

7 W. Davlene Walker  
Graduate Research Fellowship

71-NI-081-6F-28

ANNOTATED BIBLIOGRAPHY

Criminology and Penology

Akers, Ronald L. "Problems in the Sociology of Deviance: Social Definitions and Behavior," Social Forces. V. 46. (June, 1968) pp. 455-64.

The sociology of deviance faces two basic and interrelated problems: How and/or why some people engage in deviant acts. The meaning of these two problems, the nature of theories and research revolving around them, and their implications for the future direction of the sociology of deviance are explored. The goal is not to account for either social definition or deviant behavior, but rather to account for both and ultimately to specify the interaction and integrate explanations of behavior and social definitions. The article emphasizes the need for research into the political processes by which some behaviors are defined as deviant by the law.

Alix, F. K. "The Functional Interdependence of Crime and Community Social Structure," Journal of Criminal Law. V. 60. (September, 1969) pp. 332--

This is a case study of the relationship between population decline and the incidence of crime in a small city setting. (15,000) The crime rates for this city did not go down as the population did, so the investigator looked intensively at the crime structure in this city, called "Ebbtown." He used "social history" looking at newspapers and other sources as well as the police records for the town. He found that because the city had failed to attract industry it was supported by a liquor-vice complex with a system of rotating fines.

Becker, Harold K., George T. Felkenes, and Paul M. Wisenand. New Dimensions in Criminal Justice. (Metuchen, N. J., 1968)

A collection of three individual pieces including "A Behavioral Study of Assault," "Sterilization and the Law," and "Police Personnel: Professional Development and Job Satisfaction," in the hope of beginning to systematize the investigation of new problems in the study and prevention of crime.

Boggs, Sarah L. "Urban Crime Patterns," American Sociological Review. V. 30. (December, 1965) pp. 399-908.

This study reconceptualizes crime occurrence rates in terms of environmental opportunities relevant to each of 12 index crime categories. A factor analytic test of these crime-specific occurrence rates and the corresponding criminal offender rates indicates that different neighborhoods are exploited for different kinds of crime. Two components of crime occurrence are identified. Familiarity of offenders with their targets is one factor suggested by the kinds of offenses that occur in high-offender neighborhoods. Profitableness is another element of crime occurrence, suggested by the types of crime that occur in high social rank neighborhoods where crime targets are likely to be of greater value than among the low-rank populations in offenders' own areas.

32816  
READING ROOM

Bonger, William Adrian. Criminality and Economic Conditions. New York, 1967.

This book was first published in 1905 as a counter to the then prevalent idea that the causes of crime were to be sought almost exclusively within the criminal himself. It is an exhaustive review of previous theories and an attempt to locate within social and economic organization, based on the data then available, the causes of crime.

Loydell, C. L. Demographic Correlates of Urban Crime Rates. Ph.D. Dissertation, University of Massachusetts. 1969.

This study uses the FBI crime rates of robbery and aggravated assault for 130 cities and their metropolitan areas in a correlational analysis in order to identify the distinctive traits of cities which give rise to the higher crime rates within them. The major independent variables treated are: population size, population density, age composition, educational composition, family disorganization, economic composition, family stability, racial composition, and non-white population characteristics.

Burgess, R. L. and P. L. Akers. "Differential Association-Reinforcement Theory of Criminal Behavior," Social Problems. V. 14. (Fall, 1966) pp. 128-147.

This article is dealing with the Sutherland theory of differential association as the cause of criminal behavior. It attempts to make explicit the learning process which is the unspecified link in Sutherland's model, and in the light of modern research to reformulate this theory. He asserts that there have been no studies which attempt to test the relevance of the law of operant behavior to criminal behavior. The overall thrust is to make Sutherland's theory amenable to empirical testing. He does not consider the problem of punishment.

Cavan, Ruth Shonle, Criminology. (New York, 1962)

A general textbook on crime and its place in a general context of conforming and non-conforming behavior. "Criminal behavior is not viewed as extraneous to the social structure but as an integral part of society."

Chaitin, M. R. and H. W. Dunham. "Juvenile Court and Its Relationship to Adult Criminality: A Replicated Study," Social Forces. V. 45. (September, 1966) pp. 114-119.

A test of Knauer's (Social Forces, V. 32, pp. 290-296, March, 1954) prediction that "under the conditions of (1) the time required to mold a successful criminal, (2) a relatively constant crime rate, (3) an absence of successful therapy in the juvenile court" there would be a constant rate of juvenile criminals becoming adult criminals. Method: One hundred juvenile offenders were drawn at random from each of six sample years between 1941 and 1952 and checked to see if there were a constant rate of their having an arrest record with the Detroit police. Findings: While there was not a significant rise in the years of this study there was such a rise between this study and the one done by Knauer with 30.6% rate for Knauer and 40.02% for Chaitin. However, the crime rate is rising.

The Challenge of Crime in a Free Society. A Report by the President's Commission on Law Enforcement and Administration of Justice. Washington, 1967.

This commission sets out seven objectives which they hold can have a significant effect in meeting the crime problem: crime prevention, crime reduction, the elimination of existing injustices in the criminal justice system, the attraction of better personnel to deal with the problem, more research into the causes of crime, the agencies involved in the control of crime and the treatment of criminals need much more money, and greater public interest in the problem leading to the implementation of better programs.

Clinard, M. B. "Cross-Cultural Replication of the Relation of Urbanism to Criminal Behavior," American Sociology Review. V. 25. (April, 1960) pp. 253-257.

This article reports on the replication of two earlier Iowa studies in Sweden. The researcher surveyed 101 17-29 year old offenders. Urbanism was found to be related to crime, while rural offenses were more of an individual than a group type and were more likely to be committed outside the community.

Cressey, D. "Methodological Problems in the Study of Organized Crime as a Social Problem," The Annals. V. 374. (November, 1967) pp. 101-112.

Cressey served on the President's Task Force on Crime and here attempts to deal with the reasons why he was and the public is skeptical about the existence of organized crime. He has two basic questions: How does organized crime become recognized as a social problem by the public; and, How can sociology deal with scanty evidence about a secret organization in a scientific manner? Some of the reasons for its existence and secrecy are that it has willing 'victims'; there are unfulfilled needs and desires in society from which organized crime profits and with which many citizens cooperate.

"Crime and Punishment." Economist. V. 215. (April 24, 1965) p. 422.

Mainly a news story on the law and order situation in the United States at the time. (1) Rising crime rates in the United States reflect increase in crimes against property. (2) The American public did not seem 'vindictive': states continued to abolish capital punishment. (3) The article is 'considerably' skeptical about the FBI crime statistics on which Johnson was basing his call for a "war on crime."

DeLamater, John. "On the Nature of Deviance." Social Forces. V. 46. (June, 1968) pp. 445-454.

This paper attempts a conceptual clarification of several issues surrounding sociological and social psychological analysis of deviant behavior. A basic distinction is made between individuals whose initial socialization is in terms of conventional norms and values, and those whose early socialization is based on deviant norms and values. The implication of this distinction for the manner in which initial deviant behavior occurs, the rewards and costs the deviant experiences, and the effects of labelling upon him, are drawn.

Driver, E. D. "Critique of Typologies in Criminology," Social Quarterly. V. 9. (Summer, 1968) pp. 356-373.

A critique of existing typologies in terms of the logical and methodological requirements of typologies, and an attempt to identify the attributes of a satisfactory one. The author holds that a unidimensional typology is impossible and suggests that the relevant dimensions from which classifications could be developed would include a typology of the act, the criminal, and the victim. He also reviews existing ones from those of Lombroso to von Hentig.

Falk, G. J. "Influence of the Seasons on the Crime Rate," Journal of Criminal Law. V. 43. (July-August, 1952) pp. 199-213.

This article is a review of the literature on seasonal variations in types of crime. The two most widely held generalizations are that property crimes tend to occur in the winter and crimes against person, in the summer.

Falk, Gerhard J. "The Role of Social Class Differences and Horizontal Mobility in the Etiology of Aggression," Journal of Educational Sociology. V. 33. (1959) pp. 1-10.

"It is the object of this paper to demonstrate that differential aggression patterns are the consequence of social class membership. From such a demonstration it may then be inferred that the consequences of aggression, such as homicide, assault, etc., are equally related to social class." Briefly, the lower classes are frustrated by the class structure and their place in it and therefore are much more likely to commit crimes of aggression. The author reviews the literature on class and the frustration-aggression hypothesis and holds that aggressive behavior is reinforced in the lower classes.

Ferdinand, Theodore N. Typologies of Delinquency. (New York, 1966)

A critical discussion of personality-oriented and sociological typologies of delinquent behavior with an attempt at the development of one which synthesizes these two perspectives.

Ferri, Enrico. The Positive School of Criminology. Edited by Stanley E. Grupp, with a biographical essay by Thorsten Sellin. Pittsburg, 1968.

Three lectures by Ferri which constitute an attack on the "classical school" of criminology, by the founder of the "positive school." Basically, Ferri dismissed the classical school's reliance on deterrence which presupposed the rationality of man and sought to find the determinants of criminal behavior in a scientific manner, holding that man's behavior and thus the sources of crime are completely determined.

Fox, Vernon and J. Volakakis. "Negro Offenders in Northern Industrial Area," Journal of Criminal Law. V. 46. (January-February, 1956) pp. 641-647.

The study reported here evaluates some hypotheses about the differences between white and Negro crime. The subjects were 1000 white and 1000 blacks who were inmates in the Southern Michigan Prison. Negro crime was found to be a much more urban phenomenon than white crime: 80% of the black inmates coming from the Detroit area compared to 36% of the whites. Negro criminals also tend to be in-migrants in a proportion which was rising at the time of the study.

Gibbons, Don C. Society, Crime, and Criminal Careers. (Englewood Cliffs, N.J., 1968)

A textbook which attempts a complete overview partially in hope that this procedure will lead to the development of more fruitful typologies so that the criminologist and the student will know what he is trying to explain.

Gould, L. C. "The Changing Structure of Property Crime in an Affluent Society," Social Forces. V. 48. (September, 1969) pp. 50-59.

Both auto theft and bank robbery switched in the 1940's from a strong negative correlation with the abundance of cars and the amount of cash and coin in banks to an even stronger positive relationship with these indicators. It is the author's argument that this switch reflects the fact that these crimes are no longer the work of professional criminals.

Gusfield, Joseph R. "Moral Passage: The Symbolic Process in Public Designations of Deviance," Social Problems. V. 15. (Fall, 1967) pp. 175-188.

The fact of public affirmation of a norm through law and government action expresses the public worth of one sub-culture vis-a-vis others. Because different forms of deviance affect that normative status in different ways, they incur different responses from the designators. Three forms of deviance are distinguished: repentant, sick, and enemy. One form threatens the public affirmation of the norm more than another, as illustrated in issues of drinking control. Where consensus on the norm is lacking and deviants become enemies, movements for legal restrictions are most likely. It is not the frequency of deviant acts but the symbolic import of deviance for the status of the norm which is determinative of these reactions.

Hartjen, Clayton A. and Don C. Gibbons. "An Empirical Investigation of a Criminal Typology," Sociology and Social Research. V. 54. (October, 1969) pp. 56-62.

The attempt to classify offenders, according to typologies led to the realization that there are many types of criminals left out of them. The author points to the need to revise criminal typologies so as to include "folk crimes," arising from the use of the criminal law to solve social problems, e.g., non-support and traffic offenses. There is an over-concentration in such typologies on the "big crimes" to the exclusion of small property crimes, shoplifting, or employee theft.

Kadish, S. "The Crisis of Overcriminalization," The Annals. V. 374. (November, 1967) pp. 157-170.

The author's basic thesis is that the criminal law is overused and is forced to perform functions for which other agencies might better handle; that not every social problem should be solved by designating certain persons as offenders. There are three overextensions: (1) to declare or enforce public standards of private morality, (2) as a means of providing social services in default of other agencies, (3) as a means of permitting the police to be indirectly what the law forbids them to do directly, i.e. through selective use of disorderly conduct and vagrancy statutes. Basically the author calls for a rethinking of the functions of the criminal law and paring it down to the essentials.

Klare, Hugh J., ed. Changing Concepts of Crime and Its Treatment. Oxford, 1966.

A symposium on penology making the centenary of the Howard League for Penal Reform, this collection is both a review of past work in the field and an attempt to contribute to its progress especially by putting crime and its punishment in its social setting.

Lohman, J. D. "Current Decline in Respect for Law and Order," Federal Probation. V. 31. (December, 1967) pp. 22--

This article explores a structural definition of the cause of crime. The basic thesis is that the problem of a declining respect for law and order stems partially from a failure of the public to understand community life complicated by technology, industrialization, segregation, new patterns of population, lack of opportunity, etc. Complicating this pattern is the failure of traditional policy methods in dealing with the new kind of crime and criminal which results. The answer he proposes is that crime be seen not just as a problem in law enforcement, but as a problem in education, family organization, employment, opportunity, and housing.

Loth, David. Crime in the Suburbs. (New York, 1967)

Suburban crime is difficult to study because it does not fit into typologies designed with urban and rural crime in mind. Generally the book is a journalistic account of crime in the suburbs based on interviews with police, probation officers and the offenders themselves.

Mannheim, Hermann. Comparative Criminology. (Boston, 1965)

A lengthy review of the literature and advances in theory and method, including an examination of statistical approaches, but excluding penology, on the grounds that this should be the subject of a separate book. Thus this one deals mainly with the factors and causes related to crime and a review of the sociology of crime.

Mays, John Barron. Crime and the Social Structure. London, 1967.

An examination of the social causes of crime from the point of view that modern society provides an atmosphere in which crime is almost 'natural and certainly freely engaged in and socially approved.'

Meyers, A. C., Jr. "Murder and Non-Negligent Manslaughter: A Statistical Study," St. Louis University Law Journal. V. 3. (Spring, 1954) pp. 18--

1954 study surveys some national statistics available on murder and non-negligent manslaughter and finds these crimes to be decreasing. These crime rates vary by geographic region and by degree of urbanness. There was no data at this time on victims. Offenders are predominantly male, black and under thirty. The study concludes with a discussion of crime in St. Louis and a comparison of it to national crime.

"Murder and Violence," Economist. V. 185. (November 23, 1957) p. 671.

Britain suspended capital punishment for 1956 to 1957 and the number of murders seemed to increase, but there is no evidence of cause and effect. Rather, the higher murder rates are perhaps part of a general upward trend in crimes of violence.

Oliver, J. W. "Citizen and the Administration of Criminal Justice," Federal Probation. V. 29. (March, 1965) pp. 6-12.

Address by a judge to the American Correctional Association which has as its subject why Americans and even judges are so ill-informed about corrections. He emphasizes that the reforms the association favors are partially dependent upon public support and education and finds them woefully inadequate at publicizing their objectives or the present state of the prisons. Basically, the speech is an exhortation to do better in this area.

Pettigrew, Thomas F. and Rosalind Barclay Spier. "The Ecological Structure of Negro Homicide," American Journal of Sociology. V. 67. (May, 1962) pp. 621-629.

State rates of Negro American homicide vary sharply across the nation. An ecological analysis of these differences reveals two principal correlates: homicidal culture (as measured by the white homicide rates of the native states of Negroes) and the percentage of non-white males born out of state. Two orthogonal patterns of high Negro homicide rates emerge: one involves high homicidal culture with rapid social change and is centered in fringe southern states; the other involves medium homicidal culture with high non-white immigration and is centered in the Midwest. These findings are consistent with a variety of historical, survey, and crime data on homicidal culture and migration.

Pittman, D. J. and W. Fandy. "Patterns in Criminal Aggravated Assault," Journal of Criminal Law. V. 55. (December, 1964) pp. 462-470.

An attempt to test Wolfgang's homicide hypotheses against patterns of aggravated assault. The study took a random sample of 25% of 965 crimes classed as "aggravated assault" by the St. Louis Police Department during all of 1961. This resulted in a sample size of 241. The author mainly summarized the findings and found some correspondence to Wolfgang's patterns.

Quinnev, Richard. "Conception of Man and Society for Criminology," Sociological Quarterly. V. 6. (Spring, 1965) pp. 119-127.

The author advances the thesis that crime and deviation can be conceptualized, not as indicators of deviance, but as indicators and causes of social change.

Quinnev, Richard. "Structural Characteristics, Population Areas, and Crime Rates in the United States," Journal of Criminal Law. V. 57. (March, 1966) pp. 45-52.

The general problem discussed is whether crime rates in the United States are related to structural characteristics of population aggregates. The author hypothesizes that structural characteristics are differentially related to offense rates according to three types of population areas, urban, rural, or standard metropolitan statistical area. The author found that the state is too large to use as one's unit of analysis, but he used the Uniform Crime Reports as reflective both of crime and of police diligence (even though he recognized the deficiencies of the data.) The structural characteristics used were mobility, percentage non-white, SES, percentage over age fifty, etc. His hypotheses were mainly born out.

Radzinowicz, Leon. Ideology and Crime. New York, 1966

A history of the development of standards of criminality and criminal liability and the concomitant development of theories of the causes of crime.

Beckless, Walter C. and Charles L. Newman, eds. Interdisciplinary Problems in Criminology: Papers on the American Society of Criminology, 1964. Columbus, Ohio: 1965

This collection covers the entire range of criminology from victimology to penology including papers on compensation for victims and causally approaches to the study of the occurrence of crime. There are articles by Falk, Wolfgang, Schafer and many others from several disciplines related in some way to the study of crime and its effects.

Rolph, C. W. "World View of Crime," New Statesman. V. 72. (September 2, 1966) pp. 306-307.

A very compact review of the centenary of the Howard League on the differences between criminology and penology. Unfortunately the centenary of this league for penal reform does not, according to this article, mark a century of progress in the field of corrections. Prison is seen as no deterrent at all for recidivists who form a major part of any crime problem.

Schafer, Stephen. Theories in Criminology. New York, 1969.

A history of the development of theories of crime and the legal system.

Schur, Edwin M. Crimes without Victims. (Englewood Cliffs, N. J., 1965)

This book discusses three types of deviance, abortion, homosexuality and drug addiction, in which the element of consent precludes the existence of a victim in the legal sense of the term. Especially considered are the additional social problems that arise because of the illegality of widely desired and practiced forms of behavior.

Schur, Edwin M. Our Criminal Society: The Social and Legal Sources of Crime in America. Englewood Cliffs, N. J., 1969.

A book aimed at spreading the systematic findings of criminology to the general public, especially to those greatly concerned about the rising crime rate.

Shannon, L. W. "Spatial Distribution of Criminal Offense by States," Journal of Criminal Law. V. 45. (September-October, 1954) pp. 264-273.

The hypothesis underlying this research using data from the Uniform Crime Reports from 1946-1952 is the crime rates are related to cultural areas. There are some interesting intermediary findings, e.g., that the crime reported by the FBI is largely male crime. He finds that murder is representative of crimes against persons while larceny represents crimes against property. The general finding is that an examination of crime patterns over sections shows that these vary greatly from section to section and that this variation is relatively stable over time although there are different patterns for different types of crime.

Stewart, O. "Questions Regarding American Indian Criminality," Human Organization. V. 23. (Spring, 1964) pp. 61-66.

This piece reports statistics on the very wide extent of Indian criminality which is much higher than the rates for any other group. These are related to the very high rate of alcohol consumption among Indians, but no attempt is made to explore systematically the reasons for these very high rates.

Stratton, J. P. "Differential Identification and Attitudes toward the Law," Social Forces. V. 46. (December, 1967) pp. 256-262.

This article proposes to test Glaser's hypothesis that: "A person pursues criminal behavior to the extent that he identifies himself with real or imaginary persons from whose perspective his criminal behavior seems acceptable." 351 youthful offenders in Federal Correctional Institution in Ashland, Ky. were taken as subjects. The author related three indices of criminal identification to attitudes toward law violation. The three indices are: the extent to which the person sees himself as similar to criminals, associational preference with other lawbreakers, and inmate loyalty. He found that the first two indices were related to attitudes toward law violation, while inmate loyalty is not.

Sutherland, Edwin F. and Donald R. Cressey, Principles of Criminology. (New York, 1966)

The organizing idea of this book in the attempt to explain crime is Sutherland's concept of "differential association." This formulation holds the criminal behavior is learned in communication and interaction with other persons usually in small and intimate groups. In these groups, the individual encounters more definitions of the criminal code as unfavorable than favorable.

Sykes, Gresham M. Crime and Society. New York, 1967.

A study of crime from the viewpoints of an explanation of its occurrence, what has been done and might be done to prevent it, and the administration of criminal law from a sociological perspective.

Sykes, Gresham M. and Thomas E. Drabek, eds. Law and the Lawless: A Reader in Criminology. (New York, 1969)

An anthology organized around three questions: "what is crime, "what causes crime," and "what can be done," which stretches over time from Plato to the latest theories of corrections. There are a large number of readings which have been cut down as much as possible to reveal the author's main points from as many viewpoints as possible. The collection does not cover any one aspect of the problem in great depth.

Taft, Donald R. Criminology. (New York, 1956)

A basic text which is divided into sections on the background, theory, and treatment of crime.

Taft, Donald R. "Influence of the General Culture on Crime," Federal Probation. V. 30. (September, 1966) pp. 16-23.

An attempt to place the 'general culture' within the commonly researched causal explanations of crime. Besides the general culture, there are (1) personality characteristics, and (2) varying life experiences, though this line of attack has yet to result in a social theory of crime. Cultural factors which the author thinks are important are: (a) the belief that "everyone has a racket," (b) destitution of relative poverty, (c) the search for something for nothing, (d) misrepresentation in advertising, (e) the influence of "white collar crime," (f) preferential loyalties for other criminals, (g) a growing acceptance of violence in the culture, (h) discrimination against minorities, (i) popular reliance on punishment as a deterrent. These factors while they obviously will have different places in any attempted causal explanation of crime are thought by this author all to be worth considering.

Tittle, C. F. "Crime Rates and Legal Sanctions," Social Problems. V. 16. (Spring, 1969) pp. 409-423.

This article is an empirical attempt to discover the relationship between sanctions and crime rates. The author, realizing the deficiencies of the Uniform Crime Reports uses them only as an ordinal measure. The rate of deviance is found to be associated with the certainty of punishment (a ratio of crimes known to the police to crimes cleared by arrest), but unrelated to severity of punishment except in homicide. While the author admits that labelling a person deviant may confirm his deviancy, he explains the negative relationship between certainty and crime rates by a possible deterrent effect on others.

Tulloch, Gordon. "An Economic Approach to Crime," Social Science Quarterly. V. 50. (June, 1969) pp. 59-71.

The idea here is to get at the rational cost-benefit calculations a person might make when he is deciding whether or not to commit a crime. The two crimes of tax evasion and traffic violations are used to illustrate this approach. Unfortunately, there is not proof offered that the rationality assumption holds in the cases of crime not here considered, but it is valuable as a more systematic approach to crime deterrence.

Turk, Austin T. Criminality and Legal Order. Chicago, 1969.

A study in criminology which attempts to draw the field into some kind of a coherent whole without attempting to cover everything. It especially seeks to overhaul and reexamine the assumptions which underly the field.

Vertham, F. "Can We Study Violence Scientifically?" 20th Century. V. 173. (Winter, 1964-1965) pp. 32-38.

A plea by a psychologist for the scientific study of an increasingly violent society. He feels that causal sequences could be ascertained, especially if one or two questions were concentrated on. The entire sequence of society's reaction to a criminal act may tell us a great deal about why it happened in the first place. In brief, violence is not necessarily unintelligible.

Whiting, B. B. "Sex Identity, Conflict, and Physical Violence." American Anthropologist. V. 67, Part 2. (December, 1965) pp. 123-40.

An examination of the theory that infrequent contact with his father leads a boy to cross-sex identification, which leads to protesting his own masculinity. Field observations were made by anthropologist teams in Okinawa, New England, Mexico, Phillipines, India, and Kenya. The hypothesis is strongly supported.

Williams, Marv. "Changing Attitudes to Death," Human Relations. V. 19. (November, 1966) pp. 405-423.

The author attempts to assess changing attitudes toward death, including murder and suicide by making a detailed comparison of articles abstracted in 1931 and 1961 editions of Psychological Abstracts. These are mainly from 450 journals and the abstracting is for the most part done by Americans while this may introduce bias into the selections, there is no attempt proposed at statistical validity. Attitudes toward murder in abstracted pieces changed from moral condemnation to clinical understanding, thus changing attitudes toward capital punishment. There is a definite lack of interest found in the psychology of the victim. There is also very little synthesis between sociological and psychological approaches to murder.

Wolfgang, Marvin, ed. Crime and Culture. New York, 1968.

An anthology of theoretical approaches and measurement problems in criminology and corrections assembled in honor of Thorsten Sellin. There are examples of empirical testing and of historical approaches which help to put current problems in a wider context.

Wolfeano, Marvin and Franco Ferracuti. Subculture of Violence. (London, 1967)

This book is an interdisciplinary attempt by a sociologist and a psychologist to lay foundations for an integrated theory of criminality.

Won, G. and C. Yamamoto. "Social Structure and Deviant Behavior, A Study of Shoplifting," Sociology and Social Research. V. 53. (October, 1968) pp. 44-55.

An attempt to ascertain how class position is related to deviance. The percentages were compared to 493 apprehended supermarket shoplifters. They were predominantly females, in the 20 to 50 age group, the \$5000 to \$9000 neighborhood median income group. High school graduates were disproportionately represented among shoplifters. The author concludes that shoplifting is a middle or lower-middle class phenomenon.

### Victimology

Brock, E. Donnie. "Victims of Violent Crime: Should They be an Object of Social Affection?" Mississippi Law Journal. V. 40. (December, 1968) pp. 92---

A largely legal discussion of whether victims of violent crimes should receive compensation as a matter of right. It also evaluates some attempts to institute compensation plans in New York, California, Great Britain, and New Zealand. This is done from a historical and legal viewpoint. There is no useful background, issues or questions. No data is used.

Chaneles, Sol. "Child Victims of Sex Offenses," Federal Probation. V. 31. (June, 1967) pp. 52-56.

Most sex crimes against children occur in a family setting, and the reported crime is usually only one of a long series. There is little good evidence as to the extent of such crimes, but the author thinks that it is about ten times that which is reported. More research is needed into the etiology and psychodynamics of such crimes, but the most pressing need is for greater attention to the victim following the crime to assure his readjustment to the community. The treatment of the child victim just like any other complainant is condemned.

"Crime Pays the Victim," Economist. V. 218. (January 1, 1966) p. 27.

A news story reporting that California sets aside \$100,000 for the payment of compensation to victims of violent crimes and hopes to raise the rest needed from fining those who commit violent crimes.

Hogan, B. "Victims as Parties to Crime," Criminal Law Review. V. 1962. (October, 1962) p. 682.

A legal discussion of case precedent in cases involving questions as to the participation of the "victim" in the crime.

Lamborn, L. L. "Toward a Victim Orientation in Criminal Theory," Rutgers Law Review. V. 22. (Summer, 1968) pp. 733-769.

Although the author's major question is how to provide compensation for the victims of crimes, he raises several other useful questions concerning (1) a definition of victim as related to a definition of crime, (2) the extent of criminal victimization, (3) characteristics of victims, (4) factors influencing why a victim chooses to report a crime or fails to do so, (5) problems of criminal statistics. There is a good discussion of each question, but the author uses no data in support of his positions.

Schafer, Stephen. The Victim and His Criminal: A Study in Functional Responsibility. New York, 1968.

A discussion of the issues involved in victimology and a history of the development of the consideration of the relationship between the victim and criminal.

Schultz, L. G. "Victim-Offender Relationship," Crime and Delinquency. V. 14. (April, 1968) pp. 135-141.

This article stresses the importance of a consideration of the part of the 'victim' to a crime in ascertaining the offender's culpability, especially that an appropriate sentence might be given. The two crimes where the cooperation or outright inducement or provocation of the victim are especially important are rape and murder.

Smodish, Michael. "But What about the Victim?" University of Florida Law Review. V. 22. (Summer, 1969) pp. 1-21.

The contention of this article is that in an age of increasing crime and therefore increasing victimization, the victim is almost completely ignored. This is extended by a consideration of who the victims are, their relative invisibility both to society and to the criminal who victimized them, and the law which rarely provides for any compensation. There is also a discussion of the victim's involvement in the crime, the degree of his cooperation and culpability, and a sketch of characteristics which make some population groups more vulnerable than others. With a view to possible adoption of compensation programs by the State of Florida, the author reviews existing compensation programs.

#### The Police

"Administration of Complaints by Civilians Against the Police," Harvard Law Review. V. 77. (January, 1964) pp. 499-519.

This is a lengthy review of citizen complaint procedures in municipal police departments as of 1963. At this time most complaint processing was done within police departments themselves. It stresses the inadequacy of using formal procedures for dealing with situations where the citizen may only want an apology from the offending officer, that is, where the problem is more one of harassment than brutality. Also citizens are rarely told what was done with their complaints which leaves the impression that police departments do not take them seriously. In the main, the investigation is left up to the superior of the accused officer, which leads to protecting the unit, etc. However no investigation of citizen satisfaction was made.

Rittner, L. "The Police on Skid Row: A Study of Peace-Keeping," American Sociological Review. V. 32. (October, 1967) pp. 699-715.

The "law enforcement" and "peace-keeping" functions of the policeman on skid-row are not really distinguishable. Police methods in this situation are not responses to a formal set of controls, but developed out of practice in concrete situations. They include a personalized approach to residents, less regard for culpability and greater use of coercion, mainly directed at managing situations rather than persons.

Bordua, David J., ed. The Police: Six Sociological Essays. New York, 1967.

A collection of studies on the police with an extensive and detailed bibliography. Beginning with an essay by Silver on the history of the development of the police within society and comes to focus on the problems of the relations between the police and the community, especially the Negro community. Reiss, Piliavin, Skolnick, and Wilson are among the contributors.

Cambell, James S., Joseph P. Sahid, and David P. Stang. Law and Order Reconsidered. (Washington, D. C., 1970)

This is the Report of the Task Force on Law and Law Enforcement to the National Commission on the Causes and Prevention of Violence. The task force used an interdisciplinary approach utilizing the insights and methods of those trained in the law and those in the behavioral sciences. The research was directed by James F. Short and Marvin E. Wolfgang and carried on at three levels:

"(1) summarizing the state of our present knowledge and clarifying the lacunae where more or new research should be encouraged; (2) accelerating known ongoing research so as to make it available to the Task Forces; (3) undertaking new research projects within the limits of time and funds available." This is a large report which covers virtually every area of law enforcement in the United States today.

Chambliss, P. and J. Leill. The Legal Process in the Community Setting, Crime and Delinquency. V. 12. (October, 1966) pp. 310-317.

This case study outlines a community's attempt to deal with a person perceived as deviant but not engaged in illegal activity. The method chosen was harassment and selective enforcement of the law. The risks of such harassment to the public image of the police may be considerable: (1) if it involves the invasion of privacy, (2) if the person harassed commands some measure of esteem, (3) if the law selectively enforced is not minor. The article has a slightly disparate theoretical structure which results from attempting to explain everything about the case, both why harassment was chosen and why it backfired.

"Comment--The Response of the Washington, D. C. Community and Its Criminal Justice System to the April, 1968 Riot," George Washington Law Review. V. 37. (May, 1969) pp. 868-878.

Distrust of the police in Washington, D. C. is based mainly upon harassment of dwellers in the inner city, the extent to which the police interfere in their lives compared with the treatment of people who live in suburbs. The author finds that citizens do not trust the Complaint Review Board, and feels it will do nothing about complaints; suggestions for improvement and a restructuring of

the board to get it out of the police department. The riot in D. C. did not have police action as a triggering incident (it occurred at the time of Martin Luther King's death), but hostility toward the police may have made it more difficult to bring the riot under control.

Cummins, Elaine, Ian Cummins, and Laura Edell. "Police as Philosopher, Guide and Friend," Social Problems. V. 12. (Winter, 1965) pp. 276-286.

In exercising the latent supportive side of what is mainly a social control role, the policeman switches from pro to amateur. To examine this problem the authors sought to answer two questions: What kinds of calls for help do police get and how do they answer them? The investigators observed 801 calls over 82 hours and 14 selected prowl cars answering some of these calls. They also had their field workers submit notes on the general culture of the police department and interviewed the detectives on the Syracuse Police Force. They found that calls are greatest in the evening and on weekends; that cars are sent out on a supply and demand basis; that the police are not well acquainted with agencies which might help these people, and that they are very helpful to children and the mentally disturbed. The police are called upon to use their amateur talents about half of the time, and the authors assume that "support" and "control" functions are incompatible and that the police are therefore conflicted.

Derbyshire, Robert L. "Children's Perceptions of the Police," Journal of Criminal Law. V. 59. (June, 1968) pp. 183-190.

Prior to the Watts riot in August, 1965, through the efforts of both the Police Department and the Los Angeles Public Schools, a public relations program was established in the first, second, and third grades of the public schools. At the request of the Police Department, the effectiveness of its "Policeman Bill Program" was examined. Third grade public school pupils representing three divergent ethnic and social class categories were asked to draw pictures of the policeman at work. Two days after the presentation of the "Policeman Bill Program," one group of children (residing in Watts) was asked to draw another picture of the policeman performing his tasks. Based upon two independent measures, pupils from different ethnic and social class categories displayed significantly different attitudes toward the police. Children from Watts displayed significantly less antipathy toward the police after their contact with the program. Although no consideration is given to the length of time over which positive attitudes are maintained, this research concludes that the LAPD and public schools should continue a program of attitude change.

Doig, J. W., ed. "Police in a Democratic Society," Public Administration Review. V. 28. (September, 1968) pp. 393-430.

A symposium, with articles by Doig, Wilson, Goldstein and Berkeley primarily concerning police reform proposals.

Fogelson, R. M. "From Resentment to Confrontation: The Police, the Negroes, and the Outbreak of the Nineteen-Sixties Riots," Political Science Quarterly. V. 83. (June, 1968) pp. 217-247.

This account of Negroes' perceptions of the police is based on a Bureau of Social Science Research survey of the District of Columbia. The author attempts to assess the truth behind these perceptions and finds that they are based on

three factors: (1) police brutality, (2) police harassment exacerbated by a lack of police discretion because police cannot tell "suspicious" looking Negroes from the law-abiding, and (3) inadequate protection of the ghettos by the police. There is an extremely brief account of why these conditions have led to violence at the present time.

Fox, Vernon. "Sociological and Political Aspects of Police Administration," Sociology and Social Research. V. 51. (October, 1966) pp. 39-48.

A persuasive argument for the examination of policy power within the purview of political sociology.

Maegele, Timothy D. "Civilian Complaints against the Police in Los Angeles," Issues in Criminology. V. 3. (Summer, 1967) pp. 7-34.

The call for a police review board in many of the metropolitan centers of the country is a call for a civilian body which would receive and investigate complaints against the police, determine their validity and impose sanctions where such action was warranted. Mr. Maegele's article is an analysis of relevant materials aimed at discerning the optimum means of carrying out these functions. He discusses in considerable detail the present handling of complaints in Los Angeles, the forms of redress of grievances against the police, the potential solution afforded by a review board, and he suggests modifications of board structure which might make the board more meaningful and acceptable to police and community alike. The alternative concept of the ombudsman is also discussed.

Piliavian, Irving and Scott Briar. "Police Encounters with Juvenile," American Journal of Sociology. V. 70. (September, 1964) pp. 200-214.

In an observational study of police officers' contacts with juveniles, the authors reached these conclusions:

- (1) Wide discretion was exercised by policemen in dealing with youthful offenders.
- (2) The exercise of this discretion was affected by a few readily observable criteria, including boys' prior offense records, race, grooming, and demeanor. Among first offenders particularly, but to some degree among all offenders, a youth's demeanor was a major criterion for determining what police disposition he would be given. Officers estimated that 50-60% of first offense dispositions were based on this criterion.
- (3) The differential in arrest and apprehension rates between Negroes and whites was not simply a consequence of a greater offense rate among the former or police bias. To some extent this differential was due to the fact that Negroes more often than Caucasians exhibited those aspects of demeanor associated by officers with "true" delinquent boys.

"Police and Us," Spectator. V. 213. (August 28, 1964) p. 259.

This article seeks to outline some of the problems which the police have which are presently making them the target of so much criticism (in Great Britain). Among these are a lack of support for the police, their social ostracism, and the lack of modern tools (Scotland Yard is without a computer). Taken together these problems and others like them make the policeman's job much more difficult than it need be. The article is mainly a plea for increased public understanding and support for the police.

Police Caught Red-Handed," Economist. V. 214. (March 6, 1965) pp. 999-1000.

A news article on police brutality in New York City which reports that the revelations about the methods used for obtaining confessions have led to making involuntary confessions inadmissible as evidence in the courts of New York State.

Task Force Report: The Police. The President's Commission on Law Enforcement and Administration of Justice. Washington, 1967.

The report is a supporting document to the larger report, The Challenge of Crime in a Free Society, and is a comprehensive review of the problems of the police with a series of recommendations for improving their effectiveness and their relationships to the communities they serve.

Heiler, P. C. "Who Shall Watch the Watchmen?: Reflections on Some Recent Literature about the Police," Criminal Law Quarterly. V. 11. (October, 1969) pp. 420-433.

A review of the literature and a discussion of some difficulties inherent in the police function. Specifically reviewed are: Walter Gellhorn, When Americans Complain, which holds that civilian review boards are inefficient in policing the police. The pattern of hostility engendered is more important than individual offenses: Niederhoffer, Behind the Shield, the Police in Urban Society, 1967; Banton, The Policeman in the Community, 1964; Wilson, Varieties of Police Behavior, 1968; Bordua, ed., The Police, 1967. There are in addition comments on the special difficulty encountered in police legality in the case of "crimes without victims."

Westley, William A. "Violence and the Police," American Journal of Sociology V. 59. (1953) pp. 34-41.

This case study of a municipal police force in the United States suggests that the illegal use of violence by the police is a consequence of their occupational experience and that the policeman's colleague group sanctions such usage. Policemen see this use of violence as morally acceptable and legitimate in terms of ends defined by the colleague group in preference to legal ends. They see these colleague-group ends as constituting a legitimation for violence which is equal or superior to the legitimation derived from the law. They conceive of violence as a personal property to be used at their discretion. The study was conducted with a municipal police force in a city of 150,000.

Wilson, James O. Varieties of Police Behavior. (Cambridge, Mass., 1968)

A study of the police in eight cities which is limited to a discussion of the most problematical of his functions in a free society, the enforcement of law, especially as it involves the use of police discretion.

#### Criminal Statistics

Beattie, F. H. "Criminal Statistics in the United States," Journal of Criminal Law. V. 51. (May-June, 1960) pp. 49-65.

A lengthy examination of existing federal and state criminal statistics

with an analysis of their limitations and considerations for their improvement. The author agrees with Sellin that 'the value of a crime rate for index purposes decreases as the distance from the crime itself in terms of procedure increases.' He finds that generally statistics available are not adequate for purposes of comparison.

Beattie, P. H. "Problems of Criminal Statistics in the United States," Journal of Criminal Law, Criminology, and Police Science. V. 46. (July-August, 1955) pp. 178--

The author gives a historical account of the difficulties of crime reporting for statistical purposes in the United States. Do the crimes on the Uniform Crime Report mean the same thing to all the people who fill out such reports? Does California have the highest crime rate in the United States simply because its crime reporting is the best? The following article is more complete with regard to different reporting systems, while this one gives more theoretical reasons for the difficulties of accurate reporting with some suggestions for improvement.

"Criminal Statistics, Under Review," Economist. V. 207. (June 29, 1963) p. 1344.

The British crime statistics are based on a reporting system similar to that in the United States, reporting by individual police stations. Although all stations report, there remains the problem of what should be called a crime. The Home Secretary has set up a commission to review the gathering of such statistics. (A report of the commission might be worth sending for.)

Ferracuti, F. and P. P. Fernandez. "Study of Police Errors in Crime Classification," Journal of Criminal Law. V. 53. (March, 1962) pp. 113--

This is a study evaluating attempts to introduce the Uniform Crime Reports in Puerto Rico. It seeks to differentiate those who report accurately from those who do not and to identify possible sources of the individual's error. There were no personality factors found to be associated with errors of classification. The reason for undertaking such a study was to begin to estimate some of the ways in which known criminals differ from all criminals by pinning down an important link in the process whereby some crimes become known.

Ferracuti, F. and P. P. Fernandez. "Study of Police Errors in Crime Classification," Journal of Criminal Law. V. 53. (March, 1962) pp. 113--

This is a study evaluating attempts to introduce the Uniform Crime Reports in Puerto Rico. It seeks to differentiate those who report accurately from those who do not and to identify possible sources of the individual's error. There were no personality factors found to be associated with errors of classification. The reason for undertaking such a study was to begin to estimate some of the ways in which known criminals differ from all criminals by pinning down an important link in the process whereby some crimes become known.

Geis, G. "Statistics Concerning Race and Crime," Crime and Delinquency. V. 11. (April, 1965) p. 142.

Geis concludes that statistics attempting to show the amount of crime in a society are grossly inadequate indicators of the real amount. He holds that the breakdown of these statistics by race compounds the error and leads to dangerous misinterpretation. Therefore the breakdown should be eliminated from the official reports.

Griffin, J. I. "New Perspectives in Police Statistics," Journal of Criminal Law. V. 46. (March-April, 1956) p. 879.

The author sets out some of the difficulties involved in the measurement of crime by police departments and the compilation of other statistics which would be useful for police work, especially within the precinct. It is especially difficult to know the relationship of the known crime to the total for this is partially a function of the intensity of police activity. He recommends that each police department have its own sample survey unit.

"Killers and Victims," 20th Century. V. 170. (Winter, 1962) pp. 68-70.

A selection of interesting facts about killers and their victims from the recent (1962) British publication, Encyclopaedia of Murder.

Price, James E. "A Test of the Accuracy of Crime Statistics," Social Problems. V. 14. (Fall, 1966) pp. 214-221.

A test of the accuracy of the statistics for crimes against property made by cross-sectional comparisons with the premium rates of insurance coverages. The FBI figures and insurance rates are independent, and compared by multiple regression. The author concludes that by this test the crime statistics are not very accurate. (In an attempt to divide cities on the basis of police force efficiency, it was found that no satisfactory rating could be obtained.)

Robison, S. M. "Critical View of the Uniform Crime Reports," Michigan Law Review. V. 64. (April, 1966) pp. 1031--

An examination of the errors of the Uniform Crime Reports. The fact that they are issued by the FBI gives them more credibility than is warranted by the way they are collected and indexed. There is a lack of clarity in the definition of crimes and overlapping categories making it impossible for the police departments which fill out the UCR forms to do it in the same way from department to department. There are some sound suggestions for improvement.

Sagi, P. C. and C. F. Wellford. "Age Composition and Patterns of Change in Criminal Statistics," Journal of Criminal Law. V. 59. (March, 1968) pp. 29-36.

The study proposed in the title was impossible to do, despite the fact that there is a fair amount of support for the hypothesis because good criminal statistics are not available. The authors attempted to use the Uniform Crime Reports.

Shulman, H. M. "Measurement of Crime in the United States," Journal of Criminal Law. V. 57. (December, 1966) pp. 483-492.

The author finds that current statistics fall short of both the volume and range of crime in the United States. Part of the reason for these lacks is that the police have only a limited function in crime control and therefore are inadequate as reporters on all crime. Interesting suggestions are made about new ways for getting at the true incidence of crime.

Wintersky, M. F. "Some Aspects of Criminal Statistics and a Statistical Method in Areas of Criminal Law and Process," De Paul Law Review. V. 3. (Spring-Summer, 1954) pp. 199-220.

The problem which receives continued emphasis in these studies is that all crime statistics rest on the reports of the local police. The records of "crimes known to the police" are simply non-existent in many instances.

Public Opinion  
toward the Administration of Justice

Axelrod, Robert. "Structure of Public Opinion on Policy Issues," Public Opinion Quarterly. V. 31. (Spring, 1967) pp. 51-60.

This article concerns the structure of public opinion on a variety of policy issues. The author applied cluster analysis to the 1956 Survey Research Center data on the election. He infers the absence of a well-defined, widely-shared ideology relating police issues to one another. The most highly inter-correlated cluster, dubbed "populim," includes approval of Federal assistance in health, employment and education and disapproval of current taxation, civil liberties, and foreign involvement.

Barbeau, Donald, Hon. Judge. "Many Obtain First Impression of Justice in Municipal Court," Hennepin Lawyer. V. 28. (May, 1960) p. 123.

In municipal courts of Minneapolis over 14,000 people a year appear in traffic court and over 15,000 in conciliation court. This is more people than appear in all other courts of Minnesota put together. For these reasons the judge should bear in mind that the great majority of people obtain their first impression of justice by appearance in municipal court. Whether or not a party departs with a favorable opinion of American justice depends in many cases on the judge. Mainly a recommendation that such facts be kept in mind when presiding over a municipal court. However, the article also suggests that people's experiences with the law are widespread and various.

Beroer, M. M. "Public Relations and the Courts," Judicature. V. 52. (April, 1969) pp. 378-- Also in New York State Bar Journal. V. 41. (August, 1969) pp. 383--

This essay emphasizes the need for better public understanding of the workings and decisions of the court. It calls for the use of public relations men, or information officers in court, coupled with good sense about public relations on the part of judges. There is no data. The essay further suggests that public reaction to the courts is determined by the press, and believes that the public does not understand the court partly because other branches of government are better reported.

Botein, B. "Who are the Accident Victims--The Parties, the Public or the Courts?" Record. V. 12. (April, 1957) pp. 185--

One of many fine articles discussing the delay problem in the United States' courts.

Carlin, Jerome E. Lawyers' Ethics: A Survey of the New York City Bar. New York, 1966.

A sample survey of 800 lawyers in private practice in New York City. This study attempts to study the relationship between ethical standards held and

actual practice. The author finds that there are some wide divergences between the two and attempts to find the social correlates of norm violation in this area.

"Citizens and the Court," Record. V. 10. (November, 1955) p. 370---

A proposal for symplifying and unifying the court system of New York based on three ingredients for justice: (1) good laws, (2) good judges, and (3) good courts.

Dawson, A. O. "Youthful Offenders in the Federal Court," Connecticut Bar Journal. V. 30. (December, 1956) pp. 370-375.

The author is a judge who advocates a strict crackdown on juvenile offenders so that they will realize that criminal behavior does not go unpunished. This is purely the judge's opinion, based on no research.

Denner, B. "Did a Crime Occur? Should I Inform Anyone? A Study of Deception," Journal of Personality. V. 36. (September, 1968) pp. 454-465.

This experiment was aimed at finding the personality differences between those who report crimes and those who do not. The working hypothesis was that those with a high concern for distinguishing between real and unreal and a high need for information before making judgments will be less likely to report a crime than those with very low concern about such distinctions. People with these traits were distinguished experientially and the extremes of the distribution were exposed to a "crime." The subjects were students in an introductory psychology course. The hypothesis was well born out.

Dohrenwned, B. P. and E. Chin-Shong. "Social Status and Attitudes toward Psychological Disorder: the Problem of Tolerance of Deviance," American Sociological Review. V. 32. (June, 1967) pp. 417-433.

Tolerance of deviance depends not on perceptions of underlying psychopathology but on lesser magnitude of overt threat. People of lower status are more tolerant, but only because they tend to have a different definition of deviance. When their definition agrees with that of higher status persons, they tend to be less tolerant.

Dolbeare, Kenneth M. and Phillip E. Hammond. "The Political Party Basis of Attitudes toward the Supreme Court," Public Opinion Quarterly. V. 32. (Spring, 1968) pp. 16-30.

The authors use Gallup surveys, questions asked by the Michigan and Berkeley Survey Research Centers, and a comprehensive study by the Wisconsin Survey Research Laboratory to find the main determinants of public attitudes toward the Supreme Court. They found many more people are willing to evaluate the Court than can give specific, knowledgeable replies about Court opinions. There is little evidence that ideology, independent of party, tends to structure attitudes toward the Court. While approval of the Court goes with approval of the president, party identification is the most important factor.

Dolbeare, Kenneth M. "The Public Views the Supreme Court," in Herbert Jacobs, (ed.) Law, Politics, and the Federal Courts. Boston, 1967.

The level of public knowledge about the Supreme Court, the effect of judicial myths, and opposition to the Court are examined using percentages from Gallup, Survey Research Center, and Wisconsin data. The Court's recognition and status are lower than that of Congress or the Presidency. Party affiliation interacting with Presidential partisanship, liberalism, and the level of knowledge are the main determinants of attitudes toward the Court. The hypothesis which emerges is that there is a low level of knowledge and general approval due to low impact and contact, and "personalization" of Court decisions.

Fain, J. F. "Citizen Looks at Crime," Crime and Delinquency. V. 7. (October, 1961) pp 321--

This citizen concerned about crime relates the increase to a breakdown of values. He thinks that there is a need to aim at changing society and calls for more trained social workers, total planning, etc. However, he holds that there is also a need to retain human individuality and personal responsibility.

Falk, G. J. "Public Prejudice against the Police," ABA Journal. V. 50. (August, 1964) pp. 754-757.

The author contends that it is a policeman's duty to enforce laws which restrict behavior which leads to public and private resentment of him. The public is ill-informed about the real nature of police work and meets the police most generally when they are in the process of asserting their resented authority. This image is reinforced by television and passed from parents to their children. However, there are also elements of police practice which lead to this unfavorable image and suggestions for improvement are made. The author's points are illustrated with a public opinion survey taken in Los Angeles.

Friendly, Alfred and Ronald L. Goldfarb. Crime and Publicity. New York, 1967.

The problem which this book seeks to confront is the conflict between the ways in which the press safeguards the legal system by preventing arbitrary and secret judgment and the ways in which it endangers the administration of justice in "trial by newspaper."

Gibbons, D. C. "Crime and Punishment: A Study in Social Attitudes," Social Forces. V. 47. (June, 1969) pp. 391-397.

An investigation in California of the relationship between public attitudes about appropriate sanctions for crime and the actual legal penalties employing fictitious cases of crime which correspond to the actual crimes which come under various headings. It was found, using an extremely informal quota sample that where the preferences of citizens are different from actual practice, they are generally in the direction of greater severity. However, this may have resulted because the case description in some cases was more serious than the typical crime covered by a heading.

Giblin, V. C. "What Laymen Think of the Courts and Why," Alabama Lawyer. V. 16. (October, 1955) pp. 429--

This judge thinks that the most persistent complaint voiced by laymen is that courts are slow. He therefore proposes procedural changes to improve effectiveness and shorten the time involved in the disposition of cases.

Gilbert, G. M. "Crime and Punishment," Mental Hygiene. V. 42. (October, 1958) pp. 550-557.

Three samples of males, (a) a public sample of 234, (b) a convict sample of 201 inmates, and (c) a sample of 134 criminology students were compared on their rankings of the seriousness of various crimes and on the sentences which they would give. All samples ranked murder and the assaultive rape of children most serious, calling for life sentences or capital punishment. However, the general public took a much more severe attitude toward statutory rape and sex perversion than did the criminology students while prisoners' attitudes reflected contempt for such crimes. Auto theft, bad checks, and adultery were ranked low by all and called for little or no punishment.

Hamilton, R. F. "Research Note on the Mass Support for Tough Military Initiatives" American Sociology Review. V. 33. (June, 1968) pp. 439-445.

This analysis of 1952 and 1964 Survey Research Center studies infers the existence of "upper-middle class authoritarianism" favoring tough foreign policy initiatives. These were more likely to be preferred, in both years, by males, whites, those with high-status occupations, highly educated groups, those with high incomes, younger persons, Republicans, the politically concerned and media attenders, especially those who read newspapers and magazines.

"Hanging and the Public Opinion," New Statesman. V. 50. (August 6, 1955) p.152.

This opinion piece argues that the government must lead public opinion in this matter, get rid of the death penalty, and the people will accept it.

Hare, N. "Ambivalent Public and Crime," Crime and Delinquency. V. 9. (April 1963) pp. 145--

A journalistic account of incidents emphasizing the reluctance of the public to assist a victim or participate in capturing a criminal, or testify against him. The article is illustrative of public ambivalence about violent crime and courts, but especially about such crimes as gambling and prostitution.

Harris, Louis. "Changing Public Attitudes toward Crime and Corrections," Federal Probation. V. 32. p. 9--

The author discusses the public view of crime and corrections, using data from several Louis Harris Polls. He concludes from this evidence that the public is afraid of crime, scared about its magnitude but not willing to spend much money, devote much time, etc., to its control. He speculates that this ambivalence is related to a lack of faith in the system. A good source of data and questions.

Hawes, M. D. "Community Looks at Crime," Federal Probation. V. 19. (March, 1955) pp. 42-45.

A report on a community workshop on crime in Baltimore sponsored by the public library which was participated in by experts in criminology. The assessment of the results is tentative though the workshops evoked continuing interest and intelligent participation by citizens for the five sessions.

Firsch, Herbert and Lewis Donohew. "A Note on Negro-White Differences in Attitudes Toward the Supreme Court," Social Science Quarterly. December, 1968, pp. 556-562.

This analysis of the 1964 Survey Research Center data demonstrates that there are consistent differences between white and Negro attitudes toward the Supreme Court. Negroes evaluated the Court more positively and less negatively than whites. These differences remained when geographic area, education, income, party identification, and sense of political efficacy were controlled. The analysis further demonstrates that the racial variable accounts for a greater amount of the variance in the data than any of the control variables, although white approval of the Court increases with increasing education.

Missong, J. B. "The Role of the Church in Preventing Crime and Delinquency," Federal Probation. V. 32. (December, 1968) pp. 50--

This article assumes a structural and moral view of crime connecting it with technology, unemployment and other social problems. It is a plea to the churches to stay in the inner-city, participate in civic programs for youth, etc. The author gives a list of eighteen ways in which the church and the individual can help to cure social problems, especially crime.

"How Much Do Voters Know or Care about Judicial Candidates?" American Judicature Society Journal. V. 33. (April, 1955) pp. 141-143.

A report on a Poper Poll within ten days after the November, 1954 election. The poll was conducted in New York City, Buffalo, and Cayuga County (upstate, semi-rural, New York) and found that almost none of the respondents at any of the locations could remember the name of one judge they voted for.

Kessel, J. "Public Perceptions of the Supreme Court," Midwest Journal of Political Science. V. 10. (May, 1966) pp. 167-191.

This analysis of a February, 1965 sample of Seattle attempts to discover the determinants of attitudes toward the Court. The author concludes that attitude formation in this area depends on "involvement" in the political culture, while the direction of such attitudes depends on the direction of environmental stimuli from the media, one's associates, and various Court decisions.

Lagey, J. C. "Social Factors Related to Attitude Change in Students," Sociology and Social Research. V. 39. (July, 1955) pp. 401-403.

This study attempted to measure attitude change in students in three different classes, introductory anthropology, introductory sociology, and introductory social disorganization, toward more humane treatment of criminals. Tested at the beginning and the end of the semester all three classes had changed to a more humane view. Of thirty-four factors tested, only religiousity and church attendance were positively related in all three classes. There is little explanation given, but there is a summary of factors related for each class.

Landinsky, Jack and Allan Silver. "Popular Democracy and Judicial Independence: Electorate and Elite Reactions to Two Wisconsin Supreme Court Elections," Wisconsin Law Review. V. 1967. (Winter, 1967) pp. 128-169.

This article analyzes two Wisconsin Supreme Court elections and looks at characteristics of elite individuals involved in the campaign and public reactions to them. The study includes results of 575 interviews with a random sample of the Wisconsin electorate about their general orientations to the judiciary and its relationship to voting behavior. Age and education were found to be persistently linked to perspectives on the judiciary, but these orientations were only weakly linked to voting. Apathy is seen to be very important in the relation of people to the judiciary on the state level.

Laws, B. J. "Law and the Layman," Washington University Law Quarterly. V. 1955. (December, 1955) pp. 327--

This article by a judge suggests what might be done to improve public opinion of the court and to involve the layman in the legal system. He thinks that a bad experience as a juror or witness may lead to bad feelings toward the court and a reluctance to become involved in the legal process again. The situation might be improved by layman participation in drawing up pamphlet on juries, improved socialization for that role, and involving citizens to increase their sense of efficacy.

MacKinnon, William J. and Richard Centers. "Social-Psychological Factors in Public Orientation toward an Out-Group," American Journal of Sociology. V. 63. (January, 1958) pp. 415-419.

An opinion survey conducted in Los Angeles County in 1954 with 460 respondents is designed to reveal some of the sources of opinions concerning the Soviet Union and the nature of the public's orientation toward that country. Newspapers are found to be the predominant source of opinion. Opinion is less divided with regard to the status of free speech in Russia than on the issue of equality of income, on the latter question social class appears to be an important determinant of opinion. Stronger opposition to information about the Soviet society arises from people with "authoritarian" personalities.

McCain, R. R. "Reactions to the U. S. Supreme Court Segregation Decision of 1954," Georgia Historical Quarterly. V. 52. (December, 1968) pp. 371-383.

This article is a non-analytical summary of patterns of compliance and resistance to the Brown decision of 1954 in the seventeen states which had schools segregated by law in 1954. The main patterns were immediate implementation of desegregation plans, appointment of study commissions, and outright resistance.

Mott, Rodney. "Judicial Influence," American Political Science Review. V. 30. (1936) p. 295--

An attempt to measure the prestige of state and national supreme courts, by an analysis of rankings given by 259 law professors. The author found large differentials in knowledge and ranking of courts, and that high knowledge and high ranking agreement correlated with high esteem. Also analyzed were 59 case books published between 1915 and 1936. The lawyers' rankings correlated with the frequency of the courts' citation in such casebooks. The conclusion drawn was that courts' prestige could be a function of the professionalization of the rankers, of the courts, or simply of demographics.

Murphey, Walter F. and Joseph Tanenhaus. "Public Opinion and Supreme Court: The Goldwater Campaign," Public Opinion Quarterly. V. 32. (Spring, 1968) pp. 31-51.

This is the first report of a long-term study of public opinion in relation to the United States judiciary, financed by the National Science Foundation. The post-election 1964 Survey Research Center data were used to estimate the effect of Goldwater's campaign on tendencies to criticize or defend the Supreme Court. Only 41.4% of the respondents had opinions about the Supreme Court. Multiple and step-wise regression were used to evaluate the importance of supporting Goldwater in shaping these attitudes. While its effect was judged to be slight, the authors feel that Goldwater did legitimate conservative sentiments against the Court.

Hagel, Stuart and Robert Erikson. "Editorial Reaction to Supreme Court Decision on Church and State," Public Opinion Quarterly. V. 30. (1966) p. 647.

The editorials of twenty-four newspapers in two-week periods subsequent to four Court decisions were analyzed. They were scaled for church-state separation positions. These correlated with the party composition of the city and the party affiliation of the editor.

Newland, Chester. "Press Coverage of the United States Supreme Court," Western Political Quarterly. V. 17. (1964) p. 16--

A detailed, critical, exposition of press handling of Court decisions. The author finds that few reporters cover the Court and that these reporters have very little legal training.

Olsen, Marvin E. "Perceived Legitimacy of Social Protest Actions," Social Problems. V. 15. (Winter, 1968) pp. 297-310.

A scale to measure the extent to which respondents grant legitimacy to various types of social protest actions--such as strikes, sit-ins, and demonstrations--was devised and tested in a population composed largely of "upper-middle class" urban whites in Ann Arbor, Michigan. Education, occupation, and income were all directly correlated with acceptance of protest activities, age was inversely related, men were more accepting than women, Democrats more than Independents or Republicans, and two types of political alienation were inversely correlated with tolerance of these actions. Multivariate analysis revealed that, under extensively controlled conditions, the variable of education remained the strongest predictor of protest action scores, but in a curvilinear fashion. The two political alienation scales were the next strongest correlates under these controlled conditions, followed by age and political preference.

Petrick, Michael J. "The Supreme Court and Authority Acceptance," Western Political Quarterly. V. 21. (March, 1968) pp. 5-20.

This article attempts to determine what accounts for the legitimacy of the Supreme Court. The author offers four reasons: (1) Formal allocation of power: The Court is seen as integral to the entire legal system. To reject the Court's authority one must reject the entire legal system. (2) The legal expertise of the Court. (3) Its ability to fulfill security needs, vis-a-vis liberty. (4) The judicial setting and high prestige of the justices all help to account for the legitimacy of the Court.

Pope, J. "Public Impression of the Courtroom Scene," Texas Bar Journal. V. 22. (February, 1959) p. 71--

This article notes public surveys taken by both the State Bar of Texas and the American Bar Association as to the lay viewpoint of lawyers and the courts. (It does not give the full citation.) The author concludes that public opinion is dependent on the conduct of the court and the behavior of the judge.

Pound, Roscoe. "Causes of Popular Dissatisfaction with the Administration of Justice," Crime and Delinquency. V. 10. (October, 1964) pp. 355--

Pound classifies the sources of dissatisfaction according to those which will be endemic to any system of justice and those which are peculiar to the American one. Under the former he places: (1) the fact that laws of their nature operate mechanically, (2) the difference in the rate of progress between law and public opinion, (3) a general assumption that the administration of justice is an easy task to which anyone is fitted, and (4) popular impatience of restraint. Under the latter he includes: (1) the individualistic spirit of our common law, which fits badly into the collectivist age, (2) the doctrine of contentious procedure which turns litigation into a game, (3) political jealousy, due to the strain put upon the system by the doctrine of the supremacy of law, (4) a lack of legal philosophy to guide comprehensive legal reform, and (5) defects of form which result from the great number of cases. Problems also result from the fact that the court system is archaic in many ways and the fact that there is very little public interest in the judiciary which can be seen from the reluctance of people to serve on juries.

Rose, A. M. and A. E. Prell. "Does the Punishment Fit the Crime? A Study in Social Valuation," American Journal of Sociology. V. 61. (November, 1955) pp. 247-259.

There is a significant discrepancy between the law and popular judgment as to how the law should be applied in assigning punishments for thirteen studied felonies. This probably reflects "cultural lag" in the law, as compared to popular conceptions, although the cases studied are too unrepresentative for generalization. Background characteristics of the judges are related to the judgments made. Many subjects were willing to be deliberately nonequalitarian in punishing convicted criminals from different classes in the population. A technique is presented for ascertaining the mental equivalency of two logically noncomparable scales of values.

Sheldon, C. E. "Public Opinion in High Courts: Communist Party Cases in Four Constitutional Systems," Western Political Quarterly. V. 20. (June, 1967) pp. 341-360.

Are the Supreme Courts of Canada, Australia, the United States and the Federal Republic of Germany influenced by public opinion on subversive litigation? To answer this question the author analyzes opinion percentages and scholarly comment in these countries. Opinion and Court rulings correlated in Canada, the U. S. and Germany, but not in Australia.

Silvey, J., et. al. "Criminal Law and Public Opinion: A Symposium," Criminal Law Review. V. 1961. (June, 1961) pp. 349-394.

The first article, by Silvey, emphasizes that the requirements that law conform to public opinion and that it meet the standards of logic frequently conflict. It is an excellent article on the relationship between public opinion and the law, especially as they inform each other. The role of publicity for effective deterrance is stressed.

Smigel, E. O. "Public Attitudes toward Stealing as Related to the Size of the Victim Organization," American Sociological Review. V. 21. (January, 1956) pp. 320-327.

The author tested the hypothesis that most individuals would prefer to steal, and would be more approving of others stealing from large scale, impersonal, rather than small scale, personal organization. 212 respondents were interviewed in Bloomington, Indiana. Most respondents expressed strong, generalized disapproval of stealing, but disapproval decreased with lower SES, females, lower religiosity and veteran status. Respondents made forced choices about stealing on the basis of least risk and lesser evil.

Stafford, C. F. "Public's View of Judicial Role," Judicature. V. 52. (August-September, 1968) pp. 73--

This judge says that the average person derives his concept of judges from TV or movies or from his experience with the lower court. To the typical person a judge is a judge whether he is a justice of the peace or Chief Justice of the U.S. Supreme Court. The court of limited jurisdiction is the court of lasting impression for most people. For this reason he emphasizes the need for judicial decorum.

Stewart, J. D. "Citizens View the Impact of Crime," Crime and Delinquency. V. 150. (July, 1969) pp. 323--

This article written by a "citizen" asks and answers the questions: What is the impact of crime on the individual? What does he fear about crime? He quotes findings from Task Force Report on Crime Impact, An Assessment and holds that fear causes people to abandon the central city, and alter natural patterns of behavior. He ends by emphasizing citizen participation in carrying out the crime commission's proposals.

Stumpf, H. P. "Political Efficacy of Judicial Symbolism," Western Political Quarterly. V. 19. (June, 1966) pp. 293-303.

The question is posed, does the symbolic stature of the Court have political efficacy, particularly in shielding the Court from political assaults?. The authors tested the hypothesis that the higher the frequency of the sacrosanctity argument in Congress, the less likely is passage of a reversal bill. Forty-four reversal proposals relating to nineteen topics involving twenty-seven Court decisions from 1957 to 1961 are presented. The conclusion drawn is reversal bills are not, but anti-Court bills may be, influenced by symbols.

Turnstile, M. "Whole Truth?" New Statesman. V. 71. (April 29, 1966) pp. 608-609.

This editorial asks for restraint in reporting the Moors murder case because of the National Association for Mental Health's (British) fears the psychotics will be led to imitation.

Way, H. F., Jr. "Survey Research on Judicial Decisions: The Prayer and Bible Reading Cases," Western Political Quarterly. V. 21. (June, 1963) pp. 189-205.

The impact of the 1962-1963 prayer decisions is examined by a survey of 1712 public elementary school teachers in 1964-1965. The author concludes that classroom prayer did decline markedly, and that continued prayer was related to church attendance and religious affiliation, and region (dichotomized to South and non-

South.) Multiple regression shows that region accounts for almost all of the explained variance.

Wright, E. A. "Courtroom Decorum and the Trial Process," Judicature. V. 51. (May, 1968) p. 378.

A short article with recommendations for courtroom decorum in order to give the public a good opinion of the justice system.

**END**

7 10/10/1944