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Crime and Delinquency

LITERATURE

Abstracts

Review

Public Opinion regarding Crime, Criminal Justice,
and Related Topics
Michael J. Hindelang

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NATIONAL COUNCIL ON CRIME AND DELINQUENCY
 Continental Plaza • 411 Hackensack Avenue • Hackensack, N.J. 07601

Information Center
 Eugene Doleschal, Director

Crime and Delinquency LITERATURE

Each issue contains in-depth abstracts of current literature, worldwide in scope, and a comprehensive review that synthesizes and summarizes the knowledge on or developments in a certain subject.

Matthew Matlin, Editor
 Marina Marketos, Editorial Assistant

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Crime and Delinquency LITERATURE

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We noted especially . . .

A national defender survey revealed that in a substantial number of jurisdictions in the United States no more than a token representation is being provided for the indigent citizen accused of crime (Abstract 14560, p. 417).

Despite the good intentions of bail reform projects, they continue to utilize release criteria that can be met only by middle-class defendants (Abstract 14562, p. 418).

A study of defendants released on their own recognizance found neither personal background nor community ties related to nonappearance in court (Abstract 14565, p. 418).

Draft intake screening guides for law enforcement and juvenile courts published by the U.S. Youth Development Office call upon law enforcement agencies to refrain from referring status offenses and neglected children's cases to the juvenile courts (Abstract 14578, p. 420).

A comparative analysis of juvenile legal codes in the United States has

been published by the National Assessment of Juvenile Corrections (Abstract 14661, p. 424).

A major determinant of a defendant's sentence is the size of his bond: at the time that bond is set, judges are forecasting the likelihood of the defendant's conviction and the appropriate punishment (Abstract 14694, p. 428).

A nation-wide survey was conducted of the various states' practices concerning gate money, prisoners' earnings, savings, work release, and other factors that determine a prisoner's financial condition at the time of release (Abstract 14557, p. 447).

The parole board does not appear to be fulfilling any function that the courts could not better handle themselves, with the exception of keeping inmates imprisoned for shorter periods than otherwise might be the case (Abstract 14632, p. 455).

Penal purposes are properly retributive, deterrent, and incapacitative. Attempts to add reformatory pur-

poses to that mixture do not yield clemency, justice, or social utility (Abstract 14798, p. 467).

Predictions of future criminality are an unjust basis for imposing or prolonging imprisonment. The principle of dangerousness must be re-

jected because it presupposes a capacity to predict quite beyond our present or future technical ability (Abstract 14798, p. 467).

A variety of surveys show that, contrary to popular belief, aged persons are among the least victimized by criminals (Abstract 14492, p. 476).

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NOTICE

Copies of the documents abstracted in this journal are not available from NCCD. Interested readers must obtain them directly from the publisher or author or consult them in a library. For addresses of the publishers of journals, see *Crime and Delinquency Literature*, December 1973, pp. 627-38.

Abstracts

Compiled by
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Director, Information Center, NCCD

Law and the Courts

- S 14471* University of North Carolina. Institute of Government. *The bail system in Charlotte, 1971-73*, by Stevens H. Clarke. Chapel Hill, N.C., 1974. 66 p.

Samples of about one-third of all criminal defendants arrested in Charlotte, N.C. (excluding those arrested for drunkenness, traffic, and fish and game offenses) during the first quarters of 1971, 1972, and 1973 were traced through local police and court records in a study of bail opportunity, failure to appear in court, re-arrest while on bail, and related factors. The most important change during this period was the initiation in July 1971 of the Mecklenburg County Pre-Trial Release (PTR) Program, which releases defendants on unsecured bond after a background investigation and employs a system of weekly call-ins and mailed reminders to supervise them after release.

Bail opportunity has generally improved. The proportion of all defendants not released before trial decreased from 12 per cent in 1971 (before the PTR program) to 8 per cent in 1973. For felony defendants, the proportion not released dropped from 34 per cent in 1971 to 22 per cent in 1973, because of the PTR program and judges' greater use of release of defendants on their own recognizance, which is probably at least partly attributable to PTR.

The fraction of defendants who failed to appear in court while on bail was 12 per cent in 1971, dropped to 5 per cent in 1972, and rose to 10 per cent in 1973. The increase in 1973 was mainly caused by bondsmen's clients, whose nonappearance rate was 16 per cent. The proportion of defendants re-arrested on new charges while on bail rose significantly to 10 per cent in 1973 from its 1972 level of 6 per cent. Like the increase in nonappearance, the increase in re-arrest is concentrated among bondsmen's clients and is due mainly to an increase in court disposition time.

*The number preceding each citation is the retrieval number in the Information Center storage system.

Of all persons released before trial, those released by the PTR program constituted 29 per cent by 1973. In 1973 about two-thirds of those released by PTR would probably have been released by magistrates on unsecured bond had the PTR program not existed. Of the remaining one-third, about half would otherwise have been bondsmen's clients and about half would not have been released at all without PTR. Releases on cash bond and "own recognizance" have become more frequent, increasing from 3 per cent and 1 per cent, respectively, in 1971, to 9 per cent and 4 per cent in 1973. Although bondsmen have suffered a substantial loss of clients, in 1973 low-income defendants released by bondsmen outnumbered those released by PTR by a ratio of 1.6 to 1. Suggestions are made regarding procedures to be followed if a system of release similar to PTR were to be used to release most defendants, including most of those who would now be released by bondsmen.

- S 14485 National Conference of Commissioners on Uniform State Laws. *Uniform Law Commissioners' Model Public Defender Act*. Chicago, 1970. 19 p.

The purposes of the proposed Model Public Defender Act are twofold: (1) to continue and update the procedural safeguards provided by the Model Defense of Needy Persons Act and (2) to shift from the county option approach to a statewide defender system.

This shift does not mean that the flexibility of the county option plan is to be replaced by a monolithic bureaucracy. The proposed act preserves the options of using court-assigned attorneys and the services of legal aid bureaus. It provides, however, that exercise of these options be coordinated at the state level.

The approach of the new Model Act is not to define the limits of the right to an adequate defense but to see to it that needy persons obtain the same protection afforded to persons of adequate means, in whatever manner that protection is defined by the Supreme Court. To the extent that an individual is unable to pay for it, he should be entitled to have it paid for by the state.

- S 14507 Orlando, Frank; Black, Jerry. "Classification in juvenile court: the delinquent child and the child in need of supervision." *Juvenile Justice* (Reno, Nev.), 25(1):13-25, 1974.

The classifications "juvenile delinquent" and "child in need of supervision" are nonscientific classifications representing legislative attempts to fix the boundaries between conduct that warrants state intervention and conduct that does not. In many jurisdictions the classification "juvenile delinquency" has been refined to include only conduct which, if committed by an adult, would be a violation of the

criminal law. Persons who are habitually truant, who persistently refuse to obey the reasonable commands of their guardians, or who commit violations of the law applicable only to children are classified as "children in need of supervision," "persons in need of supervision," "incorrigibles," or "unruly children." Twenty-two states have a separate legal status for children charged as runaway, truant, incorrigible, or wayward. Although these states try to treat the child in need of supervision differently from the delinquent, the attempts have not proven successful. The net result of these status offenses is that children are being swept up into the juvenile court system unnecessarily and are being stigmatized by the court process just as are the delinquent children. The answer to the problem does not appear to be more precise definition of status offenses. The clear alternative is to adopt the recommendation of the President's Commission on Law Enforcement and Administration of Justice to eliminate status offenses from the court's jurisdiction. The benefits derived from the "child in need of supervision" classification would appear to be nonexistent for the child and society.

- S 14509 Langley, Michael; Drone, H. B. "An alternative model in juvenile justice to individualized treatment." *Juvenile Justice* (Reno, Nev.), 25(1):36-43, 1974.

The implementation of individualized treatment within juvenile justice has failed to develop intervention or change techniques that acknowledge both the environmentalization of delinquency causation and the normalization of delinquent behavior. The proposed alternative model (P.E.L.L.) to individualized treatment for responding to delinquent youth is concerned with protection, education, litigation, and legislation. The suggested model seeks to alleviate or to minimize some of the more obvious deficits in the existing individualized treatment model. The primary focus of the proposed delinquency management model is not the delinquent youth, but the "ecological complex of delinquency." The single most important and desirable change regarding juvenile legislation is the elimination of the state's parental role in delinquency management while maintaining its protective role.

- S 14514 Bullard, Rockwood Wilde. "Prisoners' rights to unrestricted use of the mails." *New England Journal on Prison Law* (Boston, Mass.), 1(1):80-102, 1974.

Prison officials complain that they must be able to open, read, and censor prisoner mail for a variety of reasons. However, courts that have passed on the question of real dangers to the prisons incident to unrestricted prisoner mail have agreed that the expressed fears are either

imaginary or the result of suspicious practices by prison officials. The punitive concept of civil death has been used to validate the judiciary's and prison officials' reluctance to extend the rights of prisoners, although the courts are beginning to reverse this trend.

The constitutional arguments in support of the prisoner's right to unrestricted use of the mails are found in the First, Fourth, and Sixth Amendments. The First Amendment's free speech clause encompasses the right to correspond with others without censoring. Although the courts have held this to be true regarding correspondence with attorneys and governmental officials, no sound justification can be found for not extending this freedom. The clear and present danger test enunciated in *Schenck* and modified in *Dennis* provides a scale for measuring the weight of the encroachment against the danger it may control. Less restrictive methods are available and must be used lest the invasion feared in *Jackson* destroy this fundamental right.

The Fourth Amendment assures the protection from warrantless search and seizure unless specific exigent circumstances exist. Whether or not a warrant is used to seize evidence, probable cause for the search must be shown. Stringent guidelines have been suggested and, within the context of prison mail use, none of the amendment's requisites can validly be suspended.

The right to counsel has provided the basis for recent court decisions regarding prisoner mail use. The confidentiality of the attorney-client relationship precludes any interference by third parties. No compelling state need can justify official incursion on this relationship.

The federal statutes provide specific criminal penalties to those who obstruct, destroy, delay, or open another's mail. These statutes provide the free citizen with sound safeguards against official and unofficial prying. The extension of these statutes to the prison context would lessen the present tendency of prison officials to violate prisoner mail. Although inmates are required to consent voluntarily by waiver to permit prison officials to open and examine their mail, their custody operates against a finding of voluntariness.

There is no reason to withhold from the prisoner what is his civil and constitutional right: unrestricted, unopened, unread, and uncensored use of the mails.

S 14525 "The New Jersey Criminal Injuries Compensation Act." *Rutgers Law Review* (Newark, N.J.), 27(4):727-737, 1974.

Personal injuries may be compensated under the New Jersey Criminal Injuries Compensation Act when received as a result of a crime or an attempt to prevent a crime or to arrest a suspected criminal. The New Jersey plan creates an efficient, flexible administrative agency that

compensates according to loss rather than need. The theoretical framework of the Act is liberal and its procedures promote efficiency. It authorized the creation of a three-member Violent Crimes Compensation Board within the Department of Law and Public Safety. The Board's twenty-month record attests to its efficiency. It decided 334 cases, making 107 awards. It awarded the maximum \$10,000 in fifteen cases. The Act's family-relationship exclusion and its uniform exclusion of small claims should be eliminated.

S 14534 California. Senate. *The key that locks the records opens the door: guide to sealing juvenile records*. Sacramento, 1973. 46 p.

The major obstacle to juvenile record sealing is that the less sophisticated elements of society are not aware of the existence of laws that provide for sealing of juvenile records. Perhaps legislation could be enacted requiring that all juveniles who come into contact with the law be informed orally and in writing of their right to have their records sealed. Urgent changes in the California law relating to sealing records are needed. Legislation should specifically authorize new, broader, more effective record-sealing remedies. New legislation should also provide extensive alternative vehicles for securing code compliance by law enforcement agencies and others in the juvenile justice system.

S 14547 "Ungovernability: the unjustifiable jurisdiction." *Yale Law Journal* (New Haven, Conn.), 83(7):1383-1409, 1974.

Juvenile and family courts in most states have jurisdiction over youths who have committed offenses illegal only for persons under a specified age, usually sixteen; e.g., disobeying parents, running away, and truancy. Case surveys and court observation demonstrate that the purpose of ungovernability jurisdiction is being subverted in two ways. First, the court processes as ungovernable some youths who are in fact either "neglected" or "delinquent" in statutory terms and who should be processed under the provisions governing persons in those categories. Second, in ungovernability cases the family court allows itself to be used by angry parents to punish their children. Moreover, the ungovernability jurisdiction often fails to carry out its purpose: discerning and meeting the "needs" of a youth in conflict with an affectionate, non-neglecting parent. In 37 per cent of the cases in New York State, allegedly ungovernable youths are in fact neglected. New York court personnel readily admit that a high percentage of neglect cases are processed as ungovernable. Judicial processing of ungovern-

able youths has severe failings. A general survey of ungovernability processing reveals that the court's assessments are frequently inaccurate, its dispositions usually provide little effective treatment, and the long-term effects on a youth and his family are often negative. It would be less detrimental for youths if they were dealt with, where appropriate, as delinquent or neglected, or indeed if they were not dealt with at all. Ungovernability jurisdiction should be abolished. Were such a step taken, jurisdiction could be retained over those youths, now processed as ungovernable, who are in fact criminal or neglected.

- S 14552 Robinson, Paul H. "Proposal and analysis of a unitary system for review of criminal judgments." *Boston University Law Review* (Boston), 54(3):485-514, 1974.

Unitary review provides a fairer, more comprehensive, and more efficient system for review of criminal cases than currently exists. This is accomplished by the relatively simple step of adding a post-judgment hearing at which defendants are assisted by counsel and may present, and offer proof supporting, any claim attacking their conviction or sentence. The record of the hearing becomes part of the record on appeal and receives meaningful and deliberate judicial consideration never before available to collateral claims. These improvements, in turn, provide sound justification for limiting review of untimely or repetitive claims to those that could not reasonably have been adequately presented at the hearing. The overall effect is to merge collateral review into the existing procedures for direct review, thus forming a unitary system for review of criminal cases. Such a system deserves serious consideration by state and federal courts and legislatures.

- S 14554 De Francis, Vincent; Lucht, Carroll L. *Child abuse legislation in the 1970's*. Rev. ed. Denver, Colo., American Humane Association, 1974. 200 p. \$2.50.

The fundamental purpose of child abuse reporting laws is early identification of children who have been physically abused, so that they can be (1) treated for present injuries and (2) protected from further abuse.

The three-year period between mid-1967 and mid-1970 saw an outpouring of legislative changes in child abuse laws. In all, a total of twenty-seven states and two territories passed amendments to modify one or more of the basic elements that characterize this legislation. The period between 1970 and 1973 has witnessed an even greater number of changes, with thirty-eight states enacting amendatory legislation that modified their reporting laws in a substantive way.

Trends that emerged from the efforts of the 1967-1970 period were the broadening of the base of those who are mandated to report, a movement toward enlarging the concept of reportable abuse, a reduction in the number of states with permissive rather than mandatory reporting laws, an increase in the number of states designating the state or county departments of social services as receiving agencies for abuse reports, and an increase in the number of states mandating the establishment of central registries. The trends observed in 1970 continued to develop in the three-year interval to 1973. In some ways the trend has gained momentum. The pace of legislative change and the substance of these changes attest to the enlarged public awareness of the magnitude of the problem of child abuse and to the states' greater acceptance of their obligation to protect children at risk more effectively.

- S 14560 National Legal Aid and Defender Association. *The other face of justice: report of the National Defender Survey*, by Laurence A. Benner and others. Chicago, 1973. 164 p.

Defense services for the poor in each of the 3,110 counties throughout the United States were surveyed to provide a description of how these services are being implemented. There are two broad categories of defense systems for indigents: (1) defender systems that provide indigent defense services regularly through one or more attorneys, as public employees or under a contractual arrangement; (2) assigned counsel systems. According to the data collected there are 2,227 counties in which the method of providing counsel to indigent criminal defendants is by assigned counsel and 883 counties in which some form of defender system exists. These defender systems serve almost two-thirds of the nation's population. Almost all metropolitan counties and over half of the urban counties in the country have adopted defender systems. Less than a quarter of all rural counties have defender systems. Sixteen states have relieved county governmental units from the primary obligation of providing indigent defense services by organizing and funding defender services at the state level. In an equal number of states statewide defender legislation is either pending or under consideration. Analysis of the data reveals gross disparities in indigent defense services throughout the country. In a substantial number of jurisdictions no more than token representation is being provided for the indigent citizen accused of crime. The lack of adequate financial and manpower resources has seriously crippled the attempts of indigent defense systems to provide truly effective representation.

- S 14562 Wice, Paul B. *Freedom for sale: a national study of pretrial release*. Lexington, Mass., Lexington Books, 1974. 212 p. \$14.

Data on pretrial release practices in thirty-six cities with bail reform projects and in thirty-six cities with traditional bail procedures were collected through mailed questionnaires. Intensive investigation of these practices was conducted in eleven of the seventy-two cities through interviews and a variety of other means. The eleven cities studied intensively were Indianapolis, Atlanta, Oakland, San Francisco, St. Louis, Washington, D.C., Baltimore, Detroit, Philadelphia, Los Angeles, and Chicago. Of these, Detroit, Oakland, and Philadelphia use traditional bail procedures.

Of the public officials surveyed nearly 70 per cent disapprove of the current money bail system and were in favor of an alternative process. Nearly 60 per cent of the public officials questioned believe that the power of the bondsman should be reduced. The most popular response to the inadequacies of the traditional money bail system has been the development of the bail reform project. A review of the progress made by these projects since their inception in 1961 shows they can no longer be considered the answer to the many serious weaknesses of the nation's system of pretrial release. Despite the good intentions of bail reform projects, they continue to utilize release criteria that can be met only by middle-class defendants. By stressing a stable economic, family, and residential life style, as well as penalizing defendants for past violations of the law, these projects are unable to help the indigent, the transient, and youth who fill the nation's pretrial detention facilities. These projects have accomplished two things: (1) they have ingratiated themselves with the judiciary as a show-piece of the court's progressive spirit, and (2) they have seriously shaken the bonding industry by taking away its most desirable clients.

- S 14565 Feeley, Malcolm M.; McNaughton, John. *The pretrial process in the Sixth Circuit: a quantitative and legal analysis*. New Haven, Conn., New Haven Pretrial Services Council, 1974. 131 p.

Data on 1,642 cases, a 100 per cent sample of the criminal cases (excluding intoxication only and motor vehicle cases) disposed of in a three-month period in 1973 by the criminal section of the Sixth Circuit Court of Connecticut in New Haven, were gathered to provide a comprehensive statistical picture of the flow of defendants through the pretrial process. Tracking individuals through the system and gathering information on each of them at the day of disposition made it possible to examine relationships between two or more processes and stages and among different types of defendants and charges.

Defendants were disproportionately young, blacks and Puerto Ricans were overrepresented, and males were overrepresented. Just over half of the defendants had prior arrest records. Crimes against public order constituted the single largest category of most serious offenses. The overwhelming majority, 86 per cent, of all defendants were released before disposition. The most frequently used pretrial release condition was promise to appear (35 per cent), followed by bond (33 per cent) and citation (15 per cent). Most defendants (61 per cent) were released within three hours of arrest. About 16 per cent of all defendants had their initial conditions of release lowered.

Slightly over one-third of all defendants released on citation or promise to appear (PTA) failed to appear at least once. Twenty per cent of those released on PTA, 15 per cent of those released on citation, and 7 per cent of those released on bond failed to appear. Defendants charged with serious offenses were just as likely to fail to appear as those charged with minor offenses. Neither personal background characteristics nor community ties were significantly related to eventual nonappearance. Roughly 4 per cent of the released defendants were re-arrested for an offense alleged to have occurred while they were out on bail. The Pretrial Diversion Program handles about 1 per cent of the total caseload of the court. Overly strict eligibility criteria do not appear to be major factors in explaining why so few defendants participate in the diversion program.

- S 14566 Fleming, Macklin. *The price of perfect justice: the adverse consequences of current legal doctrine on the American Courtroom*. New York, Basic Books, 1974. 196 p. \$10.

In the past twenty years legal theorists, in their zeal for perfection in procedure, have become prisoners of their own concepts, and in their preoccupation with techniques they have lost sight of the ultimate objectives of a legal system. The ideal of perfectibility has found its practical expression in three themes in the courts: the tendency of courts in their quest for perfect justice to duplicate and triplicate the judicial process; the tendency of courts in their preoccupation with form to avoid final judgment; and the tendency of courts routinely to supersede legislatures as fountains of wisdom and creators of new law. Together, these tendencies have seriously impaired the capacity of the courts to perform the function for which they were created. The critical problems of modern society do not readily lend themselves to judicial solution, and the consequence of attempts to make them do so has been to increase and accentuate disruptive tendencies latent in the adversary judicial process. Additionally, lack of compliance by the judges themselves with constitutionally established principles of law has weakened the belief that ours is a government of law and has tended to bring the

judicial process into popular disrepute. It is time for the courts to limit themselves to what they can do well and for Congress and the legislatures to examine the judicial and legislative institutions critically and put into motion the changes needed to enable those institutions to do the work they are supposed to do. More attention must be paid to substance and less to mere ritual.

S 14571 Newbauer, David W. *Criminal justice in middle America*. Morristown, N.J., General Learning Press, 1974. 304 p. \$4.95.

"Prairie City" is a medium-sized Illinois industrial town and county seat. According to the 1970 census, 90,000 people lived there, with an additional 30,000 residing in the county.

Field research was conducted in the city from October 1969 to April 1970 to determine how justice is administered by the courts in middle America. Data were collected from three sources: interviews, observation, and a court-docket study. All major participants in the criminal court system and most of the minor ones were interviewed.

By far the most important actor in the criminal court process in Prairie City is the prosecutor, the state's attorney. He decides which suspects will be charged with a crime, dominates the preliminary hearing and grand jury, conducts plea bargaining, and has a large say in the penalty enacted. Second in importance is the defense attorney. Although in legal theory the judge possesses a great deal of power, he is the most indirect decision-maker in the Prairie City Courts, generally deferring to the decisions of other actors; the single exception is in bail setting, in which he plays a critical role. In Prairie City the "cooperation" between defense and prosecution was on the same order as the professional relations between two opposing attorneys engaged in civil practice. Three prime categories of standards in the administration of justice were revealed: (1) professional-legal standards relating to proof, (2) standards imposed by juries, and (3) working norms relating to sentencing. By far the most important ingredient in the protection of defendants' rights was shown to be the official's sense of justice. The court system in Prairie City penalizes those who demand a jury trial; persons found guilty at trial receive stiffer penalties than do those who plead guilty.

S 14578 U.S. Youth Development Office. *Intake screening guides: improving justice for juveniles*, by Jay Olson and George H. Shepard. Washington, D.C., 1974. 65 p. (Draft.)

Practices of community youth-serving agencies, including those within the juvenile justice system, which propel youth into the justice system can actually contribute to delinquency. All too often, police

and juvenile court intake units funnel youth into the system rather than utilizing a careful screening process that selectively determines which youth can best be served by (1) leaving them alone, (2) referring them to a youth-serving agency outside the justice system, or (3) retaining them in the system because they are a threat to personal safety or property.

Police and juvenile court intake practices need to be changed. Impediments to socially acceptable roles of youth must be removed by legislation, executive order, or administrative change. This document examines one barrier—the practices of most law enforcement and juvenile court intake units that indiscriminately funnel youth into the juvenile justice system at the high cost of labeling and stigmatizing them in addition to the heavy outlay of funds for costly processing and treatment.

Research has disclosed a notable absence of consistency in the approach of intake services of agencies at all levels to the task of screening youth coming to their attention. The critical decisions leading to arrest, detention, release, referral to court, diversion, filing of a petition, or warning and release are decisions which are too often based upon tradition, whim, and the individual bias of those working without the benefit of formulated policy and enlightened, standardized procedures. Decisions made at the entry points of the juvenile justice system have a profound impact upon youth and set the stage for success or failure.

Among the significant guides for law enforcement screening of juvenile cases are the following: Law enforcement agencies should, where possible, maintain juvenile control units. Juvenile divisions should be in operation twenty-four hours a day, seven days a week. Manuals should contain explicit guidelines for the handling of juvenile cases. Law enforcement agencies should enter into formalized agreements, delineating action to be taken in handling juveniles, with all of the community youth service agencies. Personnel should be encouraged and trained to practice diversion. Procedural manuals should contain guidelines for the exercise of discretion. Secure custody should be recommended in cases in which the youth is wanted by other authorities or in which he is a danger to public safety.

Law enforcement agencies should, where possible, refrain from referring status offenses and neglected children's cases to the juvenile courts, particularly when other alternatives are available. When alternatives are not available, the agency heads should highlight the need for those alternatives to appropriate local authorities. Law enforcement personnel should not engage in the practice of informal probation, casework supervision, or counseling. The provision of such services is the task of qualified personnel in the appropriate professions.

Among the most important recommended guides for juvenile court intake screening are the following: The principal emphasis at intake should be diversion of youth who pose no threat to the community. The decision to detain should be the sole responsibility of the intake unit. Continued services by intake staff such as "unofficial probation" without the filing of a petition is an unwarranted invasion of privacy, is subject to abuse, and labels youth as delinquent.

Before the initial intake interview begins, the child and parents should be informed that they have the right to remain silent. They should be informed that whatever they say, if they elect to participate in the interview, cannot be used against them at a later time. Whenever the intake worker determines that he will recommend the filing of a petition, the youth and parents should be advised of their right to an attorney and the provision of legal counsel if they do not wish to employ their own.

- S 14584 DeGostin, Lucille K.; Hoffman, Peter B. "Administrative review of parole decisions." *Federal Probation* (Washington, D.C.), 38(2):24-28, 1974.

Parole decision-making is frequently criticized for the absence of procedures for inmate appeal of an adverse decision. In October 1972 the United States Board of Parole launched a pilot project, including a two-step administrative appeal process, whereby an inmate was entitled to appeal an adverse decision after a waiting period of thirty days. The grounds for this appeal could be that (1) significant information was in existence at the time of the hearing but was not considered through no fault of the inmate (Level I) and (2) the reasons given do not support the order (Level II).

Based on the project, a plan for full-scale reorganization and regionalization was approved and signed into law. An inmate may appeal a parole grant or revocation hearing decision within thirty days of the date of the written board order. The requirement that an inmate file an appeal within thirty days rather than after waiting thirty days was set in an attempt to speed up the appellate process, reducing the time before a decision was deemed final.

- S 14607 National District Attorneys Association. Economic Crime Project Center. *Economic crime: a prosecutor's hornbook*, by Charles A. Miller. Washington, D.C., 1974. 84 p.

The purposeful solicitation and misuse of another's confidence can be materially reduced by resourceful investigation and vigorous prosecution. Transgressors must be prosecuted as criminals, not excused as merely overzealous business entrepreneurs. Brief illustrative

examples of certain schemes by which fraud has been and continues to be practiced are presented, together with a number of cited prosecutions successfully undertaken in each example category and excerpts from significant court decisions bearing on points of law and defenses that seem to surface most frequently. Since the most substantial single body of case law dealing with criminal fraud in a wide variety of factual situations has resulted from prosecutions brought under the federal mail fraud statute, appellate and Supreme Court rulings under that statute are largely used as authoritative points of reference. For most practical purposes the principles expressed have general application to state as well as federal prosecutions. Finally, the investigative steps found to be most productive are outlined.

- S 14621 Goldberg, Nancy E. "Pre-trial diversion: bilk or bargain?" *NLADA Briefcase* (Chicago), 31(6):490-501, 1973.

Pretrial diversion may be regarded as a "surrogate" for plea bargaining, in that it reduces the courts' burden. It is a relatively new concept, still in the process of evolution. Essentially, diversion involves a decision not to prosecute an arrestee if he agrees to do something in return, such as enrolling in and completing a rehabilitative program. A proliferation of ideas and projects for developing methods of diversion from the criminal justice system has begun to develop, one of the more innovative being the intake service center that is part of a Correctional Master Plan for Hawaii. Pretrial diversion, in any form, may involve serious consequences for the divertee. The decision to cooperate in a pretrial diversion program is, in some respects, similar to a plea bargain in that the decision may result in the waiver of essential rights. Whatever the procedural safeguards employed, the advisability of the trend toward increasing the use of pretrial diversion as a substitute for more traditional methods of adjudication is itself open to question.

- S 14634 DeCani, John S. "Statistical evidence in jury discrimination cases." *Journal of Criminal Law and Criminology* (Baltimore, Md.), 65(2):234-238, 1974.

In order to make a prima facie case that he has been denied due process, the plaintiff must show first that his jury was not drawn from a group representative of a cross section of the community and then that the opportunity for discrimination was present. The latter demonstration has usually been based on the source of the jury list, such as tax rolls, voter registration lists, city directories, or telephone directories. Given the existence of data, properly provable, on the characteristics of the community and the characteristics of the group from

which the plaintiff's jury was chosen, the question is whether the group is a representative cross section of the community. It must be shown that the plaintiff's class was substantially underrepresented.

If a line is drawn, it should be based on probability rather than some percentage point discrepancy. As statistical arguments become accepted in the courts, discrimination will become less blatant. If courts are willing to draw the line at probabilities of 0.01 or 0.001, the limits of discrimination will be defined. If discriminatory practices persist, statistics will eventually flush them out.

- S 14635 Wolfgang, Marvin E. "The social scientist in court." *Journal of Criminal Law and Criminology* (Baltimore, Md.), 65(2):239-247, 1974.

Theories, assumptions, hypotheses, reliability, and validity are concepts that can be readily transferred, without distortion of meaning, from the scientific treatise to the courtroom. To satisfy the scientist, the vehicle of that transference must be the capable articulation of competent companion lawyers. Judges should be urged to understand the testimony of scientists, not as a language of faith or of heresy, but as a discourse of reason whose rules are sometimes as firm, sometimes as flexible, as those of criminal procedure and procedure.

- S 14659 Schrag, Minna. "Commitment of persons acquitted by reason of insanity: the example of the District of Columbia." *Columbia Law Review* (New York), 74(4):733-751, 1974.

The D.C. Circuit has been leading the nation in safeguarding the treatment of insanity acquittees. While the Supreme Court has been moving toward requiring the prosecution to demonstrate in all criminal trials the defendant's sanity beyond a reasonable doubt, the D.C. Circuit has required that, after acquittal, a commitment hearing must be provided with procedures substantially equivalent to those followed in civil commitments. Congress has reacted by aligning the D.C. Code with that of a substantial number of states: first, at the trial it places on the defendant the burden of showing insanity; then, if he is acquitted, it requires commitment until he can demonstrate the propriety of his release.

Analysis of the congressional scheme suggests that it, and other schemes like it, cannot withstand constitutional scrutiny.

- S 14661 National Assessment of Juvenile Corrections. *Juvenile delinquency: a comparative analysis of legal codes in the*

United States, by Mark E. Levin and Rosemary C. Sarri. Ann Arbor, Mich., University of Michigan, 1974. 75 p.

The basic methodology for this study of legal codes consisted of systematically analyzing the content of statutory provisions governing juvenile delinquency in the fifty states and the District of Columbia by means of standardized coding.

All fifty-one juvenile codes bring, within the purview of the juvenile court, conduct that is illegal only because of the child's age—i.e., status offenses. In many states, status offenses are defined so broadly that any and all children could be brought within the juvenile court's jurisdiction if the judge were so inclined. In twenty-six states violators are not differentiated and are classified as delinquents, subject to the same dispositions as juveniles who have committed an adult offense. Eighteen of the twenty-five states that have created separate categories for status offenders place restrictions on the disposition alternatives available to the juvenile court judge for status offenders. Four states require separate detention housing. The maximum age for juvenile court original jurisdiction is seventeen years in 33 states, sixteen in 12 states, and fifteen in 6 states. Original jurisdiction is limited by offense in 12 states. In all but 5 states detaining juveniles in jails is allowed under some circumstances. Despite the existence of a variety of disposition alternatives from which judges and referees may choose, few policies or rules are available in the codes to guide their decisions. The position of the juvenile court in the judicial structure varies widely not only among states but also within a state, and no obvious patterns are discernible. The most significant characteristic of juvenile code provisions governing the acquisition, maintenance, and use of information about juveniles is the lack of explicit protection against misuse of that information.

- S 14662 National Conference of State Criminal Justice Planning Administrators. *State of the states on crime and justice*. Cockeysville, Md., 1974. 70 p.

A survey was undertaken of the criminal justice State Planning Agencies (SPA's) operating in the fifty-five states and territories under the Crime Control Act of 1973 to reduce crime and improve the workings of the criminal and juvenile justice systems. This report outlines the progress that has been achieved by the SPA's.

SPA's identified the following priorities: to improve court administration and both prosecutor and public defender capabilities; to increase and improve training programs for police officers; to prevent and control juvenile delinquency through implementation of community-based facilities and services, and to establish and improve state-

wide programs providing community-based correctional facilities and services.

Through SPA funding, programs in nearly every state have been developed that are providing improved prosecutorial services as well as comprehensive training for all types of court-related personnel. SPA's have funded programs aimed at improving areas of police activity, with an emphasis on training; 76,000 law enforcement officers received SPA training in forty-five states.

A total of 295 group homes providing residential care and counseling for more than 6,000 troubled youth was funded by SPA's. Thirty-seven SPA's reported funding 244 youth service bureaus. With 1972 funds 42 SPA's funded 487 community correction projects serving 73,783 clients. In addition, SPA funds provided for programs aimed at finding jobs for ex-offenders. Thirty-six SPA's reported funding programs that trained 29,660 correctional personnel.

SPA progress in crime reduction and criminal justice improvement has been significant over the past five years, but the pace of progress has been slowed by relatively constant levels of appropriations during fiscal years 1973, 1974, and 1975. Increased appropriations are desirable if the SPA's are to continue moving ahead.

S 14664 Nimmer, Raymond R. *Diversion: the search for alternative forms of prosecution*. Chicago, American Bar Foundation, 1974. 119 p.

Discretionary decisions control admission to diversion programs, determine the length of the participant's contact with the program, and shape the eventual disposition of charges against him. Discretion commonly refers to the decisions of criminal justice officials—police, prosecutor, and judge. In the practice of diversion, the decisions of the victim, the defendant, and the staff of the diversion program are also important. Counseling personnel, committed to helping their clientele, sometimes play strict supervisory roles and frequently return the defendant to prosecution. Defense attorneys advise clients to acknowledge guilt rather than to accept counseling and potential dismissal of charges. Defendants accept conviction instead of treatment. Prosecutors offer dismissal to encourage defendants to accept counseling and may become leading figures in establishing alternatives to prosecution. Judges offer potential dismissal to a defendant based on judgments about his potential for rehabilitation and other considerations of public policy, rather than on factual issues of guilt or innocence.

New diversion, like traditional diversion, involves a decision-making process characterized by the interaction of all parties concerned with the case. Although counseling ideals dominate the objectives of

the programs, in practice the policy views of criminal justice officials are the dominant factor in decisions. The new programs affect these decisions (1) by increasing input into the decision process and (2) by making intensive counseling and supervision available.

Traditional diversion practices, including supervision, mediation and settlement, and referral, are discussed. Newer forms of diversion are court employment programs, preconviction probation, settlement of disputes through crisis units and arbitration centers, and treatment.

S 14667 Langbein, John H. "Controlling prosecutorial discretion in Germany." *University of Chicago Law Review* (Chicago), 41(3):439-467, 1974.

Major and indelible differences distinguish German and American criminal procedure. The fundamentally different trial procedure inevitably affects the pretrial process. The paternalistic notion of the bureaucratic German prosecutor as watchman of the accused's rights is still marked with overtones of the older, more authoritarian inquisitorial system that it displaced. Because German trial procedure is more rapid and efficient than American procedure, and German crime rates lower, German law can insist on a full trial for virtually every felony case. The need for plea bargaining—for nontrial disposition—is not as urgent in German procedure.

Nevertheless, there are similarities that make a comparison worthwhile. German procedure is not so efficient that every offense can be prosecuted. Resource insufficiency has led German law, like American, to admit the power of nonprosecution. Both systems have responded by empowering monopolist prosecutors to select which offenses they will prosecute. Unlike the American, however, the Germans have tried very hard to articulate and to enforce some criteria of selection that Americans ought to find at least suggestive.

S 14671 Skoler, Daniel L. "Protecting the rights of defendants in pretrial intervention programs." *Criminal Law Bulletin* (Boston), 10(6):473-492, 1974.

Pretrial intervention programs are open to possible legal challenges regarding speedy trial, due process, and equal protection in eligibility and selection, procedural safeguards surrounding termination, the requirement of a plea for participation, and, finally, the right to counsel. One of the more sensitive issues in screening and selecting for pretrial intervention is whether a potential participant can or should be required to enter a formal plea of guilty as a prerequisite to being enrolled in a pretrial program. Current programs have largely operated without legal challenge.

- S 14694 Landes, William M. "Legality and reality: some evidence on criminal procedure." *Journal of Legal Studies* (Chicago), 3(2):287-337, 1974.

The quantitative techniques of economics are applied in an analysis of the bail determination and its effects on the sentence. The data analyzed are based on a random sample of 858 adult male defendants in New York County who were represented by the Legal Aid Society and were arraigned in the first half of 1971.

The defendant's bond and more generally the terms of his pretrial release were found to be strongly influenced by various measures of the severity of his offense and his prior criminal record. Thus, the more severe the defendant's offense and the more extensive his criminal record, the greater the size of his bond and the lower the probability of his pretrial release. Severity and prior record were, in turn, significant predictors of crimes committed during the period of pretrial liberty but have little power in forecasting the relatively high disappearance rate (around 30 per cent) of released defendants. It is not unreasonable to infer that the reason for utilizing severity and prior record variables in setting bond is that these variables provide information on the expected harm from pretrial liberty where harm is measured by additional crimes.

The major determinant of the defendant's sentence was the size of his bond. Our explanation for this finding is that, at the time bond is set, the judge is forecasting the likelihood of the defendant's conviction and the appropriate punishment. He then incorporates the forecast into the bail-setting process by setting bond at relatively higher values for persons expected to receive more severe sentences and at relatively lower values for persons likely to receive negligible sentences. It was also observed that pretrial detention, as measured by days of detention, had an independent adverse effect on the sentence, though the dominating factor on the sentence was always the defendant's bond.

- S 14717 Wachs, Helaine. "Planning and research for the court." *Judicature* (Chicago), 58(2):81-85, 1974.

A unique demonstration program is being sponsored by the Los Angeles County Municipal Courts. Lawyers are directing computer projects; judges are working with community groups to establish detoxification centers; and major justice agencies are working together to create a totally new system of criminal justice coordination.

All of these developments are results of the Planning and Research Unit, an unprecedented multidisciplinary approach to justice problems. Six young men and women with experience in law, economics,

public administration, business, and journalism have committed their diverse talents toward improvement of the justice system.

The Los Angeles County Municipal Courts form the nation's most massive judicial laboratory. Together they employ 138 judges in twenty-five judicial districts, spanning 4,069 square miles. Now they have become the nation's only court system to have the benefit of an independent unit to analyze problems, suggest policy, and coordinate efforts with those of other criminal justice agencies.

The activity of the Planning and Research Unit divides into five areas: multi-agency coordination, judicial administration and efficiency, education and research, applications of electronic data processing, and court reorganization.

- S 14726 Smith, Gerald W. *A statistical analysis of public defender activities*. Springfield, Va., National Technical Information Service, 1970. 163 p.

The operation and function of the public defender system of Los Angeles County, Calif., were studied by means of an analysis of all cases processed (27,124) in the Superior Court of Los Angeles County during 1968. Three questions were considered: Who is served by the public defender? How do public defenders dispose of their cases? What happens to the cases handled by public defenders? A comparison of public defenders and private attorneys was based on the analysis of eighteen demographic variables. Public defenders and private attorneys were also compared according to sentences received for similar offenses.

Private attorneys handle proportionately more murder, manslaughter, rape, and sex offenses while public defenders handle more robbery, burglary, forgery, and bad checks. Private attorneys handle more marijuana cases than do public defenders but there is little difference in the assault, theft, and narcotics cases handled by public defenders and private attorneys.

Public defenders have more male clients and fewer women clients, more clients between the ages of eighteen and twenty-one, and a greater proportion of black and Mexican-American clients than private attorneys. Private attorneys have more clients over the age of forty.

Although the public defender has a slightly higher proportion of his clients released on their own recognizance, a very large proportion of his clients remains in jail. The public defender has more of his clients on probation or parole and more cases with major prior records and prior prison records than private attorneys have.

No relationship can be established between type of defense attorney and type of proceeding. The public defender has a slightly higher con-

viction rate than the private attorney, while the private attorney gets a higher proportion of dismissals. In most offense categories, the public defender has more jail sentences, while the private attorney gets a larger proportion of probation sentences. In the offense categories of murder, manslaughter, and narcotics, the public defender has a greater proportion of prison sentences. When the public defender cases are granted probation, a jail term is more frequently attached and the length of required probation is longer.

There was little evidence to support the position that the public defender is less effective for clients than a private attorney.

- S 14772 Group for the Advancement of Psychiatry. *Misuse of psychiatry in the criminal courts: competency to stand trial*. New York, 1974. Pp. 853-922. \$3. (Vol. VIII, Report No. 89.)

Most persons now held in institutions for the criminally insane are there not because they have been found not guilty by reason of insanity but rather because they were judged incompetent to participate in a trial and therefore have never been tried on the question of their guilt. These defendants, supposedly presumed innocent until proved guilty, are forced to live in circumstances far worse than those imposed on convicted murderers, and their period of confinement is indeterminate. Frequently a determination of incompetence becomes a lifetime sentence to a hospital for the criminally insane. Statistics document the extent of these abusive practices. The data lead to the conclusion that the low-visibility decision of incompetence is far more significant in practical terms than is the high-visibility decision of not guilty by reason of insanity. There is an imperative need to make the criteria for decision-making that may lead to a finding of incompetency more visible to the general public and more comprehensible.

In order to ameliorate the situation, psychiatrists should screen every defendant whose competency is questioned before he is transported to an institution for the criminally insane. Nondangerous defendants who would otherwise be eligible for bail should be hospitalized or treated at the same hospitals and in the same manner as any other mental patient. The dangerous incompetent defendant who would otherwise not be bailable should, if necessary, be confined and treated in a maximum-security institution. New techniques and drugs currently available, if applied to all persons initially found to be incompetent, would bring most of them to a competent state well within six months of initiation of treatment—the period of time consumed by the judicial process in bringing most such defendants to trial. Those persons who will never return to competency but pose no threat to themselves or the community should be released.

Law Enforcement and the Police

- S 14496 Treger, Harvey; Thomson, Doug; Jaeck, Gordon Sloan. "A police-social work team model. Some preliminary findings and implications for system change." *Crime and Delinquency* (Hackensack, N.J.), 20(3):281-290, 1974.

Police and social workers have together developed an effective service model that alleviates overloading in the criminal justice system, develops new cooperative relationships within the system and social welfare, and expands the roles of law enforcement, prosecution, and correction.

The Illinois Law Enforcement Commission, the city of Wheaton, and the village of Niles funded a three-year action-research project, sponsored by the University of Illinois, to provide services to individuals and families coming to the attention of police and prosecutors. The services include social assessments, 24-hour crisis intervention, treatment and referral services to clients, and consultative services to police. Police, legal, and psychiatric consultation is available to the staff.

The project found that significant numbers of people who came to the attention of police and the state's attorney had an offense, a complaint, or a problem that made them appropriate clients for social services; the attitudes of police and social workers toward each other showed positive changes; police-social work cooperation enhanced the functioning of both professions; social workers in a police department provided immediate or early services at critical times.

- S 14530 University of California, Los Angeles. Institute of Government and Public Affairs. *The police officer's exercise of discretion in the decision to arrest: relationship to organizational goals and societal values*, by James G. Fisk. Los Angeles, 1974. 102 p. (No. 188.)

Police discretion represents one of the most critical and difficult exercises of power in a democratic society. Police and their constituency view the sanction of arrest as a primary instrument in the accomplishment of this police goal. Arrest is a "core technology"; to a police officer the arrest function is the essence of police work. He sees it as directly related to his goal and as personally rewarding.

Policemen are difficult to supervise because they perceive themselves as discrete decision-making units. This perception results from their usual operational style and the fact that many of their decisions to take no formal action are made independently with little or no reference to

the hierarchy. As a consequence policemen acquire an independence of spirit compounded by a conviction of rightness, making them less responsive to conventional organizational constraints.

The police culture expects an officer to be courageous, not to show fear, and to be confident, physically and emotionally strong, decisive, and willing to assume personal risk. Involvement in incidents that provide an occasion to use a firearm or operate the police vehicle under emergency conditions may help fulfill the egoistic needs of a policeman as he seeks to measure up to his self-image and the expectations of his colleagues.

The police decision-maker must perceive himself as an identifier and mobilizer of new kinds of resources. The good will of the alienated toward the police and the political system is a prerequisite of justice system effectiveness. By consciously concerning themselves with the legitimacy of the entire political system, the police can mobilize this additional resource.

Unique burdens are imposed upon the person who accepts the work of policemen. The very nature of a policeman's task forces him to become a professional cynic, unable to accept at face value many situations that confront him. His effectiveness in preventing crime and apprehending law violators requires that he not accept things as they appear to be. Very few persons come to police service psychologically prepared for the assumption of the power and responsibility delegated to policemen.

The exercise of discretion requires an identification of alternatives, the assignment of priorities, and the expression of a preference by the selection of an alternative by a decision-maker.

S 14556 International City Management Association. *Personnel practices in municipal police departments*. Washington, D.C., 1973. 16 p.

A study of personnel practices in municipal police departments examined 409 American cities with a population of 50,000 and over. Nearly all of the 307 cities responding maintain a minimum education standard for initial appointment to the police private position; 90 per cent require a high school diploma or its equivalent. In 234 cities, members of minority groups constituted an average of 7 per cent of the total uniformed police force; 6 per cent are privates while only 1 per cent are officials (sergeant or above). Of 278 cities reporting, 46 (17 per cent) indicated that they have policewomen assigned to patrol. The forty-hour work week is standard for the majority of police personnel; 16 per cent of the cities responding have adopted the four-day work week. Only 37 per cent of the cities have a salary schedule that provides for increased salary

for police personnel taking advanced education beyond high school. In 79 per cent of the cities reporting, promotion is based on length of service; 93 per cent of the cities use the written examination as a promotion device. An in-service training program is found in 94 per cent of the cities; only 23 per cent have an in-service program comparable to college credits.

S 14642 National Council on Crime and Delinquency. Research Center. *Crisis intervention training for police: first year interim evaluation report*, by Peter Venezia and Wilson E. Smith. Davis, Calif., 1974. 151 p.

The Police Foundation contracted with the NCCD Research Center to evaluate the Simi Valley, Calif., police training program in crisis intervention in June 1973. Increased police skill in the handling of domestic disputes was expected to have several positive effects: improved community attitudes toward the police, fewer repeated dispute incidents involving the same people, decreased dispute-related violence, diminished dispute-related assaults upon police officers, reduced rate of arrests of those involved in dispute situations, demonstrated officer satisfaction with crisis training, and improved officer attitudes as a result of increased competence in handling situations that constitute a major portion of police work.

Although definitive evidence on program accomplishments will not be available until later this year, some findings are available. According to two public opinion polls conducted in Simi Valley, the police department has the confidence and approval of a large majority of the city's residents. Personal interviews of those who had requested police assistance with disputes yielded results similar to those of the community surveys. A high proportion of officers viewed the crisis intervention training program as valuable to themselves, to the department, and to the community. Police officers, however, view the public more negatively than they in turn are viewed and feel less community support than is the case. A gap seems to exist; positive public opinion is not reciprocated by police.

S 14688 Pennsylvania Crime Commission. *Report on police corruption and the quality of law enforcement in Philadelphia*. Saint Davids, Pa., 1974. 874 p.

Police corruption in Philadelphia is continuous, widespread and systematic at all levels of the Police Department. Corrupt practices were uncovered by the Pennsylvania Crime Commission during an investigation in every police district and involved police officers rang-

ing in rank from policeman to inspector. Specific acts of corruption involve improper cash payments to the police by gamblers, racketeers, bar owners, businessmen, nightclub owners, after-hours club owners, prostitutes, and others. More than 400 police officers are identified by first name, last initial, and badge or payroll number as receiving improper payments in cash, merchandise, sexual services, or meals. The Commission also examined three personnel issues of current concern: the role of minority group members in the Police Department, promotions, and pensions.

Corruption results from the interaction of many factors, including the Police Department's attitude toward the corruption problem, the vice enforcement policy of the department, various societal pressures on police officers, and the reaction to corruption of other parts of the criminal justice system and the public.

Corruption within the Police Department and government in general has been such a constant problem that the Commission believes no single reform can serve as a cure-all. An independent prosecutor, who would institute a full-time, permanent, active, and inventive integrity campaign is an extremely significant and necessary part of any reform program. Such an official could actively prosecute offenders and serve as a deterrent to future corruption. As an interim measure, the commission recommends that the Attorney General of Pennsylvania immediately exercise his traditional common law powers and appoint a special deputy attorney general as an independent prosecutor with jurisdiction over police corruption investigations and prosecutions in Philadelphia. He should have full authority for investigating and prosecuting cases of bribery, perjury, theft, embezzlement, or other illegal taking of public funds, conspiracy, misfeasance, malfeasance, nonfeasance in office, or any other cases of graft or corruption in Philadelphia. Legislative creation of an Office of Special Prosecutor, with a staff of attorneys and investigators of its own and an adequate budget, is recommended as a long-range measure. The Commission also makes specific recommendations for changes in vice laws and enforcement policy, as well as changes in internal control, pensions, promotions, numerous personnel policies, and drug enforcement practices.

Correction

- S 14558 Ray, John R.; Yarbrough, V. E. "Effects of institutionalization on juvenile delinquents." *American Journal of Correction* (Minneapolis, Minn.), 36(3):24, 28, 1974.

The effects of confinement, particularly the length of time spent in a correctional situation, were determined in this study of the school mo-

tivation of 81 first commitment delinquents and their view of themselves as adequate learners in a classroom environment. The delinquents' acceptance of group standards and feelings of self-sufficiency as a result of time spent in a correctional institution were also measured. Test instruments were the Junior Index of Motivation, the Self Concept as a Learner Scale, and the High School Personality Questionnaire. The 81 delinquents were fourteen- and fifteen-year-old boys with an intelligence range between 90 and 110 who were in a correctional institution for the first time. Of the number tested, 47 were white and 34 were black.

Upon entry at the institution, students exhibited low levels of school motivation. Black students evidenced increased assertiveness, competitiveness, and admiration-demanding attitudes. Greater self-concept integration, a trend toward more acceptance of delinquent norms, was found for all students in the middle phase of institutionalization. Highly motivated students demonstrated an inverse association between high motivation scores and group dependency scores.

- S 14468 National Council on Crime and Delinquency. Research Center. *Yolo County (California) minority probation aides: an evaluation of the Mexican American Probation Case Aide Project (1971-1973)*, by Anita L. Langbehn; Guy E. Pasela; Peter S. Venezia. Davis, Calif., 1974. 49 p.

Two case aides were employed by a project that attempted to improve probation services to the Mexican-American community, increase probation staff's awareness of needs of the Mexican-American community, and effect vocational upgrading of case aides to full deputy probation officers within the three-year period of the project.

The three project goals were met, but there was no conclusive evidence for differences in outcome between probationers receiving case aide services and those not receiving services. There was some indication, however, that juvenile probationers might have performed slightly better with case aide services than without. A majority of probation officers indicated that the presence and availability of case aides within the department increased their understanding of the problems of Mexican-American probationers. Case aides were promoted to full deputy probation officers in July 1973, 2½ years into the project. Paraprofessionals in probation are used in at least sixteen other counties in California.

- S 14470 University of Hawaii. Social Welfare Development and Research Center. *Liliha house: an in-community residential program*. Hawaii, 1974. 52 p. (Report No. 131.)

Liliha House, founded in 1970 and administered by the John Howard Association, is a halfway residential facility serving male probationers between the ages of eighteen and twenty-two and adults released from the Hawaii State Prison and the Honolulu City and County Jails. A behavior modification approach characterized by an emphasis on observable events, a focus on environmental contingencies, a concern for empirical evaluation, and a systematic application of learning principles are used. A contracting system, a token economy, and a group process comprise the contingency management program in which residents participate.

A follow-up to the Liliha House program evaluation conducted at the end of the first year of operation, this study focuses on the program as it functioned under the contingency management approach beginning in July 1972. Data were collected on characteristics of the residential population, program design, program operation, and resident behavior during their stay at and after leaving the institution. Information on program design and operation was obtained through written material and staff interviews.

Twenty-four men participated in the contingency management program from July 1972 through September 1973. The typical Liliha House resident was male, single, part Hawaiian, and twenty-one years old, had a 10th or 11th grade education, and came to the program as a probationer after serving time in jail for a property offense.

The program has been successful in serving the population for which it was designed, though more probationers could have been referred and admitted. At the time of the follow-up study 57 per cent of the residents were continuing successfully on probation. No conclusions about the efficacy of the program are possible, however, until comparisons with other program alternatives are made. Analysis suggests that there are important links between success in the program and employment and between employment and success on parole.

S 14479 Duffee, David. *Correctional policy, managerial style, and their relationship to the organizational climate in a minimum security prison*. Ann Arbor, Mich., University Microfilms, 1974. 330 p. (Dissertation.)

Research in this study accompanied an organizational development program for a correction department in northeastern United States. Program activity included the clarification of goals, improvement in communications, and the facilitation of more effective supervisory behavior for goal implementation. The use of one minimum security prison as a demonstration site provided the opportunity for an in-depth analysis of the prison structure.

Previous policy studies highlighted the importance of two dimensions in policy construction—the degree of managerial concern for the community and for the offender. A correctional policy typology was constructed using these dimensions and four model policies emerged: restraint, reform, rehabilitation, and reintegration.

A questionnaire was devised to measure the degree to which correctional managers adhered to these different policies. Administration of the questionnaire in the minimum security prison showed that managerial policy was not being implemented by officers and that inmate perception of policy was even further removed from managerial intention.

The divergence of actual organizational behavior from desired goals may be explained in the way managers attempted to transmit policy to subordinates. If policy is viewed as the standard by which managers judge the acceptability of organizational behavior, a crucial intervening variable is the way in which managers report their observations on organizational behavior to the organization. Managerial feedback is examined by use of a model known as the managerial grid.

A questionnaire based on the managerial grid was used to measure five managerial styles, differentiated by the way the manager combines concern for people with concern for production. Prison managers showed a very high concern for accomplishing tasks without a concomitant concern for people. Failure of policy implementation in the minimum security prison was explained as a conflict between style and policy in which subordinates behaved in accordance with the manager's behavior rather than with his stated policy.

An examination of organizational climate demonstrated that climates influenced by conflicts in style and policy were relatively unhealthy and that climates influenced by managerial behavior more consistent with its policy are relatively healthy. Many attempted improvements have been unsuccessful because they have not influenced variables of the fundamental prison structure.

S 14494 McCall, Cecil C.; Grogan, Hiram J. "Rehabilitating forgers." *Crime and Delinquency* (Hackensack, N.J.), 20(3): 263-268, 1974.

Compared with other felons, forgers are more capable—more intelligent, more skilled in home relations, more employable—and more liable to violate the conditions of their probation by repeating their offense.

This comparative study showed that forgers have a common personality pattern and differ from burglars and auto thieves in personal-social characteristics. Compared with these other felons, the forger is

older, more likely to have been on probation before, friendlier, more cooperative, better disciplined, less prone to use of alcohol and drugs, neater in appearance, and less truthful. His facade of adjustment often convinces his probation officer that all is well and that little help is needed. His typical personality pattern of incongruity between basic (often repressed) attitudes and approved social roles often hampers counseling and psychotherapy. Successful diagnosis depends on discovering his real personal or situational stresses; successful treatment calls for acceptance, support, realistic expectations, and counseling skill in facilitating confrontation of real problems. Authoritarian warnings, reprimands, and technical regulations are not effective.

- S 14497 Brodsky, Stanley L.; Pacht, Asher R. "The Clinical Resources Center. A model for utilization of mental health services in correction." *Crime and Delinquency* (Hackensack, N.J.), 20(3):291-296, 1974.

Most correctional mental health services suffer from difficulties in recruiting and maintaining well-qualified staff members and from producing much nonfunctional work. The use of a Clinical Resources Center (CRC), in which staff and functions are directed toward specific performance objectives, is suggested as an alternative organization of services. The CRC would offer (1) screening, targeted to actual transfer and organizational decisions and conducted at the lowest staff level necessary; (2) intensive individual evaluations for early identification and agency program planning; (3) direct treatment services; (4) field and consultation services throughout the system and within the institution, including management and training functions; and (5) program development, personnel development and training, and research. By concentrating substantial numbers of behavioral professionals in one location, the CRC mobilizes their skills toward meeting specific departmental objectives. It is designed to serve as both a test laboratory for program ideas and a means of extending mental health resources and skills through a correctional system.

- S 14498 Zirin, Sidney. "The case of Marvin." *Crime and Delinquency* (Hackensack, N.J.), 20(3):297-301, 1974.

An experiment in adapting the management principle of redundancy to treating delinquent children in a residential treatment facility is reported. In management parlance, redundancy refers to the practice of increasing the possibilities of success in any activity by adding to the number of components, each of which has successively a smaller possibility of success but all of which, added together, have a much higher possibility of achievement.

In the translation of this theory to an institutional framework, various treatment modalities were administered to a volunteer inmate in series within an eight-hour period. These modalities included corporal punishment, vocational guidance, Freudian psychotherapy, guided group discussion, reality therapy, and token economy. The experiment was aborted by the mental breakdown of the volunteer inmate. The staff concluded that it should have had a better understanding of the concept before implementing it.

- S 14505 Weeks, Lloyd Allen. "The prison of tomorrow." In: Reasons, Charles E., ed. *The criminologist: crime and the offender*. Pacific Palisades, Calif., Goodyear Publications, 1974. Pp. 404-413. \$6.95.

The primary question confronting correctional planners today is not whether offenders should be treated in a community but how treatment there could be facilitated safely, economically, and successfully. Those dangerous offenders who would threaten society should be incarcerated until they can safely be released. Traditional prisons have the dual drawbacks of being cut off physically from communities as well as perpetuating conditions within the walls that foster a further retreat from society. Community-based correction systems would eliminate these shortcomings.

The prototype model should be built and located as closely as possible to the urban center of a large metropolitan area, but situated away from areas of high crime frequencies and prevalent criminal elements. Architecturally, the model will resemble as nearly as possible a normal residential setting on a scale and design similar to a motel or apartment house. While it probably would have several high-security units for short-term detention, it would approximate a homelike structure.

The resident population of the model will be fully utilized for their value as "offenders as a source of manpower" for community service work, juvenile prevention work, and New Careers.

- S 14515 Raymond, Frank B. "To punish or to treat?" *Social Work* (New York), 19(3):305-312, 1974.

Research was conducted to determine whether punishment and treatment are actually opposites. The attitudes of 107 adult probation and parole officers employed by the Louisiana Department of Corrections were queried. Little support was found for the traditional view that punishment and treatment are opposites. The traditional view fails to reflect the actual view of punishment and treatment held by probation officers, especially the more experienced officers. The more

experienced officers place an almost equal value on punishment and treatment. Punishment and treatment are not polarities; almost any correctional program necessarily involves elements of both and the goals of each need not conflict. Once correctional personnel recognize that punishment and treatment can exist without conflict, they can design more effective correctional programs and deliberately incorporate elements of punishment that will aid in rehabilitation.

S 14516 Hudson, Joe; Galaway, Burt. "Undoing the wrong." *Social Work* (New York), 19(3):313-318, 1974.

The program of the Minnesota Restitution Center at Minneapolis develops a contractual relationship between the offender and his victim, diverts offenders from the prison setting, carries out research, and is accountable to the larger public. The center is a community-based residential correctional facility operated by the Minnesota Department of Corrections. To insure a high degree of accountability for the program, a community advisory board has been established with representatives from the business community, the police, the courts, and private social agencies. The program randomly selects inmates recently committed to the Minnesota State Prison for crimes against property and offers them an opportunity to negotiate a restitution contract with the victims of their offenses. When a contract is successfully developed, these offenders are released on parole to the restitution center so that they can begin to repay victims for damages incurred. The Minnesota program is the first systematic attempt to apply the idea of restitution to a community-based correctional center. Restitution is used systematically to reconcile offenders with the victims of their offenses. The extremely rigorous system of evaluation, which evolved along with the development of the program, should help significantly to identify the differential effects on offenders at the restitution center and offenders remaining in prison. It should also indicate the relative benefits that flow from specific components of the program.

S 14523 Massachusetts. Youth Services Department. *Intensive care programming*, by Joseph M. Leavey. (Paper given at National Institute on Crime and Delinquency, Boston, Mass., June 1974.) 11 p.

Intensive care, or the secure handling of youngsters who represent a threat to themselves or to others, must be developed with a specific target population in mind. Traditionally, security programs meant incarceration in physically confining buildings with supervision by staff who relied on their size and authority to enforce discipline.

While the Massachusetts Department of Youth Services recognizes

the need for secure placements for that small portion of youth offenders who represent a threat to themselves or to society (between 1 and 10 per cent of the total commitments), the staff also realizes that security should not mean a lack of services for these hard-to-handle youngsters. In addition to "bricks and mortar"—sometimes even instead of it—professional and caring staff can provide the public with safety from runaway, dangerous youth.

By August 1974 three intensive care programs will be in operation in Massachusetts in Andros, Westfield, and Worcester. The programs will be secure and kept small. The populations of each unit will be mixed to prevent a youth in an intensive care unit from identifying himself as just another member of a large delinquent subculture, or giving him the recognition of being one of the most delinquent youth in the state.

S 14524 National Council on Crime and Delinquency. Research Center. *Community-based alternatives to traditional corrections: the 1973 evaluation of the Fifth Judicial District Department of Court Services—State of Iowa*, by Roger O. Steggerda and Peter S. Venezia. Davis, Calif., 1974. 158 p.

The components of the Fifth Judicial District Department of Court Services in Iowa were examined to determine how effectively each is meeting its specific program objectives. The probation caseload of persons through the time of evaluation was 618, of which 232 were terminated and 386 remained open. New offenses were alleged against 31.5 per cent of all probation clients during this period. Fifty community resources were utilized in providing 305 treatment and upgrading services to 120 probation clients. Both educational and occupational gains were experienced by probationers during the evaluation. In an average of approximately six months from the time of release from the probation program, new offenses were alleged to have been committed by 11.2 per cent of all clients. The Department of Probation has effectively utilized existing community resources and achieved a significant level of social and correctional effectiveness. Maintenance of community safety was less effectively achieved.

The residential correction program for men is effectively achieving its main objective. The residential correction program for women appears to be achieving all of its objectives at a satisfactory level, but at a somewhat prohibitive cost. Releases were obtained for 973 clients in the pretrial release project during the evaluation period. New offenses were alleged to have been committed by 7.9 per cent of all clients released through the project. The failure-to-appear rate was 1.3 per cent. Only 2.8 per cent of the entire release group eventually were incarcerated. Pretrial services project clients received 415 services from a total

of 42 outside community agencies. Collectively, the various components of the Department of Court Services utilized 54 separate outside resources in providing over 1,000 services to its clients during 1973. It is estimated that the Department of Court Services has facilitated a reduction of the population of the Polk County Jail by at least 56 persons per day, a reduction of the caseload of the state parole and probation department of approximately 515 clients per day, and a reduction of no fewer than 133 inmates per day from the combined men's correctional institutions.

- S 14526 Austin, W. T.; Bates, Frederick L. "Ethological indicators of dominance and territory in a human captive population." *Social Forces* (Chapel Hill, N.C.), 52(4):447-455, 1974.

Dominance and territoriality patterns among forty-five inmates confined in a prison bullpen were analyzed. Ethological techniques and perspectives were employed in assessing each inmate's relative dominance by recording matrix interactional contact (e.g., frequency of contact, duration of contact, frequency of initiating contact) and frequency of agonistic episodes—(i.e., aggressive acts, stares, averted gazes, vocal alarms, and grimaces). Three separate indicators were employed in assessing inmate territorial possession: type of personal living space occupied by the inmate, the distance from each inmate's personal bunk area to the bullpen television set, and the physical mobility pattern of each inmate in the confines of the bullpen. Two predictions were made: (1) the higher an inmate's position in a dominance hierarchy assessed from matrix interaction, the higher his position of dominance in a hierarchy assessed from agonistic interaction; (2) the greater an inmate's dominance, the greater his possession of valued objects and of spatial territory. Each inmate was continuously observed for eighty minutes during eight separate ten-minute periods.

The two research predictions were validated. Dominance hierarchies derived from the two ethological techniques were significantly correlated. Dominant inmates tended to possess more valued objects and spatial territory within the bullpen than inmates of lesser dominance. The feasibility of employing ethological methods and perspectives in analyzing human social interaction was demonstrated.

- S 14542 Duffee, David. "The correction officer subculture and organizational change." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 11(2):155-172, 1974.

Training and manpower development in correction has become an increasingly important issue. Most such training on the correctional officer level is based upon an academic model of education. This kind of training approach is likely to be ineffective because of a hypothesized officer subculture, the values of which are antagonistic to the policy and values implicit in the training. Three scales, measuring correctional policy, supervisory behavior, and social climate of institutions, were administered in the correction department of a northeastern state in order to test the hypothesis. It was found that officers differed considerably from managers on both policy and social climate. A major explanatory factor appeared to be the way in which the officers perceived themselves to be managed. Suggestions are made for changing the officer subculture values based upon small group dynamics techniques that affect the way in which officers perceive themselves to be managed and alter the perceived rewards for behaving in ways compatible with managerial policy.

- S 14543 Cheatwood, A. Derral. "The staff in correctional settings: empirical investigation of frying pans and fires." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 11(2):173-179, 1974.

Staff members in correctional institutions are caught between the demands of the administrative subculture and the inmate subculture. As part of a larger project, data were gathered on the perceptions and attitudes of administrative personnel, staff personnel, and inmates toward "restricted" boys—youths judged potentially harmful to themselves or others and labeled as such—within one juvenile correctional setting. Official directives indicated that the administration discriminated between the restricted youth and the other boys and regarded their restrictive labels as valid. The boys themselves generally displayed no such discrimination and evaluated the restricted boys as being no different in behavior or attitudes from the other boys in the institution. Responses by the staff personnel indicated that they, in agreement with the boys, saw no differences in behavior or attitudes between restricted and nonrestricted youths. Yet these same staff personnel indicated that they regarded the label attached to the restricted boys as accurate and valid, thus agreeing with the administration evaluation. It was suggested that the necessity for staff to reconcile these apparently irreconcilable attitudes produces a set of values and norms unique to the staff, containing situational definitions and meanings related to both the administrative and inmate cultures, yet beyond evaluation or understanding solely in terms of either one.

- S 14544 Miller, Stuart J.; Dinitz, Simon. "Measuring perceptions of organizational change." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 11(2):180-194, 1974.

This study measured the effects of organizational changes taking place over a six-year period on residents' perceptions of a maximum-security juvenile institution. Four of six scales measuring institutional impact were able to discriminate significantly between three different organizational time periods and also between six different years of release of 426 residents. Staff perceptions of the institution's impact on the residents moved in the same direction as those of the residents, but not as strongly. Evidence suggests that the construction of impact scales to measure institutional climate may have a potentially significant input to the understanding of our institutions and their effects on their clients. The efficiency of such impact scales, however, would appear to depend on factors not now considered in their construction.

- S 14549 American Correctional Association. *Proceedings: second national workshop on corrections and parole administration*. College Park, Md., 1974. 140 p. (Resource Document No. 4.)

In 1971 the Manpower Administration of the U.S. Department of Labor provided the American Correctional Association with funds to arrange pilot programs in three states whereby selected inmates would be invited to negotiate voluntary contracts in which they agreed to complete a specific program of vocational self-improvement in prison and on parole. Under the contract the state department of correction agreed to grant them access to educational, training, and counseling services specified in the contract and the parole board agreed to release them on their date of minimum parole eligibility if they fulfilled the terms of the contract.

In March 1974 the American Correctional Association held a workshop on the Mutual Agreement Program (MAP) experience. The report of the conference opens with success stories. Sanger Powers provides a detailed blueprint on how Wisconsin made MAP work in its state. Emphasis was placed on careful planning, and responsibility for making it successful was assigned to key staff in all positions that might affect its outcome. This account is followed by Charles Phillips' review of all programs that the Department of Labor has found effective in reducing recidivism. It is noteworthy that the successful programs are all concerned with clients in the free community rather than in institutions.

Sobering notes follow on obstacles to making graduated release

work as well as it should. Although we speak of a criminal justice system, Paul Chernoff, chairman of the Massachusetts Parole Board, points out the conflicts of police, courts, prisons, parole, and community centers. Billy Wayson indicates that we are in blissful ignorance of basic economic truths in assuming that institutions are the cheapest and most effective way to supply rehabilitative services to offenders.

Clearer evidence that we often take foolish precautions while neglecting rational risk-taking is provided by Norman Holt, of the California Correction Department. California's experiments demonstrate that shorter confinement has no effect on recidivism, that parolees returned for technical violations would not commit more felonies than other parolees if not reconfined, and that parole success increases when parolees know they can be discharged when they complete one year on parole without arrest.

Another sobering note comes from Wisconsin's Severa Austin, who challenges the presumptions of those who plan criminal justice systems without enough knowledge of what is effective and without the courage to terminate cruel and costly measures that they know are ineffective.

Ron Scott, of Virginia, sees MAP as eliminating a psychological bind in which both staff and inmates are asked to make those convicted of felonies more responsible but are penalized if they do not suppress responsibility.

The concluding papers report some recent innovations. Walter Dunbar and William Collins describe New York State's plan to extend MAP to probationers. Henry Risley describes the first year's experience of Michigan with the largest MAP operation to date, which is called the "Contract Service Program." The widespread need for MAP becomes evident in the final paper by Kenneth J. Lenihan, in which he presents a nation-wide survey of the financial resources of released inmates.

- S 14551 American Justice Institute. Santa Clara Criminal Justice Pilot Program. *Adult probationer needs survey: an analysis of the needs and characteristics of men and women on Adult Probation in Santa Clara County, California*, by John W. Pearson and Gary G. Taylor. San Jose, Calif., 1973. 46 p.

A survey was designed to provide the Santa Clara County Adult Probation Department with information about the kinds of people on probation and their needs. Thirty-four probation officers selected a sample of their clients, rated what the needs of those clients were, and

provided detailed demographic data on their probationers by means of a questionnaire. Of a possible 639 men and 636 women, data were compiled on 425 men and 213 women.

The typical probation client is male, white, under thirty-five, and single or separated; he moves frequently but has lived in the county or Bay Area for five years; he is not well educated; he is likely to be unemployed or working in an unskilled or semiskilled occupation. Over half of all probationers have never been convicted of a felony, including the convictions that resulted in probation, and have no known juvenile arrest history. There are typically no arrests or violations that have occurred since probation was granted. Most clients have pleaded guilty; most probation terms are for two years. Very few are active parole or probation cases at the time of sentencing. Probation officers tend to describe the personality of their clients in more positive than negative terms. This is less true of female probationers.

Full-time employment and personal/interpersonal counseling are the two most frequently mentioned probationer needs. Officers feel that probation itself is needed by only about half of their clients. The highest priority needs are typically not being satisfied. Of the two most important needs, the need for counseling is less often satisfied than the need for employment. If a client has a particular need, it is likely that he also has a specific set of related needs. Certain needs characterize given demographic groups—e.g., males and females, racial groups, younger and older probationers, unemployed and employed clients, those with different amounts of education, and more or less serious offenders.

The study suggests that if existing probation resources can be re-allocated, probation services can be strengthened. Analysis and possible remodeling of the investigative services of probation is recommended as a first priority.

S 14553 Deehy, Patrick Thomas. *The halfway house in the correctional sequence: a case-study of a transitional residence for inmates of a state reformatory*. Ann Arbor, Mich., University Microfilms, 1969. 275 p. (Dissertation.)

The Robert Bruce House in Newark, N.J., is a halfway house for men who have been released on parole from the state reformatory. This study is essentially descriptive, attempting to trace in detail the passage of a group of men from confinement in a penal institution, through the halfway house, and out into the free community.

Three goals of the halfway house were identified: (1) the movement of the members toward independent community living, (2) the development of attitudes conducive to the maintenance of full-time employ-

ment, and (3) the continuation in the community of the treatment program begun in the institution. To achieve these goals, there was a continuous emphasis on the acquisition and retention of employment by the residents of the house and the involvement of all members in a mandatory program of treatment.

The organizational structure of the house did not facilitate the kind of program that it was attempting to provide. The number of men volunteering for the program was small to permit the full application of the broad and somewhat residual selection criteria that the house followed when the number volunteering for the house was very small. The turnover was rapid: the formal length of residence was limited to four months and the actual stay was considerably shorter than that.

The house was closely related to the reformatory since it was administratively part of the reformatory system and the staff of the house nominally formed part of the reformatory staff.

From the material obtained from the respondents in both the follow-up group and those from the placement group who were interviewed regarding their postrelease experience, the following emerged: The respondents were embarking upon a transition that they had attempted before, in some cases more than once. They constituted a group with fewer family ties than one might expect from a random sample of the reformatory population, since most were unmarried; those who had been married were separated or divorced. A substantial number were being released to a district other than that in which their families were located. The community to which they were being released was characterized by a high degree of transiency and impersonality and cannot be regarded necessarily as typical of other communities in its reactions to the individuals concerned. Despite their dislike of certain aspects of the program, most of the respondents recalled their stay at the house as helpful.

S 14557 Lenihan, Kenneth J. "The financial resources of released prisoners." In: American Correctional Association. *Proceedings: second national workshop on corrections and parole administration*. College Park, Md., 1974. Pp. 109-135.

A nation-wide survey was made of the states' practices concerning gate money, prisoners' earnings, savings, work release, and other factors that determine a prisoner's financial condition at the time of release. The survey, carried out by telephone and later verified by mail, was conducted during the summer of 1971 among the correction departments of all the states and the District of Columbia. All 51 jurisdictions cooperated.

There are two popular methods by which the states provide prison-

ers with money at the time of their release. The most common practice is to give a man a small amount (\$10, \$20, or \$50) regardless of his savings; the other is to supplement his savings up to a fixed amount. Besides gate money, many states provide clothing and transportation. If a state does not supply either, the released prisoner must pay for these necessities out of his gate money or savings. In all, 36 states provide both transportation and clothing; 9 provide only clothing; 3 provide only transportation; and 3 provide neither transportation nor clothing.

Since the amount of gate money provided is so small, the financial condition of released prisoners depends mainly on their earnings in prison. These earnings are derived chiefly from jobs connected with prison maintenance and service or from prison industries. The most frequent wage, reported by 21 states, is between \$.50 and \$1 a day; the second most frequent, with 17 states reporting, is less than \$.50 a day. Only 8 states report they pay \$1 or more a day. Since the states pay so little in wages, it is not surprising that inmates have little savings when released: data from one state only reveal that three-quarters of released men have savings of \$100 or less when released. Most men who have savings usually have accumulated their money from jobs on work release, not from institutional earnings. The number of men on work release at the time of the survey as well as the percentage on work release are shown for each state.

When a released prisoner is eligible for state welfare assistance he usually receives only emergency aid—the minimum amount for a day or two—and it usually takes him four to eight hours of filling out forms and waiting in line to receive such assistance. Only 18 states have any loans available for released prisoners and most report lending money to three or four men a year.

A final table in this survey presents information on the costs of daily maintenance in prison. The average is \$9.99 per man per day, not including capital costs and depreciation. There is considerable variation throughout the United States in this cost: the New England states report the highest cost (averaging \$14.82 per day) and the Southern states the lowest (averaging less than \$5 per day).

A study is under way to determine whether adequate financial assistance to released inmates would help reduce recidivism.

S 14558 Nagel, William G. *An American archipelago: the Federal Bureau of Prisons*. Philadelphia, The American Foundation, 1974. 14 p. Mimeo.

In 1972 the U.S. Bureau of Prisons startled many citizens concerned with criminal justice when it produced its so-called Master Plan call-

ing for 35 new correctional institutions during the next decade. A bureaucracy that had existed with only 3 prisons during its first thirty years and had gradually increased to 24 facilities during its next four decades suddenly planned an additional 35 costing over \$500-million. During a decade when people all over the country were questioning and even rejecting the desirability of prisons, the Federal Bureau decided to go construction crazy.

A look at the Bureau causes nagging doubts about its functions, its unilateral and almost secret planning methods, and its place in an era marked by a rebirth of federalism. Nowhere in the Master Plan can one find references to possible future intentions of the Federal Probation Service, the Board of Parole, and the Administrative Office of the U.S. Courts. How can the need for \$500-million be justified without reference to future sentencing and paroling policies? Nowhere in the Master Plan are projected inmate profiles. The Bureau plans 12 new youth institutions when the peak of America's youth population has passed.

In one large state the Youth Authority had overbuilt while the Federal Bureau was planning to build. In Philadelphia the Bureau has planned a facility without consulting with the State Planning Agency. Everywhere the Bureau approaches its problems in secret, ignoring its sister agencies in the federal government and its cousins in state governments.

The United States can have order, without new prisons, if it pursues social and economic justice.

S 14561 Texas. Corrections Department. *Vocational follow-up project of the Windham School District*, by Charles M. Whitson. Huntsville, Tex., 1974. V. p.

Windham School District was established in 1969 to serve the vocational education needs of persons incarcerated in the Texas Department of Corrections who are not high school graduates. The Windham Program is unique in that it is the first educational system to be established within a statewide prison system. Approximately one-half (8,000) of the total inmate population participate in the school district programs. The Reality Adjustment Program (RAP) attempts to prepare the inmate for his re-entry into society. The eighteen-week session offers realistic approaches to problems that the ex-inmate will encounter in his search for training-related employment.

The primary goal of this follow-up project was to establish a system whereby continuous information on graduates and future graduates of Windham School would be available for evaluative purposes. In addi-

tion, the project was designed to incorporate in this systematic approach the development of methods of interviewing ex-students to obtain realistic and valid information to aid program assistance. Data on 864 ex-students (released and incarcerated) were collected through the use of behavioral interviews and self-administered questionnaires. Computer analyses of these data by analysis of variance, chi-square, and z-test of means and proportions were utilized to determine the significance of differences between and within the graduate groups.

Statistically significant differences were found between and within the community follow-up treatment groups in demographic, training, institutional, and postrelease variables. Those who were employed in training-related jobs at the time of data collection displayed a higher degree of postrelease adjustment and a lower tendency toward recidivism as measured by the behavioral interviews and the Environmental Deprivation Scale. These results indicate that the emphasis upon placement in training-related jobs is justified and should be increased. The study demonstrated the need for job placement and development in correctional vocational education. The primary objective of vocational training in correction is not met unless the trainee is ultimately employed in a training-related job upon release.

- S 14581 Waller, Irvin. "Conditional and unconditional discharge from prison: effects and effectiveness." *Federal Probation* (Washington, D.C.), 38(2):9-14, 1974.

The principal subjects of this study were a representative sample of 423 ex-prisoners released from Ontario federal penitentiaries during 1968. Of the total, 210 had been selected for early release on parole, 113 had never applied for parole, and 100 had applied for parole but were refused. The second and third classes formed a group of 213 men who were unconditionally released at expiration of sentence.

While the men were still inmates the investigation included group interviews, administration of several standard psychological tests, and the collection of data from the institutional fields. An intensive analysis was conducted on the progress of the ex-prisoners during their first twelve months in the community.

Of the 213 men unconditionally released at expiration of sentence, 144 (68 per cent) were re-arrested for an indictable offense within two years after release. Of the 210 men selected for parole, 93 (44 per cent) were similarly re-arrested within two years after their release. These differences were found to be principally attributable to the complex bureaucratic procedure for selecting men to be released on parole.

Findings on prisons and parole are also important to the decision-

making of sentencing; allocation to prisons of different security levels; forms of temporary parole such as gradual release, work furlough, or temporary absence; and the variety of parole decisions to defer, to grant, to revoke, or to discharge. These measures do not now have any major rehabilitative effect; they cannot be justified as means to "protect the public through the rehabilitation of the offender." Thus other factors such as retribution, cost, humanitarian treatment of the offender, control of institutional populations, and judicial consistency become more important.

- S 14582 Pierce, Lawrence W. "Rehabilitation in corrections: a re-assessment." *Federal Probation* (Washington, D.C.), 38(2):14-19, 1974.

Consideration should be given to short, flat prison sentences, ranging between four and eight months, for nonviolent offenders, followed by longer periods of noncoercive support and help in the community. The short prison term would be principally retributive and would require only modest program inputs, while the much longer period of helping services in the community would represent the major rehabilitative input.

- S 14591 Ontario (Canada). Ministry of Correctional Services. *The temporary absence program for employment: a study of benefits*, by Leonard Crispino. Ottawa, 1974. 37 p.

Benefits derived from the work release program in Ontario correctional institutions were examined from the point of view of participants with regard to employment, finances, social relationships, and post-release criminality. Fifty-four participants about half of them already free in the community, were interviewed; they had participated in the Temporary Absence Program (TAP) in one of nine institutions chosen for study.

The average age of respondents was twenty-eight; the average length of participation in TAP was 2.5 months; 81.1 per cent held the same job as their last before incarceration, while eight participants moved down to lower status jobs. Those holding the same types of jobs were significantly more satisfied than those holding different types of jobs.

Of the 25 men who had been released from the program at the time of the interview, 23 were working, one was unemployed, and one had gone back to school. Almost half the participants sent some money home weekly while still in the institution; 50 per cent of the participants' families depended fully on the inmates' earnings. Ninety-two per cent felt that TAP was not an easy way of doing time but in fact

was harder. Follow-up checks up to 8½ months after release revealed that none of the participants had been reincarcerated; only one had committed a further offense leading to a fine.

The most frequently mentioned positive aspects of TAP were the privileges gained under the program and the ability to maintain contact with family and society in general. Over 50 per cent of the participants mentioned that staff were not supportive of the program and expressed a desire for separate housing facilities.

- S 14603 Community Service Society of New York. Youth and Correction Committee. *Work release: the New York City program: a preliminary public policy paper*, prepared by Carol S. Whelan and Margery L. Gross. New York, 1974. 26 p.

An observation of the New York City work release program consisted of visits and interviews at three of four community residential facilities through which the work release program is currently operated, as well as interviews with correction officials in New York City. The Manhattan Community Residential Facility, the Brooklyn Community Residential Facility, and the Sloane House (YMCA) Project were visited from January through March 1974.

The Department of Correction made a sound decision when it placed the work release program in the community and discontinued similar programs housed in the prisons. However, the program has been ineffective to date not from lack of merit but through the ineptitude of its administrators. The lack of effective programs at the community level can be traced to administrative failures in the central office and to the failure of the facilities to interact with the community.

The Department of Correction has (1) *not* integrated the residential program into the total correctional process with respect to either administration or funding and budgetary processes, (2) *not* integrated the residential program into the communities in which the facilities are located, and (3) *not* taken advantage of the many options available under the work release statute.

The Department of Correction should (1) provide a revised statement of goals and objectives of the program, (2) utilize fully the options offered in the work statute, (3) integrate the residential program into the total correctional process, and (4) establish citizens' advisory councils to participate in identifying needs of facilities in relation to community resources.

- S 14604 Georgetown University Law Center. Institute of Criminal Law and Procedure. *The role of prison industries now and in the future*. Washington, D.C., 1974. 93 p. App. (Draft.)

The historical development of prison industries in the United States was traced, site visits were made, the literature on prison industries was reviewed, and a survey of the statutory structure of representative prison industries was conducted in this examination of prison industries and their future role. It is apparent that the scope and nature of prison industries must be redefined and their activities correlated with their counterparts in the outside world.

As prison industries are now operated, state prison administrators would do well to abandon most of them. Prisoners should be paid prevailing wages and receive other benefits, such as Social Security, vacations, and sick leave. The side effects of paying prevailing wage scales for inmate industrial workers upon the rest of the institutional community must be analyzed. Existing accounting practices in correctional industries are in need of review. The future establishment of a "federal prison labor products marketing administration" warrants serious consideration. Future changes in prison populations need to be projected and analyzed. Significant experimental programs aimed at developing free world models for prison industries should be encouraged and extensively studied and evaluated.

- S 14611 California. Corrections Department. *Escape from custody*, by Norman Holt. Sacramento, 1974. 65 p. (Research Report No. 52.)

With the rate of escape more than doubling within a four-year period in California, a need was recognized for a detailed analysis of factors associated with escapes.

A study was made of a sample of all inmates who had escaped from the custody of the California Department of Correction from January 1 to June 30, 1972. The sample consisted of both men and women and included escapes from work furlough, temporary community release, conservation camps, institutions serving felons, and institutions for civilly committed narcotic addicts. Each escapee was matched with a non-escapee at the same facility who was committed at about the same time. Through these procedures a combined total of 1,696 escapees and non-escapees was selected. A total usable sample of 1,494 escapees was obtained.

The most consistent relationship was found between previous escapes and current escape behavior. Inmates with an escape history were twice as likely to be found among the escapees as their percentage

in the population would indicate. The risk further increased when more than one escape was recorded. Blacks escaped about one-third as often as they appear in the population; the rate of escape for Mexican-Americans was about the same as their percentage in the population; whites were about 1½ times more likely to escape than their numbers in the general population would indicate. Escapees were more often in the younger age group; the decline in escapes is gradual with increasing age. Background characteristics of institutional escapees are similar to those of escapees from minimum-security facilities. Basic characteristics are of overriding importance for escape behavior compared with variations in institutional careers. There is nothing an inmate has done in the institution to demonstrate his escape potential one way or another. Length of sentence the inmate is expected to serve is of minimal importance.

Escape history, race, type of offense, age, and criminal background are the only facts worth knowing for escape potential.

- S 14622 Holden, Constance. "Butner: experimental U.S. prison holds promise, stirs trepidation." *Science* (Washington, D.C.), 185:423-426, 1974.

In Butner, N.C., the Federal Center for Correctional Research (Center for Behavioral Research) is scheduled for completion by the Federal Bureau of Prisons in 1975. At best, Butner could supply a humane and noncoercive environment in which prisoners would learn interpersonal and vocational skills that would reverse patterns of self-destructive behavior and set them on the track to satisfying and socially acceptable lives. But at worst, Butner could become a place where novel forms of punishment could be carried on under the name of treatment.

The original idea for Butner sprang from a long-standing need, as perceived by the Bureau, for more federal inpatient psychiatric facilities to supplement the only unit now in existence, the Springfield Medical Center in Missouri. Butner is two institutions in one complex. The inpatient facility, divided into three sections, will house a total of 14 short-term psychiatric patients. The research section is designed to house 200 prisoners drawn from federal prisons in the eastern United States. They will be randomly assigned to four separate communities called "correctional program research units," each devoted to a program that combines group therapy, individual counseling, educational instruction, vocational skills training, and physical education.

Five programs are candidates for the four program slots: (1) asklepion—a group therapy technique run by an ex-prisoner combining transactional analysis, techniques of Synanon therapy, and primal therapy; (2) human resources development unit; (3) psychodrama;

(4) rational self-counseling; and (5) yoga. The purpose of these schemes is to help inmates develop the self-esteem, resourcefulness, and skills that will enable them to find rewarding and socially acceptable employment and get established in a stable interpersonal setting.

The ratio of staff to prisoners is high—211 employees (half of them directly involved with treatment) for a total of 340 residents. Per capita daily cost of maintaining federal prisoners in fiscal 1974 is \$16.71; at Butner the estimate is \$27.30, which includes the costs of the inpatient facility as well as support for the research staff.

- S 14632 Scott, Joseph E. "The use of discretion in determining the severity of punishment for incarcerated offenders." *Journal of Criminal Law and Criminology* (Baltimore, Md.), 65(2):214-224, 1974.

The focus of this study is the criteria utilized by parole boards in determining the proper amount of punishment a convicted adult felony offender should receive. Specific attention is directed to three principal factors: (1) legal, (2) institutional, and (3) personal-biographical. Data were gathered at three adult penal institutions for felony offenders in a midwestern state. The principal source of the data was information recorded in prison records, compiled and submitted to the parole boards before each inmate's parole hearing. These records provide the parole board members with their only information, on the basis of which they must decide whether the inmate is to be released. The research sample comprised the records of all female inmates released from the state's women's prison in 1968 (N = 34) and a 25 per cent random sample of the records of all male inmates released from the same state's adult felony penal institutions during 1968 (N = 325).

The seriousness of crime for which inmates were convicted was the best indicator of the severity of punishment; as the seriousness of crime increases, the severity of punishment also rises. There is a very weak relationship between prior criminal record and severity of punishment. The number of disciplinary reports an inmate received was directly related to the severity of punishment. Those inmates receiving the most disciplinary reports were incarcerated the longest, even when the legal seriousness of the crime and all other independent variables were controlled. The parole board punishes older offenders more severely than younger offenders. Parole board members often viewed young offenders as being immature and as simply having made a mistake. Inmates who had completed more schooling were granted parole earlier than those with less education, and inmates with higher IQ's were granted parole sooner than those with lower IQ's. Blacks were punished more severely than whites, and women were punished less severe-

ly than men. Inmates with higher socio-economic status received more lenient treatment than those with lower SES.

The positivists' ideology that an inmate should be sentenced to prison until he is rehabilitated would appear still far removed from realization. This is particularly true in that an inmate's personal social-biographical characteristics are substantially better predictors of the punishment he will receive than is his entire institutional adjustment, cooperation, and participation or the prison's overall evaluation of this rehabilitation. Increased use of the indefinite or indeterminate type of sentence by the states has transferred the primary responsibility of determining the proper length of incarceration for each defendant from the judiciary to the parole board.

The data analyzed in this study do not demonstrate that parole boards function in the manner expected. Parole boards base their decisions basically on one legal criterion—the legal seriousness of the crime. The variables that parole boards might use in determining the offender's adjustment and improvement while incarcerated either are not provided for their use or, if provided, appear to be utilized very little in determining when an inmate should be released. The parole board does not appear to be fulfilling any function that the courts could not better handle themselves, with the possible exception of keeping inmates imprisoned for shorter periods than might otherwise be the case.

S 14651 Strange, Heather; McCrory, Joseph. "Bulls and bears on the cell block." *Society* (New Brunswick, N.J.), 11(5):51-59, 1974.

A prison is by its nature a total institution. A man who is confined within one exchanges his name for a number as an official identity, a freely selected home for an assigned cell like hundreds of others, a mode of dress and life-style for state-issued clothing, and a prescribed regime. Contacts with those outside the walls are severely limited and occur only under the supervision of the prison administration.

Traditionally, prisoners have attempted to circumvent this material and psychological regimentation by forging a "society of captives" based on loyalty to the group and convict solidarity. Based on a system of shared values and shared deprivation, goods and services are given and received in response to need; the result is the expression of solidarity rather than economic gain. In the last decade an expanded system of trade revealed itself in a more impersonal system of exchange based not on mutual trust of shared values but on a calculation of the worth of goods and services. It signals not only the diminishing worth of the traditional "con solidarity" but the growth of a marketplace mentality.

The extensive inmate market system performs several important integrating functions for the prison as a whole as well as for the individual inmate. It encourages some interaction between members of different groups beyond that imposed on them by work or wing assignments. For the individual prisoner the system channels goods and services that are of practical value in making the dreary life inside the prison more comfortable and amenable. Material possessions play a very important role in a man's ability to maintain a positive self-image and to fight the dehumanizing institutionalization process. Owning something not issued to him by the state helps an inmate combat the anonymity of prison life and lets his environment reflect his personality in some way.

Even the act of engaging in the market system, setting a price, determining to buy or sell goods or services can counteract the debilitating repetitiveness of everyday existence by introducing a new element into the inmate's routine. It encourages daily decision-making by most inmates. This skill, so necessary in society outside the walls, could conceivably be lost by a prisoner who for several years fully abdicates responsibility for his existence to a prison regime punctuated by bells and tier brakes. Through his participation in trade he continues to exercise choice over a small part of his existence and to maintain some autonomy in the economic realm—even if the currency is mainly cigarettes.

S 14652 Mills, Michael; Morris, Norval. "Prisoners as laboratory animals." *Society* (New Brunswick, N.J.), 11(5):60-66, 1974.

Prisoners make excellent laboratory animals. Healthy, relatively free of alcohol and drugs, with regulated diets, they are captives, unlikely to wander off and be lost to both treatment and control groups, and they are under sufficient pressure of adversity to "volunteer." No one knows precisely how many prisoners are sampling drugs, ingesting food additives, or swabbing themselves with cosmetics. The research conducted is of four kinds: (1) testing methods of treating prisoners to "cure" their criminality, (2) testing new drugs for pharmaceutical manufacturers, (3) engaging in medical research not related to drugs, and (4) testing cosmetics, hand lotions, and bandages.

If prisoners are to continue to be used as laboratory animals, they must be paid what would be required to attract a free volunteer to the same research project. Any prison permitting research must establish, in addition to a scientific review group, a subject advisory group, a majority of whose members are prisoners. Prisoners must be compensated for all lasting injury or loss of earnings suffered as a result of participation in a research project. With these minimum safeguards as a precondition to the ethical participation of this vulnerable group,

medical research in prisons can be beneficial to society, to the prison system, and to the prisoner himself.

S 14677 Massachusetts. Youth Services Department. *Annual report 1973*. Boston, 1974. 54 p.

The closing of training schools in Massachusetts required the disposal of these facilities and the reassignment of employees who had previously worked in them. Fiscal, administrative, and program problems have resulted from the rapid change from institutional forms of care to community-based, privately managed service delivery. Some critics of new departmental policies have seen the closing of institutions as a threat to community safety. They argue that training schools provided a place for the "safekeeping" of dangerous youngsters. There is a need for small, secure units to house youngsters whose lack of internal controls requires placing external controls upon them. Each unit is intended to hold no more than twenty youngsters and will be fully staffed with counselors and supportive personnel with sufficient training in the handling of disturbed youths.

Among the top priorities for the future are improved cooperation between the courts, the legislature, and the Department of Youth Services; the expansion of services for girls; the development of sufficient intensive care placements; and the further upgrading of administration.

S 14678 New Jersey. Commission on Women. *The correctional provisions and volunteer programs in New Jersey for incarcerated female offenders*, prepared by Dorothy H. Cronheim. Trenton, N.J., 1973. 45 p.

Citizen participation in the correctional process in New Jersey is dedicated and diverse. Citizen volunteers seek to be of service through activities ranging from regular visits to inmates, occasional court cases in defense of prisoners' civil rights, and researched position papers addressed to the responsible elected and administrative officials on needed penal reforms. These efforts are important as proof of some public concern for the offender and as means for improving state and local correctional practices. The prison service work, research, and public stands taken on correctional issues by volunteer groups in New Jersey have contributed to the growing public awareness of the need for total reform.

A survey was conducted of the conditions, programs, and practices in facilities in which convicted adult female offenders are incarcerated by the state and Bergen, Burlington, Essex, and Mercer counties. Idle-

ness or fruitless use of offenders' time was the most common characteristic. The comprehensive counseling, educational, vocational, and employment plans incorporated in the Morrow Projects' proposed community center for former female offenders would not be necessary if the existing state and county institutions were applying sufficient resources and attention to the rehabilitation of their inmates while they were imprisoned.

Community-centered alternatives are favored over jails because (1) their construction costs less since they need no bars and (2) their costs to the victims of crime are less since their programs turn out more rehabilitated individuals less likely to commit crimes again than their untreated, poorly treated, or ill-treated sister and fellow jail alumni.

Recommendations include methods of improving current correctional knowledge and practices; action to help effectuate the Morrow Projects' proposed community center for former female offenders; volunteer guideline and volunteers' Bill of Rights proposals for increasing the amount and strength of volunteer participation in the correctional process; and a proposal for generating a unified, statewide community-centered correctional system for female offenders in New Jersey.

S 14684 Denfield, D.; Hopkins, Andrew. "Right on from the inside: racial-ethnic identification in prisons." *Crime and Corrections* (Sacramento, Calif.), 2(1):8-17, 1974.

Racial-ethnic awareness can function as an agent of rehabilitation in correctional institutions. The destructive effect of racial-ethnic identity on criminal identity has been noted. Status in prison is decreasingly a function of one's criminal exploits and increasingly a function of one's courage and eloquence in representing the collective interests of one's ethnic-racial group. Associated with the rise of racial-ethnic awareness has been the desire of black, Puerto Rican, and Chicano inmates to organize self-help and self-awareness groups to promote their own collective interests. Prison groups organized on the basis of racial-ethnic awareness exhibit all the features characterizing effective anticriminal groups.

While giving rise to anticriminal identities, increased racial-ethnic awareness also increases the possibility of conflict between racial-ethnic groups; however, racial conflict is not a necessary consequence. Guards play an important part in fomenting racial conflict, and racial violence in prisons cannot be attributed solely to the racial-ethnic solidarity of inmates. Instead of resisting the introduction of cultural and social activities designed to promote racial-ethnic solidarity, prison officials should encourage them. An aim of community treatment of

offenders should be to draw offenders into organizations emphasizing racial identity.

- S 14702 Goldmann, Robert B. "Impressions of correctional trends in Europe." *American Bar Association Journal* (Chicago), 60 (August):947-950, 1974.

In Western Europe the number of prisoners in relation to population is far less than in the United States. Related to this is the trend toward shorter sentences in Western Europe, reflecting a widespread view among both policy-makers and administrators that deprivation of freedom of and by itself is ample punishment and that long sentences may be counterproductive. There appear to be two major schools of thought on correctional policy in Western Europe. One favors dealing with a substantial number of offenders through social or psychiatric therapy; the other—and it seems to be gaining—advocates normalization of the prisoner's life. This means giving the prisoner real-world vocational training or academic education, real-world jobs either through supervised work or work release, and increasing degrees of responsibility. Discussion in Western Europe centers on the most effective way to get the offender back into society as soon as possible, better equipped than he was before.

- S 14713 Suedfeld, Peter. "Solitary confinement in the correctional setting: goals, problems, and suggestions." *Corrective and Social Psychiatry and Journal of Behavior Technology Methods and Therapy* (Olathe, Kans.), 20(3):10-20, 1974.

The potential benefits of isolation, properly used, should not be permitted to camouflage the horrors of its misuse. Prison systems in which solitary confinement is used to punish inmates who are politically militant or who make the authorities uncomfortable by publicity, advocacy, or activism can hardly claim to be performing a rehabilitative function, any more than one can define as therapy the combination of isolation with substandard diets, filth, and physical or psychological brutality.

The fact that solitude can be helpful does not mean that it is helpful for everyone. The confinement conditions must be carefully controlled and explained to the prisoner, individuals who reject the technique should be allowed to do so freely, and an inmate's well-being should be closely monitored during the session.

Given these safeguards, isolation can lose its aura of punishment and becomes a useful and nonfrightening environment. It can serve as a time-out, an opportunity to think and reflect, and an adjunct to relaxa-

tion training, psychotherapy, or the presentation of new and helpful information. Historically, the uses of solitary confinement have been both ineffective and, to a great extent, unethical. However, used in a moderate and carefully controlled way, in conjunction with a sensible rehabilitative system, isolation and reduced sensory input may be effective and humane tools in helping inmates to develop noncriminal styles of life.

- S 14718 Prus, Robert Charles. *Revocation related decision-making by the parole agent: a labeling approach*. Ann Arbor, Mich., University Microfilms, 1974. 296 p. (Dissertation.)

Factors affecting parole revocation related to decision-making are analyzed within the framework of a labeling process. Two frames of orientation—specifically, perceived tolerance of parole deviance and officer orientations toward rehabilitation—are seen as providing a framework in which parolee incidents are viewed and parolees are assessed relative to revocation. The sample for this study consisted of all forty-five parole agents, two supervisors, and some other personnel in the Iowa parole system. The methodology employed included questionnaires, interviews, field observation, and the review of records.

Parolee behavior and parolee-assessed potential play a relatively minor role in revocation decisions. The agents' revocation definitions were only slightly related to the seriousness of parolee behavior. They seemed much more influenced by their referent others, organizational policies, and their own orientations toward rehabilitation. The agents' perception of their parole referent others, including fellow agents and police, was the most powerful frame of reference in deciding whether or not to revoke someone. Thus, revocation rates may be much more affected by the perspectives of the agent and the policies and structure of the organization than by changes in the behavior of the parolees.

- S 14721 Youmans, Robert Dean. *Differences in behavior related to participation and nonparticipation in jail group counseling*. Ann Arbor, Mich., University Microfilms, 1974. 103 p. (Dissertation.)

The San Diego (California) County Jail has had an organized group counseling program for eleven years. Whether there is a difference in behavior between jail inmates who participate in the Jail Group Counseling Program and those who do not participate was investigated. Behavior was measured by disciplinary action taken against inmates for rule infraction while in jail custody. Behavior of inmates after release from custody was measured by reincarceration. The

Group Counseling Program consisted of five separate and different types of counseling groups, including Alcoholics Anonymous groups and Transactional Analysis groups. The total number of subjects was sixty-four—thirty-two pairs of participating and nonparticipating male inmates. Variables such as race, educational level, legal charge, age, and marital status were controlled by matching of the subjects in pairs. Chi square tests were performed to determine the statistical significance of differences in behavior.

No significant difference in the behavior related to inmate participation and nonparticipation in group counseling was found. Neither the specific counseling group nor the number of group sessions attended was significantly related to the behavior of the participants. No significant difference was evident in the behavior of group counseling participants while they were in jail and after they were released from custody. Thus, correctional group counseling, as a relatively isolated treatment mode, appears ineffectual in the modification of behavior.

- S 14725 Pogrebin, Mark Richard. *Impediments to treatment in a security hospital for felons*. Ann Arbor, Mich., University Microfilms, 1973. 190 p. (Dissertation.)

Characteristics of a treatment facility that tend to impede the achievement of the treatment goal were analyzed. The major problem examined was the extent to which administrative demands or custody functions interfered with the correctional officer's commitment to a treatment ideology, thus forcing him to experience role conflict. The study population was comprised of sixty-four mental health officers at the Iowa Security Medical Facility. Each officer's commitment to treatment ideology was measured by a modification of the Custodial Mental Illness Ideology Scale formulated by Gilbert and Levinson.

With the exception of low-commitment officers perceiving the use of electric shock for both treatment and control purposes, both high- and low-commitment officer groups felt almost all the activities were used for treatment purposes. High-commitment officers were found to be more satisfied with their job than low-commitment officers. Commitment to treatment had very little relationship to perceptions of the effectiveness of the hospital in achieving its goals. Very little association was found between degree of commitment and perceptions of influence over decision-making power in the organization. A degree of conflict exists when officers are forced to choose between treatment and custody considerations. When such a choice is requested, commitment to treatment does not appear to have much influence on an officer's priority.

- S 14731 Ellis, Desmond; Grasmick, Harold G.; Gilman, Bernard. "Violence in prisons: a sociological analysis." *American Journal of Sociology* (Chicago), 80(1):16-43, 1974.

An attempt was made to construct and test a causal model of reported transgressions in twenty-nine felon and twenty-six misdemeanor prisons and among 278 felon inmates in North Carolina state prisons. Data were obtained from disciplinary reports completed by 800 custodial staff members. The following seven independent variables were selected for inclusion in the causal model: percentage of inmates twenty-one years or less, percentage of inmates incarcerated for more than one year, percentage of inmates who are nonwhite, total number of activities provided by the correctional facility, percentage of inmates who had no visitors during the preceding three months, and percentage of inmates with parole referral dates one year or more away. At the level of the individual, the distribution of the same variables among a stratified sample of felons was also measured. These measurements made it possible to look at the relationships among situationalist and diffusionist variables at both the aggregate and individual levels.

Of the seven independent variables only three—the percentage incarcerated for violent offenses, percentage incarcerated for one year or more, and parole referral date—appeared in both felon and misdemeanor cases. Only age and visits were related to aggressive transgressions at both aggregate (prison) and individual (inmate) levels. A larger proportion of all possible relationships between variables was supported by the data in felon prisons.

The analysis has implications for social policy. In misdemeanor institutions an increase in the number of facilities will result in a substantial decrease of aggressive transactions. In felon institutions, a prison which liberalized its visiting policies could expect a decrease in reported aggressive transactions. On the basis of interview data, interpersonal violence in youth prisons may be reduced somewhat by giving young inmates a stake in running the prison, by providing alternate routes to status, and by influencing clique membership in such a way as to increase the heterogeneity of cliques.

- S 14769 Bundy, Mary Lee; Burger, Leslie. *State policy and practice with regard to medical experimentation using prisoners as human subjects: preliminary report*. College Park, Md., Urban Information Interpreters Inc., 1974. 11 p. Mimeo. \$1.

A survey was conducted on present policy and practice of medical experimentation using prisoners in state correctional facilities in the

United States. The human issue is the rights and welfare of people who, because of their incarcerated condition under the most severe economic circumstances, submit their bodies for experimental purposes. Medical, commercial, and governmental interests take advantage of the desperate plight of prisoners with the consent of those running the penal institutions.

In at least two-thirds of the states, no medical research is being conducted in state-run facilities. In several states previously conducting research in prisons (Alabama, Florida, Illinois, New York, Oregon, Pennsylvania, Rhode Island, and Virginia) experimentation has been halted. In only eleven states is there some form of formal regulation of the conduct of research using prisoners and in only two, possibly three, do prisoners have the protection of law against experimentation.

- S 14770 Burger, Leslie; Bundy, Mary Lee. *Secrecy and medical experimentation of prisoners: a case study of the role of government information suppression in the repression and exploitation of people*. College Park, Md., Urban Information Interpreters Inc., 1974. 9 p. Mimeo. \$1.

A case study is reported which illustrates how the government, by withholding vital information, seeks to protect itself from public scrutiny and ensures the continuance of repressive and exploitative programs in its institutions. An effort was made to obtain information regarding medical experiments conducted by the University of Maryland School of Medicine on prisoners at the Maryland House of Correction. The program tests new vaccines developed against such infectious diseases as cholera, malaria, and typhoid. The doctors are able to lure inmates into submitting their bodies for experimentation by offering \$2 a day for participation, in contrast to the average prison industries wage of \$.65 a day. Thus their penalized situation is being taken advantage of by the doctors with the consent of the correctional officials.

With regard to this program, the government information system is virtually closed. Important sources of information either refused or simply failed to supply information which should have been in their possession. The totally inadequate monitoring system of the agencies involved, coupled with their lack of concern, leads to the conclusion that if the inmates' rights or health are endangered, the federal agencies really do not care to know about it.

- S 14781 Kraus, J. "A comparison of corrective effects of probation and detention on male juvenile offenders." *British Journal of Criminology* (London), 14(1):49-62, 1974.

The relative efficacy of probation and detention as applied to male juvenile offenders in New South Wales was investigated in this study. In a five-year follow-up of their criminal careers, 223 male juvenile offenders given probation and 223 offenders committed to an institution were matched on chronological age, time of sentence, year of sentence, type of offense, age at the time of first offense, number of previous offenses, types of previous offenses, and number of previous committals to an institution. Recidivism was measured as rates of offenses, and numbers of various types of offense were analyzed.

For all except "behavior problems" and "take and use motor vehicle" offenders, recidivism was higher after detention than after probation. No differences were found for the former group, and the latter responded better to detention. The offenses "break, enter, and steal" and "take and use motor vehicle" were committed more often after detention by both first offenders and recidivists. Recidivists also committed more "assault or malicious damage" and "other" (hooliganism) offenses after being in an institution. First offenders committed more "sex offenses" after probation and more "carnal knowledge" offenses after being in an institution. A greater number of first offenders and of recidivists was imprisoned at least once, and a greater number of recidivists was imprisoned many times, after detention. Offenders who were previously in institutions also responded better to probation than to detention. There was no difference in the intensity of recidivism after one committal and several committals.

- S 14784 Bedford, Alan. "Women and parole." *British Journal of Criminology* (London), 14(2):106-117, 1974.

From April 1968 to June 1971, 287 women were considered for parole in Great Britain. Of these, 126 were paroled at their first review and were compared with those not paroled at first review. Factors related to the decision to recommend parole and the use of a scoring system to predict recidivism rates within two years of being paroled were studied.

Parole was given in inverse proportion to the number of previous convictions, number of previous imprisonments, length of sentence, and number of offenses while in prison. Eighty-five per cent (52) of the women with no previous convictions were paroled at first review, compared with 6 per cent (1) of those with twenty or more previous convictions. Women who had committed offenses against the person were more likely to be paroled than offenders against property; 60 per cent (12) of the violent offenders and 79 per cent (19) of the manslaughter cases were paroled.

The proportion of women paroled at their first review decreased as sentence length increased, ranging from 66 per cent (12) of those serving less than two years to 26 per cent (14) serving four years or more.

Previous experience on probation was also related to the parole decision: 50 per cent (11) of those who had successfully concluded previous terms of probation were granted parole, but only 27 per cent (39) of those whose probation had been breached were paroled. Forty-two per cent (25) of those who had offended before but had never been on probation were paroled. Breach of probation conditions at any time was an adverse indication for getting parole.

A woman's age at conviction was not related to the parole decision, but age at first offense was related to parole. For women with two or more previous convictions, the number paroled decreased as age at first offense rose for all levels of previous convictions. Women with dependent children and those going to live with their husbands or on their own at a fixed address had a good chance of getting parole. Relatively few of those who had nowhere definite to go were paroled.

The effect of parole on women prisoners and the probability of reconviction were assessed. The first 110 women released from prison sentences over eighteen months during 1968-69 after the introduction of parole were studied for two years for subsequent reconvictions. A parole prediction system was developed and used to calculate a predicted reconviction percentage for each woman and for the group. The percentage reconvicted as predicted was compared with actual reconvictions. Of the 110 women, 44 (40 per cent) were paroled. The group on parole did worse than predicted. Higher reconviction rates were not uniform throughout the group but were more associated with those women who did not go on parole. The good risk women who were not paroled were reconvicted at a higher rate than the good risk parolees.

- S 14788 Heskin, K. J.; and others. "Psychological correlates of long-term imprisonment." *British Journal of Criminology* (London), 14(2):150-157, 1974.

To assess the effect of imprisonment on prisoners' attitudes toward various concepts, a semantic differential test was administered to 175 men serving determinate sentences of ten years and over or indeterminate sentences in prisons throughout England. Concepts to be evaluated were five relating directly to the prisoners' situation (prison officers, the law, prison, prisoners, and the police) and seven of general importance (home, mother, father, work, myself, women, and marriage). The sample was divided into four groups, matched for age but differing in mean total lengths of accumulated imprisonment experienced. Self-evaluation was found to decrease significantly with improvement. Evidence was presented that imprisonment itself, rather

than release-selection procedures, was responsible for this trend. Increasing imprisonment was associated with more unfavorable attitudes to the concept of work and father. It was suggested that these two changes might be a consequence of the breakdown of relationships between prisoners and their families.

- S 14798 Morris, Norval. "The future of imprisonment: toward a punitive philosophy." *Michigan Law Review* (Ann Arbor, Mich.), 72(6):1161-1180, 1974.

Penal purposes are properly retributive, deterrent, and incapacitative. Attempts to add reformatory purposes to that mixture do not yield clemency, justice, or social utility. Three principles should guide the decision to imprison: (1) *parsimony*—the least restrictive or least punitive sanction necessary to achieve defined social purposes should be chosen; (2) *dangerousness*—prediction of future criminality is an unjust basis for determining that the convicted criminal should be imprisoned; (3) *desert*—no sanction greater than that deserved by the last crime or bout of crimes for which the offender is being sentenced should be imposed.

There is seductive appeal to separating the dangerous from the non-dangerous offender and limiting imprisonment principally to the former. Prediction of violence would be a neat trick were it possible: prophylactic punishment would save potential victims of future crimes at the same time that it minimizes imprisonment. But it is a trap. The concept of dangerousness is so plastic and vague and its implementation so imprecise that it would not substantially reduce the present excessive use of imprisonment.

Predictions of future criminality are an unjust basis for imposing or prolonging imprisonment. The principle of dangerousness must be rejected because it presupposes a capacity to predict quite beyond our present or future technical ability. A study of 967 "criminally insane" prisoners, all of whom had been held as dangerous criminals likely to be violent and who were released by order of the U.S. Supreme Court, revealed that only 21 were returned to prison within four years. Another study revealed that detention of two false positives (i.e., inmates predicted to repeat violent crimes who do not in fact offend again) is necessary to prevent the release of one true positive.

So imprecise is the concept of dangerousness that the punitive-minded will have no difficulty in classifying within it virtually all who currently find their miserable ways to prison. As a matter of justice, power over convicted persons should never be taken on the basis of uncertain predictions of dangerousness.

Juvenile Delinquency and the Delinquent

- S 14461 Caplan, Nathan. *Delinquency and the perceived chances for conventional achievement*. Ann Arbor, Mich., University of Michigan, 1974. 16 p. Mimeo.

The power of a set of situational and attitudinal variables to predict official delinquency among inner-city youth was examined in this study. Interviews were conducted with 837 male youths living in traditionally high delinquency areas of Chicago. Respondents ranged in age from ten through sixteen. Sixty-two per cent were black; the whites were of Italian, Mexican, Puerto Rican, and Anglo backgrounds.

A significant connection emerged between the expectation of success in the conventional sense and differential rates of official misconduct. Those youths who perceive that they do not have a good chance of completing high school or who are not hopeful of holding a relatively prestigious job in adult life, or both, are considerably more likely to show a greater degree of delinquency than youth who have more favorable estimations about these matters. School pessimism develops before age ten and does not relate closely to objective measures of academic achievement.

- S 14536 Wax, Douglas; Haddox, Victor. "Enuresis, fire setting, and animal cruelty in male adolescent delinquents: a triad predictive of violent behavior." *Journal of Psychiatry and Law* (New York), 2(1):45-71, 1974.

The presence of a triad of symptoms (enuresis, fire setting, and animal cruelty) has been considered highly predictive of adult male violence. Children manifesting a combination of these symptoms have been described as lacking internal controls or engaged in borderline psychotic processes. This study reviews the triad hypothesis in light of case material from six triad-present aggressive violent male adolescents examined by clinical consultants to the California Youth Authority. Case material is organized into three broad categories: associated pathognomic variables, sexually aberrant behavior, and implications of the triad.

Manifestations of extreme violence and marked sexual deviation are documented in each of the cases. Most of the subjects were reared in atmospheres marked by family disorganization and deprivation. Clinical disorders of thought and affect were found to be present in each subject. One-half of the subjects had histories of serious drug involvement. In each case enuresis was present through the onset of puberty.

All subjects to some extent demonstrated difficulty with their sense of adequacy as males. Subjects illustrated practically all manner of sexual psychopathology. Besides aggressive assaultiveness, they demonstrated murderousness as a major mode for the expression of impulse-laden rage.

In addition to confirming the predictive usefulness of the triad, the study found marked personality arrest in each subject. The developmentally arrested infantile character formation signaled by the triad suggests that treatment efforts must be directed toward personality change rather than conflict resolution or relearning of socialization skills.

- S 14579 Brungardt, Terrance M. *Self-reported delinquent behavior: an analysis of selected distribution and causal variables*. Ann Arbor, Mich., University Microfilms, 1973. 166 p. (Dissertation.)

An examination of juvenile delinquency self-report research reveals two main theoretical positions: a control theory and a theory of differential association. The former sees delinquent behavior as preventable and includes peer associations and family factors within its focus, as well as social control agencies; the latter views delinquent behavior as caused and focuses primarily on the peer association.

For this study, the theoretical position of differential association was pursued. Self-report data gathered by William Arnold from 1964 to 1966 were used; they were obtained from all sophomore students in seventeen high schools yielding a test population of 4,338. The schools were located in five Texas and Missouri communities ranging from a town of a few hundred to a city of 500,000. The population of the areas was sufficiently varied to yield a sample that adequately represents the various socio-economic levels and three ethnic groups.

Among the major findings were the following: The distribution of delinquent behavior showed little variation by social class, race, or ethnicity. The distribution of delinquent behavior varied significantly by city size and sex. The adult role model pressure for delinquent behavior was associated with individual delinquent behavior, regardless of city size, social class, race, ethnicity, or sex; as such it can be considered a causal factor in individual delinquent behavior. Adult role model pressure did not vary greatly by social class, race, ethnicity, city size, or sex and cannot explain variations of delinquent behavior among these categories within each of these variables. Peer pressure for delinquent behavior was associated with delinquent behavior, irrespective of social class, race, city size, or sex. As such it can be considered a causal force in individual delinquent behavior. Peer pressure

varied by city size and sex and can help explain variations of delinquent behavior among the categories of each of these variables.

The findings offer general support of a theory of differential association.

- S 14640 Stephenson, Larry K. "Spatial dispersion of intra-urban juvenile delinquency." *Journal of Geography* (Coral Gables, Fla.), 73(3): 20-26, 1974.

Studies of the spatial distribution of juvenile delinquency have generally been of a correlational nature but geostatistical techniques such as centrography can offer insights into spatial patterns of urban delinquency. The spatial dispersion of delinquent activity of Phoenix, Ariz., for 1968 was assessed centrographically to determine differences in the dispersion of groups within selected delinquent populations.

Two separate locational categories pertaining to the juvenile delinquent arrests were considered: (1) location of delinquent offenses and (2) location of delinquents' residences. The mean centers and standard distances were computed for each locational category for delinquent groups arrayed by (1) offense type, (2) sex, (3) ethnic groups, (4) age, (5) month of offense. For each group two hypotheses were considered: (1) there are significant differences among the mean centers of the various strata within delinquent groups; (2) there are significant differences among the dispersion (standard distances) of the various strata.

Greatest differences in dispersion were found when both offense and residence locations of delinquents were arrayed by ethnic group membership. For most groups of delinquents, it was found that the dispersion of residence locations was greater than the dispersion of offense locations. Suggestions are made for classroom adaptation of the spatial methodology presented.

- S 14683 Picou, J. Steven; and others. "Occupational choice and perception of attainment blockage: a study of lower-class delinquent and non-delinquent black males." *Adolescence* (New York), 9(34):289-298, 1974.

The types of occupational choices made by southern black delinquent adolescents were investigated to compare the occupational projections of delinquent and nondelinquent black ninth grade males and to determine the degree of perception of a set of factors as possible blocks to obtaining these occupations. Data were obtained from group-administered questionnaires to 141 black ninth grade males in April 1969. The institutional sample consisted of 73 students incarcerated at a large all-black juvenile institution in Louisiana; a nonin-

stitutional sample of 63 black males was obtained from a random sample of all black junior high schools. Two open-ended questions were utilized in obtaining the occupational desires and plans of the respondents.

Both delinquent and nondelinquent respondents were found to have rather high-prestige occupational goals. A majority of the males in both subsamples desired to enter future occupations in professional and glamor categories. Slightly more nondelinquent than delinquent youth desired employment in skilled jobs. Few respondents maintained occupational aspirations that fell in the lowest occupational categories (operatives and unskilled workers).

The majority of respondents in both subsamples (64 per cent) perceived a lack of financial resources for higher education as an impediment to the attainment of their occupational goals. Larger proportions of delinquents than nondelinquents felt that race, their own intellectual limitations, and poor job opportunities in their communities would have a deleterious effect on the attainment of their occupational aspirations. The occupational plans of the respondents differed only slightly from their occupational goals. Job plans for delinquents fell primarily into three categories—professional, glamor, and skilled workers. For nondelinquents, job plans centered in the skilled worker, professional, and glamorous categories. Overall, delinquents had higher occupational expectations than nondelinquents. Most nondelinquents expected future work in middle-level or intermediate jobs, while most delinquents anticipated employment in high-level or professional occupations. Both lower-class delinquent and nondelinquent black males desired and are optimistic enough to plan for prestigious occupational placement.

- S 14782 Buikhuisen, W.; Hoekstra, H. A. "Factors related to recidivism." *British Journal of Criminology* (London), 14(1): 63-69, 1974.

Critical observations about research in recidivism were made concerning the reliability and the validity of the predictors used in recidivism studies, the unreliability of the criterion used for recidivism, the scientific level of the applied statistical analyses, the lack of integration of criminological theories in recidivism studies, and the static approach in most of the researches. A traditional study was conducted on recidivism that compared the results of a univariate analysis with the outcome of a multivariate approach.

The population sample consisted of 451 Dutch male juvenile offenders sentenced to imprisonment and serving their sentence in a prison for juveniles at some time between 1962 and 1964. Social in-

quiries about the offender, psychological reports, criminal records, and other data were studied. About five years after their release from prison, the criminal records of these offenders were checked to determine who had been reconvicted. The group was divided into two categories—recidivists (310) and nonrecidivists (141). The groups were then compared against twenty-two variables.

Ten items differentiated significantly between recidivists and nonrecidivists. There was more recidivism among offenders who were unmarried, came from a broken home, experienced a negative atmosphere at home, had siblings with criminal records, had been reared for some time in institutions, had moved relatively often before they were sentenced to imprisonment, had been subjected to a psychiatric report, had had many previous convictions and spent a relatively long time in prison, and finally had been ordered to be detained at the Queen's pleasure.

The study then tested the following hypotheses: (1) there should be less recidivism among delinquents who have moved to another area; (2) moving to another area should delay the onset of recidivism. Six subgroups of delinquents were established by separating those who scored relatively high or low on family stability, asocial milieu, and criminal history.

For all six subgroups there was less recidivism among the groups who had moved. Recidivism was highest among the groups who did not move and were characterized as coming from an unstable family and an asocial milieu and having a high criminal history. As predicted, leaving an unstable family or an asocial environment is more effective than leaving a stable or a favorable environment. Recidivism in the group who moved was highest among delinquents scoring relatively high on criminal history, but, even in this group, moving led to a decrease in recidivism. Moving is most effective for delinquents with a relatively low criminal history, leaving an unstable family, and living in an asocial environment.

- S 14791 Blackmore, John. "The relationship between self-reported delinquency and official convictions amongst adolescent boys." *British Journal of Criminology* (London), 14(2):172-176, 1974.

A replication of the Gibson, Morrison, and West study (1970) that assessed the validity of a self-reported delinquency questionnaire was attempted, using the same sample at a later age.

At age fourteen to fifteen, 405 boys (98.5 percent) in the sample were given the self-reported delinquency schedule, and 49 of these had one or more convictions by the time of testing. At age sixteen to seventeen, 397 boys (96.6 per cent) were tested, and 76 of them had one or more

convictions by the testing date. Eighty-one per cent of the possible affirmations were made at age fourteen to fifteen and 75.7 per cent at age sixteen to seventeen. There was a slight decline in the admission rate between the two ages. The percentages in the admission rate were lower than the rate reported by Gibson *et al.* (91.7 per cent), perhaps reflecting the different methods of analysis employed.

An analysis of the responses given by delinquent boys in personal interviews conducted immediately after administration of the self-report questionnaires concerning police contacts and court appearances showed that the delinquent boys admit to being convicted. Of the 49 convicted boys interviewed at age fourteen to fifteen, 45 (91.8 per cent) admitted to at least one conviction. The admission rate was higher at age sixteen to seventeen when 72 (97.3 per cent) of the 74 delinquents interviewed admitted to at least one conviction. Only 2 boys at age fourteen to fifteen and 3 boys at age sixteen to seventeen with no official delinquency record falsely claimed to have been convicted. In this study the official delinquents admitted to over 75 per cent of their known offenses. Findings suggest the use of self-report techniques as a measure of delinquent behavior.

Crime and the Offender

- S 14456 Schultz, Christine Grace. *Sociopathic and non-sociopathic female felons*. Ann Arbor, Mich., University Microfilms, 1974. 194 p. (Dissertation.)

Conducted at the Reformatory for Women at Marysville, Ohio, this study is an attempt to confirm, with females, the findings of the Ohio Penitentiary study of sociopathy in male felons. As in the Ohio Penitentiary study of males, the hypothesis was that sociopathic inmates would exhibit unusual cardiovascular response to an injection of epinephrine. The sociopathic offender is, under ordinary circumstances, hypo-aroused as a result of sympathetic nervous impairment, and an injection of epinephrine, a sympathomimetic agent, ought to elicit a greater cardiovascular response than would be the case with a non-sociopathic offender.

The Reformatory population of 377 women was tested by a battery of psychological and sociological paper and pencil tests, including the Lykken (Activity Preference Questionnaire) Scale, the Srole (Anomia) Scale, the Zuckerman Stimulus-Seeking Scale, the Reckless Criminality Level Index, and the Cornell Medical Index. During the study, 95 women were eliminated as potential experimental subjects. Four criteria were used in the screening and classification of the remaining 282

women as sociopaths, "mixed," or nonsociopath subjects: (1) the MMPI (Pd-Pt) subscales, (2) the Lykken (APQ) scale score, (3) the number of arrests which has not been dismissed, and (4) the percentage of time spent in an institution since age eighteen. After various medical screenings, 103 women remained eligible to be studied on all levels—organic, psychological, and sociological.

Physiological findings at the Ohio Penitentiary were not confirmed in this investigation of female inmates. The heart responses of the female inmates were not statistically significant in the hypothesized direction. Sociopathic, "mixed," and nonsociopathic inmates did not differ significantly from one another. The heart rate increase in the nonsociopath was 9.4 beats per minute; in the "mixed," 6.1 beats; and in the sociopath group, 6.9.

The study included predominantly "hostile" sociopaths. No statistically significant differences in galvanic skin resistance response to epinephrine were found, and there were no significant differences among the groups in avoidance learning under drug and placebo conditions.

On almost all behavioral variables the sociopath group differed markedly from the "mixed" and nonsociopathic groups. The sociopathic inmates differed sharply in age, family size, education, marital status, and family intactness from the other subjects. There was, however, little difference between the groups in size of family or orientation and number of times wed. Only 53.1 per cent of the sociopaths, compared with 65 per cent of the nonsociopaths, were reared by both parents until age ten.

There were striking differences in the criminal histories of the three study groups. The sociopaths had been arrested an average of 7.8 times and incarcerated an average of 3.0 times. The nonsociopaths have been arrested 3.6 times and incarcerated an average of 1.6 times. The sociopaths averaged 39 months in penal institutions since age eighteen; the nonsociopaths and "mixed" averaged 24 and 26 months, respectively.

The inability to confirm the Ohio Penitentiary physiological findings may be caused by the peculiar composition of the designated sociopathic group, which primarily constituted "hostile" sociopathic types, or in part by the differential endocrine functioning of females. Differential criminal justice system processing of male and female offenders might also have played a role in the failure of this study to yield postulated biological results.

S 14469 U.S. National Institute of Law Enforcement and Criminal Justice. *Residential security*. Washington, D.C., U.S. Government Printing Office, 1973. 101 p. \$1.60.

Residential security has two distinct meanings—actual protection against a threat and freedom from apprehension or fear about it. The

value, or cost-effectiveness, of a security measure is considered from both these perspectives.

A conceptual framework for determining the cost-effectiveness of a security measure to reduce the actual risk of loss from crime is set out. It is based on two concepts: the crime pressure of the area and the vulnerability of the specific residence to which the security measure is to be applied. Crime pressure is a special type of crime rate, accounting for opportunities rather than targets. Vulnerability is defined as the probability that a particular residence will be the target of any randomly selected crime. Approaches available for dealing with residential crime can either reduce crime pressure, which is a collective, public responsibility, or the vulnerability of a residence, which is particularistic and the responsibility of the individual.

Two important conclusions are that (1) security devices should be seen as part of the consumer market and (2) greater attention must be paid to the displacement effects of any target-hardening approaches.

Design must have an important role in residential crime prevention. Other alternatives discussed are security devices, citizen action (civilian patrols, tenant patrols, private guards), and public policies concerning residential security (police, incentives and crime insurance, state and local codes).

Government's role in residential security should primarily be informational. At the federal level, LEAA should establish a clearing house to abstract and disseminate information about residential security.

S 14472 U. S. National Criminal Justice Information and Statistics Service. *Crime and victims. A report on the Dayton-San Jose pilot survey of victimization*, by Carol B. Kalish. Washington, D.C., 1974. 191 p.

During 1971, surveys were conducted in a representative sample of homes and businesses in Montgomery County, Ohio (Dayton), and Santa Clara County, Calif. (San Jose), to determine the extent to which citizens and businesses in these two counties had been victimized by crime in the preceding year. Personal interviews in 5,500 households and more than 1,000 businesses in each of the two counties yielded information on the crime, the circumstances surrounding it, and attitudes toward crime.

In 1970, 240,000 incidents of rape, assault, robbery, burglary, and larceny occurred in San Jose and 140,000 in Dayton. Rape accounted for less than .5 per cent of all crimes committed in both cities. Robberies accounted for 2.5 per cent of the crime in Dayton and 2 per cent of the crime in San Jose. Aggravated assault accounted for less than 2.5 per cent of all crimes in each city and auto theft for about 3 per cent of crime.

In 1970, 16,000 persons in Dayton and 28,000 in San Jose were victims of crimes. In both cities 75 per cent were victims of assault, 15 per cent were victims of robbery, and 10 per cent were victims of larceny. Seventy per cent were victimized by strangers. Male victims outnumbered female victims two to one. Half of the victim population in both cities was younger than twenty-five.

Two out of every five households in Dayton and San Jose experienced some form of property crime. Over half of the households victimized had annual income of \$10,000 or more. Half of the crimes committed in both cities were not reported to the police. The principal reasons for not reporting a crime were that it was not important enough and that no harm had been done. More than half of all crimes were committed by male offenders acting alone. The majority of offenders were white males.

Dayton residents did not feel as safe as the residents of San Jose. They were also less likely to be satisfied with the performance of the police in their city. Blacks in Dayton were much more concerned about crime than whites. In San Jose, whites showed more concern than members of minority groups. On the whole, the citizens of Dayton are more concerned about crime than the citizens of San Jose.

- S 14491 Brooks, James. "The fear of crime in the United States." *Crime and Delinquency* (Hackensack, N.J.), 20(3):241-244, 1974.

Though a citizen's fear of becoming a victim of a crime of violence is irrational, it is nevertheless real and must be heeded by public policy-makers, who would be better equipped to neutralize it if they had a better understanding of its causes and a better appreciation of its undesirable consequences. The fear of crime in the United States is a fundamental social problem which has not yet received attention in proportion to its severity and which may well prove to be more difficult to treat than criminality itself.

- S 14492 Cubium, Jaber F. "Victimization in old age. Available evidence and three hypotheses." *Crime and Delinquency* (Hackensack, N.J.), 20(3):245-250, 1974.

According to popular belief, aged persons as a group are greater victims of crime than those in any other age group, but available data from a variety of surveys show that the aged, in fact, are among the least victimized. Differences in victimization are age-related and victimization among the aged as a group shows demographic variations.

Three hypotheses explain the specific aspects of social systems that involve the elderly with criminal acts. (1) The extent of victimization of the elderly is greater in nonprotective than in protective housing environments. (2) Concern about the extent of crime is greater among aged persons residing in protective, age-concentrated housing than among those residing in nonprotective, age-heterogeneous housing. (3) Among the aged, fear of crime is likely to be greater in nonprotective, age-heterogeneous housing than in protective, age-concentrated housing.

- S 14493 Robin, Gerald D. "White-collar crime and employee theft." *Crime and Delinquency* (Hackensack, N.J.), 20(3): 251-262, 1974.

The concept of white-collar crime has perhaps generated more controversy than any other since the introduction of the theory of differential association. Sutherland himself was at least partially responsible for the confusion over the meaning of the term because he did not clearly specify the behavior that constituted white-collar crime or those who could engage in such misconduct; the loose usage of the concept by both academic and popular writers has further complicated the issue.

This paper is concerned with the relationship between white-collar criminals and employee thieves and the dimensions of congruence and disparity between the two phenomena, which are explored in a comparative profile covering some nineteen points. While in some respects employee theft is as different from "ordinary" crime as is white-collar crime, in others it is as different from white-collar crime as white-collar crime is from "ordinary" crime. Accordingly, it is suggested that the two, while related, should be conceptualized and analyzed as distinct forms of occupational crime. By subsuming white-collar offenses within the category of occupational violations and restricting the former to Sutherland's original and most consistent formulation of the concept, we may avoid further terminological confusion and anarchy.

- S 14503 Geis, Gilbert. "Deterring corporate crime." In: Reasons, Charles E., ed. *The criminologist: crime and the criminal*. Pacific Palisades, Calif., Goodyear Publishing, 1974. Pp. 246-259. \$6.95.

Corporate crime kills and maims. Each year 200,000 to 500,000 workers are needlessly exposed to toxic agents such as radioactive materials and poisonous chemicals because of corporate failure to obey safety laws. Many of the 2.5 million temporary and 250,000 permanent

worker disabilities from industrial accidents each year are the result of managerial acts that represent culpable failure to adhere to established standards.

The first prerequisite for imposing heavier sanctions on corporate criminals is the development of a deepening sense of moral outrage by the public. Sanctions against corporate criminals, other than imprisonment, can be suggested; they are milder in nature and perhaps somewhat more in accord with the spirit of rehabilitation and deterrence than the spirit of retribution. Corporate resources can be utilized to make corporate atonement for crimes committed.

- S 14539 Hendersen, Harold L.; Steiner, Nolan J. "Internal versus external control of defendants studied in a probation setting." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 11(2):117-123, 1974.

The I-E Scale attempts to measure one of the major variables used in making the recommendation for probation or prison—that of the amount of insight and internal control of the defendant. It has been used to study the amount of control a person feels he has over his environment, or the lack of it.

The scale was given to 84 defendants referred from the Lucas County Common Pleas Court; a revision of the same scale (revised for lower educational level) was given to 76 similar defendants. Seven variables were analyzed with the Internal-External variable to determine whether there was any significant relationship between them and the I-E variable. Multiple offenses were significantly related to the Internal variable on the revised I-E Scale (an unexpected direction). Age approached significance in that almost four times more of the older defendants scored higher on the Internal variable than the External variable on the revised I-E Scale (an unexpected direction). The original I-E Scale did not discriminate on any of the variables studied. The data suggest that as the defendants grow older and commit more offenses, they come into contact with social agencies teaching Internal values and respond with "institutionalized" answers.

- S 14577 Ward, Colin, ed. *Vandalism*. New York, Van Nostrand Reinhold, 1973. 327 p. \$13.95.

Among the contributing essayists to this volume on vandalism are architects, urban planners, sociologists, psychologists, and criminologists. The book is an illustrated guide to ways in which architectural designers can help reduce the opportunities for vandalism and minimize the consequences of vandalism. An attempt is made to record

society's reactions to different forms of deliberate destruction of property and to categorize the motives that lie behind vandalism. The function of vandalism in children's play and some aspects of legitimized vandalism are included. The use of vandalism as a political weapon is discussed. The effectiveness of methods for the control and prevention of vandalism is evaluated.

- S 14590 Inciardi, James A. *The history and sociology of professional crime*. Ann Arbor, Mich., University Microfilms, 1974. 488 p. (Dissertation.)

Career or vocational crime can be defined as offense behavior pursued in an occupational context for the purpose of obtaining a steady flow of income. The development of the criminal career begins with an initiation and socialization into the world of crime, attended by a maturation process involving the acquisition of the skills, knowledge, and associations appropriate for maintaining the desired occupational market value.

Professional crime is a subclass of career crime. It refers to nonviolent forms of criminal behavior undertaken with a high degree of skill for monetary gain. As a specialized variety of career crime, it reflects an occupational structure similar to many of the learned professions and other vocational pursuits. The more typical forms of professional crime are burglary, shoplifting, pickpocketing, forgery and counterfeiting, extortion, sneak theft, and confidence swindling.

This analysis is a study in historical sociology that focuses on the emergence, persistence, and decline of professional crime as these phenomena are related to urbanization and industrialization. It makes manifest the relationships between a criminal behavior system and a changing social system.

- S 14600 Christian, Thomas Frank. *The organized neighborhood, crime prevention, and the criminal justice system*. Ann Arbor, Mich., University Microfilms, 1974. 415 p. (Dissertation.)

The responsibility for the average citizen to play his role in crime prevention is a necessary element in society if crime is to be reduced. In a neighborhood association, the citizen can magnify his contribution to the development of a better community. This study delves into the role that a neighborhood improvement association can play in crime prevention.

Interviews were conducted with sixty people from twelve agencies or groups in the criminal justice system in Muskegon, Mich.—the adult

court, the county jail, the Department of Social Services, former offenders, the juvenile court, Legal Aid, the police department, Nelson Neighborhood Improvement Association, present offenders, the prosecutor's office, public defenders, and the correctional institution. They attempted to determine (1) what role an organized neighborhood can perform in the criminal justice system; (2) how the concept of a neighborhood improvement association was perceived by the other agencies' personnel; and (3) how the agencies and groups perceived one another in assisting neighborhood improvement associations in crime prevention efforts.

The twelve agencies and groups agreed that there should be a definite role for a constructive, positive organized neighborhood in crime prevention and the criminal justice system. The crime prevention alternatives suggested for organized neighborhood groups ranged from mechanical prevention, such as locks and other security measures, to corrective prevention, such as the participation in the development of recreational programs, employment opportunities, and rehabilitation programs.

The study indicates that there are functioning organized neighborhood groups that are achieving crime prevention results. Formal agencies of the criminal justice system have a need for and are ready to accept the constructive organized neighborhood as an ally in combating crime. The potential involvement of an organized neighborhood group in the criminal justice system is limited only by the energy of the agencies and the citizens.

S 14610 LeJeune, Robert; Alex, Nicholas. "On being mugged: the event and its aftermath." In: *Aldine crime and justice annual 1973*. Chicago, Aldine Publishing, 1974. Pp. 161-189.

In high crime areas in recent years, vigilantes, patrols, and other groups of neighbors have banded together for collective protection. The major modes of adaptation to victimization that result from the mugging and the postvictimization interchange are individualistic. In most cases they involve increased vigilance and avoidance; in a minority of cases they involve more active means, both legal and illegal, such as learning karate or carrying a weapon.

Mugging sets into motion social-psychological forces that contribute to increasing the condition of disorder in the urban community. The victim sees the city as an urban jungle, as a situation in which others, particularly strangers, are not to be trusted.

The main effect of the mugging as it becomes defined in the postvictimization interchange is to transform the perceptions and attitudes of the victim into those of the policeman. The more urban citizens be-

come exposed to the police perspective, the more this view becomes dominant in the society. Thus the mugger, the police, the victim, and the media that disseminate information regarding the victim's plight contribute to the collective image of the city as an urban jungle.

S 14648 Weis, Kurt; Milakovich, Michael E. "Political misuses of crime rates." *Society* (New Brunswick, N.J.), 11(5):27-33, 1974.

Fear of crime, reports about it, and the political misuse of that fear have become a problem as serious as crime itself. Sharp declines in crime rates raise questions about the need for crime detection and enforcement personnel, and currently employed crime fighters must either take other positions or develop new images.

Citizens are concerned about crime, but they may be responding as much to the political issue as to the actual problem of crime. Assessment of police crime statistics is the primary technique used to evaluate the effectiveness of federal anticrime programs. These statistics are also self-serving measures of organizational effectiveness and a poor index of the true incidence of crime. If an improvement in the crime-fighting system is not counterbalanced by a change in the crime-reporting system, then an increase in the number of reported crimes should result. This paradoxical outcome, however, undermines the image of police as successful crime fighters, threatens their resources, and intensifies public fear of crime.

S 14682 U.S. Law Enforcement Assistance Administration. National Criminal Justice Information and Statistics Service. *Crime in eight American cities: national crime panel surveys of Atlanta, Baltimore, Cleveland, Dallas, Denver, Newark, Portland, and St. Louis: advance report*. Washington, D.C., 1974. 39 p.

The findings of victimization surveys taken in Atlanta, Baltimore, Cleveland, Dallas, Denver, Newark, Portland, and St. Louis are highlighted. Approximately 9,700 households in each city (some 21,000 persons aged twelve and over) and 2,000 commercial establishments comprised the sample. Crimes selected for measurement for individuals were rape, robbery, assault, and personal larceny; for households, burglary, larceny, and auto theft; and for commercial establishments, burglary and larceny. Surveys examined characteristics of victims, the relationship between victims and offender, the time and place of occurrence, the injury or loss suffered, and whether or not the event was reported to the police.

About 1.1 million acts of violence and common theft, including attempts, occurred in the eight cities during a twelve-month period. Overall, and in all cities except Newark, larceny against persons and households was the most common type of criminal incident, followed by burglary of households and commercial establishments. Of the recorded criminal acts 44 per cent were carried out against individuals, a comparable proportion was committed against households, and 12 per cent were directed against commercial establishments. Crimes of theft constituted a majority of incidents against persons.

In all eight cities patterns of personal victimization were similar. The victimization rate for crimes of theft was higher in each city than the rate for crimes of personal violence. Personal larceny without contact was the most prevalent crime against individuals in all eight cities, and rape was the least common crime.

Variation in personal victimization rates among the cities occurred. Dallas had an overall robbery rate that was lower than that of the other seven cities. Newark had the lowest overall assault rate, and Denver the highest. Crimes of violence were found to be most often perpetrated by strangers.

Personal victimization rates for selected groups produced patterns that were common to at least a majority of the surveyed cities. Males had higher rates of victimization than females for robbery, assault, and larceny without contact. Persons under thirty-five were more likely to have been victims of robbery, assault, and larceny without contact than persons thirty-five and older. Whites displayed higher rates than blacks and members of other races for simple assault and larceny without contact, but there was no apparent relationship between race and other types of personal victimization. Persons from families with annual incomes of less than \$10,000 were more likely to be victims of robbery as well as of personal larceny with contact than those with incomes of \$10,000 or more.

Commercial establishments in the eight cities were victims of a total of 126,400 burglaries and robberies. In each city burglaries of commercial establishments considerably outnumbered robberies. Auto theft registered the lowest rate in all cities except Cleveland. Denver had the highest household larceny rate and Newark the lowest.

Crimes against individuals were the most poorly reported to the police. Crimes against households were more often reported than crimes against persons. Crimes against commercial establishments were the most likely of all to be reported. In each city the most commonly cited reasons for not reporting victimizations were a belief that because of lack of proof nothing could be accomplished and a feeling that the experience was not sufficiently important to permit police attention. Fear of reprisal and reluctance to become involved rarely were advanced as reasons for failure to report.

S 14691 Chamber of Commerce of the United States. *White collar crime*. Washington, D.C., 1974. 92 p. \$2.50.

White-collar crime can be committed by and perpetrated against (1) corporations, partnerships, professional firms, nonprofit organizations, and governmental units and (2) their executives, principals, and employees as well as such "outsiders" as customers, clients, suppliers, and other organizations or individuals. The short-term and direct dollar loss is estimated at not less than \$40-billion annually, which excludes the cost to the public and business of price-fixing illegalities and industrial espionage. White-collar crime not only results in an immediate and direct financial impact but also generates nonfinancial and long-term consequences. A major long-term impact of white-collar crime is loss of public confidence in business, industry, and the professions and debasement of competition. To combat white-collar crime ethically operated businesses must do more than merely continue to operate that way. They must also take steps to weed out the irresponsible within their industry or profession, for the backlash created by illegalities of others is bound to affect even the scrupulously run enterprise.

This handbook on white-collar crime presents a positive, self-help approach that seeks to mobilize the business and professional community as the first line of defense. Nine categories of white-collar crime are identified: bankruptcy fraud; bribes, kickbacks, and payoffs; computer-related crime; consumer fraud, illegal competition, and deceptive practices; fraud by credit card and check; embezzlement and pilferage; insurance fraud; receiving stolen property; and securities theft and fraud. Various policies and preventive procedures are outlined.

S 14712 "How big is the bad check problem?" *Security World* (Los Angeles, Calif.), 11(7):30-32, 35-36, 129-130, 133-134, 136-137, 1974.

A national study of check loss hazards focused on the cost of bad check loss per individual household, cost to the businessman, the total cost in 1973 for the entire U.S., the expected rate of increase in check crime, and the current cost of collecting on paid and unpaid checks.

The estimated bad check loss for the United States by households was \$874-million for 1973. It costs about \$15 to run down the average bad check. In 1974 there may be 35-billion checks written in the U.S., of which about .5 per cent are returned for insufficient funds. National expense borne by businessmen in trying to collect bad checks is greater than even the highest estimates of actual out-of-pocket money lost on the uncollectable checks.

The bad check problem varies from business to business. Supermarkets have the most frequent difficulty with bad checks, followed

closely by department stores, liquor stores, and gas stations. While banks account for only 5 to 7.5 per cent of all bad checks, the dollar amount per incident is much higher than in other businesses. The bad check problem also varies by areas; bad checks are a greater problem in urban centers.

The majority of bad check crimes are committed by males, since 75 per cent of persons arrested for forgery and counterfeiting and 70 per cent of those arrested for fraud were male. Current statistics indicate the number of females arrested for bad checks is increasing. Repeaters are especially common in bad check crime.

Most companies are afraid to admit the seriousness of the bad check problem publicly for fear they will only encourage people to pass more bad checks if they divulge the enormous amount of theft by this means.

- S 14716 Iye, Tomoaki. *A victimological study of the Japanese community in Seattle*. Ann Arbor, Mich., University Microfilms, 1974. 80 p. (Dissertation.)

The pattern of criminal victimization in the Japanese-American community in Seattle, Wash., was studied from March to May 1973. Three hypotheses were tested: (1) The pattern of criminal victimization within the Japanese community does not differ from the pattern prevalent in the general population. Therefore the risk of victimization is higher among lower income groups; it is borne by men more often than women except for forcible rape; and the risk is greatest for the 20-to-29 age category. (2) Members of the Japanese community tend to be victimized by outsiders rather than by members of their own ethnic community. (3) The higher the level of acculturation to American society of a Japanese person, the more likely he is to be criminally victimized. Questionnaires were sent to a random sample of 800 households; 550 were returned and used in the study.

Analysis of data produced results generally consistent with the three hypotheses. Data on hypothesized sex differences were found to be inconclusive. But when age was controlled, a sex difference emerged: in the older age brackets females, and in the younger age categories males, have relatively higher rates of victimization. The data supported the hypothesized relationship that the 20-to-29 age category had the highest risk of victimization. It was not concluded that lower income persons have higher risks of victimization. Japanese persons were victims of crimes committed predominantly by outsiders to their ethnic community. Significant association between ethnic identification and the rate of victimization was found. Acculturation enhanced the risk of victimization.

- S 14775 Porter, W. Thomas. "Computer raped by telephone." *New York Times Magazine*, September 8, 1974. Pp. 33-34, 36, 38, 40-41, 43.

Clever con men have increasingly taken advantage of sophisticated computer systems to steal substantial sums of money from unsuspecting customers, managers, and institutional investors. Five types of computer crimes have been identified: financial crime, property crime, information crime, theft of service, and vandalism. No one really knows how much computer thievery goes on, but experts estimate the ratio of undiscovered crime may be 100 to 1.

Computer embezzlers are usually male, highly motivated, bright, energetic, and generally young—eighteen to thirty years old. Computer criminals differentiate between doing harm to individuals, which they reject, and doing harm to organizations, which they accept. In a majority of cases, the criminals colluded with someone else, suggesting that theft via a computer often requires more skills and knowledge than are possessed by any one person.

In twelve cases of computerized bank embezzlement that occurred in the late sixties and early seventies, the average loss was \$1,090,000, about ten times the average loss from all other types of embezzlement. Poor hiring practices, sloppy record-keeping, poor control techniques, easy access to the computer room, and little or no auditing of computerized data files and programmed controls encourage easy access to computer systems. Since a well-controlled computer operation is expensive, companies have been willing to take the risk that fraud and embezzlement would not occur.

It is essential to have computer audit specialists with competence in evaluating controls in computerized processing. An effort is being made by large accounting firms and internal audit departments of large companies to overcome the lack of knowledge and competence in computerized audit, by conducting extensive in-house training programs for experienced auditors.

- S 14783 Nettler, Gwynn. "Embezzlement without problems." *British Journal of Criminology* (London), 14(1):70-77, 1974.

A test of the allegedly universal process by which individuals come to violate an occupational position of trust was provided through the assessment of six cases of embezzlement in Canada, considered important because the amount of money stolen ranged from about \$60,000 to more than \$300,000. Two of the offenders were studied in the course of presentence evaluations; four were interviewed after their release from prison, and one of these was tested psychometrically.

The individuals were studied in the light of Cressey's theory that the offender accepted a position of trust in good faith (without criminal intent) and was placed in a position that afforded the opportunity of theft. The embezzler then developed a "non-sharable problem" soluble in money, became aware of techniques of violating trust in resolution of the unsharable problem, and had a belief system that rationalized his crime. However, in only one of the six cases was it possible to construct a parallel between the embezzling career Cressey portrays and the careers of the six offenders. The five exceptions to Cressey's singular road to fraud are more clearly described as individuals who wanted things they could not afford and who were presented with (or who invented) ways of taking other people's money. Consistently, they had a desire for things obtainable through money and had opportunities or knew of ways to take the money with little apparent risk. In not one of the five cases had the embezzler found himself in a financial "bind" before his thefts.

As with any mode of living together, business is based on trust. There is, then, an economy involved in determining how much shall be expended in distrust—in accounting controls, for example—as a defense against the hazards of having confidence in the other person. Like each individual, each organization will determine this economy for itself. Given the many roads to larceny, the reduction of embezzlement is not so much a problem to be solved as a difficulty to be met. Trustees of money, like those of other powers, are best trusted when subject to checks and balances.

Criminology

- S 14457 Buikhuisen, W. "General deterrence: research and theory." *Abstracts on Criminology and Penology* (Leiden, The Netherlands), 14(3):285-297, 1974.

Inability to control factors other than punishment that might influence crime rates and reliance on official statistics that reflect only part of the number of offenses committed are two methodological weaknesses of studies on deterrence. Changes in behavior after introduction of the deterrent are difficult to calculate because police perception of the seriousness of the offense might be influenced by a change in punishment strategy resulting in more lenient or strict enforcement. A deterrence experiment was designed that could measure change in behavior objectively and would avoid reliance on official statistics.

A study was conducted in Groningen and Leeuwarden in the Netherlands to determine whether punishment deters motorists from using

cars with worn tires. Observers inspected the tires of cars parked on a representative sample of streets in both cities and recorded the license numbers of a sample of 230 cars in Groningen and 173 in Leeuwarden with worn tires. Newspapers in Groningen publicized the scheduled police inspection of car tires. In a ten-day period 13,474 cars were inspected; 189 were found to have one or more worn tires. No similar inspection was conducted in Leeuwarden.

When the police inspection in Groningen ended, observers re-inspected the sample group of cars in both cities to determine the number of worn tires replaced. In Leeuwarden 27 per cent of motorists in the sample group had replaced them; in the Groningen sample group 54 per cent had made replacements. It was concluded that punishment has a deterrent effect.

- S 14475 Andenaes, Johannes. *Punishment and deterrence*. Ann Arbor, University of Michigan Press, 1974. 189 p. \$9.

Demands for strict punishment can be used to cloak a retributive rather than preventive attitude or to mask conservative resistance to change. On the other hand, the importance of the deterrent effects of punishment may be seriously neglected by those whose primary interest is the rehabilitation of individual offenders. A clear distinction must be made between special deterrence (the effect of punishment on the person punished) and general deterrence (the effect of punishment on society in general). The dissuasive effect of punishment varies with individuals and with specific acts. The question is not whether punishment has a restraining effect, but under what conditions and to what extent the purposes of deterrence are achieved. Maximum deterrence does not follow from the severest punishment. At the same time, an indeterminate sentence or mandatory rehabilitation is no substitute for a firm system of criminal law and general sanctions.

A criminal law openly penal in outlook that does not try to take refuge behind benevolent rhetoric about treating and rehabilitating offenders is favored and predicted.

- S 14527 Tittle, Charles R.; Rowe, Alan R. "Certainty of arrest and crime rates: a further test of the deterrence hypothesis." *Social Forces* (Chapel Hill, N.C.), 52(4):455-462, 1974.

Data on the certainty of arrest and the crime rate were analyzed for cities and counties in Florida. Results support a deterrent hypothesis but suggest that certainty of punishment must reach a critical level before there is a noticeable change in the volume of crime. Data indicate, however, that deterrence theory needs to be refined to specify

levels at which sanctions become operative determinants of behavior as well as the conditions under which sanctions are more or less effective as behavioral influences. Certainty of punishment has an important influence on the degree of conformity but it is not the only important variable. Contemporary theories of deviance would profit from inclusion of deterrence ideas.

- S 14537 Gibbs, Jack P.; Short, James F. "Criminal differentiation and occupational differentiation." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 11(2):89-100, 1974.

In view of the shortcomings of sociological theories on crime and deviance this paper urges a research strategy aimed at the discovery of empirical regularities. As one such example, data from Uniform Crime Reports and the U.S. Census are used to study the relation of criminal differentiation to age and occupational differentiation. Criminal differentiation is high among the young, decreases until the early thirties, and then increases. That is, individuals in the late teens tend to be arrested for offenses that are relatively rare in other age groups. The increase in criminal differentiation after thirty does not reach the high levels of the late teens. Criminal differentiation and occupational differentiation are found to be directly related for two census years, 1950 and 1960. Theoretical implications of these findings are discussed.

- S 14540 Bailey, William C.; Martin, J. David; Gray, Louis N. "Crime and deterrence: a correlational analysis." *Journal of Research in Crime and Delinquency* (Hackensack, N.J.), 11(2):124-143, 1974.

A correlation analysis of the severity and certainty of punishment and offense rates for the major index crimes produces results consistent with the predictions of deterrence theory. Certainty of punishment proves to be the chief deterrent for most crimes. Homicide, however, is influenced by severity, possibly reflecting the differences between homicide and other offenses. Little evidence of interaction is found between certainty and severity in effects on the crime rate. A power function proves to describe the relationship between the punishment variables and crime rates better than a rectilinear equation—a conclusion which, even apart from the data, appears more reasonable than the reverse.

- S 14541 Glaser, Daniel. "Remedies for the key deficiency in criminal justice evaluation research." *Journal of Research in*

Crime and Delinquency (Hackensack, N.J.), 11(2):144-154, 1974.

More useful criminal justice evaluation research would differentiate offenses and offenders on the basis of causal theory and would interrelate several levels of abstraction. This is illustrated in correctional practice evaluation by a linkage of behavior modification, symbolic interactionist, and sociocultural diffusion theory, from which three propositions on the effectiveness of specific treatment methods for particular types of offenders are derived. Research thus far supports the validity of these propositions. Boards of autonomous criminologists and public representatives supervising criminal justice statistics and research agencies would foster more grounding of inquiries in policy-relevant theory.

- S 14631 Sykes, Gresham M. "The rise of critical criminology." *Journal of Criminal Law and Criminology* (Baltimore, Md.), 65(2):206-213, 1974.

In the last ten to fifteen years criminology in the United States has witnessed a transformation of one of its most fundamental paradigms for interpreting criminal behavior. The theory, methods, and applications of criminology have all been exposed to a new scrutiny in what might be termed "critical criminology." There is a profound skepticism accorded any individualistic theory of crime causation. There has been a profound shift in the interpretation of motives behind the actions of the agencies that deal with crime. The rightfulness of the criminal law is now being questioned. American criminologists had long been skeptical of the accuracy of official crime statistics that they nonetheless accepted, reluctantly, as a major source of data for their field. Now, rather than dismissing the interest of law enforcement agencies in crime statistics as an unfortunate source of error, the collection and dissemination of information about the incidence of crime has become an important theoretical variable in its own right.

- S 14633 Pepinsky, Harold E. "From white collar crime to exploitation: redefinition of a field." *Journal of Criminal Law and Criminology* (Baltimore, Md.), 65(2):225-233, 1974.

The study of property crime and white-collar crime has been founded on the unfulfillable promise that violations of criminal law are what disrupt the harmonious coexistence of society's members. By locating the conditions that lead to crime and changing them to eliminate the phenomenon, society's members will live in peaceful, happy harmony. By acting against crime conscientiously, we may not eliminate the causes of interpersonal strife, but at least interpersonal conflict will be controlled and thereby reduced.

The substantive provisions of the law are just as likely to defend social injury as to react against it. In Sutherland's terms, a strict application of penal sanctions would likely punish most of society's members repeatedly. In the "discovery" of white-collar crime the socially powerful few could be expected amorally to prevail.

The sum of any man's characteristics and talents is of a social worth exactly the same as any other man's, and therefore the two persons deserve equal respect, admiration, and other social rewards. Acceptance of social status differentiation implies acceptance of the categorization of people, as, for example, deviants, white-collar criminals, or exploiters. Possibly an investment in a system of social status differentiation could support exploitation as a means of describing and maintaining other status boundaries.

- S 14715 Austin, Roy Leslie. *Interpersonal maturity level theory: an evaluation*. Ann Arbor, Mich., University Microfilms, 1973. 198 p. (Dissertation.)

Interpersonal Maturity Level Theory (I-level theory) proposes that the interaction between type of treatment and type of delinquent must be considered to enhance the prospects for rehabilitation. Carl Jesness' Preston Typology study data are used to evaluate I-level theory and its application in the differential treatment of delinquents in the Community Treatment Project (CTP) in California. An attempt is made to reassess the value of the typology in guiding the treatment of delinquents and to identify some of the variables that influence classification.

Postinstitutional performance showed little evidence of interaction effects involving treatment and I-levels. The single exception is the psychiatric unit, in which offenders receive intensive treatment in a minimum custody setting. In general, performance correlated more highly with base expectancy scores and criminal record than with I-level or treatment variables. Data also suggest that I-level classification may have less of a connection with interpersonal maturity than with level of intelligence and moral commitments. Further research is needed to identify the causal relationship among these variables. Findings suggest it would be a mistake for I-level theory to be adopted as official doctrine in correction.

- S 14794 Pease, Kenneth; Ireson, Judith; Thorpe, Jennifer. "Additivity assumptions in the measurements of delinquency." *British Journal of Criminology* (London), 14(3):256-263, 1974.

Two assumptions of additivity made by Sellin and Wolfgang in *The Measurement of Delinquency* are distinguished. The first is that when people assign numbers to offenses indicating how serious they regard them to be, the ratios between the numbers they assign can be interpreted as ratios of offense seriousness. The second is the assumption that people judge the seriousness of a complex or repeated offense by adding the seriousness scores they would have assigned to the elements which make up the offense. The second assumption was tested by asking 147 subjects to judge the relative seriousness of an offense and of the same offense committed twice. Only 31.8 per cent of the sample judged the commission of two offenses to be twice as serious as the single offense; the remainder all judged otherwise. Studies using the Sellin and Wolfgang scale which have accepted the additivity assumptions should be reconsidered.

Related Social Issues

- S 14460 California. Youth Authority. *Drug abuse and interpersonal values*, by Chester F. Roberts, Jane Ward, and Lee Kreig. (Research Report No. 3.) Sacramento, 1974. 11 p.

In the Youth Authority's Northern and Southern Reception Center-Clinics, the relationship between expressed values and drug abuse was investigated. Over a period of four months, 521 wards were administered in small groups the Survey of Interpersonal Values (SIV). Of the 521 male wards 228 were identified as drug abusers and 293 as non-abusers.

Analysis of the results showed no significant differences between the scores of the abusers and nonabusers on any of the six value factors measured by the SIV. There were, however, important differences between the groups in regard to age and race. Comparison of the scores of subgroups of drug abusers similarly showed no significant differences between groups. Results of this study fail to support the suggestion that the values of drug abusers are different from those of non-abusers. Findings were interpreted as being based on either no real differences on the six factors as measured by the SIV between drug abusers and nonabusers or weaknesses in the validity of the SIV.

- S 14517 Tracy, James J.; Clark, Elizabeth H. "Treatment for child abusers." *Social Work* (New York), 19(3):338-342, 1974.

The child abuse project at Presbyterian-University of Pennsylvania Medical Center uses social learning theory as the basis for its treatment model. The program strives to move beyond diagnosis and etiological

concerns to help abusive adults achieve competence in their roles as parents. A precise behavioral analysis of the parent's techniques of child management is conducted. If the child can be returned to the family, an outreach program provides continued assistance. An important goal of the project is to establish continuity between the child's hospitalization and treatment within the family. The child abuse project hopes to offer a model for providing services flexible enough to be applied to cases other than child abuse.

- S 14550 Nelson, Scott H.; Kraft, David P.; Fielding, Jon. "A national study of the knowledge, attitudes and patterns of use of drugs by disadvantaged adolescents." *American Journal of Orthopsychiatry* (New York), 44(4):532-537, 1974.

In a nation-wide examination of the knowledge, attitudes, and patterns of use of drugs by Job Corps members and staff, 1,357 enrollees and 440 staff members were interviewed at nineteen Job Corps centers in seventeen states during mid-1972.

Fifty-four per cent of the corps members interviewed were black; whites and Chicanos each represented 19 per cent of the sample; and 8 per cent were of Caribbean origin. Data were compiled for both enrollee and staff groups as a whole. Enrollee data also were analyzed within the parameters of age, sex, ethnicity, and population of origin.

The prevalence of drug use among Job Corps members is no greater and often less than that in many high schools and colleges. Past use of illicit drugs was related to sex, age, ethnic origin, and population of origin. Significantly more enrollees who were male and younger and came from larger cities reported using illicit drugs than did females, older enrollees, and those from rural areas. Past drug use was highest among white enrollees (56 per cent) and lowest among blacks (49 per cent) and Chicanos (46 per cent). Seventy-six per cent of staff never used illicit drugs.

Enrollees were poorly informed about drugs. Job Corps staff demonstrated more knowledge about drugs than enrollees but lacked knowledge about the dangers of drugs. The majority of Job Corps members and staff strongly disapproved of both illegal drugs and drug users. However, while 73 per cent of enrollees disapproved of illicit drugs, only 43 per cent of staff members were aware of this disapproval. Most staff appear to have misinterpreted corps members' attitudes toward drugs and have mistakenly concluded that most enrollees feel positively about illicit drug use.

The traditional stereotypes that relate poor and minority young people to drugs are largely false. Research conducted among poverty and minority populations must relate to the unique experiences, interests, and sensitiveness of these groups.

- S 14563 Crawford, Gail Ann. *Careers with heroin*. Ann Arbor, Mich., University Microfilms, 1974. 209 p. (Dissertation.)

Three categories of subjects—heroin addicts, experimenters, and nonusers—were compared in regard to social, economic, and family background characteristics (1) to see what made young people willing to experiment with heroin and embark upon deviant careers in narcotics use and (2) to describe their advancement through the stages of increasing frequency of heroin use. Detailed personal history and drug use data were obtained through interviews with 15 heroin addicts, 15 experimenters, and 15 nonusers, most of whom were in their late teens or early twenties. Of the total sample, 18 were whites, 21 were blacks, and 6 were Latinos. White subjects were drawn primarily from middle-class suburban areas of Chicago, and blacks and Latinos from lower-class ghetto areas.

Findings indicate that routes of entry into careers with heroin vary, depending upon social and environmental influences on drug-taking behavior. There is no step-by-step progression into heroin use; in fact, there are multiple points of entry. Prior drug experience is a good predictor of the likelihood of a subject's experimenting with heroin. Early age at first drug use, high frequency of drug use, preference for a down high, involvement in illegal activities, etc., seem to increase the likelihood that young people will eventually try heroin. Addicts and experimenters were more likely to identify with deviant role models and styles of life and to be involved in the illegitimate opportunity system of the street than were nonusers.

There are multiple pathways leading into and out of heroin use. No simple unilinear explanation is likely to account for nonusers' failure to try heroin or experimenters' failure to become addicts. Heroin users differ from nonusers in their life styles and orientations and their perceptions of the utility of legitimate routes to success.

- S 14576 U.S. Youth Development Office. *An adjustment to get a clear image: Focus runaway hostel*, by Bill Gang. Washington, D.C., U.S. Government Printing Office, 1974. 44 p. \$.60. (Stock Number 1766-00015.)

Runaways have become a national problem of concern to Congress, law enforcement agencies, courts, and parents. The successful efforts to divert runaways from the juvenile justice system and to strengthen services to troubled youths especially at the family and community levels in Las Vegas, Nev., are described. Focus, a private organization, provides a drop-in and encounter group center for youths with drug abuse or family problems, and sponsors a residential youth hostel for runaways. It is modeled after Synanon and provides for long-term

group interaction with positive peer influences to counteract negative peer influences. The goal of Focus is to change the life styles of youths so that they have the ability to handle family and community pressures.

- S 14647 Public Safety Systems, Inc. *Evaluation of drug abuse education and prevention projects: final report*. Santa Barbara, Calif., 1974. 3 vols. \$37.

An evaluation of a cluster of five drug-education and prevention projects was funded by the California Office of Criminal Justice Planning to examine the impact of similar projects upon the reduction of crime and improvement of California's criminal justice system, to assess the previous evaluations of the cluster projects, and to indicate how similar projects should be evaluated in the future. The evaluation strategy was based upon a general drug-education and prevention model identified with five activities—preventive education, ongoing counseling, outreach counseling, training school staff, and community education.

While no consistent evidence was found to indicate that any of the projects was significantly affecting drug use or misuse, significant change was found in six intermediate effects on clients: handling responsibility, gaining self-confidence, improving relationships with others, communicating better, making better decisions, and clarifying values. Further, the projects had very favorable images with both youths and adults in their communities.

- S 14699 University of California. Institute of Transportation and Traffic Engineering. *The effects of marijuana dosage on driver performance*, by H. Moskowitz; W. McGlothlin; S. Hulbert. Los Angeles, Calif., 1973. 51 p.

The potential effects of marijuana upon driving safety were assessed by two experiments involving administration of marijuana to subjects who were required to perform tasks assumed important for driving. The first experiment examined performance in a complex driving simulator; the second, performance of a sensory signal detection task. In both studies twenty-three subjects were examined in replications of Latin square designs with marijuana treatments containing 0, 50, 100, or 200 micrograms delta-9 tetrahydrocannabinol per kilogram body-weight.

The results of the first experiment suggest that marijuana has little effect on car control in the simulator. There was, however, statistically significant and clearly dose-related impairment of the subsidiary task, with both an increase in errors of recognition and a delay in response

to the visual recognition task. The results of the study are discussed in relation to the experimental literature on the effects of marijuana. There is considerable evidence that marijuana does produce an impairment of sensory perceptual functions.

The second experiment examined an auditory signal detection task in conditions of both concentrated and divided attention under marijuana. A clearly dose-related significant impairment of performance under marijuana was found. The results support the findings of the first experiment that marijuana affects the perceptual functions in driving and may constitute a danger to driving safety.

- S 14707 Kutchinsky, Berl. "The effect of easy availability of pornography on the incidence of sex crimes: the Danish experience." *Journal of Social Issues* (Ann Arbor, Mich.), 29(3):163-181, 1973.

The Danish liberalization of legal prosecution and of laws concerning pornography and the ensuing high availability of such materials present a unique opportunity for testing hypotheses concerning the relationship between pornography and sex offenses. Concurrently with the increasing availability of pornography there was a significant decrease in the number of sex offenses registered by the police in Copenhagen. On the basis of various investigations, including a survey of public attitudes and studies of the police, it was established that at least in one type of offense (child molestation) the decrease represents a real reduction in the number of offenses committed and that the direct cause of this decrease was the availability of pornography.

- S 14708 Davis, Keith E.; Braucht, G. Nicholas. "Exposure to pornography, character, and sexual deviance: a retrospective survey." *Journal of Social Issues* (Ann Arbor, Mich.), 29(3):183-196, 1973.

Data from 365 male subjects from seven types of social groups—inmates of the Denver City and County Jail, Mexican-American college students, black college students, white fraternity members from a liberal fraternity, conservative Protestant students, liberal Protestant students, and Roman Catholic seminarians studying for the priesthood—were utilized in this study to evaluate relationships among exposure to pornography, moral character, and deviant sexual behavior. Assessment of the major variables of family deviance, neighborhood and peer group deviance, exposure to pornography, age of earliest exposure to pornography, and sexual deviance was accomplished by retrospective self-report through questionnaires.

While amount of exposure was negatively related to the overall index of character, the relationship held primarily for those subjects first exposed after age seventeen. Amount of exposure to pornography was positively related to self-acknowledged sexual "deviance" at all ages of first exposure. Exposure was also related to a number of life history variables indicating early significant heterosexual experience and a greater involvement in homosexual and deviant sexual practices. A number of analyses were undertaken to explore the possible causal status that exposure to pornography may have with respect to sexual deviance. The pattern of obtained results leaves open the possibility that early exposure to pornography plays some causal role in the development of sexually deviant life styles or the possibility that exposure is merely part of or a product of adopting a sexually deviant life style.

- S 14709 Goldstein, Michael J. "Exposure to erotic stimuli and sexual deviance." *Journal of Social Issues* (Ann Arbor, Mich.), 29(3):197-219, 1973.

A community control group and samples of convicted male rapists, pedophiles, homosexuals, transsexuals, and heavy pornography users were interviewed to assess experience with erotic material in photographs, films, and books, during adolescence and adulthood.

Adolescent exposure to erotica was significantly less for all non-heterosexual and offender groups compared to the controls. During adulthood, the sex offenders and transsexuals continued to report less exposure to erotic stimuli than controls. The homosexuals and users, however, both report greater exposure during adulthood. Less than a quarter of the respondents in any group imitated sexual behavior seen in the erotic material immediately or shortly after viewing it. The control groups sampled had significantly greater exposure to erotic materials during adolescence than the deviants, convicted sex offenders, or heavy adult users of pornography. The extent of exposure to erotica during adolescence was therefore *not* positively associated with the later emergence of sexual pathology.

- S 14773 Behavioral Research and Evaluation Corporation. *A study of issues relating to runaway behavior*, by Tim Brennan; Susan Brewington; Lynn Walker. Boulder, Colo., 1974. 191 p.

A review of the social, psychological, and correctional literature regarding the problems of runaways is presented in Part I of this study on runaways. Selected summaries of studies and articles on runaways

deal with (1) the incidence and trends in the extent of runaway behavior: age and runaway behavior, sex of runaways, home factors, school, peer relationships, self-concept, and religious orientation of runaways; (2) characteristics of the runaway act: time of the episode, distance traveled and destination, duration of runaway episodes, companionship, the decision to return home, and recidivism; (3) motives and reasons for running away: as an adaptive response, as a reaction to middle-class affluence, and as a search for adventure; (4) runaway youth and the juvenile justice system: police action, court procedures, sentencing, correctional institutions, social agency difficulties, and runaway laws; (5) treatment and counseling of runaways: treatment and aid institutions for runaways, social service organizations and volunteer programs, juvenile justice system institutions, criticism of treatment programs, and current suggestions and proposals regarding treatment of runaways; and (6) approaches to the explanation of runaway behavior through creating typologies of runaways. A bibliography is included. Empirical research related to the social psychology of runaways is presented in Part II.

- S 14774 Brennan, Tim; Brewington, Susan; Walker, Lynn. "Empirical research related to the social psychology of runaways." In: Behavioral Research and Evaluation Corporation. *A study of issues relating to runaway behavior*. Boulder, Colo., 1974. Pp. 89-191.

Runaway cases were selected from the 1973 and 1974 data in the National Evaluation of Youth Service Systems and from a representative sample of Denver youth. Comparisons were then made between the behaviors of runaway and nonrunaway youths. The fourth data set consisted of information from the Freeway Station, Lincoln, Neb., and examined the kinds of youth and the dispositional and referral patterns that are found in a runaway shelter.

Characteristics which differentiate runaway youth from nonrunaway youth as found within the three samples showed runaways had a poorer home situation than nonrunaways. Runaway behavior was associated with a feeling that parents may really not care. Positive labeling by parents was significantly associated with lower levels of runaway behavior. Runaways were more likely than nonrunaways to claim that they were beaten and hassled by parents.

Negative labeling by friends was found to be associated with higher levels of runaway behavior. Data suggest that many runaways were associated with delinquent peer groups. Runaways appeared less interested in extending and improving their social contacts than nonrunaways.

Runaways were less popular among their teachers, were more inclined to have significantly lower levels of access to social roles among teachers, had higher denial of access to educational opportunities, and were more negatively labeled by their teachers than nonrunaways.

Runaways had a lower self-concept and were more socially alienated than nonrunaways. Running away should not be seen as an isolated phenomenon; it is closely linked with a general pattern of delinquent behavior. Runaways reported significantly larger numbers of status offenses and more frequently than nonrunaways committed felonies and misdemeanors. Different types of runaways had different levels of delinquent behaviors and different kinds of interaction with the juvenile justice system.

Data collected during fiscal 1973 allowed for intensive analysis of referral and dispositional patterns of over 200 vagrants and runaway youth who passed through Freeway Station. Fifty-six per cent of the Freeway Station clients were females. Police and juvenile courts were the major referral sources for both sexes. More than half of the male clients were nonrunaways (vagrants, police referrals, and youths over eighteen). Among runaways, family problems were the predominant reason for running away.

Twice as many boys as girls were released on their own, while more girls than boys were sent to foster homes. Nearly half of both sexes returned to their parents. Only 3 per cent of the total sample were sent to a juvenile judicial system institution. Three-fourths of the clients left Freeway Station within a week; 90 per cent of the clients never returned. Of the recidivists, there were twice as many girls as boys.

Those youth referred to Freeway Station by the juvenile court or other social service agencies had a much lower rate of return to their parents than did those referred by other sources. Recidivism rates were higher for those who returned to parents or were sent to foster homes and for those sent to institutions. The majority of clients under twelve and over eighteen were nonrunaways. Recidivism levels decreased as age of client increased; as age increased, the likelihood of a client's return to the parent decreases.

S 14776 Maugh, Thomas H. "Marihuana: the grass may no longer be greener." *Science* (Washington, D.C.), 185:683-685, 1974.

Marijuana in its various forms may be more hazardous than was originally suspected. Evidence suggests that the effects of marijuana are cumulative and dose related, and that prolonged heavy use of marijuana or less frequent use of hashish is associated with at least six

different types of potential hazards. Cannabis may cause (1) chromosome damage that could affect the health of the user; (2) disruption of cellular metabolism, including synthesis of DNA, and may interfere with the functioning of the immune system; (3) sharp personality changes that lead to a marked deterioration in what is normally considered good mental health; (4) potentially irreversible brain damage; (5) hormonal regulators to produce a variety of effects ranging from impotence and temporary sterility to the development of female-like breasts in men; and (6) debilitation of the bronchial tract and lungs.

Controversy has surrounded the fact that the evidence for some of these potential hazards is derived from the clinical experience of physicians and psychiatrists with relatively few self-confessed cannabis users; nonetheless, clinical observations may provide the only evidence available about long-term use of cannabis. Various experiments dealing with the potential hazards of marijuana are described.

S 14777 Maugh, Thomas H. "Marihuana (II): does it damage the brain?" *Science* (Washington, D.C.), 185:775-776, 1974.

There is little question that cannabis has a number of short-term effects on the brain—it could not be psychoactive if it did not. The consequences of these short-term effects are uncertain, but few scientists seem willing to suggest that these effects are in themselves hazardous. What is of greater concern is the possibility that continuation of these effects over a period of time may produce organic brain damage.

Tetrahydrocannabinol, the principal psychoactive constituent of cannabis, has a very high affinity for brain and other lipophilic tissues—that is, tissues with a high proportion of hydrocarbonlike components. Tetrahydrocannabinol is absorbed by lipophilic tissues and stored by them for long periods. The effects of this accumulation are a subject of debate, but many scientists argue that the continued presence of tetrahydrocannabinol in the brain induces a set of mental characteristics termed the "amotivational syndrome."

The putative link between heavy long-term use of cannabis and possible brain damage will remain controversial for some time. This is true, in part, because there are few accurate, easily performed, and relatively specific tests available for detecting brain damage, particularly if it is subtle. Moreover, it also seems likely that the adverse effects of cannabis are manifested in only a fraction of susceptible cannabis users, so that a larger sample population will be necessary to observe them. Evidence of the possibility of brain damage is sufficient to suggest that discretion would require avoiding the risk.

CONTINUED

1 OF 2

S 14795 Boshier, Roger; Johnson, Derek. "Does conviction affect employment opportunities?" *British Journal of Criminology* (London), 14(3):264-268, 1974.

The amount of stigma attached to job applicants who have a conviction for drunken driving or theft, compared with nonconvicted controls, was studied in Auckland, N.Z. The employment situation in Auckland at the time of the study favored employees. Letters of application were sent to 61 companies advertising vacancies. Two letters were mailed to each unwittingly participating company. A positive response was defined as one in which the applicant was requested to report for interview or requested to furnish further information. A negative response was recorded if the letter evoked no response at all or if the applicant was advised he was not wanted for interview.

Of the fifteen participating companies, 9 responded positively and 6 negatively to the convicted drunken driver, while 10 responded positively and 5 negatively to the nonconvicted control applicant. In only one pair of letters did the convicted applicant receive a negative and the control applicant a positive response. Chi-square analysis of the responses led to the conclusion that drunken drivers are not stigmatized.

Of the 46 applications sent by a convicted thief, 18 received a positive and 28 a negative response. Of the 46 nonconvicted control letters, 23 elicited a positive and 23 a negative response. Thus, 39 per cent of the "thieves" and 50 per cent of the controls received positive responses. The convicted applicant was, therefore, more stigmatized than the control applicant. Thief applicants are more stigmatized than drunken drivers. A comparison with a Dutch study reveals that New Zealand drunken drivers are less stigmatized than those in Holland, while the Dutch and New Zealand responses do not differ significantly on thieves.

The data suggest that an applicant who admits to having committed theft is erecting a barrier to obtaining employment. The New Zealand practice of requiring inmates to state in job applications that they are in prison should cease, and companies should be given hard facts about the work behavior of ex-offenders.

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Public Opinion regarding Crime, Criminal Justice, and Related Topics*

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IN THE PAST SEVERAL YEARS THE GROWING "consumer revolution" has focused attention on the views, demands, and complaints of the general public as articulated through consumer groups and various individuals speaking out in the "public interest"; thus in the areas of environmental quality, automobile safety, media advertising, credit data banks, and so on, substantial legislation has evolved, at least in part, in response to apparent public concern in these matters. In the criminal justice sphere little systematic attention has been given to a growing body of public opinion surveys which have potential as barometers of public sentiment. As such, the results of these surveys may be useful in attempts to understand the behavior of Americans with regard to crime-related topics and the differential responses of segments (different age, sex, race, education, etc., groups) of American society to various aspects of the criminal justice system; further, knowledge of the opinions of Americans on topics related to criminal justice may illuminate the public's mood and priorities regarding criminal justice, and may also foreshadow impending popular pressure for legislative changes in criminal justice.

In recent years, an increasing number of nation-wide public opinion polls of relevance to criminal justice have been conducted in the United States. Although some of these have been conducted for national commissions—on law enforcement and criminal justice,¹ violence,² obscenity and pornography,³ marijuana and drug abuse⁴—most have been conducted in connection with more general polls which are un-

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dertaken almost continuously by national polling organizations.⁵ The results of these latter polls are often reported in a hit-and-miss fashion by the media and thereby the scope of such survey results, as well as their significance, is often not apparent. This paper is a brief, selective review of these data which—in addition to highlighting their substantive import—will be illustrative of the nature and the scope of the data available.⁶

Almost without exception, the surveys reported herein were designed to be representative of households in the continental United States; in addition, with the exception of some drug-related studies,⁷ these surveys have focused on respondents eighteen years of age and older. The surveys have generally employed areal cluster sampling approaches for the selection of households; unfortunately, there is typically no information available regarding the number of respondents approached who refused to participate in given polling efforts or the number of respondents refusing to answer certain questions. For purposes of publication, the survey results are usually presented for the national estimates as a whole, and then for subgroups broken down by variables such as sex, race, age, income, education, community size, and so on; in this regard, the number of survey respondents in the various subgroups (e.g., white respondents over the age of fifty) is rarely published. Finally, cross tabulations—other than by the background variables noted above—are usually not published, and hence only the most fundamental observations can be made from the pub-

1. Philip H. Ennis, *Criminal Victimization in the United States. Field Surveys II. A Report of a National Survey*. President's Commission on Law Enforcement and Administration of Justice. U.S. Government Printing Office, May 1967.

2. Donald J. Mulvihill, and Melvin Tumin, *Crimes of Violence*. Vol. 11, A Staff Report Submitted to the National Commission on the Causes and Prevention of Violence, December 1969.

3. Commission on Obscenity and Pornography, *Technical Report of The Commission on Obscenity and Pornography*, Vol. VI.

4. National Commission on Marijuana and Drug Abuse, *Marijuana: A Signal of Misunderstanding*. The Technical Papers of the First Report of the National Commission. Appendix. Vol. II, 1972.

5. Most notably, the American Institute of Public Opinion (Gallup) and Louis Harris and Associates.

6. The major polling organizations have data repository centers in various locations. For example, the Gallup Organization's data repository center is at the Roper Public Opinion Research Center, Williams College, Williamstown, Mass. Louis Harris and Associates' data repository center is at the Institute for Research in Social Science, University of North Carolina, Chapel Hill, N.C. Copies of raw data decks for most polls which have been conducted are available from the data repository of the polling organization.

7. For example, the study conducted by Response Analysis Corporation for the National Commission on Marijuana and Drug Abuse which is reported below.

lished survey results.⁸ Although for some purposes these limitations are severe, these survey data are still quite useful for many purposes and have much to offer over the all-too-frequent speculation regarding the mood of the populace (and various subgroups therein) with respect to criminal justice topics.

"Fear of Crime"

In recent years—especially, it seems during political campaigns—there has been a great deal of popular and professional attention devoted to Americans' fear of walking on the streets at night. In a 1965 survey⁹ respondents were asked, "Is there any area right around here—that is, within a mile—where you would be afraid to walk alone at night?" to which 17 per cent of the men and 48 per cent of the women responded in the affirmative. To the same question asked in 1972 (see Table 1), 20 per cent of the men and 58 per cent of the women answered in the affirmative. For those in large cities (500,000 and over) as contrasted to those in small towns (under 2,500) the percentages answering affirmatively were 48 percent and 21 per cent in 1965 and 48 per cent¹⁰ and 24 per cent in 1972. These results are instructive in several respects. First, in the period from 1965 to 1972—a period in which the "war on crime" was declared and the FBI reported more than a 90 per cent increase in the rate of index offenses known to the police¹¹—there was not a dramatic increase in the percentage reporting fear of walking alone at night, among either males or females. Second, this fear in large urban areas apparently has not increased substantially in recent years. In spite of the lack of an increased fear, however, it is nonetheless alarming to know that one out of two of those residing in large cities fears walking alone at night—and that this extent of fear in urban areas goes back to at least 1965. Finally, Table 1 is useful in showing additional correlates of this fear. Nonwhites are slightly more fearful than whites; and "fearful" respondents are more likely to be found among those with grade school educations, those who are older, and especially those in the low income groups.

8. However, even these observations may be quite informative; in addition, a deck of computer cards containing the raw data is usually available from the survey source, thus enabling the user to perform the analyses desired.

9. American Institute of Public Opinion, Study No. 709, N=1532 adults (21 years of age and older), 1965.

10. Actually in 1972 there were two categories of city sizes where there had been only one in 1965. In cities with populations of 1,000,000 and over, 53 per cent answered in the affirmative, and in cities with populations of 500,000 to 999,999, 43 per cent answered in the affirmative; 48 per cent is the simple mean of these two figures.

11. *Crime in the United States*, 1972.

Table 1

FEAR OF WALKING ALONE AT NIGHT, BY DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Is there any area right around here—that is, within a mile—where you would be afraid to walk alone at night?"

		Yes %	No %
National		41	59
Sex	Male	20	80
	Female	58	42
Race	White	39	61
	Non-white	49	51
Education	College	30	70
	High School	41	59
	Grade School	52	48
Occupation	Professional & Business	30	70
	White Collar	46	54
	Farmers	18	82
	Manual	39	61
Age	18-20	24	76
	21-29	36	64
	30-49	37	63
	50 & over	49	51
Religion	Protestant	41	59
	Catholic	40	60
	Jewish	— ^a	— ^a
Politics	Republican	37	63
	Democrat	45	55
	Independent	35	65
Region	East	41	59
	Midwest	36	64
	South	43	57
	West	42	58
Income	\$15,000 & over	28	72
	\$10,000-\$14,999	38	62
	\$7,000-\$9,999	36	64
	\$5,000-\$6,999	46	54
	\$3,000-\$4,999	46	54
	Under \$3,000	58	42
Community Size	1,000,000 & over	53	47
	500,000-999,999	43	57
	50,000-499,999	49	51
	2,500-49,999	42	58
	Under 2,500, Rural	24	76

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 861.

Perceptions of Law Enforcement Agencies

In a 1967 survey¹² of American adults, respondents were asked, "How much respect do you have for the police in your area—a great deal, some, or hardly any?" Seventy-seven per cent of the respondents replied, "a great deal," while 17 per cent replied, "some." There were no differences in the attitudes of men and women, while the poorly educated and the older respondents had more respect for the police¹³; income and community size were not substantially related to reported respect toward police. Unfortunately, there were too few nonwhites in the sample for separate tabulations by race.

Table 2 presents responses to a different, but related, question—one regarding perceptions of the job done by federal, state, and local law enforcement agencies.¹⁴ Overall, about three out of five respondents rate the job done on all levels as "favorable"; while those in urban areas are less favorable than those in rural areas, there is little variation by region of the country, sex, or education of the respondent. White respondents tend to have a slightly more favorable attitude toward local law enforcement officials than toward state or federal law enforcement officials, while the opposite is the case for the blacks, who view federal law enforcement officials more favorably than they do state or local officials; also, the discrepancy between the attitudes of black and white respondents increases from federal to state to local law enforcement officials. The results of these two polls indicate that a majority of respondents have a positive orientation toward law enforcement officers; in the latter study, whites more so than blacks—with whites being especially more favorable than blacks (67 per cent versus 43 percent) toward local law enforcement officials.

In a 1970 survey,¹⁵ respondents were asked whether they felt that "our system of law enforcement works to really discourage people from committing crime." Seventy per cent of the white respondents and 53 per cent of the black respondents reported that they felt that our system of law enforcement does not discourage people from committing crime. Those with more education and income reportedly more strongly believed that the present system does not discourage people from committing crime; for example, of those with an eighth grade

12. American Institute of Public Opinion, Study No. 749, N=1627 adults (21 years of age and older), 1967.

13. The percentages reporting a "great deal" of respect were: 81 per cent with grade school, but 73 per cent with college educations; 64 per cent of those 21-29 years old, but 82 per cent of those 50 and over.

14. Louis Harris and Associates, Study No. 2043, N=1600 interviewees (16 years of age and older), 1970.

15. Louis Harris and Associates, Study No. 2043, N=1600 interviewees (16 years of age and older), 1970.

education or less, 50 per cent, and of those with a college education, 75 per cent, reportedly believed that the system does not discourage criminal behavior.

Table 2
EVALUATIONS OF OVERALL FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICIALS' PERFORMANCE, BY DEMOGRAPHIC CHARACTERISTICS, 1970

Question: "How would you rate the job done by (federal/state/local) law enforcement officials—excellent, pretty good, only fair, or poor?"

	Federal		State		Local	
	Favorable ^a %	Unfavorable ^b %	Favorable ^a %	Unfavorable ^b %	Favorable ^a %	Unfavorable ^b %
National	60	30	63	30	64	33
Region						
East	59	31	63	29	64	33
Midwest	63	32	61	33	64	35
West	62	29	64	28	63	33
Community Size						
Cities	54	35	54	36	56	41
Suburbs	57	34	63	30	70	27
Towns	65	27	64	31	65	31
Rural	66	26	69	25	66	30
Sex						
Male	60	32	62	34	62	36
Female	60	28	63	26	65	30
Race						
White	62	30	64	28	67	31
Black	52	33	49	42	43	50
Age						
16-20	53	36	60	33	60	35
21-29	57	34	57	34	53	43
30-49	61	31	61	31	63	35
50 & over	64	26	67	27	72	25
Income						
Under \$5,000	60	28	59	33	58	36
\$5,000-\$9,999	62	29	64	28	64	34
\$10,000 & over	59	33	64	29	68	30
Education						
8th grade or less	63	21	61	27	63	31
High School	62	31	64	29	66	31
College	57	34	61	33	60	37
Politics						
Republican	62	27	67	27	70	27
Democrat	61	31	61	32	63	35
Independent	62	32	64	31	60	38

a. "Favorable" is the sum of "excellent" and "pretty good" responses.

b. "Unfavorable" is the sum of "only fair" and "poor" responses.

Source: Louis Harris and Associates, Study No. 2043.

Perhaps the fact that seven out of ten of these respondents perceived law enforcement as failing to deter criminal behavior can help account for the "get tough" posture that respondents in a more recent (1972) survey¹⁶ seemed to be advocating for law enforcement agencies.

In Table 3 it can be seen that more than four out of five respondents call for law enforcement agencies in the United States to be "tougher than they are now in dealing with crime and lawlessness." As can be seen from this table, nonwhites, those with incomes under \$3,000, and those in the 18-20 age group are less inclined to support this view. However, it is clear that, even in the most "lenient" group of respondents, about seven out of ten support a tougher policy by law enforcement agencies in dealing with lawlessness. In light of these results, it is not surprising that an earlier survey¹⁷ found that less than 10 percent of a national sample believed that the police were too tough to the point of being brutal.

But while the demand for strict law enforcement is widespread, there are certain restraints which many Americans favor placing on the activities of law enforcement agents. For example, in response to the question,¹⁸ "Everything considered, would you say that, in general, you approve or disapprove of wiretapping?" 45 per cent of the respondents reported that they approved, 46 per cent that they disapproved, and 9 per cent that they had no opinion.

Perhaps one measure of desire for more stringent law enforcement is the extent to which citizens are willing to cooperate with the police. A 1968 survey asked, "Would you be willing to work with local police in a community anticrime operation and report on any suspicious activity in your neighborhood?"¹⁹ To this query, 87 per cent of the national sample said yes and 13 per cent said no. Although there were too few nonwhite respondents for racial comparisons, 93 per cent of those with college educations but 79 per cent of those with grade school educations and 93 per cent of those earning more than \$10,000 but 76 per cent of those earning under \$3,000 were reportedly willing to cooperate with the police. These data are useful in showing that, at least with respect to income, those income groups most demanding that the police get tough with lawbreakers (see Table 3) are those most willing to cooperate with the police.

16. American Institute of Public Opinion, Study No. 861, N=2742 adults (18 years of age and older), 1972.

17. American Institute of Public Opinion, Study No. 709, N=1532 adults (21 years of age and older), 1965.

18. American Institute of Public Opinion, Study No. 757, N=1500 adults (21 years of age and older), 1968.

19. American Institute of Public Opinion, Study No. 785, N=1555 adults (21 years of age and older), 1969.

Table 3

BELIEF THAT POLICE SHOULD BE TOUGHER IN DEALING WITH CRIME AND LAWLESSNESS, BY DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Which of the two statements—A or B—would you vote for?"

A. I think the police and other law enforcement agencies in the U.S. *should* be tougher than they are now in dealing with crime and lawlessness.

B. I think the police and other law enforcement agencies in the U.S. *should not* be tougher than they are now in dealing with crime and lawlessness.

		A %	B %	Don't Know %
National		83	14	3
Sex	Male	81	16	3
	Female	84	12	4
Race	White	84	13	3
	Non-white	72	23	5
Education	College	78	17	5
	High School	86	12	2
	Grade School	79	16	5
Occupation	Professional & Business	80	15	5
	White Collar	81	15	4
	Farmers	93	7	0
	Manual	84	14	2
Age	18-20	66	29	5
	21-29	76	22	2
	30-49	87	11	2
	50 & over	85	10	5
Religion	Protestant	86	11	3
	Catholic	82	16	2
	Jewish	— ^a	— ^a	— ^a
Politics	Republican	90	7	3
	Democrat	79	17	4
	Independent	83	14	3
Region	East	82	15	3
	Midwest	85	13	2
	South	84	10	6
	West	78	19	3
Income	\$15,000 & over	88	8	4
	\$10,000-\$14,999	86	11	3
	\$7,000-\$9,999	82	17	1
	\$5,000-\$6,999	80	16	4
	\$3,000-\$4,999	80	19	1
	Under \$3,000	73	17	10
Community Size	1,000,000 & over	79	17	4
	500,000-999,999	83	15	2
	50,000-499,999	82	14	4
	2,500-49,999	86	12	2
	Under 2,500, Rural	84	12	4

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 861.

Perceptions of the Courts

Just as the survey results reported above indicate that Americans advocate that the police get tougher with criminals, other survey results are indicative of a similar preference for the courts. In 1965,²⁰ respondents were asked: "In general, do you think the courts in this area deal too harshly or not harshly enough with criminals?" The responses were as follows: too harshly, 2 per cent; not harshly enough, 48 per cent; about right, 34 per cent; and don't know, 16 per cent. Men were more likely than women to report that they believed courts were not harsh enough with criminals (54 per cent versus 42 per cent); comparisons by race were not reported.

A 1968 survey²¹ asking the same question provided results generally following the same pattern but showing an increased perception that courts were not being sufficiently harsh in dealing with criminals: too harshly, 2 per cent; not harshly enough, 63 per cent; about right, 19 per cent; no opinion, 16 per cent. A survey conducted in the following year²² gave evidence of an even stronger preference for harsher treatments; the respective figures falling into the four categories were 2 per cent, 75 per cent, 13 per cent, and 10 per cent.

Suggested Sentences

Table 4 shows responses to a similar question asked in 1972²³—whether respondents were more or less likely to vote for a candidate who took the position of advocating "tougher sentences for lawbreakers." Seventy-nine per cent reported that they were more likely, 10 per cent that they were less likely, and 11 per cent that they had no opinion. There was an inverse relationship between the tendency to be more inclined to vote for such a candidate and both educational attainment and occupational prestige; older respondents were more likely to support such a candidate than were younger respondents.

Concern that harsher sentences be given to *armed* offenders was evident in response to a survey question which asked: "It has been suggested that anyone who commits a crime with a gun be given double the regular sentence. Does this sound like a good idea to you?"²⁴ On a

20. American Institute of Public Opinion, Study No. 709, N=1532 adults (21 years of age and older), 1965.

21. American Institute of Public Opinion, Study No. 757, N=1500 adults (21 years of age and older), 1968.

22. American Institute of Public Opinion, Study No. 774, N=1503 adults (21 years of age and older), 1969.

23. American Institute of Public Opinion, Study No. 856, N=3312 adults (18 years of age and older), 1972.

24. American Institute of Public Opinion, Study No. 774, N=1503 adults (21 years of age and older), 1969.

Table 4

PERCENTAGE LIKELY TO VOTE FOR A POLITICAL CANDIDATE WHO
ADVOCATES TOUGHER SENTENCES FOR LAWBREAKERS, BY
DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Would you be *more* likely or *less* likely to vote for a candidate who took that position?"

		Tougher Sentences for Lawbreakers		
		More %	Less %	No Opinion %
National		79	10	11
Sex	Male	82	12	6
	Female	77	9	14
Race	White	80	10	10
	Non-white	73	14	13
Education	College	71	17	12
	High School	80	10	10
	Grade School	88	2	10
Occupation	Professional & Business	74	14	12
	White Collar	73	14	13
	Farmers	86	9	5
	Manual	82	10	8
Age	18-24	60	27	13
	25-29	73	14	13
	30-49	81	9	10
	50 & over	88	3	9
Religion	Protestant	82	8	10
	Catholic	80	10	10
	Jewish	- ^a	- ^a	- ^a
Politics	Republican	86	6	8
	Democrat	77	12	11
	Independent	75	13	12
Region	East	80	11	9
	Midwest	76	13	11
	South	83	7	10
	West	75	11	14
Income	\$15,000 & over	75	16	9
	\$10,000-\$14,999	80	11	9
	\$7,000-\$9,999	85	8	7
	\$5,000-\$6,999	79	7	14
	\$3,000-\$4,999	85	7	8
	Under \$3,000	68	10	22

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 856.

national basis 58 per cent thought that this was a good idea, 33 per cent thought that it was a poor idea, and 9 per cent had no opinion. Among those with a college education, 54 per cent thought it a good idea, while among those with a grade school education 66 per cent thought it a good idea; among those in the 21-29 age group, 53 per cent, and among those in the 50-and-over age group, 65 per cent thought it a good idea for armed offenders to receive double the regular sentence. In sum, the bulk of Americans seem to favor a more punitive stance by the courts in dealing with law violators.

Attitudes regarding Legislated Criminal Sanctions

No question of relevance to criminal justice has been asked by pollsters over a greater time span than the question: "Are you in favor of the death penalty for persons convicted of murder?" In 1953, this was the national response to the question: yes, 68 per cent; no, 25 per cent; no opinion, 7 per cent. In 1960 the responses to this question were as follows: yes, 53 per cent; no, 36 per cent; no opinion, 13 per cent. By 1965 the respective figures falling into these three categories were 45 per cent, 43 per cent, and 12 per cent.²⁵ Table 5 presents the results for 1972,²⁶ by which time the trend toward a decrease in the proportion of those favoring the death penalty had reversed itself—in 1972, 50 per cent responded that they were in favor of the death penalty. The most striking aspect of Table 5 is the large difference between the white and nonwhite respondents—53 per cent of the former but only 24 per cent of the latter favor the death penalty. Unfortunately, it is not possible to determine whether a racial difference of this magnitude exists for Gallup polls reported in previous years since the number of nonwhites sampled had previously been insufficient to report their responses separately. However, in an earlier (1970) study by Harris and Associates²⁷ a strong racial difference was also found to hold for both males and females. In response to the question, "Do you favor capital punishment (the death penalty), or do you oppose it?" among female respondents 40 per cent of the whites but only 27 per cent of the blacks and among male respondents 60 per cent of the whites but only 26 per cent of the blacks reported that they favored the death penalty. Thus, with respect to the death penalty—as was the case in advocating harsher police and court treatment—blacks adopt much less of a punitive pos-

25. Results from 1953, 1960, and 1965 are reported in American Institute of Public Opinion, Study No. 705, N=2500 adults (21 years of age and older), 1965.

26. American Institute of Public Opinion, Study No. 846, N=3347 adults (18 years of age and older), 1972.

27. Louis Harris and Associates, Study No. 2050, N=4000 adults (21 years of age and older), 1970.

Table 5
PERCENTAGE FAVORING DEATH PENALTY, BY
DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Are you in favor of the death penalty for persons convicted of murder?"

		Yes %	No %	No Opinion %
National		50	41	9
Sex	Male	55	39	6
	Female	45	43	12
Race	White	53	39	8
	Non-white	24	64	12
Education	College	48	47	5
	High School	51	39	10
	Grade School	50	40	10
Occupation	Professional & Business	51	44	5
	White Collar	48	40	12
	Farmers	46	40	14
	Manual	48	43	9
Age	18-20	42	50	8
	21-29	42	52	6
	30-49	52	40	8
	50 & over	54	34	12
Religion	Protestant	49	42	9
	Catholic	52	38	10
	Jewish	-a	-a	-a
Politics	Republican	59	29	12
	Democrat	49	44	7
	Independent	44	48	8
Region	East	55	34	11
	Midwest	42	49	9
	South	46	46	8
	West	59	33	8
Income	\$15,000 & over	52	41	7
	\$10,000-\$14,999	54	40	6
	\$7,000-\$9,999	50	41	9
	\$5,000-\$6,999	51	39	10
	\$3,000-\$4,999	42	47	11
	Under \$3,000	43	43	14
Community Size	1,000,000 & over	58	35	7
	500,000-999,999	46	44	10
	50,000-499,999	45	45	10
	2,500-49,999	48	43	9
	Under 2,500, Rural	51	40	9

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 846.

Table 6
BELIEF THAT PENALTIES FOR USE OR POSSESSION OF MARIJUANA
SHOULD BE DECREASED, BY DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Do you think the penalties for the use or possession of marijuana should be less strict than they are currently, or not?"

		Yes %	No %	No Opinion %
National		30	64	6
Sex	Male	34	61	5
	Female	26	67	7
Race	White	28	66	6
	Non-white	42	47	11
Education	College	47	46	7
	High School	28	67	5
	Grade School	17	76	7
Occupation	Professional & Business	43	51	6
	White Collar	31	64	5
	Farmers	23	72	5
	Manual	27	67	6
Age	18-20	53	42	5
	21-29	42	53	5
	30-49	31	64	5
	50 & over	18	74	8
Religion	Protestant	23	71	6
	Catholic	34	59	7
	Jewish	-a	-a	-a
Politics	Republican	22	72	6
	Democrat	28	68	4
	Independent	39	54	7
Region	East	30	64	6
	Midwest	31	62	7
	South	25	68	7
	West	35	60	5
Income	\$15,000 & over	42	53	5
	\$10,000-\$14,999	30	65	5
	\$7,000-\$9,999	32	65	3
	\$5,000-\$6,999	24	68	8
	\$3,000-\$4,999	29	65	6
	Under \$3,000	16	72	12
Community Size	1,000,000 & over	43	51	6
	500,000-999,999	42	55	3
	50,000-499,999	29	63	8
	2,500-49,999	20	72	8
	Under 2,500, Rural	23	72	5

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 846.

Table 7

BELIEF OF GENERAL POPULATION THAT MARIJUANA USE SHOULD BE LEGALIZED, BY DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Do you think the use of marijuana should be made legal, or not?"

		Yes %	No %	No Opinion %
National		15	81	4
Sex	Male	20	76	4
	Female	11	85	4
Race	White	14	82	4
	Non-white	21	72	7
Education	College	30	66	4
	High School	14	82	4
	Grade School	4	93	3
Occupation	Professional & Business	23	73	4
	White Collar	17	79	4
	Farmers	4	93	3
	Manual	13	83	4
Age	18-20	43	54	3
	21-29	26	69	5
	30-49	13	84	3
	50 & over	6	90	4
Religion	Protestant	9	88	3
	Catholic	20	74	6
	Jewish	- ^a	- ^a	- ^a
Politics	Republican	10	87	3
	Democrat	12	85	3
	Independent	24	70	6
Region	East	19	75	6
	Midwest	16	81	3
	South	9	87	4
	West	18	80	2
Income	\$15,000 & over	28	68	4
	\$10,000-\$14,999	13	84	3
	\$7,000-\$9,999	14	81	5
	\$5,000-\$6,999	13	85	2
	\$3,000-\$4,999	13	81	6
	Under \$3,000	9	86	5
Community Size	1,000,000 & over	23	70	7
	500,000-999,999	24	72	4
	50,000-499,999	19	77	4
	2,500-49,999	9	88	3
	Under 2,500, Rural	7	90	3

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 846.

ture, perhaps, in part, because blacks are disproportionately on the receiving end of treatments meted out by agents of the criminal justice system.

It is probably the case that penalties attached to violation of drug laws have undergone more modification in the last five years than have penalties attached to any other offenses. Table 6 shows responses to the question: "Do you think the penalties for the use or possession of marijuana should be less strict than they are currently, or not?"²⁸ Responses to this question show rather striking relations to the background characteristics of the respondents: nonwhites again are less inclined to take a punitive stance; better educated, higher income, higher occupational prestige, and younger respondents are likely to be more inclined to favor decreased penalties for marijuana possession or use. In the sample poll, respondents were asked about penalties for the *sale* of marijuana. Although only about half the proportion of respondents favor decreasing the penalties for the *sale* of marijuana,²⁹ this belief is related to the background characteristics of the respondents in virtually the same way as was belief that penalties for possession or use should be decreased. For example, 14 per cent of the whites but 21 per cent of the nonwhites favored decreased penalties for the sale of marijuana.

Table 7 gives the responses of a national sample to the question, "Do you think the use of marijuana should be made legal, or not?"³⁰ which was asked in 1972. Overall, 15 per cent replied in the affirmative and again nonwhites, city dwellers, better educated, higher income, and especially younger respondents were more likely to favor legalization. The same question had been put to a sample of college students in 1970 and had received an affirmative reply from 50 per cent of those responding.³¹

Table 8 gives the penalties for using and selling marijuana and heroin which were suggested by a national sample of respondents in 1970.³² As the laws in most jurisdictions now provide, stiffer penalties for sale than for mere use or possession and a harsher view toward heroin than toward marijuana were suggested by the respondents.

28. American Institute of Public Opinion, Study No. 846, N=3347 adults (18 years of age and older), 1972.

29. American Institute of Public Opinion, Study No. 846, N=3347 adults (18 years of age and older), 1972.

30. American Institute of Public Opinion, Study No. 846, N=3347 adults (18 years of age and older), 1972.

31. American Institute of Public Opinion, Special Drug Study, N=1000 college students, 1970.

32. American Institute of Public Opinion, Study No. 802, N=3219 adults (21 years of age and older), 1970.

Table 8

SUGGESTED PENALTIES FOR SALE AND USE OF MARIJUANA AND HEROIN, 1970

Question: "There has been a lot of discussion as to what jail terms, if any, should be given persons 18 years of age and older who are convicted of certain offenses. Would you please tell me, in the case of each of the following offenses, what, in general, you feel should be the jail term?"

- A. For a person caught smoking marijuana or having it in his possession?
- B. For a person who sells or "pushes" marijuana?
- C. For a person caught taking heroin or having it in his possession?
- D. For a person who sells or "pushes" heroin?

	Marijuana		Heroin	
	Pushers %	Users %	Pushers %	Users %
No penalty	3	15	0	6
1 year or less	6	23	0	13
2-5 years	17	24	10	27
6-9 years	3	1	3	2
10 years or more	47	14	24	3
Life imprisonment	16	1	24	3
Death	2	0	4	0
Medical help ^a	—	—	1	12
Other	4	11	8	2
Don't know	2	11	7	12
	100%	100%	100%	100%

a. The category "Medical help" was not among the categories tabulated for marijuana questions in the original source; if this response was evoked, it is included in the "Other" category for marijuana use and sale.

Source: American Institute of Public Opinion, Study No. 802.

Three out of five of the respondents suggested five years or less for marijuana use and one out of two of the respondents suggested five years or less for heroin use; at the other extreme, nearly one out of five suggested life imprisonment or the death penalty for sale of marijuana, while three out of ten suggested these penalties for sale of heroin.

By 1972 Governor Rockefeller, of New York, had proposed a revision of the criminal code to mandate life imprisonment without parole for convicted heroin sellers.³³ Respondents in a 1972 national survey³⁴ were asked the following: "The governor of a state has proposed that all sellers of hard drugs such as heroin be given life imprisonment without the possibility of a parole. Do you approve of his proposal?" Two out of

33. The legislation actually passed provides for sentences up to life imprisonment.

34. American Institute of Public Opinion, Study No. 862, N=1549 adults (21 years of age and older), 1972.

three of the survey respondents approved of his proposal—68 per cent of the whites and 59 per cent of the nonwhites. This, then, is one more bit of evidence that the American public may by adopting an increasingly hard line, at least with respect to selected serious offenders.

Gun Control Legislation

It seems that the gun control issue is one that is surrounded by emotionalism on all sides. Proposals for stricter gun control laws appear to abound after assassinations of, or assaults on, public figures; vociferous support for such measures usually subsides as rapidly as it is generated.

A 1965 Gallup survey³⁵ asked respondents: "Would you favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun?" In this survey 64 per cent of the males and 81 per cent of the females answered that they favored such a law. This survey also found that 48 per cent of the national sample reported having at least one firearm in the home. This proportion varied by region from Eastern states, where only three out of ten homes reportedly had firearms, to Southern states, where two out of three homes reportedly had firearms. Shotguns were reported present in 33 per cent of the homes, rifles in 24 per cent, and pistols in 16 per cent.

In a 1972 survey, respondents were again asked whether they would favor requiring gun purchasers to obtain a police permit.³⁶ Overall, seven out of ten would favor such a law—males (65 per cent) less so than females (77 per cent); the extent of urbanization is directly related to support for such controls—83 per cent in cities of more than one million in population and 63 per cent in rural areas. Interestingly, even among gun owners, three out of five favor requiring gun permits before purchase. In view of the extent of support for such controls over several years—despite the opposition of the National Rifle Association—it is somewhat surprising that more strict control of firearms has not already been widely adopted.

Perceptions regarding Drugs

Table 9 shows the results of a 1972 survey in which respondents were asked whether they believed that marijuana is physically addictive for most people.³⁷ Fifty-four per cent of the males and 66 per cent of the

35. American Institute of Public Opinion, Study No. 704, N=2500 adults (21 years of age and older), 1965.

36. American Institute of Public Opinion, Study No. 852, N=3346 adults (18 years of age and older), 1972.

37. American Institute of Public Opinion, Study No. 846, N=3347 adults (18 years of age and older), 1972.

Table 9

BELIEF THAT MARIJUANA IS PHYSICALLY ADDICTIVE, BY
DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "For most people marijuana is physically addictive."

		Agree %	Disagree %	No Opinion %
National		60	28	12
Sex	Male	54	33	13
	Female	66	22	12
Race	White	60	28	12
	Non-white	62	26	12
Education	College	36	52	12
	High School	62	25	13
	Grade School	83	6	11
Occupation	Professional & Business	43	45	12
	White Collar	51	31	18
	Farmers	75	16	9
	Manual	65	24	11
Age	18-20	37	57	6
	21-29	38	52	10
	30-49	59	27	14
	50 & over	78	9	13
Religion	Protestant	65	21	14
	Catholic	57	30	13
	Jewish	-a	-a	-a
Politics	Republican	65	21	14
	Democrat	68	21	11
	Independent	46	40	14
Region	East	58	31	11
	Midwest	59	29	12
	South	68	19	13
	West	55	32	13
Income	\$15,000 & over	49	42	9
	\$10,000-\$14,999	54	35	11
	\$7,000-\$9,999	57	31	12
	\$5,000-\$6,999	65	21	14
	\$3,000-\$4,999	70	16	14
	Under \$3,000	77	10	13
Community Size	1,000,000 & over	50	38	12
	500,000-999,999	51	38	11
	50,000-499,999	58	28	14
	2,500-49,999	67	21	12
	Under 2,500, Rural	70	19	11

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 846.

females answered in the affirmative. Education and age were found to be very strongly related to the responses, as were (to a lesser extent) occupation, income, and community size. Table 10 gives, by age groups, percentages of respondents in agreement with a series of statements about marijuana.³⁸ Here again, age is found to be related to attitudes. Given these attitudes about the dangers of marijuana *as seen*

Table 10

EXTENT OF AGREEMENT WITH STATEMENTS ABOUT MARIJUANA,
ADULT POPULATION, BY AGE, 1971

Question: (Extent of agreement with belief statements about marijuana listed below.)

	All Adults	Adults by age			
		18-25	26-34	35-49	50+
	2,405	741	659	457	548
<i>Agree that . . .</i>					
a. Marijuana makes people want to try stronger things like heroin.	70%	52%	68%	76%	78%
b. Using marijuana is morally offensive.	64	45	59	69	73
c. It makes people lose their desire to work.	59	46	52	63	66
d. Many crimes are committed by persons who are under the influence of marijuana.	56	35	49	59	69
e. Some people have died from using it.	48	35	42	56	51
f. It is often promoted by people who are enemies of the United States.	45	26	37	46	58
g. It increases enjoyment of things like music and art.	45	63	46	42	37
h. Marijuana helps to relieve some of the tensions of modern life.	43	50	47	43	37
i. While people are smoking marijuana they tend to become more sociable.	39	43	45	38	34
j. Marijuana increases sexual pleasure.	24	33	24	19	23
k. Most people who use marijuana lead a normal life.	23	49	29	19	9

Source: National Commission on Marijuana and Drug Abuse. *Marijuana: A Signal of Misunderstanding*. The Technical Papers of the First Report of the National Commission, Appendix, Vol. II, 1972.

by this national sample, it should not be surprising that its legalization is generally opposed and that penalties for its use, and especially its sale, are at least as severe as they are.

Use of Drugs

In 1969 a national sample of those 21 years of age and over was asked: "Have you yourself ever happened to try marijuana?" To this question, 6 per cent of the men and 2 per cent of the women replied in the affirmative, as did 12 per cent of those under 30 years of age and 1 per cent of those 50 years of age and older.³⁹ Table 11 presents responses to the same question asked in 1972.⁴⁰ As can be seen from the table, marijuana use is greatest among males, nonwhites, college educated, those under 30, those living in large communities, and those not living in the South. In a 1971 study conducted for the National Commission on Marijuana and Drug Abuse,⁴¹ responses to a similar question found a somewhat higher proportion (15 per cent nationally) who had ever used marijuana and found marijuana use to be related to background characteristics in the same fashion as did the 1972 Gallup study noted above, with the exception that use was not found to be related to race. This Commission study also found that only one out of three of the respondents who ever used marijuana were currently using it. Most (61 per cent) of those reporting that they no longer used marijuana said that they had lost interest in it. This finding should give some solace to 60 per cent of the respondents in Table 9, who believe that marijuana is physically addictive.

Studies of drug use among *college students* found that, in 1970,⁴² 43 per cent and, in 1971,⁴³ 51 per cent of the respondents reported that they had ever used marijuana. In 1971, for example, 58 per cent of the males and 43 per cent of the females reported that they had *ever* used marijuana, while 36 per cent of the former and 23 per cent of the latter reported that they had used marijuana in the last thirty days.

38. National Commission of Marijuana and Drug Abuse, *Marijuana: A Signal of Misunderstanding*. The Technical Papers of the First Report of the National Commission. Appendix, Vol. II, 1972.

39. American Institute of Public Opinion, Study No. 789, N=1576 adults (21 years of age and older), 1969.

40. American Institute of Public Opinion, Study No. 846, N=3347 adults (18 years of age and older), 1972.

41. National Commission on Marijuana and Drug Abuse, *Marijuana: A Signal of Misunderstanding*. The Technical Papers of the First Report of the National Commission. Appendix, Vol II, 1972.

42. American Institute of Public Opinion, Special Drug Study, N=1000 college students, 1970.

43. American Institute of Public Opinion, Special Drug Study, N=1000 college students, 1971.

Table 11

GENERAL POPULATION REPORTING THEY HAVE EVER TRIED MARIJUANA, BY DEMOGRAPHIC CHARACTERISTICS, 1972

Question: "Have you, yourself, ever happened to try marijuana?"

		Yes %	No %
National		11	89
Sex	Male	16	84
	Female	7	93
Race	White	10	90
	Non-white	18	82
Education	College	20	80
	High School	10	90
	Grade School	5	95
Occupation	Professional & Business	15	85
	White Collar	10	90
	Farmers	1	99
	Manual	12	88
Age	18-20	31	69
	21-29	29	71
	30-49	7	93
	50 & over	2	98
Religion	Protestant	7	93
	Catholic	13	87
	Jewish	-a	-a
Politics	Republican	7	93
	Democrat	9	91
	Independent	16	84
Region	East	13	87
	Midwest	10	90
	South	7	93
	West	18	82
Income	\$15,000 & over	12	88
	\$10,000-\$14,999	10	90
	\$7,000-\$9,999	13	87
	\$5,000-\$6,999	11	89
	\$3,000-\$4,999	14	86
	Under \$3,000	8	92
Community Size	1,000,000 & over	20	80
	500,000-999,999	15	85
	50,000-499,999	13	87
	2,500-49,999	10	90
	Under 2,500, Rural	3	97

a. Percentage not reported because there were too few respondents in this category.

Source: American Institute of Public Opinion, Study No. 846.

In the 1971 study the respondents were also asked about the use of other drugs. For example, 21 per cent of the males and 13 per cent of the females reported that they had *ever* used hallucinogens; the respective figures for reported hallucinogen use in the last thirty days were 6 per cent and 2 per cent.

The respective figures for males and females who reported that they had *ever* used other drugs were as follows: amphetamines, 25 per cent and 18 per cent; barbiturates, 17 per cent and 12 per cent; cocaine, 8 per cent and 5 per cent; and heroin, 2 per cent and 1 per cent. These results indicate—certainly with respect to cocaine and heroin—that the level of marijuana use on college campuses far exceeds the level of use of harder drugs.

Causes of Crime

A 1972 national sample was asked: "What's behind the high crime rate in the United States?"⁴⁴ One in four cited laws as being too lenient or penalties not being stiff enough; one in five cited drugs or drug addiction; one in seven cited lack of parental supervision; and one in seven cited poverty or not enough jobs. In 1970, respondents were asked: "Which in your opinion is more to blame for crime and lawlessness in this country—the individual or society?"⁴⁵ Fifty-eight per cent reported that they believed that society was more to blame, while 35 per cent believed the individual was. Although there were no race or sex differences, those with college educations were more likely than those with grade school educations (63 per cent versus 51 per cent) and those earning \$15,000 or more were more likely than those earning less than \$3,000 (67 per cent versus 50 per cent) to report that they believed society to be more to blame. Therefore—somewhat surprisingly—those who have been "done well" by society were *more* likely to blame it for problems of crime; perhaps, those with less education and poorer occupations who are struggling merely to survive—and who are able to lead essentially law-abiding lives—are more willing to attribute to individual weakness the criminality of those similarly (or better) situated.

As suggested at the outset, survey results of the general type reviewed herein can be quite valuable to a broad range of people with criminal justice interests. The primary purpose here has been to present the results of a sample of national surveys on criminal justice-related topics that have been conducted by a variety of polling organizations for a

44. American Institute of Public Opinion, Study No. 847, N=3278 adults (21 years of age and older), 1972.

45. American Institute of Public Opinion, Study No. 815, N=1507 adults (21 years of age and older), 1970.

wide range of purposes, especially during the past two decades. These data are far too rich in information which is crucial to applied and theoretical concerns in criminal justice to remain unexplored.

Fortunately, some attention is now being focused on public opinion data of relevance to criminal justice⁴⁶ which are currently available from various sources.⁴⁷ At this time, however, this wealth of data remains essentially untapped. Given the generally inferior quality of criminal justice data which have traditionally been available from official sources, it seems ironic that public opinion data have not been more fully mined. On many issues these data provide a running historical record of changes in the stance of the public regarding matters central to criminal justice. For the empiricist, the theorist, the practitioner, the planner, and those interested in "social indicators," the potential of public opinion data is far too great to continue to be ignored.⁴⁸

46. See A. Biderman, S. Oldham, S. Ward, and M. Eby, *An Inventory of Surveys of the Public on Crime, Justice, and Related Topics*. Washington: U.S. Government Printing Office, 1972.

47. For a good collection of his polling results see George Gallup's *The Gallup Poll* (vols. I, II, III). New York: Random House.

48. For the benefit of all of the potential users enumerated here, an excellent use of federal funds would seem to be the undertaking of periodic (e.g., biannual), in-depth, sample surveys which would explore topics central to criminal justice planning, research, and theory. In connection with its National Crime Panel—a study of victimization—the Statistics Division of the Law Enforcement Assistance Administration has included a series of attitude questions which serve as a starting point in the systematic accretion of periodically collected public opinion information regarding criminal justice. The importance of this research, however, would seem to suggest that additional effort—covering a broader range of criminal justice topics—is warranted.

Questions and Answers

In this section the Information Center on Crime and Delinquency answers several recently received questions believed to be of wide interest.

Q.: Where can we find studies on the effect of the mass media on correctional policies?

A.: We are not aware of any such studies published during the last fifteen years. Studies of correctional policies have generally concluded that the power of decision rests with well-defined élites who are the gatekeepers of correctional change. A recent study concludes that state governors, heads of correction departments, legislative committee members, and party leaders constitute the gatekeepers and that they, themselves, are difficult to influence.

Q.: A recent article by an economist reviewing deterrence research concludes that increasing the penalties for crime does act as a deterrent and reduces crime. Is this not contrary to everything NCCD stands for?

A.: NCCD has on file 121 studies, articles, and books on deterrence published during the last decade. For each study which finds that punishment deters crime there are two which find the opposite. One of these, for instance, concludes that "increasing severity of incarceration appears to seriously undermine the goal of specific deterrence." Some conclude that certainty, not severity, acts as a deterrent; some conclude that there are exceptions to this; others find that both are a deterrent; still others, that neither is a deterrent. Some find the correlation weak; others, statistically significant.

The economic argument is rejected by a mathematical analysis which concludes that the economic rationale behind crimes is unimportant.

Studies of the deterrent effect of law enforcement on crimes present the same contradictory picture. Experiments with penalties on specific offenses are no more helpful: one experiment with traffic offenders, for example, found that fines were the least effective sanction; another found that they were the most effective sanction; another found that assignment to driver's school without probation was the most effective; another found that ordering violators to write a paper on traffic safety was most effective; another study of the effect of fines, probation, and therapy on drunken drivers found that

none of the sanctions produced superior driving records; and yet another found that a seven-day jail sentence for drunken driving did not change the driving habits of Chicagoans.

Q.: What is the recidivism rate of offenders in the United States?

A.: This is the most frequent question asked of the Information Center. Although it was answered in two previous issues of this journal there is continued confusion regarding it. This is understandable because *there is no specific answer*. The answer depends on many factors, including the *definition* of recidivism, the *universe* from which the figure is derived, and the *length of the follow-up*. It also depends on the source of the information: police, courts, prisons, or individual researchers.

Some of the best data-gathering agencies, such as the California Criminal Statistics Bureau and NCCD's Research Center, avoid the term "recidivism" altogether. NCCD's February 1974 *Uniform Parole Reports*, which provides national data on the two-year performance of inmates released on parole, shows that (1) 67 per cent of the parolees continued on parole with no (or little) difficulty; (2) 1 per cent continued on parole in spite of minor convictions; (3) 1 per cent continued on parole in spite of major convictions; (4) 6 per cent absconded; (5) 18 per cent were returned to prison as technical violators; (6) 0.5 per cent were returned to prison although they had no violations and no convictions; and (7) 7 per cent were returned to prison with new major convictions.

It is clear from the data that some recidivists (i.e., persons who commit a new offense after release from prison) continue on parole while others are returned to prison although they are not recidivists. The offenses of still others are not found out. It is therefore more meaningful to talk of prison returns than of recidivism: of those inmates released from prisons on parole across the country in 1970, slightly over 25 per cent returned to prison within two years following release.

Q.: Are arrests for victimless crimes increasing, decreasing, or remaining about the same?

A.: According to FBI reports, the *percentage* of arrests for victimless crimes in the United States has decreased slowly but steadily for the past five years: in 1969, 51 per cent of all arrests were for victimless crimes; in 1970, 48.8 per cent; in 1971, 47.2 per cent; in 1972, 44.1 per cent; and in 1973, 43.1 per cent. The breakdown for 1973 is as follows:

ARRESTS IN THE UNITED STATES, 1973

Total, all categories	9,027,700	100%
Seven Index Crimes (murder, rape, robbery, assault, burglary, larceny, auto theft)	1,833,300	20.3%
Victimless Crime		
Drunkenness	1,599,000	17.71%
Disorderly conduct	720,400	7.98%
Narcotic drug laws	628,900	6.97%
Liquor laws	272,000	3.01%
Runaways	265,600	2.94%
Curfew and loitering	151,200	1.68%
Gambling	68,300	0.76%
Vagrancy	62,300	0.69%
Suspicion	67,100	0.74%
Prostitution	55,800	0.62%
Total Victimless Crimes	3,890,600	43.10%

Only minor changes are reported in the various categories from year to year. Arrests for narcotic drug law offenses are an exception to the general decline in arrests for victimless crime; they have increased steadily since 1969 both in absolute numbers and in the percentage of total arrests. More than twice the number of arrests are reported for 1973 than for 1969:

	Total arrests for narcotic offenses	Percentage of total arrests
1969	310,390	3.9%
1970	415,600	5.1%
1971	492,000	5.7%
1972	527,000	6.1%
1973	628,900	7.0%

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