

The Criminologist

The Official Newsletter of the American Society of Criminology

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March/April 1995

KEYNOTE ADDRESS: 1994 ASC MEETING IN MIAMI, FLORIDA

Janet Reno
Attorney General of the U.S.

It's a great privilege for me to be here with you tonight. Mr. President, I thank you, you have been an inspiration to me from a distance. I look forward to working with you, and with your incoming president, Dr. Adler. We've got so much to learn from each other and this is such an exciting time to learn and to communicate and to work together.

It's fitting, I think, that I address this society, in this place. I can't tell you how many meetings I've attended in this building. It is particularly fitting to me that I am here with Dr. Tom Blomberg who has been a wonderful balance to remind me of what's right—which you sometimes forget, when you get involved in the pressures of the street and the courtroom. So many of you in this room have helped me so much to try to figure out what to do. I'm developing a sense that we can work together, that we can exchange information, and that we can exchange it in a timely way so that it makes a difference to me and to the distinguished practitioners on your panels.

The theme of your conference this year "Challenges of Crime and Social Control" speaks directly to the aims of what we are about at the Department of Justice. We've seen a crime bill pass after a lot of tumultuous debate, and a lot of rhetoric. We have an extraordinary challenge—whether you like the entire crime bill or pieces of it. There are wonderful opportunities in that bill to make a difference in America if we take the expertise, the knowledge and the back-



ground in this room and put it to work with practitioners on the streets. We especially need to make sure that the community policing provision—which calls for 100,000 police officers on the streets of America—works right. We need to help police officers understand what it means to involve citizens in identifying problems and priorities. We need to make sure that police understand that the neighbors, the residents are their allies. We need to make real for all America what I heard a young woman say in Dallas, "I never trusted police, I grew up being told not to trust police, and I've been working with my community police officer, she's my mentor." I have seen three young men come from

Dorchester, Massachusetts to tell the President of the United States what their community police officer has meant to them. I have heard a retired person say how she and her husband had volunteered with community police officers because they now felt safe enough to come out to their communities to make a difference. We need to take the expertise in this room and use it and apply it in police agencies large and small throughout this country showing them what works and what doesn't work, and what we can do to make it better.

We should not write it off if it doesn't work, but say instead, let's work on this, let's improve this. It's you in the research community who are leading the way in identifying the problems and looking for solutions.

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AROUND THE ASC

The following ASC members were elected on January 14 in Paris by the Board of Directors of the International Society of Criminology (ISC) to the following positions:

Hans-Juergen KERNER, University of Tuebingen, President
Lawrence W. SHERMAN, University of Maryland, President, Scientific Commission
Joan McCORD, Temple University, Vice President
Wesley SKOGAN, Northwestern University, Member of the Board
Albert REISS, Yale University, Honorary President

The ISC Board also chose Seoul, Korea as the site of the 12th World Congress of Criminology in 1998. The last World Congress, in Budapest, drew over 1,000 criminologists from 57 countries.

The Law and Society Division of the Society for the Study of Social Problems has established the Alfred R. Lindesmith Award to honor the best paper on a law and society topic presented by an untenured faculty member or student at the SSSP annual meeting. **Susan M. CARLSON** (Assistant Professor, Department of Sociology, Western Michigan University) is the recipient of the first award for her paper presented at the 1994 meeting in Los Angeles. The title of Professor Carlson's paper was "The Family and Medical Leave Act of 1993: Progress toward Gender Inequality or Maintenance of the Status Quo?" In unanimously selecting Professor Carlson's paper, the Lindesmith Award Committee noted that it "has a nice balance between theory and data" and called it a "good, interpretive historical work about the workings of the state and legislation formation."

Jess MAGHAN, an expert in law enforcement and correctional services training, has been named executive director of the Center for Research in Law and Justice at the University of Illinois at Chicago, effective January 1, 1995. Before going to Chicago, Maghan was director of training and later commissioner for 10 years for the New York City Department of Correction, the world's largest municipal correctional system.

Letter to the Editors:

As our membership grows it is possible that more divisions will be created. Should such divisions reflect academic issues or a particular group of people? Clearly, this question was in the minds of the women who created the Division of Women and Crime (DWC). Should they focus on scholarly issues concerning women which have been overlooked by most male criminologists or should they form a "sisterhood"? I believe the majority of the women in the Division favored the former and encouraged men who shared these concerns to join. Frank Scarpitti and I were among the few men who came to early meetings and were urged to continue in order to foster the idea of an issue-oriented division. Unfortunately, many men who do research in this area, do not participate.

Although I have only done one article and one chapter on feminist issues, I continue to attend many DWC functions. Now many of my friends are in this division; and since I became Executive Secretary, it has been useful to be a link with our most "legislatively active" division. The resolutions and initiatives proposed by the DWC constantly help the ASC define the nature of divisions and the types of activity appropriate for an academic organization.

We now have a proposal for a Division on People of Color. The same issues apply. I hope that white people who do research on race and crime will join. I am sure that they will be welcome, but as in the DWC, some people do not feel comfortable when they see themselves as a small minority. Admittedly, there may be some who prefer a "sisterhood" and homogeneous groups; but as we all know the civil rights movement was led by people of color, but others joined in. Our divisions can help us focus on neglected issues, but they should not separate us into hostile camps. The leadership shown by the women in the ASC helps the organization struggle to clarify its academic and social roles. If whites do not feel comfortable in a Division on People of Color and if men do not feel comfortable in the DWC, we are not achieving the larger goals of this society.

Jim HACKLER, University of Alberta

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Correction and Apology: The editors and Sarah Hall, ASC Administrator, would like to apologize to **Professor Jack P. GIBBS** for having been omitted from the list of ASC Award Winners that was printed in the November/December 1994 issue of *The Criminologist*. Professor Gibbs was the recipient of the Edwin H. Sutherland Award in 1983.

The Criminologist

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RESEARCHER SEEKING INFORMATION ON ALFRED LINDESMITH AND HARRY ANSLINGER

John F. GALLIHER is beginning a biography of the late **Alfred LINDESMITH** of Indiana University. For many years Lindesmith was harassed by **Harry ANSLINGER**, the director of the Federal Bureau of Narcotics and his agents. Galliher is now seeking copies of any letters Lindesmith may have sent to acquaintances describing this problem as well as any other documents or personal experiences people may have reflecting this pattern of harassment. Contact John F. Galliher, Sociology Department, University of Missouri, Columbia, MO 65211

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KEYNOTE ADDRESS, continued from page 1

But consider this: it's not just practitioners, it's not just criminologists, it's not just those involved in the theory or practice of criminology that are going to solve the problems—it's all Americans working together. I would like to urge you to look beyond the bounds of your particular discipline, your profession, and to start talking about the problem in more general terms. For too long now, we've gotten too specialized. To be able to solve the problems of America, sociologists, criminologists, lawyers, doctors, public health experts, child development experts, city planning people, and police are going to have to come together. Even the transportation specialists are going to have to be brought in, because if we develop the perfect program over here and somebody can't get to it because it's three bus trips away, it's not going to work. All of us involved in the field, whether we are on the streets, in the courtrooms, or in the classrooms, are going to have to look at problems as a whole to make a difference. I think we can.

I also think we are going to have to look at the crime problem on a developmental continuum. When I first took office in this county as a prosecutor in 1978, I wanted to emphasize the juvenile justice system. I wanted to make sure that people understood how important it was to focus on juveniles before the criminality of the young became ingrained. I started by looking at the presentence investigations. I soon realized that unless we started earlier we would never have enough dollars to change that child and every child similarly situated. If we waited until they were adjudicated delinquents, we were too late.

So I focused on drop-out prevention, middle school. It quickly became abundantly clear that if we waited until a child was dropping out, or on the verge of dropping out, we could never make a difference. Because that child had already lost their self-respect. They thought they were stupid, they didn't know what to do with themselves, they were going to act out in other ways. And so we started focusing on early intervention programs. Then the crack epidemic hit Miami, earlier than in most places in the nation. The doctors in this community took me to a large public hospital. We tried to figure out what to do about crack-involved infants and their mothers. It's then that I understood that unless all of us, whether we

are prosecutors, attorney generals, criminologists, or whatever our specialty, needed to start looking at the whole continuum of a child developing into a criminal and start taking steps early on along the way. Otherwise, we will never make a difference.

We can develop marvelous truancy prevention programs. But they are not going to work if we don't have after-school, evening programs, job training programs, and school-to-work programs. We have to give youngsters skills that can enable them to earn a living wage. We need to take the young lady who was truant in the third grade and teach her how to grow to be strong, wise, and financially able enough to take care of her children, before she has her children. All of us have an extraordinary responsibility. I look forward to working with you in every way I possibly can to develop the dialogue, both here and with other disciplines to make a difference.

It was very touching for me to meet one of your German colleagues tonight. I have tried to reach out beyond this nation to recognize that crime and many of the problems that we face in America are becoming problems that are faced throughout the world. What we do in terms of crime in this nation will have an impact and vice-versa. Immigration, the economy, the environment—all are global issues now. So we must reach beyond our community, our nation, to the world, and to develop a comprehensive approach that can make a difference.

The crime bill offers that opportunity. I look forward to making that crime bill real, to providing 100,000 police officers on the streets of America where they count—and to take the monies for prisons and make sure that it makes a difference. Let's focus on truly dangerous offenders, making certain that they are kept away for the length of time judges are sentencing them, while recognizing that anybody who goes to prison for a short or medium term will return to their communities. What has caused failure so often in America is the failure to provide aftercare that can make a difference. We need to provide aftercare that will give persons job training, job placement, that will give them support and treatment for the drug use that caused the problem in the first place.

I need your help to try to make sense in this public debate over crime. Sure we can send people to prison who threaten or shoot or pistol-whip their victims. They deserve to

go to prison. But if they've dropped out of school when they were 12; if they were delinquent two times; if they are now convicted of robbery at 18; if they're sent to prison for five years and if they are released at 24 and go back to the apartment over the open air drug market where they got into trouble in the first place; back to the family that was crack involved; back to that family having no job skills; back to the family without having any aftercare to deal with their drug problem—we will be no safer.

You and I have got to convince America that we've got to do it smarter, better, and different if we are going to deal with America's crime problem; and that the crime bill provides money for aftercare that can make a difference. We've got to make sure together that those programs are provided in the most effective manner possible.

We've got to look at domestic violence. You were the first—you people, your colleagues, some of you in this room—were the first to tell me back in 1978 to start looking at it and understand it. One of the most wonderful practitioners I know, Dr. Joseph Davis, said, "Come over here to the medical examiner's office and start looking at our data and find out who's been killed in Dade County, start making sense of the facts and figures in your own community before you start developing strategies." We did so. We found that 40% of the homicides in Dade County over the previous 25 years were related to domestic violence involving boyfriend, girlfriend, husband, wife, ex-spouse. We developed a domestic intervention program. But it's taken 15 years to get this community to even consider the development of programs in the police department in conjunction with courts, in conjunction with prosecutors, and with aftercare that makes a difference. You have got to help us forge a unity between the disciplines, between the courts and police, between the public health community and the criminal justice community that can make a difference, and I look forward to working with you in that effort.

We have also got to understand what works in terms of prevention. Now there is a feeling afoot in America, particularly after Tuesday, that the American people aren't interested in prevention programs. I think that's just plain wrong. The American people don't want to waste their money, they don't

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want to see their good money thrown after bad. They want to see programs that work and they desperately hope that prevention programs will work. You have got to help me prove to them that they do work.

There is one challenge that I think is important for us all. You will sometimes assess a particular program and you will look at recidivism rates, you will look at longitudinal studies and you will tell me that the outcomes don't indicate success. But you fail to point out that the reason that outcomes don't indicate success is because after that program was successfully completed, no aftercare, job training or placement was provided. The Head Start Program that was so successful wasn't carried forward with after school and evening programs. Not only do we have to show what is working, we have to show what's not working and why it isn't working and what can be done to make it work.

I hear too often today in America, we are going to lose a generation. I refuse to accept that we should lose any child, any generation, any age group. But we need your information, your research, your study in a timely way that can make a difference. The people in the National Institute of Justice and others are tired of hearing me say how much I enjoy reading their bulletins, their pamphlets and everything else. Only they were three years too late. I was on the streets of America trying to figure out what to do with burgeoning court calendars, with prosecutors that had 400 cases at any one time, with a rising increment of youth violence. I had people in the community telling me we were going to have to sacrifice a generation. I refuse to sacrifice that generation and I need your research *as soon as possible* in the soundest way possible to start proving that we can save a generation.

It has been about 20 months since I was sitting here in this community—minding my own business—having just been elected to a new term as state attorney and wondering what I was going to do. I was trying to focus on youth violence, for I recognized that it was one of the most difficult problems of the criminal justice system. I was wondering how to make sure that I didn't get in a rut, didn't get stale, didn't get burned out, that I tried new ideas. I was reaching out to so many of you who have made a difference in my life, when suddenly I found myself in Washington. And as I prepared for confir-

mation I started hearing about OJP, BJS, NIJ, so many different acronyms. I had to consider whether they worked together as a team, whether they went in different directions, and how to structure these agencies. Well I can tell you now after 20 months, I am told I am the first attorney general who has all the team in place, all confirmed at the same time. And they are a magnificent team, and I believe deeply in what they do. Laurie Robinson is the Assistant Attorney General in charge of the Office of Justice Programs. Jeremy Travis and Jan Chaiken and Shay Bilchik and Aileen Adams and Nancy Gist will form a team that I think can truly make a difference. But it won't make a difference, none of what we do will make a difference, unless we establish a current and vigorous dialogue with you. I appreciate dialogue, discussion, yes even the arguments and the disagreements. We need open minds so that we stop closing the doors on thoughtful research. I can sit in the conference room of the Attorney General's Office of the United States of America and have Mark Rosenberg and Al Blumstein talk to me about youth violence and what we can and cannot do and have one of the most invigorating discussions I have heard. This is what we need. We need current research, as good as we can get.

Some of you will tell me, "Well I can't get it to you that soon because it won't be scientific." But saving is sometimes not scientific. To save lives you sometimes just tie up the wounds. I need the best timely advice I can get to tie up the wounds—and then we need to look to the long term research and do what we can to save the children for the future. Above all, we have got to make a difference.

I was a chemistry major. I am where I am now because I wasn't very good at research. But I came away from my chemistry major with a profound regard for those who do research and for scientific and thoughtful discussion. It has been made all the more important to me in these last days as I have watched the public health community coming together with the criminal justice community. Most of my 15 years in Dade County was spent with doctors and lawyers fighting each other over the malpractice laws. It is so wonderful to come to Washington and have the ABA and the AMA together talking about domestic violence and youth violence and what we can do to solve the problems.

I ask you to help me shape a national agenda for children and youth development. I recall my experiences in watching presentence investigations, from walking into the neonatal unit at Jackson Memorial Hospital, from listening to child development experts who taught me that 50% of all learned human response is learned in the first year of life. I learned that the concept of reward and punishment is developed during the first three years. I learned that everything that a juvenile court or a prosecutor or an attorney general does will be for naught unless we build a strong foundation.

Let us join together and structure this national agenda for children that says we will focus on making sure that parents are old enough, wise enough and financially able to take care of their children. Let us understand that for too long we have been teaching people about an awful lot of things, but that parents desperately need to know about parenting skills. We need to find out what is working and not working in teen pregnancy prevention.

We need to talk to each other, to communicate among disciplines. Let us find out how we can do it—together. Don't focus in a vacuum. You may be doing a project that focuses on the delinquent 16-year-old in the family while some sociologist across town is focusing on the 14-year-old who became pregnant. Let's focus on the whole and figure out what to do as a whole package that can make a difference for that family, that neighborhood and that community.

You and practitioners in the field can make and have made such a difference. To go to the New York State Correctional Institute where there is a nursery in the women's prison, where there is a child development program in the women's prison that is teaching parents how to parent, you can see how the disciplines have come together. Let us make sure that this nation understands how important prenatal care is, not in a dry, research tone, but in real words that the ordinary person can understand.

Tell them that if they don't believe in helping our children from common humanity, that for every dollar spent for prenatal care, we will save \$3 in health care costs in the first three years of life. And if you can start working with me, we can show them what we can save in remedial programs for

Please see KEYNOTE ADDRESS, page 8

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behavioral problems 8-9 years from now, and in prisons 15 years from now. Let us show them how important those first three years are. If they don't understand from common humanity, then let's do what I did and go to that nursery and see a crack involved baby who hasn't been changed or talked to or held or fed and isn't responding with human responses. Whereas across the nursery there are children with horrible birth problems who have both parents with them around the clock. These children who receive loving care are responding to fight the pain and to fight the crippling nature of the birth defects.

Let us start putting your research in human terms, let's get away from the numbers alone and the political rhetoric. Let's tell the businessman, OK, you've got a chain-link fence around your building, and you've got a barricade around your home. But if you don't care about the causes of crime, you're not going to have a work force with the skills that can fill the jobs that maintain America as a first rate nation.

You are listening to the Attorney General of the United States tonight, but you might as well be listening to the Secretary of Labor talk about school-to-work programs, and about learning programs, and about the anxious generation who have not been graduated from high school with skills that can enable them to earn a living wage. Let's start looking at afternoon and evening programs, truancy prevention programs, conflict resolution programs.

Let's understand our audience. We're trying to sell the American people on crime prevention. We are trying to sell the American people on what works and what doesn't work. Disputes between academicians and practitioners about what's working and not working isn't going to help. We need to be positive. We can say that a program is not working, but it could work if only we do this. Think positively. Then we can make a difference.

Now let's get down to some realities. Anybody who thinks that this is the end of Democrats should go read a biography of Harry Truman on what it was like in November of 1946 at about exactly the same time. The House was overwhelmingly Republican, the Democrats had been kicked out of both the House and the Senate and the State Houses. There was one young congressman who suggested that Truman appoint Arthur

Vandenberg, a distinguished Republican, as Secretary of State so that Truman could resign and Vandenberg could become President of the United States to deal with Congress. Look what happened two years later. For those of you who are too young to remember, two years later Harry Truman was elected President of the United States.

I don't care whether you are Republican or Democrat, what I am advocating is that we discuss what's right, that we continue the dialogue, that we continue the research, that we do not let ourselves get swept up in the political rhetoric that is counter-productive to finding the truth. I want to make sure that research is a part of the Justice Department. I don't want to just have meetings with OJP and NIJ and BJS, I want BJS, and OJP, and NIJ at the table with the criminal division, with the United States Attorney's Office, at the table with the FBI. I want the whole Department of Justice trying to figure out what works and what doesn't work by supporting sound research—and we are dedicated to doing that. We've conferred with the appropriations committees, and we will have to confer again to ensure funds for new grants to NIJ to support evaluation. The NIJ team is thoroughly engaged in planning new efforts so the evaluation issues are considered right from the start. We expect implementation and evaluation to go hand-in-hand, and we don't expect the evaluation to come in one year after the problem has changed in the community, when it's outdated and of no further use.

This means we will be challenging you, asking you to find ways to really help us make a difference. Find out what we can do about violence, try to develop a clearing-house where we can get information out across the country as soon as it's happening. We need it in so many areas that will be critical. For example, to know how community policing efforts are working. It will be critical to see how they are working in a particular community context. You can point out to me that community policing is doing wonderful things, they've had this many contacts with the neighbors, this is what they have done. But unless we look at the results for the community as a whole it won't make any difference.

In corrections we need to know how to make our alternatives work better. You and I know that alternative sanctions do work better in so many different situations, but

we've got to make it even clearer to this nation—that unless we utilize alternative sanctions, unless we focus on non-violent offenders who are in trouble and give them alternative sanctions short of prison, give them alternative sanctions that will enable them to come back to the community, we won't achieve public safety.

We've got to understand what are the elements of a well-conceived drug court. I have helped develop a drug court in this town. I have watched the *Miami Herald* from afar lambast drug courts and castigate them, and then turn around and praise them. We can't let newspaper headlines decide policy and practice. We have got to find out between practitioners and research specialists what's working, what doesn't work, how to make it work better. We need to improve, to refine and to find out why something is not working as well as it could be.

One of the most important provisions under the crime bill is a program of grants administered by the Bureau of Justice Statistics which will be a key to implementing the Brady Handgun Violence Prevention Act. (I'm going to have trouble for the rest of my life referring to it as anything but the Brady Bill and the Crime Bill.) When someone who is ineligible to purchase a handgun tries to buy one, that will be recorded. The database prepared by the FBI and state and local law enforcement agencies must be accurate and up-to-date and accessible if the gun dealer is to acquire the facts in time to deny the purchase. If we perform these crucial data tasks right, the people in systems supported by the BJS grants will play a major part in preventing violence, and it is so important that we do that. Current information is critically important. I have been on the receiving end. I've been the prosecutor who let somebody go because I didn't have immediate information that could make a difference. Whether it would be the implementation of the Brady Bill, whether it would be information for a prosecutor, whatever we do, we cannot operate without timely and accurate information.

I suspect that all of you are much further ahead of the game than I am in terms of automation. I think if you invite me back as an old lady 15 years from now to see what we have done, both in the field and in academia, and see what has happened in terms of auto-

Please see KEYNOTE ADDRESS, page 9

KEYNOTE ADDRESS, continued from page 8

mation it will be almost unbelievable. But we have a special responsibility to make sure that what we automate gives us the truth, helps us get better information, rather than chaining individuals with albatrosses that follow them for so long that they become a limiting and non-liberating part of their lives. Automation in this land is going to be a great tool, but it can also be a great burden. All of us in this field are going to have to be very careful to make sure that we use automated information the right way. We need to use records the right way, not to label persons for the rest of their lives so that it is impossible for them ever to get off on the right foot.

My phone number is 514-2002. I'm told that I should never use that number because when somebody gets a real problem the phone starts ringing. I'd ask you to use it sparingly, but I would ask you if you can't get Jeremy or Jan or Laurie to focus on a situation, and that's going to be because they may be involved in some other crisis, call me. If within the Justice Department we are not working together, if the FBI and NIJ and BJS are not working together, let us know. If there are ways that we can work with you better, use that phone number. It is so important that the federal agencies come together, but not just law enforcement. HHS, Education, Labor, HUD and DOJ are trying to develop a true partnership recognizing that communities understand their needs and resources better than we do. The federal government should be a partner with local communities in trying to make things work, trying to deliver programs to communities that fit communities needs. We've got to work together to make a difference and to develop a continuum within communities, such as our program called Pulling America's Communities Together, the PACT Program that we have started with the other federal agencies in Denver, Omaha, Washington, and Atlanta. That can make a difference.

Another effort prompted by the inter-agency group is the Inter-Departmental Research Working Group, chaired by Peter Edelman of Health and Human Services. Again, we are trying to make sure that the pieces come together, that early childhood development programs are blended into education programs, that are blended into OJJDP's programs, so that we can develop programs that can make a difference. We need your research to build on that. We have so much to do. What I suggest to your

outgoing and incoming president is that we talk regularly, that we develop a dialogue, that you will always feel free to call me, Dr. Adler, but that we perhaps talk quarterly. I know that you will be talking to everybody in OJP and in the agencies, but that we come together and just share, and talk about what the department can do to work together better with the research community—and what you can do to enhance the efforts of all involved in trying to do something about crime in America.

Finally, I would tell you that I hear so much pessimism in this country, the problem is so big, it is so overwhelming, there are so many children at risk. I will tell you after a year and a half I have never felt so strongly that Americans, those in research, those in communities, can make a difference. There is so much good will out there, there are so many people in so many communities trying to make a difference, there are so many programs that are making a difference. We can't let the size of the problem overwhelm us. We've got to take your search for the truth, your search for what works, your search for what can be improved, meld it with our efforts to stem the tide, to try and control crime, to make a difference for America, and then we've got to recognize that, indeed we can do it. Child by child, family by family, block by block, neighborhood by neighborhood, community by community, we can take back America for the children and for the future—and I look forward to working with you every step of the way.

From the Editors: Attorney General Reno's Keynote Address on November 11, 1994, was recorded electronically and then transcribed. The essay reprinted here represents an edited, and excerpted, version of her speech. The editors would like to thank Christy Visher for her assistance in these processes.

NEW RELEASE

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CRIMINOLOGY AND CRIMINAL
JUSTICE DIRECTORY

March 1995
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Compiled by

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University of Texas—Arlington

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SISTER ORGANIZATION
OF INTEREST

The in-house quarterly, *Criminal Justice Matters*, is available through the **INSTITUTE FOR THE STUDY AND TREATMENT OF DELINQUENCY**. Members of the Institute receive CJM free as well as regular mailings and discounts on events and other publications (including the *British Journal of Criminology*). *Criminal Justice Matters* provides information and informed opinion on all aspects of criminal justice including the police, the magistracy, crime prevention, forensic psychiatry, prisons, victims, women and crime, the law, probation and the judiciary both in Britain and abroad. Your order or membership application can be sent to:

Julia BRAGGINS
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1995 CALL FOR PAPERS
ANNUAL MEETING
BOSTON, MASSACHUSETTS
NOVEMBER 15-19

CRIME AND JUSTICE: NATIONAL AND INTERNATIONAL

The 1995 program theme includes all issues of crime and justice on national and international levels. The Annual Meeting of The American Society of Criminology will be held in Boston at the Boston Park Plaza Hotel from November 15-19. The Program Committee welcomes submissions for panels and papers on the special focus topic and other topics in criminology.

If you would like to organize a panel or a workshop or present a paper, send your proposal, abstract, or completed paper to the Chair of the Division you think most appropriate. **The deadline has been extended to March 31, 1995.** Please follow the submission details provided in this form and note that each participant is limited to a maximum of two program appearances (chair, organizer, presenter, discussant). If you have any questions about a submission, please call the appropriate Program Area Chair listed or one of the Program Co-Chairs.

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SUBMISSION DETAILS

- Please send your submission to the Program Area Coordinator. If the Coordinator decides another Division is more appropriate for your submission, your forms will be forwarded to the Coordinator of that Division; you will be notified of this change.
- Each participant is limited to a maximum of two program appearances (chair, organizer, presenter, discussant).
- We suggest that a panel include not more than five paper presentations of four papers and a discussant. Workshops usually include brief presentations involving more participants.
- All submissions must contain an abstract. All abstracts will be listed on internet via the United Nations Criminal Justice Information Network (UNCJIN).
- Notification to participants can be expected by June 1, 1995.
- Please note that the Meeting is in **NOVEMBER**. Program participants are expected to preregister for the meetings. Preregistration materials will be sent to you by September 1, 1995. Failure to preregister may result in the removal of a paper from the program.
- Please remember to submit only papers that are original and have not been published or presented elsewhere.

The 1995 Meeting will include breakfast round table discussions, panels, thematic sessions, plenary meetings, and other keynote presentations. Evenings are slated for social events, visiting the excellent restaurants in Boston or taking advantage of the many activities the area offers. We hope you will join us for stimulating sessions and entertaining evenings.

SEE YOU IN BOSTON!

Freda Adler, ASC President
James Austin and Todd Clear, Program Co-Chairs

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CONFERENCES AND WORKSHOPS

Wayne State University School of Medicine, Detroit, Michigan and the Michigan State Police are co-sponsoring a **Medicolegal Investigations of Death** seminar on **March 23-24, 1995** at the Holiday Inn Fairlane in Detroit, Michigan. The cost for this two-day course is \$250 and includes continental breakfasts, lunches and course materials. For more information contact Jamie Ferguson, (313) 577-1180 or Fax (313) 577-7560.

The Coalition for Juvenile Justice will hold its 6th Annual Spring Conference on **April 2-3, 1995** in Washington, D.C. The 1995 conference will focus on programs and processes that have a positive impact on delinquency prevention. For further information, contact William F. Ryan; Director of Conference Planning; Coalition for Juvenile Justice; 1211 Connecticut Avenue, N.W.; Suite 414; Washington, D.C. 20036; Tel.: (202) 467-0864; Fax: (202) 887-0738.

The 5th National Conference on Drugs and Crime—Strategies for Success will be held **April 9-12, 1995** in Orlando, Florida. The conference, sponsored by the National Consortium of TASC Programs, the U.S. Department of Justice, Bureau of Justice Assistance, and the Florida Alcohol and Drug Abuse Association, will bring together over 600 criminal justice and drug treatment professionals to present over 42 workshops. For further information, contact: National Consortium of TASC Programs; 8630 Fenton Street, Suite 121; Silver Spring, MD 20910; Tel.: (301) 608-0595; Fax: (301) 608-0599.

The Fifth National Conference on Drugs and Crime will be held in Orlando, Florida on **April 9-12, 1995**. The conference is sponsored by the National Consortium of TASC Programs and the Bureau of Justice Assistance and includes an exhibit hall, tours of local programs and more. To register, contact The National Consortium of TASC Programs; 8630 Fenton Street, Suite 121; Silver Spring, MD 20910; Tel.: (301) 608-0595; Fax: (301) 608-0599.

The Institute for the Study and Treatment of Delinquency will hold its Annual Residential Conference, "Managing Risk: Achieving the Possible" on **April 19-21** at the University of Nottingham, London. This international conference will look at the risks posed by dangerous offenders to themselves and others and at the challenges posed to all involved in the criminal justice process to assess and manage such risks. Contact: ISTD; King's College London; Strand, London WC2R 2LS; Tel.: 0171 873 2822; Fax: 0171 873 2823.

The 1995 Spring Conference of the Association for Criminal Justice Research (California) is to be held on **April 27 and 28** at the Beverly Garland Hotel in Sacramento, California. The theme is "Implications of the Crime Bill." Contact Shirley Melnicoe, Program Chair; Executive Director; Northern California Service League; 28 Boardman Place; San Francisco, CA 94103; Tel.: (415) 863-2323; Fax: (415) 863-1882, or Ann Goolsby, Executive Officer; Geology and Geophysics; University of California; Berkeley, CA 94720.

The Second International Conference on Organised Crime, "The New Corporate Raiders," will be held at The Police Staff College in Bramshill, England on **May 22-24, 1995**. The conference is intended to meet the needs of upper and middle managers engaged in law enforcement activities and those operational officers experienced and currently engaged in combatting organised and economic crime. For further information contact Denise Ranger; Office of International Criminal Justice; European Division; University of Illinois Offices; Gyosei International College; London Road; Berkshire, Reading RG1 5AQ; Tel.: (0734) 314250; Fax: (0734) 753756.

The Conference on the Analysis of Law and Justice Data will be held at Trinity University, San Antonio, Texas on **June 22-24, 1995**. It will focus on the analysis of data pertaining to forensics and criminology. The goal of the meeting is to provide a forum for discussion between statisticians and researchers in fields related to law and justice. Abstracts for contributed papers should be postmarked by March 30, 1995. For more information, contact Diane Saphire; Department of Mathematics; Trinity University; San Antonio, TX 78212-7200; Tel.: (210) 736-7479; e-mail: dsaphire@trinity.edu.

The Law and Society Association has issued a Call for Participation for its 1995 Annual Meeting to be held **June 1-4** at the Royal York Hotel in Toronto, Canada. The theme of the meeting is "Being, Doing, Remembering: The Practices and Promises of Sociolegal Research at the Close of the Twentieth Century." For more information, contact: Executive Offices, Law and Society Association; Hampshire House; University of Massachusetts; Amherst, MA 01003; Tel.: (413) 545-4617; Fax: (413) 545-1640; e-mail: LSA@legal.umass.edu.

An international two-day conference, **Democracy and Justice: Reviewing Crime in Theory and Practice**, will be held **June 13-14, 1995** at Brunel University in West London. This conference aims to revive interest in thinking theoretically about crime. Participants delivering a paper or running a workshop will be entitled to a reduction of £25 on the conference fee of £120 per person. More information is available from The Centre for Criminal Justice Research; Brunel, the University of West London; Uxbridge; Middlesex, UB8 3PH, Britain; Tel. 0895 274000 X 3515; Fax: 0895 203156.

The **Office of International Criminal Justice** announces a 5-day intensive workshop and 1 day seminar, "China in the Next Century," to be held in Shanghai and a "Crime and Corrections" conference to be held in Riga, Latvia in **June 1995** focusing on corrections systems in Latvia, Estonia, Belarus, Poland and Germany. The 10th Annual International Symposium on Criminal Justice Issues will be held July 31-August 3 in Chicago with the theme "Terrorism: Past, Present, Future." For more information Fax (312) 413-0458 or call (312) 996-9267 or write: Office of International Criminal Justice; University of Illinois at Chicago; M/C 777; 1033 W. Van Buren; Chicago, IL 60607-2919. World Wide Web address: <http://www.acsp.uic.edu>.

The British Society of Criminology announces its British Criminology Conference to be held at the University of Loughborough in Leicestershire, England on **July 18-21, 1995**. Proposals for presentations can be sent to Dianne Winterburn; Midlands Centre for Criminology; Department of Social Sciences; Loughborough University; Loughborough, Leicestershire LE11 3TU; Tel.: 0509 223670; Fax: 0623 722502.

The 19th National Conference on Correctional Health Care will be held **November 13-15, 1995** in Washington, D.C. Workshop presentations may cover one or more issues concerning health treatment and services in correctional institutions. For additional information contact Daniel Mendelson at (312) 528-0818.

GRANT OPPORTUNITY

The Henry A. Murray Research Center of Radcliffe College is pleased to announce the availability of grant funds for post-doctoral level research drawing on the Murray Center's data resources and for doctoral dissertations in the topic areas listed below. The center also offers a visiting scholars-in-residence program. The Murray Center is a national repository of social and behavioral sciences data for the study of lives over time with a special focus on the lives of women on such topics as political participation, women and work, family life, sex roles, and mental health. Over 200 studies in the archive are available for secondary analysis, replication or longitudinal follow-up.

THE RADCLIFFE RESEARCH SUPPORT PROGRAM offers small grants of up to \$5,000 to post-doctoral investigators for research drawing on the center's data resources. Funds are provided for travel to the center, duplicating, computer time, assistance in coding data, and other research expenses. **The deadlines are October 15 and April 15.**

THE JEANNE HUMPHREY BLOCK DISSERTATION AWARD PROGRAM offers a grant of \$2,500 to a woman doctoral student. Proposals should focus on sex and gender differences or some developmental issue of particular concern to girls or women. Projects drawing on center data will be given priority, although this is not a requirement. **The application deadline is April 1.**

THE HENRY A. MURRAY DISSERTATION AWARD PROGRAM offers grants of \$2,500 to doctoral students. Projects should focus on some aspect of "the study of lives," concentrating on issues in human development or personality. Priority will be given to projects drawing on center data. **The application deadline is April 1.**

THE VISITING SCHOLARS PROGRAM offers office space and access to the facilities of Radcliffe College and Harvard University each year to six to eight scholars who wish to investigate some aspect of women and social change or the study of lives over time. The program does not include a stipend. However, applicants planning to use center data may apply to the Radcliffe Research Support Program. **The application deadline is March 1.**

For more information, contact the grants administrator:

Janice S. RANDALL
Ten Garden Street
Cambridge, MA 02138
Tel.: (617) 495-8140
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BOOK REVIEW

Herman BIANCHI. *Justice as Sanctuary: Toward a New System of Crime Control.* Bloomington: Indiana University Press. 1994. 216 pages. \$25.00.

I have been bemused, and a little amused, at having been referred to in print as a founder of a new school of criminology—peacemaking. By the time the book Richard Quinney and I edited, *Criminology as Peacemaking*, went to press in 1989, I was quite aware of peacemaking literature by living forebears of mine. I consider Herman Bianchi among the leading academic writers and thinkers on peacemaking to have emerged in the wake of World War II (where at war's end Herman was in a German concentration camp as a young Dutch resistance partisan). He has been a guest in my home. I enthusiastically pushed Indiana University Press to publish this English-language revision of a book originally written and published in French. Herman was nearing retirement as Professor and Dean of the law school at the Free University in Amsterdam when I met him in 1987. He was a veteran of many a political and legislative struggle in the Netherlands, a well-known innovator. He opened a new vision of legal history to me as I met him and began to read his work on *tsedeka*, the Hebrew concept of justice as known by the fruits of one's action rather than by one's intentions. This book of his on Sanctuary expands on that vision, according to which there was no right to punish "persons" (as against "slaves" and "enemies") in Hebrew, Greek and Roman legal traditions until the advent of the Inquisition on the European mainland and the reign of Henry II in England in the thirteenth century. History as Bianchi finds it conforms to various post-WWII works on law and formation of the English state, notably by C. Ray Jeffery, by Bill Chambliss, and by Mark Kennedy. Bianchi argues it is anachronism—the historian's error of presuming people then felt and acted as we "naturally" find ourselves doing now—that penal law and practice existed in Europe as long as a single millennium ago. Penal law and practice are instead a radical departure from the tradi-

tions Euro-North American legal systems are said (falsely) to rest upon.

Bianchi does a masterful job in the book of laying side-by-side what I would call warmaking and peacemaking legal premises and action, between regarding the crime of spilling milk as an occasion for cleaning up the spill (trying to achieve *tsedeka*, peace, restoration of trust and community) and seeing the mishap as an occasion for assigning blame (identifying/labeling, isolating and subduing the true culprit, making war on the personal "enemy" who caused the mess).

Bianchi is a confirmed lawyer. Turning from description of competing visions of legal response to "crime," he prescribes a simple legislative remedy: Open the penal law market to competition. Since prosecution is initiated by an act of state, the next move is left up to the accused. Where penal law holds a monopoly on response to crime, the accused has no choice but to surrender to state power. Bianchi proposes that we also legitimize places for the accused to seek "sanctuary" (another venerable tradition described by Bianchi) and avail themselves of mediators to help them face those they have hurt and frightened, and to find ways to redeem themselves and become once again safe at home in what U.S. prisoners call "the free world." As Bianchi points out, we have living experience in our communities of offering sanctuary and mediation of conflict and violence. Legislation would make sanctuary as available as submission to prosecution. Bianchi reviews how, traditionally, pressure has been placed on holders of sanctuary to make it possible for themselves to reemerge safely into the community. Bianchi predicts that the sanctuary option would prove so much more satisfying to victims, offenders and bystanders alike that the penal system would wither away of disuse.

Wherever and however any of us takes a next step in responding to conflict, crime and violence, every action we take follows from our choice whether to make peace with the problem or war upon it, whether to learn to live with the problem, or like Hitler,

propose to "solve" it. Among the various traditions in which Bianchi places this choice is the sociological tradition of Emile Durkheim. As "found" by Emile Durkheim, the problem of conflict in the modern (penal) era is preeminently one of anomie, of separation of people's fates from one another's. Within this framework, social control becomes assigning blame for separation, where assignment of blame becomes an act of separation itself. To the peacemaker, the problem at hand is to restore "eunomie" to dissonant, imbalanced human relations.

In his treatise, Bianchi also gives the drug version of making war on crime its due. By now the Dutch mini-version of the Reaganesque war on drugs has roughly quadrupled a prison population which when I entered criminology was the smallest in Europe—20 of every 100,000 Dutch inhabitants held prisoner at any moment. He criticizes the warmakers' focus on rightness or wrongness of drug users' intentions, instead of on how to confront and clean up the problems drug use has created, such as shooting each other to death, and stealing to support illicit habits.

I honor Herman Bianchi as one of my own leading criminological elders. I recommend this easily read and stimulating theoretical treatise as basic "core-peripheral" literature for all criminologists, including entering students. Hebrews, Greeks and Romans aren't the only forebears of ours with well-elaborated peacemaking traditions, but given the thorough Eurocentrism of contemporary academic criminology worldwide, their codified law is as good a place as any to learn the fundamental difference between making peace with crime, and making war on crime and its perpetrators.

HAL PEPINSKY
Indiana University

BOOK REVIEW ESSAYS

George S. BRIDGES and Martha A. MYERS (editors). *Inequality, Crime, & Social Control*. Boulder, CO: Westview Press, 1994. 330 pages. \$59.95.

Racial inequality is perhaps the most important problem in American criminal justice today. With incarceration rates at an all-time high, official statistics show that the majority of new admissions to U.S. prisons are young African American males who lack job skills and formal high school education. Not surprisingly, the most prevalent crimes committed by these offenders are economic: burglary, drug sales/trafficking, and robbery (Irwin and Austin, 1994). *Inequality, Crime, & Social Control* is a collection of fifteen original essays that examine the relationships between these themes.

The book begins with four chapters on theory. In the first, "The Theoretical Bases for Inequality in Formal Social Control," Charles Tittle examines four perspectives: functionalism, conflict, social-psychological, and bureaucratic. Contending that "some flaws in each of the theories is a strength of one or another of the others" (49), Tittle elaborates an integrated general theory. Such integration is necessary, he argues, because by themselves the theories "seem to be so obsessed with their own themes that they omit essential parts of reality" (51). Tittle predicts that the general theory will have its greatest explanatory potential in the area of "serious and obviously predatory behavior" (50). And herein lies two fatal flaws in the author's thesis.

First, in the traditional view of scientific logic, facts must necessarily precede theory; and Tittle offers few facts on serious and predatory crime. In his critique of functionalism, Tittle examines street fighting, prize fighting, sexual norms, and social competition. Examples used to critique conflict theory include religion in schools, auto safety, and Prohibition; his critique of bureaucratic theory is limited to two sentences on burglary. Obviously, Tittle's chapter could have benefited from a rigorous review of the voluminous research on interpersonal violence (since that is the purpose of his "general theory"), and by assessing this evidence in light of the explanatory potential of each theory. Second, criminological theory must have some relevance to the real world. Tittle reminds us that to apply a general theory "it is necessary to translate its abstract premises into specific empirical implications" (24). On that basis, Tittle's roundabout celebrations on homosexuality, bestiality, boxing, auto safety, school prayer, and obsolete liquor laws are completely useless for understanding inequal-

ity in formal social control as it is actually lived by its victims and practiced by its perpetrators today.

In "Modeling the Conflict Perspective of Social Control," Allen Liska provides a textbook explanation of three theories: rational choice, functionalism, and conflict. After a parsimonious review of the imprisonment literature, Liska concludes that "the conflict perspective has been the dominant perspective for organizing and stimulating macro research on social control" (60). The objective of Liska's chapter, then, is to "formulate a conflict theory of social control that generates research problems" (68). In contrast to the Byzantine reckonings of Tittle, Liska stipulates that "The theory need not be complex or complicated, just clear" (68). Through the use of line diagrams, Liska offers a series of models for understanding who goes to prison and why. More generally, he attempts to answer the question: "What and who are threatening to whom" (68)? One of Liska's models (Model 1B), implies that coercive forms of formal social control may be replaced with one of two alternatives. On one hand, they can assume a form of rough justice (e.g., mob violence); and on the other, they can take a less coercive form (e.g., restorative justice). The academic trick, of course, is estimating the social forces that give rise to both.

In "Rethinking and Unthinking 'Social Control,'" Anthony Platt contemplates something that Tittle denies outright, and that Liska only alludes to: the possibility of creating "models for achieving human equality" (72). Platt traces the history of the conflict perspective and waxes optimistic about its direction and maturity since the collapse of communism. Freed from the taken-for-grantedness of Marxian dialectics, Platt argues that the conflict orientation has taken on "a new richness and complexity to our understanding of power and social control" (75). It is here—roughly 80 pages into the book—that the first mention is made of the war on drugs in inner city ghettos, a social control policy that now accounts for nearly one-third of the nation's 11 million jail and prison population (Irwin and Austin, 1994). To understand the crippling effects of this policy, Platt asserts that criminologists "need to quickly learn from and incorporate the new insights coming from history, philosophy, literary criticism, gender and cultural studies, and ethnic studies" (78). He concludes that, "If human equality is to be neither negotiable nor ranked, then we need theoretical constructs that are inclusive and expansive" (78). True to its iconoclastic heritage, Platt points out that "most new, ground breaking work [in conflict theory] is coming from the

marginalized others of academia . . . who are challenging the established gatekeepers" (78).

Such a challenge is issued by Peter Manning in "The Police: Symbolic Capital, Class, and Control." Building on the work of Pierre Bourdieu, Manning shows how police use of force "is disproportionately directed to those who represent 'trouble' . . . the urban lower class" (90). The intent of such "selective attention" should be inequality, and Manning argues that police actions in lower class communities not only reduces economic competition with the middle classes, but it also serves to "maintain low wages, a large surplus labor pool, and a floating demimonde of petty criminals . . . involved in drug trafficking, and . . . public order violation" (91-2). Yet Manning suspects that there is an even more portentous threat hidden in selective attention. "It is likely," he concludes, "that within [the underclass], women more than men lose capital by the . . . selective response to domestic violence calls" (93).

Several rays of hope for overcoming such inequality shine through the second section of the book. In "Ethnicity: The Forgotten Dimension of American Social Control," Darnell Hawkins recalls the history of ethnic crime patterns. Through a comparison of whites and nonwhites, he explains "why some groups among those that appear to be similarly situated socioeconomically are more represented among those punished for crime than others" (104). Moving beyond cultural conflict and rational choice theories, Hawkins first explains differential punishment in terms of social isolation. That is, the control of any ethnic group "is partly a function of its . . . insularity vis-a-vis dominant groups" (109). Hence, to the extent that an ethnic group can "erect barriers" between itself and the dominant group (not only social and economic barriers, but physical ones as well), it may reduce contact with social control agents. Hawkins further notes that when members of a marginalized group become low-level social control agents, then the group will experience less control. As such, Hawkins makes an important contribution to our understanding of ways to reduce the "selective attention" referred to by Manning, thus creating what Platt calls a "model for achieving human equality." Hawkins cites the history of Irish Americans. Once members of this ethnic group moved into the ranks of city police departments, its arrest and conviction rates declined. Hawkins concludes that similar reductions may occur in America's ghettos as a greater number of blacks become law enforcement officers.

This normative theme is continued in Kathleen Daly's "Gender and Punishment Disparity." Daly begins by discussing the important differences between the results of quantitative and qualitative studies on sentencing. "Why," she asks, "in light of court defendant's stories of racism and classism in the criminal justice system do disparity studies typically find little support for racial differences" (121)? Daly offers two answers. First, findings of "no effect" are statistical artifice; most quantitative researchers, she argues, "have never been in a courtroom" and lack a clear understanding of "how cases are handled, discussed, or disposed" (118). Second, most quantitative studies fail to consider the effects of gender and sexuality; this means that the "bases of inequality—are not in the frame" (122). Noting that "women receive less severe sentences than men" (123), Daly offers an intriguing solution to the problem of inequality in criminal justice: Using women as the standard for sentencing decisions. Under such a plan, we may expect reductions in the severity of punishment for all men—white, black, red, and brown. Accordingly, Daly's work on gender is a model of inclusion and expansion. It is everything the next chapter is not.

In "Gender, Class, Racism, and Criminal Justice," Pat Carlen revisits her research on the criminal careers of 36 British women. Because women constitute "a mere 3 to 4 percent of the total daily population" of U.K. prisons (137), Carlen applies Hirschi's bond theory to explain conformity. Thus, we learn little about crime, and even less about inequality and formal social control. In its place are fashionable intellectual discussions on postmodernism which can be used to "celebrate the range of women's individual experiences and subjectivities" (143). While this may be a laudable goal for feminism, its utility for solving pressing criminological problems is limited.

The third section of the book examines linkages among forms of social control. In "Labor Markets and the Relationships among Forms of the Criminal Sanction" James Inverarity sets forth a labor theory of punishment which proceeds from the assumption that "severe sanctions are associated with cheap labor" (148). He hypothesizes that "Intensity of punishment varies with the proportion of unemployed in the labor force or minorities in the general population" (150). Inverarity claims to find support for this hypothesis in studies on capital punishment and imprisonment rates. He argues that "risk of execution is higher for Southern blacks" (152). This is, indeed, a confirmation of labor theory because, compared to other regions of the U.S., the deep South has higher rates of black execution, unemployment, a higher percentage of African Americans, a more plentiful supply of cheap labor, and a devalued supply of human capital. Then Inverarity curiously reports that "Southern black

incarceration rates are lower" (152, emphasis his). Lower? For labor theory to work, these rates must be higher. He then briefly assess three alternative explanations (Foucault's developmental thesis, priority politics, and conflict theory), and concludes that "Trends in execution and imprisonment compared across race and region gives us some hints of the explanatory potential of the labor theory. . . . Further support for the theory emerges by comparison with competing alternative explanations" (155). Such conclusions are glaringly precipitous, however, given the author's presentation of evidence in this volume.

More confusion about labor theory is introduced in George Bridges and Gina Beretta's "Gender, Race, and Social Control." In a national study of imprisonment rates, the authors analyze the effects of crime trends, state criminal laws, the administration of criminal justice and mental health services, unemployment, race, and gender. They test an arcane hypothesis that actually turns labor theory on its head: "Women," they predict, "will experience higher rates of imprisonment in those states . . . where they [participate] in the labor force" (164). Hence, as employment opportunities expand for historically marginalized people, their rates of criminal involvement and incarceration will increase. Not only is this inconsistent with labor theory, but it contradicts all conflict, functionalist, and rational choice sensibilities. Not surprisingly, then, Bridges and Beretta find little support for their hypothesis. "[I]ncreased participation in the labor force," they discover, "does not result in increased rates of imprisonment" (171). They also find that "Criminal behavior plays no direct role in the labor force participation/imprisonment relationship" (171). That is, imprisonment rates function independent of crime and employment rates. There are, however, at least two reasons why this finding may be an artifact of research methodology.

First, Bridges and Beretta examine data collected in 1982—when 162 out of every 100,000 U.S. citizens were incarcerated in state and federal prisons. By 1994, the rate of imprisonment had soared to 519, placing a whole new mix of economically disadvantaged people behind bars. Second, in estimating the impact of crime on imprisonment rates, the authors limit their choice of independent variables to homicide, rape, assault, robbery, burglary, and arson. "These offenses were selected," they claim, "because they represent the types of crimes committed by offenders currently incarcerated in state prisons" (167, my emphasis). Yet these presenting offenses currently represent less than 40 percent of new prison admissions (Irwin and Austin, 1994). Certainly, any analysis of imprisonment rates published in 1994 must include more than index crimes; and any discussion of labor theory must

be sensitive to issues of class and state investments in human capital.

Conflict theory is reaffirmed in Stewart Tolnay and E. M. Beck's "Lethal Social Control in the South." Through a skillful use of time series and cross-sectional analyses, the authors test two competing hypotheses on the lynching of 2,314 black victims by white mobs between 1880 and 1930. The first is a "popular justice" explanation which locates the tragedy in the public perception that "the formal criminal justice system was too inefficient, or lenient, to guarantee the swift and severe punishment of criminals" (177). The second is a "substitution model" which accounts for the lynchings via "the existence and strength of formal alternatives" (179), or legal executions. Yet the authors reject both hypotheses in favor of a Liskian conflict model. They find that "the frequency of mob activity and the intensity of legal executions were positively related" (191). Well written and impeccably researched, this historical analysis has valuable implications for the study of crime and social control throughout the world. White supremacist groups may have abandoned the rope and faggot, but the rapacious victimization of disenfranchised outgroups continues from the purposeful slaughter in Bosnia to the random violence of racist skinheads in unified Germany and beyond.

John Hagan and Bill McCarthy's "Double Jeopardy: The Abuse and Punishment of Homeless Youth" is also an exemplar of quantitative criminology. The authors take us to the streets and high schools of Toronto where they interview 390 homeless kids and 562 students living at home (the comparison group). Each is studied for age, gender, unemployed head of household, family solidarity, child abuse, homelessness, delinquency, and experiences with police sanctions. Through a masterful use of LISERAL modeling, the authors create iterative stochastic models that are systematically poured into one statistical sieve after another, until they arrive at the most robust model possible. They discover that abuse is related to delinquency via an indirect causal sequence that involves youths being pushed out of the home where they become offenders and, hence, subject to police sanctions. The authors use this finding to confirm the hypothesis that "the law responds to the symptoms rather than to the causes of child abuse and homelessness among young people. In neither case are the causes of physical child abuse addressed or [sic] their perpetrators sanctioned" (210).

These conclusions raise two compelling questions that will be obvious to even the most pedestrian of readers. First, how do the authors know that the "causes of physical child abuse" are never addressed? Hagan and McCarthy do not identify these potential causes; thus they make no attempt to study them. Second, how do the authors know that perpetrators go unsanctioned? Such a question was never asked of the Toronto

youth, and the authors provide no collateral data to support the claim. Like most domestic violence researchers, Hagan and McCarthy are, in fact, silent on the subject of the abusers. Who are these perpetrators (fathers or mothers, etc.), and what led to their violence? With approximately 60 percent of the full sample reporting a minimum of one serious incident of family violence, the authors could have—at the very least—asked subjects to identify their abusers. They also could have queried their subjects on the incident(s) that sparked the violence. With such rich information at their fingertips (data on some 270 homeless kids who left their families after *someone* had battered them), Hagan and McCarthy could have easily told us more about the family as “a sanctioning system” than they did.

The role of human agency in perpetrating inequality is the subject of the final section of the book, and it begins with a fascinating essay by Nicole Hahn Rafter on “Eugenics, Class, and the Professionalization of Social Control.” Rafter historicizes the U.S. eugenics movement, “which advocated prevention of reproduction as a means of bringing the ‘unfit’ under control” (215). Lodged in the 19th Century notion of “degenerative theory,” eugenics was responsible for such early 20th Century policies as restricted immigration, forced sterilization, and the institutionalization of thousands of “feeble minded” people throughout the duration of their reproductive years. Rafter traces the eugenics movement to shifts in the class structure, urbanization, industrialization, the mass influx of European immigrants, and the popular writings of Charles Darwin. Then she drops an academic bombshell:

The [eugenics] movement was spearheaded by an alliance of criminologists, institutional superintendents, penologists, psychiatrists, psychologists . . . social workers . . . university presidents . . . women involved in social purity campaigns . . . and [U.S. President] Theodore Roosevelt (219).

What is most impressive about Rafter's chapter is not her talent to recount the little-known facts of history. Nor is it her ability to confirm a conflict model of social control. Rather, it is her gift to write in a fashion that consistently allows the material to speak for itself—offering the readers a rare chance to experience their own moral indignation. In fact, Rafter's descriptions of “social control workers,” “moral statisticians,” “intelligence testers,” “criminal anthropologists,” and their legion of “full-grown morons,” “dangerous individuals,” and “desexualized” persons who are “biologically unfit,” may cause some readers to rethink their attitudes toward intelligence testing, prison classification schemes, career criminals, and technological advances in judicial murder made possible by lethal injection.

Space does not permit a full review of John Sutton's “Children in the Therapeutic State.”

Essentially, Sutton offers “a new, and hopefully generic, model of deviance and social control” that will allow criminologists “to account for such obvious forms of deviance as mental illness or unconventional sexuality . . . poverty and bad table manners” (238). In keeping with the general theme of *Inequality*, I will therefore review only that portion of the author's model that bears on the conflict perspective. Within Sutton's 21-page essay, he writes only six words on the subject: “[C]onflict theory is about property crime” (248). With this, Sutton dismisses conflict theory from his meditations. As indicated by the material presented in this volume alone, it is obvious that Sutton's claim represents nothing more than unproductive revisionism.

The book ends with two well-controlled quantitative studies of sentencing. In “Crime and the Social Control of Blacks,” Cassia Spohn examines the effects of the racial composition of the offender-victim relationship on sentencing decisions for some 2,800 serious felony defendants in Detroit. After controlling for an array of variables, her regression models “signal discrimination in sentencing based on the race of the offender rather than the race of the victim” (262, her emphasis). Further support for conflict theory is provided in the final chapter, “The Symbolic Punishment of White-Collar Offenders,” by Celesta Albonetti. Using logit regression techniques, the author examines sentencing decisions for 1,597 white-collar criminals in seven federal courts. She discovers “an indirect effect of social class” on sentencing decisions (280), and concludes that “offenders of high social class are more likely to avoid punishment . . . a finding that should surprise no one” (281).

Inequality, Crime, & Social Control is, then, worth the price of general admission to a conceptual discussion on the most pressing problem in American criminal justice today. In the main, the book provides historical specificity for a conflict theory of social control, and confirms the theory with several leading examples of thoughtful and sophisticated research. As such, *Inequality* may pave the way for a new direction in conflict research. And that is what should trouble readers the most.

There was a time when conflict theorists valued personal contact with their subjects above all else. Platt reminds us that the conflict perspective began with “an affinity for Goffman's rebels . . . Becker's cool bohemians . . . [and] Ned Polsky's hustlers” (73). This research provided a discernible prototype of the criminal as a crypto-historic rebel who hopelessly struggled against an implacable authority. No matter how romantic, misguided, or idealistic that image may have been, at least it was an image with human features. Now, all of that is gone.

Instead, the modern criminal has become part of a faceless mass to be counted, sorted, and

coldly analyzed with regression equations and path models. *Inequality* is 330 pages long, and not once do we hear the voice of a victim of inequality and coercive social control; and not once do we hear the voice of a man or woman responsible for rendering such pain and suffering in the first place. As demonstrated by several authors in this volume, such stubborn quantification can actually lead to scientific ossification. If that is the new direction of conflict theory, then perhaps its growth and maturity will come from looking backwards toward the past.

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Michael TONRY and Albert J. REISS, eds.
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Katherine JAMIESON. *The Organization of Corporate Crime: Dynamics of Antitrust Violation*. Thousand Oaks, CA: Sage. 1994. 114 pages. \$42.00.

Brent FISSE and John BRAITHWAITE.
Corporations, Crime and Accountability. New York: Cambridge University Press. 1993. 279 pages. \$59.95.

Embezzlement, consumer fraud and “midnight dumping” attest to the diversity and pervasiveness of white-collar crime. White-collar crime research points to the organizational character of these offenses, highlighting the fact that organizations frequently advance the aims of more complex criminal schemes, enable offenders to garner larger profits and, paradoxically, result in less stringent punishment than observed for individual white-collar or common crime.¹ Three recent efforts insightfully address the broader context of organizational white-collar crime and offer a prognosis for effective social control.

Beyond the Law gathers an impressive array of viewpoints to illustrate how control strategies and social and economic contexts influence the propensity for organizational offenses. In their introductory chapter, Tonry and Reiss point to the increasing role of organizations in lawbreaking and victimization. Importantly, the editors stress the need for a multidisciplinary approach which is exemplified by the volume's diverse contributions. This cross-disciplinary perspective produces a particularly effective analysis of the structural context shaping offending and enforcement.

John Braithwaite's account of quality-of-care offenses (e.g., physical abuse) in the nursing

home industry illustrates how structural and regulatory characteristics produce "ritualistic" adaptations but inhibit innovative strategies capable of improving care. Specifically, the dominance of large-scale institutions and hierarchical regulation produces strict adherence to the means for achieving regulatory outcomes at the expense of improving care. Further, self-regulation adds little since it fails to reward on the basis of delivering quality outcomes and, instead, rewards only those low in deficiencies. Constructive dialogue is precluded by the ever-increasing layers of regulation and cynicism regarding the compliance/competence of regulated parties. For Braithwaite, consumer movements may bring about the changes necessary to reverse this ritualism and, given the possibly unique conjunctures underlying these movements in the U.S., his ongoing comparative study will provide valuable insight regarding these groups in the context of different regulatory regimes.

Nancy Reichman's account of insider trading probes the organizational aspects of an offense typically regarded as individual in nature. According to Reichman, statutory ambiguity may cause confusion and provide justification for these offenses. Reichman uncovers additional complexities which arise from the many routes inside information travels, the beneficiaries of the information, and subsequent cover-up schemes. Reichman points to the value of this information and the manner in which insider trading schemes are tied to market conditions. Empirically, insiders are found to have direct access to information, are related to information sources, and may be financial information brokers. Increasing pressures for obtaining financial information and internationalization contribute to the difficulties of controlling these offenses. Reichman illustrates the trajectories for various remedies and points to the inability of self-regulation to deal with the interorganizational character of these offenses. In light of its links to market and regulatory environments, the need for a dynamic model of organizational behavior and a flexible regulatory scheme is advocated.

Peter Yeager's account of water pollution illustrates the role played by industry in shaping rulemaking and enforcement which has culminated in negotiative strategies. In his detailed analysis of the legislative history of the Clean Water Act, political/economic imbalances as well as extensive industry input are found to influence regulatory outcomes and discretion. The author's insights about the politicized nature of regulation and sanctioning strategies are crafted into a powerful cautionary statement regarding the use of official records of offending. Yeager's study illustrates the utility of scrutinizing the class dynamics underlying public policy, how these shape the opportunity and motivational dimensions of offending and their ultimate impact on enforcement.

Peter Reuter's analysis of the cartage (garbage hauling) industry highlights the influence of racketeering and the dominance of a select few firms in local markets that have a history of "customer allocation agreements" (conspiracies restraining free trade). Racketeering is argued to have created an effective conspiracy with attributes that pose special problems for standard surveillance (e.g., complaints), investigation and prosecution. Interestingly, media coverage and criminal prosecutions themselves may actually convey a "lawless" industry image which acts as an additional entry barrier for other firms. Reuter also offers an intriguing economic analysis in which he partitions the profits raised through unlawful agreements into their legitimate and illegitimate components.

The final two chapters of *Beyond the Law* tackle the savings and loan crisis although with differing aims. Henry Pontell and Kitty Calavita examine investigation and sanctioning aspects of the crisis as well as the role played by deregulation and industry characteristics in shaping fraudulent conduct. Deregulation, among other factors, is found to exacerbate misconduct (e.g., "flight" to more lenient jurisdictions). Interestingly, savings and loan fraud differs from traditional forms of white-collar crime in that these offenses utilize the organization as both weapon and victim while rendering it insolvent as well. The "cover up" process and dysfunctional role played by image-conscious regulators attempting to preserve public confidence is also detailed. Factors influencing remedy selection and the use of task forces are examined as well as the possible use of more stringent supervision and penalties.

In their view of the crisis, Franklin Zimring and Gordon Hawkins point to the deficiencies associated with extant academic accounts of the problem. Criminology's ability to interpret the crisis and how it can inform legal and criminological theory is explored. The victimization dimension underlying bailout cost estimates provides an interesting twist and a diminished level of harm may potentially reduce pressures on the criminal justice system. In addition to their review of extant causal explanations and empirical issues, Zimring and Hawkins provide unique insights about the interplay between regulatory failure and other remedies as well as harm, blameworthiness, and punishment which further enhances an understanding of the crisis.

Beyond the Law effectively traces the causes and consequences of organizational offending across diverse environments. Its balanced coverage of economic and social regulation is a handsome addition to both the regulatory and white-collar crime literatures. However, for a more elaborate treatment of a specific organizational offense or control strategy two other texts are particularly useful.

The Organization of Corporate Crime provides a rich understanding of corporate antitrust

offenses ranging from the more egregious horizontal agreements (e.g., price fixing among manufacturers) to the less egregious yet harmful vertical schemes (e.g., manufacturers discriminating against distributors). The introductory chapters provide a cogent overview of organizational white-collar crime. Extant views of profitability and organizational structure are integrated to anchor the central thesis linking internal corporate structure (e.g., complexity) and external operating environment (e.g., industry concentration) to offending. Regression results indicate that firm size distinguishes violators from nonviolators while smaller firms and those with less industry profit seem to enjoy favorable case outcomes. Interestingly, industry concentration and some profit measures but no internal measures are associated with greater offense seriousness. This serves as a corrective for prior interpretations of the profit/crime relationship and illustrates the potentially varied impact of profitability. In addition, the analysis of prosecutions illustrates that legal factors (e.g., number of conspirators) significantly influence negative ("guilty") judgements while only a few structural and environmental factors seem to influence such judgements. Jamieson complements this analysis using interview data to illustrate the crucial overlap between enforcement and offending as well as the perceived importance of investigative strategies, staffing, litigation and case processing. Notably, the perception of agency mandates regarding industry concentration and enforcement mirrors the tensions observed in the securities industry between enforcement and promoting capital formation.² Importantly, Jamieson's qualitative data suggest that perceptions may influence not only regulatory zeal but also perceptions of blameworthiness for organizational misconduct, itself a complex issue painstakingly explored by Fisse and Braithwaite.

Corporations, Crime and Accountability develops the "accountability model" in which the organizational power of the corporation is unleashed on itself to assign blame and sanction misconduct. In general, the model addresses the complexities underlying individual and enterprise liability as well as the optimal relationship between law and organizational structure. More specifically, Fisse and Braithwaite advocate that responsibility should be allocated in a cost-effective and just fashion to all those liable, not only those for whom it is convenient to do so. Although assessing blame is an important component of the model, the benefits associated with using internal justice systems are also examined (e.g., surveillance capacity or flexibility). The notion of corporate reactive fault in which offenders are held accountable for action taken in light of malfeasance manifests itself in "accountability agreements" which outline specific steps for preventing recurrence. Although organizations may scapegoat or fail to equally assign

liability, the model's effectiveness is contrasted with extant approaches. Interestingly, and consistent with fully allocating blame, regulators may be accountable as well (e.g., as in the BCCI case). Here, there is considerable overlap with the savings and loan "failures" in which regulators and accountants often failed to perform due diligence, an accountability standard increasingly applied to securities industry professionals.³ Given industry's greater surveillance capacity and resources versus the sweeping mandate and other exigencies faced by regulators, the accountability model may offer the framework for effectively assigning liability.

In sum, these three volumes clearly point to the relationship between organizational offending and its broader environment and, perhaps more importantly, suggests the need for innovative and flexible control strategies. Increased accountability may call for the use of nontraditional sources such as citizen/consumer groups to prompt action by regulatory actors. For flexible approaches, these researchers caution that the use of such strategies remain cognizant of the nature of offending and potential consequences associated with the selected course of action. These contributions promote interdisciplinary dialogue thereby fulfilling a long-standing plea⁴ yet they suggest that alternative views can effectively complement one another and provide a viable framework for future research and policy for organizational offenses.⁵

Endnotes

1. See Cullen, F., Maakestad, W. and G. Cavendar (1987:54-5), *Corporate Crime under Attack: The Ford Pinto Case and Beyond*, Cincinnati: Anderson; Coleman, J. (1994:156-7), *The Criminal Elite: The Sociology of White-Collar Crime*, New York: St. Martin's.

2. See Karmel, R. (1982), *Regulation by Prosecution: The Securities and Exchange Commission vs. Corporate America*, New York: Simon and Schuster.

3. See McLucas, W. R., Detorre, S. M. and A. Colachis (1991:845-848), "SEC Enforcement: A Look at the Current Program and Some Thoughts about the 1990's," *The Business Lawyer*, 46:797-848.

4. See Clark, J. P. and R. Hollinger (1977:150-52), "On the Feasibility of Empirical Studies of White-Collar Crime," in *Theory in Criminology: Contemporary Views*, R. F. Meier (Ed.), Beverly Hills: Sage.

5. See Schlegel, K. and D. Weisburd (1993:23), "White-Collar Crime: The Parallax View," in *White-Collar Crime Reconsidered*, Boston: Northeastern University Press.

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The successful candidate for **Editor** will be responsible for the solicitation and selection of materials, the design of each issue, and for ensuring that members receive the newsletter in a timely fashion. The successful candidate is also expected to guarantee support from his/her employer in the form of secretarial assistance, expenses for telephone and postage, and other resources as needed.

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