Democracy Study); "response rates (estimated, AAPOR RR1): Face-to-face: *38 percent*, Online: *2 percent*" (2012 Time Series Study); "an estimated response rate (AAPOR RR3) of *2.6 percent or less*" (2010–2012 Evaluations of Government and Society Study).

Next, consider how original survey research is often reviewed in our most prestigious journals. It is common for submissions of papers using survey data to be rejected, and sometimes even desk rejected, on the basis of generic concerns expressed about response rates. Reflecting the misinformation in our textbooks (see above), journal reviewers and editors often cite "low" response rates as their main concern, the primary issue with a study, a fatal flaw, and an indicator that the data are neither credible nor interpretable. The critiques have consistently focused on the overall quality of data from surveys with low response rates and have never identified any particular pattern of over- or underrepresentation that would be expected to bias the specific estimates therein. This indicates that a common but erroneous belief in our field is that nonresponse bias is survey—rather than estimate—specific, which is wrong (Peytcheva, 2013). It suggests the process we use to determine whether criminal justice research should be disseminated is often influenced by methodological myths that are impervious to evidence. This is not how science should work.

Response rates are just the tip of the iceberg; plenty of other methodological myths

exist in our field and influence the peer review process. Examples of these myths include, but are not limited to, the erroneous beliefs that: (1) there must be a significant zero-order X-Y relationship before testing for mediation (Hayes, 2013; Zhao, Lynch, & Chen, 2010); (2) researchers should conduct post-treatment randomization checks to evaluate covariate balance in experiments (Mutz, 2011; Mutz, Pemantle, & Pham, 2016); and (3) researchers should drop respondents who fail manipulation checks from analyses of experimental data (Aronow, Baron, & Pinson, 2016).

One important step for reducing the influence of methodological myths on the dissemination of criminological science is to implement an appeals process at our journals, so that authors have recourse to overturn editorial decisions based on factual inaccuracies. This argument may seem naïve, too extreme, or both to many readers. In actuality, the Committee on Publication Ethics's (2011) *Code of Conduct and Best Practice Guidelines for Journal Editors* states that "journals should have a declared mechanism for authors to appeal against editorial decisions." Indeed, one of the most frequent recommendations for improving peer review is for more journals to institute an appeals process (Cooper, 2009; Epstein, 1995; Graf et al., 2015; Hojat et al., 2003; Huffaker & Mittelhammer, 2002; Moizer, 2009; Raelin, 2008; Ray, 2002; Schwartz & Zamboanga, 2009; Sen, 2012). Appellate mechanisms improve peer review by encouraging transparency and communication, increasing accountability and oversight, and incentivizing editorial and reviewer diligence (Huffaker & Mittelhammer, 2002; Schwartz & Zamboanga, 2009). One survey of more than 1,300 biomedical researchers from high-ranking universities across the world found that more than

two-thirds supported providing an appeal system to authors (Ho et al., 2013). Of course, the survey's response rate fell short of mythical proportions: 4.8%.

Appeals are accepted at many of the most prestigious journals in other disciplines. For example, in their instructions to authors, the editors of the *British Medical Journal* ("Peer review process," 2016) explain that because "peer review … is usually based on a mix of evidence and opinion," they "welcome serious appeals on research … and many succeed." The editors of *The Lancet* likewise notify authors that "sometimes editors make mistakes. When we do, we like to hear about them. If an author believes that an editor has made an error in declining a paper, we welcome an appeal." David Barlow (2006), a past editor of the journal *Human Reproduction*, explained that he accepted appeals, overturned some decisions, and viewed the appellate process "as a sign of the journal's confidence that it does not have to be defensive and that it is able to accept that occasionally the peer review process can come to a less than optimal decision" (p. 3034). William Lineaweaver (2015), editor of *Annals of Plastic Surgery,* comments that he regards "appeals of rejections with interest and respect for the authors' commitments to their work. Such appeals are educational for editors and authors alike" (p. 273).

Authors (and even reviewers) often feel there are sufficient grounds to appeal an editorial decision. The authors of 495 manuscripts rejected from *The Lancet* between 2001 and 2002 appealed the decision, and 12% of these manuscripts were eventually published by the journal (Sperschneider et al., 2003). The authors of 74 manuscripts rejected from the

American Sociological Review between 1977 and 1981 appealed the decision, and 13% of these manuscripts were eventually published in the journal (Simon et al., 1986). Sznajder et al. (2013) calculated that authors appealed roughly 5–6% of rejections at the *American Journal of Respiratory and Critical Care Medicine*, and around 8% of the appealed manuscripts were eventually published in the journal. Between 2011 and 2013, 37 editorial decisions at *Social Problems* were appealed either by authors or reviewers, although none of the original decisions was overturned (Pettit, 2013).

Paternoster and Brame (2015) recently observed that under our present peer review system, "three (or fewer) reviewers can determine not only if a paper gets to see the light of day, but in what form it sees the light," and "editors sometimes relinquish their independent editorial judgment of a paper and rely on algebraic formulae" (p. 9). Methodological myths can wreak havoc in such a system. I strongly agree with Paternoster and Brame's (2015) suggestions for reforming the peer review process, including implementing an ASC paper repository. But as long as the current system remains, I submit that we should at least implement an appeals process to mitigate some of its flaws.

References

Allcott, H. (2011). Consumers' perceptions and misperceptions of energy costs. *American Economic Review, 101,* 98–104.

Aronow, P. M., Baron, J., & Pinson, L. (2016). A note on dropping experimental subjects who fail a manipulation check. Retrieved from https://ssrn.com/abstract=2683588 or http://dx.doi.org/10.2139/ssrn.2683588

Bachman, R., & Schutt, R. K. (2014). *The practice of research in criminology and criminal justice* (5th ed.). Thousand Oaks, CA: Sage.

Barlow, D. (2006). Taking stock and moving forward. *Human Reproduction, 21,* 3033–3035.

Brick, M. J., & Williams, D. (2013). Exploring rising nonresponse rates in cross-sectional surveys. *The ANNALS of the American Academy of Political and Social Science, 645,* 36–59.

Chang, L., & Krosnick, J. A. (2009). National surveys via RDD telephone interviewing versus the internet: Comparing sample representativeness and response quality. *Public Opinion Quarterly, 73,* 641–678.

Committee on Publication Ethics. (2011). *Code of conduct and best practice guidelines for journal editors*. Retrieved from http://publicationethics.org/files/Code_of_conduct_for_journal_editors_Mar11.pdf

Cooper, M. L. (2009). Problems, pitfalls, and promise in the peer-review process: Commentary on Trafimow & Rice (2009). *Perspectives on Psychological Science, 4,* 84–90.

Curtin, R., Presser, S., & Singer, E. (2000). The effects of telephone response rate changes on the index of consumer sentiment. *Public Opinion Quarterly, 64,* 413–428.

Curtin, R., Presser, S., & Singer, E. (2005). Changes in telephone survey nonresponse over the past quarter century. *Public Opinion Quarterly, 69,* 87–89.

Dantzker, M. L., & Hunter, R. D. (2011). *Research methods for criminology and criminal justice* (3rd ed.). Sudbury, MA: Jones & Bartlett Learning.

Epstein, S. (1995). What can be done to improve the journal review process? *American Psychologist, 50,* 883–885.

Graf, C., Deakin, L., Docking, M., Jones, J., Joshua, S., McKerahan, T., … Wyatt, D. (2015). Best practice guidelines on publishing ethics: A publisher's perspective. *Advanced Materials, 27,* 370–387.

Groves, R. M. (2006). Nonresponse rates and nonresponse bias in household surveys. *Public Opinion Quarterly, 70,* 646–675.

Groves, R. M., Dillman, D. A., Eltinge, J. L., & Little, R. (Eds). (2002). *Survey nonresponse.* New York: Wiley.

Groves, R. M., Fowler, F. Jr., Couper, M., Lepkowski, J., Singer, E., & Tourangeau, R. (2009). *Survey methodology* (2nd ed.). Hoboken, NY: Wiley.

Groves, R. M., & Peytcheva, E. (2008). The impact of nonresponse rates on nonresponse bias. *Public Opinion Quarterly, 72,* 167–189.

Hayes, A F. (2013). *Introduction to mediation, moderation, and conditional process analysis: A regression-based approach.* New York: The Guilford Press.

Heggestad, E. D., Rogelberg, S., Goh, A., & Oswald, F. (2015). Considering the effects of nonresponse on correlations between survey variables: A simulation study to provide context to evaluate survey results. *Journal of Personnel Psychology, 14,* 91–103.

Ho, R., Mak, K., Tao, R., Lu, Y., Day, J., & Pan, F. (2013). Views on the peer review system of biomedical journals: An online survey of academics from high-ranking universities. *BMC Medical Research Methodology, 13,* 74.

Hojat, M., Gonnella, J. S., & Caelleigh, A. S. (2003). Impartial judgment by the 'gatekeepers' of science: Fallibility and accountability in the peer review process. *Advances in Health Sciences Education, 8,* 75–96.

Holbrook, A. L., Krosnick, J. A., & Pfent, A. (2008). The causes and consequences of response rates in surveys by the news media and government contractor survey research firms. In *Advances in telephone survey methodology*, ed. J. M. Lepkowski et al. New York: Wiley.

Huffaker, R., & Mittelhammer, R. (2002). A case for adopting appellate review into AAEA editorial policy. *Review of Agricultural Economics, 24,* 547–550.

Information for authors. (2016). *The Lancet*. Retrieved from http://www.thelancet.com/lancet/ information-for-authors/how-the-lancet-handles-your-paper

Jennings, W. G., & Reingle,, J. (2014). *Criminological and criminal justice research methods*. Frederick, MD: Wolters Kluwer Law & Business.

Keeter, S., Miller, C., Kohut, A., Groves, R. M., & Presser, S. (2000). Consequences of reducing nonresponse in a large national telephone survey. *Public Opinion Quarterly, 64,* 125–148.

Keeter, S., Kennedy, C., Dimock, M., Best, J., & Craighill, P. (2006). Gauging the impact of growing nonresponse on estimates from a national RDD telephone survey. *Public Opinion Quarterly, 70,* 759–779.

Kohut, A., Keeter, S., Doherty, C., Dimock, M., & Christian, L. (2012). *Assessing the representativeness of public opinion surveys*. Washington, DC: The Pew Research Center for the People and Press.

Krosnick, J. A., Presser, S., Fealing, K. H., & Ruggles, S. (2015). *The future of survey research: Challenges and opportunities*. The National Science Foundation Advisory Committee for the Social, Behavioral and Economic Sciences Subcommittee on Advancing SBE Survey Research. Retrieved from http://www.nsf.gov/sbe/AC_Materials/The_ Future_of_Survey_Research.pdf

Lepkowski, J. M., & Couper, M. P. (2002). Nonresponse in the second wave of longitudinal household surveys. In *Survey nonresponse*, ed. R. Groves, D. A. Dillman, J. L. Eltinge, & R. J. A. Little. New York, NY: Wiley.

Lineaweaver, W. (2015). Appeals. *Annals of Plastic Surgery, 74,* 273.

Maxfield, M. G., & Babbie, E. R. (2014). *Research methods for criminal justice and criminology* (7th ed.). Stamford, CT: Cengage Learning.

Martikainen, P., Laaksonen, M., Piha, K., & Lallukka, T. (2007). Does survey nonresponse bias the association between occupational social class and health? *Scandinavian Journal of Public Health, 35,* 212–215.

Moizer, P. (2009). Publishing in accounting journals: A fair game? *Accounting, Organizations and Society, 34,* 285–304.

Mutz, D. C. (2011). *Population-based survey experiments*. Princeton, NJ: Princeton University Press.

Mutz, D. C., Pemantle, R., & Pham, P. (2016). *Model choice in experimental data: Mess analyses of clean data*. Working paper. Retrieved from https://www.math.upenn.edu/~pema ntle/papers/Preprints/balance.pdf

Paternoster, R., & Brame, R. (2015). Isn't it time to consider alternatives to traditional peer review? *The Criminologist, 40*, 9–10.

Peer review process. (2016). *British Medical Journal*. Retrieved from http://www.bmj.com/about-bmj/resources-authors/peer-review-process

Pettit, B. (2013). Reflections on the peer review process. *Social Problems Forum: The SSSP Newsletter, 44*, 2, 7–8.

Peytchev, A. (2013). Consequences of survey nonresponse. *The ANNALS of the American Academy of Political and Social Science, 645*, 88–111.

Peytcheva, E., & Gorves, R. M. (2009). Using variation in response rates of demographic subgroups as evidence of nonresponse bias in survey estimates. *Journal of Official Statistics, 25*, 193–201.

Raelin, J. A. (2008). Refereeing the game of peer review. *Academy of Management Learning & Education, 7*, 124–129.

Ray, J. G. (2002). Judging the judges: The role of journal editors. *QJM: An International Journal of Medicine, 12*, 769–774.

Schueler, B. E., & West, M. R. (2016). Sticker shock: How information affects citizen support for public school funding. *Public Opinion Quarterly, 80*, 90–113.

Schwartz, S. J., & Zamboanga, B.. (2009). The peer-review and editorial system: Ways to fix something that might be broken. *Perspectives on Psychological Science, 4*, 54–61.

Sen, C. K. (2012). Rebound peer review: A viable recourse for aggrieved authors? *Antioxidants & Redox Signaling, 16*, 293–296.

Simon, R. J., Bakanic, V., & McPhail, C. (1986). Who complains to journal editors and what happens? *Sociological Inquiry, 56*, 259–271.

Sperschneider, T., Kleinert, S., & Horton, R. (2003). Appealing to editors? *The Lancet, 361*, 1926.

Sznajder, J. I., Brochard, L., Budinger, G. R., Erzuhum, S. C., Israel, E., & Schumacker, P. (2013). Process and impact as the *Journal* moves forward. *American Journal of Respiratory and Critical Care Medicine, 187*, 897–898.

Tourangeau, R., Maitland, A., & Yan, H. (2016). Assessing the scientific knowledge of the general public: The effects of question format and encouraging or discouraging don't know responses. *Public Opinion Quarterly, 80*, 741–760.

Weinberg, J. D., Freese, J., & McElhattan, D. (2014). Comparing data characteristics and results of an online factorial survey between a population-based and a crowdsource-recruited sample. *Sociological Science, 1*, 292–310.

Yeager, D. S., Krosnick, J. A., Chang, L., Javitz, H., Levendusky, M., Simpser, A., & Wang, R. (2011). Comparing the accuracy of RDD telephone surveys and internet surveys conducted with probability and non-probability samples. *Public Opinion Quarterly, 75,* 709–747.

Zhao, X., Lynch, J. Jr., & Chen, Q. (2010). Reconsidering Baron and Kenny: Myths and truths about mediation analysis. *Journal of Consumer Research, 37,* 197–206.

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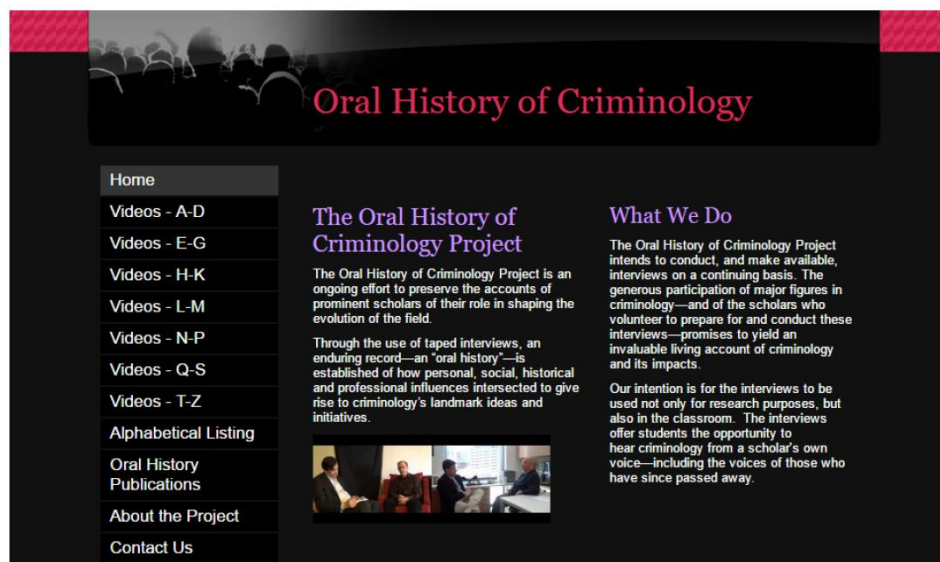
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Race and Policing: A Legacy of Profiling, Exclusion, and Oppression

Charles Bell, Wayne State University*

Charles Bell *

The recent shootings of several unarmed black men has led to an increased focus on the problematic relationship between racial minorities and policing institutions across the United States. Polling data shows African Americans have a lower level of confidence in police as an institution, report lower honesty and ethics ratings in relation to police officers, and are more likely to report being treated unfairly by the police than their white counterparts (Newport, 2014). As the media continues to document the fractured relationship between police and the African American community, it is important to situate policing within its socio-historical context. The purpose of this essay is to explore the relationship between race and policing to unveil a system of inequality that has actively excluded, profiled, and oppressed African Americans. As

criminal justice researchers and practitioners construct initiatives to improve community relations, it is important to acknowledge the historical context that created the antagonistic relationship between the African American community and the police. Lastly, this paper will propose solutions that could improve community relations and reduce the use of deadly force as we move forward in our society.

In 2009, several national and international media outlets reported the incidents surrounding the death of Oscar Grant. According to CNN, after celebrating the New Year in California's Bay Area, Grant and his friends headed home on a Bay Area Rapid Transit (BART) train (McLaughlin, Martin, & Kaye, 2009). While heading home, Grant and his friends were pulled from the train and placed up against a wall. Video recorded by an anonymous passenger shows Grant sitting on the floor pleading with police to refrain from using their taser. Despite being unarmed, Grant was placed faced down and shot in the back by a subway police officer. The bullet went through Grant's back and then ricocheted off the floor, striking Grant's lungs and ultimately leading to his death.

Despite attempts to improve community relations between the police and the African American community, an analysis of FBI records shows black men are 21 times more likely to be killed by the police than their

white counterparts (Gabrielson, Jones, & Sagara, 2014). The profound disparity in police shootings exemplified by the FBI data is so startling that it has prompted social activists to vocally assert, "Black Lives Matter." As criminal justice researchers and practitioners explore the root of the division between the police and the African American community, it is important to understand that the police have historically operated without regard for black life.

Although policing in the United Stated is largely based upon the model established by the British, its foundation in the context of slavery is undeniable. According to Samuel Walker (1980), the slave patrols were the first publicly funded policing organizations in the southern states. Because blacks had no legal rights, slave patrols were exclusively white men who were tasked with maintaining control of the slave populations. Patrols were able to search slave lodges, keep slaves off the road, and break up large gatherings (Hadden, 2003). The slave codes, state laws that governed the status and treatment of slaves, permitted harsh physical punishment and absolved a slave patrol if lethal force was necessary. The impunity with which the patrols operated in regard to black life is further indicated by Chief Justice Roger Taney's statement in the 1857 Dred Scott case: "Negroes had no rights which the white man was bound to respect" (Taney, 1857). Although the slave patrols were eventually disbanded in the early Reconstruction era, former participants created state militia and the Ku Klux Klan (KKK) to maintain social order (Durr, 2015). Therefore, it is important to understand that the role the police had in maintaining slavery in the southern states and inflicting violence upon black families has undoubtedly contributed to the poor

relationship the police currently have in African American communities.

Considering the role of the police in maintaining the oppressive racial caste system in the southern states, perhaps equally troubling is the long history of the police excluding African Americans from its ranks. Despite the history of policing in the south extending as far back as the early 1700s, African Americans were not allowed to become police officers in many southern states until more than 200 years later, in the mid-1940s. According to the Georgia Publishing Broadcast, the first black police officers in the state of Georgia were sworn in the Savannah Police Department on May 3, 1947 (Chen, 2016). Carol Robinson (2013), writer for the Alabama Media Group, reported Birmingham, Alabama did not see its first black police officer until Leroy Stover was sworn in on March 30, 1966. After being escorted to work by his superior officers on his first day, Stover reported the white officers moved to the opposite side of the room to avoid standing next to him (Robinson, 2013). Despite their appointment as police officers, most black officers could not arrest whites, patrol white areas, or enter the official police headquarters (Mullen, 2016).

Policing in the northern states was more progressive in its hiring of black officers. According to the Detroit Historical Society, L. T. Toliver was hired as the first African American police officer in 1893 (Paris, 2007). Northern cities such as Cincinnati, New York, and Boston also showed early trends of hiring black police officers. Despite the progressive hiring of black officers in northern cities, it is important to recognize that police departments

in northern states actively recruited white southerners to maintain control over their black residents (Durr, 2015). As the black population increased in northern cities, such as Detroit, the conflict between black residents and white police officers gained intensity. In the race riots of 1943, more than 250 African Americans were injured or killed by the police. Despite attempts to create a racially diverse police force in northern states, African American relations with the police did not improve significantly.

After the 1967 riot in Detroit, which is considered to be one of the most deadly and destructive riots in U.S. history, Detroit police officials created the Stop Robberies and Enjoy Safe Streets (STRESS) unit. Heather Ann Thompson (2004), author of "Whose Detroit: Politics, Labor, and Race in a Modern City," argued STRESS was the product of fearful whites who intended to resist the progress of African Americans in Detroit. As STRESS, a predominately white police unit, posed as decoys in African American neighborhoods, the tension between white officers and black residents reached a crucial point. In the early 1970s, STRESS Officer Raymond Peterson was fired by the Detroit police after an investigation concluded he planted a knife on the body of Robert Hoyt and subsequently lied about it (Georgakas & Surkin, 1998). Peterson was involved in 12 STRESS shootings, most of black men, and was eventually charged with second-degree murder in 1973 in response to the shooting of Robert Hoyt (Georgakas & Surkin, 1998).

Despite the evidence that showed Peterson planted his knife on Hoyt, Peterson was acquitted in 1974 and awarded two years'

back pay with the possibility of disability compensation. The high-profile shootings of black men by the STRESS unit led civil rights organizations to argue the unit unjustly targeted black residents. Ultimately, in 1974, Detroit's first African American Mayor, Coleman Young, disbanded the STRESS unit.

Although much of the antagonistic relationship between the police and the African American community can be observed through an analysis of Detroit, it should be recognized that African American communities across the U.S. experienced similar problems. In 1992, the African American community in Los Angeles was shaken to its core after a video showed four white police officers kicking, tazing, and beating an unarmed Rodney King with batons for several minutes (Adams, 2016). The officers involved were put on trial, and despite video evidence, they were acquitted by a predominately white jury in April of 1992. The outcry of police brutality and the subsequent acquittal of the involved officers sparked the deadliest riot since the 1967 race riots in Detroit. Overall, 55 people were killed and more than 2,000 were injured. King eventually settled a civil suit with the city of Los Angeles for $3.8 million. The publicized instances of potential police brutality associated with black men, such as Rodney King (1992), Malice Green (1993), Amadou Diallo (1999), Sean Bell (2006), and several others, created a rift between the police and the African American community that has the potential to last a lifetime.

As research explores the relationship between race and policing, data consistently reveal a profound racial difference in the

perceptions of police. Aggregated Gallup polls from 2014 to 2016 show 58% of whites have confidence in the police, while only 29% of blacks reported similar confidence levels (Newport, 2016). In a study that explored perceptions of the police, one respondent stated, "The police assume you run the streets, steal cars, or smoke weed because you dress a certain way, like baggy pants or a long t-shirt and Nike brand shoes. They consider you as a gang member just because of what you were wearing or how you talk" (Gau & Brunson, 2009, p. 267). Additionally, the Associated Press-Center for Public Affairs national survey that explored respondents' perceptions of law enforcement, violence, and race found nearly 75% of black respondents considered violence against community residents by police officers to be a very serious problem (Associated Press, 2016). The survey also found a majority of the black respondents reported the police were generally too quick to use deadly force and were more likely to use it against a black person. These findings suggest a deep divide exists between the police and African American communities that warrants urgent attention.

In light of the devastating consequences associated with this social problem, criminal justice scholars, activists, and practitioners have considered possible solutions. In 2014, I launched a series of community engagement forums in Detroit, Michigan to provide an opportunity for community residents to interact with law enforcement. The forums included young men who were in the early stages of the school-to-prison pipeline, local educators, returning citizens, and law enforcement officers from the Detroit Police Department. I believe part of the solution to the deep divide between the police and the African American community lies in creating safe spaces for the two groups to interact and learn from one another. As law enforcement officers interacted with community residents, a mutual interest in promoting positive social outcomes, reducing community violence, and preventing contact with law enforcement was recognized. Additionally, the opportunity to establish a relationship with local law enforcement made residents feel more comfortable with their presence in the immediate community. As we search for solutions that will help bridge the gap between the two communities, I believe community engagement initiatives should be mandatory, and the police should make a concerted effort to be actively involved in community initiatives that occur in areas they serve.

In conclusion, researchers should focus on documenting the lived experiences of racial minorities as they interact with law enforcement. It is important to understand how the police are perceived, the factors that contribute to community perceptions of the police, and how we can work together to achieve the best possible outcomes for all community stakeholders. The opportunity to participate in public engagement forums that permit the dissemination of research findings and initiate solution-oriented discussion is critical. Community engagement forums provide a unique opportunity to explore novel ideas from marginalized populations without the power dynamics that shape the relationship between the police and community members. Additionally, researchers should shed light on policies that facilitate a divisive relationship between the

two groups. As community members tend to attribute instances of racial profiling to a particular individual, it is important that researchers shed light on policies, such as Stop and Frisk, which force officers to engage in such discriminatory practices. Overall, our ability to create safe spaces that permit solution-oriented dialogue between law enforcement and racial minorities plays a critical role in promoting the best outcomes for all community stakeholders.

References

Adams, C. (2016, March 3). *Rodney King beating caught on video.* Retrieved December 23, 2016, from http://www.cbsnews.com/news/march-3rd-1991-rodney-king-lapd-beating-caught-on-video/

Associated Press. (2015, August 5). *Law enforcement and violence: The divide between black and white Americans.* Retrieved December 27, 2016, from http://surveys.ap.org/data/NORC/July_Omnibus_Topline_Final.pdf

Chen, L. (2016, May 3). Georgia's first black police officer. *Georgia Public Broadcasting.* Retrieved December 22, 2016, from http://gpbnews.org/post/georgias-first-black-police-officer.

Gabrielson, R., Jones, R., & Sagara, E. (2014, October 24). Deadly force, in black and white. *ProPublica.* Retrieved December 20, 2016, from https://www.propublica.org/article/deadly-force-in-black-and-white

Gau, J. M., & Brunson, R. K. (2010). Procedural justice and order maintenance policing: A study of inner-city young men's perceptions of police legitimacy. *Justice Quarterly*, *27*(2), 255–279.

Hadden, S. E. (2001). *Slave patrols: Law and violence in Virginia and the Carolinas.* Harvard Historical Studies vol. 138. Cambridge, MA: Harvard University Press.

McLaughlin, E., Martin, A., & Kaye., R. (2009, January 7). Video of California police shooting spurs investigation. *CNN.* Retrieved December 21, 2016, from http://www.cnn.com/2009/CRIME/01/06/BART.shooting/

Mullen, T. (2016). *Darktown: A novel.* New York: 37 Ink/Atria.

Newport, F. (2014). Gallup review: Black and white attitudes toward police. *Gallup.* Retrieved from http://www.gallup.com

Newport, F. (2016, July 08). Public opinion context: Americans, race and police. *Gallup.* Retrieved December 22, 2016, from http://www.gallup.com/opinion/polling-matters/193586/public-opinion-context-americans-race-police.aspx

Paris, C. (2007, October 5). *Encyclopedia of Detroit.* Detroit Historical Society. Retrieved December 21, 2016, from http://detroithistorical.org/learn/encyclopedia-of-detroit/detroit-police-department

Robinson, C. (2013, November 22). Birmingham's 1st black police officer shares struggles and successes in new book. *Alabama Local News.* Retrieved December 22, 2016, from http://blog.al.com/spotnews/2013/11/birminghams_first_black_police.html

Surkin, M., & Georgakas, D. (1998). *Detroit, I do mind dying: A study in urban revolution*. Boston, MA: South End Press.

Taney, R. B. (1857). The Dred Scott decision. *Digital History.* Retrieved December 22, 2016, from http://www.digitalhistory.uh.edu/disp_textbook.cfm?smtID=3&psid=293

Thompson, H. A. (2004). *Whose Detroit?: Politics, labor, and race in a modern American city*. Ithaca, NY: Cornell University Press.

Walker, S. (1980). Popular justice: A history of American criminal justice. *Michigan Law Review*, *79*, 921.

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Virtual Poster Competitions: A Way to Involve Nontraditional and Online Students in Research

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Colleges and universities are facing a time of change. This is nothing unusual; things are always changing due to changes in the demographics of the student body, expansion of the knowledge base, and advances in technology. What is unique are the changes in the delivery format of many academic programs. The traditional face-to-face classes are increasingly being supplemented by online classes and hybrid classes. These classes are serving a student body that is becoming a much more diverse mix of traditional students and adult learners. Many of these students cannot attend classes at a brick and mortar university campus for a variety of reasons (distance, schedule, family or job commitments), and they seek their education through online courses or satellite campus courses (Jacobs & Hundley, 2010). Because of time considerations or convenience, many traditional students also choose to participate in online classes. The question for faculty becomes how do we provide a quality higher education experience that includes the research opportunities that are made available in our traditional face-to-face classes to our online students? One option that is explored in this article is a virtual poster competition.

The traditional lecture method of instruction was described by Freide (2008) as "the banking method." The professor pours knowledge into the head of the pupil via lecture. The pupil is encouraged to accept the knowledge as gospel and absorb it into memory. Under banking, the student learns through the process of listening and through rote memorization. The student is usually evaluated on her ability to regurgitate the knowledge imparted to her by the professor in a multiple choice or true/false exam. In short, you have created a parrot who repeats the knowledge given to her without much critical thinking going on (Fink, 2003; Jarvis, 1995).

Lim (2015) found that teaching critical thinking "develops modes of thinking, relating and reasoning that allow individuals to collectively work towards the appreciation and solution of social problems." Most university professors use some combination of term papers, essays, group work, academic posters, and various problem-solving strategies to teach their students critical thinking. Takata (2016) observed that a term paper has an audience of one (the professor) and that a visual project such as a poster not only encouraged critical thinking but reached a much wider audience.

Types of Student Learning

Visual learners gain knowledge by reading or seeing pictures. This type of learner benefits most from reading assignments or displays. Visual learners are an estimated

30–40% of the population (Furjanic & Trotman, 2000). Auditory learners gain knowledge by hearing and listening. This type of learner benefits most from lectures. Auditory learners are an estimated 20–30% of the population (Furjanic & Trotman, 2000). Tactile or kinesthetic learners gain knowledge by touching or doing. They are a hands-on type of learner and benefit most from projects. Tactile learners are an estimated 30–50% of the population ("What's your learning style?" 2016; Takata & Curran, 2009; Furjanic & Trotman, 2000; Knowles, 1990). Most students are able to use one or more of these learning methods, and most students prefer instruction using multiple methods (Lujan & DiCarlo, 2005; Caffarella, 1994).

David Kolb (1984) advocated that students learned in a process of doing and through experiences. He found that students who participated in experiential learning projects had a more through mastery of the materials offered. Blair (2016) stated,

> In practice, experiential learning approaches differ from teaching methods common in many classrooms, because learner participation is central. Identification and understandings of content arise through learner experiences. Experiential approaches take a variety of forms, including place-based education, project-based learning, problem-and-inquiry-based learning, and service learning.

Students researching and constructing academic research posters is an example of experiential learning. Experiential learning has long been touted as a method for strengthening students'

critical thinking capabilities. Jarvis (1995) observed that students who participated in experiential learning projects were required to use critical thinking skills at a higher level than some other types of learning (pp. 64–69). Dabbagh (2007) observed that,

> The profile of the online learner population is changing from one that is older, mostly employed, place bound, goal oriented, and intrinsically motivated, to one that is diverse, dynamic, tentative, younger, and responsive to rapid technological changes. This change in profile poses considerable pedagogical challenges that can be addressed through a better understanding of the emerging online learner. The emerging online learner can be described as someone who has a strong academic self-concept; is competent in the use of online learning technologies, particularly communication and collaborative technologies; understands, values, and engages in social interaction and collaborative learning; possesses strong interpersonal and communication skills; and is self-directed.

In short, in online education there is now a mixture of traditional and continuing education students. The educational needs of both groups must be met to provide an effective educational experience. In traditional academic posters, there is a representation of research using visual

and text sections to convey content to viewer. In criminal justice, these types of poster displays are common at the American Society of Criminology and Academy of Criminal Justice Sciences annual conferences. Students physically stand by their poster during the presentation. People stop by to see (and hear about it).

The limitations of traditional poster presentations include that these presentations at ASC and ACJS usually only involve faculty or graduate and postgraduate students. Undergraduate students and online students usually do not participate. Physical posters are expensive to print. Students must physically attend conference at their own expense. At some universities, there may be some funding for graduate students. The student usually doesn't get to see everyone else's research. Because they stand by their posters, their exposure is limited.

Virtual Poster Competitions

In a virtual poster competition, rather than presenting actual paper posters, posters are saved and submitted in digital form, often as a PowerPoint (PPT) or portable document format (PDF) presentation, and submitted electronically to the host university. Students could compete in lower, upper, or graduate categories. Posters would be graded using a rubric. Online students and students who could not physically attend could participate. Virtual poster competitions are inexpensive. There is usually no cost to enter.

Research has shown that visual and kinesthetic learners benefit most from participation in academic poster competitions. This encompasses approximately 70% of the learning population. Even if the student did not win a prize, the student could list on his vitae that he presented a poster at

the competition. That also gives the student a physical academic work product to place in his portfolio for prospective employers or graduate schools.

Methodology

In 2015, the First Annual Middle Tennessee State University Invitational Virtual Poster Competition was sponsored as a joint project by Middle Tennessee State University and the University of Central Missouri. Competition levels were established as lower division (freshmen and sophomores), upper division (juniors and seniors), and graduate division (graduate students). A total of 47 posters (12 lower division, 24 upper division, and 7 graduate division) were submitted. Only two universities participated. The students submitted their posters online, and their submissions were judged by a panel of judges using a rubric. Due to the scheduling of another academic conference (American Criminal Justice Association) nearby, the students from the University of Central Missouri were actually able to travel to Tennessee and meet with the students from Middle Tennessee State University and share their academic research posters and view the results of the competition. Although the academic posters were submitted and judged virtually, this was a hybrid competition with both virtual and more traditional physical components (Palloff & Pratt, 2011).

In an effort to develop a truly virtual competition, in 2016, the 2nd Annual Middle Tennessee State University Invitational Virtual Competition Poster Competition was designed as a purely virtual poster competition with no physical presence from either students, faculty,

or judges. One of the reasons for this was to allow online students to participate in the same type of research opportunities that traditional students were given in face-to-face classes without having to be physically present in the class or at the competition (Palloff & Pratt, 2011).

As a means of facilitating this type of student academic research, a PowerPoint class was developed to instruct students in how to construct an academic research poster. This PowerPoint format allowed the class to be presented to both traditional face-to-face students and to online students, in order to give students examples on how to do this type of research. Palloff and Pratt (2011) observed that students who are being asked to perform a new academic task perform better if they have received either training or very clear instructions in the new tasked to be performed.

An invitation to the 2016 Middle Tennessee Criminal Justice Invitational Virtual Competition was given wide dissemination via e-mail, Facebook, and other electronic means to various universities. Prospective participants were invited to submit an abstract to be followed by a research poster. Deadlines were provided for each. Contact information was provided in both e-mail and direct telephone options. The academic divisions would remain the same as in the first competition. There was no cost to participate for the universities or the entrants. Syllabus ideas were provided to instructors as a part of the solicitation.

Judges were solicited from both academics and practitioners. Each poster would be examined by four groups of judges that were randomly assigned. Each group of judges was a mixture of traditional academics and practitioners, and they gave each poster a numeric score using the rubric provided. The scores were added up to produce the results. The judges were volunteers and not compensated. Each judge was assigned approximately 40 posters to grade.

The rubric that the judges used asked the judges to grade each poster in four areas (research, visual, source documentation, spelling & grammar) based on an ascending Likert scale awarding points to each poster. The scores of all four judges were added together on each poster. Winners in each category would be determined by total number of points received by each poster.

Findings

Four universities, Middle Tennessee State University (TN), University of Central Missouri (MO), West Chester University (PA), and Troy University (AL), submitted student entries to the competition. The participating schools were all fairly large public universities (14,396–22,729 students; two were Division I schools and two were Division II schools). The four different universities used three different approaches to the contest. One university made the poster a required assignment and required submission to the poster contest. Two universities made the contest a required assignment, but submission was optional. One university made it an optional assignment, but required submission if the option was selected by the student (at this university, 20% of the online students chose this option). The themes for the posters were chosen by the students and varied widely (see Figure 1).

Figure 1. Poster Themes

Poster Themes	Lower Division	Upper Division	Graduate Division
Policing/Methods	4	28	5
Relations With Police	0	0	1
Corrections	0	14	3
Courts/Justice/Sentencing	3	14	0
Ethics	3	11	7
Media/Entertainment	6	47	1
Sex Trafficking	1	0	0
Crimes/Weapons	0	13	0
Racial Disparities/Issues	0	4	0
Other	0	3	4
Totals: 172	**17**	**134**	**21**

The research grade reflected the quality of the research exhibited in the poster (see Figure 2). The overall quality of the student research submitted was judged to be fairly high. Judges rated 30.9% of the posters at a score of 9 or 10 on a scale of 0–10 (N = 599 responses).

Figure 2. Research Grade

Research Grade Percentages
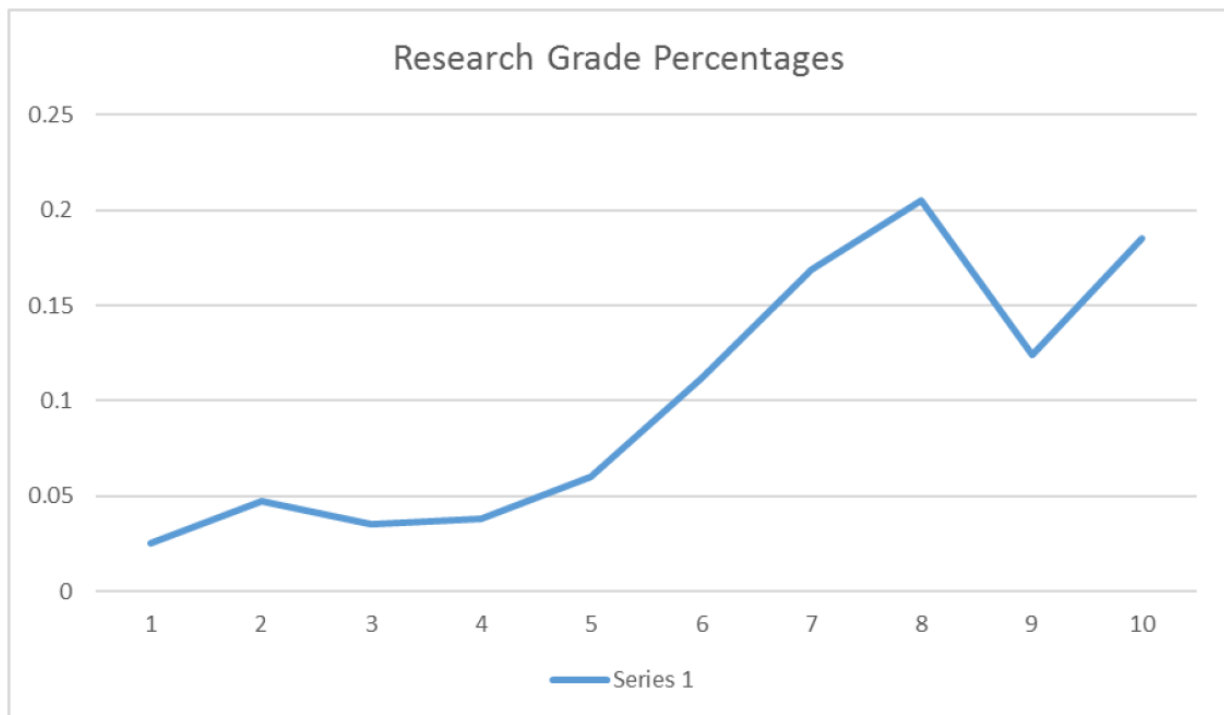
The visual grade reflected the overall construction of the poster, including graphs and charts, pictures, and symmetry (see Figure 3). The judges felt that 35.4% of the posters submitted exhibited superior traits in this area by awarding them a score of 9 or 10 on a scale of 0–10 (N = 599 responses).

Figure 3. Visual

Grade

Visual Grade Responses
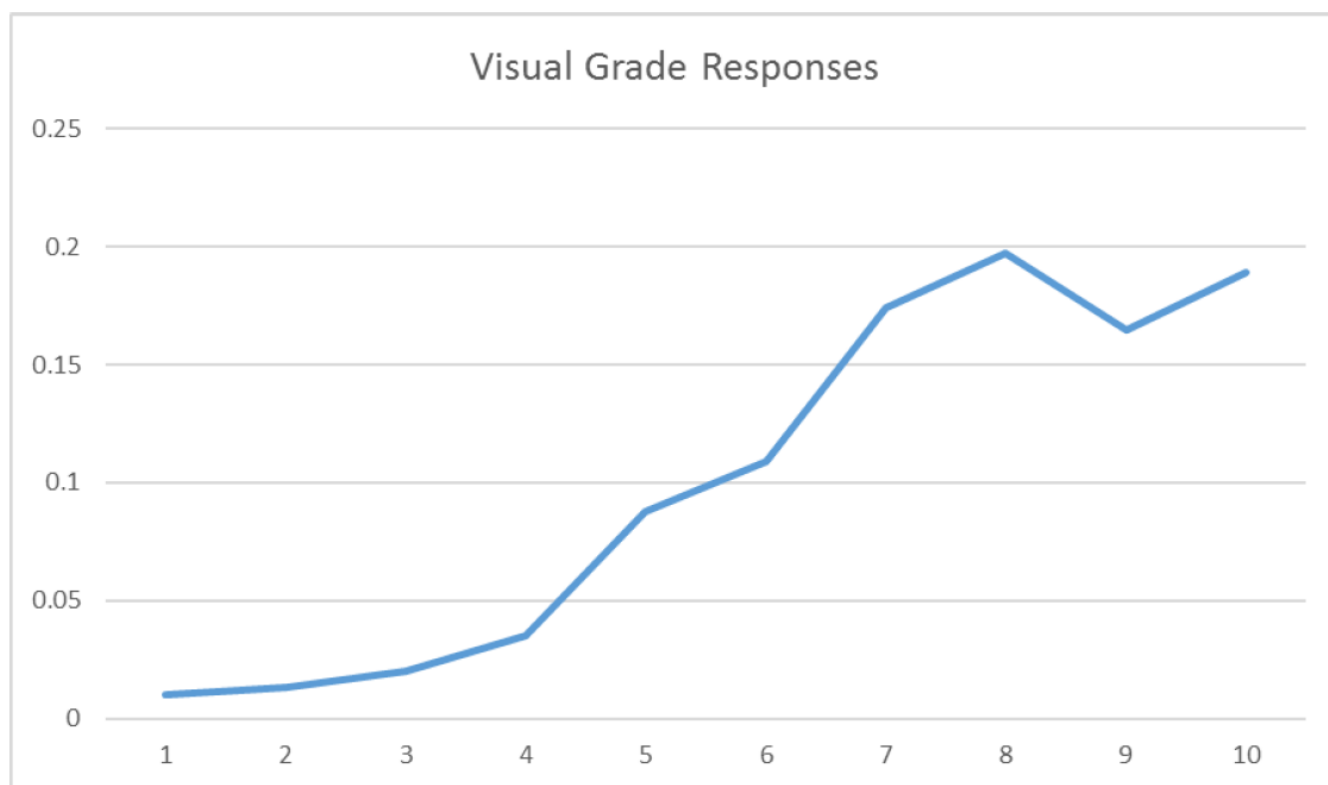
The judges were asked to evaluate the quality of the student's research in the area of source documentation of that research (see Figure 4). The judges felt that the majority of the posters submitted (62.5%) exhibited superior source documentation and awarded them a score of 4 or 5 on a scale of 0–5 (N = 599 responses).

Figure 4. Source Documentation
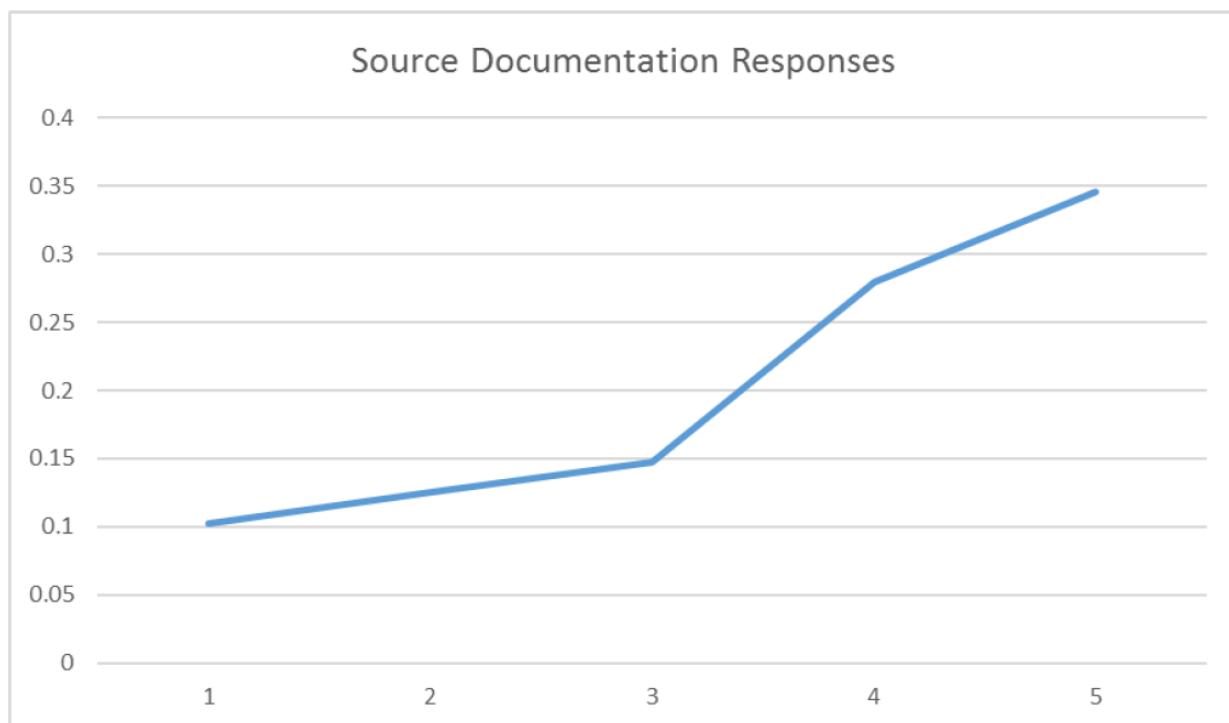
The judges were asked to evaluate the spelling and grammar on each student's submission (see Figure 5). The overall quality was judged to be high, with 75.8 % receiving a score of 4 or 5 on a 0–5 scale (N = 599 responses).

Figure 5. Spelling and Grammar
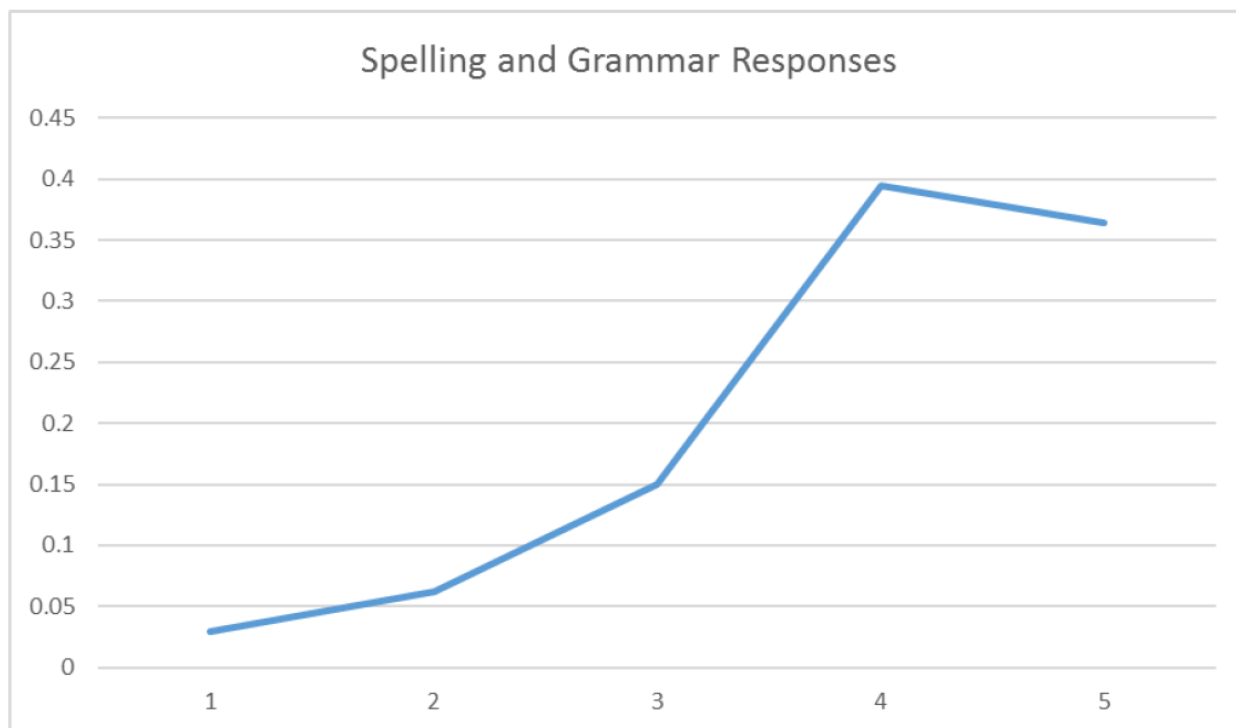
Limitations of the Study

It is unknown whether the disparity in the numbers of upper division students versus lower division or graduate students has to do with interest or the level of the class groups participating. It is hoped that future virtual poster competitions will have more participants from a wider variety of colleges and universities.

Summary

Modern educators are faced with providing educational research opportunities to a multigenerational group of students who possess different learning styles. Virtual poster competitions are an effective way to provide experiential learning to students. Virtual poster competitions are inexpensive and allow access by online students who would not normally be able to participate in this type of research. Virtual posters competitions provide another tool to allow a much larger group of students an opportunity to engage their critical thinking and research skills. Virtual poster competitions also allow students to interact in a virtual format with other academic learning communities and share their ideas with those groups.

References

Blair, D. (2016). Experiential learning for teacher professional development at historical sites. *Journal of Experiential Education, 39*(2), 1–15.

Caffarella, R. (1994). *Planning programs for adult learners: A practical guide for educators, trainers and staff developers.* San Francisco, CA: Jossey-Bass.

Dabbagh, N. (2007). The online learner: Characteristics and pedagogical implications. *Contemporary Issues in Technology and Teacher Education* [Online serial], 7(3). Retrieved from http://www.citejournal.org/volume-7/issue-3-07/general/the-online-learner-characteristics-and-pedagogical-implications

Fink, L. D. (2003). *Creating significant learning experiences: An integrated approach to designing college courses.* San Francisco, CA: Jossey-Bass.

Freire, P. (2008). The "banking" concept of education. In D. Bartholomae & A. Petrosky (Eds.), *Ways of reading* (8th ed., pp. 242–254). Boston, MA: Bedford-St. Martin's.

Furjanic, S., & Trotman, L. (2000). *Turning training into learning: How to design and deliver programs that get results.* New York, NY: American Management Association.

Jacobs, F., & Hundley, S. (2010). *Understanding and supporting adult learners: A guide for colleges and universities.* San Francisco, CA: Jossey-Bass.

Jarvis, P. (1995). *Adult & continuing education: Theory and practice* (2nd ed.). London, UK: Routledge.

Knowles, M. (1990). *The adult learner: A neglected species* (4th ed.). Houston, TX: Gulf.

Kolb, D. (1984). *Experiential learning: Experience as the source of learning and development.* Englewood Cliffs, NJ: Prentice Hall.

Lim, L. (2015). Critical thinking, social education and the curriculum: Foregrounding a social and relational epistemology. *The Curriculum Journal, 26*(1), 4–23.

Lujan, H., & DiCarlo, S. (2005). First-year medical students prefer multiple learning styles. *Advances in Physiology Education, 30*(1), 13–16.

Palloff, R., & Pratt, K. (2011). *The excellent online instructor: Strategies for professional development.* San Francisco, CA: Jossey-Bass.

Takata, S. (2016). Igniting student learning: The visual project. *The Criminologist, 41*(6), 24–25.

Takata, S., & Curran, J. (2009). The art of learning by doing. *Criminal Justice Matters, 78*(1), 32–34.

What's your learning style? The Learning Styles. (2016). *EducationPlanner.org.* http://www.educationplanner.org/students/self-assessments/learning-styles-styles.shtml

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So, You Want to Write a Textbook?
G. Larry Mays, New Mexico State University*

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I have to begin by confessing that most of what I have learned about writing textbooks has come through making mistakes. If experience is the best teacher, then I have had one of the best teachers possible. My first textbook was published in 1987, and since then I have written a total of 24 books (counting multiple editions of some books) with several different publishing companies, large and small, national and international. What follows is based on my experiences, but it also includes the experiences of some of my colleagues over the past 30 years.

Ideas for Textbooks

The best ideas for textbooks come from your classes. There have been a few successful criminal justice/criminology texts written by people who do not teach particular classes, but for the most part, you will have a head start by writing for a class with which you are familiar. Over the years, people have told those who aspire to write the great American novel to "write what you know," and that advice applies to textbooks also. By proposing a book for a class you teach, you will already know the competition's strengths and weaknesses.

Develop Contacts With Publishers

There are fundamentally two ways to do this. First, there are publishers' representatives who visit your campus. You may look at these visits as a waste of time, but this is often your frontline contact with a publisher. Sales representatives should have a good grasp of their companies' products and some areas in which editors are looking for new books. Furthermore, many publishing companies offer incentives to these representatives, and they can help with signing new authors. Although this does not do anything for you as a potential author, it can be financially profitable for a publisher's representative to take information from you about a book you are interested in doing and pass that along to the appropriate editor.

Second, you can develop publishing contacts at regional and national criminal justice/criminology conferences. Editors and marketing staffs are present at most of the major meetings. They typically are eager to talk to people about new book projects. However, the editors can be very busy at the conferences, so you may need to contact them in advance and set up an appointment to discuss your book idea. A point to keep in mind here is one emphasized to me by a long-time editor for a major publisher when I did

my first book. She told me that if she asks people whether they are interested in doing a book and they respond, "What are you looking for?" she feels that the conversation is over. In other words, do not hold yourself out as ready to do any kind of book for a publisher: You need to have a specific project in mind.

The Book Proposal

Most publishers' decisions are based on written proposals describing a book project (unless you are a *very* well-established author with an extensive publishing track record that allows you to verbally pitch a proposal to an editor). The proposal (or prospectus) usually contains five key elements. First, there should be a thorough description of the book. This might include a few sample chapters (you probably do not want to invest time in doing a complete manuscript before you have a contract, only to find that publishers are not really interested). The advantage to having sample chapters (aside from letting publishers see your writing style) is that you are farther along once the contract is signed. After the contract is signed the clock starts ticking and there are real deadlines. As a long-time friend of mine often says: "Eventually every good idea degenerates into work."

Second, you should explicitly describe the courses for which your book would be used. I have heard people saying to editors, "Well, it could be used in this course, or it could be used in that course." Editors want to know specifically which course or courses (names, levels at which taught, etc.) your book targets. Most experienced criminal justice/criminology editors recognize course names and whether the classes are taught in community colleges or universities (or both), whether the classes are lower-division or upper-division undergraduate or graduate classes, and whether they are offered on campus, online, or both.

Third, you have to be able to describe the competition. If there is *no* competition, editors want to know why (i.e., is there really a market for this book if nobody seems to have done one?). Ideally, there will be only a couple of major competitors, and this will demonstrate that there is a market and that the time may be right for a new book. In addressing the competition, you have to articulate how your book is different and, presumably, better. I have spreadsheets with the chapters of major competing books and how the book I am proposing compares with them.

Fourth, you need to provide the author's or coauthors' information, and normally this means providing a copy of your vita and discussing the books you have written or the chapters, articles, encyclopedia entries, and so on that you have published, in order to demonstrate a track record. You also may be asked to complete an author questionnaire that contains not only material on the author but also the proposed book's unique features. This is important because at this point the marketing begins.

Finally, you will need to provide a project timeline. This is a delicate balancing act. You need to establish a realistic deadline that will allow you to complete the manuscript. This is not your life's work, so you cannot take a decade to complete it, and it is probably not realistic to be done within six months, either. Publishers often want to receive manuscripts at one of two times during

the year (check with the editor for preferred delivery dates), and this allows time for production and timely publication for fall or spring adoptions (they really like to see books available for the ACJS meeting in the spring or the ASC meeting in the fall). Editors can give you deadlines and you can work back from that to see what is actually doable. I have found it best to err on the side of caution and pick a more distant deadline with the possibility of early delivery, although if it is in the publishing queue for a certain date this may not mean early publication.

Reviews

Publishers often will contact five or six individuals who teach classes related to your proposed book. They may ask you for suggestions (forget your friends, family members, and present colleagues), but often they reach into files they have accumulated over the years for potential reviewers' names. Most publishers will try to put together a review panel from different types of institutions (two-year and four-year schools, public and private, and from diverse regions of the country).

I have had reviews done based on my book proposal alone; I have had them done from the proposal and sample chapters; and I had them done on completed manuscripts. What follows is a small slice of the experience I have had with the reviewing process. Of the six reviews, on average one will be totally worthless. The person doing the review will not spend time carefully reading what you have written, the person may not teach the right class, or this individual will not fully understand what you are trying to accomplish with your book. Two of the reviews will be either very flattering or very critical, but not very specific. The fact that the reviewer says, "I love the author's writing style" may boost your ego, but it will not help in terms of making the book better. The final three reviews will be the ones on which you

concentrate. These reviewers actually teach classes for which the book could be used, and they know your competition. They will also be fairly specific about what you should or should not do in the book. However, even among these three reviewers you may get contradictory suggestions (one says leave a topic out while another says the topic should be expanded). In the end, it is your proposal, and you will need to tell the editor what you are willing to do (and why) and what you are not willing to do (and why not).

The review process is designed to do two things. First, it tells the publisher whether you are on the right track. If you are dealing with an experienced editor, he or she will already have a pretty good sense of this. Second, the review process is designed to start cultivating potential adopters for your book. Keep this in mind when reading reviews and considering their suggestions.

The Contract

If you are fortunate enough to sell your idea, you will receive a contract. It is important to note that until something is signed, you are free to present your idea to as many publishers as you would like. I was in a unique position with one of the books I did to receive five different contract offers nearly simultaneously. That allowed me to pick the one I felt was best for me and my situation. However, it is best to be up front with publishers to let them know that others are considering your proposal.

If you do not already know, you should ask whether there is or will be in-house competition. This is not a deal

breaker, but it is helpful to know where you are in the publisher's pecking order. Generally speaking, the larger the publisher, the more likely there will be one or more in-house competitors. This is not necessarily a bad thing. Some publishers like to have multiple books on a subject and come out with new editions in alternate years (e.g., three corrections books, with new editions published one per year for three years in a row).

Standard contract features include the royalty amounts and the distribution of royalties among coauthors. Also, publishers typically retain the right of first refusal for subsequent editions of the book. Much of this language is standard contract "boilerplate." In terms of royalties, it is important to note that the percentages can differ from one publisher to another and from one type of book to another (e.g., core text versus supplement or reader). The easiest way to find out is to ask the signing editor before the contract is offered so you know what royalties to expect. It is also important to note that there are different (typically lower) royalty amounts for international sales and for electronic chapters or books. The bottom line for royalties is this: If you are thinking of doing a textbook for money, you should probably get a part time job at a fast food restaurant or as a Walmart greeter because you will make more per hour doing that than writing a book.

Also included in contracts are what the publisher will expect from you (deliver an acceptable manuscript by a certain date) and what you can expect from them (e.g., indexing, which is an issue I will address later). There may be provisions for advances against royalties (these used to be very common and now are less so) or grants for manuscript development (also scarce as hen's teeth these days).

The Writing Project

There is no secret formula. I find that if I do some every day I am more likely to stay on task. Some campuses have what are known as writing circles, and these are mutual help groups that support faculty members in writing articles and books.

There are special considerations in writing with coauthors. I have had both good experiences and bad (coauthor relationships are a little like marriage). Coauthors can have different writing styles (what editors call "voices"), but the final product should sound like one person wrote it. There are also differences in work schedules or the sense of urgency about the project. I have often said that if you write a book by yourself, you do 100% of the work. If there are two coauthors, each does 75% of the work, and if there are three coauthors each does 50% of the work (I do not even want to think about more than three). The idea is that while coauthors share the workload, they also contribute to the workload in that all of the contributors have to read, comment on, and edit what the others have written. E-mail and video conference calls can help in this process as well as cloud file sharing, but it can even be complicated when your coauthor is just down the hall.

The Production Stage

To me, writing has always been the most enjoyable part of doing a book. In my experience, when the manuscript gets into production it becomes a little more tedious.

By now, you will have been handed off from the signing editor to a production editor, who will probably hand you off to a copy editor and others. Many of the production people are contractors who work on a project-by-project basis for publishers, and most are located away from the publisher's editorial offices (I have worked with production companies in foreign countries, such as India and Texas).

By this point (normally as part of the contract), the indexing issue has been resolved. It is actually fairly straightforward and normally there are three options. First, the author(s) will be responsible for the index, and that is part of delivering an acceptable manuscript to the publisher. Second, you can negotiate with the publisher that they will do the index and will pay for having it done (good luck on that one). Third, the publisher can contract with a professional indexer (probably an unemployed English Ph.D.), and they will take the money out of your royalties. Some publishers prefer to have authors do the index because they feel authors know the material best. I have had really good indexes done by professional indexers and I have had some pretty poor ones. You can never be sure in advance, and you will end up reviewing and correcting them anyway.

Something else that will be addressed in the contract, but which must be resolved in the production process, is the issue of ancillaries: instructor's manuals, test banks, Power Point slides, and student study guides. The bigger the market (lower-division introductory courses) and the greater the competition, the more important ancillaries become. If you are doing a book aimed at upper-division undergraduates or graduate students, the ancillaries may not be as critical. However, if they are part of the contract, you must decide who will do them to meet the publisher's deadline. Again, there

are options: most publishers would prefer for authors to do their own ancillaries because they know the material the best; however, they may be willing to pay someone to do the ancillaries, with the costs being absorbed by the publisher or being charged to the author. I have seen both good and bad ancillaries done by authors and by people other than authors. A good ancillary package can aid in adoptions, and a bad one may diminish your chances of robust sales.

Copy Edited Manuscript

Things have changed a lot since my first book done in the mid-1980s. Then, everything was mailed back and forth between production staffs and authors. Today everything is electronic, and the expectations for turnaround times have been shortened substantially. My advice relative to copy editing is "park your ego at the door." Copy editors can be tough to work with and they do not always understand what you are trying to say. Most of what they suggest will improve the manuscript's quality, so be open to their suggestions, but occasionally you have to stand your ground and say, "While that may be technically correct, it does not make sense."

Typically, you will get copies of your pages marked up (tracked changes) to go through before the manuscript goes to the typesetters. Most of the time now you will get page proofs that look more or less like the finished book. *Do not assume that mistakes have been caught at this point*. Read the page proofs carefully. I have found small and large mistakes in what should have been "final" pages.

The "Birth of the New Baby"

The publishers' marketing departments or "product managers" can be your best friends (or not). Do not assume that the company knows how to market your book or that they will be aggressive. In fact, most publishers now send out surveys for authors to complete, telling them about the book's key features and how to pitch it to prospective adopters. Be diligent about filling out these forms. Sales staffs know the publishing business generally, but they are not necessarily experts in your field. You have got to tell them what is unique and desirable about your book.

What if Things Do Not Go Well?

Although contractually the publisher holds most of the cards, authors can ask for their rights back at the time a revision would be done (normally three years, for most books). Getting your rights back can be simple (and swift) or complicated (and protracted). I have had both experiences.

A new publisher cannot talk to you about signing your book as long as you are under contract with your original publisher. Also, remember that even after your release from one publisher and signing a contract with another publisher, your original publisher typically retains the right to sell unsold copies of previous editions (including electronic copies). So what is the bottom line about doing a book? Is it fun? No. I have had fun before and that is not it. Is it work? It certainly is. Why do it, then? I guess for me it is gratifying to see something I have been a part of go from an idea to the finished product. The problem for me is that there is always the next book project out there waiting for me, even though I promise my wife that this is the last one.

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Policing Cybercrime and Cyberterror: Reflecting Upon Holt, Burruss, and Bossler's (2015) Book

Heather L. Rigby, Lamar University*

Heather Rigby*

Policing Cybercrime and Cyberterror provides a well-rounded look at several of the issues facing officers and researchers in the fast-changing digital age of cyberspace. Dr. Adam Bossler is an associate professor at Georgia Southern University whose current research focuses on the application of traditional offenses to cybercrime offending and victimization. Dr. Thomas Holt is currently a professor at Michigan State University whose research focuses on how the Internet facilitates crime and deviance. And Dr. George Burruss is an associate professor at the University of South Florida and previously served as a fraud investigator. One area of his research targets cyberspace and police response to cybercrime.

In *Policing Cybercrime and Cyberterror*, Holt, Burruss, and Bossler explore basic cybercrime statistics and include the attitudes of law enforcement officers toward multiple aspects of cybercrime and the unique challenges of regulating cybercrime offenses at present. The authors also include the impact digital investigating can have on officers. The statistics are thorough and illustrated with multiple tables throughout the book. The book also includes a well-thought-out compilation in the last chapter that brings the previous research and data interpretations into focus and provides suggestions for further research and solutions for cybercrime. By doing so, the authors provide a greater understanding of the specific issues and challenges cybercrime presents to officers, officers' perceptions and attitudes, and the need for improvements in the prevention of cybercrime.

The authors provide a solid foundation at the start by pointing out the massive impact the development of technology has had over the last 30 years and the sheer number (2.1 billion) of Internet users worldwide. With such expansion of technology comes new avenues for crime and deviance, such as hacking, cyberbullying, e-mail scams, identity theft, the exchange of child pornography with reduced risk, the facilitation of prostitution, malware, and viruses, just to name few. The changeover from closed computer systems to Internet networks of industrial control systems has brought new dangers in larger numbers than ever before. Now, cyber attacks have the ability to affect millions in a single terrorist attack by targeting areas like utilities, airports, government, or banking systems (Brenner, 2013). The authors also help readers understand that the options for policing go far beyond a local officer in a uniform, by

reminding the readers of groups such as Internet users, Internet service providers, corporate security, government and nongovernmental police organizations, and public policing agencies. This is important because in later chapters the authors include these groups in the research applications by referencing them in the strategies for the response to and prevention of cybercrime.

After a general overview, the authors dive into cybercrime statistics and officer perspectives on cybercrime and cybercrime training. They point out the "dark figure of cybercrime" and explain the challenges of gathering information on both the rates of offending and the rates of victimization. They also illustrate the differences in officers' views of cybercrime by providing an in-depth look at two groups of studies, one from officers and administrators and the other from officers with specialized training in cybercrime. The studies focus on the officers' perspectives of seriousness, frequency, and uniqueness of cybercrime offenses. The authors do a good job of pulling out the important elements from this study, such as the positive growth in officer's understanding of cybercrime over the last 10 years, as well as the officers' perception of the seriousness of child pornography and terrorism in relation to other cybercrimes. The authors' conclusions help put into perspective the following chapter, which highlights officers' attitudes toward cybercrime training.

The authors' presentation on cybercrime training gives a solid look at the resources local law enforcement have across the United States for the handling of cybercrime. Although most cybercrime response is done through either specialized task forces or individual officers assigned to respond to cybercrime, the authors point out that in both options, budgetary restrictions often prevent a better response to cybercrime. For example, a study in 2010 found that less than 20% of officers were trained in digital

evidence handling, which can have a significant impact on the overall number of cybercrime investigations. The authors also point out that smaller agencies are probably the most impacted by budgetary restraints, which is of significant concern considering more than half all agencies in the United States have fewer than 10 sworn officers, and 75% of these agencies serve fewer than 10,000 total citizens.

But budgetary issues and local resource limitations are only one small piece of the puzzle in a larger picture to decrease cybercrime. *Policing Cybercrime and Cyberterror* also covers how front line officers feel about advancing their skills in the area of cybercrime. Overall, officers had limited interest in further cybercrime training. A study of two southeastern U.S. cities showed only 40% of officers were interested in cybercrime investigations and 57% were interested in receiving further training. Officers interested in training were more likely to be older and of a race other than black or white. Officers who were computer proficient were significantly more likely to be interested in training, as well as officers who spent more time online. This is an important piece of information, as it can help law enforcement administrators understand that those officers who are most likely to be in need of further cybercrime training and a better understanding of computers in general are often those officers who are the least likely to be interested in receiving that further training. In addition, the studies also showed that officers who believed the Internet caused more problems for law enforcement officers were less likely to want training, as well as those who

thought cybercrime should be handled at state or federal levels.

Officers who felt cybercrime should be handled at state or federal levels create a large hurdle to overcome, as examined in an area of the book that covers police officer attitudes toward response to cybercrime. Because most cybercrime is initially addressed by local law enforcement officers, those officers' perceptions of the value of different strategies presented by the research to decrease the effect of cybercrime is especially important. It is vital to take into account that if an officer already questions her or his responsibility to respond to cybercrime, it is even more crucial to have her or him on board with any strategy put into place. Holt, Burruss, and Bossler do an excellent job of exploring officers' attitudes toward alternative approaches to combat cybercrime, as well as stressing the importance of having officers on board with these strategies to ensure their success.

For example, in addition to only 52% of officers believing that local law enforcement officers should be responsible for policing Internet laws, a study in 2012 of Savannah and Charlotte police officers showed additional obstacles to overcome in making improvements to cybercrime policing. In a study of strategies to improve cybercrime response, most officers stated they would rather see citizens become better educated at protecting themselves online, or changes in the legal system, than use other strategies like working with service providers or cooperating with the business community. Working with citizens online to "police the Internet directly" ranked 15/15 in the study. This is a problem because researchers have concluded that significant benefits can result from police working with non–law enforcement

agencies and citizens (Huey, Nhan, & Broll, 2013).

The authors go on to explain that the research shows the officers most likely to be the best collaborators with high tech industries and Internet providers are those who have already shown an interest in working with the public and a desire to build long-term professional relationships with them (p. 87). These officers would more likely be a good fit, regardless of how much specific technical proficiency they have. This area of research is a stand-out section of the book because the authors don't just present research; they take it one step further and explain to readers exactly why one group of officers would be a better fit than another. Conclusions like this have the long-term potential to not only save money but also provide a significant reduction in frustration if and when programs to collaborate with the public are created. Although Chapter 4 is heavy on the statistics and tables, gems like the one above make it well worth reading.

Perhaps the greatest contribution *Policing Cybercrime and Cyberterror* brings the cyber-policing community is the work focusing on stress, strain, and satisfaction among cybercrime investigators. This chapter is particularly well researched and insightful, with multiple possible applications from the conclusions that will benefit officers and administrators. The authors' findings confirmed stress levels among officers who view disturbing digital evidence (like child pornography) are similar to those of traditional police officers exposed to traumatic incidents. This stress was positively correlated with variables like longer careers, greater role

conflict, and greater exposure to abusive images. Twenty-one percent of officers reported symptoms like trouble falling asleep, irritability, feeling numb, or being easily startled. Although relatively few of those officers engaged in negative coping mechanisms like smoking or drugs, the ways they did choose to cope didn't seem optimal. Fewer than 16% utilized counseling services; instead, they dealt with the trauma by trying to distract themselves or by leaning on friends and family.

Through this research, the authors provide many ways that can be explored by others in the future to help officers cope better. For example, reducing role conflicts through clearly communicated expectations is a simple way police administration could decrease the burden on digital evidence officers. Mandatory counseling could be another option, as well as group therapy. Insisting on regular, consistent therapy could take away the possible stigma of officers having to ask for counseling themselves. Officers could see it as a preventive measure rather than something you only attend when "sick." Also, ensuring that officers are rotated out on a regular basis could lower stress levels as well. Other locations that are having success in their digital evidence handling departments should be studied for additional ways to decrease stress on officers (Tomyn, Powell, Cassematis, Smallbone, & Wortley, 2015). Again, let it be emphasized that the authors should be commended for including and shining a light on an important and worthwhile issue like investigator stress and mental well-being.

As mentioned in the introduction, the last chapter provides researchers and employees in law enforcement with helpful recommendations for ways to improve criminal justice policy. Throughout the book, Holt, Burruss, and Bossler

do an excellent job of not only gathering relevant research and interpreting its applications but also taking those results one step further and applying them to the "real world." The last chapter especially highlights this as 10 areas of possibility are explored, including aspects like data reporting, uniform training and certification courses, and updated laws. Their section on public awareness has several worthwhile suggestions, including the possibility of creating a school program similar to D.A.R.E. or G.R.E.A.T., but directed toward developing safe cyber habits in youth. A suggestion like this could not only have success with youth but could possibly "grow" with the student and have an impact on adult populations in the future. However, research on D.A.R.E. or G.R.E.A.T. program aspects that have been proven effective should be done prior to the creation of such a program because the long-term effectiveness of D.A.R.E. and G.R.E.A.T. have drawn criticism in the past (Telep & Weisburd, 2012).

Another strong section is the cooperation with the high-tech industry, which includes a mention of InfraGard, a "nationwide non-profit public-private partnership designed to facilitate information sharing between academics, industry and law enforcement" (p. 122). The area geared toward structuring a computer crime unit also brings up many solid ideas to consider like utilizing community members and exploring less traditional ideas such as the example of Finnish police, who have created a community policing unit through social media networks that is managed by an officer around the clock. Other municipal police sites have been created nationwide in the United States and are another source to

consider when building on this idea (Rosenbaum, Graziano, Stephens, & Schuck, 2011).

The authors also bring up the need for officers to expand problem-oriented policing to cybercrime and cyberterror, pushing law enforcement officers to dig deeper into the root causes in trends of cybercrime and cyberterror. All of these ideas show the authors are not just gathering and spitting out statistics; rather, they are engaged in taking the next step toward cyber security solutions.

Policing Cybercrime and Cyberterror has few, if any, weaknesses. The authors' careful consideration of what to include, as well as presenting it in an easy-to-read format, creates a well-rounded book. However, it should be pointed out that most of the book's statistics are primarily based on two studies, both of which are not large, inclusive studies. The study done on patrol officers only includes the two southeastern U.S. cities of Charlotte and Savannah. The second study, which includes investigators who have gone through training at the National White Collar Crime Center, only had a response from 292 individuals. The authors are aware of it, and it is not enough to detract from the book's overall usefulness. As mentioned earlier, some chapters become heavy with statistics and multiple tables, but the information is clearly laid out and informative descriptions of each prevent it from becoming overwhelming.

Holt, Burruss, and Bossler's book provides a much-needed critical look at policing cybercrime and cyberterror. They illustrate a clear picture of the unique challenges cyberspace creates for policing offenses, the attitudes of the officers responding, and the toll it can have on digital investigators. The authors also take care to ensure their research and interpretations are not just for academe, but journey a step further and provide an insightful perspective,

as well as practical tools for those currently employed in the law enforcement field. For these reasons, *Policing Cybercrime and Cyberterror* is recommended with equal enthusiasm for students, researchers, and law enforcements professionals.

References

Brenner, J. F. (2013). Eyes wide shut: The growing threat of cyber-attacks on industrial control systems. *Bulletin of the Atomic Scientists, 69*(5), 15–20.

Huey, L., Nhan, J., & Broll, R. (2013). "Uppity civilians" and "cyber-vigilantes": The role of the general public in policing cyber-crime. *Criminology & Criminal Justice: An International Journal, 13*(1), 81–97.

Hyman, P. (2013). Cybercrime: It's serious, but exactly how serious? *Communications of the ACM, 56*(3), 18–20.

Rosenbaum, D. P., Graziano, L. M., Stephens, C. D., & Schuck, A. M. (2011). Understanding community policing and legitimacy-seeking behavior in virtual reality: A national study of municipal police websites. *Police Quarterly, 14*(1), 25–47.

Telep, C., & Weisburd, D. (2012). What is known about the effectiveness of police practices in reducing crime and disorder? *Police Quarterly, 15*(4), 331–357.

Tomyn, A. J., Powell, M. B., Cassematis, P., Smallbone, S., & Wortley, R. (2015). Examination of the subjective well-being of Australian internet child exploitation investigators. *Australian Psychologist, 50*(3), 203–211.

Heather Rigby received her undergraduate degree from the University of New Mexico and is currently a graduate student in the Criminal Justice Program at Lamar University, in Texas. Her future plans include teaching and research. Along with being a full-time student, she currently volunteers at a local domestic violence and human trafficking shelter. Her interests include women in the criminal justice system, cybercrime, law, and prison reform.

No Way Out: Reflecting Upon Waverly Duck's (2015) Book

Gary L. Grizzle, Barry University

Gary L. Grizzle

Waverly Duck first encountered the "Lyford Street" housing development when he went there to collect data in support of a legal contention that "the code of the street," as described by Elijah Anderson (1999), is such a powerful force that its presence should constitute a mitigating circumstance in some criminal cases. Over the following seven years, Professor Duck remained connected to this community, known locally for its flourishing drug trade, and conducted extensive ethnographic fieldwork that resulted in his book *No Way Out: Precarious Living in the Shadow of Poverty and Drug Dealing*. In this work, Professor Duck provides an account of life in Lyford Street that is equal parts commendable, disconcerting, and lamentable.

What is commendable about this work is its depiction of Lyford Street as a poor black community that can only be understood in terms of its isolation, its entrenched drug trade, and the impact of these factors on the life choices of its denizens. Professor Duck makes the case for this characterization of Lyford Street through refreshingly incisive treatments of a variety of topics, the most important of which are as follows.

First, Professor Duck provides a concise treatment of the history of Lyford Street, from its origins as a white suburban housing development in the early 1940s to the onset of its racial transformation during the white flight movement of the late 1960s, to its devastating economic decline following the deindustrialization movement of the 1980s. He describes the product of these events as a now overwhelmingly poor black community characterized by inadequate schools, limited access to legitimate job opportunities, little faith in government institutions, and a thriving drug trade. He describes the population of this troubled community as consisting of two essential groups: those directly involved in the drug trade and their more conventional relatives and neighbors who disapprove of, partially depend upon, and ultimately resign themselves to its presence. Through his treatment of the history of Lyford Street, Professor Duck offers readers a firsthand account of the confluence of conditions that gave rise to its isolation, its drug trade, and the ambivalent social relations engendered by that trade.

In addition, Professor Duck provides a succinct treatment of the drug trade in Lyford Street and its impact on the local "interaction

order" as defined by Erving Goffman (1983). Regarding the former, he describes a desperation-driven trade run by independent entrepreneurs who market powdered cocaine to whites from outside the neighborhood by employing a complex division of labor and a variety of creative strategies for minimizing legal, financial, and personal risk. Regarding the latter, he describes a context wherein residents are well-versed in the practices of the local drug trade and tailor their actions (where they go, where they look, how they dress, how they walk, how they interact with authorities, etc.) to its demands. Participation in this interaction order, he emphasizes time and again, results in even those residents with the most conventional of values appearing to condone the drug trade in the eyes of many outsiders, including some social scientists. Through his treatment of the drug trade and its impact on local behavioral patterns, Professor Duck reveals the underlying forces that shape life choices in Lyford Street.

Most important, Professor Duck augments his descriptive treatments of life in Lyford Street with a judicious delineation of the theoretical and practical implications of his observations. In doing so, he suggests the following.

First, he suggests that on a theoretical level, his research reveals that individual and group explanations fail to capture the dynamics of life choices in Lyford Street. Specifically, he suggests that such choices reflect neither an absence of morals on the part of Lyford Street residents nor the presence of a set of cultural norms and values that are at odds with those of mainstream society: approaches to life choices in poor communities that, he notes, appear in a variety of forms in the social sciences. Rather, in his view, participation in the drug trade is a rational response to institutionalized economic constraints. Likewise,

resignation to the presence of the drug trade on the part of nonparticipants is a rational response to both institutionalized economic constraints and the daily need to negotiate a volatile environment. Thus, Professor Duck suggests, life choices in Lyford Street reflect adherence to a readily identifiable, understandable, and malleable code of conduct, not a deep-rooted estrangement from mainstream society.

Second, Professor Duck suggests that on a practical level, his research reveals the folly of traditional attempts to address social problems in Lyford Street. Specifically, he suggests that such attempts are doomed to failure because they ignore the unique conditions of Lyford Street and instead treat its residents as wayward middle-class Americans. That is, as citizens with the same opportunities, resources, and choices as the typical suburbanite but who need (based on their flawed individual or group moralities) to be prodded into making better choices—prodded by code enforcement departments, welfare departments, police departments, traffic courts, family courts, criminal courts, and prisons. Unfortunately, he notes, such prodding is not only unnecessary—these citizens would make different life choices if they had the opportunity—it is also counterproductive in that it further reduces the limited financial and human capital of Lyford Street residents. Thus, Professor Duck suggests, by ignoring the structural influences on life choices in Lyford Street in favor of their less generous understandings of the community, policymakers are merely punishing its citizens for their rational adaptations to conditions that are largely beyond their control, thereby exacerbating rather than ameliorating their plight.

In sum, in his book *No Way Out: Precarious Living in the Shadow of Poverty and Drug Dealing*,

Waverly Duck both draws from and expands upon the work of his predecessors (most notably Erving Goffman and Elijah Anderson) to challenge what he views as archaic theories and policymaking strategies regarding poor communities in America. In doing so, he provides a colorful expression of the sociological imagination teeming with the voices and stories of Lyford Street denizens. An expression that is certain to engage social scientists and policymakers of all stripes, perhaps enlightening some of them along the way. This I find to be commendable.

What is disconcerting about this work is the insensitivity that Professor Duck sometimes displays regarding the residents of Lyford Street in his otherwise worthy account; an insensitivity that resulted in the margins of my copy of *No Way Out* overflowing with expressions of utter dismay. This disturbing tendency appears in several contexts, most notably the following.

First, it appears in Professor Duck's treatment of the impact of the drug trade on Lyford Street and its residents, about which he declares: "Except for the aggressive police presence it provokes, the drug trade did little direct harm to the neighborhood" (12). Granted, his finer point is that the drug dealers are selling powdered cocaine to whites from outside the neighborhood and not crack cocaine to community residents, and thus the phrase "little direct harm" is nominally accurate. That said, there is no denying that the drug trade in Lyford Street has a devastating impact on its residents. In fact, on page after page Professor Duck chronicles the damage this trade leaves in its wake. For instance, he describes the proliferation of trash piles and broken street lights as being components of that trade. As are the guns and drugs stashed in those nightly darkened trash piles. As are the gunshots fired into the air to test a weapon or to intimidate rivals. More important, he describes the heartbreaking process whereby young boys are both lured (by money and acclaim) and coerced (by fear of retaliation) into the drug trade, setting in motion a trajectory from which, by his own account, they seldom recover. So, fine. The drug trade does little direct harm to the residents of Lyford Street. It does, however, indirectly render the lives of community members quite precarious (to borrow an apt term from the title of this work), and though I have no objection to marveling at innovative structures and their attendant interaction orders while simultaneously holding authorities accountable for their ill-advised policies, I find it insensitive to downplay the indescribably tragic consequences of the drug trade in Lyford Street for the sake of irony.

Second, this insensitivity appears in Professor Duck's treatment of the quality of life in Lyford Street, about which he declares: "Full and happy lives are lived under conditions that would make most Americans cringe" (2). The "make most Americans cringe" part I get. The "full and happy lives" part, however, is simply beyond me. How can people live full and happy lives in a community wherein "a level of unpredictability remains, creating a situation in which nothing can ever be taken for granted" (49)? How can people live full and happy lives in a community wherein for many "being in the know is a matter of life and death" (68)? Wherein "stray bullets are an ever-present threat" (71)? How can people live full and happy lives in a community wherein "the only people who succeeded in avoiding involvement in drugs and crime were those who limited their interactions with others in the neighborhood" (26)? Finally, how can people live full and happy lives in a community wherein

"because the practices that so closely circumscribe daily interaction support an illegal activity that conflicts with residents' deeply held values, they have no opportunity to act on their values" (46)? I understand that most residents of Lyford Street and like communities manage to live their lives with grace and dignity as well as to foster what joy they can find under the most trying of circumstances. I also understand the role that local interaction orders play in allowing them to negotiate the hazardous conditions created by both their oppressors and their less-obliging fellow residents. Nonetheless, I find it insensitive to diminish the astounding economic, emotional, and existential terror that these folks experience on a daily basis in support of such a desperate and tenuous response to systematic abuse.

Last, for the purposes of this review, this insensitivity appears in Professor Duck's dismal portrayal of Lyford Street and its residents; his optimistic declarations regarding its drug trade, its resultant interaction order, and its conduciveness to full and happy lives notwithstanding. What disturbs me greatly is that the community we encounter in this work does not differ appreciably from the poor black communities we encounter daily in the most conservative of mainstream media outlets. Specifically, we encounter a community rife with drugs, guns, robberies, killings, absentee fathers, dysfunctional relationships, rampant impulsive behavior, and on and on. While I do not doubt that such phenomena exist in Lyford Street, I am certain that decent behavior is equally prevalent in this community, albeit perhaps less public: decent behavior that warrants celebration in any account of the undervalued, in my opinion. I understand the

need for a work of this nature to portray the devastation that results from our collective choices and policies, but I find it insensitive to reinforce, however tacitly, the one-dimensional view of this and other poor black communities that so many people already harbor.

In expressing the preceding concerns, I am certainly not questioning Professor Duck's motives or his commitment to the people about whom he is writing. That he has the best interests of these folks at heart is abundantly clear. However, I think it is important to note that in his effort to champion Lyford Street and its residents, Professor Duck is often guilty of inadvertently romanticizing and disparaging them as well. This I find to be disconcerting.

Finally, what is lamentable about this work is its treatment of social stratification in Lyford Street, about which we hear very little of substance. We do hear that some folks are more likely than others to escape the drug trade and its trappings; that some folks are more likely than others to cooperate with outside authorities; and that some black folks attribute the decline of Lyford Street not to white flight or deindustrialization but to the arrival of some other black folks in the neighborhood. We even hear that these divisions are related to age, education, and social class. What we don't hear is that race is but one dimension of stratification affecting Lyford Street and that other dimensions warrant serious consideration as well. In fact, we don't even hear about other dimensions of stratification when Professor Duck notes that "the chance of an African American male going to prison was one in three" (131). This, even though two of the sources that he cites in this regard indicate that

this statement is true largely because the imprisonment rate for poorly educated black males approaches twice that figure (Petit & Western, 2004; Wildeman, 2009)—the other source that he cites (Bonczar, 2003) only breaks imprisonment rates down by cohort and ignores other intragroup differences. It is apparent that there are important issues regarding stratification in Lyford Street that Professor Duck fails to explore, the exploration of which would have enhanced both this work and our collective understanding of the nuances of race.

Despite the foregoing litany of complaints, I ultimately find *No Way Out: Precarious Living in the Shadow of Poverty and Drug Dealing* to be a quite worthy volume. After all, the shortcomings that I mention, although comment-worthy, are common enough in discourses having to do with race in America. That is, in addressing racist practices and their consequences, we often teeter on becoming apologists in our efforts to indict, denigrators in our efforts to shame, and reductionists in our efforts to illuminate. One need look no further than the recent literary sensation (both inside and outside academic circles) *Between the World and Me* (Coates, 2015) for a contemporary example of this unfortunate tendency. More positively, Professor Duck provides an engaging and informative glimpse into the lives of some of the most forsaken among us, while at the same time proffering an exemplar of politically engaged social science. Thus, the readers of this journal will likely find this work to be both compelling and inspiring. In addition, readers with more conventional views of the role of social science and readers from the public at large will likely find this work to enhance our communal knowledge and our chances of achieving social justice.   In my experience, a

work with such broad appeal and such potential for widespread illumination is a rarity in scholarship and is, therefore, something to be celebrated.

References

Anderson, E. (1999). *Code of the street: Decency, violence, and the moral life of the inner city*. New York, NY: W.W. Norton & Company.

Bonczar, T. P. (2003). *Prevalence of imprisonment in the U.S. population, 1974–2001.* Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.

Coates, T. (2015). *Between the world and me.* New York, NY: Spiegel & Grau.

Duck, W. (2015). *No way out: Precarious living in the shadow of poverty and drug dealing.* Chicago, IL: University of Chicago Press.

Goffman, E. (1983). The interaction order. *American Sociological Review, 48*(1), 1–17.

Petit, B., & Western, B. (2004). Mass imprisonment and the life-course: Race and class inequality in U.S. incarceration. *American Sociological Review, 69*(2), 151–169.

Wildeman, C. (2009). Parental imprisonment, the prison boom, and the concentration of childhood disadvantage. *Demography, 46*(2), 256–280.

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The Receptivity of the Police to Community-Oriented Reforms

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American police are often characterized as slow to change, resistant to reform, and among the most intransient institutions on the American scene (Bayley, 2008; Rahr & Rice, 2015; Rosenbaum & Wilkinson, 2004; Skogan, 2008; Sparrow, Moore, & Kennedy, 1990). This perspective is embraced full-on in the evocative declaration above. The changes targeted by the President's Task Force on 21st Century Policing (2015) are to be accomplished by changing the culture of the police. In particular, the Task Force endorsed two reforms that closely embrace cultural orientations designed to repair the rending of the police-community fabric, which—judging from the nightly news—appears to be in tattered disrepair:

> 1.1 Recommendation: Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve. (p. 11)

> 4.2 Recommendation: Community policing should be infused throughout the culture and organizational structure of law enforcement agencies. (p. 43)

As America's leaders at all levels of government consider next steps, it seems an opportune time to see how American police have reacted to past efforts to transform how they approach their work. Do they embrace these reforms, or are large numbers resistant?

The National Police Research Platform Surveys

The availability of the National Police Research Platform (NPRP) survey data makes it possible to assay police reactions to community-oriented reforms in a large, national sample of municipal police and sheriff's departments. Three of its surveys were used for this analysis, all based on a random sample of 100 local law enforcement agencies drawn from the 2007 Law Enforcement Management and Administrative Statistics database, focusing on agencies with 100–3,000 sworn members (stratified by department size, region, and police/sheriff status). In addition, a small number of "legacy" agencies (fewer than 100 and more than 3,000 sworn) that participated in a prior test phase of the project were included. Thus, while not representative, the Platform offers a broad cross-section of the nation's municipal and county law enforcement agencies. A Law

Enforcement Officer survey was administered online to 13,146 police officers in 89 of the agencies October, 2014–February, 2015. The mean agency response rate to the officer surveys was 32%. Chief executives of 93 agencies responded to an online survey on their perceptions, practices, and attitudes (conducted October–December, 2013). A Department Characteristics survey was completed by CEO-designated agency staff in 76 agencies July–December, 2014 to acquire data on resources, organization structure, policies, and practices for the agency. Although the length of this survey reduced the number of respondents, the overall characteristics of responding agencies were very similar to the solicited sample in terms of type (police vs. sheriff), size, and sworn staff composition by race and sex.

How Do Police Feel About New Approaches to Policing?

The Platform asked officers to express their views on three strategic reforms that have received a lot of attention in the last two or three decades: community policing, broken windows policing, and procedural justice. All three envision changes in police practices to mobilize and facilitate community collaboration, compliance, or cooperation. Respondents were asked to indicate their support for each approach, on a five-point scale, from "strongly oppose" to "strongly support," with "equally oppose/support" (mixed) in the middle. The survey defined each approach as follows:

Community policing (defined): The police being responsive to community concerns and working in close partnership with the community to solve problems.

Broken-windows policing (defined): Treating minor street offenses seriously to prevent a neighborhood's quality of life from deteriorating and to prevent serious crime from increasing.

Procedural justice (defined): Encouraging officers to show respect and concern for citizens and demonstrate fairness in the way they handle their problems.

On the following page, Table 1 shows the distribution of responses to these items. Support for these reforms far outweighs opposition or ambivalence. Approximately three-quarters of respondents indicated some or strong support for each strategy. Procedural justice enjoyed the highest overall level of support. Table 2 shows that responses did vary according to some officer characteristics. Higher ranks, racial minorities, and females tended to show more support, but even where significant, the average difference was not large. For example, sergeants averaged only one-quarter of a point higher than police-rank officers on the five-point scale ranging from strongly oppose to strongly support.

Table 1. Police Support for Three Community-Oriented Innovations					
		Percentage of officers			
Reform	**N**	*Oppose*	*Mixed support*	*Some support*	*Strong support*
Community policing	12,247	7.6	19.4	35.3	37.7
Broken windows policing	12,063	6.0	21.6	35.1	37.2
Procedural justice	11,877	2.8	20.4	26.5	50.3

Table 2. Effects of Officer Characteristics on Support for Three Innovations			
Officer characteristic	**Average regression effect in points on 5-point scale**		
	Community policing	*Broken windows*	*Procedural justice*
Rank (police officer to sergeant)	+.24	+.20	+.16
Race (minority)	+.21	NS	+.06
Sex (female)	+.19	NS	+.15
Age (10 years)	NS	NS	+.03
N = ~10,000 officers, varying with the regression model			

But these figures reflect the aggregation of all respondents into one pool. Does the picture change if we break police views down department-by-department? Table 3 shows that the average across the 89 agencies was approximately 75 percent of department respondents indicating support. There is some variation in level of support for these reforms. The support in the most supportive agency was more than twice that of the lowest-support agency. But most of the variation in the sample occurs on the higher end. The 25th percentile score for each indicator was above 67, meaning that only 25 percent of the departments registered support from fewer than two-thirds of their sworn force. Support for procedural justice was stronger compared to that for community policing and broken windows. Although there are certainly deviant cases, the clear norm among these departments is a supportive environment for these community-oriented strategies (cf, Cordner, 2017).

Table 3. Support for Community-Oriented Policing Reforms Across Agencies					
	Percentage				
Reform	*Minimum*	*Maximum*	*Mean*	*Std. Dev.*	*25th percentile*
Community policing	43.5	92.3	74.9	9.9	67.7
Broken windows policing	50.0	97.6	73.4	9.1	67.1
Procedural justice	53.8	92.9	77.8	7.5	71.8
N = 89 agencies					
Note: Percentages are those indicating somewhat or strong support. Response options were (1) strongly oppose, (2) somewhat oppose, (3) equally oppose/support, (4) somewhat support, (5) strongly support.					

Was the positive outlook toward community-oriented reforms evident in the Platform survey a fluke of timing? Following the Platform survey there have been numerous highly publicized police-community conflicts that might serve to discourage police support for these approaches. That does not appear to be the case. A 2016 Pew survey of a subset of 54 Platform agencies using sample weightings to reflect the national distribution of local agencies showed support for two of the reforms, support that was at least as high, if not higher than the 2014 Platform survey (Morin et al., 2017). Sixty-five percent found that requiring officers to engage in procedural justice was very useful, and an additional 30 percent found it somewhat useful. Support for community policing was lower, but still strikingly positive: 41 percent found it very useful and 47 percent indicated somewhat useful (the survey did not ask about broken windows policing). The Pew survey confirms that community-oriented reforms have been widely, if not totally embraced by local police across America.

The role of top police leadership

A natural question is what might account for this picture of police culture that is at odds with popular expectations? A logical answer is that local police chief executives have been working successfully to advance acceptance of these reforms. Top police executives are widely thought to have a major influence on the character or style of policing exhibited by the members of the organization they head (Mastrofski, 2002; Wilson, 1968). The Platform surveyed the police chiefs and sheriffs who headed agencies in the sample and found that they typically reported that they had

tried to get their employees to adopt these reforms a "great deal" or as a "top priority": 90 percent for community policing, 80 percent for procedural justice, and nearly 70 percent for broken windows. For all three reforms ten percent or less of the chiefs reported little or no effort to advance these reforms with their employees. Typically, CEOs self-reported substantially greater reform-promotion effort than their employees perceived them undertaking. However, there was a positive relationship between CEO self-reported effort and police employees' average perception of that effort. The strength of that relationship was modest, the strongest being for community policing (r=.349, p<.05, N=83).

How did CEOs promote these programs? Perhaps the most common approach was simply to create formal policies that incorporate the approach into the agency's mission, establish rules and procedures to carry out the strategy, or allocate resources to it. Figure 1 shows that the vast majority of the 76 agencies completing a survey of agency policies reported that these reforms had been adopted, and most of those adoptions had been incorporated into formal policies. Interestingly, the correlation between whether a department had adopted a formal policy for each approach and the average agency officer support level for each approach was very low and not statistically distinguishable from zero. Of course, the presence or absence of formal policies is a limited measure of executive effort, but it suggests that there are other mechanisms at work by which officers have been persuaded to embrace these approaches.

Figure 1. Adoption of Three Innovations by 76 Police Agencies, by Percentage of Agencies
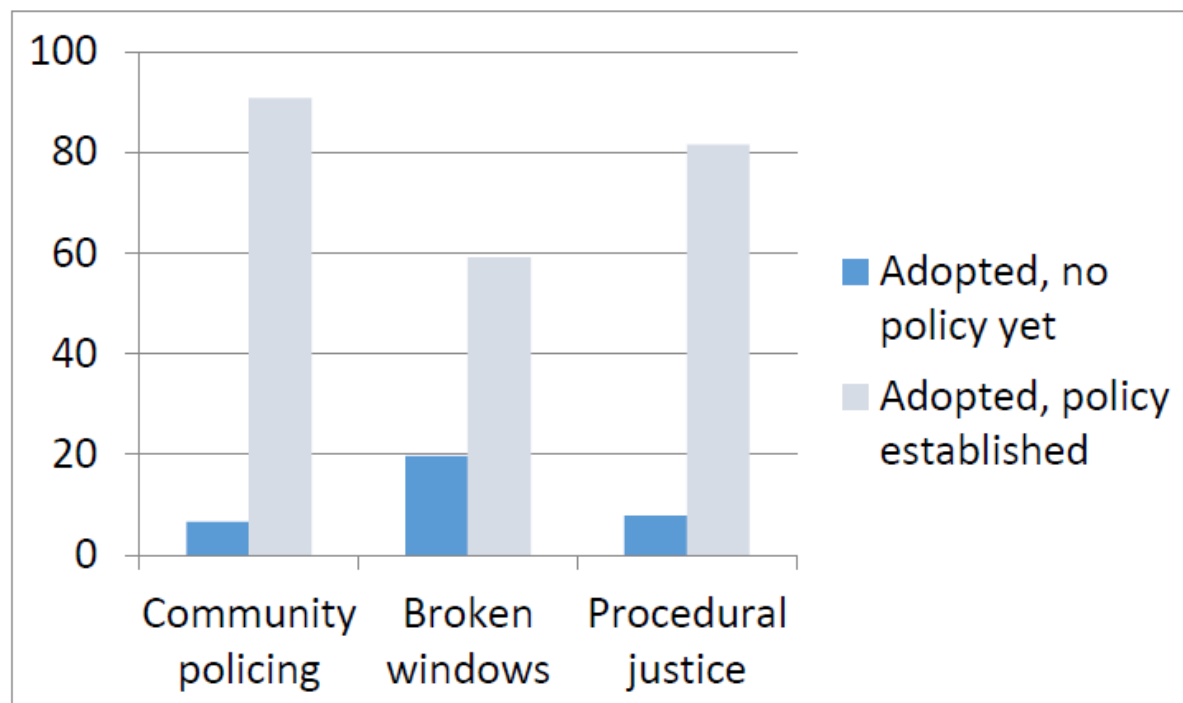
One possibility is the strategy for reform that was taken. In general, the vast majority of chiefs saw themselves as "new brooms" when they assumed the top executive position in their agency – 81 percent declaring that they wanted to take the agency in a different direction from their predecessor (Mastrofski, 2015:52-53). However, most respondents reported that their *current* approach to change was measured. Only 13 percent were attempting to make major changes throughout the department; about half were trying to make few or no changes. Interestingly, there was no appreciable difference among various CEO change strategies in the average level of support given to each of the three reforms by subordinate police employees. Of course, current police officer views of these three reforms are the product of the history of those reforms over time in each agency, something that a cross-sectional survey is unable to capture.

What the survey was able to reveal is the current locus of support for change within their organizations. CEO respondents were asked to indicate how much support they could expect from subordinates for important changes to policy and practice. Expectations were remarkably high. Ninety-seven percent felt that at least a majority of upper managers would be supportive of such change; 76 percent reported that at least a majority of first-line supervisors would support such change, and 80 percent felt that way about the rank and file (Mastrofski, 2015:53). This reinforces the already-offered picture of an organizational climate far more receptive to change than many observers have posited.

Comparing Attitudes to Action

Even if there seems to be a dominant, positive orientation to community-oriented reforms among American police today, it would be a mistake to assume that this positive cultural environment ensures corresponding practice. The link between police attitudes, values, and beliefs on the one hand, and police behavior on the other is a tenuous one (Skogan and Frydl, 2004:135-136; Worden, 1989). The Platform asked respondents to self report aspects of their practice related to procedural justice in a common situation, the traffic stop. Table 4 shows how officers responded to four questions that are indicative of a particular element of procedural justice as commonly construed (Tyler, 2004). The analysis focuses only on rank-and-file patrol officers for whom traffic enforcement is a routine work activity. Notably, the two questions framed to measure procedural *justice* (participation and neutrality) showed near unanimous responses in the direction of justice. However, the indicators of trustworthy motives (care and concern) and dignity, phrased in terms of procedural *injustice*, showed much greater variation. The last column indicates the correlation between officers' support for procedural justice in general and the frequency with which they engage in activities that can be construed as procedurally just or unjust. All correlations are in the expected direction. The more supportive officers are of procedural justice, the more they engage in procedural justice actions and the less they engage in procedural injustice. All correlations are significant, but quite small. This is understandable for the participation and neutrality items, which display very little variation, but it is also the case for the trustworthy motives and dignity indicators. This suggests that the culture of the police, at least as reflected in officers' general disposition toward community-oriented reforms, is a weak indicator of actual practice.

Table 4. Indicators of Procedural Justice/Injustice in Traffic Stops				
PJ domain	Scale direction	Questionnaire item	Percentage likelihood	Correlation with support for PJ
Participation	Justice	Give driver chance to tell his/her side	89	.115
Neutrality	Justice	Explain what will happen next in process	94	.135
Trustworthy motive	Injustice	Ask only questions for paperwork	40	-.097
Dignity	Injustice	Have to get gruff when drivers show attitude	55	-.179
N = ~3,000 officers below the rank of sergeant, varying with the item				
NOTE: Respondents were asked to base answers on their past experience, indicating how often each thing happens when making a traffic stop. High likelihood responses were always/very often and often. Other response options were sometimes, rarely, and never.				

A broader view of organizational change

The news from these data are mixed, at least from the perspective of those advocating community-oriented reforms of the police. The good news is that America's police are, on the whole, positively disposed to these community-oriented approaches. There are naysayers, but they are usually in the minority. The not-so-good news is that these positive predispositions to these three reforms do not clearly correlate with the nuts and bolts of practice – at least in terms of the self-reported practice indicators available in the NPRP. Further, the role that top law enforcement executives have played in this is not clear. It may be that *where* police leaders are headed (that is, *toward* community-oriented strategies), is less important than how they try to get there. In this concluding section I will suggest ways to better assess the consequences of police culture for actual practice.

First, researchers and practitioners need to repeatedly test the strength of the relationship between police attitudes and actions. Changes in culture may have modest effects on actual practice. An officer may be favorably inclined toward community-oriented strategies, yet not regularly or consistently engage in them. Those opposed to the reforms in principle may engage in many practices consistent with the new approach. Researchers should draw upon a wide range of

ways to measure actual practice: officer self-reports on confidential surveys, agency records (another form of self report), police-citizen contact surveys, and direct, systematic observation by trained researchers (Mastrofski, Parks, and McCluskey, 2010; Worden and McLean, 2014). Linking data from one or more of these methods to officer attitudes is more costly, but it will provide far richer insights into the linkage between what officers feel and believe and how they behave.

Second, explanations for changes in culture and their ultimate impact on practice could integrate a variety of organizational perspectives. One interesting framework focuses on the psychology of organizational change that predisposes workers to welcome reforms (Elias, 2009). Some officers embrace change because it offers a potentially enriching work environment that will enable them to fulfill their desire to grow professionally. Another psychological dimension is whether officers feel that they exert control on their work environment and outcomes. And yet another is whether the officer draws motivation to work internally (which values personal development) or externally (which values extrinsic awards, such as pay). This approach focuses attention on what the *officers* bring to the reform effort, raising the question of the psychological basis of support for community-oriented police reforms. If most officers are not psychologically predisposed to embrace change (of any sort), then one expects the linkage of attitude to actual practice to be weak. From a practical perspective, one wants to know what police organizations are doing to reinforce a psychology that embraces change, whether through recruitment and hiring, training, or leadership from the hierarchy.

Another interesting perspective for better understanding the nature and extent of attitudinal influence on police practice is to shift from viewing reform as an *opportunity* for personal growth to a *challenge* that generates disruption and stress in the officers' routine work life. Officers are required to pursue new goals, engage in new tasks, and alter social relationships with fellow workers and members of the public. And often these are add-ons, not replacements of pre-existing goals and tasks, some of which conflict with new expectations. Increase to workload stress is the consequence. Whether the officer embraces the changes required by reform depends upon the particular demands placed by the job and the resources available to meet those demands – hence the job demands-resources model (Bakker and Demerouti, 2007). The propositions embedded in this model are many and complex, but for our purposes there is a dual pathway of influence: (a) job demands affect officer strain, which reduces performance, and (b) job resources boost officer motivation, which increases performance). Job demands are features of the job requiring physical or psychological effort or special skills that incur costs of a physical or psychological nature – for example the cognitive and emotional work required to engage in procedural justice in even a routine traffic stop (Mastrofski et al., 2016). Job resources are those features of the job that are useful for achieving work objectives, reducing job demands and their costs, or that cause personal growth and development (Bakker and Demerouti, 2007:312). One can imagine a number of job demands associated with these community-oriented reforms, such as role ambiguity, role conflict (with pre-existing performance expectations), and role overload (too little time, expectations too high).

Similarly, police departments can vary in the degree of support and reinforcement they offer (e.g., replacing old performance evaluation and reward systems with those that reinforce a community-oriented approach), the degree of autonomy the job affords the officer, and the level of skill development the organization provides to do the tasks. One can imagine a situation where officers accept the principles of a community-oriented reform, but when it comes to practicing them, their behaviors are governed by the particular mix of job demands and resources that apply to their work situation.

The psychological needs and job demands-resources models both focus on how the changes required by the particular reform are adapted to by those who must alter their practice. However, there is another approach that ignores the nature of that work and instead focuses on the broader organizational context in which the officers work. This perspective is referred to as "organizational justice," which argues that officers will follow leaders seeking organizational change to the extent that the leaders and their organizations are perceived by officers as treating them with fairness and respect (Bradford et al., 2013; Colquitt et al., 2001; Haas et al., 2015; Rosenbaum and McCarty, 2017; Wolfe and Piquero, 2011). Fairness has been defined both as the distribution of outcomes and adherence to procedures, although the latter has dominated studies of police (Rosenbaum and McCarty, 2017). Officers perceive procedural aspects of organizational justice to the extent that they feel that they have voice over workplace decision-making, that they are kept abreast of policies and practices espoused by their leaders and offered justifications for them,

that the organization treats them fairly and respectfully, and that their welfare is an important part of management decision making. When police perceive these things, the prospects of greater organizational commitment, rule adherence, and embracing organizational change are enhanced.

These three organizational perspectives enjoy substantial empirical support for a variety of organizations, although research applying them to police organizations has been rather limited. Coupling these perspectives with more extensive measurement of the *practice* of community-oriented reforms will provide a better understanding and explanation of the state of these reforms.

REFERENCES

Bakker, A. B. and Demerouti, E. (2007). He job demands-resources model: State of the art. *Journal of Management Psychology* 22(3):309-328.

Bayley, D. H. (2008). Police reform: Who done it?" *Policing & Society* 18(1):7-17.

Bradford, B., Quinton, P., Myhill, A., and Porter, G. (2013). Why do 'the law' comply? Procedural justice, group identification and officer motivation in police organizations. *European Journal of Criminology* 11(1):110-131.

Colquitt, J. A., Conlon, D. E., Wesson, M. J., Porter, C. O. L. H., and Ng, K. Y. (2001). Justice at the millennium: A meta-analytic review of 25 years of organizational justice research. *Journal of Applied Psychology* 86(3):425-445.

Cordner, G. (2017). Police culture: Individual and organizational differences in police officer perspectives. *Policing: An International Journal of Police Strategies & Management* 40(1).

Elias, S. M. (2009). Employee commitment in times of change: Assessing the importance of attitudes toward organizational change. *Journal of Management* 35(1):37-55.

Haas, N. E., Van Craen, M., Skogan, W. G., and Fletas, D. M. (2015). Explaining officer compliance: The importance of procedural justice and trust inside a police organization. *Criminology and Criminal Justice* 15(4):442-463.

Mastrofski, S. D. (2015). Police CEOs: Agents of change?" *The Police Chief* 82(11):52-54.

Mastrofski, S. D. (2002). The romance of police leadership. In E. Waring, D. Weisburd, and L.W. Sherman (Eds.), *Theoretical advances in criminology: Crime & social organization*. New Brunswick: Transaction Publishers.

Mastrofski, S. D., Jonathan-Zamir, T., Moyal, S., and Willis, J.J. (2016). Predicting procedural justice in police-citizen encounters." *Criminal Justice and Behavior.* 43(1):119-139.

Mastrofski, S. D., Parks, R. B., and McCluskey, J. D. (2010). Systematic social observation in criminology. In A. Piquero and D. Weisburd (Eds.), *Handbook of quantitative criminology*. New York: Springer-Verlag.

Mastrofski, S. D., Worden, R. E., and Snipes, J. B. (1995). Law enforcement in a time of community policing." *Criminology* 33:539-563.

Morin, R., Parker, K., Stepler, R. and Mercer, A. 2017. *Behind the badge*. Social & Demographic Trends. Washington, DC: Pew Research Center.

President's Task Force on 21st Century Policing. (2015). *Final report of the President's Task Force on 21st Century Policing*. Washington, DC: Office of Community Oriented Policing Services.

Rahr, S. and Rice, S. (2015). From warriors to guardians: Recommitting American police culture to democratic ideals. New Perspectives in Policing. Washington, DC: National Institute of Justice.

Rosenbaum, D. P. and McCarty, W. (2017). Organizational justice and officer "buy in" in American policing. *Policing: An International Journal of Police Strategies & Management* 40(1).

Rosenbaum, D. P. and Wilkinson, D. L. (2004). Can police adapt? Tracking the effects of organizational reform over six years. In W. G. Skogan, (Ed.), *Community policing (Can it work?)* Belmont, CA: Wadsworth/Thomson.

Skogan, W. G. (2008). Why reforms fail."
    Policing & Society 18(1):23-34.

Skogan, W. and Frydl, K. (Eds.) (2004),
    *Fairness and effectiveness in policing: The
    evidence*. Washington, DC: The National
    Academies Press.

Sparrow, M. K., Moore, M. H., Kennedy, D.
    M. (1990). *Beyond 911: A new era for
    policing*. New York: Basic.

Tyler, T. R. (2004). Enhancing police
    legitimacy. *The Annals of the American
    Academy of Political and Social Science*
    593:84-99.

Wilson, J. Q. (1968). *Varieties of police behavior:
    The management of law and order in eight
    communities*. Cambridge, MA: Harvard
    University Press.

Wolfe, S. E. and Piquero, A. R. (2011).
    Organizational justice and police
    misconduct. *Criminal Justice and Behavior*
    38(4):332-353.

Worden, R. E. (1989). Situational and
    attitudinal explanations of police
    behavior: A theoretical reappraisal
    and empirical assessment. *Law &
    Society Review* 23:667-711.

Worden, R. E. and McLean, S. J. (2014).
    Systematic social observation of the
    police. In M. D. Reisig and R. J. Kane
    (Eds.), *The Oxford handbook of police and
    policing*. New York: Oxford University
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