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**THE SOCIALLY BOUNDED DECISION MAKING OF
PERSISTENT PROPERTY OFFENDERS***

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THE SOCIALLY BOUNDED DECISION MAKING OF PERSISTENT PROPERTY OFFENDERS

The rapid ascendance of deterrence theory and other rational-choice interpretations of criminal behavior in the 1970s was matched until recently by a failure to examine empirically the criminal decision making of serious offenders. This paper reports the results of an ethnographic investigation of criminal decision making by a sample of persistent property offenders. Following brief introductory comments, we describe our research objectives and methodology. Then we describe salient features of the decision making processes employed by members of the sample. We argue that improved understanding of criminal decision making by persistent property offenders is gained by exploring how their utilities are shaped by the lifestyle characteristic of many of them. We show how offenders' efforts to acquire the financial and social capital needed to enhance, sustain, or restore enjoyment of this lifestyle can generate a bounded rationality in which they discount or ignore the formal risks of crime.

BACKGROUND

The 1970s were marked by the eclipse of labeling theory as the dominant individual-level criminological theory and by the reappearance of interest in approaches originally advanced by classical theorists. Economists and cognitive psychologists alike advanced an interpretation of crime as *choice*, offering models of criminal decision making grounded in the assumption that the decision to commit a criminal act springs from the offender's assessment of its anticipated net utilities (e.g., Becker 1968; Heinke 1978; Carroll 1978; Reynolds 1985). This movement in favor of rational-choice approaches to crime spurred empirical investigation of problems that previously were limited primarily to studies of the death penalty and its impact on the homicide rate.

Early investigations of a rational choice interpretation of crime reported a weak but persistent relationship between the certainty of punishment and rates of serious property crimes (Blumstein, Cohen, and Nagin 1978). It was recognized, however, that an understanding of criminal decision

making also requires knowledge about individual perceptions and beliefs about legal threats and other constraints on decision making (e.g., Manski 1978). Investigators moved on two main fronts to meet this need. Some used survey methods to explore differential involvement in minor forms of deviance in samples of restricted age ranges, typically high school and college students (e.g., Waldo and Chiricos 1972). Alternatively they examined the link between risk assessments and criminal participation in samples more representative of the general population (e.g., Tittle 1980). Serious shortcomings of these studies are that most either ignore the potential rewards of crime entirely or they fail to examine its emotional and interpersonal utilities. Still other investigators turned attention to serious criminal offenders and began expanding the narrow existing knowledge base (e.g., Claster 1967), chiefly through the use of cross sectional research designs and survey methods.

For more than a decade now, investigators have studied offenders' attitudes toward legitimate and criminal pursuits, their perceptions of and beliefs about the risks of criminal behavior, and their estimates of the payoffs from conventional and criminal pursuits (e.g., Petersilia et al. 1978; Peterson and Braiker 1980). These studies raise serious questions about the fit between offenders' calculus and a priori assumptions about their utilities and criminal decision making. One investigation of 589 incarcerated property offenders concluded, for example, that the subjects apparently do not utilize "a sensible cost-benefit analysis" when weighing the utilities of crime (Figgie 1988, p. 25). They substantially underestimate the risk of arrest for most crimes, routinely overestimate the monetary benefit they expect, and seem to have "grossly inaccurate perceptions of the costs and benefits associated with property crime" (Figgie 1988, p. 81). Unfortunately, both design and conceptual problems undermine confidence in the findings of this and similar studies. Cross sectional survey methods, for example, are poorly suited for examining dynamic decision-making *processes*. Most such studies fail to examine offenders' estimates of the likely payoffs from noncriminal alternatives or their non-monetary utilities, such as emotional satisfaction (Katz 1988).

As newer, empirically-based models of criminal decision making have been developed (e.g., Clarke and Cornish 1985; Cornish and Clarke 1986), a growing number of investigators are using ethnographic methods to examine the offender's criminal calculus, often in real or simulated natural settings (e.g., Carroll 1982; Carroll and Weaver 1986). The research reported here continues this line of ethnographic inquiry by using retrospective interviews to examine criminal decision making by serious and persistent property offenders. The focus of our attention is the decision to commit a crime rather than the target-selection decision that has received substantial attention elsewhere (e.g., Scarr 1973; Repetto 1974; Maguire 1982; Bennett and Wright 1984a; Rengert and Wasilchick 1985; Cromwell et al. 1991). The first objective is to examine how closely the decision to commit crime conforms to a classical rational choice model in which decisions assumedly are based largely on an assessment of potential returns from alternative courses of action and the risk of legal sanctions. A second objective is to examine the influence of the lifestyle pursued by many persistent property offenders on the salience of their utilities and the risks they assess in criminal decision making.

METHODS AND MATERIALS

The materials for analysis were collected during 1987-1988 as part of a larger study of crime desistance. From the population of all men incarcerated in prisons in a southeastern state we selected a sample of recidivists with a demonstrated preference for property crimes who also were nearing release from confinement. We limited the sample in this way so as to approximate a population of career criminals, a type of offender that has received substantial attention from scholars and policy makers (Petersilia 1980; Blumstein et al. 1988). Members of the research team examined official correctional records to identify inmates who met the sample selection criteria. Of approximately 75 inmates who were contacted and asked to participate in the study, 60 (80.0 percent) agreed to do so. Every member of the sample had served or was serving time for serious property crimes such as armed robbery, burglary, or theft. Fifty-eight members of the study sample had served at least one

previous prison sentence and the remaining two had served one or more jail sentences. They ranged from 23 to 70 years of age, with an average age of 34.1 years. Forty-seven percent (n=28) of the men also had served one or more terms of juvenile confinement. Every member of the sample was interviewed approximately one month prior to release from prison, however, all data used in the present study were collected in post-release interviews with the men.

Seven to 10 months after their release from prison we successfully traced, contacted, and interviewed 46 of the original sample of 60 men (76.7 percent). In addition, we established contact with one subject who declined our request for an interview, and with close relatives of another who failed to respond to repeated requests that he contact us. Semi-structured ethnographic interviews were the principal data collection technique. The interview included questions about the former prisoners' activities and living arrangements following release, self-report items measuring post-release criminal participation, and questions about the context of reinvolvement in crime. They were paid \$100 for completing the interview, all of which were audio tape recorded and transcribed for subsequent analysis.

Part of the interviews produced detailed descriptions of the most recent, easily recalled property crime that each subject had committed. Our objective was to gain through the repeat offender's eyes an understanding of the decision to commit specific criminal acts. We asked our subjects to focus their recollection on how the decision was made, and to provide a detailed account of the potential risks and rewards they assessed while doing so. The result was 40 usable descriptions of crimes and attempted crimes, which included 15 burglaries, 12 armed robberies, 5 grand larcenies, 4 unarmed robberies, 2 auto thefts, 1 series of check forgeries, and 1 case of receiving and concealing stolen property. Transcripts of the interviews were analyzed using *The Ethnograph*, a software package for use on text based data (Seidel, Kjolseth, Seymour 1988). Use of this software enabled us to code and to retrieve for analysis segments of interview text.

FINDINGS

Analysis reveals the most striking aspect of the subjects' decision making for the crimes they described is that a majority gave little or no thought to the possibility of arrest and confinement. Of 34 subjects who were asked specifically whether they considered the risk of arrest or who spontaneously indicated whether they did so, 21 (62 percent) said they did not. The comments of two subjects are typical:

Q: Did you think about . . . getting caught?

A: No.

Q: [H]ow did you manage to put that out of your mind?

A: [It] never did come into it.

Q: Never did come into it?

A: Never did, you know. It didn't bother me.

Q: Were you thinking about bad things that might happen to you?

A: None whatsoever.

Q: No?

A: I wasn't worried about getting caught or anything, you know. I was a positive thinker through everything, you know. I didn't have no negative thoughts about it whatsoever.

The 13 remaining subjects (38 percent) acknowledged they gave some thought to the possibility of arrest but said they managed to dismiss it easily and to carry through with their plans:

Q: Did you worry much about getting caught? On a scale of one to ten, how would you rank your degree of worry that day?

A: [T]he worry was probably a one. You know what I mean? The worry was

probably one. I didn't think about the consequences, you know. I know it's stupidity, but it didn't -- that you might go to jail, I mean -- it crossed my mind but it didn't make much difference.

Q: As you thought about doing that [armed robbery], were there things that you were worried about?

A: Well, the only thing that I was worried about was -- getting arrested didn't even cross my mind -- just worrying about getting killed is the only thing, you know, getting shot. That's the only thing. . . . But, you know, . . . you'd have to be really crazy not to think about that, you know, you could possibly get in trouble. It crossed my mind, but I didn't worry about it all that much.

Some members of our sample said they managed deliberately and consciously to put out of mind all thoughts of possible arrest:

When I went out to steal, I didn't think about the negative things. 'Cause if you think negative, negative things are going to happen. And that's the way I looked at it. . . . I done it just like it was a job or something. Go out and do it, don't think about getting caught, 'cause that would make you jumpy, edgy, nervous. If you looked like you were doing something wrong, then something wrong is 'gonna happen to you . . . You just, you just put [the thought of arrest] out of your mind, you know.

Q: Did you think about [the possibility of getting caught] very much that night?

A: I didn't think about it that much, you know. . . . [I]t comes but, you know, you can wipe it away.

Q: How do you wipe it away?

A: You just blank it out. You blank it out.

Another subject said simply that "I try to put that [thought of arrest] the farthest thing from my mind that I can."

Many subjects attribute their ability to ignore or to dismiss all thought of possible arrest to a state of intoxication or drug altered consciousness:

Q: You didn't think about going to prison?

A: Never did. I guess it was all that alcohol and stuff, and drugs. . . . The day I pulled that robbery? -- no. I was so high I didn't think about nothing.

While it is clear that the formal risks of crime were not considered carefully by most members of the sample, equally striking is the finding that very few thought about or assessed legitimate alternatives before opting to commit a criminal act. Of 22 subjects who were asked specifically whether they had done so, 16 indicated they gave no thought whatsoever to legitimate alternatives. The six subjects who did either ignored or quickly dismissed them as inapplicable, given their immediate circumstances.

We recognize the shortcomings and potential biases inherent in the descriptions of criminal decision making and behavior used as data for this study. Since the subjects were questioned in detail only about specific offenses they could remember well, the sample of descriptions may not be representative of the range of crimes they committed. By definition, they are memorable ones. Moreover, the recall period for these crimes ranged from one year to 15 years, raising the question of memory bias. The fact that we limited the sample to recidivists also means we cannot determine how much their behavior reflects either innate differences (Gottfredson and Hirschi 1990) or experiential effects, i.e., the effects of past success in committing crime and avoiding arrest (Nagin and Paternoster 1991). It could be argued that the behavior of our subjects, precisely because they had demonstrated a willingness to commit property crimes and had done so successfully in the past, limits

the external validity of their reports. Consequently, generalizations beyond the study population must be made with caution.

This said, we are struck by the remarkable similarity between these findings and the picture of criminal decision making reported by others who have studied serious property offenders. A study of 83 imprisoned burglars revealed that 49 percent did not think about the chances of getting caught for any particular offense during their last period of offending. While 37 percent of them did think about it, most thought there was little or no chance it would happen (Bennett and Wright 1984a, Table A14). Interviews with 113 men convicted of robbery or an offense related to robbery revealed that "over 60 percent . . . said they had not even thought about getting caught." Another 17 percent said that they had thought about the possibility but "did not believe it to be a problem" (Feeney 1986, p. 59-60). Analysis of prison interviews with 77 robbers and 45 burglars likewise revealed their "general obliviousness toward the consequences [of their crimes] and no thought of being caught" (Walsh 1986, p. 157). In sum, our findings along with the findings from other studies suggest strongly that many serious property offenders seem to be remarkably casual in weighing the formal risks of criminal participation. Just as bricklayers, for example, do not visualize graphically or deliberate over the bodily carnage that could follow from a collapsed scaffold, many thieves apparently do not dwell at length on the chances of arrest or the pains of imprisonment. As one of our subject's put it, "you think about going to prison about like you think about dying, you know."

If the potential legal consequences of crime do not figure prominently in criminal decision making by persistent thieves, what *do* they think about before choosing to commit crime? Walsh (1980; 1986) shows that typically they focus their thoughts on the money that committing a crime may yield and the good times they expect to have with it when the crime is behind them. Carroll's data (1982) likewise indicate that the amount of gain offenders expect to receive is "the most important dimension" in their decision making while the certainty of punishment is the least important

of the four dimensions on which his subjects assessed crime opportunities. Our subjects' reports likewise indicate they focused on the expected gains from their crimes:

I didn't think about nothing but what I was going to do when I got that money, how I was going to spend it, what I was going to do with it, you know.

See, you're not thinking about those things [possibility of being arrested]. You're thinking about that big pay check at the end of thirty to forty-five minutes worth of work.

The impact of alcohol and drug use in diminishing concern with possible penalties also has been reported by many others (e.g., Bennett and Wright 1984b; Cromwell et al. 1991).

The accumulated evidence on decision making by persistent offenders is substantial and persuasive: the rationality they employ is limited or bounded severely (e.g., Carroll 1982; Cromwell et al. 1991). While unsuccessful persistent offenders may calculate potential benefits and costs before committing criminal acts, they apparently do so differently or weigh utilities differently than as sketched in a priori decision making models. This does not mean their decision making is irrational but it does point to the difficulties of understanding it and then refining theoretical models of the process. As Walsh (1980, p. 141) suggests, offenders' "definitions of costs and rewards [are] at variance with society's estimates of them." Our objective in the remainder of this paper is an improved understanding of criminal decision making based on analysis of the socially anchored purposes, utilities, and risks of the acts that offenders commit. Put differently, we explore the contextual origins of their bounded rationality.

LIFESTYLE, UTILITIES, AND RISK

It is instructive to examine the decision making of persistent property offenders in context of the lifestyle that is characteristic of many in their ranks: *life as party*. The hallmark of life as party

is the enjoyment of "good times" with minimal concern for the obligations and commitments that are external to the person's immediate social setting. It is a lifestyle distinguished in many cases by two repetitively cyclical phases and correspondingly distinctive approaches to crime. When offenders' efforts to maintain the lifestyle (i.e., their party pursuits) are largely successful, crimes are committed in order to sustain circumstances or a pattern of activities they experience as pleasurable. As Walsh (1986, p. 15) puts it, crimes committed under these circumstances are "part of a continuing satisfactory way of life." By contrast, when offenders are less successful at party pursuits, their crimes are committed in order to avoid circumstances experienced as threatening, unpleasant or precarious. Corresponding to each of these two phases of party pursuits is a distinctive set of utilities and stance toward legal risk.

Life as Party

Survey and ethnographic studies alike show that persistent property offenders spend much of their criminal gains on alcohol and other drugs (Petersilia et al. 1978; Maguire 1982; Gibbs and Shelley 1982; Figgie 1988; Cromwell et al. 1991). The proceeds of their crimes, as Walsh has noted (1986, p. 72), "typically [are] used for personal, non-essential consumption (e.g., 'nights out'), rather than, for example, to be given to family or used for basic needs." Thieves spend much of their leisure hours enjoying good times. Our subjects were no different in this regard. For example,

I smoked an ounce of pot in a day, a day and a half. Every other day I had to go buy a bag of pot, at the least. And sometimes I've went two or three days in a row. . . .

And there was never a day went by that I didn't [drink] a case, case and a half of beer. And [I] did a 'script of pills every two days.

While much of their money is consumed by the high cost of drugs, a portion may be used for ostentatious enjoyment and display of luxury items and activities that probably would be unattainable on the returns from blue-collar employment:

[I]t was all just, it was all just a big money thing to me at the time, you know.

Really, what it was was impressing everybody, you know. Here Floyd is, and he's never had nothing in his life, and now look at him: he's driving new cars, and wearing jewelry, you know.

Life as party is enjoyed in the company of others. Typically it includes shared consumption of alcohol or other drugs in bars and lounges, on street corners, or while cruising in automobiles. In these venues, party pursuers celebrate and affirm values of spontaneity, autonomy, independence, and resourcefulness. Spontaneity means that rationality and long range planning are eschewed in favor of enjoying the moment and permitting the day's activities and pleasures to develop in an unconstrained fashion. This may mean, for example, getting up late, usually after a night of partying, and then setting out to contact and enjoy the company of friends and associates who are known to be predisposed to partying:

I got up around about eight-thirty that morning. . . .

Q: Eight-thirty? Was that the usual time that you got up?

A: Yeah, if I didn't have a hang over from the night before. . . .

Q: What kind of drugs were you doing then?

A: I was doing . . . Percadans, Dilauds, taking Valiums, drinking. . . . [A]nyway, I got up that morning about eight-thirty, took me a bath, put on some clothes and . . . decided to walk [over to his mother's home]. [T]his particular day, . . . my nephew was over [there]. . . . We was just sitting in the yard and talking and drinking beer, you know. . . . It was me, him and my sister. We was sitting out there in the yard talking. And this guy that we know, . . . he came up, he pulled up. So my nephew got in the car with him and they left. So, you know, I was sitting there talking to my sister. . . . And then, in the meantime, while we was talking, they come back, about

thirty minutes later with a case of beer, some marijuana and everything, . . . and there was another one of my nephews in the car with them. So me, two of my sisters, and two of my nephews, we got in the car with this guy here and we just went riding. So we went to Hadley Park and . . . we stayed out there. There were so many people out there, they were parked on the grass and things, and the vice squad come and run everybody away. So when they done that, we left. . . . So we went back out [toward his mother's home] but instead of going over to my mother's house we went to this little joint. Now we're steady drinking and smoking weed all during this day. So when we get there, we park and get out and see a few friends. We [were] talking and getting high, you know, blowing each other a shotgun [sharing marijuana].

Enjoyment of party pursuits in group context is enhanced through the collective emphasis on personal autonomy. Because it is understood by all that participants are free to leave if they no longer enjoy or do not support group activities, the continuing presence of each participant affirms for the remainder the pleasures of the lifestyle. In other words, uncoerced participation reinforces the shared assumption that group activities are appropriate and enjoyable. The behavioral result of the emphasis on autonomy is acceptance of or acquiescence in group decisions and activities.

Party pursuits also appeal to offenders because they permit conspicuous display of independence (Persson 1981). This generally means avoidance of the world of routine work and freedom from being "under someone's thumb." It also may include being free to avoid or to escape from restrictive routines:

I just wanted to be doing something. Instead of being at home, or something like that. I wanted to be running, I wanted to be going to clubs, and picking up women, and shooting pool. And I liked to go to [a nearby resort community] and just drive

around over there. A lot of things like that. . . . I was drinking two pints or more a day. . . . I was doing Valiums and I was doing Demerol. . . . I didn't want to work.

The proper pursuit and enjoyment of life as party is expensive, due largely to the costs of drugs. As one of our subjects remarked: "We was doing a lot of cocaine, so cash didn't last long, you know. If we made \$3,000, two thousand of it almost instantly went for cocaine." Some party pursuers must meet other expenses if the lifestyle is to be maintained:

Believe it or not, I was spending [\$700] a day.

Q: On what?

A: Pot, alcohol, women, gas, motel rooms, food.

Q: You were living in hotels, motels?

A: Yeah, a lot of times, I was. I'd take a woman to a motel. I bought a lot of clothes. I used to like to dress pretty nicely, I'd buy suits.

Party pursuits require continuous infusions of money and no single method of generating funds allows enjoyment of it for more than a few days. Consequently, the emphasis on spontaneity, autonomy, and independence is matched by the importance attached to financial resourcefulness. This is evidenced by the ability to sustain the lifestyle over a period of time. Doing so earns for offenders a measure of respect from peers for their demonstrated ability to "get over." It translates into "self-esteem . . . as a folk hero beating the bureaucratic system of routinized dependence" (Walsh 1986, p. 16). The value of and respect for those who demonstrate resourcefulness means that criminal acts, as a means of sustaining life as party, generally are not condemned by the offender's peers.

The risks of employing criminal solutions to the need for funds are approached blithely but confidently in the same spontaneous and playful manner as are the rewards of life as party. In fact, avoidance of careful and detailed planning is a way of demonstrating possession of valued personal qualities and commitment to the lifestyle. Combined with the twin assumptions that peers have

chosen freely and that one should not interfere with their autonomy, avoidance of rational planning finds expression in a reluctance to suggest that peers should weigh carefully the possible consequences of whatever they choose to do. Thus, the interaction that precedes criminal incidents is distinguished by circumspection and the use of linguistic devices that relegate risk and fear to the background of attention. The act of stealing, for example, is referred to obliquely but knowingly as "doing something" or as "making money":

[After a day of partying,] I [got] to talking about making some money, because I didn't have no money. This guy that we were riding with, he had all the money. . . . So me and him and my nephew, we get together, talking about making some money. This guy tells me, he said, "man, I know where there's a good place at."

Q: Okay, so you suggested you all go somewhere and rob?

A: Yeah, "make some" -- well, we called it "making money."

Q: Okay. So, then you and this fellow met up in the bar. . . . Tell me about the conversation?

A: Well, there wasn't much of a conversation to it, really. . . . I asked him if he was ready to go, if he wanted to go do something, you know. And he knew what I meant. He wanted to go make some money somehow, any way it took.

To the external observer, inattention to risk at the moment when it would seem most appropriate may seem to border on irrationality. For the offender engaged in party pursuits, however, it is but one aspect of behaviors that are rational in other respects. It opens up opportunities to enjoy life as party and to demonstrate commitment to values shared by peers. Resourcefulness and disdain for conventional rationality affirm individual character and style, both of which are important in the world of party pursuits (Goffman 1967).

Party Pursuits and Eroding Resources

Paradoxically, the pursuit of life as party can be appreciated and enjoyed to the fullest extent only if participants moderate their involvement in it while maintaining identities and routines in the straight world. Doing so maintains its "escape value" but it also requires an uncommon measure of discipline and forbearance. The fact is that extended and enthusiastic enjoyment of life as party threatens constantly to erode the legitimate fiscal and social resources needed to sustain measured enjoyment of its pleasures. Three aspects of the lifestyle of life as party can contribute to this end.

First, some offenders become ensnared increasingly by the chemical substances and drug using routines that are common there. In doing so, the meaning of drug consumption changes:

See, I was doing drugs every day. It just wasn't every other day, it was to the point that, after the first few months doing drugs, I would have to do "X amount" of drugs, say, just for instance, just to feel like I do now. Which is normal.

Once the party pursuer's physical or psychological tolerance increases significantly, drugs are consumed not for the high they once produced but instead to maintain a sense of normality by avoiding sickness or withdrawal.

Second, party pursuits erode legitimate fiscal and social capital. They can not be sustained by legitimate employment and they may in fact undermine both one's ability and inclination to hold a job. Even if offenders are willing to work at the kinds of jobs available to them, and evidence suggests that many are not (Cromwell et al. 1991), the time schedules of work and party pursuits conflict. The best times of the day for committing many property crimes are also the times the offender would be at work and it is nearly impossible to do both consistently and well. For those who pursue life as a party, legitimate employment often is foregone or sacrificed (Rengert and Wasilchick 1985). The absence of income from noncriminal sources reinforces the need to find other sources of money.

Determined pursuit of life as party also may affect participants' relationships with legitimate significant others. Many offenders manage to enjoy the lifestyle successfully only by exploiting the concern and largesse of family and friends. This may take the form of repeated requests for personal loans that go unreturned, occasional thefts, or other forms of exploitation:

I lived well for awhile. I lived well . . . until I started shooting cocaine real bad, intravenously. . . . [A]nd then everything, you know, went up in smoke, you know. Up my arm. The watches, the rings, . . . the car, you know. I used to have a girl, man, and her daddy had two horses. I put them in my arm. You know what I mean? . . . I made her sell them horses. My clothes and all that stuff, a lot of it, they went up in smoke when I started messing with that cocaine.

Eventually, friends and even family members may come to feel exploited or to believe that continued assistance will only prolong a process that must be terminated. As one subject told us, "Oh, I tried to borrow money, and borrow money and, you know, nobody would loan it to me. Because they knew what I was doing." After first refusing further assistance, acquaintances, friends, and even family members may avoid social contacts with the party pursuer or sever ties altogether. This dialogue occurred between the interviewer and one of our subjects:

Q: [B]esides doing something wrong, did you think of anything else that you could do to get money? . . . Borrow it?

A: No, I'd done run that in the ground. See, you burn that up. That's burned up, right there, borrowing, you know. . . . Once I borrow, you know, I might get \$10 from you today and, see, I'll be expecting to be getting \$10 tomorrow, if I could. And then, when I see you [and] you see me coming, you say, "no, I don't have none." . . . [A]s the guys in the penitentiary say, "you absorb all of your remedies," you see. And that's what I did: I burned my remedies up, you know.

Last, when party pursuits are not going well, feelings of shame or self disgust are not uncommon. Unsuccessful party pursuers as a result may take steps to reduce these feelings by distancing themselves voluntarily from conventional others:

Q: You were married to your wife at that time?

A: Yeah, I was married . . .

Q: Where was she living then?

A: I finally forced her to go home, you know, because I knew it was killing me. And I made her go home, you know. And it caused an argument, for her to go home to her mother's. I felt like that was the best thing I did for her, you know. She hated me . . . for it at the time, didn't understand none of it. But, really, I intentionally made her go. I really spared her the misery that we were going to have. And it came. It came in bundles.

When party pursuers sustain severe losses of legitimate income and social resources, regardless of how it occurs, they grow increasingly isolated from conventional significant others. The obvious consequence is that this reduces interpersonal constraints on their behavior.

As their pursuit of life as party increasingly assumes qualities of difficulty and struggle, offenders' utilities and risk perceptions also change. Increasingly, crimes are committed not to enhance or sustain the lifestyle so much as to forestall unpleasant circumstances. Those addicted to alcohol or other drugs, for example, must devote increasing time and energy to the quest for monies to purchase their chemicals of choice. Both their drug consumption and the frequency of their criminal acts increase (Ball et al. 1983; Johnson et al. 1985). For them, as for others, inability to draw on legitimate or low risk resources may precipitate a crisis. One of our respondents retold how, facing a court appearance on a burglary charge, he needed funds to hire an attorney:

I needed some money bad or if I didn't, if I went to court the following day, I was

going to be locked up. The judge was going to lock me up. Because I didn't have no lawyer. And I had went and talked to several lawyers and they told me . . . they wanted a thousand dollars, that if I couldn't come up with no thousand dollars, they couldn't come to court with me. . . . [S]o I went to my sister. I asked my sister, I said, "look here, what about letting me have seven or eight hundred dollars" -- which I knowed she had the money because she . . . had been in a wreck and she had gotten some money out of a suit. And she said, "well, if I give you the money you won't do the right thing with it." And I was telling her, "no, no, I need a lawyer." But I couldn't convince her to let me have the money. So I left. . . . I said, shit, I'm fixin' to go back to jail. . . . [S]o as I left her house and was walking -- I was going to catch the bus -- the [convenience store] and bus stop was right there by each other. So, I said I'm going to buy me some gum. . . . [A]nd in the process of me buying the chewing gum, I seen two ladies, they was counting money. So I figured sooner or later one of them was going to come out with the money. . . . I waited on them until . . . one came out with the money, and I got it.

The offender eventually may experience and define himself as propelled by forces beyond his control. Increasingly preoccupied with relieving immediate distress, behavioral options become dichotomized into those that hold out some possibility of relief, however risky, and those that promise little but continued pain. Legitimate options are few, and are seen as unlikely solutions. A criminal act may offer some hope of relief, however temporary. The offender may imbue the criminal option with almost magical prospects for ending or reversing the state of discomfort:

I said, "well, look at it like this": if I don't do it, then tomorrow morning I've got the same [problems] that I've got right now. I could be hungry. I'm going to want food more. I'm going to want cigarettes more. I'm going to want everything more.

[But] if I do it, and if I make it, then I've got all I want.

Acts that once were the result of blithe unconcern with risk can over time come to be based on a personal determination to master or reverse what is experienced as desperately unpleasant circumstances. As a result, blithe unconcern for risk in the offender's decision making may be replaced with the perception that he has *nothing to lose*:

It . . . gets to the point that you get into such a desperation. You're not working, you can't work. You're drunk as hell, been that way two or three weeks. You're no good to yourself, and you're no good to anybody else. Self-esteem is gone [and] spiritually, mentally, physically, financially bankrupt. You ain't got nothing to lose.

Desperate to maintain or reestablish a sense of normality, the offender pursues emotional relief with a decision to act decisively, albeit in the face of legal odds recognized as narrowing. By acting boldly and resolutely to make the best of a grim situation, one gains a measure of respect, if not from others, then at least from oneself.

I think, when you're doing . . . drugs like I was doing, I don't think you tend to rationalize much at all. I think it's just a decision you make. You don't weigh the consequences, the pros and the cons. You just do it.

You know, all kinds of things started running through my mind. If I get caught, then there, there I am with another charge. Then I said, well if I don't do something, I'm going to be in jail. And I just said, "I'm going to do it."

The fact that sustained party pursuits often causes offenders to increase the number of offenses they commit and to exploit criminal opportunities that formerly were seen as risky should not be interpreted as meaning they believe they can continue committing crime with impunity. The opposite is true. Many offenders engaged in crimes intended to halt or reverse eroding fortunes are

aware that eventually they will be arrested if they continue doing so:

Q: How did you manage not to think about, you know, that you could go to prison?

A: Well, you think about it afterwards. You think, "wow, boy, I got away with it again." But you know, sooner or later, the law of averages is 'gonna catch up with you. You just can't do it [commit crime] forever and ever and ever. And don't think you're not 'gonna get caught, 'cause you will.

Bennett and Wright (1984a) likewise show that a majority of persistent offenders endorse the statement that they will be caught 'eventually'. The cyclical transformations of party pursuits from pleasant and enjoyable to desperate and tenuous is one reason they are able to commit crimes despite awareness of inevitable and potentially severe legal penalties.

The threat posed by possible arrest and imprisonment, however, may not seem severe to some desperate offenders. As compared to their marginal and precarious existence, it may be seen as a form of relief:

[When he was straight], I'd think about [getting caught]: I could get this, and that [penalties]. . . . [A]nd then I would think, well, I know this is going to end one day, you know. But, you know, you get so far out there, and get so far off into it that it really don't matter, you know. But you think about that. . . . I knew, eventually, I would get caught, you know. . . . I was off into drugs and I just didn't care if I got caught or not.

When I [got] caught -- and they caught me right at the house -- it's kind of like, you feel good, because you're glad it's over, you know. I mean, a weight being lifted off your head. And you say, well, I don't have to worry about this shit no more, because they've caught me. And it's over, you know.

In sum, due to offenders' eroding access to legitimately secured funds, their diminishing contact with and support from conventional significant others, and their efforts to maintain drug consumption habits, crimes that once were committed for recreational purposes increasingly become desperate attempts to forestall or reverse uncomfortable or frustrating situations. Pursuing the short term goal of maximizing enjoyment of life, legal threats can appear to the offender either as remote and improbable contingencies when party pursuits fulfill their recreational purposes or as an acceptable risk in the face of continued isolation, penury, and desperation.

We analyzed the descriptions of crime provided by our subjects, and their activities on the day the crime occurred. We focused specifically on: (1) the primary purpose of their crimes, i.e., whether they planned to use the proceeds of crime for pleasure or to cope with unpleasant contingencies, and (2) the extent and subjective meaning of their drug use at the time they decided to commit the crime in question. Based on the analysis, we classified the crimes of 15 subjects as behaviors committed in the enjoyment of life as party and 13 as behaviors committed in order to restore enjoyment of this lifestyle. The 12 remaining offenders could not be classified because of insufficient information in the crime descriptions or they are isolated criminal acts that do not represent a specific lifestyle. Two subjects, for example, described crimes that were acts of vengeance directed at the property of individuals who had treated them or their relatives improperly. Others have also reported that revenge is the dominant motive in a minority of property offenses (e.g., Cromwell et al. 1991, p. 22).

IMPLICATIONS

We have shown that daily routines characteristic of the lifestyle of persistent and unsuccessful offenders modifies both the salience of their various decision utilities and their perceptions of legal risk. The lesson here for theories of criminal decision making is that while utilities and risk assessment may be properties of individuals, they also are shaped by the social and personal contexts

in which decisions are made. Whether their pursuit of life as party is interpreted theoretically as the product of structural strain, choice, or even happenstance is of limited importance to an understanding of offenders' discrete criminal forays. What is important is that their lifestyle places them in situations that can transform severely the utilities of prospective actions. If nothing else, this means that some situations more than others facilitate discounting or ignoring risk. We are not the first to call attention to this phenomenon:

[The] situational nature of sanction properties has escaped the scales and indicators employed in official record and self-report survey research. In this body of research an arrest and a year in prison are generally assumed to have the same meaning for all persons and across all situations. The situational grounding of sanction properties suggests [,however,] that we look beyond official definitions of sanctions and the attitudinal structure of individuals to the properties of situations (Ekland-Olson et al. 1984, p. 174).

Along the same line, a longitudinal survey of adult offenders concludes that decision making "may be conditioned by elements within the immediate situation confronting the individual . . . [such that] perceptions of the opportunity, returns, and support for crime within a given situation may influence . . . perceptions of risks and the extent to which those risks are discounted" (Piliavin et al. 1986, p. 115). The same interpretation has been suggested by Shover and Thompson (forthcoming) for their failure to find an expected positive relationship between risk estimates and crime desistance among former prison inmates. If this interpretation is credited, then our ability to explain and predict decision making requires that we gain a better understanding of how utilities and risk perceptions are shaped by the properties of situations encountered typically by persons in their daily rounds. In other words, we should know something about the lifestyles they commonly pursue.

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