

CAUSES OF VIOLENCE

A STAFF REPORT TO THE NATIONAL
COMMISSION ON THE CAUSES AND
PREVENTION OF VIOLENCE
PREPARED BY
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With Lynn A. Curtis

A STAFF REPORT
NOT A REPORT
OF THE
COMMISSION



The White House

June 10, 1968

EXECUTIVE ORDER #11412

**ESTABLISHING A NATIONAL COMMISSION ON
THE CAUSES AND PREVENTION OF VIOLENCE**

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. Establishment of the Commission. (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of:

Dr. Milton Eisenhower, *Chairman*
Congressman Hale Boggs
Archbishop Terence J. Cooke
Ambassador Patricia Harris
Senator Philip A. Hart
Judge A. Leon Higginbotham
Eric Hoffer

Senator Roman Hruska
Albert E. Jenner, Jr.
Congressman William M. McCulloch
*Dr. W. Walter Menninger
*Judge Ernest William McFarland
*Leon Perrow

SECTION 2. Functions of the Commission. The Commission shall investigate and make recommendations with respect to:

(a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;

(b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and

(c) Such other matters as the President may place before the Commission.

SECTION 4. Staff of the Commission.

SECTION 5. Cooperation by Executive Departments and Agencies.

(a) The Commission, acting through its Chairman, is authorized to request from any executive department or agency any information and assistance deemed necessary to carry out its functions under this Order. Each department or agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

SECTION 6. Report and Termination. The Commission shall present its report and recommendations as soon as practicable, but not later than one year from the date of this Order. The Commission shall terminate thirty days following the submission of its final report or one year from the date of this Order, whichever is earlier.

S/Lyndon B. Johnson

*Added by an Executive Order June 21, 1968

The White House

May 23, 1969

EXECUTIVE ORDER #11469

**EXTENDING THE LIFE OF THE NATIONAL COMMISSION
ON THE CAUSES AND PREVENTION OF VIOLENCE**

By virtue of the authority vested in me as President of the United States, Executive Order No. 11412 of June 10, 1968, entitled "Establishing a National Commission on the Causes and Prevention of Violence," is hereby amended by substituting for the last sentence thereof the following: "The Commission shall terminate thirty days following the submission of its final report or on December 10, 1969, whichever is earlier."

S/Richard Nixon

CRIMES OF VIOLENCE

Vol. 12

A STAFF REPORT
SUBMITTED TO THE
NATIONAL COMMISSION ON THE
CAUSES & PREVENTION OF VIOLENCE

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December 1969

STATEMENT ON THE STAFF STUDIES

The Commission was directed to "go as far as man's knowledge takes" it in searching for the causes of violence and means of prevention. These studies are reports to the Commission by independent scholars and lawyers who have served as directors of our staff task forces and study teams; they are not reports by the Commission itself. Publication of any of the reports should not be taken to imply endorsement of their contents by the Commission, or by any member of the Commission's staff, including the Executive Director and other staff officers, not directly responsible for the preparation of the particular report. Both the credit and the responsibility for the reports lie in each case with the directors of the task forces and study teams. The Commission is making the reports available at this time as works of scholarship to be judged on their merits, so that the Commission as well as the public may have the benefit of both the reports and informed criticism and comment on their contents.

Michael S. Rios

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PREFACE

From the earliest days of organization, the Chairman, Commissioners, and Executive Director of the National Commission on the Causes and Prevention of Violence recognized the importance of research in accomplishing the task of analyzing the many facets of violence in America. As a result of this recognition, the Commission has enjoyed the receptivity, encouragement, and cooperation of a large part of the scientific community in this country. Because of the assistance given in varying degrees by scores of scholars here and abroad, these Task Force reports represent some of the most elaborate work ever done on the major topics they cover.

The Commission was formed on June 10, 1968. By the end of the month, the Executive Director had gathered together a small cadre of capable young lawyers from various Federal agencies and law firms around the country. That group was later augmented by partners borrowed from some of the Nation's major law firms who served without compensation. Such a professional group can be assembled more quickly than university faculty because the latter are not accustomed to quick institutional shifts after making firm commitments of teaching or research at a particular locus. Moreover, the legal profession has long had a major and traditional role in Federal agencies and commissions.

In early July a group of 50 persons from the academic disciplines of sociology, psychology, psychiatry, political science, history, law, and biology were called together on short notice to discuss for 2 days how best the Commission and its staff might proceed to analyze violence. The enthusiastic response of these scientists came at a moment when our Nation was still suffering from the tragedy of Senator Kennedy's assassination.

It was clear from that meeting that the scholars were prepared to join research analysis and action, interpretation, and policy. They were eager to present to the American people the best available data, to bring reason to bear where myth had prevailed. They cautioned against simplistic solutions, but urged application of what is known in the service of sane policies for the benefit of the entire society.

Shortly thereafter the position of Director of Research was created. We assumed the role as a joint undertaking, with common responsibilities. Our function was to enlist social and other scientists to join the staff, to write papers, act as advisers of consultants, and engage in new research. The

decentralized structure of the staff, which at its peak numbered 100, required research coordination to reduce duplication and to fill in gaps among the original seven separate Task Forces. In general, the plan was for each Task Force to have a pair of directors: one a social scientist, one a lawyer. In a number of instances, this formal structure bent before the necessities of available personnel but in almost every case the Task Force work program relied on both social scientists and lawyers for its successful completion. In addition to our work with the seven original Task Forces, we provided consultation for the work of the eighth "Investigative" Task Force, formed originally to investigate the disorders at the Democratic and Republican National Conventions and the civil strife in Cleveland during the summer of 1968 and eventually expanded to study campus disorders at several colleges and universities.

Throughout September and October and in December of 1968 the Commission held about 30 days of public hearings related expressly to each of the Task Force areas. About 100 witnesses testified, including many scholars, Government officials, corporate executives as well as militants and activists of various persuasions. In addition to the hearings, the Commission and the staff met privately with scores of persons, including college presidents, religious and youth leaders, and experts in such areas as the media, victim compensation, and firearms. The staff participated actively in structuring and conducting those hearings and conferences and in the questioning of witnesses.

As Research Directors, we participated in structuring the strategy of design for each Task Force, but we listened more than directed. We have known the delicate details of some of the statistical problems and computer runs. We have argued over philosophy and syntax; we have offered bibliographical and other resource materials, we have written portions of reports and copy edited others. In short, we know the enormous energy and devotion, the long hours and accelerated study that members of each Task Force have invested in their labors. In retrospect we are amazed at the high caliber and quantity of the material produced, much of which truly represents the best in research and scholarship. About 150 separate papers and projects were involved in the work culminating in the Task Force reports. We feel less that we have orchestrated than that we have been members of the orchestra, and that together with the entire staff we have helped compose a repertoire of current knowledge about the enormously complex subject of this Commission.

That scholarly research is predominant in the work here presented is evident in the product. But we should like to emphasize that the roles which we occupied were not limited to scholarly inquiry. The Directors of Research were afforded an opportunity to participate in all Commission meetings. We engaged in discussions at the highest levels of decisionmaking, and had great freedom in the selection of scholars, in the control of research budgets, and in the direction and design of research. If this was not unique, it is at least an uncommon degree of prominence accorded research by a national commission.

There were three major levels to our research pursuit: (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. Coming from a university setting where the pace of research is more conducive to reflection and quiet hours analyzing data, we at first thought that completing much meaningful new research within a matter of months was most unlikely. But the need was matched by the talent and enthusiasm of the staff, and the Task Forces very early had begun enough new projects to launch a small university with a score of doctoral theses. It is well to remember also that in each volume here presented, the research reported is on full public display and thereby makes the staff more than usually accountable for their products.

One of the very rewarding aspects of these research undertakings has been the experience of minds trained in the law mingling and meshing, sometimes fiercely arguing, with other minds trained in behavioral science. The organizational structure and the substantive issues of each Task Force required members from both groups. Intuitive judgment and the logic of argument and organization blended, not always smoothly, with the methodology of science and statistical reasoning. Critical and analytical faculties were sharpened as theories confronted facts. The arrogance neither of ignorance nor of certainty could long endure the doubts and questions of interdisciplinary debate. Any sign of approaching the priestly pontification of scientism was quickly dispelled in the matrix of mutual criticism. Years required for the normal accumulation of experience were compressed into months of sharing ideas with others who had equally valid but differing perspectives. Because of this process, these volumes are much richer than they otherwise might have been.

Partly because of the freedom which the Commission gave to the Directors of Research and the Directors of each Task Force, and partly to retain the full integrity of the research work in publication, these reports of the Task Forces are in the posture of being submitted to and received by the Commission. These are volumes published under the authority of the Commission, but they do not necessarily represent the views or the conclusions of the Commission. The Commission is presently at work producing its own report, based in part on the materials presented to it by the Task Forces. Commission members have, of course, commented on earlier drafts of each Task Force, and have caused alterations by reason of the cogency of their remarks and insights. But the final responsibility for what is contained in these volumes rests fully and properly on the research staffs who labored on them.

In this connection, we should like to acknowledge the special leadership of the Chairman, Dr. Milton S. Eisenhower, in formulating and supporting the principle of research freedom and autonomy under which this work has been conducted.

We note, finally, that these volumes are in many respects incomplete and tentative. The urgency with which papers were prepared and then integrated into Task Force Reports rendered impossible the successive siftings of data and argument to which the typical academic article or volume is subjected. The reports have benefited greatly from the counsel of our colleagues on the

Advisory Panel, and from much debate and revision from within the staff. It is our hope, that the total work effort of the Commission staff will be the source and subject of continued research by scholars in the several disciplines, as well as a useful resource for policymakers. We feel certain that public policy and the disciplines will benefit greatly from such further work.

* * *

To the Commission, and especially to its Chairman, for the opportunity they provided for complete research freedom, and to the staff for its prodigious and prolific work, we, who were intermediaries and servants to both, are most grateful.

James F. Short, Jr.

Marvin E. Wolfgang

Directors of Research

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SUMMARY

To millions of Americans few things are more pervasive, more frightening, more real today than violent crime and the fear of being assaulted, mugged, robbed, or raped. The fear of being victimized by criminal attack has touched us all in some way. People are fleeing their residences in cities to the expected safety of suburban living. Residents of many areas will not go out on the street at night. Others have added bars and extra locks to windows and doors in their homes. Bus drivers in major cities do not carry cash because incidents of robbery have been so frequent. In some areas local citizens patrol the streets at night to attain the safety they feel has not been provided.

The private market is responding to the inadequacies of our public response. Safety has become a commodity that is explicitly sold or rented with real estate. One new high-cost subdivision under construction outside Washington, D. C., will be guarded by electronic alarms. The entire development will be surrounded by two fences, broken for entry at only two points, both with guardhouses. Residents will be telephoned to approve visitors. The two miles of fencing will be surveyed by a closed-circuit television system and fortified by hidden electronic sensors. All residents will carry special credentials for identification.

If present trends are not positively redirected by creative new action, we can expect further social fragmentation of the urban environment, formation of excessively parochial communities, greater segregation of different racial groups and economic classes, imposition of presumptive definitions of criminality on the poor and on racial minorities, a possible resurgence of communal vigilantism and polarization of attitudes on a variety of issues. It is logical to expect the establishment of the "defensive city," the modern counterpart of the fortified medieval city, consisting of an economically declining central business district in the inner city protected by people shopping or working in buildings during daytime hours and "sealed off" by police during nighttime hours. High-rise apartment buildings and residential "compounds" will be fortified "cells" for upper-, middle-, and high-income populations living at prime locations in the inner city. Suburban neighborhoods, geographically removed from the central city, will be "safe areas," protected mainly by racial and economic homogeneity and by distance from population groups with the highest propensities to commit crimes. Many parts of central cities will witness frequent and widespread crime, perhaps out of police control.

The fragile sense of community that enables us to live and work peaceably together in common institutions is in danger. Unchecked criminal violence can conceivably lead even to a collapse of the nation and society as we know

them, or to a dictatorship to restore order by repression. Short of this extreme, the legacy of bitterness, distrust, and consequent violence among hostile groups will produce an increasingly weakened society.

We must act now if the trend is to be reversed.

THE DIMENSIONS OF VIOLENT CRIME

How much violent crime exists in the United States? Who commits these acts? Who are the victims? Are we more violent now than we have been historically? Are we more violent than other countries?

Available figures from the FBI *Uniform Crime Reports*, such as those in the table below, indicate that the amount and rate of violent crime over the last 10 years have been substantial.

	Total Number 1968	Rate Per 100,000	Percent Increase 1958-1968
Criminal homicide	13,960	6.8	52
Forcible rape	31,700	15.5	71
Robbery	266,700	131.0	143
Aggravated assault	286,300	141.3	82

But history does not allow simple conclusions to be drawn. National information on crimes of violence has been available in this country only since the 1930's. Scattered accounts prior to then give no unequivocal proof that the rates of criminal violence today are significantly greater than in the more distant past. "Alarming" increases in robbery and other violent crimes are on record before the Revolution, and the first century after independence saw years of considerable violence.

The F.B.I.'s *Uniform Crime Reports* are the only national crime data available and consist of voluntary submissions by most local police jurisdictions in the country on offenses known to the police and arrests made. The FBI states that such data must be read with great caution. Based on voluntary disclosures by local police, these statistics are imperfect measures of the actual levels and trends of violent crimes in the United States.

The greatest problem in counting crime is the considerable gap between the *reported* figures and the *true* figures. It has been estimated by the Crime Commission that the true rate of major violent crime as well as serious property crime may be nearly twice as high as the reported rate. Reasons for the gap include failure of citizens to report because they believe police cannot be effective in solving crime, do not want to take the time to report, do not know how to report, or fear reprisal.

Many other problems exist. For example, arrest data have numerous inherent biases. Compared to whites, Negroes may be disproportionately arrested on suspicion. The resulting arrest statistics, therefore, may indicate a relatively higher Negro involvement in crime than is valid. Of equal concern is the fact that many police departments are upgrading their reporting

procedures, so recent reported crime increases in some cities may well reflect more complete disclosure of the violence that was always present, rather than any real increase in crime.

Balancing the numerous reporting problems against the dramatic reported increases in major violence, we nonetheless conclude that there have been significant increases in the true rates of homicides, assaults, and robberies during the last 10 years. Although there has been a large reported increase in the forcible rape rate, the associated reporting difficulties are too great to allow firm conclusions about a true increase.

From numerous sources, including the *Uniform Crime Reports*, independent studies, and the Task Force seventeen city victim-offender survey, we have sketched a rough profile of violent crime as follows:

Violent crime is primarily a phenomenon of large cities. The 26 cities with populations of 500,000 or more contribute about half of the total reported major violent crimes, but comprise only about one-fifth of the total reporting population. Violent crime in the city is primarily committed by youths between the ages of 18 and 24, followed by youths in the 15-17-year age group. The continued increase of the youthful age groups portends a parallel increase in future violence.

Unsurprisingly, a significant proportion of the recent increase in major violence is attributable to migration of the population from rural to urban areas and to an increase of the proportion of people aged 15 to 24 relative to the rest of the population. Thus, part of the real increase in violent crime is due to basic demographic shifts, rather than to pathogenic forces.

Violent urban crime is overwhelmingly committed by males. The reported male homicide arrest rate in large cities is five times the female rate, and the robbery rate is 20 times higher. Similarly, poor, uneducated persons with little or no employment skills are much more likely to commit a serious act of criminal violence than persons higher on the socioeconomic ladder.

In spite of the numerous deficiencies in arrest data, true rates of violent crime by Negroes appear to be considerably higher than rates for whites. Reported urban arrest rates are much higher for Negroes in all four major violent crime categories, ranging up to 16 times as high for robbery and 17 times as high for homicide. Correlations of data by race do not, of course, reflect differential social, economic, job, educational, and opportunity status between black and white groupings. The urgent need to reduce violent crimes among urban Negro youth is obvious, requiring a total effort toward changing the demoralizing conditions and life patterns of Negroes, the unequal opportunity and discrimination they confront in this country, and the overcrowding and decay of the urban ghettos in which most of them must live.

Although it is difficult to make comparisons among nations with their different histories, cultures, levels of development, criminal statutes, and statistical reporting procedures, the United States probably has true rates of serious violence noticeably higher than other industrial countries, or among the highest. Our rate for criminal homicide is virtually unsurpassed by rates in other industrialized societies. The prevalence of guns offers a partial explanation—the United States with 200 million people averages 6,500 gun

murders a year, while England, Germany, and Japan with a combined population of 214 million together average only 135 gun murders a year. Rates for robbery and aggravated assault may also be noticeably higher than in other industrialized countries. Our rates for suicide, violent auto fatalities, and burglary, although high, do not stand out as much. We are often not alone in incidents of criminal violence, especially when recent trends are compared to England and Wales, but we are constantly a leader in comparison to other countries.

The statistics indicate a seriously high level of violent crime in America today, but they do not reveal the underlying cultural and historical attitude toward violence. Exploring this theme, a survey done for the Violence Commission shows that the incidence of "legitimate" violence and "normal" deviance is diffused throughout American habits: most of us have been spanked as children (93 percent); more importantly, the frequency of people being slapped and kicked (55 percent), or beaten (31 percent) is also high. Many more have witnessed acts of violence ranging from schoolyard fights to much more serious incidents.

Our statistics show that a young man is particularly liable to become delinquent if he lives in wretched housing near the center of a large metropolitan area, without a father in the house, with low income, unstable employment, little education, and in a subculture that has a grievance against society and the police. These features describe the conditions and prospects of Negro youth in the urban ghettos. Many become violent offenders.

Homicide, assault, and rape are predominantly *intra*racial, the majority involving Negroes attacking Negroes. Robbery is the one major violent crime with a high *inter*-racial component: although a large proportion of robberies involve Negro offenders and victims, an ever larger percentage appears to involve Negroes robbing whites.

Contrary to common fears of "violence in the street" committed by strangers, there is a strong likelihood that when homicide and assault occur they will be between relatives, friends, or acquaintances in the home or other indoor locations. Forcible rape is considerably more likely to be perpetrated by a stranger who may pick a woman up on the street but will most probably commit the act indoors. Robbery usually occurs outside among strangers, and so may be the only serious violent crime consistent with many popular conceptions.

Alcohol, narcotics, and dangerous drugs are deeply intertwined with crime in both fact and popular belief. Their actual role in violent incidents is, however, difficult to determine. Sensational press reports of "drug-crazed" criminals create misconceptions about the relationship. Although an addict's need to support his habit often leads him to burglary or robbery, there is little evidence that narcotics and drugs cause violent behavior directly. However, use of both alcohol and drugs can weaken inhibiting controls, thereby making potential violence more possible. In addition, alcohol is involved in more than 25,000 (over one-half) of all auto fatalities and in many lesser accidents.

Marihuana has relatively mild effects on the user, and there is no evidence

that it leads to the use of more dangerous drugs or that it causes aggressive behavior. Quite to the contrary, it makes many users more relaxed. On the other hand, hallucinogens such as LSD have often caused extreme reactions and even psychosis.

In analyzing the interaction between the victim and the offender, we find that the victim, the offender, or both were often drinking prior to homicide, assault, and rape, and there is good reason to believe that the victim sometimes provokes or helps precipitate homicide, assault, and, to a lesser extent, robbery. The ostensible motives in homicide and assault are often relatively trivial, usually involving altercations, family quarrels, jealous rages, and the like. The two crimes are very similar, and there is no reason to believe that the assaulter sets out with any less intention to harm than the killer. Except for the seriousness of their final outcomes, the important distinction is that homicides most often involve handguns while knives are most common in assault.

We have intensively studied the criminal histories of many offenders and conclude that by far the greatest proportion of all serious violence is committed by repeaters, not by one-time offenders. When all offenders are compared, the number of hard-core repeaters is small relative to the number of one-time offenders, yet the former group has a much higher rate of violence and inflicts considerably more serious injury. A violent offender released from an institution, if he recidivates, appears most likely to commit crime roughly 2 to 3 years after release, and the length of sentence seems to bear no regular relationship to the chance of recidivating among violent offenders. If anything, there may be a tendency for violent offenders who have served longer sentences to recidivate more often than those who have served shorter sentences.

Such are the dimensions of violent crime in America. The costs of such violence are enormously high, both in dollars and in psychic and social damage. Millions are spent to maintain the law enforcement and criminal justice system, but the real costs are paid by those whose lives and spirits are crippled by it. We can readily conceive the psychological damage to individuals and their families when victimized by rape, murder, and physical harm. However, the impact on the community may be less readily grasped. In our society, we hold a delicate balance between values such as individualism and conformity, liberty and security, progress and stability. Pervasive violence creates a climate of fear and mistrust of others, which seriously degrades the normal social and political interaction that holds a society together. Under the fear of violence, the use of public facilities such as parks declines; racial conflict and segregation into subcultures increases; communities and neighborhoods break up as people withdraw inward or flee the area; and civil liberties are threatened with a cry to "do something" to "put a stop" to violence. New undesirable social groups and practices, such as political demagoguery and vigilante action, increase. The possibility of compromise and rational communication among differing groups breaks down, while polarization and conflict are heightened by escalating violence. In short, violence weakens the cohesion of a society and the authority of its

government. Instead of calling attention to trouble areas, it may give rise to vicious spiral of new conflict, violence, and social disintegration.

EXPLANATIONS OF VIOLENT CRIME

Is there something in an individual's biological and genetic makeup that can explain his violent behavior? Although we find differences among age, sex, and racial groups in the tendency to violent behavior, there is no evidence to link these variations to genetic or biological difference. Social and cultural experiences appear more important in molding behavior. For example, although data show that women are clearly much less criminal than men, the explanation appears to lie far less in their biological differences than in their social upbringing and differing cultural roles. The female child is usually more supervised than the male; she is taught to be soft, gentle, and compliant, while, especially in the ghetto subculture, the male is encouraged to be tough. The woman's role as wife, mother, and homemaker tends to involve her in far fewer situations that can lead to criminal or violent behavior. Even if a woman is caught up in the meshes of the law, the social attitude toward her tends to be sympathetic and protective, rather than harsh and punitive. Importantly, however, when the cultural roles of women and men come to resemble each other, their rates of crime and violence also become more similar.

Man has the *capacity* for aggression, but evidence that he is *innately* aggressive has not been persuasive. Whatever the capabilities of an individual—whether he is intelligent or feeble-minded, suffers brain damage or chromosomal abnormalities—the likelihood that he will turn to either normal or criminal behavior depends not so much on these characteristics, but upon his environment and the kinds of social interaction he has with the people around him.

What of personality factors? Psychologically, potential aggressiveness and violence are lodged in all individuals, but success or failure in controlling them are dependent on the interaction between the individual and his environment. A psychoanalytic understanding of the dynamics of personal behavior is important for the treatment of a violent person but such treatment is usually only successful when violence is a symptom of some mental illness and not a "normal" or functional reaction to outside forces.

In sum, although the biological, psychological, and psychiatric factors underlying violent behavior have a role, we must more carefully consider the external influences that help create personalities with different capacities for violence and different abilities for diverting aggression into socially acceptable channels.

Much can be learned about aggression and violence by examining the dynamics of socialization of the young child. The newborn child is a "natural" deviant so far as he has to be socialized into conformity. Until he learns otherwise, he seizes and takes what he can, screams for his own way, and demands attention. It is through the process of socialization that he learns approved or "normative" behavior and is able to postpone his immediate needs for gratification. If gratifications, material and otherwise,

are perceived as low in quality, quantity, and general attractiveness, the child will be less likely to learn approved behavior and may well learn to lie, cheat, and be dishonorable to gratify his impulses as directly and as immediately as he can.

The learning pattern into deviant behavior contains the following elements: no firm and continuing inducement to conform to the norms of peaceful, legal behavior; an unattractive payoff for conformity in relation to the prospective costs; relatively few models of successful normative behavior; more impressive models of successful deviant behavior; the perception that deviant behavior is easier, less costly, and more rewarding than conforming behavior; and the presence of an established group of individuals who are involved in, and may be actively recruiting others into deviant behavior. Under these conditions, there is a high probability that deviant behavior will be engaged in, particularly if it is reinforced by success and gratification, including acceptance by one's already deviant peers. In order to outweigh the attractiveness of deviant behavior and its promises, it is necessary to build a superstructure of restraints and rewards that will have value for the child. Meaningful and rewarding relationships are needed with others—friends and family, peers and community. With these relationships, the child gains feelings of comfort, security, approval, and self-esteem. And it is the normative behavior of these groups that he uses as the model of his own behavior. Gratifying rewards of love and security, power, and prestige must be present if the child is to be persuaded to accept the general normative life. By this means, the individual acquires a "stake" he does not wish to risk, one that he values enough to put aside recurring impulses to deviant behavior. He learns that his stake will be in danger if he either uses violence or encourages it, outside the general normative or legitimate framework.

The concept of "stake" is very important in learning to control one's impulses to criminal and violent activity. It is an investment in society that makes it possible to build habits of deferring gratification, for without something to bargain with, there is no attraction in bargaining. A stake can be a reputation valued; a certain esteem or prestige enjoyed with people about whom one cares; a level of material comfort; a future for oneself or for one's children; acceptance as a member of various groups; community, family, neighborhood, occupation, nationality, whatever. It is obvious that the more stake one has, the more one stands to lose and the more likely he is to exercise restraint in their defense.

That large segments of our population lack a "stake" and have all too numerous models for deviant behavior, can be seen from an understanding of life in the urban ghetto, where the most severe of criminogenic forces are constantly at work.

If the slums in the United States were defined strictly on the basis of dilapidated housing, inadequate sanitary facilities, and overcrowding, more than five million families, or one-sixth of the urban population, could be classified as slum inhabitants. Many of the deteriorated houses in the slums have been the primary targets of clearance and renewal projects, yet only a small percentage of new buildings constructed on the razed sites have been open to former inhabitants. Urban renewal programs, therefore, seem to be

limiting rather than expanding the number of housing units in the sections to which the poor and nonwhite have most access. The result is more intensive overcrowding. Even when new housing becomes available, it is often too expensive.

The ghetto child grows up in these circumstances, on streets littered with trash, discarded liquor bottles, sleeping drunks, narcotic addicts, and prostitutes. Home life is characterized by crowded sleeping arrangements, inadequate plumbing and sanitary facilities, falling plaster, rats, roaches, and a shifting group of relatives housed in incredibly few rooms. Personal possessions are few and minimal respect exists for the property of others. There is little to hold a child close to this kind of home, and his parents often lose control of his activities.

Employment problems, particularly as they affect the young and untrained, add to the negative influences in deteriorating urban areas. Seventy-one percent of all Negro workers are concentrated in the lowest paying and lowest skilled occupations. They are the last to be hired and the first to be laid off. The unemployment rate for nonwhites is twice as high as that for whites, although there has been some improvement in recent years.

The realities of employment are clearly reflected in the figures on income. Although Negro family income in the cities has recently increased to a median of \$5,623 at present, this figure represents only 68 percent of the average white family income. While one-third of the Negro families in cities lived on \$4,000 a year or less, only 16 percent of the whites did.

The urban school system often fails to counteract those influences that draw individuals toward crime and violence. The link between school failure and delinquency is not completely known, but there is evidence that youths who fail within the school system contribute disproportionately to delinquency. One estimate is that the incidence of delinquency among dropouts is 10 times higher than among youths who stay in school.

The public school should be a major institution for the transmission of legitimate values and goals of society. Recent commissions and studies, however, have pointed out that the school system is failing to reach all youth equally and is thus contributing to low achievement and school dropouts. The U.S. Commission on Civil Rights noted from its survey of 75 major central cities that 75 percent of all Negro elementary school students were attending institutions that were 90 percent or more Negro, while 83 percent of the white elementary school students in those same cities were attending schools that were 90 percent to entirely white. It has been estimated that by 1975, 80 percent of all Negro pupils in the 20 largest cities, or half the nation's Negro population, will be attending schools that are 90 to 100 percent Negro.

School segregation is particularly unfortunate in light of the finding of the Coleman Report that minority group pupil achievement appears more affected by the school environment than is the case for majority groups. When a white pupil from a home strongly supportive of education was placed in a school where most pupils did not come from such homes, his achievement was little different than if he were in a school with students of similar home backgrounds. Yet when a minority pupil from a home with little stress on education was put in with students from backgrounds strongly encouraging education, his achievement was likely to increase.

The environment in which these basic institutions fail is also highly anonymous, releasing the individual from community restraints more easily than in less urban environments and providing greater opportunity for deviance. The police are often strangers carrying out their duties in, at worst, an alien subcommunity and, at best, among an anonymous set of subjects. Metropolitan areas with mass population, many commercial establishments, and highly visible wealth provide more frequent opportunities for theft than other places. Property is insured, and consumer goods in more abundance are vividly displayed and more portable.

Combine poverty, deteriorated and inadequate housing, lack of good employment opportunities, economic dependency, poor education, and anonymous living with population density, social and spatial mobility, ethnic and class heterogeneity, reduced family functions, and broken homes—and an interrelated complex of powerful criminogenic forces is produced by the ghetto environment.

The impact of these forces is more clear when they are set against the normative behavior American society encourages, the pervasive beliefs that help us determine who is good and who is bad, who is successful and who is a failure, who is worthy and who is not.

In American culture, the belief that the well-being of others should be safeguarded is balanced against belief in the individualistic pursuit of success. The competitive road to success is accorded great emphasis in American life, and achievement is often measured in material terms. Failure to achieve, especially when aspirations are increased, can cause deep frustration.

There are different ways to cope with this frustration. One can conform to the system, take solace in the fact that others are even further behind, and perhaps make false claims of success and associate with those of higher status. Or one may withdraw: alcohol, drugs, mental illness, and suicide are possible avenues of escape. One can reject the dominant values of the system, or accept them ritualistically without conviction, often living a life of quiet desperation. One can reject the values and substitute others. Hippies and many students are but contemporary examples of alternative value sources that in the past have ranged from church congregations to artist colonies and revolutionary movements.

Finally, one can accept the competitive system but not the socially approved rules for running it, choosing instead illegitimate means for enhancing one's position. Having little stake in the system, those in this last category see little to gain by playing according to the rules and little to lose by not. The leap to violence is not far, for in an effort to secure material goods and services beyond those available from legitimate sources, lower class members without work skills and education are pulled into crimes for which force or threat of force has a functional utility. Being the less skilled and educated members of a professed open society, these people are more responsive to opportunities for illegal gain and less constrained to seek that gain by violent methods.

The role of frustration suggests that violent aggressive crimes, such as homicide, assault and rape, might partially be viewed as expressive of pent-up rage over not having sufficient opportunities to gain. Yet this perspective

seems more satisfactory in explaining acquisitive crimes, such as robbery or burglary, whether or not they are violent.

More useful in explaining aggressive violence is the notion that the urban ghetto produces a subculture within the dominant American middle class culture in which aggressive violence is accepted as normative and natural in everyday life, not necessarily illicit. A subculture of violence is not the product of cities alone. The thugs of India, the *vedetta barbaricina* in Sardinia, and the *mafioso* in Sicily have existed for many years. But the contemporary American city has the accouterments not only for the birth but also for the highly accelerated development of violent subcultures, and it is in these cultural settings that most violent aggressive crimes in fact occur.

Violence, of course, is not absent from the established middle class culture of the majority in our society. It is simply the greater frequency and approval of illegitimate violence that distinguishes the subculture of violence from the dominant culture pattern.

Not everyone in the ghetto accepts an ethos of violence. Even among those who do, primarily young males, violence is not the only or predominant mode of expression. When it is used, the context often involves the desire to prove one's masculinity and to become a successful member of ghetto society. Male adolescence requires rehearsal of the toughness, heavy drinking, and quick aggressive responses that are characteristic of the lower class adult male.

From the perspective of dominant middle class standards, the motives in criminal homicide and aggravated assault—mainly altercations, family quarrels, and jealousy—are cheap issues for which people trade their lives or become seriously injured. Yet they are much more reasonable if we accept the existence of a ghetto subculture of violence in which a much wider range of situations are perceived by many as justifying an aggressive response. An altercation with overtones threatening a young man's masculinity, a drunken misunderstanding between husband and wife on Saturday night, a competition for the same woman—these can be more than trivial events in an environment that accepts violence as a norm, allows easy access to weapons, is physically deteriorated and segregated from the rest of the community, and has reduced social controls.

The suggestion that the conflict situations in which aggressive crimes are generated occur within the ghetto slum is consistent with the facts that homicide, assault, and rape are predominantly intraracial, involving Negro offenders victimizing other Negroes in a majority of cases. Those who subscribe to subcultural violence, therefore, are often not burdened by conscious guilt, because their victims are likely to belong to the same subculture. Even law-abiding members of the neighborhood may not view various illegal expressions of violence as menacing or immoral. Thus, when the victims see their assaulters as agents of the same kind of aggression that they themselves represent, violent retaliation is readily legitimized.

To be young, poor, male, and Negro; to want what the open society claims is available, but mostly to others; to see illegitimate and often violent methods of obtaining material success; and to observe others using these means successfully and with impunity—is to be burdened with an enormous

set of influences that pull many toward crime and delinquency. The current political and social posture of minority groups reinforces the pressure, creating an awareness and expectation that unfortunately far outdistance any real progress toward equality that has been made.

If the poor, young, black male with little stake in society is socialized into the ways of violence by his immediate subculture, he is also under the influence of many forces from the general, dominant culture. Violence is a pervasive theme today in the mass media. The sheer frequency of screened violence, its intensity as well as its context, and the myriad forms it takes, cannot claim to instill firm notions of nonviolence in the viewers. Unless the assertion that such violence encourages violent behavior (or strips us of our sensitivity to it) is countered by scientifically acceptable evidence, we are playing a dangerous game with the influence it may have on the young of today and adults of tomorrow.

Much of the same can be said about guns in American society. The ease with which anyone over 18 can obtain firearms is well documented. During the past decade, about 29 million new guns have been added by domestic production and importation. Weak or unenforced statutes on possession or use of firearms and the stimulus of advertising increase the availability. Today, half of our population could be armed if guns in this country were evenly distributed.

Mail-order and other firearm advertisements, the highest gun-to-population ratio in the world, the glorification of guns in our history, and the daily television displays of guns in the hands of heroes surely play no positive role in minimizing violence. These and many other socializing forces colored with violence further shape the values and form the mentality of many American youth.

THE RISE IN VIOLENT CRIME

If, as we believe, the conditions of life for inner-city populations are largely responsible for the sharp difference in violent crime rates between these populations and other groups in our society, there remains a puzzling paradox to be considered: Why, we must ask, have urban violent crime rates increased substantially during the past decade when the conditions that are supposed to cause violent crime have not worsened—have, indeed, generally improved?

The Bureau of the Census, in its latest report on trends in social and economic conditions in metropolitan areas, states that most "indicators of well-being point toward progress in the cities since 1960." Thus, for example, the proportion of blacks in cities who completed high school rose from 43 percent in 1960 to 61 percent in 1968; unemployment rates dropped significantly between 1959 and 1967 (from \$6,720 to \$7,813), and the median family income of blacks in cities increased from 61 percent to 68 percent of the median white family income during the same period. Also during the same period the number of persons living below the legally defined poverty level in cities declined from 11.3 million to 8.3 million.

There are some important counter-trends. The unemployment rate for blacks, though lower, continued to be about twice that for whites. Unemployment among black teenagers in cities increased by a third between 1960 and 1968 (to 30 percent, two and one-half times the urban white teenager rate). Moreover, figures indicating a closing of the family income gap between blacks and whites in the 1960's do not reflect a number of critical details, such as the fact that in cities black men who worked the year round in 1967 earned about seven-tenths as much as white workers and that this fraction was unchanged since 1959, or the fact that the "dependency ratio"—the number of children per thousand adult males—for blacks is nearly twice that for whites, and the gap widened sharply in the 1960's. The degree of poverty among the Negro poor in metropolitan areas remained severe, half the families reporting incomes \$1,000 or more below the Social Security Administration's poverty budget of \$3,335 for a family of four. We also find a significant increase in the number of children growing up in broken homes, especially among Negroes and lower income families in the cities. Among Negroes in the cities in 1968 with incomes below \$4,000, only one-fourth of all children were living with both parents, as compared to one-half for white families of the same income level. Significantly, for families with incomes of \$10,000 per year, this difference between white and black families disappears.

Whatever may be the correct over-all judgment on the change in inner-city living conditions over the past ten years, it is clear, however, that the change has been less dramatic than the change in violent crime rates during this period. How is this discrepancy to be explained? Why, if a high percentage of the crime in our cities is caused by factors such as poverty and racial discrimination, has it increased in a period of unprecedented prosperity for most Americans and in a time of painfully slow and uneven but genuine progress toward racial equality? These questions are not susceptible to precise scientific answers, but it is possible to offer informed judgments about them. In our considered opinion, the following factors have been significantly operative in the increasing levels of violent crime in the inner cities:

- The United States has been changing with bewildering rapidity—scientifically, technologically, socially, and politically. Americans literally are changing how we work, how we live, how we think, how we manage our vast enterprise. Sociologists and anthropologists have long observed that rapid social change leads to a breakdown of traditional social roles and institutional controls over the behavior of young and old alike—but particularly the young, who, because of the social change, are less likely to be socialized into traditional ways of doing things (and not doing them) and, hence, ineffectively constrained by these traditional ways. This process includes the breakdown in traditional notions of civility, respect for elders and the institutions and patterns of conduct they represent, property rights, ways of settling disputes, relations between the sexes and many other matters.

With economic and technical progress in the United States has come increased affluence for most—but not all—of the members of our society. This combination of rapid social change and unevenly distributed affluence is devastating. At a time when established ways of doing things, traditions of

morality, and attitudes about personal and property rights are changing, rising levels of affluence, interacting with public promises of a better life and television displays of still more affluence, have created expectations that have outstripped reality, particularly among the poor and especially the poor black. Rising income statistics look reassuring until one focuses on the continuing gap between black and white incomes.

We have in this country what has been referred to as a "revolution of rising expectations" born of unprecedented prosperity, changes in the law, wars on poverty, space spectaculars, and a host of other features of contemporary life. But a rapid increase in human expectations followed by obvious failure to meet those expectations has been and continues to be a prescription for violence. Disappointed has manifested itself not only in riots and violent demonstrations—but may also be reflected in the increasing levels of violent crime.

- Our agencies of law enforcement have not been strengthened sufficiently to contain the violence that normally accompanies rapid social change and the failure to fulfill human expectations. The criminal justice process, suffering from an insufficiency of resources and a lack of management, has become less effective as a deterrent to crime and as an instrument for rehabilitating those who are apprehended and convicted.

- Public order in a free society does not and cannot rest solely on applications or threats of force by the authorities: It must also rest on the people's acceptance of the legitimacy of the rule-making institutions of the political and social order and of the rules these institutions make. Persons obey the rules of society when the groups with which they identify approve those who abide by the rules and disapprove those who violate them. Such expressions of approval and disapproval are forthcoming only if the group believes that the rule-making institutions are in fact entitled to rule—that is, are "legitimate." What weakens the legitimacy of social and political institutions contributes to law-breaking, including violent crime.

In recent years a number of forces have converged to weaken the legitimacy of our institutions. The spectacle of governors defying court orders, police unlawfully beating demonstrators, looters and rioters going unapprehended and unpunished, and college youth attacking society's rules and values, makes it easier, even more "logical," for disadvantaged young people, whose attachment to law-abiding behavior already is tenuous, to slip into law-breaking behavior when the opportunity presents itself. In addition, pervasive suspicion that personal greed and corruption are prevalent among even the highest public officials has fed the idea among the poor that nearly everyone is "on the take," and that the real crime is in getting caught.

The beliefs that some claim to be widely held among poor young ghetto males—that the "system" in the United States is collectively guilty of "white racism" and of prosecuting an "immoral" war in Vietnam—have also tended to impair the moral impact upon them of our restrained the commission of violent crimes against society.

These three factors—disappointments of minorities in the revolution of rising expectations, the weakening of law enforcement, and the loss of institutional legitimacy in the view of many—have had their effects on crime

rates throughout our society. It is not surprising, however, that their greatest impact has been in the inner-cities, among the young, the poor, the male, the black. It is there that reality most frustrates expectations, that law enforcement provides the least protection, and that the social and political institutions of society serve the needs of the individual least effectively. It is in the inner-city that a subculture of violence, already flourishing, is further strengthened by the blockage of aspirations whose fulfillment would lead out of the subculture, by the failure of criminal justice system that would deter adherence to undesirable subcultural values, and by the weakness of institutions which would inculcate a competing set of values and attitudes.

GUIDELINES FOR ACTION AND RESEARCH

Social Reconstruction

If we are to alleviate the root causes of violence, as well as other mounting problems in a complex, changing, interdependent society, the problems that change brings to the society must be anticipated. Our institutions of government can no longer wait for crises to become obvious before examining them and implementing a response. Piecemeal reactions to inequalities and problems after they have reached crisis proportions are inadequate, wasteful, and ineffective. The United States can continue to flourish only if political leaders and government officials, businessmen, university scholars, church leaders, opinion molders of media, and the general public, all anticipate developing problems and together solve them with sufficient speed, resources, and will.

Changing job technologies, agricultural overproduction, vast migrations of rural blacks and whites to cities, urban sprawl, and decay of central cities with festering ghettos are not individual problems with separate solutions. They are one problem. To a large extent, our current high levels of crime and violence are symptoms and a part of a single American social problem. We therefore call for deliberate social reconstruction to solve our problems of race and poverty, of inequality and violence.

A comprehensive range of policies are necessary that in the short run will help contain and control violence and in the longer run will resolve the underlying inequalities and attitudes that are its root causes.

Our philosophy is that safety and justice are intertwined. Those changes in the lives of the deprived population that will involve more justice for them, we believe, will provide more safety for the rest of the population.

The first essential in a program to lessen violence in America is continued national economic progress and prosperity. This requires government policies to maintain a high general level of income and employment as the best overall means for ending poverty and deprivation. But general macroeconomic policies will not alone suffice to insure that all deprived individuals and groups are brought into our growing population, especially for young jobseekers. To end unemployment, we must assist the black, the young, and

the hard-core unemployed through private and public job-training programs, through vigorous government and private action to end job discrimination, and through programs to develop more business activity in the ghettos with increased minority participation in management and ownership.

Those who cannot work—the old, the disabled, the family without a wage earner—still have a right to decent living without fear and degradation. But their burden is too great for state and local governments, whose welfare programs vary widely and inconsistently in their adequacy. Thus, a national minimum welfare policy is needed—perhaps along the lines of the negative income tax—that will insure the right of all citizens, especially children and the elderly, to a decent standard of living.

More than a minimum income level is required to end the culture of poverty and deprivation that traps many Americans. The decaying slums in the center of our major cities remain the setting and breeding ground for much of the nation's poverty and violence. Extensive reconstruction of our urban environment in all its facets will be required. The Model Cities program offers considerable promise in its concepts of experimentation and demonstration of what concentrated efforts by all levels of government working with local citizens can do to rebuild their urban environment. In the mass society of our growing urban areas, the individual's sense of alienation and lack of responsibility for his environment are partly a product of feeling powerless and dependent on anonymous forces of government that he cannot control or influence. Measures are needed to organize community involvement and participation, not only by the ghetto dweller, but by all urban groups, in the public decisions which affect their lives, thereby building community pride, cohesion, and responsibility. Gaining services and influencing government through the normal political process will give the urban resident a "stake" in his community, while reducing the alienation and frustration that breed violence.

Improvement of citizen access to the diverse government service agencies is badly needed. Community Service Centers are one answer. They would coordinate and dispense services rendered by traditional city, state and federal agencies, including such functions as job counseling and training, family counseling, adult education, and the like. Centers should be scattered close to the population in various sections of the city and should make maximum use of local people as workers. Mechanisms for citizens to overcome government red tape include local offices to handle grievances against public officials and private business. We urge that the federal government fund experimental projects designed to serve these purposes.

The most serious general problem is the concentration in urban ghettos of Negroes and other minorities caught in a vicious subculture of poverty and violence. Their chances for full integration into the larger American culture mostly depend on breaking through the walls of discriminatory housing practices. Direct federal housing programs and those that seek to aid private construction of dwellings should be closely controlled to insure that minorities have full access to housing throughout our cities and suburbs. Evidence indicates that Negro families in integrated communities readily adopt middle class behavior and norms. We recommend experiments in

subsidized scattered relocation and redistribution of poor ghetto families into middle class white communities where integration with its accompanying opportunities would break those cultural patterns that sustain poverty and violence.

For the barriers of housing discrimination to fall as well as for the urban environment to be rebuilt, a new level of housing programs must be developed. We must have programs to build adequate, inexpensive homes for urban dwellers, while maintaining and rehabilitating old units. There will be 100 million more Americans to house by the turn of the century. The task of housing them offers an opportunity to build new urban centers ("New Towns"), fully integrated in race and class, yet planned and governed to furnish the best in environment, education, and community involvement and participation.

Hope for significant social reconstruction with diminished violence lies in the future generations, the cohorts of children and youth growing up each year. The solutions that will break the cycle of violence lie in their upbringing and socialization into the society—from preschool days through formal education to adult jobs and marriage. From the earliest preschool age, children must learn the costs and dangers of violent behavior, and how to work and play cooperatively without violence. We recommend that the President convene a White House Conference on Family Life and Child Development to discover problem areas in American child rearing and youth and to discuss needed changes and the governmental action necessary to support them.

Although further research is required to understand the psychological and social contributions of early childhood to later violent behavior, we do know that many children in our society are deprived of adequate affection, attention, and stimulation in the crucial preschool years. As a result, they are handicapped, both socially and educationally. The Head Start experience offers much useful information and advice for developing preschool programs, both formally and informally in the home, that would stimulate the young child's mind and teach him to develop normal relationships with adults and other children in which violent habits would be minimized. A program of preschool training, accompanied by considerable parent participation and indoctrination into easily practicable methods of stimulating, disciplining, and otherwise rearing children, could go far to minimize frustration and violence in poor children, while at the same time helping to equalize their future opportunities in life. Because the attitudes and practices of parents and community are vital to the efficiency and long-term success of such a program, a strategy for preschool training should be designed to popularize it and meet obvious needs of the community.

Wrapped up with preschool training and the child's early learning of behavior is the problem of child abuse. Those who abuse their children tend to feel inadequate and overwhelmed by the problems and stresses of family life and child care. Child abuse might be minimized by expanding day-care centers for children of working mothers, Head Start programs and parental education in child rearing. Community Service Centers or other local facilities should provide needed family services such as counseling and health services.

More study is also needed on the role of primary and secondary schools and their capabilities in integrating children, especially those from deprived subcultures, into the norms and values of the larger society, thereby decreasing tendencies toward violent behavior. We do know that our public educational system, overburdened and inadequate as it may be for the tasks, remains the major single instrument for opening opportunities for success, influencing patterns of future behavior, and recognizing and answering specific individual problems and needs before they become dangerous. Teacher training, school-community relations, programs for dropouts and educationally handicapped adults, and many other areas of education deserve more research and national support for the roles they can play in diminishing violence in America.

Criminal violence is only one aspect of the protest of youth, but it is a significant one: in 1966, men under the age of 25 accounted for over 70 percent of arrests for robberies, burglaries, and rapes. Policy responses based on the broadest possible perspectives are required. We recommend the creation of new roles for youth, so that young people can lend their energies, visions, and skills to the decision making processes of this country and learn through their participation that peaceful change can be affected within the framework of democratic institutions. Innovations in youth self-help programs are needed with particular emphasis on the involvement of indigenous youth in planning and operation.

In an effort to restore the respect of youth for our laws, we should legalize marihuana use, or possession for use by persons over 18 years of age. There is no reliable scientific evidence of harmful effects, nor is there evidence of marihuana's being a steppingstone to hard narcotics. Through our harsh criminal statutes on marihuana use and in light of evidence that alcohol abuse accounts for far more destruction than any known psychoactive substance today, we have caused large numbers of our youth to lose respect for our laws generally. We have also criminalized untold numbers of young people. The scientific data do not support harsh treatment. Although we do not intend to encourage use, because as with any psychoactive substance, abuse can be harmful, we leave the restraining effort to educational campaigns, family influences, and the like.

SAFETY FOR THE NON-CRIMINAL POPULATION

We do not suggest that broad social reconstruction will eliminate all criminal violence and recognize that in the short run the risk and difficulty of committing crime and violence must be increased.

The key to safety lies in the criminal justice system—police, courts, and corrections. Yet the system has been shockingly ineffective. Personnel at all levels are severely understaffed, training is inadequate, equipment and facilities are archaic, and funding is minimal. In spite of efforts at prevention, the largest percentage of all crimes known to the police do not result in imprisonment or probation. In 1968, only 86 percent of homicides, 55 percent of forcible rapes, 27 percent of robberies and 66 percent of

aggravated assaults resulted in arrest. Of all arrests, only some result in prosecution; of all prosecutions, only some result in determination of guilt; of all those found guilty, only some end up incarcerated. The attrition between commission and institutionalization varies by crime—in some categories more than 90 percent of all crimes known to police do not result in institutionalization or probationary treatment outside the walls. And the crimes known to police are only a fraction of all crimes committed, so it is quite clear that the "preventive" aspect of the system of criminal justice is far from effective.

One response is expanded use of new police techniques, equipment, and strategies for deterring crime. Control by deterrence is primarily effective against rational and impersonal crime, such as burglaries, street robberies, and some assaults. It is here that experiments with intense police patrolling, street lighting, surveillance, and alarm systems should be encouraged. Ways of "target hardening"—making victims and property less susceptible to attack—need to be imaginatively explored by all levels of police and government, as well as by urban designers and private manufacturers. Residential buildings, including parking and routes of access, should be designed for maximum feasible security and deterrence of crime. Perhaps teams with expertise in both security and design could evaluate residential areas, schools, parks, and other facilities in order to develop more secure patterns of use. The areas of police equipment and organization—communications, police car, nonlethal weapons, command centers—offer considerable prospect of improvement. Computers and statistical methods have already proved their immense value in understanding and predicting criminal patterns.

The ready availability of firearms to almost anyone increases the problems of control and the likelihood of violence. Tighter federal and local laws regulating the sale, licensing, and ownership of deadly firearms are therefore necessary throughout the nation. The passage and diligent enforcement of effective laws for licensing and control of sales of firearms could materially lower the level of and damage from violence in America.

Because of organized crime's impact in weakening local government and law enforcement as well as public respect for law, we recommend a more vigorous and aggressive attack on organized crime and its activities by all agencies and levels of government. The dimensions of the problem demand that national leadership and law enforcement agencies play the major role in an all-out coordinated campaign against organized crime. We recommend the continuation of the strategies and recommendations proposed by the President's Crime Commission, with the further investment of national attention, will and resources necessary for success. The task will require use of all available tools and techniques to obtain proof of criminal violation, greater punishment for acts that constitute part of organized criminal enterprise, suppression of illegal organized gambling, and reduction in the movement of illegally acquired funds into legitimate commercial activities.

A strategy to reduce and control crime and violence can only be as effective as the personnel and organization implementing it and the citizens supporting it. Planning and resources must be directed at upgrading

professional personnel and developing the appropriate understanding and mutual support in the common problem among the diverse public officials and the general public. Improved training, professional standards, and career opportunities for police are needed, but equally important are broader recruitment and careful screening of police, as well as better community relations, especially with deprived minorities. Perhaps more than any other representative, the policeman directly demonstrates the attitudes and interest of the larger society to the poor and deprived communities of our cities.

About half the calls to which policemen respond are incidents growing out of quarrels among intimates, and certainly a great amount of criminal homicide, aggravated assault, and forcible rape involve families and acquaintances. Because both the outcome of these incidents and the general state of police-community relations depend on the policeman's attitudes and skills as a conflict resolver, we recommend that all police be specially prepared and sensitized for these functions in their training and operations. Imaginative innovations such as "domestic quarrel teams" are needed, as well as closer police cooperation with such purely social agencies as suicide prevention and mental health services.

Courts and correctional institutions have the difficult task of controlling criminal offenders after arrest while attempting to alter their inclinations toward violent and illicit behavior into habits more acceptable and legitimate in our society. Both systems are woefully overburdened and inadequate in relation to their swelling caseload of offenders.

A 1964 study estimated that 1 in every 9 youths (1 in 6 for boys only) would be referred to a juvenile court before his 18th birthday. The juvenile justice system is therefore especially critical in diminishing recidivism, yet it has generally operated with low prestige and inadequate resources in the overall justice system. The Supreme Court's *Gault* decision has imposed stricter procedural safeguards, including the right to counsel, for young offenders in juvenile courts. In light of *Gault* and of the Crime Commission's findings, we reiterate their recommendations for increased pre-judicial disposition of all juvenile cases not requiring adjudication. State legal codes covering juvenile offenses should be narrowed to encompass only those offenses considered crimes when committed by an adult. At the same time, more non-judicial supervision and assistance should be furnished young offenders, in contrast to currently inadequate probation practices that frequently stigmatize a youth without constructively influencing his behavior.

There are many, often conflicting, correctional goals, including punishing the offender and restraining him from doing more harm to the community; deterring him and other potential offenders from future offenses; rehabilitating him into accepted patterns of behavior; and reintegrating him into full citizenship in the community. Unfortunately, public opinion and resulting institutional actions usually emphasize immediate restraint, punishment and deterrence over the more long-run goals of rehabilitation and reintegration. The former approach has failed. No satisfactory data exist to show that length of sentence bears any real relationship to recidivism among violent offenders. In fact, there may be a higher recidivism rate for violent offenders who have served longer sentences.

Most major violence as well as the most serious injury is committed by a relatively small core of recidivists. It would therefore appear that the corrections system has done little for the offenders with whom we are most concerned. Yet high recidivism rates come as no surprise to persons experienced in the facts of prison life. Most prisons are schools for crime. Prison experience normally degrades and demoralizes men detaching them even further from any integrative ties with the normal and legitimate community. As a result, an average term in prison today probably does as much to create crime as it does to deter or prevent it. We can expect little else from an environment that is perhaps more criminogenic than even the urban ghetto environment from which most prisoners originally come.

The entire correctional system must be reconstructed in light of this evidence. The goal of rehabilitation must be given first priority. The offender must acquire the attitudes, habits, and work skills necessary to play a respectable, satisfying role in society. Programs such as pretrial releases without bail, supervised rehabilitation of offenders in the community with minimal or no confinement, smaller specialized institutions with more educational, job-training, counseling, and therapy services are needed.

Each offender has a particular background and personality, and so the correctional treatment of court and correctional institutions should involve to mix of strategies best tailored to turning the individual offender toward a more normal law-abiding way of life. This requirement is especially important for juveniles and first offenders. Very few first offenders are hardened into patterns of violent, criminal behavior and can be readily returned to legitimate patterns. But all too often they are imprisoned in local jails or large "total institutions" of correction and restraint.

As the offender is reintegrated into society, he must find a decent job and accepted position in the community. He requires not only the supervision of parole but continued assistance and access to financial and other services to help give him a "stake" in his community. The priority of effort should again be on youth and new offenders, especially during the 2 or 3 years after release, before they become habituated chronic offenders.

These recommendations for improving the adult and juvenile corrections systems will require not only increased funds but also much more professional talent and effort. Upgraded and expanded correctional staffs could be supplemented by recruiting part-time assistance from the professions of the community. Young lawyers or law students employed in programs such as a Youth Justice Corps could ensure that young offenders receive the legal and counseling services they need. Local Youth Service Centers and even existing private organizations could serve to make professional help more readily available to juvenile offenders.

In considering society's response to violence, we do not limit ourselves to the perpetrators of violence. We also have a responsibility to the innocent victims of violence, who often are left impoverished during long expensive recoveries. Because it is impractical for victims to obtain compensation from their attackers, we strongly endorse victim compensation by the government

to victims of major violent crimes and call on federal and state legislatures to adopt such plans.

The policies and programs needed to alleviate and control the problem of crime and violence will require coordinated support and numerous specialized services from all levels of government. Most urgently needed is better information on crime, criminals, and our criminal justice system as it actually operates. The Crime Commission report and the recent report on National Needs for Criminal Justice Statistics by the Bureau of the Census both offered recommendations for a better system of crime statistics, by improving coordination and integration of numerous federal, state, and local agencies now collecting data on crime and violence. The Statistics Center, authorized as an arm of the National Institute of Law Enforcement and Criminal Justice, together with the FBI's National Crime Information Center, the National Center for Health Statistics of the National Institute of Mental Health, the Children's Bureau, and the National Safety Council, all have roles to play in collecting and evaluating statistical data on individual violence.

CONCLUSION

We emphasize that there can be no genuine safety without real justice. Stability and security come only when the citizens of a society accept its rules of conduct as legitimate and reasonable; this acceptance can be expected to prevail generally only among those who find they can enjoy the normal benefits and pleasures of life in law-abiding ways. It is those groups most deprived of respect, opportunity, and the sense of responsible participation in our society who contribute most to its violence. And it is those programs leading to social justice for all our citizens that in the long run will reduce the causes of violence in America.

The various rising trends of violence in America today constitute a national problem requiring a national response. Our public officials, the leaders of governments and our people, must press that public response with the necessary programs, resources, energy, and persuasive leadership. Perhaps even more critical than the governmental response is the collective response of the American people. Only a fuller commitment to the task can insure justice and safety for all.

PART II

EXPLANATIONS OF INDIVIDUAL VIOLENCE

Explanations of crimes of violence can involve either or both of two factors; (1) those present *inside* of man, such as biological or psychological mechanisms, processes, or drives; (2) something *outside* of man, that is, social forces and values that shape the individual life.

There are obviously many facets to man and many ways to look at the manner in which he acts. Various scientific disciplines consider human behavior in specialized ways. Biologists, including geneticists, are particularly interested in the genetic makeup of man and what there may be in the makeup of mankind in general and of some special men in particular that may help account for their behavior.

Behavioral scientists view man as a set of internal systems or personality structures. The model includes the process of thinking, feeling, willing, as well as the incorporation of attitudes. The struggle of man to satisfy his drives and needs is also an important element of this system.

Sociologists and anthropologists are concerned with organized patterns of behavior that are shaped by the requirements of sustaining organized social life. These vary from place to place and time to time in conformity with traditional patterns of response to these requirements. Anthropologists focus on the concept of culture—the learned and socially transmitted heritage of arts and artifacts. Sociologists focus on the concept of social structure, with its derivative concepts of

institutions, statutes, roles, norms, and sanctions, emphasizing particularly the sets of mutual expectations and obligations that are built into the positions that all people normally occupy.

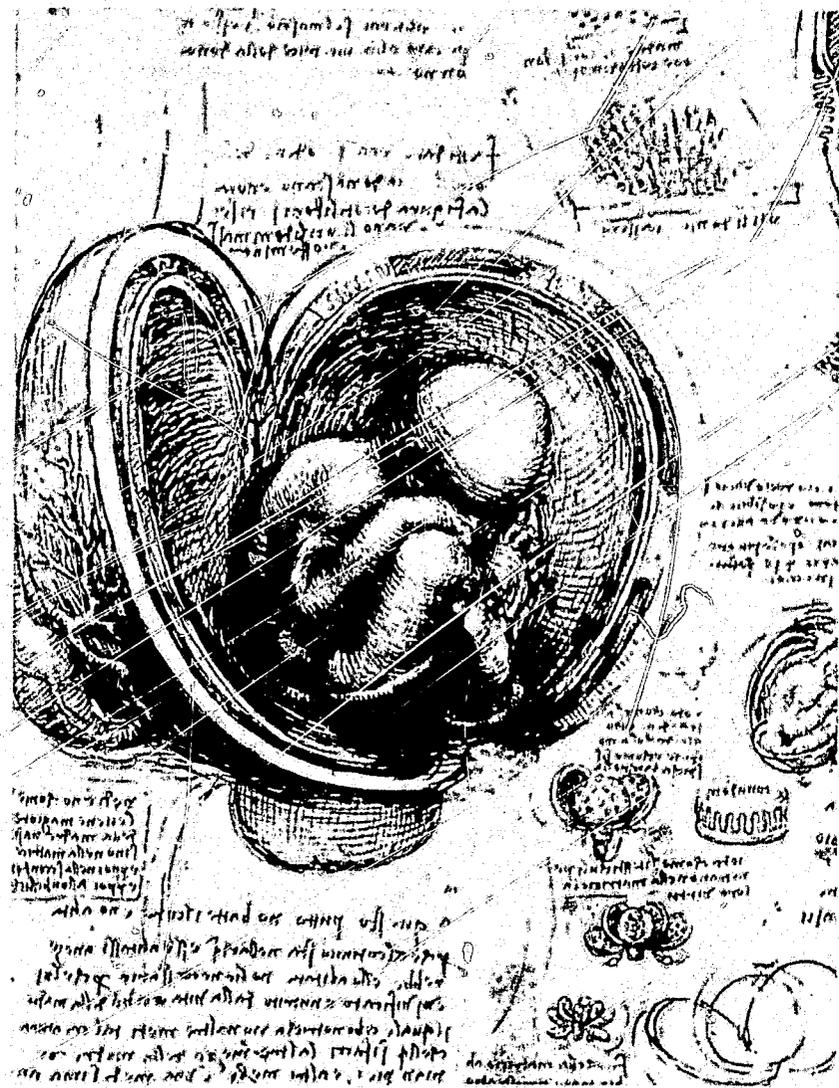
It has been common for these specialists to focus on their own disciplinary concerns and pay little attention to developments in other disciplines, even though all are concerned with man and his behavior. Because the geneticist is concerned with the role of genes in human behavior, he tends to deemphasize, though not deny, the possible relevance of psychic organization, cultural themes, and social norms. In turn, each of the other disciplinary specialties emphasizes those factors or variables around which his own discipline revolves.

Recent developments in each of these disciplines have tended to bring all of these students of human behavior closer together. There are now scientists who are concerned with the interaction between biological and social factors and between the individual and society. They ask, for instance, about the contribution of the genetic inheritance of an individual or group to the variations in the intelligence or other capacities of the group, in comparison to the contribution made by the social and cultural conditions of the life of that group. They may also ask, in the explanation of the rate of violence in a particular group, how much can be explained in terms of shared culture patterns and how much must be attributed to particular sets of organized attitudes which are characteristic of the group.

These are overly simplified versions of the differences between the growing relations among various scientific disciplines concerned with man. However, they do indicate that pictures of human behavior differ according to the scientific approach followed.

In order to present a complete approach to an understanding of crime and violence, it is important to survey the range of major theories from various disciplines. These chapters set forth what is known about genetic determinants, attitudinal and "need" variables, patterns of culture and social organization, social class, and

economic variables. In the process of reviewing the impact of the internal and external forces on the formation of personalities who engage in crimes of violence, we hope to improve our understanding of the phenomena and, consequently, our ability to intervene successfully in reducing criminal violence.



Anatomical sketch by Leonardo da Vinci. Copyright Reserved. Royal Library, Windsor Castle.

CHAPTER 7

BIOLOGICAL EXPLANATIONS

INTRODUCTION

The belief that something in the nature of man explains why people behave as they do is both ancient and contemporary. We suspect that the attractiveness of this disarmingly simple idea is due in large part to the fact that it is such an easy form of explanation. For if man is by nature, or instinctively, warlike or criminal, or if one group of men is more warlike or criminal than another, no further inquiry is necessary. Nothing can be done about such a condition except to protect ourselves against such natural tendencies.

Labeling behavior as natural or instinctive, however, advances neither understanding nor control of such behavior. Scientists have long since abandoned such simplistic notions concerning the causes of human behavior. They ask, instead, "In what ways do biological factors influence human behavior? What are the relevant biological factors and the mechanisms by which they influence behavior?" The recent revival of interest in the possibility that certain inherited biological features may in fact be very important in shaping human behavior reflects these scientific concerns and is deserving of serious attention.

GENES AND BEHAVIOR

The basis for all biological features of men are the genes, the units of inheritance acquired from one's parents at the time of conception. The paternal sperm and the maternal egg contribute an equal number of chromosomes, or gene bundles, though they do not each necessarily equally influence the makeup of the child.

In the genes are all the materials from which the bodily structures and processes are built; the anatomy, physiology, and biochemistry of man derive their basic components from the genes. The role of genes is described as follows:

The genes exert their influence through pathways that consist of the organ systems of the body and the functioning of these systems. The initial pathway from each gene pair . . . [gives rise] . . . to what might be called the primary gene product . . . [Through this process] . . . the genetic information carried in the DNA molecule of which the gene is

composed . . . [is transcribed] . . . into RNA molecules which subsequently are involved in the determination of the specificity of an enzyme. The enzymes are the organic catalysts without which the physiological functioning of the body would immediately halt. The processes of digestion, of nervous system conduction, of dark adaptation of the retina, of muscular contraction, of urine formation—all of these and all the rest of the functions that comprise the living organism are dependent, at some stage, upon the functioning of enzymes. Different genotypes result in different enzymes, and thus influence the efficiency of these biochemical processes.¹

The crucial question in understanding human behavior, as social biologists now put it, is that of the relationship between man's biological inheritance and his social experiences. From the moment of conception on, these two sets of forces join to shape the individual into what he will become, how he will behave.

Modern genetics research suggests the following:

- Genes and their derivatives (anatomical, physiological, biochemical, etc.) provide man with capabilities to behave; e.g., because he can metabolize food, he can survive and run and fight and make love.
- Genes set certain limits on what man can and cannot do. Lacking the genetic makeup for wings, man cannot fly without the aid of mechanical apparatuses. And men vary in their biological endowment for certain activities, such as the specialized abilities involved in athletics, though much learning is involved in the development of these.
- Genes generate various kinds of needs and tensions.—Feelings of hunger and the need for sleep are all to some extent biologically shaped. Genes thus set loose in the world a creature with certain needs which must be gratified if that individual is to survive.
- Genes help determine man's appearance.—Such features as body shape, skin color, facial structure, muscular development, amount of body hair and beard, and eye color are largely determined by inherited materials.

But, genes do not determine what men will believe; nor what will command their loyalties. Neither genes nor biological factors generally determine the objects of men's attentions, whom they will like or dislike, whether they will obey the law or prefer capitalism, socialism, or any other ideological system, or whether they will be motivated to conform or rebel, to learn or to cooperate with others.

In short, none of the complex patterns of social and cultural behavior that give man his woes and his glories are directly or seriously influenced by genes—except in the ways stated, and then in combination with social factors. Thus, genetically determined hunger in combination with socially determined poverty and opportunities for satisfying this need will influence what an individual does in quest of food. In this sense, there is a constant interaction between genetic and environmental factors in human behavior. Genes set the basic problems and possibilities of bodily gratification and of cultural behavior; society and culture interact with this genetic substratum in various ways to determine how men will feel, what they will believe and how they will act.

THE GENETICS OF VIOLENCE

Given the interactive character of genes and environment, one now must ask, "Are there certain specific genetic mechanisms or processes, pathological or otherwise, that determine that certain individuals so endowed (or misendowed) will be unable to live up to social and cultural expectations of performance and capability?" Undoubtedly, modern genetics tells us, there are some such individuals, blighted at birth by defective inheritance of certain genetic potentials. For example:

A case in point is the condition of phenylketonuria Homozygous recessives produce a deficient form of the enzyme phenylalanine hydroxylase which is involved in the metabolism of phenylalanine, an amino acid found in most of the food we eat, to tyrosine. In the normal individual this metabolism is accomplished at an appropriate rate and tyrosine is then utilized in subsequent reactions. Lacking an active enzyme, individuals with phenylketonuria accumulate vast quantities of phenylalanine and a variety of metabolic products which result from the "overflow" of this excess into alternative biochemical pathways. Some of these metabolic products are seriously detrimental to the developing nervous system, and result ultimately in mental retardation, if untreated A number of other aminoacidurias are now known which have similar features.²

The genetically "feeble-minded" person is one such type; the genetically malformed individual may be another (although many malformations do not prevent full participation in society); and individuals with genetic abnormalities for specific regions of the brain (the limbic region in particular) may show "loss of control of angry feelings and dangerous recurrent physical assault on other individuals."

It should be noted, however, that the effect on behavior of abnormalities of the brain is the same whether the abnormality is caused by inheritance or by birth injury, impaired development, or trauma, tumor, or infection, all of which are nongenetic sources of pathology. That is, they are due to something occurring after the conception of the child and are attributable to sources other than genetic inheritance.

One investigator estimates that there are today several million people in the United States who have brain abnormalities. This same investigator insists, however, that we do not know how many of these pathological conditions are due to genetic factors, and how many to environment, or to some combinations of genes and environment. Moreover, he points out, we do not know:

- How many such abnormalities there really are in the population;
- How many of them commit dangerous assault;
- How many persons guilty of assaultive behavior (such as crimes of violence or violence by automobiles) have such abnormality; and
- In what ways or to what extent the assaultive behavior by people with such brain pathologies are due to the brain pathologies or to a host of other casual and precipitating events, or some combination of all these factors.

We cannot say, therefore, anything conclusive about the specific role of genetically determined brain pathologies in the production of violent behavior.³

Much concern in recent months has been expressed with regard to a segment of the population whose genetic makeup includes a special form of one chromosome, known in shorthand as the XYY chromosome:

In normal man there are forty-six such chromosomes, half from each parent. Two of these are sex chromosomes, femaleness being determined by two X chromosomes, and maleness by one X and one Y. The others, or autosomes, exist normally as 22 matched pairs. It is possible, either at conception or some time later, for errors in division to occur so that individual chromosomes are lost, distorted, or more frequently, increased in number. For example, three rather than two chromosomes of a particular type may appear. When this occurs on the autosomes, widespread disorders may appear, frequently incompatible with prolonged life. One such abnormality well known is that which produces mongolism, a type of mental deficiency. Many of these abnormalities produce disorders of the central nervous system. Similar abnormalities in the sex chromosomes are less devastating, although also often associated with the brain dysfunction and particularly with mental retardation.⁴

Some investigators believe that the possession of this special chromosomal or genetic feature may be connected with tendencies toward violent behavior. Their notion is based on the disproportionate presence of this chromosomal feature in certain selected deviant populations, as compared with its presumed presence in nondeviant populations.⁵

But again there is an absence of the required kind of information and understanding about this genetic feature and its possible connections with violent social behavior. In this instance, we do not know:

- The true incidence of this genetic feature in the population at large;
- The true incidence of this genetic feature in so-called deviant populations; and
- Whether these deviant populations are uniformly violent or assaultive.

This last point is crucial. Some of the claims regarding the influence of chromosomes on behavior lump together substantially different kinds of deviant populations and identify them all as antisocial or dangerous or criminal, when in fact they are not homogeneous in this regard at all. Thus one investigator put together into the category of "antisocial behavior," populations of (1) mentally retarded people in institutions, (2) mentally ill people in institutions, (3) criminals in institutions, and (4) mentally ill people outside of institutions. All these populations consisted of people over 6 feet tall as well, since by and large the XYY chromosome tends to be found predominantly among tall males. The finding was that 12 out of 50 of the institutionally mentally retarded, 4 out of 50 institutionalized mentally ill, 2

out of 24 institutionalized criminals, and zero out of 50 mentally ill outside of institutions (and zero of 30 normals) had the XYY chromosome.⁶

To call all of these men antisocial violates all serious usage of that term. Mentally ill and mentally retarded people are not antisocial per se, and there is no necessary or sufficient connection between mental illness and retardation on the one hand and antisocial behavior on the other.

One must also be very skeptical of the validity of diagnoses on the basis of which the persons studied were classified as mentally ill or retarded. We also do not know from the data presented the types and frequencies of crimes which had been committed. Moreover, we do not know how many crimes, albeit undetected and unreported, have been committed by populations called normal and nondeviant. In short, groups characterized by different percentages of the XYY chromosome cannot be said, on the basis of available data, to have been properly classified and distinguished as deviant and nondeviant. Hence, it is not simple to draw conclusions about the role of XYY differences in differentiating normal from antisocial populations.

Still other studies have compared the percentage of XYY chromosomes among tall males (with varying criteria for height) classified into such diverse groups as "those with violent propensities" and "approved school boys" (English), "prisoners" (Australian), and groups in the United States classified as "juvenile delinquent," "mentally defective adult delinquents," "Caucasian inmates," and "Caucasian and Negro inmates of prisons." The percentage of XYY chromosomes among these groups ranged from 0.0 in the "mentally defective adult delinquents" to 12.0 in the group of 34 Australian "prisoners."

Further inquiry into one of these groups classified as "defective delinquents" revealed such a low percentage of XYY chromosomes among the "most likely" population that the author felt it necessary to indicate that this group contained a substantial percentage of Negroes and that prior to this study, no Negro case of XYY chromosomes had never been reported.⁷ Are we to believe that Negro violence cannot be accounted for by XYY chromosomes, but that white violence may be?

It would thus seem that the possible connection between chromosomal abnormalities and violent behavior is not yet established either empirically or theoretically. We do not know:

- The true percentage of XYY in the general population;
- The true percentage of XYY in the "criminally violent" population;
- The manner in which XYY is related to violent criminal behavior; and
- Why XYY is associated with criminally violent behavior in some cases, but apparently not in the great majority of such cases.

In order to evaluate in a more meaningful fashion the incidence of the XYY pattern among special populations, it is necessary to obtain accurate and reliable information about the base rates for the occurrence of such anomalies in the general male population. Also, it is necessary to locate and study samples of XYY males who do not appear in various institutions and who function quite satisfactorily in the community. Lacking such

information, present knowledge about XYY males is derived almost entirely from what is obviously a very biased sample, such as criminals and other institutionalized groups.

There does appear to be some indication that the extra Y chromosome does not have any fixed contribution to make; the contributions may range fairly widely. With further information about XYY's with more satisfactory community adjustment, it might be possible to locate more specifically those additional characteristics in particular XYY cases which may indeed predispose a person toward, or have other significant relationships with, deviant behavior.

Also, the fact that a proportionately larger number of criminals may have an XYY constitution does not automatically lead to the establishment of a direct causal link between this variable and the complex pattern of their social and behavioral maladjustments. It is most essential to remember that causal relationships cannot be attributed to correlational data. It is possible that the phenotypical abnormalities associated with certain XYY patterns may lead to a somewhat unusual physical appearance and a variety of hyperactive and aggressive behaviors. The social reactions to such characteristics during the developmental period may help in the formation of deviant behaviors. In other words, the biological variables may be significant in relation to the particular ways in which they interact with social, environmental, psychological, and other variables.

From a more theoretical standpoint, more information is needed about the manner in which specific genes are related to and responsible for actions which may occur. The manner in which the rather complex, socially shaped, and differentiated behaviors of the adult are directly and causally to be related to specific genetic abnormalities must be shown. It is also important to learn about the kinds of interactions in which certain genetic variables may well predispose people toward impulsive and inadequately regulated behaviors.

In this regard one observer notes:

Of course, as with any chromosome, this does not mean that the genes are directly responsible for the end-effect. Rather, the genes on the sex chromosomes exercise their effects through a long chain of metabolic pathways. The final physiological or functional expression results from the interaction of the genes with their environments."⁸

This writer makes the point even more explicit by noting that genes, chromosomes, or heredity are not to be mistaken as equivalent to fate or predestination. On the contrary, the genetic constitution is capable of being influenced and changed to varying degrees.

Even with clear and unequivocal genetic and other neurophysiological involvement, the complex behaviors of the individual are still very much shaped and influenced by social learning and environmental variables. The degree to which genetic, neurophysiological and other limitations can effectively be overcome in the sense of adequate socialization and the absence of antisocial and violent behavior, is evident from the fact that not all—nor perhaps even the majority of—persons with XYY constitution end up in various institutions for antisocial and violent individuals.

Thus, little credence is given to the theory that the XYY chromosome is an important explanatory factor related to criminal violence. It is important to note in this context that good theoretical reasons for such a relationship presently are lacking:

Although the relationship between chromosomal abnormality and brain dysfunction seems apparent . . . the intervening mechanism is not clear . . . A major problem remains in understanding the role of the observable XYY or other abnormality in contribution to the behavior anomaly. Whether it modifies gross brain structure, sensitivity to endocrine levels, higher endocrine levels, etc. is unknown. Obviously, such intervening processes must be defined if adequate preventive or therapeutic measures are to be developed.⁹

The designs utilized in all the existing researches regarding genetic factors and crime are deficient in one or more of the ways suggested above. They are all deficient with regard to the nature of the "casual" connection between genetic features and social behavior. They fail to specify the pathways by which genetic features come to influence social behavior, and often suggest much more "targeting" or "focusing" of effects than can be demonstrated.

Feeble-mindedness is a case in point. Because a certain amount of intelligence is required to learn what is required for adequate social conduct, the absence of that intelligence may account for the inability of an individual to learn the norms of his group and, in turn, of his probable inability to observe or conform to those norms.

Even this instance, however, is one of indirect connection of genes to behavior. Although genes determine the capacity to learn, how one will use that capacity is a product of what happens to the individual in his environment. Whether or not the feeble-minded individual will get into trouble therefore depends on who takes care of him and how.

"Indirect" and "indeterminate" behavior is also seen in the case of "normal" intelligence. Consider, for instance, either very high intelligence or very low intelligence, but each sufficient for "normal" behavior. We cannot predict from the fact of high or low intelligence whether a person will conform or deviate from the norms of his community, and, if one does deviate, in what ways, how often, how acceptable, and so forth.

Neither low nor high intelligence is "targeted" on any particular type of behavior. Whether the individual with low or high intelligence will do acceptable or unacceptable things depends, among other things, on how well he is educated in the norms, the nature of opportunities for finding gratification and temptations and opportunities for deviant behavior. Because the vast majority of both high and low intelligence people tend to obey the law and conform to the norms of society, it is clear that the factor of intelligence itself does not cause deviant behavior. It is, however, clear that higher intelligence is required for achievement in certain legitimate pursuits, and in various types of complex crimes, such as, embezzlement, counterfeiting, the "con" game, and stock swindling.

No level of intelligence, per se, can be said to be a sufficient condition for or cause of crime. Similarly, the relevance of any genetic feature for behavior is varied and unpredictable from the feature itself. In contrast, however,

genetic factors can and do have direct influence on the capabilities of the human individual. A classic instance is the case of the ability to taste a certain chemical called PTC. Thirty percent of the population finds this chemical tasteless. The remaining 70 percent find it to be a bitter substance. The ability to taste or not taste this chemical is due solely to the presence or absence of a single gene. This kind of direct impact of genes on "capacity" is not relevant to complex forms of behavior. The likelihood that any direct genetic determination of such social behavior will be found is small indeed. However extreme the genetic capacity may be, the likelihood that it will be incorporated into a pattern of normative or criminal behavior depends on the kind of intervention (such as guidance, training, control) that is affected by those who are involved with the individual. There is always social intervention in the development of the human being. Becoming "human" is impossible except in a social context involving others, who, from birth on, influence one's access to basic satisfactions and teach one the meaning and conditions of existence and survival.

Due to the unavoidability of social shaping and cultural patterning, there is no such thing as the "natural born criminal," or the man who is violent "by nature." Under specific circumstances, some individuals are more likely than others to become criminal or violent as a result of biological makeup. But it is never "given" in the "nature" of any individual that he will be criminal or law abiding, pacific or violent, cooperative or competitive, selfish or altruistic. All these are complex forms of social behavior, which depend upon the social and cultural milieu of the developing individual:

What can the biological perspective offer for the violence of today? Probably not much that will be of use in the next long, hot summer. Not enough is yet known about specific mechanisms. We know that individual differences in aggressiveness in our species are in part genetically determined. We have seen that it is not "aggressiveness" that is inherited, but a series of processes that interact with the environment to determine predilections to respond with aggressive behavior in certain situations. . . . It is not useful to inquire if aggressive men are born or made; they are born and made.¹⁰

SEX AND RACE

Of all the genetic features distinguishing human beings, two seem especially implicated in crime and violence. These are sex and race.

We showed in Chapter 3 that the 1967 reported male criminal homicide arrest rate was about 5 times higher than the female rate; the robbery rate about 20 times greater, and the aggravated assault rate approximately 6½ times higher.¹¹ Forcible rape, of course, is only committed by males, and when all the serious FBI Index offenses¹² are considered only 14 percent were committed by females in 1967.¹³

One might be tempted to conclude that there is something in the genetic makeup of men and women, that produces these differences in criminal behavior. Yet in this culture, we do not incline toward a theory of the genetic criminality of men as compared with women, primarily because we have not been trained to think in these terms. By contrast, many in our society have

been taught to think in terms of the greater "natural" criminality of Negroes as compared with whites. Clearly, it is our cultural mode of thought rather than the evidence that suggests a connection between blackness and crime—the same mode that disassociates maleness from any specific connection with crime. We are more inclined to inquire what it is about being female in this culture that is reflected in differences in criminality between males and females. When we do so we are able to specify a host of factors in the cultural definition of proper female behavior that helps us to answer the question.

First, the female child is not a creature of the streets to the same extent that the male youth is; she is more closely supervised.

Second, the female child is taught to be soft and gentle, the male tougher and more outgoing. Aggressiveness and physical prowess are important to male development in our society; the opposites are equally important in female development.

Third, the female is not required to validate herself by success in the marketplace. Marriage and family are her chief responsibilities. For most females, evaluation of rank or standing is derived vicariously and in relation to the males with whom they are associated by marriage or otherwise.

Fourth, the female moves in a culture where there are few important models of successful criminal conduct.

Fifth, when a female gets caught up in the meshes of the law, the general attitude is likely to be that she is more to be pitied and protected than punished; consequently imprisonment is seen only as a last resort. Thus, though "women constitute one out of seven arrests for serious crimes . . . only one woman is confined in our state and federal prisons for every 22 men."¹⁴

The relevant factors in this partial account of the criminal differences between males and females all are cultural, that is, the sets of expectations regarding behavior that constitute the guidelines by which males and females are reared and the criteria by which they are judged as "acceptable." For both men and women, these become internalized guidelines and criteria of acceptable behavior.

While differences such as these do not directly explain differences in rates of criminal violence, they do indicate the life styles which expose them to different deviant stimuli. The cultural pattern of the male in this culture is much more permeable by stimuli to criminal violence than is that of the female.

Supporting evidence is found in different rates of criminal and criminally violent behavior among different types of women. It can be shown, for instance, that where the cultural roles of women and men come to resemble each other, their criminal rates also come closer together. Numerous observers have commented on the great similarity in the roles of lower class Negro males and females as compared with their peers in the white group. Data show that the rates of deviant behavior of Negro lower class males and females are closer than are those of comparable groups in the white population—however the crime rate of the Negro female is more like that of the white female than that of the Negro or white male. It is also the case that the "emancipation" of females in our society over recent decades has decreased the differences in delinquency and criminality between boys and girls, men and women, as cultural differences between them have narrowed.

There is here a kind of interplay between the roles of men versus women, and Negro versus white. Both sex and race are significant identities in American society, because important consequences for life chances and styles are related to them, including the risk of involvement in violence. But the influence of "femaleness" is toward the *reduction* of violence while "Negroness" tends toward its *increase*.

These kinds of considerations are also relevant to the explanation of higher female rates in certain categories of criminal behavior, most particularly prostitution. It is not that men cannot be prostitutes. But, in our culture, males are expected to achieve premarital sexual gratification and diversity of sexual experience to a greater degree than are females. Hence, prostitution is predominantly a female occupation.

The most important point for a theory of criminal causes emerging from these data is that cultural definitions and social expectations shape behavior to a greater extent than do genetic factors. We can make sense out of the data regarding rate differences between men and women without resorting to a genetic mechanism, characteristic, or process that distinguishes males from females.

By a standard rule of scientific explanation, one tries to explain a phenomenon in the simplest possible terms and on the level of description of the phenomenon under study. Since criminally violent behavior is socially patterned involving special kinds of interaction between offenders and victims in specific contexts of place and time, for a variety of specific motives (e.g., revenge or gain), an explanation ought to be framed in the same terms, namely, social roles, cultural expectations, and opportunities, and models. Since it appears that sufficient explanation for observed differences is found on the level of social and cultural factors, there is little need to invoke genetic factors in further explanation.

Should unexplained differences exist, it might be reasonable to inquire into possibly relevant genetic mechanisms and processes; but informed scientific opinion agrees that cultural definitions and social roles provide sufficient explanation for differences between men and women in rates of criminal violence.

RACE AND CRIME

The very same considerations are relevant to explaining why Negro violent crime rates appear much higher than white rates.¹⁵

There are several difficulties in researching genetically determined racial differences. Intelligence tests, for example, have been standardized primarily for only one racial group; this makes comparisons with other races rather suspect. Test materials have been taken primarily from the culture of white groups, and they inevitably yield scores biased in favor of individuals who have experienced maximum exposure to these groups.

Second, the movement of Negro and white populations from area to area in the United States has made sampling difficult.

Third, environmental factors, ranging from nutritional status through family structure and educational opportunities, are much different for blacks than for whites. As a result, it is difficult to determine the extent to which

differences in test scores are attributable to environmental and genetic differences, respectively.

In short, there is not sufficient knowledge to make appropriate corrections for these factors. It cannot be said that a genetic basis for racial differences in behavioral traits has been established. In this complex situation, however, it is equally true that the data on hand are inadequate to demonstrate the contrary.

Other difficulties plague the whole field of inquiry. Among the most confusing is the "identity" of the two groups. The terms "Negro" and "white" refer to race only in a metaphorical and social sense, not a biological one. There are many Negroes who bear strong similarities to whites in physical characteristics. These similarities are the result of the mixed white and black ancestry of most American Negroes. Thus, when differing patterns of behavior are found, one is justified only in drawing the conclusion that the differences characterize the groups only as socially defined. There are no distinctive biological characteristics which define Negroes as a group in the United States. Negroes and whites do not constitute homogeneous biological units.

The problem can best be illustrated by referring to skin color. If the entire U.S. population were arrayed on a continuum of skin color which ranged from very light to very dark, and if the darkest 10 percent were called Negro and the lightest 90 percent white (the approximate Negro and white populations of the United States), there would be many surprised people. Many current Negroes would be reclassified as whites, and many whites would be classified as Negroes.

One leading investigator summarizes the matter of race and intelligence and comments on the relevance of genetic and environmental factors on human performance in general:

Today one approaches the study of intelligence expecting to find that environment is important. The intellectual background is very different from that of the 1920's. The general results on testing may be briefly summarized as follows:

The average IQ of large groups is raised by education. I believe the most important data on this are the comparisons of the soldiers of World War I and World War II. More than 80 percent of the soldiers tested in World War II were above the mean of those tested in World War I. This means a wholesale massive improvement, judged by these tests, in the sons of the people who fought in World War I.

In the states where the least educational effort is made, the IQ is the lowest. In fact, as one looks at the review in Anastasi's book it is exceedingly difficult to see why anyone ever thought that the IQ measured innate intelligence, and not the genetic constitution as modified in the family, in the schools, and by the general intellectual environment.

I would suggest that if the intelligence quotients of Negroes and Whites in this country are compared, the same rules be used for these comparisons as would be used for comparisons of data between two groups of Whites. This may not seem a very extreme thing to suggest, but if you look at the literature, you will find that when two groups of

Whites differ in their IQ's, the explanation of the difference is immediately sought in schooling, environment, economic positions of parents, and so on, but that when Negroes and Whites differ in precisely the same way the difference is said to be genetic.

Let me give you but one example of this. Otto Klineberg showed years ago in excellent studies that the mean test scores of many Northern Negro groups were higher than those of certain groups of Southern Whites. When these findings were published, it was immediately suggested that there had been a differential migration and the more intelligent Negroes had moved to the North. But the mean of Northern Whites test results is above that of Southern Whites. Are we to believe that the intelligent Whites also moved to the North?

There is no way of telling what the IQ would be if equal opportunity were given to all racial and social groups. The group which is sociologically classified as Negro in the United States, about one-third of whose genes are of European origin might well test ahead of the Whites. I am sometimes surprised to hear it stated that if Negroes were given an equal opportunity, their IQ would be the same as the Whites'. If one looks at the degree of social discrimination against Negroes and their lack of education, and also takes into account the tremendous amount of overlapping between the observed IQ's of both, one can make an equally good case that, given a comparable chance to that of the Whites, their IQ's would test out ahead. Of course, it would be absolutely unimportant in a democratic society if this were to be true, because the vast majority of individuals of both groups would be of comparable intelligence, whatever the mean of these intelligence tests would show.

We can generalize this point. All kinds of human performance—whether social, athletic, intellectual—are built on genetic and environmental elements. The level of all kinds of performance can be increased by improving the environmental situation so that every genetic constitution may be developed to its full capacity. Any kind of social discrimination against groups of people, whether these are races, castes, or classes, reduces the achievements of our species, of mankind.¹⁶

The preceding discussion is intimately associated with the prevailing image of Negroes in American society and with the opportunities they have had to enter into the mainstream of American life as first-class citizens. The evidence suggests that the lack of opportunities afforded Negroes has decreased both their average school performance and their motivation to conform to norms and laws set by "white" society. Thus, the explanations for differences by Negro and white rates of violent behavior must be sought first in the area of differences in patterns of life and opportunity. Only if there remains a residue of differences that cannot be explained by social and cultural differences should the search extend elsewhere.

Are there possible connections of a biological nature between race and crimes of violence? The answer is provided by the general relationship between biological factors and violence discussed earlier. While there are obvious involvements of body tissues and processes in aggressive and violent

behavior—brain functioning, glands, and neural connections of all kinds—there is no substantial evidence of direct connection. We do not know the extent of violent behavior among those who possess possible relevant biological abnormalities, and we do not know the rate of biological abnormalities among those who exhibit violent behavior.

The problems can be illustrated by the following model questions:

- Of all those who commit criminally violent acts, what percent exhibit a possibly relevant biological feature?
- Of all those who have a biological feature possibly relevant to violent behavior, what percent commit violent behavior?
- Of all those who do not commit violent criminal behavior, what percent exhibit the biological feature presumably relevant to violent behavior?
- Of all those who do not have a biological feature relevant to violent behavior, what percent commit violent behavior?

Only when all these questions are answered in a theoretically sound manner can we make adequate determination of cause. At present we cannot answer with certainty any of them. This is the conclusion of scientific observers who specialize in brain functioning, endocrine structure, brain diseases, chromosomal abnormalities, and chemical imbalances—in short, in all the areas that have been investigated for their possible relevance to violent behavior in general and to criminal violence specifically.

The hypothesis that man is violent by nature has recently been advanced by various writers, and has caught the public eye. One student of these matters states:

During the past several years there has been an increasing attention to the patterns of behavior of animals living in natural environments. The ethologists in particular, under the leadership of Lorenz and of Tinbergen, have focused on "innate" mechanisms which are built into the brain of the species and are relatively independent of postnatal experience. Other workers, particularly Devere and other observers of primate groups, have emphasized observations of the social structure of the group, patterns of individual interaction, and 'acculturation' of the individual into the group without the theoretical concern about the sources of the behavioral phenomena observed. Because of the articulate, popular presentations of the ethological position recently, much of the popular philosophizing about aggression in man has reflected their position without adequate regard for the serious criticisms raised by other animal behaviorists both about the primary observations and the interpretation of the data. The essence of this position as presented either by non-scientific writers such as Ardrey, or by scientists such as Lorenz, or Morris, for example, is that the animal, including man, is innately aggressive. In dangerous predatory animals this aggressivity is balanced by other evolved instinctual patterns which prevent intraspecies killings under normal circumstances. In non-predatory animals there is no need in the wild for these control mechanisms to have evolved, so that rabbits and doves, for example,

when confined are likely to kill during conflicts over territory or sexual partner. By this logic, man is assumed to have a non-predatory inheritance (or one of too short duration for evolution of controls), and the necessary instinctual control mechanisms are absent. These are replaced in this schema by weak, learned social controls which break down readily under provocation. The weaknesses of this hypothesis and its variants compare for example, the combination of this logic with historically related psychoanalytic theory as presented by Storr) are twofold. The primary data are in question and have been sharply criticized, for example, by Scott. The extrapolation of these data to man, with his uniquely protracted childhood for social and cultural learning and his use of symbols, is entirely without experimental justification, as pointed out by C.R. Carpenter.

In view of the considerable experimental and logical weakness of this position, it is important to note how influential it has become in recent years. It is perhaps because of the scientific gloss added to an ancient philosophical position that man is inherently evil. The debate as to man's inherent goodness or evil has occupied philosophy, religion, and political theory for some millenia and the absence of convincing data will probably continue to outlast contemporary theories.¹⁷

Still another scholar puts the matter more tentatively when he speaks of the relationship between animal and human research:

The proper attitude to be taken toward data obtained from some non-human animal is to regard it as suggestive. One should be neither too eager to apply the data unaltered to man nor to deny the relevance of the data to human processes. In many cases the accumulation of data from a variety of sources will provide a general scheme in which human processes become understandable. In other cases, after research efforts have clarified processes at one phyletic level, hypotheses will appear that can be tested directly on man.¹⁸

One scientific historian comments:

Such authors as Lorenz and Ardrey assume that certain types of social behavior in man have the same biological basis as do certain analogous behavior traits in animals. However, the crucial point—the biological roots of the behavior in human beings—still remains to be demonstrated. Until that is done, the use of an analogy to animal behavior can provide, at best, suggestive hypotheses *to be tested with reference to human behavior*; at worst, it encourages misunderstanding of human social behavior through a failure to appreciate how the learning of symbols and value systems underlies the types of behavior that are of greatest interest to the social scientist.

In short, I fear that a rush to ground sociological theories upon animal behavior might repeat the story of what happened some forty to sixty years ago. It may result in generalizations about human behavior on the basis of unproved assumptions, and thereby again bring into disrepute the relationship between genetics and social sciences.

Geneticists and social scientists now need to begin a dialogue and to map programs for mutually beneficial research. But both should, at the same time, recognize how little is yet known about the genetic basis for the types of behavior that are of primary interest to the social scientist. Indeed, such traits as "leadership," "tolerance," "racial prejudice," "need for achievement," "conservatism," and so forth, may be so indirectly related to any specific biological, and therefore genetic, basis and so directly related to social influences that genetics may never provide explanations that will be helpful to sociologists.¹⁹

Aggression is a generalized form of behavior which can be expressed in a great diversity of ways: fierce competition in sports, high competitive performance in academic work, enterprising salesmanship, speedy driving, high pressure politics, and so forth. There is no necessary connection between aggressiveness and violence and certainly none with crimes of violence. The latter are specially patterned modes of behavior that may contain elements of aggressiveness, but are much too complicated to be inferred or predicted from generalized aggressiveness.

CONCLUSION

Neither genetic nor nongenetic abnormalities specifically determine violent behavior. There is a great need for continued experimental neurological research on mechanisms which may be related to behavioral control and treatment of some violent individuals.

The point is doubly intended. While knowledge of biological capacity and functioning is important to an understanding of human behavior and may be an important clue to control of the behavior of some especially aberrant individuals, there is no indication that any large group of biologically abnormal human beings can be identified. We need to know much more about biological mechanisms, limitations, and capacities in order to help those who express violent behavior and to better understand the implications for violence of the stresses and strains imposed on the human biological makeup by social and cultural arrangements.

By way of summary it has been stated:

In this broader perspective of the physiological and biological bases of aggression I believe that there emerges one simple and indisputable fact. It is that man has the innate, inborn capacity to act aggressively and violently toward other men. But note carefully that *capacity* means the *ability* and not a drive or an instinct, or a need to act aggressively. The crucial point, which seems so far to have been overlooked by those writing about human aggression, is that the ability to act aggressively—violently if you prefer—is modulated, shaped, and conditioned by the social and cultural experiences of each individual human being. These experiences begin at birth and terminate at death, although there are undoubtedly periods during childhood and infancy when their long-term consequences are more serious. Some of these experiences will make aggressive behavior more likely, while certainly there are experiences which can minimize the future probability of

aggression. The individual learns ways of being aggressive, situations when it is and when it is not appropriate to act aggressively, and alternate ways of expressing his aggressive feelings. These are cultural conditions, not instinctive imperatives, and it means that they can be modified. Assuming that they can be modified, then our greatest challenge must be to determine what they are, how they operate, and how best to eliminate them.²⁰

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Handmade Reflecting Sphere. Lithography Maurits Cornelis Escher. Rosenwald Collection, National Gallery of Art.

CHAPTER 8

PSYCHOLOGICAL EXPLANATIONS

BASIC CONSIDERATIONS

If violent tendencies cannot be found in the genetics or biology of man, can they be found in his psyche? Are there some people who are more likely than others, because of their psychological makeup, to engage in criminally violent behavior? Are there aggressive and violent tendencies in the makeup of all men? How did they get that way? What can be done about it? These are the major questions asked by psychological theories of aggression, violence, and crime.

A good deal is known about the psychology of aggression, somewhat less about the psychology of violence, and even less about the psychology of crime and criminal violence. One must rely on the theories of aggression and move from these to questions of violence and crimes of violence.

In the absence of adequate data, theories of violence have taken two forms. One is "armchair" or "philosophical" theorizing; i.e., the formulation of hypotheses on nonempirical bases. The other is the formulation of theories of *aggression* rather than theories of *violence*. Since there is much more sound data on the broader and more easily studied topic of aggression, such theories often do have a sound empirical base. Whether or not these theories can be extrapolated to account for violence is another question.¹

There are obvious dangers in this procedure. In the first place, violence is only one form of aggressive expression. Second, crimes of violence do not by any means exhaust the whole range of violent acts. Most violence is noncriminal in character. It is wrong, therefore, to assume that one can move from the psychology of aggression to the psychology of violence without introducing factors which would explain why aggression sometimes is expressed violently and sometimes is not. Similarly, we need to know why some violence finds expression in criminal behavior while most does not.

These questions must be kept in mind when considering the various psychological theories of aggression.

Aggression is first of all a form of behavior or a pattern of response. In studying the psychology of aggression, four sets of factors must be taken into account: (1) those that shape the inner readiness for an aggressive response; (2) contrary factors that work to reduce the inner readiness to react aggressively; (3) outside environmental factors that facilitate aggressive

behavior; and (4) those that impede aggressive behavior.

One student has suggested that these sets of factors be given names; respectively, they are instigators, inhibitors and stimulus factors.² We may refer to the fourth class of factors as external controls.

According to this kind of psychological theory, the interplay among these factors determines (1) the strength of the inclination to respond aggressively; (2) the target of the aggression, (3) the kind of aggressive act that will be performed; (4) the duration of the aggressive behavior; and (5) the internal feedback; i.e., whether the person will feel "discharged" of the aggressive tensions, or perhaps be stimulated to even more aggressiveness.

Most psychological theorists could place their own favorite notions and factors into these categories, but they often disagree on the origin of instigators and inhibitors, and the factors adding to or detracting from them. Does physical punishment *increase* inhibitions by causing a child to suppress his aggressive tendencies, or does such punishment *decrease* inhibitions by providing the child with an aggressive model to imitate? Does watching a violent movie on television impede the expression of aggression by allowing the viewer to drain off his aggressive feelings vicariously, or does it instead facilitate violent behavior? Are violent instincts innate within the human species or is violence a habit learned in childhood?

On issues such as these, there is little agreement among different schools of psychological thought. Such disagreement would normally be resolved through experiments, but it is not now possible to do decisive research on aggressiveness and violence, and there is even disagreement as to what research would be decisive. Major disagreements are found, for instance, between the advocates of clinical approaches (as in psychiatry), and laboratory approaches (as in social psychology). Still other methods are advocated by those who postulate some instinctive and universal aggressive drive in man (as in the case of ethologists and some psychoanalysts).

The previous chapter considered doubts voiced by numerous scientific experts with regard to the theories of innate aggressive tendencies in man, especially those derived principally from experimental work with other animals. Now we can study the implications of this approach for public policy. If it is true, as some contend, that aggression is innate and must be expressed, then it does not make much sense to attempt to remove some of the stimulus factors that others believe serve as instigators, such as poverty and deprivation. According to the "innate" theorists, the best that can be done is to attempt to control these impulses: channel, redirect, sublimate.

A contrasting approach is taken by the majority of academic psychologists, who favor a theory which gives much more emphasis to the environmental causes of aggression. The prominent theory is the "frustration-aggression" hypothesis. The best known and earliest advocates in this country were a group of Yale psychologists,³ who held that aggression is always a consequence of frustration, which is defined as anything that interferes with an ongoing activity aimed at achieving some goal or end. That is, "the occurrence of aggressive behavior always presupposes the existence of frustration, and contrariwise . . . the existence of frustration always leads to some form of aggression."⁴

This notion was quickly attacked on the grounds that not all frustrations lead to aggressive behavior. Accordingly, the theory was modified to state

that frustration always brought on an instigation, or an impetus to aggression. Whether this instigation would result in aggressive behavior depended on other factors, such as the strength of the inhibitors and the character of the external stimuli.⁵

The strength of the instigation to aggressiveness, that is, the degree of readiness to be aggressive, depends on: (1) the strength of the drive toward the intended goal; (2) the degree of interference with the frustrated response, including, for instance, the presence or absence of alternative ways in which to achieve one's end; and (3) the number of times the goal seeking activity has been frustrated.⁶

According to this theory then, frustration can be cumulative and can remain active over time. Moreover, readiness for aggression can accumulate, even though it comes from different frustrating experiences.

Modifications of this theory include the following:

- The strength of the instigation to aggression will vary with the degree of arbitrariness or reasonableness of the frustration as perceived by the frustrated individual.
- The anticipated opportunity to counter-aggress against a frustrator will make the individual feel less frustrated in any given incident.
- The extent of anticipation of the frustration is important—the more the frustration or disappointment is expected the less aggressiveness is likely to be ready when the frustration occurs.⁷

These modifications remain within the framework of theory itself. Other psychologists have questioned the adequacy of that framework, pointing out, for example, that numerous other factors can elicit aggression, or at least serve as instigators.

Instigation to aggression can also stem from chronically recurring or generalized frustrations. Being trapped in a second-rate job because of the color of one's skin, chronic hunger, or substandard living conditions are among the frustration conditions which can yield chronic instigation to aggression.⁸

In short, the addition of one small frustration to an already strained situation may trigger aggressive behavior.

This theory may help to explain excessively violent responses to apparently trivial incidents. The child who is picked on continuously and does not react, the chronic invalid, and the cooped-up housewife are all persons from whom a "sudden explosion" of aggressive or violent behavior might reasonably be expected.⁹

Cultural Options and Variability

The quality and quantity of stimuli to aggression differ from culture to culture. Factors producing aggressive responses with high frequency in one

society may be generally ignored in another. Similarly, there are changing modes of response in a society from one period to another. The heightened militance and frequency of aggressive response by American Negroes in their interaction with whites is a case in point.

Several mechanisms seem to be at work here:

- Different societies (and subcultures within a society) teach their children different responses to frustration. What is frustrating at one time may be a matter of indifference at a later date.

- Different societies impose on their members varying degrees of aggressive response, so the balance between instigators and inhibitors may be different, even though the stimuli and instigators are the same. Some families teach their children to respond aggressively to insult, while others teach their children to turn away from insults and ignore them. Families are likely to vary greatly in this respect, particularly within complex societies such as our own.

It is clear, then, that the options available to any society may be more numerous than those implied by the "innate" or even the frustration-aggression theorists. Comparative evidence suggests that there are numerous ways in which aggression can be channeled or suppressed, without significant cumulation of tension or other cost to the individuals involved.

This evidence also suggests that with enough training under the "right" conditions of life, the aggressiveness and violence of one period may become the constructiveness and creativity of the society at another. Experimental studies have revealed many variations on the theme of violent and nonviolent behavior resulting from different kinds of "modeling" situations observed by children, especially where the children witness aggressive or deviant behavior being rewarded or punished, unattended to, etc. These studies also suggest that while the children may repress their own aggressive tendencies because of the reward and punishment cues, they also absorb enough information about aggressive or deviant behavior sufficiently to reproduce it under appropriate conditions.¹⁰

If learning about responses to various stimuli is crucial in the shaping of aggressive or violent behavior, and if there are no demonstrable genetic restrictions involved, it follows that cultures can vary greatly in the amount of aggressiveness they will sanction and for what reasons. This perspective is both promising and dismaying, because it means that peace and violence are equipotential in human behavior.

Instigations to Violence

Are there societies that actually promote violence? The evidence suggests that every culture does so—for specified reasons. The nearly universal indulgence in war and the training and rationalization for the required violence are instances in point.

Also important are the results of a society's failure to be sufficiently concerned about "instigating" stimuli to violence in the lives of certain of its members. Some observers have noted, for instance, that an important part of

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the "culture of poverty" is the lesson the poor child learns about the gratification he can receive from stolen goods, rewards he would not otherwise get.

Environmental deprivation through the indifference of the society serves as a source of increasing the instigation to violence. Similarly, children who have been neglected by their parents, or are severely restrained from expressing themselves, have been seen as prone to aggressive behavior when the opportunity presents itself.

Factors That Reduce Aggressiveness and Violence

Two types of factors may help reduce aggressiveness and violence: (1) those that diminish the actual instigation to aggressiveness; and (2) those that block or prevent the overt expression of aggressiveness.

In the first category are such factors as:

- Diminution of instigation over time, in the absence of additional frustrations or other arousals.
- Satisfaction of the frustrations that aroused the aggressiveness.
- Engaging in mildly aggressive behavior and thereby securing discharge of the aggressive need.¹¹

Is There Catharsis Through Aggression?

The data are quite unclear regarding the extent to which "residual" aggression is in fact discharged by acts expressing aggression. This behavior may encourage still further aggression or may heighten its instigation by reducing inhibitions against aggression.¹² Thus, it is a matter of serious concern under what conditions hostile individuals ought to be encouraged to act out their hostilities and "get them out of their systems." *Observations of the current scene in America today suggest that the reduction of inhibitions against aggressiveness and violence through an increase in aggressive behavior may in fact increase the readiness for aggression rather than reduce it.*

Will Scapegoats Serve the Purpose?

The same considerations apply to the notion that aggression can be worked out of the system by displacing frustrations onto some convenient scapegoat. Such a policy involves considerable cost for those who serve as scapegoats, and may produce counteraggressiveness which only serves to heighten tension and hostility. It is, extremely doubtful that living scapegoats can have a genuinely cathartic effect.

Other Modes of Reducing Aggressiveness

Other possibilities include (1) substituting some form of response for aggression (e.g., verbal rather than physical aggression); (2) redirecting aggressive energies into constructive or gratifying channels; and (3) vicarious

discharges of aggression, through identifying with others who are acting aggressively (e.g., watching prizefights or war movies).¹³

The results of numerous experiments on these suggestions are extremely variable, depending on such factors as the age of subjects, the resemblance of the vicarious victim to the original source of hostility, whether the witnessed aggression occurs before or after the person is angered, and the nature of justifications provided for the vicarious aggressiveness. All these considerations are relevant to the problem of the influence of violence portrayed in the mass media. It is not possible to say whether or not people are stimulated to violence by what they see on the screen.

Instigation to aggression may also be reduced, some claim, by what is called "cognitive redefinition of the situation." One dissipates his anger and aggressive feelings by changing his perception of a situation, by being treated deferentially and with apologies, by humor, by persuasion, or by appeals to more important values.¹⁴ The conditions for the successful use of these techniques have yet to be demonstrated with certainty.

When considering the effects of mass media on violence, it must be remembered not only that the evidence is contradictory and suggests many subtle influences, but also that experiments to date have investigated only mild aggression condoned by the experimenter. In no case has the experimenter actually allowed his subjects to engage in violence. Therefore the conclusion that "... witnessed violence can stimulate actual violence ..." refers only to the fact that in *some studies* witnessed violence is associated with mild aggression.¹⁵

Thus the effect of vicarious participation in aggression is uncertain. The variety and contradictory nature of the interpretations have been summarized as follows:

The evidence is truly conflicting. Aggression enhances or reduces subsequent aggression; a vicarious aggression may serve either as a substitute (Rosenbaum and deCharms, 1960), or as a model (deCharms and Wilkins, 1963) for the subsequent aggression. However the difficulties inherent in the interpretation of catharsis phenomena do not end here. After all the cathartic effect may be due to any of the following reasons: (a) the subject has "let off steam" (an undifferentiated autonomic arousal model); (b) the subject has aggressed against someone or other (a hydraulic aggression model); (c) the indeterminant target (an expressive model); (d) the subject has successfully aggressed against the instigator (a self-esteem restoration or threat removal model); (e) the subject has seen the frustrator punished, even by someone else, and cognitive expectations regarding justice have been confirmed (a dissonance reduction model); (f) the subject has accumulated reactive inhibition or fatigue (a behavioral oscillation model); (g) the subject has developed guilt or aggression anxieties subsequent to aggression (an aggression-anxiety-with-delay model); (h) the subject perceives that a given amount of aggression is appropriate under the circumstances (a social reality model). Where a cathartic effect is ostensibly absent, it may be the case that his aggressive habits have become stronger, that he perceives greater social desirability or

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tolerance for aggression, or that he perceives aggression to be the most effective way to deal with the situation, etc.¹⁶

Those who would advocate vicarious participation as an antidote for aggressive behavior therefore appear to have a weak basis for their argument. While some experiments have obtained data consistent with this hypothesis, many subtle factors apparently are involved in this process. There is also a considerable body of evidence that suggests that inhibitions as well as instigation may be lowered, so that the net effect might be an increased tendency toward aggressive behavior. Individual differences doubtless are important here, and the vicarious stimulus which "turns on" one person may "turn off" another.¹⁷

Inhibiting Violence

It was noted earlier that aggression can be reduced either by reducing sources of instigation or by increasing inhibitions. Among the most prominently advocated methods of increasing inhibition are:

- Teaching and inculcating strong preferences for nonaggressive responses to frustration or other arousals.
- Rewarding nonaggressive responses to aggression-instigating stimuli.
- Punishing aggressive responses to aggression-instigating stimuli.
- Setting examples of nonaggressive behavior by powerful adults with whom the child identifies.

Conversely, by reversing the emphasis in each of these, we have a list of ways in which inhibitions can be decreased rather than increased; e.g., through positive rewards for aggressive behavior.

The primary goal of most parents is to educate their children—to teach them to do the things that the parents approve of and to refrain from doing those of which they disapprove. Because parents' values are generally in harmony with those of society as a whole, this has the effect of transmitting cultural values to the child. During infancy, the immediate family constitutes the child's entire world. At this stage, familial patterns interacting with the child's innate abilities are the primary determinants of behavior. As the child ventures forth into the neighborhood, the school, and the larger society, he is influenced by a wider variety of people: playmates, schoolmates, teachers, coaches, clergymen, professors, employers, Scout leaders—*even* people whom he encounters only through books or television. Through the learning and identification processes, the child often incorporates the values of some into his own system, while he rejects the values of others. These incorporated values, consisting of "thou shalt's," and "thou shalt not's," are some of the primary factors which regulate behavior.

The value system acts in such a way as to reward "good" behavior and to punish or induce guilt over "bad" behavior. If violence is regarded as "bad,"

then, both aspects of the value system come into play in attempting to inhibit violence. Not only will the individual feel guilty if he engages in violence, he will also feel proud if he refrains from it. Some regard these internal injunctions as a loose system of specific habits which have been conditioned over the years; others refer to them as the individual's conscience; and psychoanalysts prefer to label them the "superego."¹⁸

Reduction Through Counterstimuli

To what extent, we may now ask, can action be taken on external stimuli to reduce their effectiveness in producing aggressiveness?

Some investigators have been concerned with the possibility that victims are in some ways responsible by encouraging violence. Reference is made to the woman who is careless with her pocketbook, thus inviting purse snatching, to the woman who sexually encourages a man and then attempts to "turn him off," or to persons whom the police perceive as unruly or insulting. The victim may facilitate or even directly precipitate the aggression, as our data showed in Chapter 5. One typical recorded case involved a wife who, when her husband threatened her with a gun, taunted him, "What are you going to do, big man, kill me? You haven't got the guts to kill me." However, many times the provocative aspects of the victim's behavior may not be so obvious, such as situations in which the victim inadvertently behaves like an originally frustrating agent so that displacement of aggression is facilitated.¹⁹

In the same light, the presence of weapons may facilitate aggressiveness by making violence apparently safer, surer, and "final." Stimuli to violence can be verbal, material, human, willing or unwilling. Not enough is known at the moment to be able to say anything decisive about the ways in which stimuli interact in various contexts to increase or reduce the likelihood of aggressiveness and violence.

The various ways in which factors from these three categories can interact are too numerous for cataloging. It is clear, however, that a vast collection of objects, persons, and situations can serve as frustrations or other instigations to violence. There are, in turn, a number of ways in which these instigations can be reduced.

Psychologically speaking, aggressiveness and violence are potentially lodged within the system of the individual. But the need to act aggressively and the acting out, or failure to do so, depends in significant part on the interaction between the individual and his environment. Increasing inhibitions by punishing aggressive behavior and rewarding nonaggressive behavior obviously involves other people. The role of others, individually and collectively, is crucial in determining the role of "self." Internal psychological forces are generated by circumstances of life which involve others and provide the locus and feedback mechanisms for the actor. These, in turn, generate new internal states which the external environment then either facilitates or inhibits.

Psychology has investigated these matters thoroughly, but there is still considerable disagreement, even among members of the same school. The variability of their findings makes certainty a rare commodity.

It is one thing to know that nonaggressive and nonviolent behavior can be encouraged by rewarding them and by punishing aggressive and violent

behavior; it is quite another thing to be able to prescribe specific kinds of rewards and punishments which will be effective for various kinds of people under various circumstances. (This is the traditional disparity between pure and applied science. Research provides general guidelines, but we do not know yet enough about the specifics of effective actions. This is true for all the problems of psychology.)

PERSONALITY TYPES AND VIOLENCE

Personality and its functioning characteristics have been described as the "common pathway" for all influences on human behavior. Psychologists have been concerned with developing "typologies" of personality; i.e., arranging possible personalities along a continuum of aggressiveness. To develop such a typology one must first specify what is meant by "prone to aggressiveness" by devising instruments for measuring such "proneness." The utility of such a scale may be determined by systematically examining whether, under equal conditions of objective stimulus, the "high prone" type will respond more aggressively than the "low prone" type.

Personality can be divided in innumerable ways, depending in large part on the interest of the investigator. He may be interested, for example, in a person's readiness to risk himself creatively, to work hard and defer gratifications now for possible rewards in the future, or, in his degree of optimism about future events. Each of these and many other characteristics may be relevant to the understanding of aggression and violence.

It is crucial to note that if we employ resentment of authority as a measure of his proneness to aggression, we cannot "prove" that the individual is aggressive by showing that he resents authority. If we use a trait to define an individual's place on a scale, we cannot then use that trait to predict itself. This has been one of the more grievous mistakes of personality research.

The success of personality theory in clearing up perplexing problems of differences in behavior between individuals and groups has been very limited. This is in part due to the fact that personality types tend to be "general" while individual behavior is quite specific. The aggressive-prone person may, depending on the current situation, retreat or attack. The key phrase is "depending on the current situation," namely, factors in the external environment which promote or inhibit the likelihood of aggressive behavior.

Personality theory has been useful in determining the nature of satisfactions experienced by individuals as a result of particular sets of actions, the needs an individual will try to satisfy, or the rewards he will seek to maximize when opportunities present themselves.

Taking his cue from this possibility, one investigator²⁰ has attempted to describe a number of different types of persons for whom "aggressive" behavior can be "useful," in the sense that it is perceived by the individual as gratifying. Such behavior is perceived as a means of accomplishing some goal or need experienced by the individual.

The typology is divided into two major groups, each with several subcategories.

I. Those who use violence primarily as a self-preserving strategy:

- A. Reputation defenders
- B. Norm enforcers

- C. Self-image compensators:
 - (1) Self-image defenders
 - (2) Self-image promoters
 - D. Self-defenders
 - E. Pressure removers
- II. Those who use violence because they see themselves as the only "fact" of social relevance:
- A. Bullies
 - B. Exploiters
 - C. Self-indulgers
 - D. Catharters

Self-Preserving Strategies

Reputation Defending

Under this heading are people who act violently because their social position, physical size, or group status obligate them to do so. Because others feel that a person is violent, the person comes to expect violent behavior of himself. He becomes aware of his role and the need to defend it. At the same time, the social rather than personal source of this violence is evidenced by the fact that in the absence of other people some reputation defenders show a distinct pacifist streak.

Norm Enforcers

In contrast with reputation defenders, norm enforcers enter their careers on a self-appointed basis, attempting to become the conscience of the society and the insurer of its integrity. They look for and oppose violently those activities which challenge principles to which they subscribe.

Self-image compensators

Self-image defenders.— The self-image defender is extremely sensitive to implications of other people's actions for his sense of personal integrity, manliness, or worth. He is perpetually on guard against the probability that others will belittle him, and the reason for his stance is the suspicion that the point is really a valid one. Not all attacks resulting from perceived challenges or slights are immediate. Some defenders act against an offending person long after the incident itself has escaped the latter's mind, and some even attack repeatedly, while some will pass over one or two affronts while waiting for a decisive one.

Self-image promoters.— The self-image promoter may sometimes act to defend his self-image, but the affronts he responds to are prearranged. In other words, he creates situations in which his involvement or his status are likely to be questioned. He behaves in such a way that predictable objections arise to his behavior, irritating others deliberately so that he can pounce on them eagerly when they respond.

Self-image promoters are said to be either consistently unsuccessful in creating a favorable impression or unable to assess the odds against them. Frequently the issues themselves are exceedingly trivial. Prisons are especially likely to produce such individuals because they deprive inmates of the standard sources of identity and self-esteem and vest trivial substitutes with considerable emotional connotations. It is for this reason that "staring" at a fellow inmate can prove fatal, and why lives have been taken in disputes over two packs of cigarettes.

Self-defenders

The self-defender cultivates fear and uses violence to deal with people he fears. Some of the threats in his life may be real, but because they occur repeatedly, creative effort is to be suspected in which the self-defender locates insecurity where he can grapple with it.

Pressure Removers

Many violence-prone persons are deficient in verbal and other social skills. Such persons may fall into the category of the "pressure remover," who resorts to violence as an expression of helplessness, or as a last minute effort to obliterate situations to which he is unable to respond. The simplest version of this is the action of verbally unskilled persons to terminate altercations to which they cannot reply effectively. Violence, for them, not only expresses frustration, but also represents a brusque summary of the argument the person cannot verbalize.

Seeing Self as the Only Fact of Social Relevance

Under the general heading are classified people who view others only as objects.

Bullies

The bully is undoubtedly the most unpleasant type of violent person: empathy with his position is difficult because he derives satisfaction from the suffering of others. The pure bully uses violence to secure power, obtain goods and services, and keep others in their place. However, violence is invoked in a variety of situations because the means are more important than the ends.

Exploiters

The exploiter is distinguished from the bully in that he uses violence only as a means to achieve his ends. Skill and energy are invested in convincing other people to supply commodities or services without reciprocation; but previously cooperative associates may rebel, or outsiders may intervene to spoil a plot. In such cases, the exploiter resorts to violence as he does when met with violence, but he does *not* view it as the necessary or desirable means of control over others.

Self-Indulgers

Unlike exploiters, self-indulgers do not deliberately take advantage of others. Like small children, they naively believe that the only purpose of other people is to cater to them in every possible way. When the self-indulger finally meets someone who will not comply, he produces the equivalent of the child's tantrum, a violent act against the person who is not meeting the self-indulger's demands.

Catharters

The catharter attacks others to release accumulated emotions which have little or nothing to do with the behavior of the victim. He has learned that by expressing violence he can cheer himself up, and at the point at which he feels it is necessary to release emotions, he seeks a situation in which he can do so.

This approach to violence is valuable in that it reveals clearly that violence is not a unitary phenomenon to be explained under a catch-all rubric. Such an orientation is likely to be fruitful for the development of further ideas. The typology is beset by major problems, however; we note, for example, that the categories are not mutually exclusive.²¹

We view this approach as exploratory in nature and acknowledge that

some useful insights have emerged. In particular, the work suggests that violence may be cumulative in character. Once a person discovers that his ego can be buttressed at the expense of others, the formula seems to be recurrently applied. The gambit of earlier incidents becomes the routine of later ones. The typology suggests, also, that violence is subcultural; that is, it is evidently present in differing degrees in different subpopulations. It thus becomes crucial once again to examine the ways in which opportunities to commit violence (i.e., a situation, such as a riot, in which violence is approved of by others) become available to "violence-prone" individuals.

THE RELATIONSHIP BETWEEN MENTAL ILLNESS AND VIOLENT ACTS

The Professional Advisory Council of the National Association for Mental Health submitted the following statement to the Commission:

- (1) *The popular idea that the mentally ill are overrepresented in the population of violent criminals is not supported by research evidence.*
- (2) *Generally, persons identified as mentally ill represent no greater risk of committing violent crimes than the population as a whole.²²*

Most studies indicate that the discharged mentally ill, as a whole, are significantly less prone than the general population to involvement in violent behavior. All studies to date indicate that the mentally ill are no more likely than the general population to be involved in such crimes as assault, rape, or homicide.

Elaborating on the Advisory Counsel's conclusion, the staff of the Association reported to the Task Force as follows:

The National Association for Mental Health believes strongly that violent crime, and violent behavior generally, are especially liable to over-simplification by the general public and even by professionals not directly acquainted with the field. Violence is a complex phenomenon, with probably less relation between different varieties of violence than the layman supposes. We would like to list some factors, which however unlikely they might appear to laymen, are nevertheless considered important by some or all of the research workers in the field. No explanation of "violence" which does not take these factors into account could, it seems to us, be considered sufficient.

(1) *Historical Factors*

After noting the historical trends in violent behavior presented in detail in Part I of this report, the council notes that:

Good evidence exists that the rates of major mental illness have neither increased nor (except in a few now curable conditions, like pellagra and paresis) decreased in the last 100 years. This pattern does not resemble that of violence rates in any particular.

(2) *Geographic Factors*

In our own country, murder, for example, may be ten times as common in one state as in another. Murder and other violent acts also

show a marked trend to be higher in the South and Southwest than in the East and Central states. Europe, on the whole, has lower homicide rates than even the Eastern states, though some regions have rape or assault rates comparable to ours. Mental illness, contrary to violent crime and other acts of violence, seems equally distributed geographically.

(3) *Social Factors*

These data, of course, do not indicate that terrain has homicidogenic features: they most probably reveal *cultural* differences, i.e., attitudes and values respecting the appropriateness of homicide or assault in some situations which some groups hold in our society.

Generally, homicide and assault rates tend also to be associated with the poor, whatever their race. In the South and West it is a rural phenomenon and Northern urban rates may temporarily reflect the immigration of rural people from the South, though (as noted) Northern rates remain much lower than Southern rates.

High murder and assault rates tend, in other words, to be pocketed in areas inhabited by groups who are poor and have attitudes that sanction spirited defense of specific insults. Murderers are often drunk, usually kill someone they know at least slightly and do so during a quarrel, in an angry, sudden and generally unpremeditated manner. Murders are usually more easily solved than other crimes because of these circumstances.

Mass murders, often (though not always) committed by psychotic individuals are very atypical and uncommon murders. While it used to be believed that lower socioeconomic groups had more cases of major mental illness arise within them than arose in better-off social levels, recent research makes this assertion doubtful. *There is, then, no simple parallel between the social aspects of violence and the social aspects of major mental illness.*

(4) *Age and Sex*

Violent acts are, generally, like many other crimes, associated with relative youth and tend to decrease with age. Violence is also, usually, a masculine activity. Major mental illness is, for most varieties, distributed about equally between the sexes. While many of the seriously mentally ill recover, many show symptoms throughout the adult life span; others may show symptoms only in middle age or in old age, etc. *There is no relation in the age and sex factors to the usual pattern of violent acts.*

(5) *Central Nervous System Pathology*

Many investigators feel that there is a relation, still obscure, between some kinds of measurably abnormal brain function and some forms of impulsive behavior, which may include violence and even murder. How often abnormal brain function is found in murderers is still unknown, but it is probably not found in the majority of murderers. *In any case, major forms of mental illness, including the commonest such as schizophrenia and depression do not show specific brain abnormalities of the type mentioned.*

(6) *Public Attitudes*

Newspapers and journals, currently preoccupied with "violence" are

published by and for the middle class, which generally deplors physical violence in its own circles, uses it little, and calls it something else when it does break through. When violence (or any criminal act) occurs among the middle class, it is (except for the acts loosely called "white collar crime") usually a phenomenon of youthful males, as at every social level. Middle class boys, however, are only about 1/5 as apt to be arraigned as lower class boys, though the actual rates of the two classes are not that far apart. Middle class boys are naughty; lower class boys are delinquent. Some rather obvious differential handling is going on, and this phenomenon may have considerable relation to what acts are considered "violent," what actors are designated as being "violent," and so on. A New Haven commuter who swings at a companion in the Grand Central bar is "sick," a black woman who pushes a policeman at Ocean Hill-Brownsville is inciting to riot, and so on.

(7) Problems of Classification

A similar problem arises from certain difficulties in classifying the varieties of deviant behavior, even when done by professionals. Most professionals in the behavioral sciences feel that there are common psychological mechanisms shared by all human beings, whether "ill" or "normal," bright or retarded. However, they also tend, in practice, to group deviants into two great groups: those who show a tendency to demonstrate, at least occasionally, socially incapacitating behavior (usually "psychotics") and those (usually "neurotics," "personality disorders," etc.) whose behavior tends to permit more or less normal social behavior.

The latter group is often included in classifications of "mental illness," for completeness and because psychiatrists and psychologists are impressed by common mechanisms that run through all categories (including the "normal"). However, like the layman, the professional is apt to think of the first group, which demonstrates the more incapacitating behavior, as the "really" mentally ill. This group, which includes the schizophrenics, the manic-depressives and so on, is the group which uses our psychiatric hospital facilities the most, presents the graver difficulties in treatment and the more important public health problem.

In fact, the other group, those with milder symptoms, blends into the general population so readily that discrimination is difficult, and may be practically and theoretically impossible. Perhaps 75% or more of the human race show neurotic or similar symptoms, not necessarily incapacitating, at one time or another, though perhaps a third show them much of the time. In contrast, perhaps only 5-10% of the population will ever show more serious symptoms (and a good proportion of these, incidentally, will recover). If the milder symptoms are called "mental illness" then most of us are odd.

One of these milder conditions, which does not usually show abnormal behavior to a degree warranting hospitalization, is the "anti-social personality," or "psychopath." There is probably less scientifically known of this group than of any other psychiatric condition. How widespread it is among the general population is one question; whether there actually is such an entity is another, both

currently unanswered. People given this diagnosis usually are able to stay "outside," but when they do get hospitalized, they constitute that group of the "mentally ill" with the greatest criminal record, and tend to drag the crime-rate of all the mentally ill up to about that for the non-mentally ill. This diagnostic group, however, is not at all like the other categories usually hospitalized, having no obvious thought disorder, for example. It has been deliberately excluded from the "mental illness" category by the framers of the Model Penal Code.

There is a very practical implication of these data. If a scientist finds that a large number of a population of criminals are "mentally ill," in the sense of showing anxiety, phobias, depression, exaggerated bodily complaints and so on, he is merely finding out something about humanity, not criminality. Much of the work done by researchers in this field is vitiated by insufficient comparisons with the behavior of non-criminals. Not only do the majority of humans show at least mild symptoms; at least 90% of Americans have committed an unnoticed crime (often a fairly serious felony) at one time or another.

In other words, a statement that criminals may have symptoms arising from emotional conflicts is not surprising and has nothing much to say about whether the more seriously mentally ill are involved in crime to an unusual degree. In fact, the more serious his mental illness, the less likely a person is to be a criminal.

(8) Relation of Behavioral Sciences to Violent Crime

There remains one important point. Psychiatry and psychology have much to contribute to the legal system and to society's handling of crime even if, as seems scientifically true, major mental illness is far less important in anti-social acts than the public imagines. It is likely that the origin of crime, including violent crime, may be most fruitfully sought by examining certain social processes, in which individual psychological processes may be only one factor, and not always even an important one. However, it is not paradoxical to state that progress towards improved methods of rehabilitation and eventually prevention needs that understanding of human behavior which can only be gained by knowledge of how an individual responds to frustrating and overwhelming situations. In addition, the legal and penal systems need to know whether specific, individual characteristics may sway a person, trapped in poverty or other malignant social systems, towards a "criminal" solution to his situations. Similarly, do specific psychological sets in police and judges tend to impute "criminality" to acts of lower-class individuals, who might be handled better if such sets were better understood by the holders?

Competency to stand trial, responsibility, disposition are all legal problems in which psychological knowledge is useful, and often crucial. Psychiatric and psychological skills can be found applicable, in other words, to areas far beyond major mental illness. The need in these areas, however, is for greater and more sophisticated research. The amount of hard knowledge in these areas is growing far more slowly than in other branches of human behavior studies.

INNER PSYCHOLOGY AND OTHER SITUATIONS

It is a disappointing but hardly surprising fact that psychological research into aggression and violence should be most deficient in that portion of the analysis which is most relevant for policy; namely, the interaction between stimuli and types of aggressive and violent responses to those stimuli. The question: "Under what circumstances will a given type of individual (defined by a state of readiness to respond) respond aggressively or violently, or in a contrary way?" requires that we combine what we know about the inner makeup of the individual with what we know of the social context in which he lives.

It is also necessary to develop new terms to describe the situations that elicit diverse reactions. These terms are needed to link situations and responses. For example, if we know that an individual is saturated with "instigations to aggression," we still cannot predict that he will respond aggressively to any and all provocations. The situations in which he finds himself will contain significant numbers of outside forces that both instigate and inhibit aggression and violence. The child who feels very hostile toward a parent may nevertheless not strike out against a parent who provokes him further. The superior physical force of the parent, the threat of the parent to deprive him of wanted things, and the prospect of a future with a parent who will continue punishment over time will determine the nature of response of the aggression-ready child.

It is no accident, to take another example, that the rate of overt aggression by the black community in the United States against white authority symbols has increased greatly in recent months. Important situational determinants have changed greatly in recent months. These include both deterrents and stimulating factors, such as the use of police force against demonstrators; the "understanding" by high authorities of why the black strikes out; the support of sympathetic whites; the consolidation of heretofore disparate elements in the black community into a new mutually-reinforcing community of protest; and the elevation to leadership of certain black militant spokesmen via publicity.

All these are new elements in the life situations of blacks. Undoubtedly they have produced a new balance of readiness to aggress. But their presence or absence and the degree of their effectiveness could not have been calculated solely with the knowledge of previous states of readiness for aggressive behavior.

Indeed, there is some reason to suppose that large numbers of the black community had been so "well-trained" in nonaggressive responses to white stimuli (out of fear, commitment to peaceful methods, or both) that it can still be said that the majority of the black community is not ready for aggressive behavior. This is evident, for instance, in polls which state that two-thirds of the black community of the United States still support and endorse leadership which seeks to gain greater equality through the law, the voting booth, and nonviolent pressure upon the "white power structure."

It is also clear that there have been surprising new recruits in the ranks of aggressors in the black community. There are persons with some "stake" in the going system—middle-class Negro professionals and semiprofessionals. These are people who are much further along the road to success than the

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majority of their fellow blacks. One must suppose that we have reached a new balance of inhibitors and instigators when persons whose economic and social positions have previously acted as a genuine inhibitor of aggressive response, now join the ranks of active and aggressive protesters.

This new balance has been brought about by the introduction of new situational instigators—supports, models, resources, absence of immediate repression, diminution of fear of consequences, and the like. The situation has changed—for youth as well as for blacks—and in these changes lie many of the reasons for increased militancy. We may note the following:

- The external situation has shifted radically from one where perceived punishment far overshadowed possible gains, to one where perceived possible gains may overshadow possible repression. This "perception" is not simply a change in the subjective state of the black community or of youth; there are objective changes that have contributed to the new "definition of the situation."

- There are new types of perceiving actors; i.e., potential recruits to aggressive behavior. For more than a decade the black community has produced a group of college-educated youth who, starting with the sitdowns in the 1950's, have experimented, often at great danger to themselves, with protest and dissent—at first mostly nonviolent dissent. Their courage "paid off" in the sense that the punishments experienced were not sufficient to deter them from pursuing and escalating dissent and from recruiting new members into their ranks. In effect, a whole new generation of well-trained, "successful" blacks has been brought into the ranks of dissenters and protesters. There have been numerous reinforcing rewards, including public sympathy for their cause, public acclaim for their courage, actual success in sitdowns and boycotts, increasing support from older and more cautious members of the black community, enhanced stature in the white community, and the movement toward their support by large numbers of prestigious white college students. These rewards have served as additional instigators to further aggressive behavior, helping to overcome internal inhibiting factors.

It is also undoubtedly true that aggressive rather than submissive behavior by blacks and college youth is primarily a "tentative" and "cautious" foray. "Hard-core" commitment to all-out aggression against perceived oppressions and repressions is neither the dominant tone nor method of action among youth of both races. Understandably, it takes a great deal of encouragement and support (and perhaps also threat of reprisal by militants in their own group) for college youths to risk their stakes in the system by their aggressive attacks on the "Establishment." They have much to lose, but they have already gained much.

The cautious and tentative commitment to dissent and protest is bolstered frequently by the continuing activities of a militant vanguard which, for its own reasons, ideological and otherwise, has a much deeper perceived stake in dissent and protest than in "enjoying" success already won. This interplay between the more and the less committed among black and white youth, and in the response of authorities, civil, collegiate, and other, to protest and dissent, will determine the shape of the next years of activity by these "crucial" communities of future leaders.

Similarly, the speed with which existing "gatekeepers" of government provide new opportunities and freedoms of all kinds, will do much to determine the intensity of aggressive political behavior by these communities in future years.

We have digressed here to questions of political dissent and aggressive behavior in order to illustrate the significance of "situational" factors, both instigating and inhibiting, for group as well as individual aggressive response. The importance of situational factors must be kept in mind at all times if one is not to be overly attracted by the notion of "aggressive minded" or "innately aggressive" people. These are seductively attractive as theories because they make everything seem so simple. But policies that are built on them are not likely to be successful in reducing violence. Situational factors that generate "aggressive personalities" and those that stimulate or inhibit acts of aggression are both crucial to the development of relevant policy.

SUMMARY OF PSYCHOLOGICAL FACTORS IN VIOLENCE AND CRIME

The main focus of the psychological approach is on distinguishing "kinds of persons" and "kinds of situations" that, together, are likely to result in aggressive or violent behavior. The contribution of psychological theories and research lies chiefly in the focus on internal balances and imbalances between instigating and inhibiting factors. Whether or not there will be aggression and violence depends on the preponderance of instigating versus inhibiting factors and on the contribution to this balance of forces exerted by external stimuli. For the psychologist, external stimuli acquire relevance in explaining aggression and violence only when they become part of the internal world of the individual; they are forces that are absorbed, as it were, and become transmuted into instigators or inhibitors.

Such a model of a constantly changing equilibrium within every individual is most useful indeed. It provides a framework within which we can understand how the forces of the outside world—poverty, social downgrading, rejection, unemployment, and the like—have a hand in the shaping of behavior. Each of these forces can be translated into its function as an instigator or inhibitor, and thereby is a partial explanation of why any individual or group of individuals resorts to violence.

The psychological theory of violence or aggressiveness may be seen as a "model" of the inner world of the violent man, portrayed against his archetype, the nonviolent man. This model has value not only because it helps us to organize our view of the inner makeup of man, but also because it provides us with a basis for understanding how violence can be "learned," and why it is that all of us are violent at some time or another. We shall later see that the "chronically violent criminal" can be understood as an individual in whom the violence inhibitors are either absent or so overwhelmed by the instigators that the regularity of violent behavior is predictable. Putting the matter in these terms also makes clear the crucial role of external stimuli to increasing or reducing instigations and inhibitions to violent behavior.

We are also informed by this psychological model that people may be in all different states of "readiness" for violence. For some, only the smallest increment of instigating factors may be necessary to evoke that behavior.

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Others will require substantial additives of instigative factors before they "break out" into violent behavior. For still others, the preponderance of instigators over inhibitors may be such that it would be enormously difficult to contrive inhibitors that would be effective in preventing violent behavior. Variability in "readiness for violence" is a crucial fact about violence.

In much the same vein, the delineation of various "types" of violent actors reminds us of the considerable variability of intent and function served by violent acts. When we know about differences in intent and in the "needs" of different individuals, we shall be able to prescribe more effectively what might be done to reduce or prevent violence.

Finally, we are warned by the theory of frustration-aggression, that (1) all people are likely to be ready to aggress against others, because all people experience frustrations of varying intensity during their lives; and (2) the worse the frustration, the greater the readiness for aggression, and perhaps even for violence. Since frustration can be economic, political, and perhaps sexual, the society has a vested interest in restoring a more adequate, less frustrating balance between the desires it promotes and the gratification it makes possible.

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 9. Here, too, one might wish to introduce certain notions about biological factors in violence, such as certain bodily features which make some individuals more receptive to aggressive stimuli. Experimental proof of the influence of environmental factors does not disprove the presence of these biological factors. It does, however, seriously question the theory that all aggression begins with an innate base which environmental factors then trigger into action.
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- This problem is affected to by the fact that there is little agreement from one inter to another as to how a case of violent behavior ought to be labeled. Thus in one experiment, only 16 out of 35 "rebels" were agreed upon by two independent labelers. In seven of the remaining cases "major discrepancies" were involved, and in 12 others "minor" or "marginally equivalent categories" were used. The latter involved the changing of four self-defense defendants to self-defense promoters, and three from passive promoters to self-defense.



The Cry Lithograph by Edvard Munch. Rosenwald Collection, National Gallery of Art.

CHAPTER 9 PSYCHIATRIC AND PSYCHOANALYTIC EXPLANATIONS

PERSPECTIVES

Of all schools of psychology that have come to prominence in recent decades, none holds the public eye as much as the disciplines of psychiatry and psychoanalysis—the probing of the inner recesses of man. Since Freud's writings were first introduced in the United States in the second decade of this century, and in spite of the furor and revulsion that his doctrines of the unconscious and of the role of sexuality in human life were to cause, interest in the theory of an unconscious dimension in man's mind and of hidden instinctual springs of energy has remained high.

Despite the disapproval of many Freudian claims, some of his basic notions have become part of the English language, finding their way into common usage at virtually every level of literacy. "Repression," "frustration," "unconscious wishes," "the significance of dreams"—these concepts and their implied roots and consequences are a firm part of the thought of millions of Americans, even though many of them may never have heard of or read Freud. It is not at all surprising, therefore, that psychiatry has become a respected medical specialty. Although psychoanalysis¹ is practised by only a handful of specialists, it too is firmly entrenched as a medical and psychological specialization, even though there are many who scorn it completely.

The appeal of psychoanalysis, psychiatry, and the psychotherapeutic approaches they follow, in part derives from the ability of men trained in them to secure information about the workings of the human mind that are not normally accessible. One may distinguish four such levels of knowledge:

- Facts of conscious life which the individual is not eager to relate to others.
- Facts about which the individual does not ordinarily wish to tell the truth.
- Facts which are primarily related within the psychoanalytic situation because of its climate of relation, discipline, and intimacy.

• Facts which are not conscious or preconscious, but have derivatives which can become conscious under the conditions of the psychoanalytic situation.²

These four levels of knowledge are reflected in the four levels of psychoanalytic approach:

• The analyst not only learns all these... but also sees the configuration in which they are assembled, and the context (such as social, emotional) in which they appear. This may be called the *Level of Observation*.

• Observational data are then interpreted with regard to their interrelationships with other behavior, or conscious content. This represents the *Level of Clinical Interpretation*.

• Observational data and their interpretations derived from numerous individuals enable the analyst to make statements about a particular type of person, condition, experience, or symptom. This is called the *Level of Clinical Generalization*.

• The clinical interpretations allow the analyst to formulate theoretical concepts which are either implicit in the interpretations, or to which the interpretations may lead. Examples of these concepts so derived would be: repression, defense, regression. This is the *Level of Clinical Theory*.³

A psychoanalyst also needs to know whether or not he is making correct assumptions about his patient during the course of therapy. He must be able to confirm his opinions of the patient's personality structure or the structure of his illness. Typical confirmatory responses are:

• Decreased anxiety.

• Symptom improvement or its opposite should the patient have a need to suffer.

• Confirmatory memories, fantasies, dreams, gestures, verbal associations with or without an appropriate emotional experience.

• Feelings of surprise or recognition, on part of patient.

• Sudden laughter reflecting tension discharge.

• Patient's repetition of what was interpreted.

• Confirmation of a reconstruction from an external source.

• Ability of a reconstruction to enable the analyst to fit together all the facts of the patient's life, and neurosis which otherwise remains jumbled.⁴

The relation between therapist and patient, then, is quite clearly an intimate one in which the therapist can best respond to cooperative patients and patients who are strongly motivated toward being cured.

What then can the psychoanalyst or psychotherapist tell us about violence? Where does he typically encounter violent actions? If he is primarily a doctor, responding to requests for aid from people who feel mentally disturbed, he will come across violence in the stories his patients tell him about their behavior and their fantasies. In addition, the psychiatrist has come to occupy an important position in court proceedings, where the "legal sanity" of an individual is in question. Here, however, he may not find persons quite so willing to tell him what they have done or thought.

On the basis of experience with violent human behavior, psychoanalysis has come to distinguish two contrasting types of violent or violence-using people.

The first are those for whom violence is symptomatic of illness. For these people, violence is no more satisfying or gratifying than it is for their victims. As a form of behavior, violence is only one of many ways in which the sick person acts out his disease or neurosis. Such "symptomatic" violence yields itself most easily to psychoanalytic treatment and "cure."

The second type of violent people are those for whom violence is a necessary and important part of their lives. However painful their violent actions may be for their victims, these actions are gratifying or at least useful to the violent ones. Psychoanalytic treatment is not usually successful, partly because they seldom volunteer, but primarily because many of these people "suffer such severe personality deficiencies as to make it difficult to do psychotherapeutic work with them."⁵ In any event, compulsory treatment is rarely successful.

When such people leave prison, they also stop treatment, and most often return to the same environment which evoked this violent behavior:

Such people daily live in the presence of violence and destructive behavior. They only come to the attention of the law or to a psychiatrist who might be called upon on a consulting basis, when they become involved in a much more serious destructive act such as homicide. These individuals are not just tough and brutal, but also are found to be helpless, naive, dependent, passive people, who seem ready to accept as natural the kind of existence they lead.⁶

This distinction may also be put in terms of "maladaptive" or "adaptive" behavior.

For the symptomatic group, violence, like all mental illness, is "maladaptive behavior"; that is, behavior which people employ to make up for their abilities to deal with people and situations in "normal," nonviolent ways. Violence for such persons is a way of ending discussion or removing threats which they cannot overcome in a reasonable way.

For the second group of people, however, violence is adaptive, since it enables a person to adapt to an abnormal or unhealthy environment. Once out of this environment, the person may learn to refrain from violence, but if he returns he is very likely to fall back into the same pattern of violent behavior. Violence for him is the normal, selfprotecting way of survival.

Earliest Theories of Violence

In developing his theories of the organization of the psyche, Freud was at a loss to explain acts like suicide and other forms of self-punishment. Originally, he felt them to be the result of an inner drive, which man shared with all life—the desire to return to an inorganic state. Freud called this drive the “death instinct.” It applied not only to the self but could also be turned toward others, thus helping to explain all acts of interpersonal violence and destruction. When confronted with the fact that not all people are aggressive, and not all people try to kill or punish themselves, Freud hypothesized that the death instinct could be conquered by the life instinct, which when turned outward, becomes “love.” Thus, for Freud, love conquers hate.

If we substitute the word “drive” for “instinct,” we bring Freud more in line with modern psychological thinking. “Drive” can best be thought of as an inherent “desire” which pushes the individual toward certain kinds of behavior. Sex, for example, is a drive. The sexual drive does not always result in sexual intercourse. The sex drive, like other drives, can be sublimated or redirected, thus providing energy for work or other kinds of activity which are not “sexual” at all. Psychoanalysts feel that drives are innate and are sources of “energy” that must somehow be utilized or expended:

As employed then within a psychoanalytic framework, aggression is innate, genetically determined, and supported by underlying somatic, physiological, biological, and development processes.⁷

Nothing decisive is really known about an “aggressive drive,” innate or otherwise. It is, however, a convenient “assumption” which explains some kinds of behavior. Its existence cannot be proved on the basis of observation, however, but only hypothesized on the basis of the nature of aggressive behavior.

Psychoanalysts see violence as the product of some drive or instinct, and they agree that it leads first to an emotional state called “rage.” It is this emotional state which is presumed to precede violence. Does this mean that “rage” always produces violence? The answer is unclear.

We have described the work of a group of psychologists at Yale who in the late 1930's developed a theory called the frustration-aggression hypothesis. In this theory, aggression is seen as the attempt to overcome frustration of an individual's attempt to achieve some goal. Thus, if something interferes with a person's attempt to reach a goal and if this interference frustrates the goalseeker enough, he will use aggression to remove it.

This theory has been modified in several ways since originally proposed. One of the modifications suggests “rage” as an alternative reaction to frustration. With this modification, the individual in pursuit of a goal is frustrated, becomes enraged, and may aggress or use violence to remove the object of his rage. This theory seems to imply that violence is not part of a drive at all, but is a reaction to some external event. It may be a reaction to the failure of some other drive.

However, even if aggression is viewed as a drive, problems remain, because the drive cannot explain all violent behavior. This fault applies to all theories of aggression, and is inherent in our effort to treat violence as though it were

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the same thing as aggression. Another error may be that of approaching violence “after the fact.” Cases in which a person has used violence are examined and then the reasons for the use of violence are reconstructed. In looking for reasons, we may “create” them. On the basis of similar ex post facto judgments, when violence or aggression is produced, we may hypothesize that rage must have preceded it. Where violence does not occur, we simply say that rage was not present.

We do know that people do become enraged, and enraged people sometimes act violently. However, we cannot say conclusively whether aggression is a single drive, part of some larger drive, a reaction to some frustration, or whether it will result in violent activity.

ORIGINS OF VIOLENCE

How can we describe the connections between aggression and violence so as to account for the translation into violent behavior of aggressive impulses, drives, or instincts and the rage which accompanies aggression?

Psychoanalysts and psychiatrists have developed differing theories of the origin of violence. Some are presented below.

Human Development and Violence

One school of thought sees violent behavior as a perfectly normal development in the child, deriving from aggressive and sexual needs and drives [biologically rooted]. This school points to such repetitive activities as head knocking, biting, and hairpulling. These behaviors suggest “the presence in the infant of a destructive-behavior potential manifest from the very beginnings of extra-uterine life.”⁸ This and other forms of destructive behavior are not to be “found in the aggressive tendencies themselves.” Rather, they result from the fact that “aggression is not fused with libidinal urges” or we might say love.⁹

A defect in the emotional development of the child produces such an absence of fusion. The child whose parents are absent, who does not experience emotional responsiveness from adults, and who is punished by adults to the exclusion of love, will be unable to give and receive love. Experiences such as these encourage the infant and child in the free expression of destructive behavior. Destructive urges never become, or are insufficiently fused with, loving urges. The infant is given no reason to modulate or modify his behavior; behavior which expresses love or restraint over aggression and destruction remains unrewarded, and therefore, excluded from his choice of responses.¹⁰

The decisively crucial feature of this theory is the fact that it helps account for the standardization of violence as a form of behavior in the child. Most often the child's violence is met by counterviolence on the part of his parents or other supervising adults.

If the child is punished for his behavior, he learns to associate the infliction and perception of pain in others with the experience of pain

in himself (resulting from his punishment). In effect, the child is being taught the principle of retaliation, and he acquires more than fear from his punishment. He observes and will imitate whoever punishes him. Stated differently, the child will learn that the infliction of pain is the response he is to give when he is made to suffer pain. Later, when in pain, whether this be physical or psychological, his most probable response is the one repeatedly demonstrated to him, and that is the expression of destructive behavior.

A somewhat different view is expressed by another theorist who believes that, while violence is a common drive in all children, the need to be violent at any particular moment is not equal. It depends upon different kinds of experiences in early childhood:

McNeil places emphasis upon violence resulting from experiences that are part of human development. He believes violent people are the products of experiences directly affecting their development. Violence appears in the life of the individual whose parents showed him no love, whose parents portrayed life and the world as violent, and whose parents reinforced violence as preferred behavior, rationalizing it as reasonable, and natural, rather than monstrous in quality. Life experiences reinforce those from infancy and childhood, and increase the likelihood that intense anger will become coupled with poor control and result in violence. McNeil insists that to understand violence one must turn to the study of human development where it arises. Only then is there hope that violence will be controlled.

Among the special events that seem most responsible for inducing violence is violent behavior toward children and others by parents. Child abuse, particularly, may result in heightened violence by the child, either in action or in fantasy. Moreover, "we would expect that parental proneness to child abuse will correlate with parental lack of defense in handling the stresses arising from specific, age-adequate demands of children."¹³ In short, those parents most inclined to child abuse are least likely to care for their children during those stressful moments in a child's development when proper care is crucial to mental health.

Violence and the Collective Experience

In addition to natural proclivities to violence (which must be handled properly if they are not to become permanent parts of the child's approach to life), there are outside factors, the so-called "collective experience" which may reinforce violent tendencies in the child. Thus, if the child witnesses riots, fights, police violence against criminals, and demonstrations, and if he hears them being defended, his own violent tendencies are thereby reinforced. In this context, the psychiatrists point to the tendency of young people to become quickly involved in riots, either because "that is where the action is," or because they enjoy the violence and now feel free rather than restrained from exercising their own inclinations. On the other hand, crowd support may give new courage and alleviate feelings of cowardice; the obviously

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supported violence may enable young men with homosexual fears to act out masculine roles; or fear of failing to conform to the violent group's expectations may make the less timid bold enough to rush in. Above all, restraints imposed either internally or externally are lifted by the collective legitimization provided by open violence.

Violence and the Absence of Human Bonds

Crucial to the ability to commit violence is the dehumanization of others, the transformation of subjects with feelings into objects without feeling. Once dehumanized, potential victims can be treated without compunction. This phenomenon has been manifested, according to psychiatric theory, in Nazi genocide, in the professional killings of organized crime, in race riots, and in attacks on "strangers" whose race makes them members of an outside group, and hence nonhuman.

In short, the absence of human bonds between two individuals (or the presence of intimate bonds) makes violence between them much more likely. Bonds consist precisely of the ability to see another as a thinking, feeling person, like oneself. Thus, the individual who feels no relations to others, the so-called "hollow man," is capable of committing violence on anyone, since he feels bound to no one; all others are strangers.

Violence as a Defense Against More Violence and as a Mechanism for Tension Discharge

Beginning with the theory that neurosis and disturbed behavior generally serves as a defense against facing conflicts, some psychiatric theorists hypothesize that violence can serve this defensive function. In this light, violence is viewed as a stage of serious disturbance, between neurosis and psychosis, lying on a continuum whose endpoint is "abandonment of the will to live."¹⁴ Violence may also serve as a warning cry by those who feel alienated or embittered; although their violence makes them feel better, it is also a way of asking for help.

Violence and Psychopathology

A popular view of psychoanalytic and psychiatric theories is that they explain why "crazy" people behave as they do. While specialists in these fields do work most often with disturbed people, they also have a general view of life in which antisocial behavior is always present, either in potential or actual form. At the same time, they seek to understand the special role that violent behavior may serve for people who are deeply sick—or at least sicker than others.

Thus, violence, whether self-directed or aimed at others, help psychotic or psychotic patients discharge guilt feelings and the pressures built up around them. It may represent the breakdown of controls that such sick people as "catatonic schizophrenics" develop in order to control their homicidal urges. For a paranoid, violence may represent infantile fantasies of cruelty, resulting perhaps from cruel treatment as a child. He may use violence as a defense against guilt-ridden homosexual urges which occur within the

framework of persecution delusions. Finding that his violence is responded to with violence, he may take this as evidence of the correctness of his delusions; his violent inclinations thus may be accentuated.

Violence may appear in manic-depressive psychoses "and usually during depressed states because depression itself may be the result of the weakening of the repression of hate and aggressive strivings."¹⁵ Or, out of a desire to spare others agony, the sick individual may kill.¹⁶

In general terms, psychiatric theory distinguishes between the two main types of "disturbed" persons. Antisocial or sociopathic personalities are emotionally immature, deficient in moral and ethical development, and unable to tolerate frustration or defer gratification. For such persons, violence is the result of a lack of human bonds, or the absence of appropriate models and controls.

In contrast are those individuals for whom violence provides a hope for resolution of a neurotic conflict. Violence is for them a symptom of a disorder.¹⁷ In both cases however, according to psychiatric theory, violence is:

considered the result of the same anger or aggressive drive common to all mankind. The illness is but another factor which prepares the way for, or enhances the likelihood of, the eruption of violence. The psychopathology of these people contain features which either intensify aggressive drives, or prevent their control, or provide a stimulating situation encouraging such behavior.¹⁸

A GENERAL THEORY OF VIOLENCE

It is now possible to pull these strands of thought into a more coherent theory of violence. In doing so, however, a good deal of selection among various competing notions is unavoidable.

The Freudian notion of the psyche provides a useful framework within which to fit a number of ideas regarding violence. According to this view, the psyche is divided into three parts: the ego, the id, and the superego. The id is that part of the mind that contains the desires, wishes, and fantasies which provide the impetus for most human acts. Drives would be classified as part of the id. The superego is that part of the psyche which knows society's rules. It has learned what is "good" and "bad" from parents and other influences. It is this part of the mind that passes judgment on the secret wishes of the individual. The ego is that part of the psyche that "listens" to the wishes of the id and the approval or objection of the superego and decides what sort of behavior will result.

The psychoanalytic theory of violence, then, uses these three factors to explain the occurrence of violence in "sick" people. As they see it, one of two things occurs: The id may overflow with violent drives: the individual hates too much, enjoys pain too much, or wants to destroy himself. Sometimes the id is just too much for the ego to control, and the individual breaks out into violent behavior, usually resulting in "catharsis,"—a relaxation of tension. Alternatively, the superego may be extremely overformed or underformed. If the superego tries to quash *all* expression of dislike or hatred, and to quell all fantasies about violence, the individual may build up a greater

and greater reserve of unfulfilled desire, until he can no longer control himself. Then he becomes violent. If the superego is underdeveloped, the individual simply sees nothing wrong with violence; he will use it whenever the occasion seems to call for it. In the underdeveloped superego, we are not dealing with a "sick" man at variance with his environment; we are rather dealing with a sick environment which has encouraged violence as the "normal" mode of response. If the individual changes environments and cannot overcome his old violent habits, his id may be overfilled with violent impulses which he can no longer express. In the new "nonviolent" environment, the individual may become "sick," but "sick" in a different way.

Rage, in this theory, is the result of a breakdown in the balance between superego and id. Thus, rage becomes the internal state of a person who is externally engaging in, or about to engage in, violence. Finally, violence itself is a result—the acting out of the inner state of rage.

Crucial to this approach are the following elements:

- Drives are indispensable to the dynamics of human mental activity. "Drives, together with the psychic energy which is assumed to be part of them, provide the motive force capable of setting our mental or psychic apparatus into action."¹⁹ The two basic drives are sex and aggression.
- Man is not distinguished, however, by the nature of his drives alone, but by how he deals with them. Crucial here are the ego functions of delay, modification, and renunciation of the drives' demands.
- While sexual impulses or drives have a wide variety of aims, and can be constructive, aggressive drives are more rigid and less diversified. "The aims of aggression are to totally destroy objects, to fight with or to dominate objects, or to cause their disappearance."²⁰
- Aggression may be modified by displacement, by restricting the aims of aggressive impulses, by sublimating aggressive energy, or by fusing aggressive drives with libido.
- In normal development, the motive for redirection of hostile impulse is love. "It is because the loved person is valued above all other things that the child gradually modifies his aggressive impulses and finds alternative modes of expressing them."²¹
- Individuals who do not or cannot develop meaningful attachments to other humans, "feel little pain, joy, grief, guilt or remorse and have no clearly formed conscience. Because of their emotional poverty, an appetite for powerful sensations is created with demands for equally powerful psychological sensations. Hence, they resort to drugs, or brutal activity, experienced in dehumanized dimensions."²²
- The period of greatest vulnerability is during the first 2 years of life. "The love bond forms during human infancy and the regulation of the aggressive drive is dependent on the quality of these bonds."²³
- "The absence or rupture of human bonds has a permanent effect on the capacity to regulate aggressive behavior. This implies that the eradication of the source of later destructive behavior could be made

possible by providing stable human relationships for each child in his development."²⁴

- "The absence of social adaptation or the appearance of dissocial or delinquent behavior should not be viewed as the results of specific causes such as mental efficiency, moral insanity, broken homes or parental neglect. Instead, such behavior should be recognized as stemming from the unsuccessful transformations of the self-indulgent and asocial trends and attitudes which are part of the child's original nature."²⁵

- The pleasure principle has to be balanced as the child develops by the reality principle, which serves to restrict, modify, and postpone gratification.

- The child must become libidinally (with positive sexual feelings) tied to his environment through imitation, identification, and introjection. In adequate development, the parents' social ideals are carried into the internal world of the child where they take root as a child's ideal self and become a forerunner of the superego. "Introjection of parental authority is added during the Oedipal period to become an effective internal legislator, the superego, which then regulates drive control. It does this by rewarding a compliant ego with feelings of well-being and self-esteem and by punishing a rebellious one with pangs of conscience and guilt."²⁶

- Adequate socialization into the norms of acceptable behavior demands from the child "a certain amount of alienation from and turning against what he feels legitimately to be his inner most self." The largest obstacle in the path of successful socialization is the difficulty of combining the aim of full individual freedom (free drive activity) with compliance with norms (drive restraint).²⁷

- Among the most important factors impeding adequate socialization into the norms are failure in ego development, the incorporation of parental dissocial values by normal identification, and disruption of identification through separation, rejection, or other interferences with normal ties.

- Early childhood aggression is not adverse to adequate socialization. Such aggressive strivings, "if fused in the normal way with libidinal ones, are socializing influences that provide the initial strength and tenacity with which the infant reaches out for the object world."²⁸ Aggressive strivings are also necessary for adequate identification with parents and for achieving independence; they also lend moral strength and severity to the superego "in its dealings with the ego when the aggressive strivings are deflected from objects and placed at the superego's disposal."²⁹

- When aggressive drives are not tied to libidinal processes, the child may become destructive and quarrelsome, and show a preference for hostile rather than friendly relations with fellow beings. This will occur when there are sufficient rejections or loss of love. "Aggression in this defused form is not controllable, either externally by parents or internally by ego and superego. If fusion does not occur through strengthening of libidinal ties and new object relations, the destructiveness expresses itself as delinquency, criminality and

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violence The criminal perpetuates the attitude of the child who ignores, belittles, or disregards parental authority and acts in defiance of it."³⁰

Given this view of the development of violence and destructiveness in the child and the adult, what then can be done? In response to this query, our consultants have recommended the following "conditions that minimize the likelihood of violence."

- *Strong ties to other people*; bonds of love to others help avert violence toward them.

- *Childhood experiences relatively free of punitive (especially physical) discipline measures or abuse*. This can avoid behavior which can become violent.

- Developmental and educational experiences which reinforce the child's attachments, minimize frustrations, and encourage lenient, flexible inner controls and regulatory mechanisms ensure that the child will develop without the need for violence.

- *Social activism* (such as Peace Corps, Civil Rights activity, perhaps even movements emphasizing militant nonviolence) which enhances the individual's self-esteem, restores his sense of competence, and discharges tension energies and decreases potentially dangerous frustrations.

- *Participatory democracy*. — This serves to avert alienation and dehumanization and increases self-esteem and identification with units of government. Highly abstract, centralized units of government or institutions are so far separated from the individual that bonds of attachment to the institution or other individuals are weakened.

- *Decreased exposure to violence arousal stimuli*—Individuals repeatedly exposed to violence arousal are more likely to react destructively than those spared such exposure.

- *Increased acknowledgment and awareness of the devastating effects of violence*.—This requires a lifting of the suppression of destructive tendencies with which everyone must cope.

- *Removal of political, social, and economic conditions which serve to produce what we have earlier called "facilitators" of the expression of violence*.—Racial inequalities, poverty, and repressive governmental actions are representative of such conditions.

- *Redirect aggressive impulses away from violent forms of expression and toward the assertive and adaptive or verbal forms of behavioral expression*.—Athletic activities, sports events, and humor would be examples.

- *Provide education, rehabilitation, or psychotherapy designed to ensure the maximal development of adaptational controls* in individuals in whom biological or organic conditions exist which cannot be directly changed and which under certain conditions may correlate with violence proneness. Examples might be mental retardation, convulsive states, or the XYY chromosome formation.

- *Recognize the extreme danger in the belief "fight violence with violence"*.—This ignores the evidence that violence begets violence. In

effect, the use of violent methods to control destructive behavior in others is in itself the expression of destructive urges in transparent disguise.

Man is capable of both love and hate. On the one hand, he seeks to preserve and unite his fellow man and himself; on the other hand, he kills and destroys others or himself. "We cannot wait for biological evolution to change the nature of man's drives, his ego, and superego functions. We can only try to enhance his capacity to channel his drives with the capacities he now has in the direction of a better social system . . . man has, even now, the capacity to govern himself, to integrate his drives, his ego functions, and his superego ideals and prohibitions . . . ; that he will accomplish this before he destroys himself . . . [we] cannot say. In this choice lies the humanness of human beings."³¹

SUMMARY

We must deal with the theory that built into the very nature of man may be impulses or instincts that, unless restrained, will lead him to employ violent behavior. There is no scientific evidence to support this contention, but the capacity for violence is clearly present in all men. Metaphorically speaking, one makes sense out of larger patterns in human conduct by seeing them as primarily tending toward construction or destruction, toward love or hate, toward life or death. Such a view contrasts with the view that man is nothing by nature and a third view, that man is essentially loving, constructive, and life building by nature.

Psychoanalysis provides us with a model of human development—of the struggle between the impulses of the id, and the superego arbitrated by the ego. This model, again at least metaphorically, helps us understand the internal struggles that all of us recognize within ourselves, although some may prefer different metaphorical descriptions.

Psychoanalytic insights into the distinction between normal and deviant violence are of considerable help. Most of the violence we consider is adaptive, for it is normal for the environment in which the individual lives; he believes it is necessary for his survival.

It is most useful to distinguish such normal violence from sick violence; probably a good deal can ultimately be done on a planned societal basis about normal violence. Not very much can be done on a planned basis about sick violence, such as the individual who finds it important and imperative to shoot everyone in sight. This is a phenomenon that requires the kind of understanding that psychoanalysis specializes in.

It is crucial that we not confuse sick and normal violence. The problem is made infinitely more difficult by treating violence as primarily a symptom of disease. However much more widespread we see violence to be when we see it as "normal," it is at least subject, in the long run, to social amelioration and reduction.

Psychoanalysis then is most useful in the realm of the sick; in dealing with internal psychological disturbances. It can also help individuals whose relations with each other, especially intimate relations, are disturbed, to work

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out more satisfactory patterns. By the same token, psychoanalytic therapy may be useful in helping families with disturbed relationships to work out their problems.

As the group of people involved in violent behavior gets larger, as we come to talk of rates of violence among large subgroups, as we think in terms of social reconstruction aimed at the reduction of violence in the society at large, psychoanalysis is of least value. It has little to say about the relevant social and cultural variables that serve as inhibitors and instigators of violent behavior.

Moreover, its insights into behavior are confined to aggression and violence with little or no reference to crimes of violence. As we have seen before, we cannot extrapolate from violence to criminal violence without introducing a separate set of variables.

These last are questions of special concern to sociological researchers rather than psychoanalysts. The question becomes: what variables in the social environment of the individual, combined with what basic structures in the mind of the individual, yield criminal violent behavior? The psychoanalytic approach can suggest possibilities and, together with other types of psychological inquiry, it can study the psychological mechanisms involved. Other disciplines, such as sociology and anthropology, must analyze the external forces that help create different types of psyches with differential need and readiness for violence and differential capabilities to divert their aggression into socially acceptable channels.

1. Through the body of this report we will be using psychoanalysis and psychiatry interchangeably unless otherwise noted even though there are practitioners of each of these disciplines who would find this disturbing. The basic approach and contribution of these two disciplines are very similar as compared with other psychological theories. We beg the indulgence of those readers who strongly feel the need for sharper distinctions.
2. Bernard Chodorkoff and Seymour Baxter, "Psychiatric and Psychoanalytic Theories of Violence and Its Origins," consultant paper submitted to this Task Force, App. 23.
3. *Ibid.*
4. *Ibid.*, p. 7.
5. *Ibid.*, p. 12.
6. *Ibid.*, p. 14.
7. *Ibid.*, p. 20.
8. *Ibid.*, p. 32.
9. Anna Freud, "Aggression in Relation to Emotional Development: Normal and Pathological," *Psychoanalytic Study of the Child*, vols. 3/4, 1949, pp. 37-62, as cited in Chodorkoff and Baxter, *op. cit.*, p. 32.
10. *Ibid.*, p. 33.
11. *Ibid.*, p. 34.
12. Elton B. McNeil, "Violence and Human Development," in Marvin E. Wolfgang, "Patterns of Violence," *The Annals of the American Academy of Political and Social Science*, vol. 364, 1966, pp. 149-157, as cited in Chodorkoff and Baxter, *op. cit.*, p. 35.
13. Chodorkoff and Baxter, *Ibid.*, p. 38.
14. *Ibid.*, p. 51.
15. *Ibid.*, p. 57.
16. *Ibid.*, p. 58.
17. Thus, we have returned to the "adaptive" and "maladaptive" types referred to earlier.

18. *Ibid.*, p. 60.
19. *Ibid.*, p. 61.
20. H. Hartmann et al., "Notes on the Theory of Aggression," *The Psychoanalytic Study of the Child*, vols. 3/4 (New York: International Universities Press, 1949), p. 18, as cited in Chodorkoff and Baxter, *op. cit.*, p. 64.
21. Chodorkoff and Baxter, *op. cit.*, p. 65.
22. *Ibid.*, pp. 65-66.
23. *Ibid.*, p. 66.
24. *Ibid.*
25. *Ibid.*, p. 67.
26. *Ibid.*, p. 70.
27. *Ibid.*, pp. 70-71.
28. Anna Freud, *Normality and Pathology in Childhood* (New York: International Universities Press, 1965), p. 180.
29. Chodorkoff and Baxter, *op. cit.*, p. 72.
30. *Ibid.*, p. 73.
31. *Ibid.*, pp. 93-96.



Les Femmes d'Alger (O. J. R. Version O). Painting by Pablo Picasso. Museum of Modern Art, New York

CHAPTER 10

ANTHROPOLOGICAL EXPLANATIONS

Violence is not uniquely a human phenomenon. The use of force which results in the destruction of property or person or the deprivation of freedom, is widespread in all other species of animals. To this definition, then, must be added certain elements that give to violence a distinctively human quality. The most crucial element to be added is the role of culture—the learned traditions transmitted socially from one generation to another—for these traditions provide the central organizing themes that enable members of a human group to coexist. There are rules in animal groups, and the young are taught these rules as they grow; but they are not taught on a verbal level which involves complex symbols and do not include values such as respect, honor, grace, duty, obedience, courage, and the like. It is uniquely in terms of such values that most human behavior is organized. Human violence is defined either as meeting the specifications of the group or as deviating from them.

We can see more of the distinctive qualities of human violence by indicating how it is related to the more primitive and concept-free forms found in lower species.

The “aggressive drive” is universal in animals. It involves the readiness to invade, disrupt, or seize the “territory” of another animal, and to defend one’s own territory against the intrusions of others.

This drive is accompanied by a feeling of “rage.” In animals other than man, some have argued, the aggressive drive does not need any mechanism for discharge. In man, they hold, the triggering mechanism is always some form of frustration. In short, the human readiness to move into or invade the space of another must be put into motion not simply by the emotion of rage, but by the sense of blockage of some desired goal.

This distinction may or may not be worthy; there are aggressions by man against man that do not involve frustration. However, there is a point in the complex process when man reacts to his feeling of rage, that differs from the less complex forms of reaction in other animals. In man, the feeling of rage is accompanied by an awareness of that feeling—not just the direct, blind feeling itself. This awareness invokes a perception of the enraging stimulus, the other human, and simultaneously includes a sense of possible reciprocal danger and other values at stake. However “blindly” an individual acts when in a rage, he is never completely unaware of the complexities of the situation.

There is a uniquely human feature in the diverse range of possible acts in response to aggressiveness and rage. Violence is only one. Thus the kind of hostile act that does occur cannot be explained alone by the aggressive drive or the emotion that accompanies it. Cultural factors must be added to explain why aggressiveness and rage sometimes result in withdrawal, sometimes in direct action, sometimes in delayed attack, sometimes in verbal insult, and sometimes in self-destruction.

THE UNIVERSAL ELEMENTS IN HUMAN VIOLENCE

Human aggression contains (1) a primitive, biologically grounded readiness to attack or defend when territory is invaded or threatened; (2) an accompanying emotion of rage; (3) an awareness of that rage, along with surrounding values and emotions; (4) the triggering of that aggressiveness and rage into action by frustration or some other external stimulus; (5) the balancing of one's own feelings and desires against the rules of the society, and the possible consequences and sets of other values that are regarded as important; and (6) the selection from a range of possible reactions of the one most fitting to the situation, which may or may not include the use of force.

Clearly, then, human violence is a complex network of biological elements, awareness, feelings, and action. All cultures have norms that distinguish not only when and when not violence may be used, but also by whom, against whom, and to what degree. We sometimes speak of the contrast between sensible and senseless and good and bad violence. Thus, some would classify the clubbing of demonstrators as "good" violence, but perhaps more violent than necessary. By contrast, revolutionary activities might be classified as bad but understandable violence. Setting fire to a harmless vagrant would be classified as bad and senseless. Some of the most serious arguments in this country today concern the issues of how much violence is proper under what circumstances.

To return for a moment to animals other than man, we note that this aggressive drive "is exhibited in some animals in what appears . . . to be an innate response . . . and in some other animals as a result of learning, the genetic plasm being programmed as a learning apparatus."¹ The distinction here is between the pre-birth and unlearned programming of the animal's aggressiveness, and the post-birth and learned programming of the human's.

This view sees aggressiveness as a drive "that is exhibited when animals position themselves in space vis-à-vis one another, and which presumably spaces them ecologically and socially in both a species-advantageous and individual-advantageous way."² The adjustment of such living space is obviously indispensable. Two creatures cannot occupy the same space. If "space" includes not only physical space, but psychocultural perceptions of it, we have a reasonable view of "human territoriality." The conditions under which humans will react to violations of their territory depends on their moral upbringing, though that teaching may be overwhelmed by more primitive emotions which cancel out the restraints imposed by culture.

Human space is defined both in terms of its sensing—the scope of one's capacity to feel, smell, hear, and see—and in terms of cultural definitions related to sensing. Each of these "spaces" can intruded upon—by a strange sound, sight, or odor which warns us of possible danger.

Human groups vary considerably in their definitions and limitations of sensory space. For Americans, people in some cultures stand too close to each other when talking. Americans are comfortable when they are far enough back from each other to shift their glances from one eye to the other. The traffic noise which is the lullaby of the urbanite is disturbing to the country dweller, for whom other sounds of the night are "proper."

The same metaphor can be applied to broader realms of human experience; to the values, traditions, understandings, and judgments that define the culture into which an individual is born and which become ingrained. Just as we react when our senses are penetrated, so too we react to penetration of our cultural experience.

When such penetration occurs, complex chemical and hormonal reactions take place. This chemical reaction can be interpreted as "an infracultural signal from the perceiving self to the biopsychic mechanism that it should prepare to do something."³ The awareness so triggered also calls into play the inhibiting, directing, channeling, and cautioning mechanisms that man has learned, as part of the process of determining how to handle the aggressive drive.

The "management" of the invasion by a foreign object does not necessarily discharge the emotion of rage. Rage may cumulate, be discharged on some other object, or be turned destructively against the self. In any event, cultural learning is important in determining how aggression and rage will be expressed. Just as importantly, the process does not end with a particular response—violent or otherwise. The sentient person evaluates his judgments and his response—as good or bad, enough or inadequate; as a result, ensuing emotions (guilt or shame, anger or perhaps pleasure) flow.

However cruel and destructive human violent behavior may be, it is always a very complex action in its origins, component elements, and post-action evaluations and consequences. Because of the crucial role of cultural definitions in the triggering, channeling, and evaluation of the acts, it differs substantially from violence in any other animal.

SOME CULTURAL VARIABLES IN VIOLENCE

The rules that govern human violence vary from society to society. It is therefore important to account for variations in the uses and expressions of violence, the different purposes it serves, and how it is incorporated into the general scheme of life.

Cultures can be classified in any number of ways. One criterion, especially relevant to differential uses of violence is based in terms of the centralization of authority; that is, whether a society is ruled from one (unicentric) or a number of different centers of authority. Even in nominally one-centered societies, there may be various subsocieties in conflict with each other, so the specification that the one-center is a center of legitimate authority, with sovereign power to settle disputes among warring factions can be added. By contrast, the multicentered society has several claimants to dominant legitimate authority who do not admit the legitimacy of the other claims. In the Western World, America, England, and France would be examples of a single-center authority system, whereas Belgium would be more multicentered and Cyprus even more inclined toward the multicentered end of

the continuum. The Federal Republic of Nigeria, at war with the dissident Biafran state, is an example of a society engaged in "deciding" how many centers of authority there will be.

The single- or multiple-centered character of legitimate rule is not restricted to national states. It is applicable to all forms of human groups. Thus, any marriage in which both husband and wife are considered equal authorities by law is a multicentered system. So, too, are the member nations of the United Nations.

A crucial requirement of stability in a multicentered system is that of communication between the various centers and a set of rules regarding division of authority and settlement of disputes. Otherwise, conflict and violence will govern the relationship until it is broken or one party becomes dominant. In the unicentric group, violence occurs regularly either (1) as an expression of competition among various parties for dominance over the single source of legitimate authority, or (2) as a mode of retaining the integrity of the system against invasion from the outside. The warring among American juvenile gangs is an example of the continuous struggle for dominance over the group. The rare forays of such a gang into foreign territory or the defense of their own territory are examples of the group acting cohesively to preserve its identity.

Violence also enters into organized society as a regular feature of the system of government. The deliberate use of violence by legitimate authorities to settle disputes within its territory is an integral feature of organized social life. No one need wonder where violence comes from. Given its specifically human dimensions, and given organized social life, which always involves a defined territory or laws and traditions that may not be broken, violence becomes an unavoidable feature of human life at all times and in all places. Variations in the forms and frequencies of its use, however, are evident. For centuries legitimate authorities encouraged or permitted their members to settle their grievances by dueling. Those traditions have undergone radical change, and today there is much less cultural permission for individuals or groups to settle their grievances by force.

At the same time, every society shuts its eyes to what it knows to be violence occurring within its boundaries. Certain areas are defined as "private" and not subject to its rule; in others, allocation of public resources for prevention of violent interaction is ruled out when the society is indifferent to the fates of those involved.

The exclusion of the inner circle of family affairs from public scrutiny and the permitted use of violence by parents against children is an example of official "hands-off" policy in a domain considered private. The lack of police scrutiny of affairs in some Negro ghettos is an example of lack of concern.

Other domains of public indifference, or assignment of "private" privileges, include university campuses and adolescent nondelinquent gangs. The university campus is traditionally off limits for civil authorities, although this policy appears to be changing. The nondelinquent adolescent gang which employs violence among its members is considered a valuable "socializing" force. Boys have to learn how to fight, and as long as they do not damage property, their violence may be safely ignored. When such subgroups learn that there will be no official intervention in their affairs, violence as an instrument of personal relations becomes a major feature of these people's

lives. In short, the same lack of intervention by legitimate authority which makes parents feel free to be as violent with their children as they believe necessary makes ghetto residents take up arms to defend themselves against one another. They cannot depend on the police to protect them. Needless to say, in such officially ignored or isolated groupings, the lesson that violence is a major instrument in human relations is learned by all, and the continuity of violence is thereby guaranteed.

The distinction, then, between unicentric and multicentric forms of social organization is valuable in helping us to understand (1) the conditions under which violence will be permitted and (2) who is likely to resort to violence.

As one surveys the range of situations under which various cultures sanction or approve the use of violence, it becomes clear that a distinction must be made between violence used in pursuit of desired ends and violence used in defense of things that are cherished. To commit an armed robbery is one kind of action; to use a weapon to repel someone who is threatening your life, your property, or your honor is quite another. The distinction can be put simply in terms of aggressive versus defensive violence. Given this distinction, it can be said that in general, no society in the world sanctions or approves aggressive violence by individuals or subgroups against other individuals or subgroups; but every society permits and often encourages and rewards various kinds of defensive violence.

A major exception may be the ban in some cultures on suicide, where the individual destroys himself in pursuit of various goals—retribution, revenge, or protection of his family from dishonor. However, this is at best an ambiguous case and probably contains as many elements of "defensiveness" as of aggressiveness. Even in those societies where suicide is both normatively and legally forbidden, there is much less public concern about suicide than about homicide, even though we saw in Chapter 3 that there are, about twice as many reported suicides as reported homicides in any given year. The rationale must be that suicide nominally injures only the violent actors themselves; it is thus devoid of any threat to others, and this makes for a great degree of difference in public concern.

Although there is no rational reason for being less concerned about suicide than homicide, such is invariably the case. From a "rational" point of view, it is obvious that both must be of considerable concern to society. The aftereffects are the same: just as many people are affected; there is just as much disruption of order; there is as complex a set of public judgments that must be made; and there are nearly twice as many suicides as homicides.⁴

The same kinds of observations might be made about deaths through accidents, especially vehicular accidents. Perhaps five times as many lives are lost through automobile accidents as through homicides; and the demonstrated involvement of alcohol in perhaps 50 percent of all vehicular deaths underscores the complexity and seriousness of this problem. Once again, however, public attitudes toward these deaths differ from those toward deaths through criminal homicide. Perhaps it is the presumably accidental character of the vehicular homicides that makes for this attitudinal difference.⁵ The irrationality of our public concern, however, is undeniable—especially since it is probably easier to "get tough" about drunken driving than about homicides.

We point up the irrationality of our public attitudes toward suicide and

vehicular homicide to indicate that policymakers must be careful to distinguish public concern from public interest. From the point of view of numbers involved, property damaged, lives lost, and the cost of prevention and reduction, it is much more to the public's interest to be concerned with suicides and vehicular homicides than with criminal homicides. Yet this is not the case.

Evidence suggests that an important distinction can be made between those cultures which allow the individual citizen to employ defensive violence and those which tend to limit defensive violence to the duly constituted representatives of the central authority. The distinction here is between a type of "frontier" justice, in which each individual is his own sheriff or law officer, and that kind of legal system where the individual citizen is only rarely allowed to serve as his own policeman. By and large the distinction seems to separate those societies which have developed strong central government from those in which authority is relatively unconcentrated.

In the former types of societies, defense against injury or destruction is assigned to duly appointed authorities (police), so that the individual citizen, while nominally possessing the right to protect himself, usually does not have the power and almost never the authority. While self-defense is everywhere considered a right of the individual, in societies with strong central authorities and formal police systems it constitutes a ground for excusing the homicide or the defensive violence, whatever its intensity. In noncentralized authority systems, which do not have formal police staffs, the individual must serve as his own policeman, and informal adjudication of the "defensiveness" of his violence suffices to remove it from further public attention. Societies differ in the extent to which the individual citizen is expected or permitted to take the law into his own hands. This difference is correlated with the degree of presence of strong central authority and the existence of formal, legitimized agents of protection. Defensive violence by individuals will thus predictably increase in proportion to the extent to which the formal authorities are seen as inadequate in the discharge of their duties.

In American life today there is a marked disparity between the norm embodied in the law of self-defense and the informal norms regarding self-defense that seem to prevail. Our legal norms restrict the individual's right of self-defense rather stringently. Our informal norms, representing surviving traditions from earlier stages in our society, call for the individual to be ready to respond with violence where necessary to protect self and property.

Recent examples, especially among youth and the black community, of taking the law into one's own hands when it seems to be acting unfairly or inadequately, have been rationalized by these groups on two grounds. One is the so-called constitutional right of citizens to overthrow oppressive governments. The other is the right of the citizen to secure justice in the face of unjust police authority. One can hardly imagine any official court decision today that would sanction either one of these claims, but they are being made, and tend to appeal to "legality." This is perhaps a mark of the extent to which the legal norm of restricting the use of violence to official authorities has in fact penetrated the consciousness of most Americans. At the same time, there seems to be no significant abatement in the code of masculine aggressiveness and violence in the face of threat or injury. The parallel existence of two competing sets of norms is not unusual. If anything,

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it is more common than the presence of a single uniform code, especially in modern, industrialized societies such as ours.

The current demand for law and order seems to be a reflection of lessened confidence in the effectiveness of the police. The extraordinarily effective campaign against gun control legislation has resulted in part from the fact that numerous citizens feel more adequately protected against possible attacks on their persons or properties when armed. This also reflects a less than optimal confidence in the presence and the power of the police at moments when they may be needed. The doubts raised about the effectiveness of such weapons against attacks at large or in one's home have done little to persuade the gun-owning public that there is more to be lost than gained by permitting weapons to be widely held.⁶ It is even doubtful that an increase in the effectiveness of the police protection would alter the prevalent feeling of many gunowners.

We have seen that the existence of a strong central government and formal police protection helps to identify certain conditions and agents of violence. But the question of the amount of violence that may be employed is left unanswered. No generalizations are possible here. Less than two centuries ago, 200 different crimes, ranging from petty thievery to murder, were considered legitimate bases for capital punishment in England, although there are no records to indicate that the full range of capital punishment was in fact so employed. It is significant that one of the most highly civilized societies of the world, with one of the most highly centralized systems of authority and strongest formal police systems, should have been so formally stern in its provisions for extremes of violence, even defensive violence. One cannot expect to find in the "degree of civilization" or "concentration of authority" or "high cultural development" any necessary or sufficient impact upon the range of violence, even if that violence is largely confined to official agents of the law. Similarly, the laws of trespass which, in some United States jurisdictions, permit one to kill a trespasser under stated circumstances also reveal the lack of correlation between centralized authority and the range of allowable violence.

This lack of correlation is very revealing; it shows the extent to which violence, albeit defensive, is considered a legitimate response to presumed or actual attacks upon persons and property. Violence is basic to human relationships everywhere. Why should this be so? What is it in the nature of human experience that leads to this acceptance of violence?

The process by which the individual defines the boundaries of his "envelopes" begins very early. It is necessary that the child acquire an identity of his own. Thus, at the outset, his body becomes a "territory," a defined area that must be protected against possible harm. At first it is only his body and the immediate environment which surrounds it that are a matter of defensive concern to the child. But in the process of growing up, "territory" is extended to include property as well. Subsequently, other people become part of the child's territory—parents, siblings, and others. Further extensions of his sense of territory may come to include the immediate environs of home, neighborhood, or village. As the capacity for abstract symbolization develops, territory may extend further to include one's extended kin group, ethnic group, city, or country. All of these matters relate to cultural as well as personal experience.

The sense of threat perceived by an individual is likely to be less intense with respect to territory which is less immediate and personal. However, the ability of large national units to create and maintain the loyalty of their citizens is evidence that such feelings may extend very far. The ability to rally support for "allies" during wartime is indicative of the capacity of humans, under proper conditions, to identify sufficiently with far away persons and places to consider them as part of one's own territory, requiring defense against potential or actual enemies.

The boundaries of loyalty vary with the extent to which the individual identifies with other persons and places. If the individual has found little of value in other persons and places, or if he has found them to be alien, his "territory" may be narrowly confined to the observable limits of his own body and immediate personal property. By the same token, it is possible for individuals to define themselves as citizens of the world and to feel to some degree personally threatened and damaged whenever harm or destruction is wrought anywhere in the world. The phenomena of ethnocentrism (the narrowing of sentiments and loyalties to one's own immediate group) and xenophobia (the fear of strangers) give us clues to the prevalence of violence in all societies.

It can be said that unofficial violence—i.e., violence by one set of citizens against another—is likely to increase in proportion to the number of subgroups that exist within any society who feel disassociated or disconnected from other subgroups in the same society. The greater the number of subgroups in any society who feel at odds with each other, the greater the likelihood of violence in that society. Thus, in a society with only one official religion, there is likely to be significantly less violence, all other things being equal, than in a society with two or more religious bodies, which demand primary loyalty from their members.

So, too, the greater the number of ethnic or national groups that serve as sources of primary cohesion, the greater the likelihood of violence. Subgroups such as these may be seen as territories that define the boundaries of one's effective interests; or they may be seen as extensions of one's self. They constitute focal points of identification and boundaries that are subject to attack and invasion by outsiders.

Thus, the very conditions which make it possible for humans to feel sheltered and protected by membership in groups of people with common values, interests, and norms are the conditions which engender conflict and violence in social relationships. Every value in which faith is affirmed implies the possibility of the denial of the truth of values held by others. Every territorial area, defined as the place within which one belongs, thereby defines others as not belonging, and by implication defines areas in which one likewise will be considered a stranger.

Utopian social philosophers have not found this a matter of dismay. They have looked forward to the time when all men would be citizens of the world without internal exclusiveness or territorial restrictions. The projected dream of universal brotherhood is not without merit as an end toward which to strive, but the path to such a universal "territorialism" is beset with bewildering problems.

These problems are best appreciated by examining the nature of the territories which are the basis for ethnocentrism. To say that they consist of

people and property is not enough, for they are also perceived as repositories of important values: a way of life, sets of norms and expectations and areas of confidence and trust. They include relationships in terms of which many affairs are conducted on the basis of mutual understandings developed over time and with such subtlety that they do not need to be made explicit. They encompass common moral systems and patterned responses of manners and proprieties. One knows who he is in these territories; all others are reflections of one's self. They are places, finally, where one may feel safe and secure, except from the occasional "disturbed" person whose sickness causes him to violate the traditional expectations on which trust and security are developed. Within these confines, members have many ways of recognizing each other and of identifying strangers. Various symbols and signs are used: common language or inflection, posture, use of the hands while talking, physical features, dress, forms of greeting, and idiomatic phrases. Members are "soul brothers"; once the signs of membership have been established as legitimate, one can relax in the knowledge that behavior will be familiar, responses will be according to expectations, and the limits of propriety and decency will be mutually understood and respected.

Man can be integrated into many such groups, but with varying degrees of fullness of identity and totality of trust. The individual is always most at home with himself. Any extension beyond himself involves some degree of nonsharing, something less than total identity and confidence. The next extension is to intimates. Most of man's innermost thoughts and fantasies are kept to himself, but much is shared with others, and one feels extended through them and protected by their presence. Even when relations among intimates are characterized by a good deal of hostility and violence,⁷ there may be a sense of ultimate confidence in the protection afforded by the relationship.

As the lines of extension move outward to other people with whom one has not enjoyed primary relations, shared understandings and confidence also diminish. For some purposes, common nationality can constitute a basis for common action and mutual understanding. All members of one's own nation may for some purposes constitute a primary group in whom one reposes trust and from whom one expects support.

Just as one is able to feel secure with friends, one feels insecure and distrusting with those who fall outside familiar boundaries. Outsiders are treated warily with the suspicion that today's good behavior may become evil tomorrow. So, too, insiders may become outsiders: to wit, the Quisling on the national scene; the temporary ally who finds more in common with a former enemy; the alienated spouse, who, having been deserted or turned out, becomes a fierce enemy.

We have thus suggested one partial explanation for some of the group and individual violence observable today. Violence is likely to be present in proportion to the number of people who can be defined as outsiders. The potential for violence increases with the number of outsiders. The potential increases, too, as outsiders are defined not only as those who do not share one's own territory and values and norms, but as enemies with opposing values and norms, perhaps with aspirations to invade and occupy one's own territory.⁸

Much depends on the sharing of important values and interests by diverse

individuals and groups who make up any society. This is particularly the case in a society such as ours with its numerous ethnic, racial, religious, and linguistic subcultures.

In the sharing of superordinate goals and values lies the hope of significantly reducing the likelihood of conflict among groups and of reducing the likelihood of violence between individual members of the society. This is the lesson from the comparative study of cultures, of subcultures within complex societies, and of experimental studies by social psychologists. Where such values are not present to unite members of diverse groups the likelihood of both individual and group violence is enhanced.

Because in such a situation there are likely to be few if any mutually accepted rules for ending conflicts once they begin, each outbreak is likely to bring new conflict in its wake, as retaliation succeeds retaliation. This is the dynamic of continuing warfare among nations or families. Each is convinced that extermination is the goal and that no peace is possible except by total elimination or subjugation of the enemy.

The implications for individual violence in a situation of multigroup societies are direct and evident. The more outsider groups there are, the more people there are from whom one cannot normally expect civility, and the more wary one must be about one's person and property. One cannot expect outsiders to observe rules that "one just doesn't do that kind of thing in our community." Conversely, outsiders may be considered fair game for possible attacks and invasions. The further away they are from one's own standards, the easier it is to treat them as nonhuman, as nonpersons, whose suffering and losses of property or freedom do not evoke sympathy since they are unworthy of it.

Studies of those who organized concentration camps and participated in genocide reveal that it is the capacity to dehumanize an opponent, to treat persons as objects or things, that enables individuals to commit outrageous acts of violence against others. It has also been observed, that the violence of organized crime has this same impersonal character.

We know that there are no natural antipathies between groups of human beings. *Not color nor race nor religion nor nation—none of these differences between people—naturally engender hatred or hostility. One has to learn whom to hate, whom to love, and to whom to be indifferent.* One also has to learn from those who teach him, who is the outsider and how he is to be treated.

Every human being starts out having to learn to include people other than himself in his group. Each outward extension of the self involves new learning. Trust must be developed, risks taken, confidences shared and rewarded. Aid must be sought in time of need, and that aid must be forthcoming. On the basis of positive reinforcement of trust, which is at first tentative, the individual builds his sharers. Every family must incorporate the child into the family unit as an integral member; every community has the task of incorporating various subunits into larger units.

While cultures have developed ways of accomplishing these tasks, they must be completed anew in every generation, with every new person born. Indeed, institutionalized methods often become self-serving and unresponsive to the needs which originally gave them birth. In addition, new needs arise requiring adaption of existing methods. Such changes require great flexibility if institutions are to survive.

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These are major problems for all societies composed of diverse groups. Each nation values certain choices with respect to its problems. The Task Force believes that urgent attention should be given to processes by which superordinate values which unite groups composing this nation may be strengthened. Among these values are fundamental respect for human life and for the rights and needs of others. The rule of law is a value of great significance and its achievement and just operation are a primary goal for our entire society.

THE UNITED STATES: A CASE STUDY

Against this general background of the nature of violence in human affairs, it will be useful to examine our own society. To what extent can violence be understood as a variation on the general themes just portrayed?

It was noted earlier that one of the mechanisms for keeping peace among insiders and outsiders is to disabuse them of notions of sovereignty and to take from them powers of maintaining law and order by subgroup criteria. This is most often accomplished by imposing a common framework of government and power hopefully with the consent of all affected subgroups. Centralization of legitimate authority is the essential condition for intergroup peace, and, by derivation, for orderly and peaceful personal relations. Such uncentric social systems are characteristic of most modern nation-states. Their role in maintaining internal peace is evident when compared to most nominally uncentric countries which are really multicentric. Vietnam is a most dramatic current case in point; Cyprus is another.

The United States is an interesting example of a society which while nominally and often actually uncentered, is split into various political constituencies. These constituencies (the 50 states) sometimes assert their sovereignty and challenge the legitimacy of the central authority. When the challenges are severe and deep enough, the result may be, as it has once been in our history, a civil war. In recent years, secessionist-type movements have developed, especially around the issue of race relations. But in each case the central authority either has conceded enough local autonomy or has enforced enough central rule to quiet the rebellion. The tentativeness and fragility of our union is evident in these moments of occasional trial.

We are a divided nation in many respects. The major religions coexist largely in peace, but they are competing power blocs viewing each other as alien. The numerous national-origin groups who make up the country are also "mixed" in their qualities of coexistence. Provisional Irish, Italian, Polish, and Jewish political coalitions are formed from time to time. These coalitions shift from one issue to another and from one historical moment to another, as various ethnic and national groups take their turns in climbing the socioeconomic ladder and claiming a greater share of the bounty and power of this nation. The fact that we still think in terms of ethnic and religious-bloc politics—even if only on some issues—is testimony to the liveliness of ethnic and religious identity.

Added to the numerous natural subgroups that make up our country, there has developed a new consciousness among a number of other groups which until now have been but amorphous statistics. The poor have emerged to some degree as one such new grouping; they stand out sharply, given a new

public attention, against the general backdrop of the affluence of our nation.

Regional fissures also still have much to do with our country's political consciousness, and race continues to be a major basis for cohesiveness or alienation. These polarizations have been reinforced to some degree by the division between college youth and other youth and between youth, educational institutions, and the country at large.

In this context violence has emerged once again as a major theme in intergroup rivalry; distrust has deepened; identities have sharpened; symbols of membership—by hairstyles, clothing, buttons, and skin color—have become more visible because they have come to be stressed as badges of identity to be worn with aggressive pride.

It is evident that these numerous lines of cleavage do not coincide and that this prevents the development of coalitions with numerous cores of unity. In some sense, it is fortunate for the larger society that there are as many divisions as there are. These numerous splits set up cross-pressures, so that Catholics, Jews, and Protestants who might otherwise join with fellow members are, from time to time and issue to issue, split by lines of diverse national origin, or age, or race, or socioeconomic class interests.

We see then two quite divergent tendencies in American life today that set the scene for acts of individual conflict and violence. The first is a trend toward polarization and differentiation of subgroups and the reemergence of the salience and significance of parochial identities, of race, class, and national origin. The second is the persisting growth of superordinate values as a basis for common loyalty and fealty among subgroups, and the development of mechanisms and processes of centralized authority.

There is evident vitality in each of these tendencies. There are good and substantial reasons why separate and parochial identities have become reinvigorated. The case of the blacks, for instance, is most illuminating. Once the situation has become defined as one in which the black does not have a decent chance at full first-class citizenship, it is a short next step to think in terms of a separate society, with formally prescribed rights. At the extreme this means the creation of a separate black nation. Regardless of the objective facts of the situation, the crucial fact is how that situation is perceived by blacks. Objective improvement may be one of the conditions sharpening the sense of despair that could not rise to active consciousness under earlier circumstances of deprivation and denial. It appears to be a common feature of societies everywhere that informed despair, and organized conflict on the basis of that despair, need an underpinning of surplus energy and time. People must become well-to-do to be able to understand how badly off they have been.

The new intensification of subgroup consciousness and identity has at the same time brought new responses from the heretofore relatively complacent public. The "rightness" of the reactions of the blacks and the reality of counterreaction by whites who feel threatened have been brought home to the American consciousness. The question is whether the society can muster enough resources for the task of redistribution of access to the good things of life to persuade the black community that it can achieve its rightful place in American society. At the same time, all the ethnic groups who feel that their newly-won places on the socioeconomic ladder are threatened must also be able to find in American life a promise rather than a threat. It seems clear

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that they can do this more easily if they are not asked to pay the main price for the required changes and if they can be protected against real threat and rewarded for participation in the normative framework.

The significance of these new polarizations of subgroup identities lies in the extent to which members of each of these groups come to an awareness of possible danger from "outsiders" and of dependence upon in-group solidarity to meet the threat. Both black and white children are likely to be socialized into a "consciousness of kind" that substantially denies the trustworthiness and fellowship of persons from other territories or groups. One can speak of this possibility in terms of children born into a culture with greater potential for conflict and violence than existed in a previous generation. In some respects, we resemble today a kind of tribal federation, loosely tied by some common values, but still very much distrustful of each other's values, intentions, and willingness to share in common ventures, especially at some cost to group identity and welfare.

An inquiry into American beliefs and attitudes by the Violence Commission reveals a number of startling facts, some reassuring, some pointing to this group distrust as well as to the significance of violence in our daily lives.⁹

While only a small percentage of Americans would create or join in an unlawful demonstration to support their beliefs or to further their own views of government, a significant number feel that people like themselves have no say about government. Thirty-five percent affirmed this latter position; 43 percent asserted that they did not think that officials cared about public opinion.

Sixteen percent of the sample favored segregation, and 34 percent favored something between segregation and integration. While this result is difficult to interpret closely because of the black militant demands for separatism, it is apparent that about half the country has not accepted the idea of an integrated society. It is equally clear that the great majority of blacks in this country favor integration rather than separatism and that they are much more committed to this goal than are white Americans.

Have recent civil disorders involving blacks helped advance their cause?

There is a pervasive feeling in the nation that Negro gains have come about through violent means. Sixty-nine percent cite Negro violence, while only 21 percent think that most Negro actions have been peaceful. 10 percent are not sure whether Negro actions have been mostly violent or peaceful.

This is largely a white perception of the matter, since only 40 percent of the blacks see their actions as predominantly violent in nature.

What of basic attitudes toward others? These sentiments, we have argued, are important in the development of the readiness for intergroup and inter-individual violence.

When asked to comment on the statement, "What is lacking in the world today is the old kind of friendship that lasted for a lifetime," 25 percent strongly agreed, and another 35 percent disagreed.

The feeling that things used to be much better—that today things have gotten worse, with regard to rules of behavior and the common acceptance of

norms—is also widespread in the American public. Forty-seven percent of the sample strongly agreed or agreed with this statement. The strongest disagreement came from Negroes and the most politically active. For them the changes of today's way of life and thought seem desirable as compared with the past. However, nearly half the nation feels a sense of uncertainty. Another 50 percent agreed to the statement that "everything changes so quickly these days that I often have trouble deciding which are the right rules to follow." Clearly, there are deep cleavages and a sense of alienation among many of our number.

Is force necessary in American life? We can judge American attitudes in this respect in part from responses to the item: "Some people don't understand anything but force." Seventy-eight percent of those interviewed agreed with this statement, and fully 70 percent agreed that: "When a boy is growing up, it is important for him to have a few fist fights."

The apparent ambivalence of Americans concerning interpersonal violence is revealed by their response to the item: "What young people need most of all is strong discipline by their parents." Eighty-six percent of the people asked agreed with this statement. Young men must be taught, but they must also be kept in line. Perhaps because they must be taught to fight, they must also be taught when and toward whom fighting is appropriate.

The presence of deep punitive feelings is evident in the responses to the statement: "Sex criminals deserve more than prison, they should be publicly whipped or worse." Forty percent of the respondents agreed to this statement.

Sixty-five percent of those interviewed did not feel the police use more force than needed when carrying out their duties. Another 56 percent agreed that "any man who insults a policeman has no complaint if he gets roughed up in return." Apparently the American public feels it is right for an officer of the law to retaliate with force against verbal abuse. Forty-five percent believed that the police were justified in beating up unarmed demonstrators who were rude and called them names.

What about the acceptance of violence as a mode of relationship among nations? Fifty-eight percent of the respondents said they agreed with the statement that "human nature, being what it is, there must always be war and conflict" and 62 percent felt that in "dealing with other countries in the world we are frequently justified in using military force." Seventy-three percent also accepted civilian destruction as an unavoidable, but unfortunate cost of justifiable war, and 53 percent did not think "our government is too ready to use military force in dealing with other countries."

The generalized acceptance of war as inevitable; of the rightness of our country's policies; of the unavoidability of destruction of civilian lives and properties; of the importance of using military force in international relations—these are part and parcel of the thinking and feeling of a majority of Americans.

What then of the inclinations of Americans toward the use of individual or group violence in the management of internal affairs? The responses to a series of items are enlightening, as Table I indicates.

There is obviously much divided opinion in America about the role of force, the need to be armed to protect oneself and the efficacy of old-fashioned frontier-type justice. One sees here a measure of American

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TABLE I

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Selected Items, Violence Commission Survey

Item	Percent agreed or strongly agreed
1. A few strong leaders could make this country better than all the laws and talk	56
2. Justice may have been a little rough and ready in the days of the old West, but things worked better than they do today with all the legal red tape	51
3. Groups have the right to train their members in marksmanship and underground warfare tactics in order to help put down any conspiracies that might occur in the country	26
4. The people running the government in Washington would do a good job if everybody left them alone instead of trying to influence them all the time	26
5. One of the best reasons for people to have guns is to make sure the government doesn't get too much power	10
6. The government in Washington is the enemy, not the friend, of people like me	9

Source: Survey for the Violence Commission by Louis Harris and Associates, 1968.

inclination toward violence. Between a fourth and a half of the American adult public views violence, among individuals and groups, internally and externally, either as necessary and unavoidable or as positively valuable.

One might expect these attitudes to reflect actual behavior. We saw in Chapter 3 from the National Public Opinion Survey done for the Crime Commission that "legitimate" violence and "normal" deviance are in fact often present in our patterns of everyday life. The tables showed that the percentage of nonveterans who have seen people slapped, kicked, punched, beaten, choked, threatened, or wounded with a knife or gun is impressively high. The percentages who have themselves experienced threats of violence and who themselves have committed these acts of violence are higher than many would expect.¹⁰

Violence, then, is a significant feature in the daily life of a culture we have already identified as possessing a high potential for intergroup and, hence, individual conflict. If each group continues to develop the notion that the only recourse is to demand and seize, rather than to request and reason, our children are likely to be ready for conflict and violence.

The intergroup conflict of greatest potential in America is between blacks and whites, yet we conclude by reiterating the relatively low level of direct interracial violence today. Civil disorders have mainly occurred in nonwhite neighborhoods.¹¹ And we have seen that criminal homicide, forcible rape and

aggravated assault remain strongly intraracial. Only robbery among the major violent crimes appears to have a large interracial component.¹² While it therefore can be suggested that black protest and individual violence may partially be a response to interracial tensions, the actual use of force still has its greatest impact on blacks.

SUMMARY

As we seek to understand violence in the United States today, we become aware of several major sources. There is first the generic fact of violence, common to all societies. This generic source is the presence in all humans of a biologically rooted capacity to act aggressively, accompanied by the emotion of rage. We have not considered the extent of group frustration, which might help to account for differential rates of violent behavior given the frustration-aggression hypothesis. But we have seen that the major condition necessary for aggressive, violent behavior—the threat of invasions of “cultural territories” of various subgroups—is a feature of American social organization.

Although we are nominally a unicentric country in the sense of having only one final and legitimate source of authority, and though we have by law excluded or prohibited individual citizens or groups from settling their differences by violent means outside the law, in fact there exist many weak links in this fabric. Numerous people feel estranged from others; reliance or confidence in the central authority's arm—police or other force—as a fair and efficient and available force acting on behalf of everyone is extremely variable and low among some groups.

We have also seen that there is a substantial current of belief in the value of violence and its importance as an instrument of domestic and foreign policy. This is due in part to the slow and tedious processes of government striving to mediate numerous and diverse interests and to protect all. There is also considerable readiness for war, and for some an expectation of it is inevitable in human affairs.

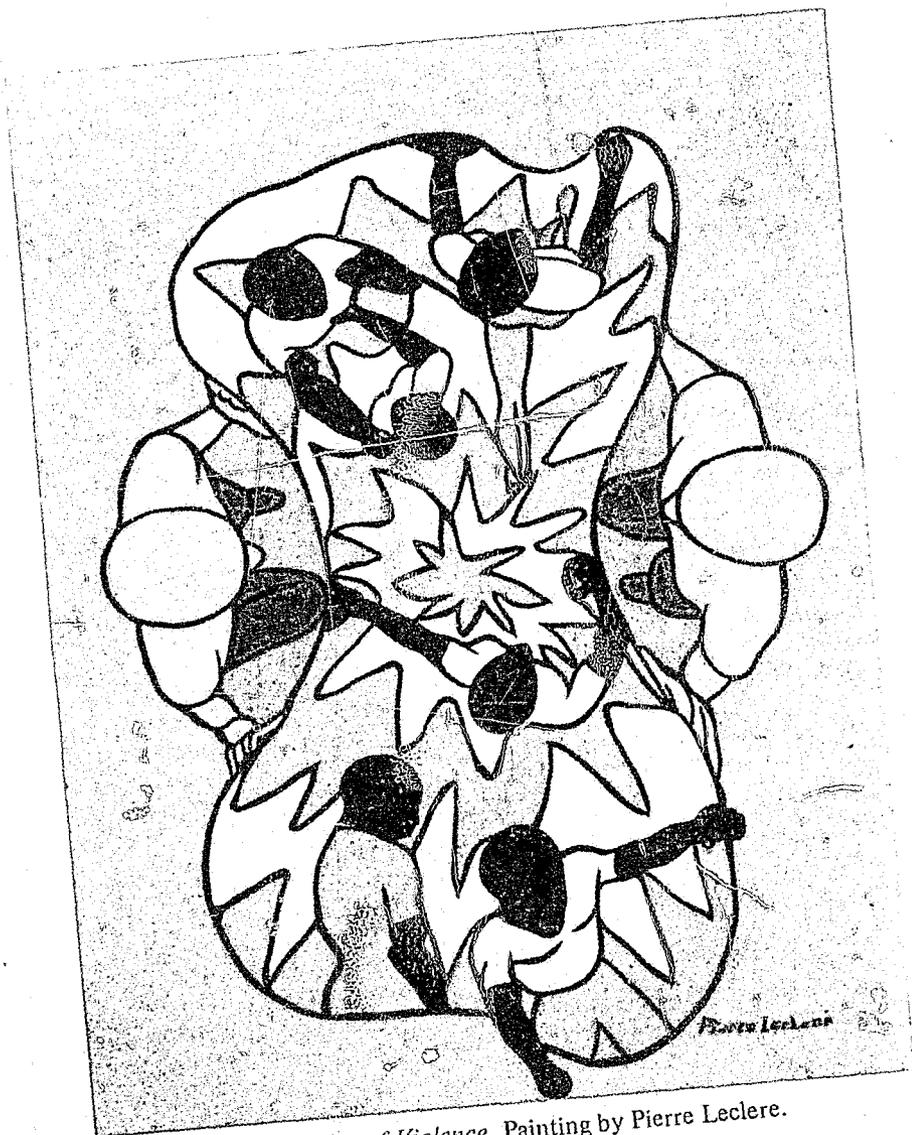
In addition, an extraordinary number of Americans have been witness to interpersonal violence or have been the victims or perpetrators.

As members of a divided society with different loyalties often in competition, Americans often are in a condition of estrangement or potential hostility regarding other subgroups, defined in various ways by boundary lines of class, nationality, or cultural origin. The ties that bind them legally and through common values, to other groups are present, but by no means dominant. As members of a common culture, diverse subgroup members are exposed to a climate of violence which they absorb in varying degrees.

Americans thus are “ready” for violence—as members of the human species, as members of the American cultures, and as members of special subgroups. Given such readiness, the problem now is to account for the special and differential use of violence by various subgroups in the country.

REFERENCES

1. Paul Bohannon, “Observations on Cross-Species and Cross-Cultural Comparisons of Aggression and Violence,” consultant paper submitted to this Task Force, App. 25.
2. *Ibid.*, p. 9.
3. *Ibid.*, p. 17.
4. This does not take into account the chances that the ratio of “actual” suicides to reported suicides may be significantly greater or lesser than the ratio of actual to reported homicides; we have insufficient knowledge to make the proper adjustments.
5. We have suggested in part I that a sizable proportion of all auto mishaps may not be completely accidental.
6. See, generally, George D. Newton, Jr., and Franklin E. Zimring, *Firearms and Violence in American Life* (Washington D.C.: U.S. Gov. Print. Off.), 1969.
7. See ch. 5 for an analysis of the degree of violence among intimates.
8. These propositions of course, are less adequate in explaining individual violence among intimates.
9. All the following material is taken from a special report submitted to the National Commission on the Causes and Prevention of Violence by Louis Harris and Associates, “The American Public Looks at Violence,” Nov. 1968.
10. See ch. 3, tables 10, 11, 12.
11. Businesses owned by whites, however, have been prime targets in disorders. In addition, there have recently been civil disorders more directly pitting black militants against predominantly white law enforcement establishments. See, for example, Louis H. Massoti and Jerome R. Corsi, *Shoot-Out in Cleveland* (Washington, D.C.: U.S. Gov. Print. Off.), 1969.
12. See ch. 5.



Subculture of Violence. Painting by Pierre Leclere.

CHAPTER 11

SOCIOLOGICAL AND CULTURAL EXPLANATIONS

We have identified some of the biological and psychological frameworks within which individual violent behavior can be understood. Some light has been shed on the contribution of the natural development of the human being and of different societies to the presence of greater and lesser amounts of violence.

Although these may not be totally satisfactory explanations, this is the first time that such theories about violent behavior have been placed side by side. There are contrasting claims from the various disciplines, but they are largely matters of emphasis; i.e., whether one wishes to focus on the individual psyche, the social and cultural characteristics, or the role of genetics.

Thus far, the report has considered only two questions: "Why is there violence?" and "Why are some more violent than others?" The most important part of the second question, "Why do some engage in *criminal* violence more than others?" is still unanswered.

The Crime Commission has given a great deal of its attention to the question of the roots of crimes and has included a survey of the difference in crime rates according to group. These findings are not presented in detail. We will, however, build upon them as we attempt to develop a generalized theory of deviant behavior which will help to account both for differentials in criminal involvement and for the resort to criminal violence by a small portion of the community.

THEORIES

We shall discuss four broad sociological theories related to (1) criminal subcultures; (2) opportunity; (3) status congruence; and (4) social organization and process.

A general approach to criminal behavior which has received wide recognition from sociologists partly because it encompasses most of the others, is that of *differential association*. First advanced by the late Edwin Sutherland, the theory argues simply that the probability of criminal behavior varies directly with the frequency, priority, duration, and intensity of a person's contacts with patterns of crime, and inversely with his noncriminal contacts. Contacts with crime are most likely to occur when people's

perceptions of their situations are supportive of norm violations. Accordingly, many kinds of nonconformity, such as crime, suicide, alcoholism, divorce, and mental illness are likely to be concentrated in urban areas which are characterized by cultural traits tending to alienate people from one another and from the norms of middle-class society. Numerous studies based on both official records and self-reported offenses corroborate the main claims of this theory.¹

Differential association emphasizes that criminal behavior is learned. It also specifies the general conditions under which there is likely to be more rather than less criminal behavior to be learned, and hence greater likelihood that the individual will acquire a set of "definitions" more favorable to criminal than to noncriminal conduct. The theory does not specify the basis for differential susceptibility of various kinds of people to be temptations of criminal models and codes, however. Each of the four theories attempts to fill this gap by indicating conditions of social organization in general, or in the life situations of various subgroups in the society, that are conducive to the influence of criminal behavior.²

Criminal Subcultures

Theories of delinquent and criminal subcultures were developed primarily in the 1950's in connection with the study of juvenile gangs. The main argument is that the culture, goals, and strategies of the lower class or of certain subgroups within these classes, differ considerably from those of the middle class; that the lower classes have their own life style, their own traditions, and their own focal concerns, which attach great significance to "toughness," "living by one's wits," and "hustle" (involvement in professional or organized crime); and that conformity to this life style implies deviation from middle-class standards.

The theory has been challenged on the grounds that much evidence indicates support in the lower classes for middle-class norms of material success, occupational and educational achievement, and opposition to manual labor. In addition, it seems clear that many, if not most, lower class gang members eventually abandon their delinquent activities to adopt more conventional adult roles. Thus, differences between the classes are not so much in the *normative* subsystem as in the *action* subsystem. Even in this respect, members of the lower class seem to prefer middle-class activities if given the opportunity to participate.

Another subculture theory explains gang delinquency as a solution to problems of adjustment that are shared by lower class youth whenever they are evaluated in terms of the middle class in their homes, at school, or at work. These youths often live in families dominated by working mothers. Because of this, the theory suggests, their interests are oriented toward a decidedly masculine world characterized by a variety of forms of deviant behavior, including conflict and violence, drug use, and conventional crime. The young working-class male, rejected by the dominant middle class, turns the middle-class values upside down and constructs a subculture that stresses short-run hedonism and nonutilitarian, malicious, and negativistic behavior. In this kind of setting, the main source of strength and protection is the autonomy the gang can provide by virtue of its disassociation from middle-class standards.

Opportunity Theory

Opportunity theory postulates the following relationships:

- The endorsement of middle class goals is nearly universal. Even though some lower class representatives may show little interest in improving their social and economic position, they endorse the middle-class goals and values as normative prescriptions, while denying any anticipation of success in achieving them.
- In nearly every community there exists a system of legitimate means for achieving middle class goals. However, access to these means of achievement varies from one class to another, with the lower classes being consistently disadvantaged. Moreover, perceived disadvantage, whether the perception is accurate or not, has the same functional consequences as actual disadvantage.
- Within a community, there may or may not be a system of illegitimate means for achieving success. These include such means as crime, graft, sharp business practices, and other illicit activities. Where an illegitimate system occurs, it may or may not be integrated with the legitimate system. Integration implies that success in both systems is at least possible, giving the individual a realistic choice of strategies. However, if crime fails to produce success and achievement, one reason may be that the two systems are not integrated. In this case, crime serves primarily as an act of rebellion, rather than a means to success.
- If the legitimate and illegitimate systems are integrated, criminal gangs provide a training ground for those youths who will eventually assume occupational roles in crime. If the systems are not integrated, however, gang members will engage in undisciplined violence, "bopping," "gang wars," and other forms of rebellious expression as members of conflict gangs.³

These postulates enable us to identify three basic types of communities: those that have only a legitimate system should be free of organized gangs; those that have integrated legitimate and illegitimate systems should be characterized by gangs that socialize their members into the criminal subculture; and those in which legitimate and illegitimate systems are unintegrated should have gangs engaging in violent behavior.

The theory also attempts to identify the kinds of youths who are most likely to join in gang activities. The most susceptible are those who feel alienated from the legitimate normative system, who blame society rather than themselves for their problems, and who deny that conformity with legitimate norms is likely to bring them success.

Such alienation from conventional norms has two main sources. First, those who see discrepancies between the normative (ability, hard work, initiative) and practical requirements (luck, right contacts, cleverness) for success are likely to be alienated, especially if they feel that the practical requirements are far more important than the normative ones. Second, people who have traits which are likely to arouse discriminatory reactions on the part of others are likely to be alienated. Hence, race, ethnic affiliation,

language difficulties, etc., may be sources of alienation which encourage involvement in gang affairs.

Opportunity theory underestimates the versatility of gangs, most of which incorporate features of all three subcultures described—criminal, conflict and drug-use—and perhaps of others as well. However, it does provide numerous hypotheses regarding the criminogenic influences of illegitimate norms and their connection with racial, religious, residential, educational, occupational, and other variables. It makes society a partner in the causation of deviance and encourages prevention programs aimed at the revision of norms dealing with the treatment accorded minority groups and other disadvantaged sectors of the population. Several programs of this kind have recently been instituted in American cities, but studies of their effectiveness have not yet produced conclusive findings.

Theories of Status Congruence

Most of the work on status congruence deals with noncriminal forms of deviance: political radicalism, psychosomatic complaints, mental disorders, and suicide, among others. However, the theory's ability to predict suicide rates in various societies suggests that it may be applicable to crime and violence.

Central to theories of status congruence are certain assumptions concerning connections between social positions and roles. Any given individual is viewed as occupying one or more positions in each of the systems of which he is a member; for example, his family, church, school, factory or office, his club, and other recreational or professional group, etc. Each position carries with it a set of normative prescriptions regarding the behavior of both the occupants of that position and those with whom they maintain relationships. These different roles may be connected with each other in various ways: they may be in complete harmony, generally complementary, occasionally inconsistent, or in unresolved conflict.

Status congruence implies harmony among the sets of prescriptions that are attached to the different positions a given person occupies. Discord and conflict presumably produce discomfort, strain, or anxiety, which makes rational decisions difficult, encourages various kinds of deviant behavior, and sometimes results in mental illness, crime, or suicide.

The theory also notes the importance of changes in social position and the special problems that arise when they are frequent and unanticipated. In general, an increase in deviance may be expected whenever events disrupt the close relationship of positions and roles within a social system. To minimize deviance, then, a system must make provisions for the articulation of positions with one another, for orderly changes in the assignment of positions and for other modifications that seem warranted.

Theories of Social Process and Social Disorganization

Social systems may not function well for a variety of reasons. Disruptions may result from massive changes in the environment, such as epidemics, mass migrations, wars, or depressions. A system may be impaired because the strategies for achieving the system's objectives are based on erroneous

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assumptions; knowledge may be insufficient for a viable blueprint to be formulated. The system may be hampered by deviant behavior among its members. Deviance, in turn, may occur because the members of a system have inaccurate perceptions of their role requirements, or norm violation may be deliberative. Finally, the system may be disorganized. That is, the norms may be in conflict with one another, or there may be discrepancies between the normative and the action subsystems.

Disorganization appears in many forms. One variety is conflict between prescriptions and practices. Such conflict is evidenced by a system which is designed for a given purpose but which operates primarily to perpetuate itself. For example, courts and other control agencies may at times be more interested in preserving their authority than in curbing deviant behavior. Police and courts may sometimes operate under a policy of negotiated justice which makes the penalties prescribed by law a rarity in practice.

Disorganization may also occur among the normative prescriptions themselves. Goals may be inadequately defined, contradictory, or without tangible criteria for measuring the degree of their attainment. Strategies may be inconsistent, infeasible, or founded on false information. Roles may be incompatible or mutually exclusive. Such disorganization is often found in correctional institutions, where goals of therapy, punishment, deterrence, and social protection may be mutually contradictory, or where the norms of the offenders are in conflict with official rules and regulations.

Whenever disorganization occurs, deviant behavior emerges. Unless social prescriptions are compatible, behavior that conforms to one norm will be in violation of another. Failure to conform to role requirements thus may be due to defects in the social system, despite our inclination to blame the individual.

Each of these four theories attempts to account for the occurrence of different rates of deviant behavior in various groups against a background of general conditions in the society influencing these groups. All of the theories presuppose the existence of some significant and perceived disparity between what the individual has learned to expect from life, and what he perceives is available in his environment and through approved channels. This disparity sets up a basic tension to which individuals can react in a variety of ways.

In more general terms, all of these theories involve four sets of factors relevant to deviance:

- Some general conditions of society which serve in various ways as stimuli to deviance.
- Factors related to the special vulnerability of various subgroups within the society to these deviant stimuli.
- Ranges of cultural options which subgroups have in response to these stimuli.
- A learning process, common to all men, by which deviant and approved norms are acquired.

How Deviance is Learned

Deviant behavior is learned in precisely the same manner as is approved behavior. Take the case of a young child who is expected to learn how to

behave in conformity to the expectations of his elders. The process of learning may be sketched as consisting of several interdependent steps. Though they must be presented sequentially, and though some occur later than others, their totality in the experience of the individual determines what and how well he will learn:

- The child must first learn what is expected of him in his various roles. These roles consist of patterned sets of responsibilities and duties that he must discharge in order to be accepted. Roles also include rewards for performance and punishments for not living up to expectations.

- Once these expectations and sanctions are known, it is imperative that appropriate means for accomplishment be learned. It is not enough to know that one must be "good" or "smart," for example. One must know what is meant by these terms, what kinds of behavior are defined as good, how one can accomplish them and avoid bad consequences, etc.

- Once the "ends" and the "means" are understood, the child must realize that the *means are available to him*; that is, that he can succeed at the tasks or expectations. If the "means" seem out of reach, e.g., if he simply cannot sit still when asked to, no matter how hard he tries, he is not likely to persist. Hence, it is important that goals be realistic enough that the individual can see the relationship between goals and the possibility of achievement.

- The child, at this point, is developing a sense of "costs" and "benefits" related to various types of behavior.

- Given the perceived balance of probable costs and benefits, the whole idea must strike him as more to be preferred and desired than to be rejected. That is, that balance must commend itself to him at the outset and at every stage along the way if the child is to continue.

- Thus, at every point in learning how to behave or in striving for a goal, the child should experience sufficient gratification, to make up for actual or projected costs. There will otherwise be little incentive for continuing to strive. The child must be able to see that either immediately or in some acceptably proximate future, it will benefit him to do what is expected or to keep striving in the ways prescribed.

- During these tentative beginnings, when costs and gains are being tested, it is crucial that the child be relatively free from seduction into deviant or non-conforming behavior temptations. The struggle between forces that impel to conformity and those which tempt the individual to deviant behavior is especially acute at the beginning of the normative integration process. Since these seductions are always present, if only in the attractiveness of nonexertion, it is important that inducements to conformity be greater than the temptations to deviation.

- The child must have before him, or in his mind's eye, certain people who are models of success. These models may be siblings, parents, friends, members of one's own ethnic group, neighbors, or historical characters. The child who lacks such examples of the worth of hard work and conformity is likely to have a more difficult time

imagining himself "successful" than is the child whose home and environment provide such models.

- The child whose striving and conformity are rewarded *develops an image of himself as a person who can succeed in the expected way*. The image of one's self as a successful person inside the framework of normative behavior is a crucial identity for the conforming individual.
- Throughout this process it is important that *effective sanctioning forces make deviation or withdrawal from striving "unpleasant."* For maximum effectiveness these sanctions should be quick, forceful, and persuasive. The entire process of incorporating a child into a set of normative patterns will be relatively unsuccessful if the only "rewards" the child receives for striving are freedom from punishment and pain. In short, if there are no positive gratifications along the way and at the end, the commitment of the child to the normative pattern is likely to be rather tenuous and shallow.

The child must be reassured that he has been successful and that he is therefore worthy; he is valued for his behavior. He has to be "paid off" in terms of anticipated gratifications. Otherwise he will likely perceive the exhortations and injunctions of his "socializers" as fraudulent, and he is not likely to accept their "word" about the value and worth of conformity.

The Attractiveness of Deviance

The gratifications of deviant behavior, and hence their seductive value, can be very powerful for any child. To seize what one wishes rather than working or waiting for it is, after all, directly and immediately gratifying. It also may be "cost free" if one can escape detection, and it may not have to be shared. By contrast, the achievement of desired things in "approved" ways almost always involves waiting and paying some price, and it may involve sharing as a part of the price.

Deviance as the "Natural" Behavior of Children

In one sense the child does not need to "learn" deviance, but he does have to learn how to be normative. To be deviant, he needs only to persist in the striving for immediate gratification which characterizes his early, unsocialized behavior. As a creature who has not yet come to the knowledge that coexistence requires deferring and sharing gratifications, the child is a natural seizer of objects and demander of attention, a creature who demands that the world respond immediately and fully to his needs.

He may find that, for some months, responses vary when he signals his wants, but sooner or later, the child's rhythm of wakefulness and sleep is interfered with, and he is trained to excrete only at certain times and places. However many months of immediate responsiveness his demands for food may enjoy, every child eventually learns that he can eat only under specified circumstances of time and place.

Though all children start out in life seizing what interests them, sooner or later all children are taught that they cannot seize at will. Some

things are defined as theirs, and others as not, and many times, even "their" things are "theirs" only in a limited sense.

In sum, the newborn child is a "natural" deviant insofar as *he has to be socialized into conformity*. This process is inevitably imperfect and marked by some amount of dissatisfaction and discontent, for such is the nature of civilization.

It is no wonder, then, that every family experiences difficulty in socializing its children into patterns of acceptable behavior. Children learn to behave only after years of effort expended at teaching the child what is expected. Every child seizes until he learns better; every child hits, throws things, screams, demands, and takes what is not his; tells lies, and does other "undesirable" things until he learns that such behavior is not rewarded. This is not an easy lesson to learn. Many children learn it only tentatively, and conform through fear of negative consequences rather than by the self-commending character of conformist behavior.

Many children either do not learn the lesson of conformity or they do not learn it well. The gratifications they receive do not seem to compensate for the costs. The likelihood of learning to conform to the norms of society will be a direct function of the balance of perceived gratifications versus perceived costs. Thus, children from situations where gratifications—material and other—are low in quality, quantity, and general attractiveness are less likely to learn to conform than are children from situations where the gratifications are higher in these respects.

The Reinforcement of Early Childhood Deviance

These considerations are a simplified version of the dynamics of socialization of young children. The complexity of this process can be appreciated more fully if one thinks in terms of a 4-year-old who is going through the process of "learning" to tell the truth rather than to lie, to be honest rather than to cheat, and to work at his duties rather than play.

Advance the model a year or two and think in terms of the first-grader learning to obey school rules, to acquire the knowledge his teachers desire of him, and to share with others his time and attention. At this stage, aspects of "learning" the norms come into full play. It is then that the child begins consciously to balance the attractions of deviant versus conformist behavior. It is at this point, too, that he becomes more consciously aware of the expectations that others have of him and of potential gratifications. Then he starts to become calculating, comparing the value of lying as opposed to telling the truth and of stealing or remaining deprived. At this point, with heightened awareness of the probable disapproval of others, and perhaps a sense of guilt and shame, the process of rationalization for one's deviant behavior begins. Then the child may encounter a community of peers who are going through the same processes. He may find that they are a very reassuring group who support his own deviant tendencies by theirs, and who provide him with ready made rationalizations to help fend off guilt and shame. The peer group thus becomes an effective agent of socialization into deviant norms.

Every child stands in danger of incorporating deviant norms. The omnipresence of this danger is not surprising, if one sees that the child is born

with "violent" and "criminal" inclinations as noted above. If adults do not make conformist behavior gratifying, there develops a vacuum with regard to approved norms. In this state, the temptation of deviant behavior has a much greater chance of capturing the child's attention.

The Models of Deviant Behavior

Place this child in an environment where there are numerous models of deviant behavior and few of successful conformist behavior, as is the case in "slum" neighborhoods. Here few if any of the male adults serve as examples of legitimate success, but males of all ages can be found who are known or believed by many to have "made it" by illegitimate means. Consider the great temptation for a ghetto child to model himself after local "success stories" who seem to be enjoying things and having excitement that "straight" people cannot claim. What are the chances that such a child will be reinforced in this tentative determination to conform to the norms of society?

This model contains the following elements: (1) an absence of firm and continuing inducement to conform to the norms of peaceful, legal behavior; (2) the reward for such behavior is unattractive in comparison to prospective costs; (3) models of successful normative behavior are few and unimpressive; (4) models of successful deviant behavior seem at least as impressive or more so; (5) deviant behavior seems easier, less costly, and more rewarding; (6) there is an established subculture with whom one can identify which is involved in and may be actively recruiting others into deviant behavior; (7) there is a high probability under these conditions that deviant behavior will be engaged in and, if reinforced, a pattern of deviant behavior will begin to be established, without any serious restraints in the form of moral guilt.

This model of socialization into deviant behavior would probably apply even if begun with the assumption that neither deviant nor conformist behavior was any more natural or attractive. Assuming, in short, the natural equipotentiality of children for "good" and "evil," there would still be a contest between the two sets of norms. The difference, however, would come in the degree of propensity for deviance that is implied in the notion of the child as a natural deviant.

Thus, society is working against the natural order of things as it tries to socialize its new members into approved norms of behavior. If, however, the equipotentiality of the child for normative and deviant behavior is taken as the starting point, one would assume that the contest would be even. Similarly, there are differences in what we expect to happen in the socialization process. This depends on whether it is assumed that both deviant and approved behavior models are equally attractive, or whether one assumes that deviant behavior is intrinsically more attractive.

Much of the public debate about deviant behavior derives from differing notions as to what is intrinsic in man. If it is assumed that the child is at the outset naturally deviant and that deviant behavior is intrinsically more appealing, then more deviant behavior is to be expected than if one assumes moral neutrality at birth and that normative and deviant behavior are equally attractive.

On the basis of the evidence from child development, it seems reasonable to assume the "naturalness" of deviance in children and the greater

attractiveness of deviant modes of gratification. Thus, the amount of reported deviation is considerably less than might be expected.

For the same reason, deviant behavior (even if only occasional and incidental) by "respectable" members of the community becomes understandable. Socialization into normative behavior is *always imperfect* to some degree. One must therefore expect that virtually everyone will, from time to time, violate certain norms, including legal ones.

Deviant Violence

These same models apply to violence, and hence to the process of learning to obey the rules of the society regarding when, where, and how to use force. Norms related to violence are part of the socialization processes to which all children are exposed. As with all other norms, effectiveness is dependent on the extent to which observance of the rules yields sufficient gratification in proportion to cost.

There is, however, a danger of drawing a false distinction between norms governing violence and those governing crime. The distinction between legitimate and illegitimate violence is especially difficult to discern. Children are continually exposed to the sanctioned use of violence by those who are trying to teach them not to be violent. A child may be deprived of his property or his freedom because he took away someone else's or because of some other disapproved action on his part. He may be hurt, physically or emotionally, when he resists the will of those who are his teachers.

Given these "models" of child rearing, the lessons of where, how, when and when not to use violence are probably among the most difficult the child has to learn. The pattern of legitimate violence committed by parents against children in the normal course of child rearing may be very similar to the pattern of violence that parents are trying to teach the child not to employ.

Morals and Deviance

Some have argued that the explanation for deviance is rooted in the failure of parents and others to impart a firm moral character to children. This suggestion carries the implication that morals are something apart from and different from norms; in fact, morals are norms which represent rules of conduct at a rather high level of abstraction. Like other norms, they must be learned, with all the pitfalls to which such learning is subject. One cannot therefore distinguish between imperfections in moral and normative teaching.

Morals are abstract and general compared with norms, which tend to be more specific. Thus, to be taught not to hit a brother is one thing; to be taught not to hit *anyone*, even when angry, is a more general and difficult lesson. The child first learns the concrete and specific rule. Generalization of such specifics into more embracing categories, put abstractly, comes later in the moral development of the child. Acceptance of abstract moral codes by the child depends upon the same kinds of factors that influence learning specific injunctions along the way. Incorporation of abstract codes depends on the totality of experience with various specifics.

CONDITIONS OF AMERICAN LIFE THAT CONTRIBUTE TO VIOLENCE AND CRIME

Learning norms obviously is a most complex matter. We have only sketched the general lines of normative development and have identified some of the more crucial factors in that development. We turn now to a second set of factors that characterize life in American society and that appear to contribute to violence and crime: (1) cultural themes and ideologies that are widely shared; and (2) certain structural arrangements, particularly those related to inequality in the distribution of power, property, and prestige.

Cultural Themes and Ideologies

Wealth as a Criterion of Success and Virtue; Poverty as a Mark of Failure and Disrepute

Since the early days of American history, the possession of property has been deemed a mark of distinction. Its possession reflects success in life; this success is taken as a sign of virtue and worth. The wealthier the man, the more worthy he is judged.

The roots of this theme are to be found in the early Calvinist doctrine of grace through works. This tenet was soon converted to "grace through property," partly because "works" were too difficult to split up, partly because grace was uncertain in any event, and partly because property was an "obvious" indicator of works and hence of virtue. By the same token, poverty was taken as a mark of lack of virtue and social worth.

All Men Have an Equal Opportunity to Succeed

There persists in American life the notion that every man has an equal opportunity to succeed. Differential advantages by virtue of privileged birth and inherited position are acknowledged by many as significant structural restraints on this theme. The story of Horatio Alger is still cited as proof that it can be done, if the desire is there.

You Have Only Yourself to Blame for Failure

This theme intertwines closely with the notion of equal opportunity. If there is equal opportunity, final blame for failure can fall on only one person—yourself. On the other hand, you are the sole agent of any success. Given equal opportunity, differences between individuals such as ability, desire, and determination explain differential successes and failure.

Results Are What Count

There is a deliberate emphasis on income with no corresponding concern for the means employed or the values enhanced in the process. This theme is strongly supported by the current business ethic. Cost-efficiency accounting is the predominant criterion of evaluation. Considerations of human values

are considered "impractical" and of secondary importance. "The ends justify the means."

The aforementioned themes are interdependent and nourish one another. Thus, if results are the criteria, and if you fail, you must therefore be deficient in certain desired virtues and qualities. Labels of "unworthy" and "disreputable" are therefore stamped on many of the less well-to-do in our society. Neither unfortunate circumstances nor "system" failures are recognized.

Work Is Virtuous and Comes Before Play in the Hierarchy of Values

The emphasis here is on the alternating rhythms of work and relaxation in human life. The United States, in comparison with other societies, tends to extremes in its suspicion of play and the stock it places in hard work. Unemployment and idleness are viewed as morally reprehensible unless the idle time is a brief respite between periods of concentrated, virtuous work.

Deferral of Gratification as a Mark of Maturity and Virtue

Closely allied with the theme of the virtue of work is the notion that life involves a rhythm such that one must learn to postpone today's gratifications so that tomorrow's can be more significant. The postponement of immediate pleasure, the fear of spontaneity, and the suspicion of pleasurable indulgence are thus all closely connected. Since an individual is able to defer gratification in proportion to his expectations of later ones, important differences are to be expected between those who differ in the realistic anticipation of future gratifications. Thus, when college admission is seen as the gateway to prestigious and gainful employment, the value of succeeding in primary and secondary school becomes obvious.

Manliness Must Be Unequivocal and Evident

The world's societies can be thought of as on a continuum; at one extreme are those who insist that a sharp and clear distinction be made between maleness and femaleness, and at the other end are societies which make virtually no sexual distinction. Character and personality traits are closely associated with masculinity and femininity. Since many are, in fact, less than the stereotype male, there is considerable pressure to prove one's masculinity. In youth this calls for physical and sexual prowess. In adulthood, such judgments are based on vocational success, with at least covert reference to sexual attractiveness and activity.

The importance of this theme varies greatly among different segments of our society. It runs counter to the tenets of the moral virtue of sexual abstinence and containment and the grace of work and achievement. Thus, for the most successful youth, scholastic achievement and the promise of vocational success in the future are acceptable proof of masculinity. But since scholastic achievement and physical prowess are not always related, these

themes compete, and those who are less academically inclined rely heavily on physical prowess and sexual conquest as marks of manhood.

Adults Are Mature and Responsible; Youth Are Reckless and Irresponsible

Further comment on this theme seems unnecessary, although it is being increasingly challenged by today's youth. Society does seem disposed to make such concessions as lowering the voting age and granting youth greater freedom in affairs which relate to their training and welfare.

White Is Good, Moral, and Superior; Black Is Bad, Immoral, and Inferior

This theme has many corollaries, including prejudicial beliefs that Negroes are by nature passionate and hence not intellectual and that they are incapable "by nature" of conforming to the law and norms of society as well as do whites.

Women by Nature Are Tender, Compassionate, Sentimental, Nonintellectual, and Possessed of Great Emotional Warmth

These virtues entitle women, it is traditionally held, to be mothers, housekeepers, and social companions, but not to be achievers or in control of important ventures. Above all, they cannot successfully manage men. Moreover, they are highly susceptible to temptation and evil counsel, and must be protected. If they commit evil acts or become involved in crime, it is presumed that they were influenced by men, and did so out of weakness rather than inherent evil.

All Men Are Equally Entitled to Enjoy the Good Things in Life if They can Attain Them

This theme is in obvious conflict with the theory of grace through works, since only the virtuous can attain material well-being. Yet this idea persists; while certain people can claim and purchase disproportionate amounts of the good things in life, they are not necessarily more entitled to these things by nature.

The Structural Correlatives of Cultural Themes

Although there are certain counterthoughts today, and although there is minority opposition, these themes represent many of the dominant beliefs in this country.

Support may be found in many places: in public opinion polls; in prescribed forms of family life; in the rules governing marriage and divorce; in the rights of parents and teachers over children; in the justification for racial

prejudice and discrimination; in resistance to demands by women and youth for greater equality; in discriminations by age and sex; in the great emphasis on productivity for the wealth and success of the nation; in the use of the gross national product as a measure of our well-being; in the attribution of our political dominance to our productive capacity; in the persistence of the themes of charity and welfare and in responses to poverty and unemployment; in maltreatment of the poor and the disadvantaged in public facilities; in the concept of welfare as a "handout"; in the imprisonment and brutalization of the deviant; and in neglect and dehumanization of the indigent in state institutions.

For each of these themes there are contrary ones, some of which have only recently begun to emerge, as in new concepts of societal response to poverty which are not couched in terms of "charity." The existence of contrary themes in American life is no surprise. All societies, especially complex ones such as the United States, are marked by the competition of coexistent contrary themes. There are as yet no sound measures for accurately estimating the dominance of one theme. But an approximation can be made by looking at dominant structural arrangements. Additional supportive evidence is gathered by noting the themes advocated by the avant garde, usually on behalf of the disadvantaged. Traditional themes may be changing more rapidly today than ever before. The struggle for dominance between traditional and contemporary themes is the source of much ideological and other conflict.

Among the most significant structural indicators of these traditional themes are the distributions of opportunities or life chances for power, property, and prestige. These chances include the likelihood of surviving birth and the first year of life in a healthy condition (which, for example, is three times more perilous for poor, urban Negro children than for whites in the same urban areas). They also include being given a preschool headstart through exposure in the home to attitudes, materials, skills, and orientations relevant to school achievement; going to a school which has relatively small class sizes, adequate materials, skilled teachers, and an atmosphere of optimism with regard to one's likely academic future; of graduating from high school and of being admitted to a college; and on through the cycle of chances that shape the course of life. These chances are determined largely by the education, wealth, and position of one's family. These chances include, finally, a relatively long and healthy life.

Tables 1-6 reveal in summary form some of the significant structural differences in the United States in income and unemployment; they reveal, too, the concentration of political and economic power among certain groups.

Tables 1-6 suggest that various groups can be ranked on scales of power, prestige, and property. At the bottom of each of these ladders are the Negro, the poor, and the young. A combination of these three characteristics virtually guarantees the lowest position on all three ladders. In short, the traditional themes of equality of opportunity and entitlement are not borne out in practice. The contradiction between ideology and the actuality of inequality is the single most important fact in accounting for differential rates of deviation—criminal and violent—in American life.

The unequal distribution of social worth derives from two crucial facts

Table 1. Families by total money income, for the United States in 1966

Total money income	1966
Number thousands	48,922
Percent	100.0
Under \$1,000	2.3
\$1,000 to \$1,999	5.4
\$2,000 to \$2,999	6.6
\$3,000 to \$3,999	6.8
\$4,000 to \$4,999	7.1
\$5,000 to \$5,999	8.4
\$6,000 to \$6,999	9.4
\$7,000 to \$7,999	9.3
\$8,000 to \$9,999	15.1
\$10,000 to \$14,999	20.4
\$15,000 to \$24,999	7.5
\$25,000 and over	1.7
Median income	\$7,436

Source: U. S. Bureau of Census, *Consumer Income*, Dec. 1967, p. 2.

Table 2. Percent of income received by each fifth of families and by top 5 percent in 1959

Families ranked from lowest to highest	Percent of total country's income
Lowest fifth earned	5
Second fifth earned	12
Middle fifth earned	17
Fourth fifth earned	23
Highest fifth earned	44
Top 5 percent earned	18

Source: Herman Miller, *Rich Man, Poor Man*, (New York: Crowell Co., 1964), p. 7.

Table 3. Percent of labor force, median educational level, median annual earnings for major occupational categories in the United States

Occupational categories	Percent in population (1960)	Median years of school (1959)	Median annual earnings (males only) (1960)
Professional, technical, and kindred workers	11.4	16.4	¹ \$6,619
Managers, officials, and proprietors (except farm)	8.5	12.4	6,664
Clerical and kindred workers	14.9	12.5	4,785
Sales workers	7.4	12.6	² 4,987
Craftsmen, foremen, and kindred workers	14.3	11.0	5,240
Operatives and kindred workers	19.9	10.0	4,299
Laborers (except farm and mine)	5.5	8.5	2,948
Service workers (except private household)	8.9	10.1	³ 3,310
Private household workers	2.8	—	1,078
Farmers and farm managers	3.9	8.7	2,169
Farm laborers and foremen	2.4	7.7	⁴ 1,066

¹ \$6,619=about \$132 per week.

² \$4,987=about \$100 per week.

³ \$3,310=about \$66 per week.

⁴ \$1,066=about \$21 per week.

Source: Murray Gendell and Hans L. Zetterberg, eds., *A Sociological Almanac for the United States* (Totowa, N. J.: The Bedminster Press, 1963), pp. 66, 69, and 82.

Table 4. Occupational background of political decisionmakers in the United States, various dates (In percent)

Occupational class	U. S.					
	President, vice president, Cabinet ¹ (1877-1934)	U. S. Senators (1949-51)	U. S. Representatives (1949-51)	State Governors (1930-40)	State legislators ² (1925-35)	Labor force (1940)
1. Professionals	74	69	69	60	36	7
Lawyers	16	57	56	52	28	-
Others	4	12	13	8	8	-
2. Proprietors and officials	21	24	22	25	25	8
3. Farmers	2	7	4	11	22	11
4. Low-salaried workers	1	0	1	1	4	17
5. Wage earners	2	0	2	1	3	40
6. Servants	0	0	0	0	0	11
7. Farm laborers	0	0	0	0	0	7
8. Unknown, unclassified	0	0	2	3	10	0
All	100	100	100	101	100	101

¹ Occupations in this column are those for which Presidents, Vice Presidents, and Cabinet officers were trained.

² Figures for the lower houses of 13 selected states and the upper houses of 12. The states are Arkansas, California (lower house only), Illinois, Indiana, Iowa, Louisiana, Maine, Minnesota, Mississippi, New Jersey, New York, Pennsylvania, Washington.

Source: Donald R. Matthews, *The Social Background of Political Decision-Making* (New York: Random House, Inc., 1954), table 7, p. 30, found in Gendell and Zetterberg, *op. cit.*, table 3.12, p. 50.

Table 5. Prestige scores and ranks of 24 selected occupations

Occupation	Prestige point score	Prestige rank
U.S. Supreme Court Justice	96	1
Physician	93	2
Mayor of a large city	90	6
College professor	89	8
Banker	88	10
Minister	87	13
Priest	86	13
Airline pilot	83	24
Artist who paints pictures that are exhibited in galleries	83	24
Building contractor	79	34
Public school teacher	78	36
Undertaker	72	47
Electrician	73	45
Reporter on a daily newspaper	71	48
Bookkeeper	68	51
Carpenter	65	58
Plumber	63	59
Garage mechanic	62	62
Filling station attendant	52	74
Taxi driver	49	77
Soda fountain clerk	45	84
Garbage collector	35	88
Street sweeper	34	89
Shoe shiner	33	90

Source: Albert J. Reiss, Jr., et al., *Occupations and Social Status* (New York: Free Press of Glencoe, 1963).

Table 6. Basic characteristics of the lives of people called "white" and "negro" in America

	Negro	White
1. Total population	11 percent	89 percent
2. Median age	21.1 years	29.1 years
3. Ratio of high school graduates	1	2
4. Median years of school completed	9.1	12.0
5. Ratio of families broken by separation, death, and divorce	2	1
6. Families headed by a female	25 percent	9 percent
7. Median family income per year	\$3,874	\$7,170
8. Earning under \$3,000 a year	50 percent	30 percent
9. Earning \$8,000 or more a year	7 percent	27 percent
10. Attended 4 or more years of college	4.9 percent	12.7 percent
11. a. In white-collar occupations	Under 20 percent	Over 50 percent
b. In professional jobs	6 percent	12.9 percent
c. In three "lowest occupations: Service workers, farm laborers and foremen, and general laborers	Almost 40 percent	21 percent
12. Lifetime earnings ratio	1	2
13. Lifetime earnings of Negro college graduates compared to White grammar school graduates	\$185,000	\$191,000
14. Rate of unemployment (1962)	11 percent	4.9 percent
15. Ratio of "net reproduction"; that is, number of children born to, let us say, 1,000 Negro families as against the number born to 1,000 white families	22	17
16. Death rate per 1,000 population (excluding "newborn")	10.0	9.4
17. Longevity (average expected length of life years)	63.5	70.5

Source: The above data have been compiled from U.S. Census publications dated 1957 to the present.

about human existence. First, an individual's sense of worth depends unavoidably on the extent to which others consider him worthy. This is the ultimate meaning of the "social self" and the most fundamental element in human interdependence.

Second, it is impossible to live with any degree of enthusiasm or energy without some reasonable sense of one's worth. This includes the need to feel loved, esteemed, and entitled to life's rewards. Child psychologists have noted that one of the most puzzling features about disturbed children is their incapacity to feel entitled to anything good in their lives. Psychologists attribute this lack to a history of brutalization and degradation by adults.

The unequal distribution of opportunity for adequate education, income, and prestigious occupation results, therefore, in unequal distribution of a sense of social and personal value.

Several other features of American life contribute further to the negative burden upon less fortunate members of society. These include (1) the high visibility of affluence, which contrasts sharply with the poverty of others in the eyes both of the poor and of others; (2) the continuous pressure by the advertising industry upon all Americans, rich and poor, to desire goods and services equally and to feel "good" if one secures them and, by inference, "bad" if one does not; (3) the network of mass communications which

creates and sustains a common culture of consumer desires; (4) the absence of fixed and enduring marks of prestige, such as existed in a feudal society. Hence, prestige is a volatile entity, and prestige-insecurity is heightened. In turn, competition with others and the fear of "status contamination" become matters of considerable importance. This involves such reactions as the vicarious attempt to acquire notoriety by associating with prestige "types," and flight from low-prestige residence areas and contact with low-prestige "types."

It is obvious that the desire for differential wealth and prestige has become a major feature of American society structure, and concern for wealth and prestige a central facet of American social psychology. Perceived economic deprivation and social degradation, therefore, are seen as undesirable, requiring some sort of "solution."

The "problematic" character of a disparity between things desired and things possessed creates situations in which different responses are possible. The logically possible alternatives have been codified by various sociologists.

Beginning with the idea that the two main ingredients in this problem are culturally valued goals and institutionally approved means, one prominent theorist suggests that individuals may take any of the following courses of action:

- Accept both the goals and means, in which case behavior will conform to the norms.
- Continue to accept the goals as legitimate, but reject the legitimacy of the means, and attempt to create or employ something other than the approved means. This action is one of innovation. If the means innovated are legitimate, the individual may be called a reformer. If they are illegitimate, he is likely to be called a deviant or criminal.
- Reject or deny the legitimacy or value of the goals, but continue to conform to the approved means. Here is the ritualist who goes through the motions without conviction.
- Reject or deny both the goals and the means, and seek relief from the situation by some private course of action without attempting to change either the goals or the means. This individual is the retreatist.
- Reject the goals and the means and attempt to change both. This is the radical or rebel.⁴

These possible reactions to a perceived disparity between what one has and what one wants help to explain why deviant behavior does not always result from deprivation. Fortunately, there are many legal ways to express dissatisfaction.

The range of options encompasses many well-known forms of behavior. Some are stamped as virtuous, some are dismissed as individual idiosyncrasies, and others are deplored as publicly dangerous and undesirable. It is important to recognize that these reactions occur in response not only to deprivation of material goods and services but also to perceived losses of esteem, prestige, and social value. It is often the case that one's material welfare is impressively high while public prestige is low. Such might be the case, for example, with a well-known racketeer, or with a wealthy burlesque dancer. Attempts on the part of such persons to restore or build up a public image would be classified

as a reaction to perceived degradation or to publicly symbolized inferiority. Since the deprivation of a desired level of public response can and often does cause intense discomfort and sense of need, it is crucial to take this into account, however much one may be tempted to be indifferent to the feelings of materially well-off persons.

Social dynamics involve the perception that it is not simply important to be well off and "successful" from a material point of view; it is even more important to be perceived as successful and to be awarded with public prestige for that success. Recognition and response are as basic as any human needs. The "labels" by which one is publicly identified acquire the highest importance. The insecurity of a "ranking" is heightened by the volatility of the criteria and the uncertainty of keeping one's position. Reactions to deprivation of prestige thus may be even more intense than reactions to deprivation of material well-being.

Relative Deprivation, Reference Groups and Reference Norms

The sense of deprivation is a subjective matter, in that it is perceived by the individual. It is possible for two individuals at equally low or high levels of well-being to define their situations in quite different ways, one feeling quite content with his lot in life, the other quite discontent. Deprivation is always relative to what is considered possible and desirable. Such standards and norms always have some group referent. Hence, the concepts of "reference group" and "reference norms" become crucial. In the psychology of all social beings, certain other individuals or groups represent the life style to which one aspires. For this reason it is possible for a relatively well-to-do individual to feel seriously deprived in comparison to the reference group by whose standards he judges himself.

Sometimes, however, individuals refer themselves not to groups or individuals, but rather to certain abstract principles. Thus a yearning for an imaginary "good life" enjoyed by no one can become a powerful force. A life of utter idleness, incredible wealth, and fulfillment of all worldly desires has surely, if only playfully, served as a model of possible existence, and therefore as a reference norm against which any real situation may be seen as deprived.

"Stake" as the Fundamental Normalizer

The number of possible reactions to inequality and degradation suggests that only a small percentage of the unsuccessful resort to deviant behavior. Many possible forms of management fall within the range of acceptable behavior and are less risky. For many people, the threat of punishment and loss of prestige detected seem to be effective deterrents.

A crucial element seems to be that of "perceived stake" in the existing system. However little one possesses and however much more one desires may be threatened by deviation from the norms of society. Of all potential recruits to deviant behavior, only those who feel they have little or no "stake" in the going order are likely to be recruited. A vested interest in one's situation, however it suffers when compared with perceivable alternatives, is the balancing force that holds most potentially deviant individuals within the

framework of the law. Even among those with a small stake, many apparently deal with their sense of failure in legal ways, by retreat through alcohol or drugs, or some combination of these. A relatively small number resort to aggressive assaults upon the society and upon those who have achieved success.

A sociological axiom has it that what men define as real is real in its consequences. Man's outlook on life however removed from objective reality, still determines how he will act and react. With this knowledge, we can understand not only why individuals with little or no stake in life attack society, but also why others, apparently with "everything to live for," engage in deviant criminal behavior or withdraw from society through drugs, alcohol, or suicide.

The same axiom makes it clear why individuals who today are better off than they used to be react more vigorously against certain situations than they would have previously. It seems to take a bit of well-being to remind individuals how badly off they are compared to others, or compared to how they might be. It should be no surprise, then, that the most violent behavior in the form of individual and group protest and individual violence against person and property should occur at times of comparative affluence in our society.

Labeling and the Self-Confirming Hypothesis of Stigma

Two other elements of deviant behavior help to clarify certain otherwise puzzling phenomena. These are the "labeling" process and "self-confirming hypothesis."

Labeling is a crucial feature of the operations of any social system. The labels of "approved" and "disapproved" are used by all societies. So, too, are distinctions between the sane and the insane; the normal and the abnormal; the criminal and the respectable; the successful and the failures.

The labeling of other individuals is one of the most important elements in social power. Customarily, this power resides in the hands of those who control the sources of legitimate authority and the instruments of force in a society. These include especially the lawmakers, their associated agencies, and that portion of the population whose best interests they represent and seek to preserve. Thus this power is most unevenly distributed. Persons at the low end of the economic and social well-being scales are least powerful in this regard, and have no reciprocal power to affix stigmatizing labels to those who have labeled them. They are confined to defend themselves against this process as best they can.

The significance of being labeled as an undesirable (deviant, insane, sick, criminal, etc.) is broad indeed. There are almost always prescriptions for reform which call for some form of social punishment involving, at a minimum, some deprivation of freedom, and, at the maximum, deprivation of life.

Moreover, once a label has been applied, and the prescribed response set in motion, everything the labeled individual does or says is interpreted in terms of the label he has acquired. Thus, the individual judged to be insane has all his utterances interpreted as those of an insane person, and hence lacking credibility. The loss of credibility with regard to one's view of a situation is

serious and renders one even more powerless than he was before the label was affixed.

Once the label has been applied, the adverse reaction started, perhaps the deprivation of liberty commenced, and the lack of credibility made a matter of record, the process of the self-confirmation of the hypothesis is in full swing. Having defined a situation in a particular way, we act to insure that what we have defined as real will prove to be so. Thus, once an individual is defined as insane, and treated as such, he is denied credibility on the grounds that he is insane. His behavior is then likely to be interpreted as proof of his insanity, and there is little likelihood that he will ever again be adjudged "normal."

A View from the "Other Side"

Recent developments in sociology and social psychology have revealed certain very disconcerting facts about the interaction between official labelers and stigmatized individuals. In an attempt to see the world from "the other side," numerous sociologists have deliberately involved themselves in the lives of such individuals in order to understand their perceptions of the world. From that "other side," the world looks very different indeed. For instance, in the view of the homosexual, the policeman is not a friendly civil servant whose task it is to protect one against attacks of various kinds; rather, he is an agent of terror and repression who seems to take special delight in entrapping, arresting, and prosecuting homosexuals. So, too, the world of the "normal heterosexuals" is viewed as a depriving and degrading world in which feelings and passions that the homosexual defines as normal are used as a basis for incarceration and other forms of punishment.

Many of the terms which are nominally descriptive are in fact basically punishing. "Insane" and "homosexual" are not simply descriptive categories; they evoke powerful sentiments of fear and shame; they are sully and degrading. They make a man something less than human, not entitled to full protection of the law and the ordinary amenities of life.

In varying degrees, other nominally descriptive terms perform stigmatizing functions. These include such terms as "youth," "women," "Negro," or "black," "poor," "C student," "unintelligent," "dope addict," "prostitute," "disturbed," "delinquent," "bankrupt," "conscientious objector," "radical," "militant," "uneducated," and "illiterate."

The Struggle for Label Power

The extent to which a name will connote stigma varies from time and place. The term "professor," "corporation president," or "university president," for example, may evoke a stigmatized connotation. In some communities these labels are viewed positively, while in others they carry immediate vituperative implications. Of late, the apparently neutral occupational description, "policeman," has acquired very strong negative connotations in some communities for whom the policeman represents the agent of everything undesirable. One can interpret part of the recent upsurge of action by youth and blacks as an effort to impose upon labelers certain counterlabels, so as to parry the force of the official society.

The power of labels is evident from the change in the connotations of the labels "black" and "Negro" in the United States in recent years. "Black" has now come to stand for something very different than it did a few years ago. Traditional adverse connotations have not simply been dropped and new connotations substituted; these terms have been supplemented by a new set of meanings which confuse the former clear stigma of "Negro." Among those new images are that of the Negro as one who stands up for his own rights; who will no longer act deferentially to whites; who will not accept slow, gradual increments of change in his situation. The addition of these new connotations has done much to change white definitions of the situation and has indeed served to shift the power and force in the community in those relations. The pursuit of the total destigmatization of the term "black" and "Negro" is perhaps as important a feature of Negro discontent today as any other. Here is a vital dynamic of the slogan, "Black is Beautiful."

In much the same vein, there have been efforts to free the terms "youth" and "poor" of their traditional meanings and to supplant them with positive connotations. The attempt to invest the poor with a certain indigenous kind of strength, albeit romantic in its conception, is an example in point. The effort by youth on campus to make the term "student" more respectable has been partly successful. On most campuses today the term "student" no longer connotes a child, dependent in all regards on powerful faculty and administrators to grant certain limited privileges. The image has shifted drastically, so that today "student" comes to mean a person whose wishes and interests are on a level with those of all members of the university community.

While this country is in a period of rapid transition among sets of labeled identities, traditional identities persist and represent major norms of the population. It is evident, for instance, that the most stigmatized ethnic identity in American society is that of Negro or black; the most stigmatized identity in the age category is that of youth or child; and the most stigmatized identity on the scale of "success" is that of "poor." The combination of these three terms yields the most unfavorable social identity one can possess, aside from the obvious "pariah" groups such as the insane and the criminal.

These considerations now make it possible to explain in some greater detail the situation of these most stigmatized groups—the young, poor, Negro, and, to some degree young, poor, whites as well—and to see how their life situations make them the most susceptible of all to the persuasive stimuli to deviant behavior.

It is well to remember that "criminal" and "deviant" are social terms, whose power resides in the ability to "identify" those to whom the society feels the need to respond negatively and vigorously. We must remember, also, that there are many more individuals who behave criminally than are labeled criminals. In this sense, then, the criminal deviant is a person who comes under the authority and sanctions of those who do the labeling, and who then respond to him in terms of the images connoted by the labels they have affixed. Thus, while our concern ought to be with the world of actual crime and violence, we restrict our official concern only to that portion of the actual world that we somehow manage to identify and label as undesirable and from whom we feel we must protect ourselves.

America's Untouchables: Young, Poor, and Black

It is useful to see these stigmatized groups as those who perceive themselves as having little stake in American society. They believe that they have the least chance at material well-being and social prestige and can look forward to little possible gain and gratification by pursuing normative means.

Their youth is relevant because, as young people, they are physically mature but treated as socially immature and they are assigned responsibilities, but few compensating rewards.

Their poverty is relevant because as poor people they are degraded in a society that emphasizes material well-being as the mark of success in life. Their poverty also foretells the kinds of jobs they can expect in the future, and the rewards they will receive in these jobs as janitors and porters.

Being Negro is relevant because as Negroes in American society, they are still socially second-class citizens, incapable today, even at comparable levels of education and occupation of securing the same recognition as whites. As Negroes they are often stereotyped as lazy, shiftless, immoral, happy-go-lucky, and dangerous. Their rejection by American society is everywhere evident, however much their general situation has improved.

To be young is to be degraded; to be poor is to be degraded more; to be Negro is to be degraded even more; and to be young, poor, and Negro is to be degraded more than any other group in the society. It becomes increasingly understandable, then, why the ranks of young, poor Negroes should provide proportionally the highest percentage of recruits to criminal violence.

The Semi-Untouchables: The Poor and Near-Poor Whites

Young poor whites contribute the greatest absolute numbers of criminally violent actors. It must not be forgotten, therefore, how poverty, degradation, and the perceived lack of stake in the going system can and does shape careers of criminal violence among whites.

Like Negroes, the situation of lower class whites must be understood against their historical origins in the United States. Numerous immigrant groups have come to populate the United States in the last 300 years. Immigration was most intense and sweeping in the latter half of the 19th century. Each immigrant group took its turn coming in at the bottom and working its way up the socio-economic ladder, sometimes very painfully and slowly. The next-to-the-newest immigrant groups—Poles, Irish, Italians, and Jews—have had only a few generations of exposure to American life. They have had variable success in climbing the American status ladder, and many have barely begun to "make it" by American criteria.

Status Consciousness and Insecurity

Like nearly everyone else in America, the newly risen immigrant groups are highly status conscious. They place great emphasis upon their newly acquired respectability, the education they are providing for their children, the homes they have purchased, and the white-collar jobs they have acquired or have managed to make possible for their children.

People in this situation are extremely vulnerable to status threats. In the

United States, higher status ranking is acquired by associating with higher ranked people; so, too, one's ranking may be lowered by associating with lower ranked people. Poor people and Negroes are "low" on American status ladders. One's rating may fall by actual or impure associations with them. This is a serious and consequential threat, as seen by newly risen groups. As a result, they are most fearful of racial integration and of the associated mixing with Negroes in their neighborhoods, schools, and places of business. The fact that Negroes occupy the bottom of the status ladder insures that newly risen whites are not at the bottom. Hence, these groups are both the closest status neighbors and the most intense status enemies. Anyone who gets out of place on the American status ladder displaces someone else. For these reasons, rejection of Negroes is perhaps most intense among those who are closest to Negroes in terms of social position, in recent mobility history, and in such marks of "success" as education, income, occupation, and residence.

The nature of this status complex has to be understood and dealt with if the developing hostility between Negroes and lower class whites is not to result in actual physical warfare. It also has to be understood and dealt with if the psychology of the displaced and disadvantaged Negro is to be understood. The majority of violent criminals, if our data are correct, are recruited from precisely these two groups of potential and actual enemies; the lower class whites and the lower class Negroes. Many of them do not see America as a land of promise and hope. Nearly everyone in the society is better off and has more of the good things of life. The disparity between the costs of "legitimacy"—i.e., hard work, thrift and achievement orientation—is too great for many. There is too little to be gained, at too great a cost, after too long a period of time.

Deferred Gratification

Deferred gratification thus becomes a key concept in understanding the difference between the many who try to "make it" legitimately in America and the few who do not. Deferred gratification refers to the process by which one puts aside temptations of pleasures and gain today in anticipation of greater rewards at a later time. Increasingly, the path to normal "success" in America is through prolonged education and this involves an extraordinary amount of deferred gratification: deferring of freedom, spontaneity, financial independence, and freedom from arbitrary authority of adults. It means accepting prolonged dependency on the economic, psychological, and social "handouts" of adults who possess power and property, and who are the chief suppliers of prestige labels.

Deferring gratification can commend itself to developing youth only if from their earliest days they have found that if they are patient, diligent, and obedient, they will be paid off in ways they consider commensurate with gratification denied them along the way. Waiting may be filled with chores, duties, and boredom. But if at the promised time, promised gratification materializes, this model of behavior commends itself.

If however, there is nothing to wait for; if at the end there is no real payoff; if along the way there are no gratifications, but only costs—the lesson of deferred gratification is not easily learned and is more likely to be rejected.

The lower class or lower-middle-class father finds it more difficult to be

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accepted as a model of the worthiness of deferred gratification than do more successful fathers. This assertion is borne out by the recent tendency among some well-educated and well-situated youth to reject the exhortations of their elders, however successful they may be by prevailing standards, on the grounds of a new standard. By this standard, many "successful" people are not at all to be envied. Their lives are filled with hard work, only material measures of well-being, little or no enjoyment, frequent resort to alcohol to alleviate life's tensions, and little involvement in anything but petty concerns.

Most well-educated and well-situated youth, however, have learned the lesson of deferred gratification. They comprise the "silent majority" in college or graduate school; they pursue career lines as they tentatively explore new modes of behavior and social organization in which deferred gratification and training might yield a better life style.

Compare such privileged youth, however great their deprivation relative to the "good life," to lower class youth, white or black, who have much less reason to defer present gratifications, since there is much less promise of anything substantial in the future. Most disadvantaged youth have few if any gratifications to defer; there is little or nothing to give up today in preference for possible gains tomorrow. Their present-day lives do not present attractive legitimate alternatives.

For such youth, whatever luxury might be enjoyed must be taken from the environment around them. The lack of excitement and adventure must be rectified. For most disadvantaged there are not even jobs to be given up today in order to study for better jobs tomorrow. In short, these are young men and women, white and black, with no real stake in the social system. This is a crucial characteristic of the group from which the most criminal and violent are recruited.

The Inner Meaning of "Stake"

"Stake" means more than material well-being that may be risked; it also means, in this society, a measure of prestigious rating, of recognition and acceptance that might be lost if one behaves in an irrational or illegal manner.

Stake also means ties to the present system—integration, through exchanges of affection and support, into a family structure, a neighborhood, and a society. If that family and these communities do not in fact exist; if they do not provide meaningful supports, exchanges of affection, and assurances of worth, why should they be valued, and why value their norms; why value the safety, feelings, and possessions of those who live within that normative framework?

Here, then, is a complex key to the tendency for crime and violence. Such persons wage war against society. They feel no constraints against taking from those who are better off than they. They either take these goods for personal enjoyment or destroy them in order to "get even" with the "Establishment."

There are few alternatives for people in this position. One is to treat the world as they are treated—to treat others as *things*, without feelings, worth, or value. The children who hate are the children who are hated. The children who violate others are those who feel worthless and valueless.

On a psychoanalytic level, if the developing and socialized child requires a superego to arbitrate between the demands of the id and the ego, then the

truly disadvantaged child, without perceived stake in society, not only has no effective superego but he may lack ego as well. Life must be full of danger and threats for such a person. Impulse control is absent, as are effective checks on behavior.

From Emotional Death to Rage

The psychology of rage, aggression, and violence, especially among Negroes, was first comprehensively presented in 1952.⁵ It was pointed out that when the Negro child or adult is angered at the outside world because of the degradation heaped upon him, but when that world has the power to punish very severely (as in the traditional Deep South), the most common pattern of adjustment involves suppression of rage and even of the feelings that give rise to that rage. Under conditions of most severe racial discrimination, therefore, the individual may seek to become "emotionally dead." He denies his feelings, shutting them from awareness. He may become deferential and servile. He can then accept abuse and learn to laugh at his oppressors; he learns to pretend that it does not really matter. If he does allow himself to respond, his rage will rise, he will react against his tormentors, and he in turn will suffer dire consequences.

Once the controls are lifted, however, and the outside authority becomes less repressive, or slows up the swiftness of reprisals, long-repressed feelings begin to emerge. Then rage is felt. When it is only probable, instead of certain, that one will be destroyed, the dam breaks open and rage spills out.

From Rage to Violence and Crime

Rage sometimes takes the form of crime and violence. Violence especially is probable as a method of dealing with the feelings that one is hated and despised. One defends himself by hurting those who are members of the world that degrade him.

The War Against One's Own

Included in this world are many "respectable" Negroes who, though they come from the same color group, nevertheless are part of the world that makes the individual feel worthless. So they too must be treated as valueless. Even the common misery of being a kinsman has no appeal to the most degraded black. That may explain the fact that a majority of crimes of violence committed by blacks are committed against other blacks in their own neighborhoods. There are additional reasons, of course. It is safer and easier to aggress against other blacks than against whites. Objects of possible attack are nearer. The neighborhood and possible sanctuaries are better known. There are likely to be fewer police patrols, and reprisal against informers is easier. Perhaps the most basic reason is that in many cities police could not care less about what goes on in "blacktown."

In short, the black youth who feels alienated from the white world, often finds himself feeling no ties to anyone in the black world, not even to members of his own group or gang. He himself knows how untrustworthy he

is; how treacherous he will be if he sees any possible advantage, and how ready he will be to look out for his own safety, no matter what the consequences for others might be. He assumes this to be true of others, even his "buddies," to whom he has pledged loyalty. The only reciprocity the truly degraded "nonperson" feels is that of hatred and anger. How could anyone come to care about others if he feels that no one cares enough about him to protect him in time of possible trouble?

There are no "reference groups" in the legitimate world who will grant them recognition. It is only those in similar situations who might honor them, for their dexterity, or perhaps the fierceness with which they wage war against the outside world.

Violence and Manliness

Violence against one another is also a way to demonstrate manliness. For the legitimate world, power is found in achievement in normative roles, where there are people to be commanded, goods and services to be purchased, and styles of life to exhibit. However, these paths are not open to the "disinherited." Therefore, one testifies to his manhood by physical prowess and the ability to hoodwink the representatives of the outside world, or to injure them or their property and escape unpunished.

The Police as a Natural Target of Violence

The policeman is a natural and special target of aggression. To "put him down" is to win a victory over the archsymbol of the oppressive world. No friendly community helper is he, not in the psychology of the disinherited black youth. He is the symbol of all that is hated because he symbolizes all the hating the youth feels directed against him, and the punishment that will come his way if he is caught in his attacks against the world. Successful defiance of and attack upon the policeman and the indulgence in lawlessness and violence in the face of police presence become the special symbol of virility and manhood for the dispossessed youth.

Through Violent Crime and Deviance to Manliness

Because they offend and attack the world that denies the dispossessed youth his manhood, violence and lawlessness become symbols of positive value in certain subcultures. To deprecate law and order is to be successful, according to the antinorms of these cultures. Every weakness in that normative culture they can portray, every fear they can induce, every piece of property they can steal or destroy enhances their own culture by depriving the culture that is degrading them. To hurt the other world and those who live in it is a positive virtue, a true demonstration of manliness and success.

Degrees of Violence and Deviance

When speaking of the causes of criminal violence, we must distinguish shadings of motives and intentions. There is a range which includes those who (1) engage in crime only occasionally to supplement regular, normally earned

incomes, and who at times are required to use violence in their crimes; (2) are willing to use violence, if need be, to accomplish their ends, but who would prefer not to; (3) depend on illegal activity, violent and non-violent, for their livelihoods; and (4) for whom violence is an anticipated part of their relations with others and who take positive pleasure in the violent aspects of criminal behavior. These represent different degrees of alienation from the norms; of the sense of unconnectedness; of "anomie," as some sociologists put it, or normlessness by prevailing cultural standards; of a feeling of worthlessness; of hatred and the desire to cause harm and damage for their own sake.

The Incidental Criminal

The first type, the incidental and infrequently violent criminal, is a man for whom most of the normative world is of positive significance; his family, friends, neighborhood, and job are meaningful or at least livable. They provide valued material and spiritual resources. But he wants more out of life, and he wants it more easily than through an extra job. He knows it is wrong to steal, but he rationalizes. Perhaps he steals only from impersonal institutions or companies. He really does not hurt anyone in particular by stealing, and many others steal in a variety of ways and often much larger amounts. He never plans to be violent, but he may sometimes be accomplice in a violent act during a theft.

Such violence would make him think hard about joining in further criminal activity. He senses the threat to himself. He does not want to ruin his life; he has a stake, something significant to lose. This individual does not differ greatly from the ordinary citizen who never commits a "real crime," although he may engage in petty theft or something similar. He operates mostly within the normative framework; the thought of going to jail strikes fear in his heart. He is no "hardened" criminal. He does not calculate how many years in prison are worth how much stealing. He counts on not getting caught at all.

In between this "almost law abiding" criminal and the totally alienated, violent man are other examples of alienation from the norms of law and of nonviolence.

The Committed Professional

Only two of these are fully committed to crime, and only one is fully committed to crimes of violence. The fully committed criminal is a minority. A few have trained specifically to become professionals. Crime is their livelihood. They use violence selectively, judiciously, and as little as possible, preferring to participate in the business of crime in a peaceful way. Occasionally, those who break faith, compete, or fail to live up to their obligations, must be dealt with forcefully. The professional must not be considered the easy "mark," and competition must not be allowed to become too intense. However, they prefer to rely on threats rather than on actual violence.

Professionals typically have associates. More often than not, the professional will be a subordinate in a hierarchy of criminals. He may be a young "criminal executive" on the way up and in competition with others

aspiring to be "tapped for greatness" by those who sit at the top. He has a vested interest in learning how to be skillful, how to engage cooperatively in team work, and how to deliver the goods from his department or division. He takes pride in his skill, connections, and in his growing reputation. He has a code of ethics. He knows how to deal with the police if arrested and how much to say about what and to whom. He is an organization man. Crime is crucial but violence is incidental, to be used only when necessary.

The Alienated "Loner"

By contrast, the fully alienated individual is committed to crime and to violence in a very different way. Like the professional, he has become detached from any sense of wrongdoing regarding crime. But he also lacks any constraints against committing violence, partially because he lacks the power or skill to commit nonviolent crimes. Devoid of organizational support, he must rely on the carelessness of his victims and his own stealth of foot, strength, and dexterity. The more helpless the victim, the better. The victim may be terrorized or beaten, or both. Because he must avoid recognition, his usual tactic is attack from the rear.

At times an accomplice may be used, but he prefers to work alone, since he does not have to split the "take" and he does not have to worry about being subsequently identified by that accomplice. However, the use of an accomplice has its advantages. The confederate may spot "easy marks," may have connections for the disposal of stolen goods, or may be useful in preventing victims from identifying their assailants. Crime is morally neutral; is the only life this individual knows. Everything else involves hard work at routine jobs for little pay.

For the younger members of this group, there is also excitement in stealing and in mugging, pleasure in causing discomfort to victims, and jokes to be made afterward about how terrified the victim was. The fear and the hurt experienced by the victims is a source of special pleasure. The whole criminally violent act is enhanced by the suffering of the victim. The reputation gained among like-minded youth is also significant. The greater the "haul," the more skillful the act, the less the identification—all these testify to one's prowess and manhood.

These synthetic profiles of various types of criminal and violent men have been drawn to highlight the differences among them and to point up the variable role in their detachment from the norms. The occasional criminal who "moonlights" to supplement his income is larcenous in much the same sense as the corporation executive who engages in illegal price-fixing activities or the storekeeper who overcharges slightly. Neither is likely to commit violence, primarily because there is no need for it.

The alienated violent criminal worries society more than any other type. However, this fear has more to do with us than with him. He worries us perhaps most of all because we can identify with his victims and can project ourselves into their position. We seem more personally threatened by the prospect of this type of crime than by the demonstrably greater likelihood of being cheated in the "normal" course of business transactions and governmental services.

Variations in Types of Criminal Violence: Violence Among Intimates

We have specified in some detail the situation and perspective of the most alienated type of individual in our society, the young, poor black, and isolated him from other violent criminals.

An equally important source of complexity in violent crime is the heterogeneity of the actions that are legally defined as violent crime. It is related to but different from the heterogeneity of actors; it is also related to but different from the complexity introduced by the fact that much violence is legitimate and much criminal violence undetected. The heterogeneity of actions is a basic diversity on which rests the disparity of rates of violence in our society.

The significance of these complexities is crucial with respect to the kinds of policies that might be proposed for the reduction and prevention of violent crime. It is apparent that there are substantial similarities in the biological bases, social structural facilitations, culturally thematic provocations, and subgroup characteristics of people involved in violent crime. On the basis of these similarities, one would be strongly inclined to argue that a common program for reduction or prevention of violent crime would be in order. Further reflection, however, indicates that although this is appealing, numerous problems remain unresolved by such a formulation. Considering only the variability in *degree of commitment to crime*, a uniform policy for reducing and preventing violent crime would have to be a total program, touching the roots of all criminal violence. It would be possible to devise programs that might reduce the rates of violent crime committed by the occasional "moonlighter" who is principally normative in his behavior. However, these might have little or no effect on the factors which shape the violent behavior of the most alienated in our society who contribute so disproportionately to violent crime.

These observations indicate the need for differentiating programs in terms of levels of cause and commitment to crime. We may assume that there are common elements in all violent crimes, and that these elements, such as a disparity between desires and achievements, are present in varying degrees of intensity and dominance in the lives of individuals. The balancing influence of the sense of "stake," or the absence of it differs considerably in various sectors of the community. At one extreme are those who have sufficient stake in the normative order so that slight shifts in the likelihood of detection and punishment would eliminate the thought of crime. At the other extreme are those alienated from the normative order and so involved in a life of violent crime that almost nothing the society might do is likely to have much influence. Thus, the common elements in crime-causation enter into the behavior of individuals in substantially different ways. It follows that programs against violent crime should take account of this variability.

An apparent exception to the rule is concerned with many homicides, aggravated assaults, and rapes. The figures in Chapter 5 indicate that in a significant proportion of criminal homicides, rapes, and aggravated assaults the victims were known to the offender before the crime. These crimes are examples of violence among intimates—a term which represents symbolically a basic difference from most other crimes. Most robberies, burglaries,

larcenies, and car thefts are committed against strangers, as are many other crimes, serious and petty, violent and nonviolent.

When seriously destructive acts occur among people who know each other extremely well, including spouses, lovers, parents, and children, factors are present which are not characteristic of these same acts between strangers.

Through our consultants we have examined violence among intimates as a special phenomenon; our attention is drawn to the fact that man's "violent urges are less-controlled or controllable than those of animals not because he has an instinct to kill," but because he has no instincts at all.

He has to learn all that he knows or does . . . But precisely for that reason, if what he has learned is not sufficiently compelling to overcome his aggressive impulses, if his fellow men cannot inhibit his violent urges, no built-in biological restraints or instincts exist that would keep his actions within even the bounds of civility that lions or wolves respect.⁶

The balance that man achieves in this situation, we are reminded, is at best precarious and paradoxical.

If in fact others succeed in implanting in him a deep and passionate concern for others so that he might cherish them, their actions become thereby so important to him that they can arouse murderous anger in him. If he cares little or not at all, he may not feel much concern or guilt when weighing the advantages of getting rid of others . . . Thus, in its rearing and controlling processes, the civil society aims at a balance between caring too much about what others do and being indifferent to their fate.⁷

Most men obviously learn to control any murderous impulses they may possess. However, there are great differences among men, as is evident in the variations in homicide rates among nations and among segments of population within nations. In addition to these differences in rates due to social factors, "it seems likely that the peculiarities of intimate emotional links among human beings have their own *effects within* the general and pervasive pressures from great cultural factors."⁸

There is a substantial difference between the reported rates of violent crime and the actual occurrences to which one must attend if seriously interested in discovering patterns of violence among intimates. Thus, there is much assault in homicide, and sometimes there is homicide that for legal reasons goes under the name of "assault." Moreover, attackers may be much more or less violent than intended. Thus, the overlap within this set of complex legal categories is extremely great.

Among the acts which should be included in the category of "violence among intimates" are many homicides, assaults, rapes, fights among intimates, and finally, the range of actions called child abuse, including infanticide. All of these could be placed under the category of "homicide and assault."

There are special features about the socialization processes that are involved in patterns of violence, particularly as we learn how and when to be violent, for "we come to respond with different intensities of emotions to the different actions of our friends, spouses, and lovers, and thus we learn gradations of violence with which to respond to those actions."

Thus, we learn to use "justifiable" violence in response to adultery or an insult to a parent or a loved one. We acquire supporting rationalizations for these acts, including the most important explanation, namely, that we "lose our heads" in anger, in situations in which, socialized as we are, the behavior seems quite understandable.

Because personal violence always occurs in situations involving others, these situations serve as rationalizations and justifications of violence; victims are causal agents. The dynamics of offender-victim relationships thus are a crucial feature of the causal sequence that produces violence among intimates and we have shown the role of "victim precipitation" in criminal homicide and assault.¹⁰

Violence occurs among intimates precisely because they are intimates, and as such, have come to share values and understandings and to develop certain expected reciprocities. When expectations are not met, as they may not be when a relationship begins to sour, it is eminently possible for either or both partners to feel they are being cheated or betrayed. This is a prime situation for the evocation of anger. When the failure of reciprocity is then called openly into question, each one's private history of resentment at previous deficiencies may come to the fore. In the interest of their relationship, intimates often leave unspoken many complaints that might be voiced were they less intimate. Thus the cumulation of intimacy is at the same time likely to be a cumulation of grievance, and anger is thus given considerably greater force when it finally appears. Moreover, because intimates know each other's vulnerabilities and how to offend in an argument, the intensity of arguments is likely to be considerably greater than in one between strangers who are not so knowledgeable. "Many men and a goodly number of women have finally come to the conclusion that homicide is a cleaner, neater solution than the dragged-out, acerbic destruction of ego and dignity that is inherent in breaking off."¹¹

The foregoing samples will suffice to reveal how different, for instance, are the dynamics of homicide and aggravated assault when they occur among intimates than when they occur among strangers. These samples also reveal that any one category of violent crime may contain many kinds of actions within it, and that different categories of violent crimes share important features despite being called by different names. This complexity and variability within and between categories of violent crimes and actors should be taken into account in policies aimed at reducing and preventing violent crime.

As a further example, we might point to the diversity of patterns which support violence among intimates, depending on their socioeconomic status. The study of violence among intimates shows that we attack and sometimes kill for the same reasons we live: for pride, in reaction to insult, to preserve honor or blot out shame, to avenge oneself, or to settle an argument in the only way deemed possible. Most often this is an intemperate and blind moment, when people do not know what they are doing, and are unable to take account of consequences. Half of the homicides, the data suggest, are committed by or involve victims who were previously in some kind of trouble with the police, but never for homicide.

The range of representatives from various socioeconomic classes is broader among robbers or rapists. Still, most homicide, rape, and aggravated assault

offenders are from the lower class; among this number is a disproportionately high number of Negroes.

Anyone can lose his head and forget the consequences of his action when in a rage or when a tormenter "just has to be dealt with." It is, of course, easier to lose one's head with little thought to what may happen if one does not have a stretch of years of good living to look forward to or in one's background. Such prospects may be lost by one impulsive act. Those with less at stake, those who are less accustomed to being reflective and to thinking in future terms, are less restrained from losing their heads than are those who have trained themselves to consider the possible consequences of their actions.

In light of these and other considerations, some policy recommendations can be made that reflect both the common themes and some of the complex differences in violence. We urge further experiments in the training of police in the management of family disputes, along lines now being tried by the New York City Police Department, and emphasize the importance of gun controls, to reduce the possibility that in moments of thoughtless rage, the most destructive equalizer will not be available for settlement of disputes. There might be some tendency to de-escalate conflict if guns were unavailable. There is need to introduce in American child-rearing practices a greater concern for peaceful modes of solving disputes "and for a reduction in the frequency and intensity of insults that the social system pays to the members of the lower classes, both white and Negro and especially Negro,"¹² and for the incorporation of Negroes into full membership in the society.

CONCLUSION

Why do poor people commit more crimes of violence than do the wealthy; why the young more than the old; why Negroes more than whites; and males more than females?

It is not the biology but rather the social definition of these nominally biological conditions that is of importance. We look, therefore, not to the biological correlates of youth and maleness and being Negro, but to the ways in which these identities are damaged or stigmatized by American cultural definitions.

There may be special biological elements involved in the aggressiveness and violence of young, Negro males, but we do not have enough evidence, not even of presumed connections, to be able to make any assertions. This is not to discourage research in these matters, but we see no good leads in the biological domain. We do see many better leads in the social and cultural settings within which these identities are embedded and these roles have to be played.

What then of personality factors? Criminal violence seems to have no particular personality boundaries. A knowledge of the personality type of an individual does not give us the power to predict the likelihood of violent criminal behavior or even of violent or aggressive behavior in general. We need to know the conditions that push some into an aggressive orientation toward life and others toward a more passive view, but even this is not enough. We know that the vast majority of aggressive people do not engage in crimes of violence; indeed, we have no evidence that they are more violent, even in

noncriminal ways, than are passive people.

Are there, then, deeper psychoanalytic mechanisms which might enable us to distinguish the violent from the nonviolent, the criminal from the noncriminal, and the criminally violent from those who are criminal but nonviolent? These types can be described in psychoanalytic terms like the id, ego, and superego. But we cannot easily reconstruct the typical life history of the underdeveloped superego in psychodynamic terms. That life history has to be described in social and cultural terms: a depressed group membership; underprivileged economic position; demeaned age status; differential sex roles.

Those seem to be the relevant terms of discourse, yet for individual psychotherapy there is no doubting the possible value of the psychoanalytic understanding of the dynamics of personal behavior. Working with the individual in whom the superego is badly mangled or primitively developed, and in whom the flow of impulses is relatively unchecked, we know what has to be done. How to do it is a different matter. The terms are useful in individual psychotherapy, but much less so in social and cultural reconstruction.

Approaching violence and crime through the history of the individual child, we see him as a "natural" criminal and a "naturally violent" individual who until he learns better, seizes and takes, if he can, screams for his own way and generally demands that the world obey him. As he grows older, he may learn to lie and cheat, since those are direct, immediate, sometimes cost-free and unshared ways of gratifying impulses or of avoiding punishment.

On the basis of this inclination to criminal and violent behavior, society must build a superstructure of restraints and rewards that will outweigh the attractiveness of deviant behavior and its promises. That superstructure means involving the child in meaningful and rewarding relationships with those from whose company he secures response; in whose eyes he finds approbation; in whose support he finds security; in whose esteem he finds self-esteem; and in whose conformity he finds the rationale for proper behavior.

This superstructure must contain gratifying rewards, some immediate and continuous, some deferred: rewards of love and security, power and prestige. In that way the individual acquires a stake he does not wish to risk and one he values enough to combat impulses to deviant behavior. He learns that his stake will be endangered if he uses or encourages violence outside the normative and legitimate framework. If, as a child, he learned that power works, then he waits his turn to be legitimately powerful. If, as a child, he learned that violent demands bring violent restraints, he may also learn to wait until he can command superior force and thus be able to restrain more than he is restrained. These lessons about violence become models for adult behavior.

The theme of "stake" as an inhibitor of impulses to criminal and violent activity is the key. Investment in society makes it possible to build habits of deferring gratification; for without something to trade, there is no attraction in bargaining.

In short, if a person is to be able to refrain from criminal violence:

- He must have something valuable that could be put in danger.
- That something has to be more valuable to him than the gratifications he can gain from indulgence in impulse.

- He must have had training in preserving his stake, training that is achieved by constant practice in putting aside impulses and noting satisfactoriness of bargains made. Occasionally one may take a risk, indulge himself and get away with it. In the process, however, he may note how close he came to endangering something very valuable. This is crucial.

- He has to have a realistic sense of what can happen to him if he indulges his impulse; the cost must be meaningful to him, in comparison to what he might gain and intrinsically.

Stake in a society can consist of a number of different things. It can be a reputation, a level of material comfort, a future for a wife and children, and acceptance as a member of a group. It can also consist of a style of life—a certain way of residing and traveling, eating and enjoying company. Stake, in short, involves aspects of property, power, prestige, and acceptance.

One does not have to have the fullness of stake implied by all these social connections and positions. Any one may be of sufficient value to serve as a deterrent to potentially dangerous and destructive acts. However, it is obvious that the more stake one has, the more one stands to lose, and the more likely he is to exercise restraint in its defense.

Although many of the most depressed groups in American society have been arrested for violent crimes, the majority are free from such tarnished involvements and represent a commitment to the dominant normative and legal system. This may be the case for a number of reasons. Apparently the majority still see some chance of improving their own fates or those of their children, or both. Some accept their degradation as fate and live with it. Some engage in political behavior designed to change the situation. Others orient themselves to an afterlife with rewards for virtue. Some protect themselves by staying among their "own kind," by not exposing themselves to contacts with others. Many flee from the miseries of their everyday lives through drugs, alcohol, or suicide.

Still the question remains: What are the factors that lead some to engage in criminal violence while others find ways of managing damaged identities and deprived life situations?

It is tempting to say that this is the luck of the draw; that on a probability basis, one could expect so many to "choose" crimes of violence, while the largest number would not, given the greater abundance of noncriminal and nonviolent ways of managing life. Unfortunately, this still leaves us wanting to know the nature of the selective mechanisms involved. Research has suggested some answers, but we need to know a great deal more.

We need to know, for example, when "labeling" a person as deviant contributes to his deviance—perhaps confirming him in it—and when it may be helpful. What sort of supports are necessary to assure a more favorable outcome of the always risky process of detection, apprehension, trial, and conviction? Would outcomes be more favorable if detection and apprehension, at least, were more certain? The luck of the draw, upon inspection, turns out to be systematically related to factors within the social experience of the vulnerable groups we have examined.

There is much yet to learn. We do know the significance of the balance

between responsibilities and rewards, the crucial role of social identity, the significance of stake, and the meaning of effective ties to normative institutions. Because we know that these are the matrix conditions in which careers of criminal violence are born, we know then what must be done to reduce the likelihood of those careers. From one point of view, we may have much less crime and violence than might be expected, given the condition of life and the spawning grounds in which such behavior is generated. We are in that regard a fortunate society—one which has been able to persuade numbers of people—who on rational grounds ought not to have been easily persuaded—that there is much to be lost by deviating from accepted behavior and a good deal to be gained by some measure of regular conformity.

We are also fortunate in the sense that when the poor and the blacks have come in recent months and years to protest against their circumstances and their conditions of life, they have chosen social protest, mostly within legitimate frameworks, albeit at times in unexpected and surprisingly militant ways. They are "surprisingly militant" for that vast majority among us who have grown accustomed to docile acceptance by depressed and degraded people.

At the moment, the energies generated by the "revolution of rising expectations" have been channeled. Many of the same people who now participate in civil rights protests for better conditions for the poor and for Negroes might easily have gone into criminal and violent careers and might still do so if present efforts do not secure the responses they perceive as adequate. As organized revolutionaries they would threaten the society, its values, and its institutions far more than as individual violent criminals. But the vast majority are not yet organized revolutionaries. They still think in terms of changing this society, but also of retaining the major values and processes of democratic life. They are demanding more equitable shares of the good things of life in this society. In short, this society still has an opportunity to remake itself without serious disruption, but not without serious changes. The waiting period, the time of grace, is not nearly as long as it was. Each day's denials are met with increasing bitterness and resentment; each day's minor successes teach those who were less enlightened before.

We still have the opportunity for social reconstruction that will keep the vast majority of poor and black people within the normative framework. Such a program will persuade them that this society means to be fair and equitable; commend to them the idea of working within the boundaries of a democratic society; make it seem worthwhile to join with all other people in preserving the valuable parts of the common heritage; and prove that opportunity is still here. It must not be lost.

Law and order we must have. We must also have social justice, fair play, and genuinely equal opportunity; society must assume the responsibility for those who have found themselves at the bottom of the socioeconomic ladder. We must engender a sense of social responsibility which will make it possible for each of us to coexist in decency and security, with some degree of confidence in the good opinion and mutual concern of others. To each of us there must be made more available a greater sense of stake in the society, in its institutions, and its norms. In that stake we will find the key to law and order.

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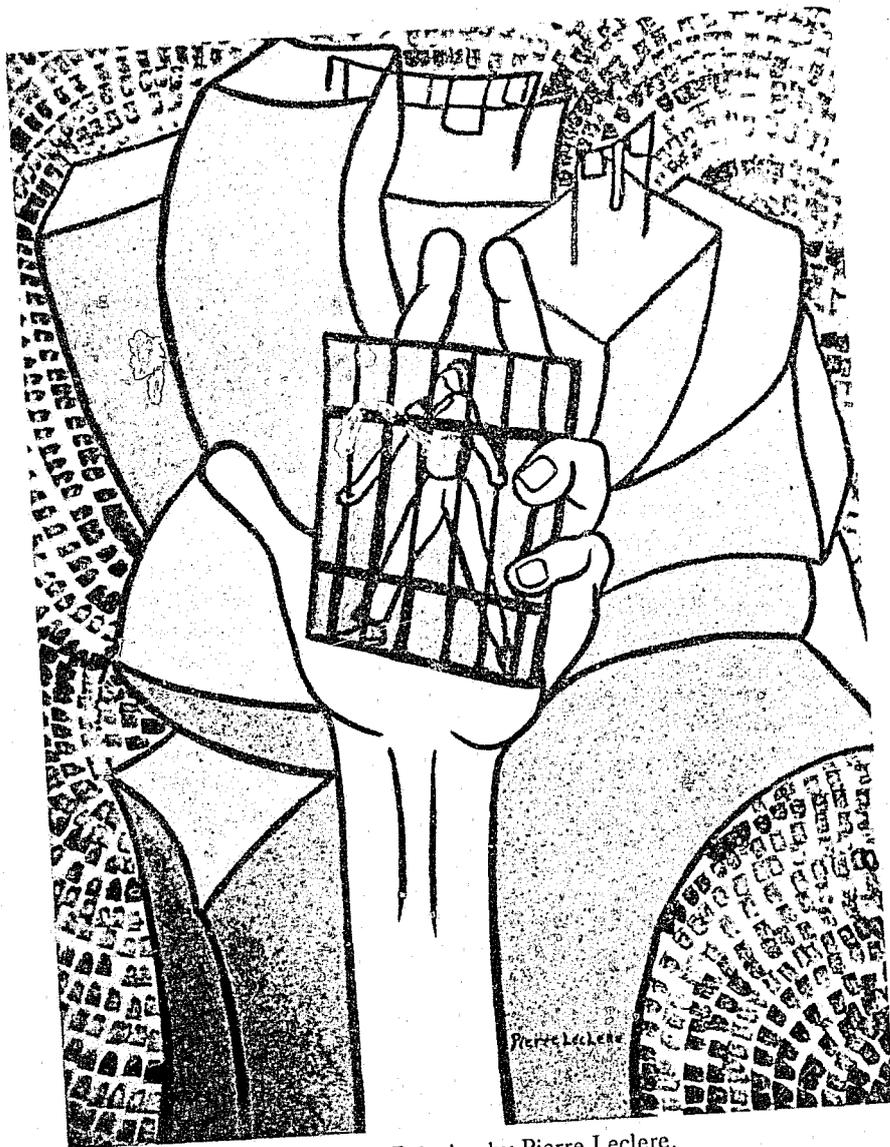
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2. The theories have been summarized for the Task Force by Clarence Schrag, *ibid.*, pp. 68-79.
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5. See Abraham Kardiner and Lionel Ovesey, *The Mark of Oppression* (Cleveland: The World Publishing Co., 1951).
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10. See ch. 5.
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PART III

THE OFFENDER AND THE CORRECTIONS SYSTEM

To determine how many citizens become violent offenders and why, we must examine society's attempt to transform offenders into law-abiding citizens and the degree to which the effort fails through the recommission of crime and violence. Former offenders committing new crimes have a great impact on the levels and trends of violence that have been described. In Chapter 12 we therefore examine the recidivism patterns of offenders over long periods of their lives. Chapter 13 describes our present correctional response to recidivists as well as to one-time offenders.

Part III clearly redirects the inquiry into the operations of the criminal justice system. That the focus is on the process of corrections within the system reiterates our concern for changing rather than merely controlling offenders.



Arrest. Painting by Pierre Leclere.

CHAPTER 12

RECIDIVISM OVER THE CRIMINAL CAREER

INTRODUCTION

Recidivism, it has been said,² is the real crime we are doing so little about, ostensibly because not enough is known about lifelong patterns of recurrent criminals. Statistics on crime and violence are usually "latitudinal"; they represent only a one year period and include only those offenders who happen to commit deviant acts within that short interval. "Longitudinal" statistics are needed to trace recidivism patterns. Such information must be compiled by following groups of individuals over a number of years; only then can generalizations about the most notable patterns be made. This is difficult and costly, a fact which is reflected in the scarcity of such research. However, a great deal of new information assessing the criminal careers of large populations is now available from two sources: a birth cohort study of Philadelphia males and the FBI "Careers in Crime" file. We rely heavily on them in this chapter.

The forthcoming University of Pennsylvania study of Philadelphia males was cited in Chapter 3. A group of 9,945 boys who were born in 1945 and lived in Philadelphia at least from ages 10 through 17 has been analyzed in a variety of ways by the authors. They follow the delinquency career for all boys in the cohort who ever had contact with the police.

The FBI "Careers in Crime" program was initiated in 1963. By the end of 1967, the criminal histories of 194,550 individual offenders had been collected. Information on the entire criminal career of an offender is obtained through the cooperative submission of fingerprint, arrest, and conviction data to the FBI by local, state and federal law enforcement agencies and stored in a computer. Although the data from local and state authorities are not completely uniform, it is standard practice to submit a criminal fingerprint card on all arrests for serious crimes.³

The offenders included in the file are initially selected because they became involved in the federal criminal justice system in some manner. This includes, for example, violation of substantive federal criminal statutes, serious state violations falling under the Fugitive Felon Act, and all violations in the District of Columbia. Once his name has been entered into the file because of a federal charge, an offender's *complete* criminal history is

recorded, including all local, state, and federal crimes. Subsequent offenses are added as they are committed.

The question arises of whether or not the requirement of a federal crime produces a "biased sample" not representative of all offenders in general. It might be argued that a federal violation creates or is related to different crime patterns than those resulting in the great majority of cases, where there is no federal involvement. The problem is minimal, however. Most federal crimes are also defined as violations of local statutes. Robbery of certain banks, for example, is a federal as well as a local crime. It is therefore likely that the crime patterns and characteristics of someone in the file are similar to those of any offender, whether or not he has ever violated a federal statute. In sum, we are fairly confident about generalizing from the FBI sample. Statements made in this chapter are partially based on previous FBI studies using the file data, but most of the "Careers" information has been specially prepared by the FBI to meet our specifications.⁴

An important limitation on the data is that most states require that juvenile arrest records and fingerprints remain confidential. The FBI statistics usually do not include criminal acts committed before the offender's 18th birthday. As a consequence, age breakdowns based on "Careers in Crime" information throughout the following pages greatly underreport the crimes and population of offenders aged 17 and under. Fortunately, the FBI adult data are complemented by the juvenile data from the Philadelphia cohort study.

The longitudinal information from both sources generally offers similar conclusions about the basic demographic characteristics of offenders. Tables 1, 2, and 3, for example, present longitudinal data by age and race from the "Careers in Crime" file. All the arrests of offenders in the file having at least one arrest for a major violent crime⁵ or burglary are included. Just as the latitudinal data of Chapter 3 showed that the bulk of arrests in any one year disproportionately represent the young, so these data reveal that any single offender disproportionately commits criminal and violent acts during his youthful years. The high incidence of violence in the earlier portion of the criminal's life would be even more noticeable in the tables if the "Careers" file tabulated all juvenile arrests, giving the "17 and under" entry considerably higher percentages both in absolute terms and relative to other ages.

Similar conclusions are found for race differentials.⁶ The latitudinal rates of Chapter 3 showed dramatically higher major violent crime rates for blacks than for whites. The longitudinal data in Tables 2 and 3 show that the total number of arrests for major violent crimes over the life histories of offenders in the "Careers" file is not much higher for whites than for blacks (57,055 versus 47,970), although there are seven times as many whites as blacks in the general population.⁷

The longitudinal data say much more. Do violent offenders have long criminal careers? Are such careers composed mainly of violent acts or other crimes? Are violent offenders geographically mobile? What important patterns, if any, emerge from one crime to the next in a violent offender's career? What can be said about the time intervals between offenses? What differences are there between one-time offenders and recidivists? To what

Table 1.—Arrests over criminal career to date for all offenders in "Careers in Crime" file having at least one arrest for a major violent crime or burglary, by age of arrest, all races
[In percent]

Age at arrest	Criminal Homicide	Forcible Rape	Aggravated Assault	Robbery	Total Major violent crimes	Burglary	All Other
17 and under	4.4	7.3	3.9	5.9	5.1	10.1	5.1
18-20	11.6	24.3	24.7	19.0	17.0	21.6	14.3
21-25	25.6	31.5	27.2	31.8	29.4	28.7	25.3
26-30	20.6	17.5	20.6	20.3	20.3	17.6	19.6
31-40	23.7	14.5	23.1	17.7	20.3	16.7	23.8
41-50	10.2	3.6	8.2	4.2	6.3	4.4	9.0
51 and over	3.9	.8	2.2	1.1	1.7	.9	2.8
Total number arrests	100.0 5,688	100.0 7,497	100.0 48,857	100.0 45,911	100.0 107,953	100.0 97,741	100.0 565,537

Source: FBI. Special computer run for Task Force.

Table 2.—Arrests over criminal career to date for all offenders in "Careers in Crime" file having at least one arrest for a major violent crime or burglary, by age of arrest, negroes only
[in percent]

Age at arrest	Criminal Homicide	Forcible Rape	Aggravated Assault	Robbery	Total major violent crimes	Burglary	All other
17 and under	4.1	9.6	4.0	7.3	5.7	10.0	4.4
18-20	10.4	25.8	13.7	20.8	17.1	19.3	12.2
21-25	25.3	28.3	25.5	33.1	28.4	27.9	24.8
26-30	20.8	16.6	21.3	20.3	20.6	19.3	21.6
31-40	24.1	15.5	24.2	15.4	20.2	18.3	26.1
41-50	10.8	3.4	8.7	2.8	6.1	4.1	8.4
51 and over	4.5	.8	2.5	.4	1.7	.7	2.5
Total number arrests	100.0 2,711	100.0 3,006	100.0 23,211	100.0 19,042	100.0 47,970	100.0 30,150	100.0 190,436

Source: FBI. Special computer run for Task Force.

Table 3.—Arrests over criminal career to date for all offenders in "Careers in Crime" file having at least one arrest for a major violent crime or burglary, by age of arrest, whites only
[in percent]

Age at arrest	Criminal Homicide	Forcible Rape	Aggravated Assault	Robbery	Total major violent crimes	Burglary	All other
17 and under	4.3	6.0	3.7	4.9	4.4	9.8	5.5
18-20	12.6	23.2	15.5	17.7	16.9	22.5	15.4
21-25	26.1	34.2	38.8	30.9	30.0	29.1	25.5
26-30	20.8	18.4	20.1	20.2	20.2	17.0	18.6
31-40	23.3	13.8	22.3	19.5	20.4	15.9	22.7
41-50	9.7	3.7	7.8	5.2	6.4	4.6	9.4
51 and over	3.1	.8	1.9	1.6	1.7	1.1	2.9
Total number arrests	100.0 2,674	100.0 4,128	100.0 23,842	100.0 26,411	100.0 57,055	100.0 65,707	100.0 358,688

Source: FBI. Special computer run for Task Force.

extent does incarceration "deter"? These are the kinds of questions we have tried to answer.

THE CRIMINAL HISTORY OF THE VIOLENT OFFENDER

The individual who commits at least one violent crime is likely to have a long criminal history. Table 4 shows the complete criminal records to date of all offenders in the "Careers in Crime" file who were arrested between 1964 and 1967 for a major violent crime or burglary. Regardless of race, these violent offenders on the average have been arrested seven to nine times for crimes of all kinds, and two to three times for a major violent crime or burglary.

Table 5 includes all "Careers in Crime" offenders arrested anytime in their lives for a major violent crime or burglary and shows the percentage who have previous arrest records at the time of arrest for a major violent crime or burglary. About 70 percent of offenders from both races experienced previous arrests. Similarly, Table 6 reveals that 70 to 90 percent had subsequent arrest records for any crime after arrest for major violence or burglary.⁸

THE PROPORTION OF VIOLENT AND NONVIOLENT CRIMES IN THE CRIMINAL CAREER OF THE VIOLENT OFFENDER

Table 4 suggests that, in spite of the active general criminal life history of the offender arrested at least once for a major violent crime or burglary, most of the crimes in his career are not serious violent acts. This conclusion is more clearly shown in Table 7 by age of arrest. The "total" column indicates that, for offenders of all ages, 73 percent of their lifetime arrests are for crimes other than serious violent acts.

The rates for Negroes and whites are similar. Tables 8 and 9 show that the frequency of arrests for crimes other than major violence or burglary is 71 percent for Negroes and 74 percent for whites. The main difference is that Negroes in the file have proportionately more arrests for major violent acts over their life history are for major violence; the figure for whites is 12 percent. The difference is due especially to higher proportions of Negroes arrested for aggravated assault and robbery.

MOBILITY

The lengthy criminal career of the average violent offender is not limited to one geographic location. "Careers" data on file permit consideration of the mobility of adult offenders arrested between 1966 and 1967 for a major violent crime or burglary and who had at least two previous arrests for any kind of crime (Table 10). About two-thirds of the arrests for offenders in each of the crime categories are distributed among two or more states. The implication is that an offender with a criminal history involving at least one violent act changes location frequently and may have only a limited stake in any particular community. There is no similar information available on

Table 4. - Average number of arrests over entire criminal career to date for all offenders arrested between 1963 and 1967 for a major violent crime or burglary and entered into "Careers in Crime" file, by age*
[In percent]

Race	Arrested between 1964 and 1967 for—	Criminal Homicide	Forcible Rape	Aggravated Assault	Robbery	Burglary
All Races:						
Average number of arrests for any crime over criminal career to date		7.9	7.7	8.9	9.1	9.5
Average number of arrests for a major violent crime or burglary over criminal career to date		2.8	2.9	2.8	3.2	3.0
Total number of subjects		(2,013)	(2,155)	(15,412)	(13,570)	(25,641)
Negroes:						
Average number of arrests for any crime over criminal career to date		7.5	7.3	8.5	9.1	9.9
Average number of arrests for a major violent crime or burglary over criminal career to date		3.0	3.1	3.0	3.3	3.2
Total number of subjects		(998)	(936)	(7,056)	(5,652)	(7,881)
Whites:						
Average number of arrests for any crime over criminal career to date		8.5	8.1	9.3	9.1	9.4
Average number of arrests for a major violent crime or burglary over criminal career to date		2.8	2.7	2.8	3.1	2.9
Total number of subjects		907	1,108	7,640	7,772	17,705

*An offender in the "Careers in Crime" file was included in this tabulation every time he was arrested for a major violent crime or for burglary between 1964 and 1967.

Source: FBI. Special computer run for the Task Force.

Table 5.—Percentage of violent offenders in "Careers in Crime" file with previous arrest for any crime, by race*
[In percent]

Violent crime of arrest	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Previous arrest status					
All races:					
Percent offenders with previous arrest record for any crime	74.7	71.6	74.8	77.0	68.0
Percent offenders with no previous arrest record	25.3	28.4	25.2	23.0	32.0
Total percent	100.0	100.0	100.0	100.0	100.0
Total number of offenders	(5,317)	(6,569)	(33,857)	(32,133)	(53,672)
Negroes:					
Percent offenders with previous arrest record for any crime	73.9	69.6	71.3	74.6	68.6
Percent offenders with no previous arrest record	26.1	30.4	28.7	25.4	31.4
Total percent	100.0	100.0	100.0	100.0	100.0
Total number of offenders	(2,518)	(2,602)	(15,023)	(12,827)	(16,674)
Whites:					
Percent offenders with previous arrest record for any crime	76.6	74.1	78.1	78.7	68.2
Percent offenders with no previous arrest record	23.4	25.9	21.9	21.3	31.8
Total percent	100.0	100.0	100.0	100.0	100.0
Total number of offenders	2,506	3,627	17,492	18,944	35,675

*An offender in the "Careers in Crime" file was included in this tabulation every time he was arrested for a major crime or for burglary over his entire criminal history to date.

Source: FBI. Special computer run for the Task Force.

Crimes of Violence

Table 6.—Percentage of violent offenders in "Careers in Crime" file with subsequent arrest for any crime, by race*
[In percent]

Violent crime of arrest	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Previous arrest status					
All races:					
Percent offenders with subsequent arrest record for any crime	47.8	86.5	86.6	81.8	92.0
Percent offender with no subsequent arrest record	52.2	13.5	13.4	18.2	8.0
Total percent	100.0	100.0	100.0	100.0	100.0
Total number of offenders	(5,317)	(6,569)	(33,857)	(32,133)	(53,672)
Negroes:					
Percent offenders with subsequent arrest record for any crime	64.3	85.4	85.9	83.1	91.6
Percent offenders with no subsequent arrest record	35.7	14.6	14.1	16.9	8.4
Total percent	100.0	100.0	100.0	100.0	100.0
Total number of offenders	(2,518)	(2,602)	(15,023)	(12,827)	(16,674)
Whites:					
Percent offenders with subsequent arrest record for any crime	73.3	88.7	88.0	81.0	92.6
Percent offenders with no subsequent arrest record	26.7	11.3	12.0	19.0	7.4
Total percent	100.0	100.0	100.0	100.0	100.0
Total number of offenders	2,506	3,627	17,492	18,944	35,675

*An offender in the "Careers in Crime" file was included in this tabulation every time he was arrested for a major violent crime or for burglary over his entire criminal history to date.

Source: FBI. Special computer run for the Task Force.

Recidivism Over the Criminal Career

Table 7.—Arrests over criminal career to date for all offenders in "Careers in Crime" file arrested at least once for a major violent crime or burglary, by age, all races*
[In percent]

Offense	17 and under	18-20	21-25	26-30	31-40	41-50	50+	Total
Criminal homicide	0.6	0.5	0.7	0.8	0.8	0.9	1.2	0.7
Forcible rape	1.3	1.5	1.2	0.9	0.6	0.4	0.3	1.0
Aggravated assault	4.3	6.0	6.6	6.7	6.5	6.4	5.7	6.3
Robbery	6.1	7.2	7.2	6.2	4.7	3.1	2.7	5.9
Subtotal: 4 major violent crimes	12.3	15.3	15.6	14.6	12.7	10.9	10.0	14.0
Burglary	22.4	17.5	13.8	11.4	9.4	6.9	5.0	12.8
Other	65.4	67.2	70.6	74.0	77.9	82.2	85.1	73.3
Grand Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total number of arrests	44,464	120,517	202,824	150,033	172,734	62,153	18,506	771,231

*Data from FBI "Careers in Crime" file. The complete arrest record to date of every offender arrested at least once for criminal homicide, forcible rape, aggravated assault, robbery or burglary is tabulated in the percentage distribution of arrests.

Source: FBI. Special computer run for the Task Force.

Table 8.—Arrests over criminal career to date for all offenders in "Careers in Crime" file arrested at least once for a major violent crime or burglary, by age, Negroes only*
[In percent]

Offense	17 and under	18-20	21-25	26-30	31-40	41-50	50+	Total
Criminal homicide	0.8	0.8	1.0	1.0	1.0	1.4	2.1	1.0
Forcible rape	2.0	2.1	1.2	0.9	0.7	0.5	0.4	1.1
Aggravated assault	6.6	8.6	8.6	8.7	8.7	10.0	10.0	8.6
Robbery	9.8	10.6	9.1	6.8	4.5	2.6	1.3	7.1
Subtotal 4 major violent crimes	19.2	22.1	19.9	17.4	14.9	14.5	13.6	17.9
Burglary	21.2	15.7	12.1	10.2	8.7	6.1	3.4	11.2
Other	59.6	62.3	68.0	72.4	76.4	79.4	83.0	70.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total number of arrests	14,207	37,178	69,304	56,777	65,936	20,191	5,863	258,556

*Data from FBI "Careers in Crime" file. The complete arrest record to date of every Negro offender arrested at least once for criminal homicide, forcible rape, aggravated assault, robbery or burglary is tabulated in the percentage distribution of arrests.

Source: FBI. Special computer run for the Task Force.

**Table 9.—Arrests over criminal career to date for all offenders in "Careers in Crime" file arrested at least once for a major violent crime or burglary, by age, White only*
[In percent]**

Offense	17 and under	18-20	21-25	26-30	31-40	41-50	50+	Total
Criminal homicide	0.4	0.4	0.5	0.6	0.6	0.6	0.7	0.6
Forcible rape	.9	1.2	1.1	.9	.6	.4	.3	.9
Aggravated assault	30	4.6	5.3	5.4	5.1	4.6	3.7	5.0
Robbery	4.5	5.9	6.4	6.0	5.0	3.4	3.4	5.5
Subtotal: 4 major violent crimes	8.8	12.1	13.4	12.8	11.3	9.0	8.0	11.9
Burglary	22.4	18.5	15.0	12.5	10.0	7.5	5.9	13.6
Other	68.8	69.4	71.6	74.7	78.6	83.5	86.1	74.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total number of arrests	28,888	79,721	127,590	89,130	103,490	40,392	12,239	481,450

*Data from FBI "Careers in Crime" file. The complete arrest record to date of every White offender arrested at least once for criminal homicide, forcible rape, aggravated assault, robbery or burglary is tabulated in the percentage distribution of arrests.
Source: FBI. Special computer run for the Task Force.

Crimes of Violence

**Table 10.—Mobility over criminal career to date for all offenders in "Careers in Crime" file arrested between 1966 and 1967 for a major violent crime or burglary who have at least two previous arrests for any kind of crime
[In percent]**

Mobility (distribution of 1966-1967 arrests plus all previous arrests among one or more states)	Criminal homicide	Forcible	Aggravated assault	Robbery	Burglary
Arrests all in one State	36.0	36.0	36.0	36.0	30.0
Arrests distributed among 2 states	33.0	31.0	35.0	30.0	32.0
Arrests distributed among 3 or more states	31.0	33.0	29.0	34.0	38.0
Total (Total number of offenders)	100.0 922	100.0 925	100.0 4,538	100.0 5,641	100.0 9,643

Source: FBI, Dept of Justice, *Uniform Crime Reports—1967* (hereinafter referred to as UCR) (Washington, D.C.: Government Printing Office, 1967), p. 35.

Recidivism Over the Criminal Career

juvenile offenders, although it is probable that greater dependence on their families makes them less mobile than adults.

PATTERNS OF RECIDIVISM

Although violence is infrequent over the life history even of the violent offender, certain patterns may exist from one crime to the next. Do certain kinds of crimes precede or follow violent acts? Does any trend in the seriousness of successive acts emerge?

The Philadelphia cohort study is excellent for answering such questions for juveniles. Table 11 shows the probability that various first offense types will be committed. "Non-Index" generally excludes the seven UCR Index offenses.⁹ The other classifications refer to Index offenses: "Injury" (including criminal homicide, forcible rape, aggravated assault) and "Theft" (including robbery, burglary, larceny, and auto theft) are of great interest because the major violent acts fall within these categories. "Damage" includes property offenses (burglary, larceny, and auto theft) and "Combination" refers to acts involving some combination of injury, theft, or damage. Initial police contacts¹⁰ are distributed among these categories in the table.

Table 11.—Probability of Committing First Offense by Offense Type,^a All Offenders in Philadelphia Cohort Study

Non-Index	.6547
Injury	.0760
Theft	.1393
Damage	.0725
Combination	.0576

a) Based on police contacts.
Source: Thorsten Sellin and Marvin E. Wolfgang, *Delinquency in a Birth Cohort* (forthcoming).

The results are very similar to the distribution in Table 7 of all arrests for adults arrested at least once for a major violent crime or burglary. Sixty-five percent of the boys with a police contact were initially picked up for a Non-Index violation; 8 percent for an injury-only offense; 14 percent for theft-only; 7 percent for damage-only; and 6 percent for some combination. Thus, very few juveniles experienced their initial police contact for a major act of violence.

Table 12 shows the relationship between the first and second crimes committed by the juveniles. It is called a "crime switch matrix" or a "transition matrix," and neatly summarizes all the possible outcomes. The probabilities clearly indicate it is highly unlikely that an Injury or Theft offense will be repeated, a switch will occur from Injury to Theft, or vice versa, or an initial offense in one of the other categories will be followed by an Injury or Theft. Regardless of the initial crime, the juvenile was most likely to either go on the Non-Index offense or be involved in no further police contact ("Stopped").

The most striking conclusion to be drawn from this first transition matrix

Table 12. — Rearrest Crime Switch Matrix,^a First Offense to Second Offense, All Offenders in Philadelphia Cohort Study

I \ II	Non-Index	Injury	Theft	Damage	Combination	Stopped
Non-Index	.3349	.0378	.646	.0163	.0356	.51
Injury	.3750	.0795	.0568	.0265	.0341	.43
Theft	.3264	.0537	.1508	.0310	.0682	.37
Damage	.3968	.0397	.1032	.0357	.0476	.38
Combination	.3650	.0750	.0750	.0450	.1200	.32

a) Based on police contacts.

Source: Sellin and Wolfgang, *op. cit.*

is the "independence" between first- and second-offense probabilities. With the exception of Theft (0.1508) and Combination (0.1200), the likelihood of committing two offenses of the same type is no greater than the probability of any other pattern. If "specialization" were occurring—if Injury were followed by Injury, Theft by Theft, and so on—we would expect the respective probabilities to be much greater than those associated with the other types of transition. But with the exception of the two cases noted (and they do not exhibit strong specialization), the probabilities linking like offenses are no greater than those linking unlike events.

Seriousness scores are computed in Table 13 (using the Sellin-Wolfgang scoring system described in Chapter 2) and the mean level of seriousness for the first offense compared to that for the second. There was a slight increase in mean seriousness scores, but in general seriousness varied little from first to second offense, regardless of the type of initial arrest.

Table 13. — Mean Seriousness for First and Second Offense by Type of Offense^a for all Offenders in Philadelphia Cohort Study

	First Offense	Second Offense ^b
Non-Index	23.7	29.9
Injury	331.0	349.9
Theft	183.0	183.3
Damage	157.4	161.5
Combination	291.2	307.5

a) Based on police contacts.

b) For all first offenses, there are 5 possible second offenses, so each first offense seriousness score is really accompanied by 5 second-offense seriousness scores. We have produced only one second seriousness score per each first offense score by finding the mean for each set of 5 second scores.

Source: Sellin and Wolfgang, *op. cit.*

The study goes on to consider relationships between second and third offenses. Tracing the possible combinations and sequences of offense types necessarily becomes complex. For each of the five first offenses, there are five possible second offenses (plus the "Stopped" category), and for each of the second offenses there are five possible third offenses (plus the "Stopped" category). We have included all the possible transitions from second to third offense when the first offense was Non-Index (Table 14), Injury (Table 15), Theft (Table 16), or Damage (Table 17).

The likelihood of committing a third Injury offense given that the first two are Injury is clearly very low (.0952), as are the probabilities that a second Injury offense and then a third will follow a Non-Index (.0698), a Theft offense (.0385) or a Damage Offense (negligible). Regardless of the type of first or second offense, the likelihood of committing an Injury third offense lies between .0270 and .1111; the only exception (.2000) is Injury

Table 14. - Rearrest Crime Switch Matrix^a, Second Offense to Third Offense, all Offenders in Philadelphia Cohort Study
First Offense Non-Index

II \ III	Non-index	Injury	Theft	Damage	Combination	Stopped
Non-Index	.4199	.0367	.0827	.0197	.0341	.4069
Injury	.3488	.0698	.1512	.0233	.0116	.3953
Theft	.3810	.0544	.1156	.0204	.0748	.3538
Damage	.5676	.0270	.0811	.0541	.0541	.2161
Combination	.3827	.0864	.1728	.0247	.0864	.2470

a) Based on police contacts.
Source: Sellin and Wolfgang, *op. cit.*

Table 15. - Rearrest Crime Switch Matrix^a Second Offense to Third Offense, all Offenders in Philadelphia Cohort Study
First Offense Injury

II \ III	Non-Index	Injury	Theft	Damage	Combination	Stopped
Non-Index	.3535	.0505	.0808	.0404	.0606	.4142
Injury	.4672	.0952	—	—	.0476	.3810
Theft	.4000	.0667	.1333	—	.2000	.2000
Damage	.7143	—	—	—	—	.2857
Combination	.2222	—	.5556	.1111	.1111	—

a) Based on police contacts.
Source: Sellin and Wolfgang, *op. cit.*

Table 16. - Rearrest Crime Switch Matrix^a, Second Offense to Third Offense,

II \ III	Non-Index	Injury	Theft	Damage	Combination	Stopped
Non-Index	.3544	.0696	.1456	.0316	.0380	.3608
Injury	.4281	.0385	.1538	.0385	.0769	.2642
Theft	.3151	.0274	.3699	.0137	.0411	.2328
Damage	.4667	.2000	.1333	—	—	.2000
Combination	.4242	.0303	.2121	—	.1818	.1516

a) Based on police contacts.
Source: Sellin and Wolfgang, *op. cit.*

Table 17. - Rearrest Crime Switch Matrix, Second Offense to Third Offense, all Offenders in Philadelphia Cohort Study
First Offense Damage

II \ III	Non-Index	Injury	Theft	Damage	Combination	Stopped
Non-Index	.3800	.0600	.1200	.0200	.0300	.3900
Injury	.6000	—	.2000	—	—	.2000
Theft	.4165	.0769	.2692	—	.1154	.0770
Damage	.7778	—	.2222	—	—	—
Combination	.5833	.0833	.0833	—	.1667	.0834

a) Based on police contacts.
Source: Sellin and Wolfgang, *op. cit.*

following Damage when the first offense was Theft. Theft and Damage, however, are more likely to be repeated than Injury, while offenders committing these types of violations are least likely to stop after each offense. Regardless of the first or second offense, the most likely third offense was Non-Index, with a probability of between .3151 and .7778.

Although there appears to be some increased likelihood that Index offenses are followed by Index offenses in the transition from second to third crime, especially for Theft and Damage, the increase in the probabilities is not marked and lends only weak support to the notion of "specialization" for juvenile offenders. With specific reference to the four major violent crimes, the data suggest that it is very unlikely that a juvenile will repeat criminal homicide, forcible rape, or aggravated assault. He is more likely to repeat robbery, although even this repetition pattern is not very strong.¹¹

There is also some information available on the patterns of recidivism for adults as well. Table 18, from the Science and Technology Task Force of the Crime Commission, shows for adult offenders the probabilities of rearrest for an Index crime after a previous Index crime arrest.¹² This matrix is more limited than the juvenile transition matrices. It does not indicate the

Table 18.—Rearrest crime switch matrix, previous and subsequent arrests, science and technology Task Force study

Last Index arrest for—	If arrested again for an Index crime, the probability it will be for—						
	Murder and nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny (\$50 and over)	Auto theft
Murder and nonnegligent manslaughter ²	.025	.025	0.150	0.400	0.200	0.100	0.100
Forcible rape ²	.020	.150	.110	.260	.200	.140	.120
Robbery	.015	.010	.350	.060	.350	.115	.100
Aggravated assault ²	.025	.040	.150	.300	.035	.200	.200
Burglary	.010	.020	.135	.063	.459	.282	.031
Larceny (\$50 and over)	.010	.020	.140	.025	.400	.275	.130
Auto theft	.010	.027	.045	.028	.390	.222	.278

¹Based on data from Crime Revisited: Minnesota Board of Corrections: 1965 "Uniform Crime Reports," pp. 29-31; and Federal Bureau of Prisons, statistical tables, fiscal year 1965.

²Best estimate based on inadequate data.

Source: President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Science and Technology* (Washington D.C.: Government Printing Office, 1967), p. 63.

probability that a person arrested for an Index crime will later be arrested for a non-Index crime, nor does it give the probability that no further arrests will be made. We can therefore only observe recidivism patterns among those offenders who follow an Index arrest, at some time, with another Index arrest.

The table does have the advantage of specifying each Index crime separately, however. When the previous Index offense is auto theft or larceny, the subsequent Index offense is most likely to be burglary; it is next most likely that the auto theft or larceny will be repeated. There is only a very slight chance that the subsequent Index offense will be one of the four major violent crimes, but when this occurs, the offense is most likely robbery. Burglary is likely to be followed by burglary, next most likely by larceny and thirdly by robbery. Other sequences are clearly shown in Table 18.

As indicated on Table 18, the Science and Technology Task Force did not have good data on certain of the crimes covered, especially the major violent crimes. We have accordingly constructed rearrest crime-switch matrices for adults from the "Careers in Crime" file for comparative purposes. Table 19 is also limited by an inability to show whether offenders will follow a violent crime with a non-Index offense or with no further arrest, and it only covers the four major violent crimes plus burglary.^{1 3}

Within these boundaries, Table 19 is remarkably similar to Table 18. For transitions from first to second as well as from second to third crimes, offenders initially arrested for burglary, robbery or assault and recidivating among the five crimes shown were much more likely to repeat the same offense than switch to any other offense. Offenders first arrested for forcible rape were more likely to switch to burglary, assault, or robbery than to repeat the same offense. Individuals initially arrested for criminal homicide showed a high probability of later committing aggravated assault.

Race-specific data for rearrest crime-switch matrices were computed from the "Careers in Crime" file. The patterns show for both Negroes (Table 20) and whites (Table 21) whose three initial arrest were for major violent crimes or burglary that offenders first arrested for burglary, robbery, or aggravated assault are most likely to repeat the same crime. Offenders from both races who were first arrested for forcible rape follow similar patterns.

The main differences according to race are that:

- After a first arrest for criminal homicide, Negroes who switch are more likely to shift to aggravated assault, while the white switches are more equally distributed among aggravated assault, robbery and burglary.
- After a first arrest for aggravated assault, Negroes are somewhat more likely than whites to repeat rather than switch to robbery or burglary.
- Regardless of what the first arrest is, the later arrests of Negroes tend to be more concentrated in aggravated assault, while whites tend to be more involved in burglaries.

In comparison to the juvenile data from the Philadelphia cohort study, the adult data concur in offering relatively little evidence that the seriousness of crime progressively increases from one offense to the next over the criminal

Table 19.—Rearrest crime switch matrices; first, second, and third offenses; "Careers in Crime" offenders of all races*
[In percent]

Percent of offenders whose second arrest (compared to first) was—	First arrest for—	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide		15.4	2.0	4.1	2.4	1.7
Forcible rape		3.2	15.9	3.6	3.0	2.8
Aggravated assault		38.1	28.0	46.2	20.6	15.0
Robbery		18.6	21.7	18.1	38.7	19.4
Burglary		24.8	32.4	28.0	35.4	61.0
Total		100.0	100.0	100.0	100.0	100.0

Percent of offenders whose third arrest (compared to second) was—	Second arrest for—	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide		16.3	2.5	3.7	2.4	1.3
Forcible rape		2.2	17.1	3.6	2.5	2.2
Aggravated assault		30.4	27.4	44.7	19.5	13.6
Robbery		21.3	20.2	18.9	39.8	19.0
Burglary		29.7	32.7	29.0	35.7	63.9
Total		100.0	100.0	100.0	100.0	100.0

*All offenders in the "Careers" file whose first, second, and third arrests were distributed among the 5 violent crimes indicated were included.

Source: FBI. Special computer run for the Task Force.

Table 20.—Rearrest crime switch matrices; First, Second, and third offenses; "Careers in Crime," Negro offenders*
[In percent]

Percent of offenders whose second arrest (compared to first) was—	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide	14.9	2.9	4.8	2.7	2.3
Forcible rape	4.0	14.5	3.3	3.4	3.1
Aggravated assault	45.0	30.5	50.5	23.5	18.2
Robbery	14.9	23.4	18.7	39.4	22.1
Burglary	21.3	28.7	22.6	31.0	54.3
Total	100.0	100.0	100.0	100.0	100.0

Percent of offenders whose third arrest (compared to second) was—	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide	15.1	3.3	5.0	2.2	1.6
Forcible rape	2.0	19.1	3.6	2.7	2.2
Aggravated assault	39.2	30.1	48.5	22.8	16.8
Robbery	21.1	21.7	18.9	40.9	20.7
Burglary	22.6	25.8	24.0	31.3	58.7
Total	100.0	100.0	100.0	100.0	100.0

*All Negro offenders in the "Careers" file whose first, second, and third arrests were distributed among the 5 violent crimes indicated were included.

Source: FBI. Special computer run for the Task Force.

Table 21.—Rearrest crime switch matrices: first, second, and third offenses; "Careers in Crime" White offenders*
[In percent]

Percent of offenders whose second arrest (compared to first) was—	First arrest for—				
	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide	15.7	1.0	3.0	2.1	1.3
Forcible rape	2.5	17.0	3.7	2.6	2.7
Aggravated assault	25.1	24.6	41.1	18.0	13.3
Robbery	23.2	21.4	18.1	38.4	18.5
Burglary	29.5	36.0	34.2	39.0	64.2
Total	100.0	100.0	100.0	100.0	100.0

Percent of offenders whose third arrest (compared to second) was—	Second arrest for—				
	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide	17.9	1.7	2.2	2.6	1.1
Forcible rape	2.9	16.1	3.4	2.4	2.2
Aggravated assault	19.9	25.3	39.9	16.7	11.9
Robbery	22.4	19.4	19.5	39.2	18.3
Burglary	37.8	37.5	35.1	39.1	66.6
Total	100.0	100.0	100.0	100.0	100.0

*All White offenders in the "Careers" file whose first, second, and third arrests were distributed among the 5 violent crimes indicated were included.

Source: FBI. Special computer run for the Task Force.

career¹⁴ and provide strong proof that, when recidivism occurs after criminal homicide or forcible rape, the later arrests are for less serious offenses.¹⁵ For aggravated assault, robbery and burglary, the available adult data suggest that, unlike the case for juveniles, there is a trend to "specialize" in these offenses. Yet it must be remembered that we have been tracing patterns only for those adult offenders whose previous and subsequent crimes are distributed solely among Index offenses (Table 18) or whose first, second, and third crimes are distributed solely among the major acts of violence plus burglary (Table 19). When the probabilities of being arrested for a non-Index crime or of not being arrested again are included, only minimal evidence of persistent specialization among adults may be found, as seems to be the case for juveniles.¹⁶

On the other hand, it can be argued that more refined adult data would show a significant degree of specialization because an offender does not become a hardened professional until he is older. This suggestion is found in Table 22. All adult offenders in the "Careers in Crime" file are included, and the percentage arrested at some previous time for the same kind of crime is listed. The table is not a full crime-switch matrix. On the other hand, it is not limited solely to offenders committing previous and subsequent Index offenses or to offenders whose first, second, and third crimes are among the major violent acts. All crimes are considered as long as there was one arrest between 1964 and 1967 for major violence or burglary. The result is that repetition continues to appear likely for adult offenders arrested for aggravated assault, robbery, and especially burglary. Thirty-five percent, 38 percent, and 53 percent, respectively, of all offenders in each category had one or more previous arrests for the same crime. The percentages are very similar for Negroes and whites. It will be important for future research to explore whether the potentially greater specialization of adults implied by our incomplete data is in fact a reality.

These data have been based on arrests, not convictions. A good test of the validity of the arrest information would be to compare it to convictions, which presumably better reflect the guilt of offenders. Table 23 is a first attempt at a reconviction crime-switch matrix. It is based on "Careers in Crime" data and limited to the same five offenses as Tables 19, 20, and 21. Rather than following transitions from first to second crimes, etc., Table 23 is more general, merely showing the crime repetitions and switches for all offenders in the file convicted for major violence or burglary at one time and then later in their life histories.

Even with these less specific data, the general reconviction patterns closely parallel the rearrest patterns. Subsequent burglary convictions are related much more to previous burglary convictions than to any other previous offenses. Later robbery convictions are most related to previous burglary and robbery convictions, later aggravated assault convictions are most related to previous aggravated assault and burglary convictions, later forcible rape convictions to previous burglary and aggravated assault convictions, and subsequent criminal homicide convictions to previous burglary and aggravated assault convictions. Comparison with Table 19 shows similar patterns for arrest data.¹⁷

If (as was done in Table 22 for rearrests) we do not limit ourselves solely to the group of offenders having previous and subsequent convictions for

Table 22.—Extent of violent crime specific repetition over criminal career to date for all offenders in "Careers in Crime" file arrested between 1963 and 1967 for a major violent crime or burglary, by race*
[In percent]

Crime Specific Repetition Status	Arested between 1963 and 1967 for—	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
All races:						
First and only arrest for crime		89.2	81.9	64.9	61.5	47.2
1 previous arrest for crime		10.0	14.7	22.0	24.9	25.5
2 or more previous arrests for crime		.8	3.5	13.1	13.6	27.3
Total		100.0	100.0	100.0	100.0	100.0
Total number of offenders		2,013	2,155	15,412	13,570	25,641
Negroes:		88.4	79.3	60.1	57.7	47.4
First and only arrest for crime		10.7	16.7	24.0	26.6	25.2
1 previous arrest for crime		.9	4.1	15.9	15.7	27.5
2 or more previous arrests for crime		100.0	100.0	100.0	100.0	100.0
Total		998	936	7,056	5,654	7,881
Total number of offenders						
Whites:		89.6	83.2	68.8	64.1	46.7
First and only arrest for crime		9.6	13.4	20.4	23.8	25.5
1 Previous Arrest for crime		.8	3.3	10.8	12.1	27.8
2 or more previous arrests for crime		100.0	100.0	100.0	100.0	100.0
Total		907	1,108	7,640	7,772	17,085
Total number of offenders						

*An offender in the "Careers in Crime" file was included in this tabulation every time he was arrested for a major violent crime or for burglary between 1964 and 1967.

Source: FBI. Special computer run for the Task Force.

major violence or burglary, but more generally ask how many offenders convicted once for a certain crime were reconvicted for the same act, the percentage of crime-specific repetitions is, of course, lower. Table 24 considers offenders released from Pennsylvania State prisons after incarceration for a major violent crime or burglary¹⁸ between June 1, 1946, and May 31, 1961. Each offender was followed over one year of parole. Eleven percent of those released for burglary were reconvicted for the same crime; 5 percent of those released for robbery were reconvicted for robbery, and 4 percent of those released for assault were reconvicted for the crime.¹⁹

TIME BETWEEN CRIMES

Table 25 presents data on a recent study of inmates released from the Indiana State Reformatory. For offenders of all ages and races released over a given period after incarceration for forcible rape, aggravated assault, robbery or burglary,²⁰ the cumulative fraction of those who were returned because of conviction for any kind of crime is shown. The table clearly indicates that offenders were most likely to be reconvicted over the first two to three years after release. The increase in the cumulative fraction returned is negligible between the third and fourth years.

Although this study presents some of the most detailed information available on time patterns over the criminal history of offenders convicted and incarcerated at least once for serious violence, many more refinements are still required.²¹ Nonetheless, the length of time between release for a violent crime and reconviction for any crime generally has been substantiated in several other studies.²²

After the violent offender leaves correctional supervision and is allowed to live a more or less normal life in the community, it would appear that resources from both the corrections system and the community should be concentrated on guiding him over the first two to three years. If the violent offender does not recidivate during this period, the chances appear much greater that he will not extend his criminal career.

ONE-TIME OFFENDERS AND RECIDIVISTS

The fact that most violent offenders have an extensive history of crime implies that there are significant differences between the repeater and the one-time offender. The Philadelphia cohort data carefully examines these differences among juveniles.

Table 26 summarizes the findings. Of the 3,475 boys who were contacted for delinquent acts over the timespan, 55 percent were one-time offenders. These boys were responsible for only 16 percent of all delinquent acts, 11 percent of assaults, 5 percent of robberies, and 11 percent of property crimes. Although the recidivists (offenders contacted for two or more acts) composed only 45 percent of those contacted, they accounted for 84 percent of all delinquent acts combined, 89 percent of all assaults, 95 percent of all robberies, and 89 percent of all property crimes. The hard-core recidivists (offenders contacted for five or more delinquent acts) were only 6 percent of those contacted, yet they accounted for 52 percent of all delinquencies, 53 percent of all assaults, 71 percent of all robberies, and 62

Table 23.—Reconviction crime switch matrix, previous and subsequent convictions, "Careers in Crime" offenders of all races* [In percent]

Subsequent conviction for— Previous conviction for—	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide	6.7	1.7	2.9	1.7	0.9
Forcible rape	3.0	17.0	3.6	2.6	2.2
Aggravated assault	34.1	24.0	42.7	17.9	14.2
Robbery	20.5	15.3	16.8	34.4	15.9
Burglary	35.7	42.0	34.0	43.4	66.9
Total	100.0	100.0	100.0	100.0	100.0

*Percentages based on all offenders in "Careers" file with a conviction for criminal homicide, forcible rape, aggravated assault, robbery or burglary some time in their lives to date who also have a conviction for one of these crimes at some earlier point in their lives each prior conviction for 1 of the 5 crimes is counted once.
 Source: FBI. Special computer run for the Task Force.

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Table 23.—Reconviction crime switch matrix, previous and subsequent convictions, "Careers in Crime" offenders of all races*
[In percent]

Previous conviction for— Subsequent conviction for	Criminal homicide	Forcible rape	Aggravated assault	Robbery	Burglary
Criminal homicide	6.7	1.7	2.9	1.7	0.9
Forcible rape	3.0	17.0	3.6	2.6	2.2
Aggravated assault	34.1	24.0	42.7	17.9	14.2
Robbery	20.5	15.3	16.8	34.4	15.9
Burglary	35.7	42.0	34.0	43.4	66.9
Total	100.0	100.0	100.0	100.0	100.0

*Percentages based on all offenders in "Careers" file with a conviction for criminal homicide, forcible rape, aggravated assault, robbery or burglary some time in their lives to date who also have a conviction for one of these crimes at some earlier point in their lives each prior conviction for 1 of the 5 crimes is counted once.

Source: FBI. Special computer run for the Task Force.

Table 24.—Extent of violent crime specific repetition for all offenders in Pennsylvania study reconvicted over 1 year of parole
[In percent]

Reconviction status after 1 year of parole Crime of release*	Criminal homicide**	Sex offenses**	Assault and battery**	Robbery	Burglary
Percent not convicted for any new crime over parole period	94.3	91.2	87.7	80.5	76.6
Percent convicted for any new crime over parole period	5.7	8.8	12.3	19.5	23.4
Percent convicted for the same violent crime of original imprisonment over parole period	4	2.9	3.6	5.1	11.1
Total	100.0	100.0	100.0	100.0	100.0

*All parolees in the relevant violent crime categories released between June 1, 1946, and May 31, 1961, have been followed over 1 year of parole.

**These are the categories used in the study. Although they are broader than the classifications used throughout the rest of the chapter (criminal homicide, forcible rape, aggravated assault), we assume the differences have an insignificant effect on the percent distributions.

Source: Pennsylvania Board of Parole, "A Comparison of Releases and Recidivists from June 1, 1946, to May 31, 1961" (Harrisburg: The Board, Dec. 20, 1961).

Table 25.—Cumulative fraction of violent offenders in Indiana State Reformatory study returned to reformatory for any kind of crime, all ages and races*
[In percent]

Cumulative fraction returned for any crime after release	Crime of release*	Forcible rape	Aggravated assault	Robbery	Burglary
After 6 months		0.06	0.05	0.05	0.14
After 12 months		.16	.13	.09	.22
After 24 months		.25	.32	.10	.32
After 36 months		.28	.37	.21	.37
After 48 months		.30	.39	.24	.37
Total sample size		149	242	75	2,532

*The study does not separately consider willful murder offenders.
Source: W. Michael Mahoney and Carl F. Blozan, "Cost-Benefit Evaluation Welfare Demonstration Projects: A Test Application to Juvenile Rehabilitation, Research Management Corporation Report UR-040, prepared for Department of Health, Education, and Welfare, Dec. 24, 1968, p. 40.

Table 26.—Distribution of delinquent acts among offenders contacted 1, 2 or more times, or 5 or more times in Philadelphia cohort study
[In percent]

Delinquency status	Percent of all boys	Percent of all delinquent acts	Percent of all assaults (criminal homicide, forcible rapes, aggravated assaults, simple assaults)	Percent of all robberies	Percent of all property crime (burglary, larceny, auto theft)
Boys contacted for one delinquent act	45.0	16.0	11.0	5.0	11.0
Boys contacted for two or more delinquent acts	55.0	84.0	89.0	95.0	89.0
Boys contacted for five or more delinquent acts	6.3	52.0	53.0	71.0	62.0
Total Number	100.0 3,475	100.0 10,214	100.0 815	100.0 193	100.0 2,257

Source: Sellin and Wolfgang, *op. cit.*

percent of all property crimes. That such a high proportion of offenses—particularly serious acts of violence—are funneled through a relatively small number of offenders is a fact that requires the immediate attention of social intervention policy.

The picture does not change when the one-time offender vs. recidivist breakdown is refined by race and socioeconomic status.²³ Table 27 shows the number, percentage, and offense rate per 1,000 cohort subjects according to delinquency status, race, and socioeconomic status. It is clear from the rates that, regardless of race or socioeconomic status, juveniles who do not continue past one offense have rarely been contacted for serious assaults, robberies, or property offenses. Even nonwhites in the lower socioeconomic status who are one-time delinquents have an overall rate (50) for these serious offenses that is only about half the rate for white recidivists in the upper socioeconomic status (92).²⁴

The proportion of black offenders who recidivated after one delinquency contact was considerably greater than the white proportion, however. Of the 1,458 nonwhite delinquents, 65 percent were contacted two or more times and 30 percent five or more times; 45 percent of the 2,017 white offenders were contacted two or more times and only 10 percent five or more times.

Table 28 considers the seriousness of offenses for one-time delinquents versus recidivists. Mean seriousness score (according to the Sellin-Wolfgang scoring system) and offense rates weighted by seriousness of injury are shown for all acts in which the victim was injured. Not surprisingly, most bodily injuries are perpetrated by recidivists. Less than 10 percent of the 1,391 actions with known physical injury involved one-time offenders, despite the fact that this group composed 45 percent of all delinquents. The table shows that nonwhite repeaters, particularly from the lower socioeconomic status, are responsible for most of these injury offenses.

In sum, although nonwhite and poor boys have significantly higher crude and weighted seriousness rates, the differences between one-time offenders and recidivists are among the most striking of any of the multiple ways of analyzing the Philadelphia data. If the question of social intervention is posed in terms of the greatest amount of offense reduction registered between groups, preventing the nonwhite lower socioeconomic status boys from continuing delinquency after their first offense would produce the maximum delinquency reduction. By focusing resources and attention on this group, not only would the general rate of delinquency be affected, but the incidence of violent acts of greatest seriousness would be most drastically decreased.²⁵

Similar conclusions on adult one-time offenders versus recidivists cannot be made with such assurance, because similar data are unfortunately not available. There is no reason to believe, however, that the results and policy implications would be different for adults.

Table 29 through 33 based on the "Careers in Crime" file, offer partial evidence for this suggestion. They show separately for each of the major violent crimes plus burglary the proportions of offenders by age group and race who recidivated by committing any kind of crime after an arrest for one of the violent acts. The main pattern to be observed for both races is that the younger the offender when first arrested, the more likely he is to be rearrested.²⁶ Because the first crime in a long career is generally committed

Table 27.—Assault, property and robbery offenses in Philadelphia cohort study by delinquency status, race, and socioeconomic status [Number, percent, and rate per 1,000 cohort subjects]

	Assaults			Property			Robbery			Total		
	Number	Percent	Rate	Number	Percent	Rate	Number	Percent	Rate	Number	Percent	Rate
One-time delinquents:												
Lower SES:												
Nonwhite	35	28.69	14.3	84	68.85	34.3	3	2.46	1.2	122	100.0	49.9
White	24	30.00	11.2	54	67.50	25.2	2	2.50	.9	80	100.0	37.4
Total	59	29.21	12.9	138	68.32	30.1	5	2.48	1.1	202	100.0	44.1
Higher SES:												
Nonwhite	5	23.81	10.9	13	61.90	28.4	3	14.29	6.6	21	100.0	45.9
White	25	23.36	5.1	80	74.77	16.3	2	1.87	.4	107	100.0	21.8
Total	30	23.44	5.6	93	72.66	17.3	5	3.91	.9	128	100.0	23.8
Recidivists:												
Lower SES:												
Nonwhite	599	27.68	208.3	1,180	64.17	482.8	150	8.16	61.4	1,839	100.0	752.5
White	85	18.05	39.7	379	80.47	177.1	7	1.49	3.3	471	100.0	220.1
Total	594	25.71	129.6	1,559	67.49	340.1	157	6.80	34.2	2,310	100.0	503.9
Higher SES:												
Nonwhite	49	28.49	107.0	106	61.63	231.4	17	9.88	37.1	172	100.0	375.5
White	83	18.32	16.9	361	79.69	73.6	9	1.99	1.8	453	100.0	92.4
Total	132	21.12	24.6	467	74.72	87.1	26	4.16	4.8	625	100.0	116.6
Both SES:												
Lower	653	26.00	142.4	1,697	67.56	370.2	162	6.45	35.3	2,512	100.0	548.0
Higher	162	21.51	30.2	560	74.37	104.5	31	4.12	5.8	753	100.0	140.5
Both races:												
Nonwhite	598	27.76	206.1	1,383	64.20	476.6	173	8.03	59.6	2,154	100.0	742.2
White	217	19.53	30.8	874	78.67	124.1	20	1.80	2.8	1,111	100.0	157.7
Total	815	24.96	82.0	2,257	62.13	226.9	193	5.91	19.4	3,265	100.0	328.3

Source: Sellin and Wolfgang, *op. cit.*

Table 28.—Injury offenses in Philadelphia cohort study: mean seriousness score, number, and weighted rate, by delinquency status, socioeconomic status and race

	One-Time Delinquents			Recidivists			Total		
	Mean Seriousness score	Number	Weighted rate	Mean Seriousness score	Number	Weighted rate	Mean seriousness score	Number	Weighted rate
Lower socioeconomic status:									
Both races	220.00	70	33.6	240.60	942	494.4	239.18	1,012	528.0
Nonwhite	209.76	41	35.2	241.93	787	779.0	240.34	828	814.2
White	234.48	29	31.8	233.87	155	169.4	233.97	184	201.2
Higher socioeconomic status:									
Both races	170.31	47	14.9	172.34	329	105.8	172.07	376	120.7
Nonwhite	100.00	8	17.5	222.92	96	467.3	213.46	104	484.7
White	184.61	39	14.7	151.50	233	72.0	156.25	272	86.7

Source: Selling and Wolfgang, *op. cit.*

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Table 29.—Offenders arrested for criminal homicide with subsequent arrest records for any type of crime, by age and race
[In percent]

Subsequent arrest status \ Age at arrest	17 and under	18-20	21-25	26-30	31-40	41-50	51 and over	Total all ages
All races: Offenders with subsequent records	4.1	9.4	18.9	14.21	14.7	5.0	1.5	67.8
Offenders with no subsequent records	.6	2.7	7.2	6.4	8.6	4.7	2.0	32.2
Total	4.7	12.1	26.1	20.6	23.4	9.6	3.5	100.0 (5,317)
Negroes: Offenders with subsequent records	3.7	8.4	18.7	13.9	13.9	4.4	1.4	64.3
Offenders with no subsequent records	.7	2.6	6.9	6.8	10.0	5.8	2.8	35.7
Total	4.4	11.0	25.7	20.7	23.9	10.2	4.2	100.0 (2,518)
Whites: Offenders with subsequent records	4.3	10.7	19.8	15.1	16.2	5.7	1.6	73.3
Offenders with no subsequent records	.2	2.3	7.0	5.9	6.7	3.6	1.1	26.7
Total	4.5	12.9	26.8	21.0	22.8	9.3	2.7	100.0 (2,506)

Source: FBI, Special run for Task Force from "Careers in Crime" file.

Table 30.—Offenders in "Careers in Crime" file arrested for forcible rape with subsequent arrest records for any type of crime by age and race
[In percent]

Subsequent arrest status \ Age at arrest	17 and under	18-20	21-25	26-30	31-40	41-50	51 and over	Total all ages
All races: Offenders with subsequent record	8.0	23.7	27.5	13.9	10.7	2.2	0.4	86.5
Offenders with no subsequent record	.7	2.6	4.3	2.4	2.2	.9	.4	13.5
Total	8.7	26.4	31.9	16.3	12.9	3.1	.8	100.0 (6,569)
Negroes: Offenders with subsequent record	9.9	24.5	24.6	13.1	11.0	1.9	0.4	85.4
Offenders with no subsequent record	.8	3.6	3.8	2.2	2.7	1.2	.3	14.6
Total	10.7	28.1	28.4	15.3	13.7	3.0	.8	100.0 (2,602)
Whites: Offenders with subsequent record	6.4	23.6	30.4	14.8	10.6	2.5	0.4	88.7
Offenders with no subsequent record	.2	1.6	4.3	2.4	1.7	.7	.4	11.3
Total	6.6	25.2	34.7	17.2	12.2	3.21	.8	100.0 (3,627)

Source: FBI, Special run for Task Force from "Careers in Crime" file.

Table 31.—Offenders in "Careers in Crime" file arrested for aggravated assault with subsequent arrest records for any type of crime, by age and race [In percent]

Subsequent arrest status	Age at arrest								Total all ages
		17 and under	18-20	21-25	26-30	31-40	41-50	51 and over	
All races:									
Offenders with subsequent record		5.1	16.9	26.0	16.9	16.1	4.6	0.9	86.6
Offenders with no subsequent record		.2	1.3	3.2	2.8	3.3	1.8	.9	13.4
Total		5.3	18.2	29.2	19.7	19.4	6.4	1.8	100.0 (33,857)
Negroes:									
Offenders with subsequent record		5.6	16.4	25.1	17.8	15.9	4.2	0.8	85.9
Offenders with no subsequent record		.2	1.3	2.7	2.9	3.8	2.2	1.1	14.1
Total		5.8	17.7	27.8	20.6	19.7	6.4	1.9	100.0 (15,023)
Whites:									
Offenders with subsequent record		4.6	17.3	27.0	16.5	16.6	5.1	1.0	88.0
Offenders with no subsequent record		.1	1.1	3.4	2.5	2.8	1.4	.7	12.0
Total		4.7	18.4	30.4	19.0	19.4	6.5	1.7	100.0 (17,492)

Source: FBI. Special run for Task Force from "Careers in Crime" file.

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Table 32.—Offenders in "Careers in Crime" file arrested for robbery with subsequent arrest records for any type of crime, by age and race [In percent]

Subsequent arrest status	Age at arrest								Total all ages
		17 and under	18-20	21-25	26-30	31-40	41-50	51 and over	
All races:									
Offenders with subsequent record		7.6	20.7	27.3	14.0	10.1	1.8	0.3	81.8
Offenders with no subsequent record		.4	2.6	6.0	4.0	3.6	1.2	.5	18.2
Total		8.0	23.3	33.2	18.1	13.7	3.0	.8	100.0 (32,133)
Negroes:									
Offenders with subsequent record		9.5	21.6	27.4	13.5	9.3	1.4	0.2	83.1
Offenders with no subsequent record		.6	3.4	5.9	3.8	2.5	.6	.1	16.9
Total		10.2	25.0	33.4	17.3	11.8	2.0	.3	100.0 (12,827)
Whites:									
Offenders with subsequent record		6.3	20.0	27.2	14.3	10.7	2.1	0.4	81.0
Offenders with no subsequent record		.2	2.0	5.9	4.2	4.3	1.6	.7	18.0
Total		6.5	22.1	33.1	18.5	15.0	3.7	1.1	100.0 (18,944)

Source: FBI. Special run for Task Force from "Careers in Crime" file.

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Table 33.—Offenders in "Careers in Crime" file for burglary with subsequent arrest records for any type of crime, by age and race
[In percent]

Subsequent arrest status	Age at arrest	17 and under	18-20	21-25	26-30	31-40	41-50	51 and over	Total all ages
All races:									
Offenders with subsequent record		15.9	27.0	25.0	12.0	9.6	2.1	0.4	92.0
Offenders with no subsequent record		.4	1.5	2.5	1.5	1.5	.5	.1	8.0
Total		16.3	28.5	27.5	13.6	11.0	2.6	.5	100.0 (53,672)
Negroes:									
Offenders with subsequent record		15.6	23.9	25.2	14.2	10.6	1.8	0.3	75.6
Offenders with no subsequent record		.4	1.4	2.3	1.6	1.9	.7	.1	8.4
Total		16.0	25.3	27.5	15.8	12.6	2.5	.4	100.0 (16,674)
Whites:									
Offenders with subsequent record		15.8	28.4	25.1	11.2	9.2	2.3	0.4	92.6
Offenders with no subsequent record		.1	1.4	2.5	1.5	1.2	.5	.1	7.4
Total		16.0	29.8	27.7	12.7	10.5	2.8	.6	100.0 (35,675)

Source: FBI. Special run for Task Force from "Careers in Crime" file.

when an offender is young, the data present at least an indirect argument for concentrating adult as well as juvenile intervention policy on preventing one-time offenders from continuing.

DETERRENCE,²⁷ LENGTH OF SENTENCE AND RECIDIVISM

The question of the "deterrent" effects of different lengths of sentence has been greatly debated. Will longer sentences serve as a deterrent against recidivism? Will they make no difference? Will they increase the likelihood of recidivism?

One study has shown that, in the first 2 to 5 years after incarceration, only one-third of all persons released returned to prison.²⁸ The reasons for not recidivating vary from case to case. Some individuals are successful in positively rehabilitating themselves. Others may have simply matured; "burning off" the greater volatility and impulsiveness characteristic of youth. Many more factors are involved.

It is probable that only a small proportion of those who "go straight" do so because prison life is so repugnant that the risk of being reincarcerated is not worth taking. These are the only offenders who are really "deterred" from recidivating. By "average level of deterrence" we mean the average percentage of all offenders incarcerated over different periods of time and then released who do not recidivate primarily as a result of making this kind of rational, cost-benefit decision—and not for some other reason, such as the effectiveness of the rehabilitation process.

No valid conclusions can be drawn from the current data on the average level of deterrence, even though it has always been assumed to be significant by those justifying correctional restraint on the basis of deterrence. This lack of critical information should not continue; there is a need for careful research to determine the average percentage of prisoners in specified cohorts who do not recidivate because they are "deterred" in the manner specified.²⁹

By "positive marginal deterrence," we refer to an increase in the percentage of offenders who make a rational cost-benefit decision not to recidivate as the length of sentence increases. One of the traditional arguments for deterrence can be interpreted as saying that, as sentences become longer and longer, there should be a decline in the recidivism rate, because more and more offenders decide the cost of another imprisonment if apprehended in the future is too great when balanced against the potential gains accruing from more crime.

We cannot conclusively prove or disprove this proposition merely by looking at data showing recidivism rates for different incarceration periods. There are many other factors that influence the recidivism rates. A decline in rates when longer sentences are imposed may partially be due to more time spent in positive rehabilitation or to the maturation of the offender. If sentencing and parole policies impose the longest confinement on the men who have the poorest post-release prospects, this fact, rather than the effects of long confinement per se, could account for low success rates with long confinement.³⁰ When rates decline, it might be hypothesized that they would decline much more were it not for the negative influences of incarceration on the offender. In sum, to validate the hypothesis of "positive marginal

deterrence," it must be shown that recidivism rates decline with longer sentences solely because offenders are "deterred" in the previously mentioned sense of the word. Unfortunately, none of the scattered information presently available is refined enough to do this.

Table 34 summarizes new "Careers in Crime" data. It shows the relationship between the length of original sentence for specified kinds of crimes and the percentage of offenders who recidivate. All the offenders in the "Careers" file who were released between 1963 and 1964 after serving various lengths of time for one of the four major violent crimes or for burglary were included in the study. The recidivism rates were computed over a period of three years after release.

The data are broken down by first crime and crime committed upon recidivating. Because there is no breakdown by specific age cohorts (although the average age at release is listed), the separate effects of age and aging on recidivism cannot adequately be measured. No information on the separate effects of treatment on recidivism are indicated, and only length of original sentence, not actual time served, was available.³¹

The most important data in Table 34 that relate specifically to violence (upper right-hand column), show the percentage of offenders rearrested for a major violent crime after originally serving a sentence for a major violent crime. Fifteen percent of the 66 violent offenders sentenced to under 2 years, 15 percent of the 176 sentenced to 2-5 years, 13 percent of the 76 sentenced to 6-9 years, and 13 percent of the 326 sentenced to 10 years and over recidivated with a major violent crime over the 3-year post-release period. This is shown graphically in Figure 1. Although too crude to isolate only the deterrent effect on recidivism, the data nonetheless offer little evidence that longer sentences are more deterrent. Nor does the average number of new arrests for offenders recidivating through major crimes of violence change significantly according to length of sentence.³²

It might be suggested that longer sentences deter robbers more than violent offenders because robbery is the most rational and least passionate of the violent crimes and because the concept of deterrence assumes rational decision making on the part of the offender. The FBI data again do not isolate the deterrent effect on recidivism, but the figures do not support the suggestion. In fact, the data suggest marginal deterrence to be even less effective on robbers than on violent offenders as a whole. Table 34 shows that 8 percent of the 37 robbers sentenced to less than 2 years, 16 percent of the 109 sentenced to 2-5 years, 13 percent of the 61 sentenced to 6-9 years, and 13 percent of the 227 sentenced to ten years and over recidivated with a major violent crime during the 3-year post-release period. This is illustrated in Figure 2. Again, these findings occur despite the fact that offenders serving longer sentences were on the average older upon release.³³

Figure 3 shows armed robbery data for Indiana State Reformatory inmates.³⁴ The indication is that the longer the armed robber spends in prison, the higher his post-release recidivism rate for any kind of crime. Again there is no evidence that longer sentences for violent crimes have a more deterrent effect.

A third data source, based on a cross section of all adult males released from federal prisons in 1956, is shown in Table 35.³⁵ This information allows

Table 34.—The relationship between length of sentence and recidivism, by kind of crime [3-year followup of offenders in FBI "Careers in Crime" file released between 1963 and 1964]
[In percent]

Offenders released after incarceration for a major violent crime (criminal homicide, forcible rape, robbery or aggravated assault)

Length of original sentence	Total cohort population		Offenders with no subsequent arrests within years of release		
	Total number of offenders	Total percent	Number	Percent of total	Average age at release
Under 2 years	66	100.0	31	47.0	27.5
2-5 years	176	100.0	87	49.4	31.1
6-9 years	76	100.0	41	53.9	34.6
10 years+ over	326	100.0	200	61.3	33.2

Offenders released after incarceration for Robbery

Length of original sentence	Total cohort population		Offenders with no subsequent arrests within years of release		
	Total number of offenders	Total percent	Number	Percent of total	Average age at release
Under 2 years	37	100.0	19	51.4	26.7
2-5 years	109	100.0	55	50.5	30.0
6-9 years	61	100.0	35	57.4	33.8
10 years+ over	227	100.0	137	60.4	33.7

Offenders released after incarceration for Burglary

Length of original sentence	Total cohort population		Offenders with no subsequent arrests within years of release		
	Total number of offenders	Total percent	Number	Percent of total	Average age at release
Under 2 years	64	100.0	10	15.6	27.6
2-5 years	262	100.0	71	27.1	29.2
6-9 years	33	100.0	9	26.5	30.6
10 years+ over	34	100.0			37.4

Table 34.—Continued

Offenders released after incarceration for a major violent crime
(criminal homicide, forcible rape, robbery or aggravated assault)

Offenders rearrested for any crime within 3 years of release			
Number	Percent of total	Average age at release	Average number of new arrests
35	53.0	24.2	2.4
89	50.6	27.3	2.1
35	46.1	31.1	1.8
126	38.7	34.5	2.2

Offenders released after incarceration for Robbery

Offenders rearrested for any crime within 3 years of release			
Number	Percent of total	Average age at release	Average number of new arrests
18	48.6	24.4	2.5
54	49.5	28.0	2.0
25	42.6	31.3	1.6
90	39.6	33.8	2.3

Offenders released after incarceration for Burglary

Offenders rearrested for any crime within 3 years of release			
Number	Percent of total	Average age at release	Average number of new arrests
54	84.4	23.2	2.7
191	72.9	27.0	2.6
23	69.7	32.3	2.6
25	73.5	28.7	1.6

Table 34.—Continued

Offenders released after incarceration for a major violent crime
(criminal homicide, forcible rape, robbery or aggravated assault)

Offenders rearrested for a major violent crime within 3 years of release			
Number	Percent of total	Average age at release	Average number of new arrests
10	15.2	24.8	1.3
26	14.8	25.6	1.2
10	13.2	27.9	1.1
43	13.2	35.1	1.2

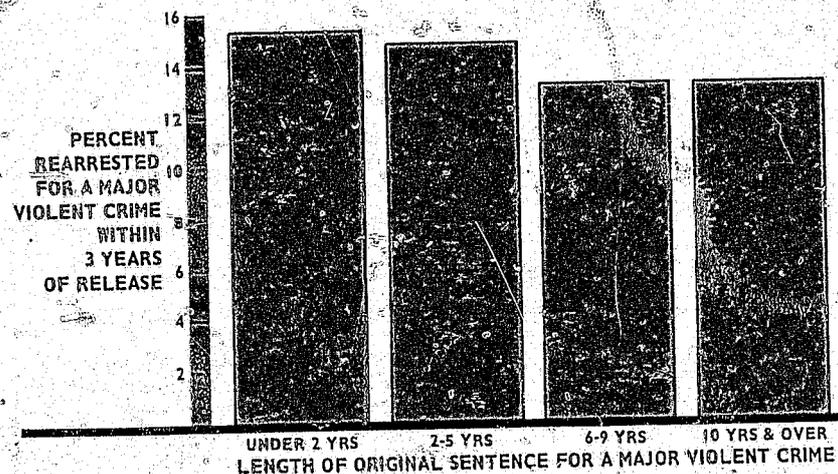
Offenders released after incarceration for Robbery

Offenders rearrested for a major violent crime within 3 years of release			
Number	Percent of total	Average age at release	Average number of new arrests
3	8.1	25.3	1.7
18	16.5	27.1	1.2
8	13.1	28.9	1.1
30	13.2	34.9	1.2

Offenders released after incarceration for Burglary

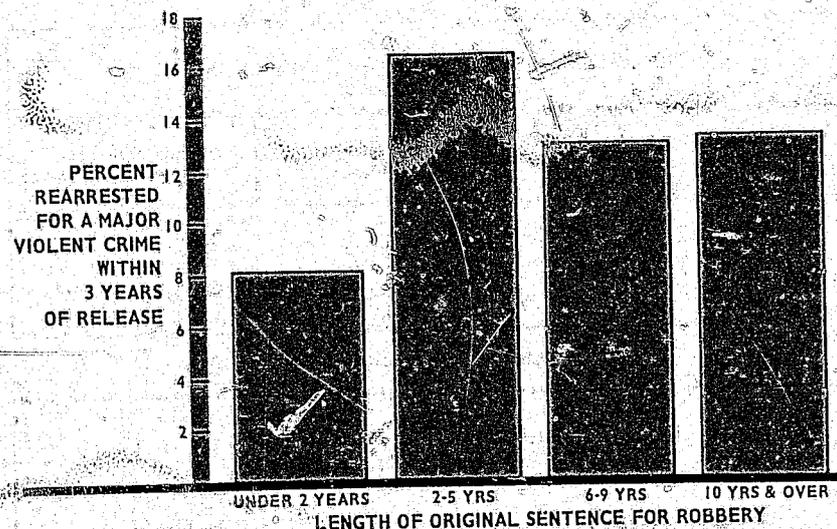
Offenders rearrested for a major violent crime within 3 years of release			
Number	Percent of total	Average age at release	Average number of new arrests
13	20.3	22.5	1.5
37	14.1	26.2	1.2
1	3.0	24.0	1.0
3	8.8	22.3	1.0

Source: FBI. Special computer run for Task Force.



Source: Table 34.

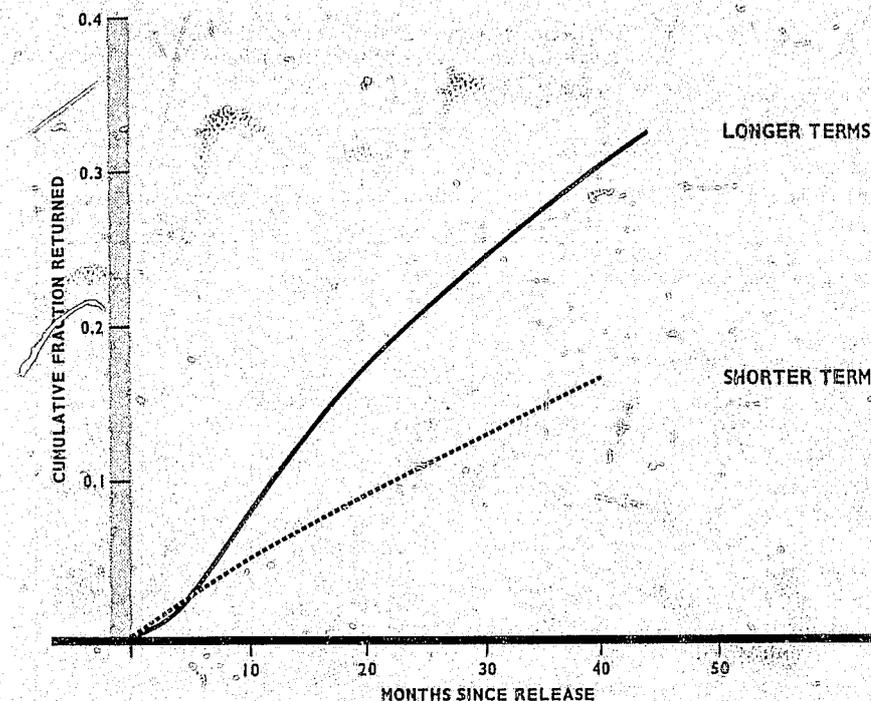
Figure 1.—The relationship between length of original sentence for a major violent crime and percent of offenders rearrested for a major violent crime within 3 years of release.



Source: Table 34.

Figure 2.—The relationship between length of original sentence for robbery and percent of offenders rearrested for a major violent crime within 3 years of release.

the following conclusions about the relationship between recidivism and time served. Among inmates with no previous prison record (the A category), the older inmates (AA and AB) had relatively lower recidivism rates, which varied insignificantly with length of sentence. However, the younger inmates (AC) had relatively higher rates in which recidivism was higher the longer the time served. For those inmates with some previous incarceration (the B category), the older (BA and BB) and the younger inmates (BC) had significantly higher



Source: Mahoney and Blozan, *op. cit.*, p. 42.

Figure 3.—The relationship between length of term served by offenders originally sentenced for armed robbery and recidivism after release for any crime.

recidivism rates the longer the time served. Thus, again the data offer no evidence that longer terms are more deterrent.

There are some other studies of recidivism versus length of sentence or term, but those cited are, among the most rigorous, representative of the general findings up to now, and reflective of how difficult it is to isolate the marginal effects of deterrence. The need for more research is clear. Statistical analyses should include categories of specific kinds of crimes, specific age cohorts, specific sentence lengths, type of treatment, and personal characteristics of offenders. Until new information to the contrary becomes available, however, we are persuaded by the present data that incarceration is a doubtful deterrent for violent offenders.

CONCLUSIONS AND POLICY IMPLICATIONS

1. Offenders arrested for major crimes of violence or burglary generally have long criminal histories, but careers that are nonetheless predominantly filled with offenses other than these most serious of violent acts. The small proportion of major crimes of violence, in relation to all crimes committed during a typical criminal career, varies somewhat according to race.
2. These facts suggest that correction treatment should pay more attention to why violent offenders depart from their predominantly nonviolent careers.
3. Adults arrested at least once for a major crime of violence change location

Table 35.—The relationship between length of original term served by felons and post-release recidivism for a felony [Figures show percent and number of given cohorts who did not recidivate]

Inmate classification	Months served before release			
	12 months or less	13 through 24 months	25 through 36 months	37 months or more
A. No prior institutional commitments	79% (125)	75% (137)	72% (40)	84% (31)
Includes:				
AA. 36 and older at release	93% (29)	90% (29)	100% (7)	100% (7)
AB. 24 through 35 at release	75% (61)	80% (59)	79% (19)	84% (19)
AC. 23 or younger at release	74% (35)	61% (49)	50% (14)	75% (4)
B. Some prior institutional commitments	69% (150)	60% (303)	51% (139)	52% (90)
Includes:				
BA. Satisfactory prison adjustment at first report	71% (127)	64% (254)	57% (93)	59% (54)
BB. Unsatisfactory prison adjustment at first report	57% (23)	39% (49)	39% (46)	42% (36)
All cases	73% (275)	65% (440)	56% (179)	60% (121)

Source: Glaser, *op. cit.*, p. 302.

frequently over their criminal lifetimes and probably have only a limited stake in and identity with any particular community. In response to this association between mobility and recidivism, correctional treatment should more fully seek to develop within the offender the ability to gain acceptance by the law-abiding community and a sense of pride and participation in it. One important means for giving an offender "roots," for example, is job retraining.

4. For both juveniles and adults, there is little or no tendency for successive offenses in a criminal history to increase in seriousness. The more serious the initial crime committed, the lesser the chance it will be repeated. There appears to be only a very slight tendency for juveniles to "specialize" in any one kind of serious violent crime.

5. Although the evidence is incomplete, there may be a greater tendency for adults to "specialize" in aggravated assault robbery, and burglary. If this is true, there is a need to orient treatment to the reasons for repetition. Thus, for example, rehabilitation that is successful in teaching the offender a meaningful job or profession might reduce the feeling of economic deprivation felt by offenders repeating robbery or burglary.

6. Because most juveniles arrested for major violence or burglary, and at least some adults (especially those arrested for criminal homicide or forcible rape), are not likely to repeat these serious acts, and because they are better parole risks than most others, long detention for such offenders, while perhaps

justified in terms of punishment due, is not necessarily always needed for public protection.

7. A violent offender released from an institution, if he recidivates, appears most likely to commit crime roughly 2 to 3 years after release. The policy implication is that after the violent offender leaves more intensive, restrictive correctional supervision or is otherwise allowed to live a more or less normal life in the community, resources from both the corrections system and the community should be concentrated on assisting and guiding him over the next 2 to 3 years. If the violent offender does not recidivate during this time, the chances are much greater that he will not continue his criminal career.

8. At least for juveniles, both the volume and seriousness of major violent acts appear much greater for recidivists than for one-time offenders. This is particularly true for nonwhite recidivists of lower socioeconomic status. The very important policy implication is that correctional resources should be concentrated on preventing one-time delinquents from recidivating, especially if they are nonwhite and belong to the lower socioeconomic class. By focusing attention on the lower socioeconomic status nonwhites who have committed a first delinquency, not only would the general rate of delinquency be affected, but the incidence of violent acts of greatest seriousness might be most drastically decreased. Although there is not enough information to make the same recommendation for adults with the same assurance, current knowledge suggests that intervention after the first offense is the optimal time.

9. A relatively small core of offenders is responsible for a high proportion of all offenses, particularly serious acts of violence. Although first priority for resource allocation should be given to preventing first-time offenders from recidivating, a certain percent will always repeat. Remaining correctional resources, therefore, should be concentrated on these hard-core repeaters who commit so much of the total volume of crime and violence. The kinds of treatment for these recidivists may have to be different from those for one-time offenders. In particular, the range of community treatment programs may be more immediately relevant to one-time offenders (who have not yet become hardened), while the strategy for the hard-core recidivist may have to be a mix of in-depth institutional rehabilitation and retention before treatment can be continued in the community. An important research aim should be to distinguish potential hard-core recidivists at the earliest moment in their delinquency careers, at first arrest, or the time of first contact with the public authorities.

10. Length of sentence seems to bear no regular relationship to likelihood of recidivism for violent offenders. If anything, there may be a tendency for violent offenders who have served longer sentences to recidivate more often than those who have served shorter sentences. Although longer sentences may satisfy the desire to punish the violent offender, they do not unequivocally deter him from further crimes. Our correctional response would therefore be more efficient, as well as humane, if it concentrated on the time needed to rehabilitate an offender, rather than on the length of sentence he should serve.

REFERENCES

1. This chapter expands upon an early draft written for the Task Force by Charles Wellford of the University of Pennsylvania.
2. James Q. Wilson (with James Vorenberg), "Is the Court Handcuffing the Cops?" *New York Times Magazine*, May 11, 1969, p. 32.
3. This is generally suitable for our purposes because the major violent crimes are the most serious and therefore the most likely to be recorded. However, as is evident in the later discussion of successive crime transitions, the orientation of the file to serious crimes limits the extent to which it can be used to describe patterns from serious violence to other crimes, and vice versa.
4. This would not have been possible without the cooperation, contribution, and codirection of Jerome Daunt, Inspector and Head of the Uniform Crime Reporting Section of the FBI, and William Meincke, Special Agent, Uniform Crime Reporting Section.
5. Criminal homicide, forcible rape, aggravated assault, or robbery, as discussed in Ch. 1.
6. We have already shown in Ch. 3 that violent crime differentials by race for juvenile males are remarkably alike when latitudinal UCR data are compared with longitudinal data from the Philadelphia cohort study.
7. A note of caution must be entered here, however. These conclusions on race mainly reflect the fact that a much higher proportion of the Negro population than of the white population has been arrested at least once for these serious violent acts. Yet, as will be shown below, the percentage of serious violent acts out of all crimes committed over the average criminal career of Negroes arrested at least once for major violence or burglary is not as much greater than the corresponding white percentage as might be expected from the black-white violent crime rate differentials in any one year.
Although they are not presented here, the longitudinal data from the "Careers" file also reflect the latitudinal data of Ch. 3 in showing major violent offenses to be predominantly committed by males.
8. These, of course, were offenders arrested for major violence or burglary between 1964 and 1967 and then released before 1967. Offenders with such an arrest who remained incarcerated through 1967 did not have a chance to recidivate over the period.
9. Criminal homicide, forcible rape, aggravated assault, robbery, burglary, larceny, and auto theft. See Ch. 2 for a discussion of the UCR Index.
10. The study tabulated "police contacts," whether or not an arrest was actually made.
11. We are not reproducing the data on changes in seriousness in the transition from second to third offense, but the results are essentially the same as in the transition from first to second offense: general uniformity in the levels of seriousness.
12. The matrix is based on data from the Minnesota Board of Corrections and the U.S. Bureau of Prisons.
13. One of the reasons for this limitation is that, as noted earlier, the "Careers" file is more complete in its coverage of serious offenses than in its coverage of less serious crimes.
14. The adult data show this is at least the case with regard to switches among the major violent crimes plus burglary. However, a closer look at Table 18 shows that individuals previously arrested for larceny or auto theft will most likely be rearrested for burglary. The indication is that there may be an increase in the seriousness of offenses by adults within the range of property crimes. This agrees with several other authors who have shown that the most frequent criminal pattern among adult offenders is one beginning with petty stealing and progressing to much more serious property offenses. See, for example, Henry D. McKay, "Report on the Criminal Careers of Male Delinquents in Chicago," App. E, Crime Commission, *Task Force Report: Juvenile Delinquency and Youth Crime* (Washington, D.C.: Government Printing Office, 1967).
15. This is at least true when moving from first to second and second to third offenses.
16. It should be noted that Table 14, from the *Task Force Report: Science and Technology* of the Crime Commission, shows that "lifetime rearrests" were distributed with higher frequency among violent offenders than were first arrests.

- But the 1,000 first arrests were based on juvenile violations which included offenses for which adults cannot be arrested. We consider the transition matrices of the Philadelphia juvenile cohort and the new computations from the FBI file more refined data.
17. The Task Force also constructed reconviction crime switch matrices like Table 23 for Negroes separately and whites separately. Although we have not reproduced these tables, the same basic differences as were found with the arrest data of Tables 10 and 11 emerged: regardless of the previous conviction, Negroes tended to be convicted relatively more often for aggravated assault and whites tended to be convicted relatively more often for burglary.
 18. The study uses "sex offenses" instead of "forcible rape" and "assault and battery" instead of "aggravated assault." Although these are broader classifications than the ones used throughout the rest of the chapter, we assume the differences have an insignificant effect on the percentage distributions.
 19. This study is limited, however, in that only 1 year after release is covered. The repeat rates would undoubtedly be higher if a longer timespan were used; later sections in Ch. 12 suggest the observation period should be at least 4 years. Yet we do not believe the problem is great enough to invalidate the suggestion here: violent crime-specific conviction repeat rates are higher when we consider only the group of offenders having previous and subsequent convictions for major violence than when we ask how many offenders convicted once for these acts are reconvicted for the same ones.
 20. The study does not separately consider criminal homicide offenders.
 21. Table 25 does not show, for example, the proportion of released inmates reconvicted in another state, a percentage which might be significant considering the mobility of violent offenders. And it will be important in future work to specify the crime of reconviction over the same time period or a longer one, as well as to compare patterns between juveniles and adults, Negroes and whites.
 22. For example, the FBI has concluded from "Careers in Crime" data on adults that the first 2 years after release for a violent crime (and most other crimes) compose the most likely period of recidivism for any kind of crime (*UCR, 1967, op. cit.*, p. 41). Glaser has concluded from national data on adults that the first 2 to 5 years are most crucial when recidivism of felons for any kind of crime is considered. (Daniel Glaser, *The Effectiveness of a Prison and Parole System* [New York: Bobbs-Merrill Co., Inc., 1964], p. 24).
 23. The Philadelphia cohort study uses median income in the census tract where the offender lives as the proxy for socioeconomic status.
 24. This comparison of whites and nonwhites — when one-time offenders are also compared to recidivists — was considered by the authors of the Philadelphia study to be one of the most important findings. It was the first point in the analysis of the cohort in which the variable of race yielded its position of statistical prominence. Socioeconomic status also retreated as a major distinctive variable. It was still the case that race and socioeconomic status showed considerable differences among recidivists; nonetheless, the greatest reduction in race and socioeconomic status disparity occurred among one-time Index offenders.
 25. This is the conclusion of Sellin and Wolfgang, *op. cit.*
 26. This finding has been reported in other studies as well. Glaser (*op. cit.*, p. 504) found in his analysis of adult felons that the younger a prisoner was when first arrested, convicted, or confined for any crime, the more likely he was to continue in crime.
Summarizing a number of investigations, the Crime Commission (*Task Force Report: Crime and Its Impact — An Assessment*, pp. 79-80) concluded that "... the earlier a juvenile is arrested or brought to court for an offense, the more likely he is to carry on criminal activity into adult life; that the more serious the first offense for which a juvenile is arrested, the more likely he is to continue to commit serious crimes, especially in the case of major crimes against property; and that the more frequently and extensively a juvenile is processed by the police, court, and correctional system, the more likely he is to be arrested, charged, convicted, and imprisoned as an adult."
 27. In the present context, "deterrence" refers to the impact of corrections strategies designed to prevent offenders from recidivating.

We omit the effectiveness of corrections strategies in deterring potential offenders. The major research question for this kind of deterrence is whether or not crime rates in the community vary according to the severity of court sentencing and corrections actions. Although research on this unexplored question is desirable, it will be very difficult to conduct because of the many variables (e.g., socioeconomic conditions and family experience) which intervene between courts and corrections policy and the behavior of potential criminals.

Nor do we consider here the impact of police deterrence on potential offenders. Recommendations on police-community deterrence are made in Ch. 17, however.

28. Glaser, *op. cit.*, pp. 15 ff.
29. For example, an optimal search design might include at least four different cohorts of offenders followed over a specified period after release. The frequency distributions among age, other personal characteristics, past record, crime of incarceration, etc. should be controlled for each group. Offenders in cohort A would receive suspended sentences. Offenders in each of the other cohorts would be under correctional supervision for x years. Offenders in cohort B would be incarcerated without rehabilitative programs, those in C incarcerated with institutional rehabilitation, and those in D incarcerated with institutional rehabilitation followed by community reintegration. Recidivism rates would then be computed. It would be assumed that those not recidivating in Cohort B behaved in this manner because they were deterred. The added effects on recidivism of being given another chance (cohort A), being rehabilitated (cohort C) and being rehabilitated and reintegrated (Cohort D) could then be comparatively measured. Hopefully, all other influences could be properly controlled.
30. Glaser, *op. cit.*, p. 303.
31. In general, longer sentences result in longer periods of confinement.
32. The average numbers of new violent arrests per offender over the four sentence lengths are 1.3, 1.2, 1.1, and 1.2 respectively (Table 34).
33. When a robber recidivated in one of the four violent crimes, however, there was at least a drop in the number of new arrests for violence as length of sentence increased. The average numbers of new violent arrests per offender over the four sentence lengths are 1.7, 1.2, 1.1, and 1.2, respectively (Table 34).

We have analyzed Table 34 only for data referring entirely to the four major violent crimes. Much more analysis could be done. In general, Table 34 shows recidivism by sentence length for these six combinations:

Crime of original sentence	Crime committed upon recidivating
(1) Major violent crime	Major violent crime
(2) Robbery	Major violent crime
(3) Burglary	Major violent crime
(4) Major violent crime	Any crime
(5) Robbery	Any crime
(6) Burglary	Any crime

Although there is little evidence that longer sentences are more deterrent for combinations (1) and (2) (where we are only dealing with the major violent acts), there is at least some evidence for cases (3), (4), (5), (6) (where we are dealing with varying mixtures of major violent acts and other crime). In each of these instances, there is a decline in recidivism with longer sentences. The evidence is only suggestive and the data very crude because we have not been able to isolate only the deterrent effect on recidivism, so that there are other uncontrolled influences on the rates. These results thus indicate the possibility that whether or not positive marginal deterrence is operative depends in part on the specific crime of original sentence in combination with the specific crime upon recidivating. Future research must accordingly build a much larger matrix than Table 34 in which data on recidivism by sentence length is broken down by all the possible combinations of specific crime of original sentence and specific crime upon recidivating.

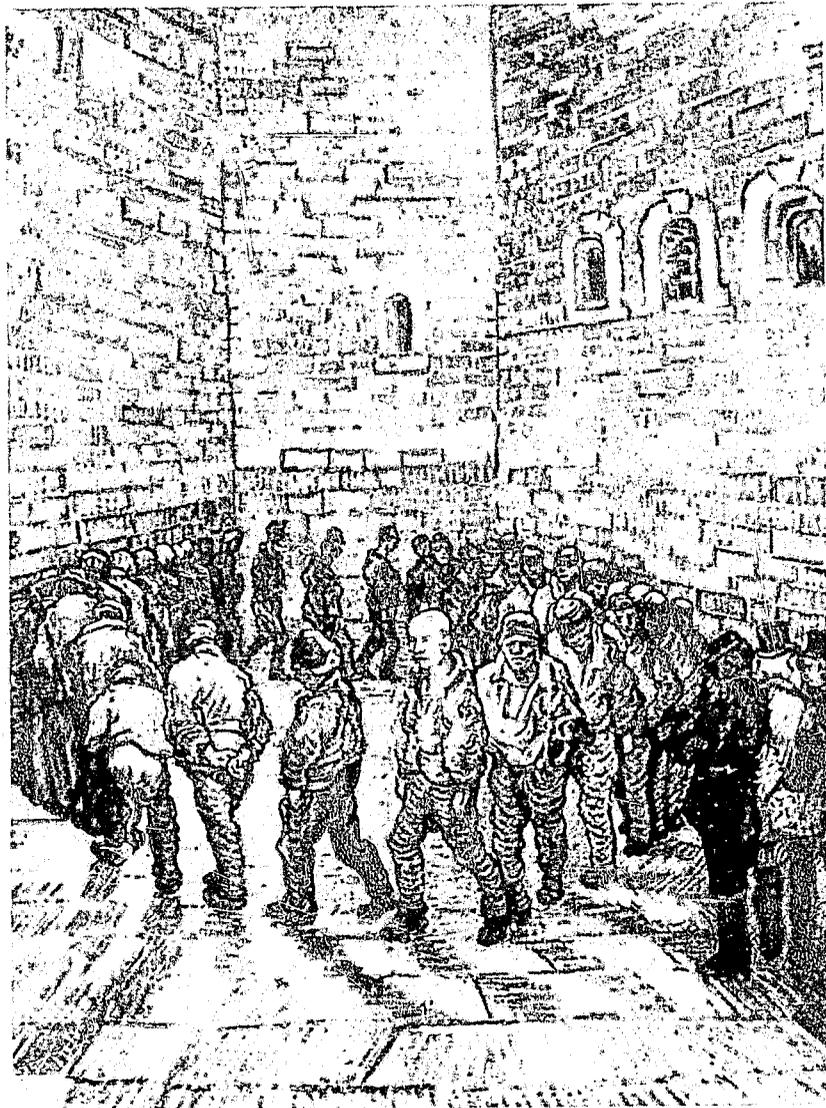
34. The data reflect only those persons returned to the Indiana State Reformatory. Thus, there is a general downward bias to the recidivism rates computed because

they do not include returns to custody at either a lower level (the Indiana State Farm) or to a higher level (the Indiana State Penitentiary). Nor do these figures include paroles who fled the state or remained in the custody of out-of-state jurisdictions. (See Mahoney and Blozan, *op. cit.*, p. 34).

This investigation is similar to the FBI study in that it breaks down the original reason for incarceration by specific kind of crime, employs a post-release observation period of approximately 3 years, and is unable to isolate the effect of deterrence on recidivism from the influence of other factors. The Indiana work uses actual terms served and returns to prison, not sentences given and arrests, to determine recidivism. It is less adequate than the FBI data in that it has no specific breakdown of the kind of crime upon recidivating and is less specific about length of term served (only the categories "longer" and "shorter" are used).

35. See Glaser, *op. cit.*, p. 302.

This study is similar to the FBI study in that it breaks down time served by specific periods, employs a post-release period of 3 years and is unable to isolate the effect of deterrence on recidivism. It improves upon the FBI study in that it contains specific age cohorts, indicates whether the offender had a previous record, uses actual terms served, and is based on returns to prison. However, it has no breakdowns by specific kinds of crimes (other than stating the original offenses and indicating that crimes upon recidivating are felonies).



Prison Courtyard. Painting by Vincent Van Gogh after Gustave Doré. Pushkin Museum, Moscow.

CHAPTER 13

THE CORRECTIONAL RESPONSE

The way in which a society responds to those who break its codes and laws can be used as a crucial indicator of its values and its dominant notions regarding individual versus social responsibility for conduct. But those responses must also be seen as potential major factors in the rates of crime and recidivism that prevail. If, for instance, the dominant tendency is to incarcerate most of the offenders who are apprehended, and if during their incarceration little is done to alter their attitudes or the conditions that contributed to their illegal behavior, then incarceration will have little or no influence on the crime rate or the rate of recidivism. Imprisonment may indeed contribute to a career in crime.

Aware of these implications, the Crime Commission devoted many pages to the history, functions, and probable future of the system of corrections in this country. We shall only repeat the main themes of that report, incorporating whatever new materials have emerged since its publication and laying the groundwork for our later recommendations on the changes needed in society's correctional responses.

PERSPECTIVES

At various times in our national history, three broad goals have dominated correctional philosophy. In the order of their emergence, they have been retribution, deterrence, and rehabilitation.¹ Curiously, each is sometimes justified as a means to the other. Punishing offenders, and thus providing retribution or "revenge" to the society, has been rationalized as a means of deterring and rehabilitating them. Deterrence, too, has been seen both as a justifiable punishment (via incarceration) and as a path to rehabilitation. Most recently, claims for rehabilitation have argued that reincorporating the individual into society may serve as the best possible deterrence against future crimes; yet they have also admitted that some punishment may be a useful means to rehabilitation.

Roughly speaking, punishment and retribution were the main correctional themes in the 18th and 19th centuries; deterrence in the first half of the 20th; and rehabilitation in the last three decades. Each of these themes can still be found coexisting in the laws and customs that reflect the response of citizens and lawmakers to criminal activity today.

Emphasis on these themes varies considerably across different codes and

jurisdictions. The same range of differences are found in the writings and pronouncements of newspaper editors, professional corrections personnel, the judiciary, police authorities, and professional penologists.

These competing and conflicting motives have often resulted in confusion and an unworkable mixture of policies in actual correctional practices. Probably no programs presently exist that are purely retributive, purely deterrent, or purely rehabilitative in intent. In terms of actual consequences, most correctional programs today serve mainly to keep the detected offenders incarcerated and, whatever retributive gratifications this may provide the public, little evidence supports the view that such incarceration serves either long-run deterrent or rehabilitative consequences.

In an effort to secure better information about the array of correctional policies throughout the institutions of the country, the Crime Commission conducted a countrywide survey² and found that the correctional system could best be characterized as a loose assemblage of tenuously related structures and functions in which each level of government—city, county, state, and federal—tends to operate correctional facilities without much regard for the policies being pursued on the other levels. Moreover, serious differences were found between programs for juveniles versus adults as well as between policies administered in institutions versus those carried out in the community. Severe deficiencies in correctional personnel further complicate the problem.

The Commission concluded that preventive detention was the major instrument of corrections, with little effective concern for positive treatment, much less individuated treatment of particular offenders. While there is little adequate evaluation of the impact of such incarceration policies, the Commission felt it had enough evidence to justify the assertion that institutional confinement had little promise of yielding rehabilitative and deterrent consequences. It was therefore considered urgent to move ahead toward new policies based upon treatment outside the institution, so that some reintegration of the offender into the community might be realized. Reintegration has also been advocated strongly by the majority of professional criminologists and penologists.

In arriving at this conclusion, the Crime Commission cited numerous studies of the effects of penal confinement on inmates which, it believed, showed that confinement tends to make many offenders less amenable to normal rules and laws in the regular community and far less able to achieve legitimate success. By contrast, those programs that involved rehabilitation and integration directly in the community at large seemed more promising. Parole, probation, and halfway houses are the major instruments of such community-based treatment.

EVALUATION OF PROGRAM EFFECTIVENESS³

Given the inadequacy of scientific program evaluation indicated by the Commission, it is essential to define the measures by which the effectiveness of any correctional program can be tested. Such evaluation involves two groups: offenders who are participating in the program under examination and those in an established program. In this way, measures of differential effectiveness can be made. All potential programs should be evaluated and the successful ones adopted for correctional use. Even after adoption, innovative

programs should allow for continuing evaluation and modification of techniques as the need arises.

The concept of measured effectiveness basic to such evaluation comes from the literature on economic "cost-effectiveness" analysis. The purpose of such analysis is to compare the cost and effectiveness of alternative means to achieve the desired ends of a program. This comparison is made by deriving from the ends of a stated program certain criteria by which the success of alternative approaches can be assessed, and by then combining these assessments with cost estimates. The most direct measures of corrections program effectiveness are crime and recidivism rates.

As explained in Chapter 2, the Sellin-Wolfgang Index measures the seriousness as well as the incidence of violence; it therefore is a more sophisticated tool than the simple crime rate. Used to compare the violence and crime committed by a group of offenders released after one program to that committed by a group released after another program, the Index can show if one rate is lower as well as whether the new program has at least produced a shift to crime and violence of lesser severity.

Table 1 illustrates the use of the Sellin-Wolfgang Index as the measure of effectiveness in two hypothetical corrections programs. In this example, it is assumed that a separate cohort of offenders was involved in each of the two programs, that the individuals were released, and that data were collected over a specified time period. Program 1 here proved more effective.⁴

Table 1.—Calculation of Sellin-Wolfgang Index values for 2 hypothetical programs

Incident	Number of incidents by program		Sellin-Wolfgang Index value	Sellin-Wolfgang Index total program ^a	
	P ₁	P ₂		P ₁	P ₂
No trouble	40	30	0	0	0
Some trouble but not returned to prison	12	20	1 ^b	12	20
Technical parole violation only	24	28	1 ^b	24	28
Burglary	5	3	3 ^c	15	9
Assault	3	2	4 ^c	12	8
Rape	2	2	10	20	20
Capital offense	4	7	1	4	7
Armed robbery	6	3	7 ^c	42	21
Forgery	4	5	3	20	12
Total	100	100	NA	149	125
Per incident average				1.5	1.2
Per crime average ^d				4.7	3.5

^a Obtained by multiplying the number of incidents by the Sellin-Wolfgang Index value.

^b See listing of Sellin-Wolfgang weights in Ch. 2.

^c Based upon "average" occurrence.

^d Exclude top 3 incident categories.

SOURCE: Mahoney and Blozan, *op. cit.*, p. 31.

The other direct measure of effectiveness is the recidivism rate. The lower the rate at which inmates return, the lower the population of the prison system and the lower the requirements for supervision of released prisoners.

Measurement of recidivism is often difficult because of the mobility of the offender, as discussed in Chapter 12. No nationwide data collection agency exists that can trace a person who flees to another state and commits a crime. Had such a crime been committed in the original jurisdiction, it would be associated with that prisoner's release and included in the official recidivism rate. Reported recidivism rates tend to be lower than the actual rates because individuals not known to be in the custody of other jurisdictions are often counted as successful rehabilitants.⁵ Although they are useful measures of effectiveness, recidivism rates must be used with caution.

In addition to direct measures of a program's effectiveness, the possibility exists that secondary (or "spillover") benefits will be generated. If, for example, a certain rehabilitation project achieved no actual reduction in violent crime, but reduced the cost to society of violence, this might reasonably be taken as an indirect measure of project effectiveness.⁶ Directors of corrections programs must therefore retain a sensitivity toward formulating indirect measures whenever they seem to apply.⁷

The measures required will vary according to the specific needs of individual projects. No single measure can embrace all the objectives of a program. A simple recidivism rate, for example, does not consider the severity of the crimes committed, tells nothing of the performance of those not returned to prison, and does not always account for the order of the return to prison (i.e., whether it is the first, second, third, etc. incarceration). Other measures might provide insight into the areas not covered by a simple recidivism rate, but they also fall short of telling the entire story.⁸ Accordingly, just as a set of economic indicators has come to be used in appraising the economy, so a set of measures appears necessary for testing and evaluating corrections programs.

Our strong emphasis on objective evaluation has an important bearing on the suggestion that treatment strategies should respond to the underlying causes of crime and violence. We are well aware that correctional programs must build upon assumptions of basic causality. Thus, orientation to job retraining and education partially responds to causal interpretations stressing frustrated job opportunities, while techniques that seek to modify behavior may be the only alternative to incarceration for those whose violent acts stem from deep-seated psychopathologies.

There is no need, however, to think that alternatives can be proposed only after causation has been absolutely determined. Ideas based on reasonable hypotheses should be evaluated and given adequate funding. If a tested program is proven effective, it should be implemented even if the causal explanation for its success is not fully understood.⁹

GENERAL STRATEGIC CONSIDERATIONS

Particular Treatment for Particular Offenders

Offenders differ from one another according to types of offenses and reasons for committing them. It was suggested in Part II of the report, for

example, that some individuals may violate the law because their peer group prescribes criminal behavior as the price of acceptance or because the values which they have internalized are those of a deviant subculture. Some may break the law because of insufficient socialization. Others act out internal conflicts, identity struggles, or family crises.¹⁰

Once we recognize offenders as individuals, the idea of using different correctional techniques to respond to different kinds of people seems logical. Research on the individualization of treatment has focused on the formulation of offender categories according to certain specified criteria. Treatment is "individualized" in the sense that each offender is classified into the grouping that best characterizes him, and a special correctional approach is then designed for each group.

The proposals to date have generally used classifications according to reference group and social class typologies, behavioral groupings, psychiatric distinctions, social perception and interaction categories, or the personal characteristics used in base-expectancy tables (such as age and former employment status).¹¹

The California Treatment Program has had considerable success in recent years with a differential treatment system based on a social interaction classification scheme. The following classifications as being used to describe offenders: asocial, conformist, antisocial-manipulator, neurotic, subcultural-identifier, or situational. Offenders are treated differently according to the category each is judged most closely to fit. All the treatment alternatives are forms of community integration in this particular program. The use of individualized treatment, however, can incorporate any combination of correctional strategies (e.g., reintegrative community programs as well as rehabilitative institutional programs), if each combination is found to be the best response for a particular category.

The California program is being regularly evaluated, with recidivism rates as the basic measure of effectiveness. Recent figures show that only 28 percent of the experimental group, as opposed to 52 percent of the others, have failed on parole within 15 months of release (failures include all revocations of parole, recommitments from the courts, and unfavorable discharges). The figures for 24 months of community exposure time similarly favor the experimental group to a statistically significant degree.¹²

The concept of differential treatment has had tremendous impact in California and elsewhere and has given rise to the possibility of treating a large proportion of the delinquent population in the community in lieu of incarceration. It has led to an experiment in San Francisco in which differential treatment is compared to both group-oriented models and traditional institutions. It has stimulated two projects in institutions which have been concerned with developing differential treatments better suited to the needs of specific subgroups within the delinquent population. It has motivated attempts to effectively match types of clients with types of workers and has resulted in the establishment of the Center for Training in Differential Treatment in San Francisco, Calif.¹³

These projects and other related work on the individualization of treatment¹⁴ are encouraging, but relatively little has been done to classify and treat violent offenders differently from nonviolent offenders.¹⁵ An exception is again California, where programs which consider degree of

violence as an offender classification are being tested in both the Department of Corrections and the Youth Authority.

The Corrections Department has prepared an Aggressive History Profile for almost every inmate incarcerated after April 1, 1964. The profile provides a rating for different forms of violence cross-referenced to major situations in which the offender has displayed violence. If none has been displayed, this too is rated. The profile is completed at reception and updated periodically, especially prior to parole hearings. It is based on a conceptual scheme which classifies violence as cultural, criminal, pathological, situational, accidental, or institutional in character. The degree of violence is rated according to the presence or absence of physical harm — actually inflicted, threatened, absent, or unknown. No single act of violence is rated more than once. When the inmate is paroled, his Aggressive History Profile rating has an influence on the intensity of parole supervision which he will receive, frequency of contact with the parole agent, and many other aspects of his career as parolee. A research program to test the Department's views and assumptions of violence has been formulated.¹⁶

The Violence-Prone Classification Instrument of the Youth Authority is a similar rating scheme for juveniles that scores past violence on the basis of known facts and potential for future violence as well as on staff judgement. The rating is made at the institution prior to the time the ward appears before the board for consideration of release on parole and may result in orders for special services imposed by the board. Ratings on violence-proneness are conveyed to field parole agents.¹⁷

The California work is promising. Further work should be done on the individualization of treatment to test the effectiveness of different alternatives for violent and nonviolent offenders.¹⁸

A common taxonomy could be developed so that individual treatment strategies corresponding to the individual offender categories might be adopted, tested, and evaluated. The most important task for individualized treatment is to decide which goal or combination of goals is right for which offender classification. The combination of correctional strategies used need not be composed of entirely new ideas (though innovation is, of course, encouraged). Indeed, most of the correctional strategies used in the past have been based more on known alternatives differentially applied to the various offender categories than on new ideas.¹⁹

The Use of Prediction Methods

A considerable body of research has aimed at predicting the likelihood that an offender, once released, will or will not recidivate.²⁰ The basic approach involves finding a set of factors statistically correlated with recidivism. Information on whether or not any particular offender is characterized by these factors is then used to predict the likelihood of repeating.

"Base expectancy" tables or "equations" to give the probability that any particular offender will recidivate are important tools in correctional decision-making. The Task Force encourages further sophistication of predictive techniques. The most fundamental needs are for (1) simple tables or equations that can be used easily by non-experts, (2) statistical efficiency to make maximum use of available data, and (3) validated results based on

ex-post observations of how closely predicted behavior conforms to actual behavior.²¹

As we have emphasized, individualized treatment relates a particular treatment strategy to a particular offender classification. Deciding that an offender fits into a particular classification, and hence treatment strategy, is not a simple process. Past work has generally based decisions on clinical observations and the results of various psychological tests. These diagnostic methods need to be refined (through the collection of more exhaustive personal and social data, improved psychological inventory testing devices, and more complete medical-biological examinations) and used in a standardized way for all offenders entering the corrections systems. It also seems reasonable to use a mathematical approach that assists in decision-making by predicting the likelihood that a given offender with particular characteristics will recidivate under each set of alternative treatment strategies.

Prediction tables have traditionally been used to foretell recidivism probabilities only on the basis of offender characteristics. Tables which could predict on the basis of *both* offender characteristics *and* treatment alternatives could serve a very positive function in decision-making. It is important that prediction tables be developed in this direction.²²

In spite of the potential for prediction techniques, they do have limitations and must be used accordingly in correctional decision-making:

Eighty percent accuracy is about the greatest precision that has been demonstrated by any man or any prediction system, applied to a cross-section of prisoners, for prediction parole violation in general, rather than the more difficult task of predicting violence on parole.

Of course, a board might sharply reduce the number of violent offenses committed on parole if it stopped paroling, but this would merely mean releasing prisoners to commit violence as dischargees without the services of parole in facilitating a noncriminal life and restricting activities leading to crime.²³

DOES CORRECTIONAL POLICY SERVE ITS ENDS?

The ways societies prefer to respond to offenders are not empirically testable unless they are related to ends they primarily can help achieve. Thus, punishment, per se, as an end rather than as a means to accomplish some other end, is an untestable value position, just as is humane treatment of prisoners or rehabilitation. It is, of course, possible to test the degree of pain inflicted upon or felt by persons subjected to it. But usually punishment, as well as rehabilitation, is assumed to function as a means to some other end, such as protection of society and reduction of recidivism.

We have suggested that perhaps the most serious difficulty in the evolution of satisfactory correctional policy is inadequate evaluation of means to stated ends. This is true for each of the dominant correctional goals—retribution (punishment), deterrence, and rehabilitation. There are, in particular, many open questions about the deterrent effects of imprisonment. If, for example, one-third of all people released from prison do not engage again in any type of crime, is this because of, in spite of, or without regard to the incarcerative

experience? Do most offenders make rational calculations regarding their probable detection and reincarceration when "tempted" to commit a crime? Do they take length of probable sentence into account? Are they deterred thereby or made more careful about their criminal acts? We do not know the answers. Yet much of the current debate about how to respond to offenders assumes that we do. This is especially true of those who argue for greater severity of sentences on the grounds that it will act as a deterrent, and that, as a corollary, "soft" treatment only encourages offenders to engage in further criminal acts.

Although crude and scattered, the available data on length of sentence and recidivism in Chapter 12 will not support such a contention. The several representative investigations reviewed indicated that incarceration is a doubtful deterrent of violent offenders.

Faced with this kind of evidence, proponents of more severe sentencing generally contend that the public is at least kept safe from the particular offender during the period of his incarceration. This is undeniable, but it is of questionable use as a basis for policy; for it fails to take account of two other possible consequences of such incarceration: (1) the likelihood that more criminal skills and attitudes will be learned during incarceration, and (2) the probable inattentiveness to problems of prevention that may result from the diversion of necessary resources to the very expensive process of long-term imprisonment. Both of these could easily lead to an increase in crime.

Moreover, it is because as a nation we have come to care about human values that we have rejected severe incarceration and the brutal policies of the past and have come to question continuing corrections policies. Similar motives surely underlie the nationwide effort to abolish capital punishment.

These same values have led the philosophy of corrections away from the themes of punishment and revenge and toward the quite different theme of rehabilitation. The rationale is that rehabilitation may serve as the most effective deterrent in the long run by making a law-abiding life possible for the offender. By the same token, security can be provided for the noncriminal public.

REHABILITATION

Rehabilitation includes those correctional programs operating in an institutional setting which encourages the offender to modify his behavior and attitudes to the extent that he no longer commits crimes. Ideally, the process of rehabilitation should not only discourage the commission of crime and violence, but should also positively generate the desire and opportunity to live a peaceful and meaningful life. A criminal career must be changed to a conventional law-abiding career.

The Educational Model

Programs which acknowledge learning deficiencies—vocational, academic, and interpersonal—and seek to communicate information with which the offender develops himself essentially follow an educational approach to rehabilitation.

Most prisoners are unskilled or semiskilled at best and have experienced unemployment or part-time employment.²⁴ It is, therefore, not surprising that the few available scientifically rigorous studies on the effectiveness of vocational training generally indicate, positive results. Recidivism of adult male offenders appears to vary inversely with their post-release employment. The ex-prisoner's primary barrier to employment is not so much his criminal record as his lack of work experience. At present, the post-release employment of at least half the men who have left prison does not involve a level of skill that requires an appreciable amount of prior training. Conversely, for the minority who gain skills in prison which are in demand on the outside, prison work training is a major rehabilitative influence.²⁵

Not only do the subcultural and opportunity-frustration theories reviewed in Chapters 5, 11, 14, and 16 suggest a theoretical relation between economic earning ability and the likelihood to commit certain crimes, but empirical evidence on recidivism reiterates that earning ability is an important asset for ex-prisoners (especially young, adult males, who make up such a large proportion of all inmates) to have if they are to lead crime-free lives. The correctional system is inadequate in vocational preparation, and we will later make recommendations to correct the deficit.

One study has concluded that inmates will get along best with other inmates in vocational training programs when there is a small number of participants, a low level of contact with the rest of the prison population, limited access to contraband services or supplies, and a careful selection of trainees. Under the assumption that good inmate relations will help in making vocational programs more effective in reducing recidivism and crime rates, these features should be included whenever possible in any specific training program.

The teaching of specialized skills can be academic as well as vocational. No reason exists why a specified number of major institutions cannot develop educational centers for the teaching of grade school, high school, and college-level subjects.

Although the evidence indicates that vocational programs have been successful, data on the effectiveness of educational programs are much less certain. It has been concluded that:

- For most inmates, prison education is statistically associated with above average post-release success only when the education is extensive and occurs in the course of prolonged confinement.
- For most prisoners, especially for those with extensive prior felony records, the usual duration and type of involvement in prison education programs is associated with higher than average post-release failure rates.
- A small amount of education in prison frequently impairs post-release prospects of inmates indirectly, by inspiring them with unrealistic aspirations, or by replacing alternative prison programs which could provide a more useful preparation for post-release life.²⁶

These findings indicate that academic training programs should (1) carefully select only those who can benefit more from concentrated academic, as opposed to vocational, education (although learning in one area is not necessarily incompatible with learning in the other) and (2) require

each participant to study over a period of minimum duration.²⁷ This has as its goal the completion of a very specific amount of work (e.g., a grade school or high school equivalent education, the equivalent of one year in junior college, etc.).

Youthful offenders should be the first priority recipients of education and personal guidance in self-understanding, relating to others, and acquiring positive social values. Individual criminal violence is very much a youthful phenomenon. The evidence in Chapter 12 underlined the utility of focusing intervention strategy on youth, and this group has the fewest ingrained habits and the greatest capacity for learning.

A significant experiment in academic and vocational training and the formation of positive social values in youths has been at the National Training School for Boys in Washington, D.C. The project assumed that the delinquent boys involved were deficient (1) in basic social skills and behaviors necessary for successful academic and vocational training and (2) in the kinds of acquisitional and attitudinal patterns by which the needed skills could be learned. Traditional educational procedures (such as yearly promotions, classroom grading, and diplomas) were judged to be inadequate for learning problems of this type. Instead, the program sought to "reinforce" the desired behavior by more immediate and meaningful rewards, such as social recognition, peer approval, and money.²⁸

Each offender's program was structured to the results of a series of tests given upon his arrival and throughout his stay in the program. It was his major performance, orally and academically, which determined the program he would receive; individualized treatment, therefore, was basic to the project. Each boy was given a set of programmed instructional material based on his judged abilities and deficiencies. He worked on his own level and progressed at his own speed. Learning was elaborately reinforced. One method was a system of points by which the boy was rewarded for the completion of academic subjects and the passing of examinations. These points could be translated into money (one point equaled 1 cent) with which students could gain immediate gratifications, (Cokes, snacks, cigarettes, etc.); intermediate goals (such as buying their own meals instead of eating institutional fare); or long-range objectives (such as purchasing their own clothing). By working diligently in the program, a student proceeded at his own pace and could enhance his standard of living. If he did not wish to work, he was put on "dole," and had to live on institutional fare, wear institutional clothing, and suffer the other deprivations of institutional life. No student remained on the "dole" longer than 8 days. Staff and others worked hard to reinforce the newly emerging values among students by deliberately publicizing the recognition of student achievements.²⁹

This approach is ideologically polar to punishment. Punishment stresses the administration of discomfort for those who do wrong; the learning-theory program emphasizes the importance of reward for those who do right. By reinforcing acceptable behavior, the latter method hoped to demonstrate to the offender that a strong effort on his part could be directly rewarded. The project hypothesized that new skills and more successful relationships with people would ensue.³⁰

Although the program has not been completely evaluated, results indicate clear academic, social, and attitudinal progress. Those who had been past

failures, or had been difficult to teach, have apparently learned a great deal. These can be seen as indirect measures of effectiveness. However, no post-release data have yet been evaluated, so the direct measures of effectiveness, such as recidivism rates, have not been made.

We are encouraged that the indirect measures of the academic and social skill learning programs seem effective and hope that future projects will build upon these results, especially in terms of more rigorous evaluation.

Alteration of Personality and Attitudes

Among the more recent developments in rehabilitation policy is the effort to change the offender's ways of looking at the world and his typical modes of response to the social realities he confronts. The assumption here is that the offender's version of social reality is at fault and his modes of response are likely to get him in trouble again unless he can be retrained. On these assumptions, psychological services in many forms have come to prominence in the more modern reformatory institutions. Psychologists are typically employed to diagnose the personality structure of the offender, with the aim of recommending the treatment that seems required if the offender is to leave the institution more aptly suited for life in society.

Various personnel ranging from consulting psychologists to full-time psychiatrists and psychoanalysts are employed to provide therapeutic services to offenders. These services are sometimes rendered on an individual counseling basis, but increasingly more frequently on a group basis. In some of the group-therapy situations, fellow offenders act as "therapeutic agents" who pressure the offender to surrender his rationalizations for his deviant behavior and to face the reality—the same requirements he must meet if he is to survive free of trouble in the outside world.

Efforts are sometimes made to constitute groups of offenders all of whom seem to have the same kinds of difficulties. More commonly, however, there is a mix of differing types of offenders. In some institutions, new modes of therapy, including so-called "behavior therapy," have been undergoing trial in an effort to recondition the offender.

Some observers have commented skeptically about the value of psychological treatment inside prison walls, on the grounds that the prison life works against the possible beneficial effects of treatment. It is argued that the requirements of adequate survival in the society of prisoners and the denials of normal life gratifications in prison undo whatever tentative new perspectives the offender may be able to achieve in treatment.³¹ The lack of an adequate program of meaningful work; the infantilization of grown men through the system of total control of behavior; the absence of normal sexual gratifications and the encouragement of homosexual behavior patterns; the detachment from normal pressures for striving and succeeding that characterize outside life—these and many other facets of prison experience are cited as the negators of many possible therapeutic benefits. The customary low level of training characteristic of the prison's personnel helps to reinforce these crime-creating themes of prison life. The society of prisoners, in effect, is seen as a predominantly criminogenic force, tending to deepen and intensify criminal motives, attitudes, perspectives, and skills.

Skepticism about the effects of therapeutic programs has not, however,

resulted in significant diminution in their administration. Nor has the absence of any adequate evaluation of the possible benefits of such treatment diminished the enthusiasm of certain advocates of therapeutic regimens. The persistence of such advocacy may be a reflection more of the absence of a conceivable alternative than of any genuine conviction regarding demonstrated positive benefits. But because the available data on recidivism do not contain the necessary information about exposure to therapeutic treatment, it is difficult to determine whether the results of such treatment have been positive, indifferent, or negative.

Medical Treatment

Psychological therapy may be seen as the combination of educational and medical treatment aimed at rehabilitating offenders. More purely medical programs are also used in numerous institutions. These range from the simple administration of tranquilizing drugs to reduce tension and perturbation, without further medical intervention, to the drastic measures of surgical manipulation or excision of organs related to higher nervous functions. Impetus has lately been given to the more widespread use of tranquilizing drugs by the reports of success in mental hospitals. Advocates urge the use of the drugs on the grounds that they help make the offender more amenable to possible treatment without any serious deleterious consequences. Again, no scientific evaluation is available regarding the value of such drugs in prisons, but advocacy of their wider use continues, mostly on the basis of positive evidence from mental hospitals.

Surgical manipulation or excision of organs is an experimental approach, and mostly confined to animals. Too little is known at present to justify the use of such surgery as a correctional mechanism on humans. Moreover, there are obvious and very serious legal, social, and ethical problems involved in such an approach. The Crime Commission expressed doubts about intervention techniques, emphasizing that the availability of behavior modification devices "... raises grave questions about their social value, and there is doubt whether any of them would be acceptable in a free society. As with many technological devices that raise such value questions, decisions whether or not to use them, even experimentally, must be carefully weighed."³² No salient arguments have been brought forth since that report to reduce the doubts about their effectiveness and the worries about their moral and ethical propriety.

REINTEGRATION

Partly out of despair with the ineffectiveness of institution-based programs, partly out of humane considerations, and partly out of the notion that the best place to learn how to live in the normal world is the normal world itself, the advocacy of offender rehabilitation in the free community has increased. This position is sensitive to the likelihood that protection of the community will probably always require that a certain percentage of offenders be restrained within institutional confines and that continuing scrutiny will have to be exercised over those who are released into the community. It is also believed that community treatment may result in more

rapid and effective adjustment to normative life by the offenders. The basic theoretical notion here is that law-abiding lives require integration into the normal round of life, involving ties to work, family, recreation, church, friendship, and general community institutions. The lack of such ties, it is felt, frees men to commit criminal acts, and hence their reintegration into these group bonds is required if they are to resume normal life.

Although some may see this suggestion as outlandishly "permissive" and dangerous, such community-based treatment has in fact been going on for a long time now, mainly in the form of probation (release without institutionalization) and parole (release after serving part of a sentence). About two-thirds of the present correctional caseload is under probation and parole supervision.³³

The evidence on rates of recidivism of men probated or paroled is variable, but none suggests that men on probation and parole commit more new offenses than men who have been confined for longer periods in institutions. Some of the studies suggest, indeed, that men who have been probated or paroled may commit fewer new crimes—although this is not certain.³⁴ Insofar as safety of the community is concerned, little difference exists between institutional versus community treatment as both are now practiced. But community-based treatment is obviously less expensive; it reduces the number of men who must be treated in institutions; and, in theory, it thereby releases funds and other resources badly needed for adequate treatment both in and outside of institutions. Presumably, too, community-based treatment is at least as effective for rehabilitation as institutional treatment, and may, given greater knowledge and resources, prove more effective. Because community-based treatment also permits men to resume normal life more fully, it is both more humane and more promising of possible reintegration.

Thus, the Crime Commission found that programs placing the offender in the actual community seemed more promising than those operating within confining institutions. Similarly, those programs which have done most to individualize treatment appear promising. As we noted earlier, one such effort, the California Treatment Program, seems to have had considerably more success than others. Offenders are studied to secure an understanding of their perceptions and personalities, and treatments are then prescribed accordingly.

Community-based programs may therefore be justifiably advocated on the grounds of safety, economy, humaneness, and their contribution to rehabilitation.

Existing programs are, of course, quite variable. They range from minimal supervision by parole officers (who are usually loaded with far too many cases to keep effective contact and supervision of released offenders, much less provide any treatment or counsel) to closely supervised facilities such as halfway houses, where full-scale treatment programs may be offered, along with vocational counseling, continuing education, financial support and the like—all aimed at easing and facilitating the return of the offender to the community.

Other activities that take the institutionalized offender a step closer to normal community life include allowing conjugal and other sex-partner visits; reinstating certain civil rights (e.g., the right to vote); permitting short

furloughs with families; initiating vocational and academic training where participants leave prison during the day; establishing houses on institution grounds where men eat and sleep at night, but work in the community during the day; and providing temporary release periods for specified recreational, religious, and civic activities.

Much interest and enthusiasm have lately been centered around the programs of halfway houses—seen as social “decompression” chambers that provide for a graduated transition to normal life. An early innovation was the experimental Highfields project. Young offenders were released by the court directly to a treatment home, where they did regular work, participated in group-therapy sessions, and could choose, if they wished, to return to more traditional treatment. Evaluation of the program suggests that it has had no less and perhaps significantly more success than more traditional forms of response to offenders.

Partly under the impetus of the Highfields model and partly out of the perceived need for realistic integration, halfway houses have begun to spring up throughout the country. They have characteristically been able to recruit more highly trained personnel and have often benefited from the active interest and involvement of professional criminologists, penologists, and clinical psychological personnel. The ratio of personnel to inmates has almost always been much higher than is found in normal incarcerative institutions and, overall, the program and resources tend to be both more innovative and more ample. At the moment, the evidence regarding their impact on the rate of recidivism is not substantial or clear enough to permit any generalizations, other than that they seem to have no worse results than full-scale institutional treatment and no better results than probation or parole directly into the community.

Compared to the costs of direct release into the community, halfway houses tend to be relatively expensive, although they are probably less expensive than incarceration in custodial institutions. This suggests that further exploration of alternative designs of halfway-house programs is warranted on grounds of economy, efficiency, and humaneness.

Perhaps the most promising possibilities here lie in the combination of normal work and normal sexual experiences, with continuing opportunities to explore the emerging problems of adjustment to these experiences in therapeutic sessions, either individual or group. In short, the therapeutic sessions can be attuned to the realistic problems of adjustment in the normative community, whereas when therapy is administered in institutions of incarceration, no such continuing guided evaluation of actual normative experiences and difficulties is possible.

Among the most important of community experiences that the release offender encounters—aside from work and sex—is the confrontation of the usual negative attitudes of the public who regard him as an ex-offender. Numerous observers have commented on the difficulties that face the “ex-con” at his job, if he has been lucky enough to secure employment. Although many efforts have been made to establish bridges of acceptance by employers and others through whom the ex-offender can find his way into normal community life, the general public attitude toward ex-offenders tends to remain dominantly one of suspicion, distrust, and unwillingness to extend normal opportunities. Nor is private industry alone at fault. The U.S. Civil

Service Commission, for instance, requires that 2 years elapse after discharge from a felony sentence before a person may be considered for a position requiring a high degree of integrity.³⁵ If private industry exhibits comparable reluctance, it is no surprise; and is it easy, under the circumstances, for government officials to urge that private industry extend more understanding and assistance than is granted by official government policy.

In the reformulation of existing programs in halfway houses and in the design of new ones, the need for job preparation and placement would seem paramount. Yet because employment is so hard to find for released offenders, and because financial needs press down upon them immediately after release, various students have suggested the importance of providing such assistance, either through grants or loans, so that the individual would not feel forced to resort to criminal activity simply to provide the necessities of life. In this regard, the terms of the Social Security Act are most ill-fitting for released offenders. To secure such unemployment insurance, one must have been previously employed at a firm covered by the act and earned at specific amount in a designated period of the preceding year. Only the smallest number of released offenders can possibly meet these criteria.

Such evaluations of halfway houses and other community release programs call attention to the quality of the environment into which the ex-offender is reintegrated. If he moves directly back into a community saturated with criminogenic influences, the likelihood of his recidivism is, of course, enhanced. Yet, in more cases than not, it is precisely communities of this type to which ex-offenders return, if they have any place to go back to at all. Some have suggested in such cases a policy of deliberate relocation in other communities, hoping thereby to avoid the probable criminogenic impact of the “old neighborhood.” But where families are involved, this idea presents serious difficulties. And again, more often than not, young offenders have no other “home” to return to. It will, therefore, be of the utmost importance in the design of future programs to take these problems into account.

In the same vein, persons released on parole are continually subject to rather stringent restrictions on their behavior. They are not normally permitted the ordinary free man's range of choices and decisions regarding job, residence, companions, and sexual activities. Typically, too, they can be forcibly returned to incarceration if these regulations are violated. Thus, for example, failure to secure permission to change jobs may result in reincarceration, when such an act by a free person would not normally even be considered irregular, much less worthy of being judged criminal. Because the whole theory of rehabilitation is premised on the notion that the released offender is on the process of relearning how to live in the community, and because such persons should expectably make more ordinary mistakes than others, it would seem excessively shortsighted to be more stringent with them. No community-based program can expect to work if it continues to place upon the offender more severe standards of conduct than those expected of the non-offender citizen.

PERSONNEL AND FACILITIES

A recent survey of personnel problems in the correctional system of the United States is forthright in its conclusions that both in terms of quality and

quantity, the available staff is simply inadequate for institutional services as well as for work in community-based programs.³⁶

The institutional personnel situation is further aggravated by a high turnover rate. Approximately 79,000 professional positions have currently been authorized in the country's juvenile and adult corrections institutions. Five percent of these positions are vacant, and the annual turnover rate is a startling 16 percent. This means that 13,000 persons must be recruited each year by the nation's correctional institutions merely to replace those leaving jobs.³⁷

Community-based programs are perhaps even more poorly staffed. There are still a significant number of jurisdictions that lack probation or parole facilities of any sort for misdemeanor offenders. Of the 250 counties studied by the Crime Commission, one-third provided no probation service at all.

All states have community supervision facilities for juvenile offenders and adult felons, but in some jurisdictions these are no more than nominal. Many small juvenile courts, for example, rely almost entirely on release on suspended sentence in lieu of probation supervision, and their judges attempt to keep a check on those released as best they can.³⁸

Similar scarcities exist in probation services for adult misdemeanants, so that the possible benefits of community-based services are denied and offenders must either be left in the community unaided and unsupervised or sent back to institutions for treatment.

The general inadequacy of personnel is compounded by a serious imbalance in the distribution of staff between institutional and community programs. Though perhaps as many as two-thirds of all offenders are currently assigned to some form of community treatment, only 13 percent of all correctional personnel are in the community at large, the remainder performing their functions inside institutions.³⁹

In response to these inadequacies, the Crime Commission advised that the 6,600 specialist in our institutions—mainly teachers, psychologists, and psychiatrists—be expanded to meet minimum needs and that the 14,700 parole and probation officers employed in community services be expanded to 44,800 to reduce case loads to an acceptable level of 35 per officer.⁴⁰ Even though it has already been demonstrated in several experiments that more and better personnel are effective innovations,⁴¹ these recommendations have not yet been implemented.

Examination of the factors that contribute to the unavailability of qualified personnel reveals that the low status and pay of correctional positions constitute major drawbacks. Because the "clientele" are "deviant" and "socially undesirable," the caliber of personnel attracted to the work is typically low. This tendency is reinforced by the unattractive monetary rewards typically given to corrections officers.

Efforts to counteract this situation have most recently focused on recruiting professionally skilled people for positions outside institutions, especially in jobs involving prevention and control. This emphasis no doubt

reflects the greater glamour and social acceptance of these positions compared to correctional positions and an implicit judgment that positive results will be forthcoming most rapidly from an investment in these forms of human capital.

Our educational institutions represent a possible major source of new people in the field of corrections, but few American college students are being prepared for such work. Less than 15 percent of colleges and universities in the United States offer courses directly related to criminology, and just 5 percent offer courses directly pertaining to correctional problems. Nor is the existing correctional profession sufficiently active in disseminating information about the challenges of corrections work, or in recruiting and training recruits. Only half of all correctional agencies have any kind of regular in-service training programs.⁴²

One attempt at remedying the situation involves the recruitment and training of inmates and ex-offenders as quasi-professional correctional workers. At the Kansas State Penitentiary in Lansing, for example, selected inmates, assisted by professional correctional personnel, regularly conduct a program for juvenile delinquents. The California Youth Authority employs youthful offenders to work with still younger offenders in various aspects of their rehabilitation programs. Certain halfway houses, such as St. Leonard's House and St. Anthony's Inn in Chicago, are managed and staffed by ex-offenders. Also in California, under the sponsorship of NIMH, a New Careers Development Project was launched in 1963 to explore the possibilities of recruiting and training incarcerated offenders for jobs as professional aides in various agencies. Reports indicate that by and large this program has been effective, with only one of the 18 employed offenders having become involved in new criminal activity.⁴³

Considerably more evaluation needs to be done in testing how ex-prisoners as treatment personnel affect the recidivism rates of the offenders they are treating. The basic idea, however, seems promising. Not only do ex-offenders offer a manpower source that could significantly reduce the present gap in personnel, but training for the positions while still incarcerated is also a mode of vocational rehabilitation. In addition, because of his personal experience, the ex-offender may have insights that other corrections personnel do not have, and his use fits well with the suggestion that peers as treatment personnel may be very effective in rehabilitation.

However, numerous legal obstacles prevail against the widespread development of such programs for employment of ex-offenders. Some 40 states have statutory or administrative prohibitions against the employment of probationers or parolees by state agencies; in 33 states there are restrictions on state employment of an ex-offender completely free of legal supervision; and perhaps as many as three-fourths of all probation and parole agencies are prohibited to hire people with felony records.⁴⁴

These formal restrictions, coupled with reticence on the part of existing correctional personnel to permit the use of ex-offenders in correctional work, suggest that, until more support can be acquired, expansion of this innovation will be slow, if it proceeds at all.

Other possible personnel resources include subprofessionals and volunteers, who have already demonstrated their worth in the care of the mentally ill. Yet the corrections system has failed to use them as important

supplements in closing the manpower gap. Subprofessionals and volunteers could play many roles. Nondeviant peers might be useful in group therapy, and youthful volunteers could be used to minimize negative prison effects by infusing more positive values in an institutional setting. Similarly, subprofessionals could be assigned by parole officers to coordinate the job demand for ex-offenders with the supply of skills they possess and with volunteers recruited from the ranks for ex-offenders to assist in rehabilitation.

There are some precedents. In Sweden, probation and parole services have been revolutionized through a system in which about 150 professional workers, called "protective consultants," have supervisory responsibility for 4,000 lay volunteers.⁴⁵ One related effort in this country is sponsored by the University of Colorado. College students and other citizens are enlisted to work as assistant probation officers and in a wide variety of other activities. Another outstanding program is in Royal Oak, Mich., where probation services in the Municipal Court and in misdemeanor courts are largely dependent upon a staff of volunteers.⁴⁶

In general, however, one may say that insofar as the effectiveness of the correctional system depends in significant measure on the adequacy—qualitative and quantitative—of the personnel involved in these complex tasks, there is little promise of any significant improvement in the corrections systems, unless a marked change in the attention and resources presently characteristic of personnel policies and practices is forthcoming.

Problems with personnel are aggravated by inadequacies both in the physical facilities within which corrections are carried on and in the material resources—workshops, land, equipment, training aids, educational materials—that are needed. Although it has not been demonstrated that the architectural design of institutions has much, if anything, to do with the success of correctional policies, a widespread belief exists among both criminological and architectural theorists that present structures can hardly help but reinforce the negative effects of imprisonment and can only serve to work against attempted rehabilitation. Yet other forms of buildings could as easily be built, without greater cost than that of traditional prison buildings, and the atmosphere of prisons could be altered, so that, for example, more light, more room for exercise, and more effective occupational workshops and educational facilities might be provided, and efforts at rehabilitation thereby possibly enhanced.

In the same vein, the absence of adequate materials, such as teaching aids and workshop equipment, probably contributes significantly to the ineffectiveness of existing correctional institutions. An area of especially great potential is the use of computers to assist personnel in individualized treatment. Computers have already been used to maintain accurate, standardized medical histories in mental hospitals. One hospital, for example, codes diagnostic information about each patient and reads it into a computer. When a psychiatrist wants to study a case, the patient's history is printed out at 1,100 lines a minute in straightforward, declarative sentences. Eventually the computer may be able to produce a set of the most probable diagnosis and treatment alternatives, although final decisions must still be left to doctors.⁴⁷ It seems probable that application of these ideas to the individualization of treatment in the corrections system could greatly improve the effectiveness of decision-making and significantly reduce

manpower problems by generating needed information rapidly and accurately.

Any meaningful improvement in corrections work must also be a function of rather substantial changes in the present allocation of capital funds to institutional and community-based services. It is estimated that by 1975 the capital outlay for additional space in prisons will exceed \$1.13 billion, and added operating costs may mount to \$200 million.⁴⁸ The last figure is more than the total amount now being spent for all community-based correctional services. Given the distribution of offenders being treated in and out of institutions, obviously a serious disproportion exists in present allocations.

The prevailing attitude among the lay public toward improvements in correctional policy is dominantly based on indifference or hostility. It is not surprising, therefore, that little involvement of citizens' groups in the scrutiny and management of the system has occurred. Recognizing the inadequacy of citizen participation, the Crime Commission strongly recommended that councils for regional planning and liaison with correctional agencies be set up. These councils would serve to evaluate the effectiveness of existing facilities and services and make recommendations for needed change. An example is the citizen action program of the National Council on Crime and Delinquency, which, since 1954, has grown so that today there are citizen councils in 20 states. Some of these councils appear to have been influential in bringing about needed changes in certain correctional systems, such as in the development of new parole structures in California and new subsidies for probation work in Texas.⁴⁹ However promising such activity has been, its scale has been insignificant relative to existing needs. Conceivably such councils could function far more effectively, as watchdogs upon existing operations of corrections, instigators of needed changes, and agents of improved public attitudes toward the treatment of offenders.

CONCLUSION

Existing features of the correctional response to crime in the United States reveal a condition that undeniably needs serious revision and improvement if any effective rehabilitation of offenders is to be achieved. In all major features of the system, there are drastic shortages of material and human resources. Public attitudes are hostile, and public support for needed innovations are absent or ineffective. Lopsided imbalances in the allocation of resources to institutions versus community-based programs seem to persist without much change. Efforts at individuation of treatment are hampered by lack of understanding, sympathy, and attentiveness to the present outcomes.

The failures of the present system, however ble and chronic, seem to be preferred by both the lay public and its elected officials to the costs of change. Those who violate criminal codes are, on balance, treated as undesirable discards who "deserve" whatever fate they incur, and whose rehabilitation is a matter of little consequence. At the same time, persistently high rates of crime and recidivism are deplored, while little thought is given to the probable intimate relation between inadequate correctional response and offender repetition.

If the corrections system is to play a more significant role in reducing recidivism and structuring meaningful, noncriminal careers, imaginative

reform is urgently needed. It is toward this end that our corrections policy recommendations in Chapter 17 are directed.

REFERENCES

1. Mark H. Haller, "Theories of Criminal Violence and Their Impact on the Criminal Justice System," consultant paper submitted to this Task Force, App. 28.
2. See the review of the work on Corrections of the President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission) in Elmer K. Nelson, Jr., "Community-Based Correctional Treatment: Rationale and Problems," *The Annals of the American Academy of Political and Social Science*, Nov. 1967, pp. 82-91.
3. This section is based mainly on the study by W. Michael Mahoney and Carl F. Blozan, "Cost-Benefit Evaluation of Welfare Demonstration Projects: A Test Application to Juvenile Rehabilitation," a paper prepared by the Research Management Corp. under contract to the U.S. Dept. of Health, Education, and Welfare, Dec. 24, 1968.
4. Certain technical problems will have to be resolved in using the Sellin-Wolfgang Index as a corrections effectiveness measure. For example, the Index does not contain values for incidents that are parole violations and not really crimes. Because, in the development of the Index, the nature of the offender did not affect the ranking of the offense, it may be assumed that the scorers would have assigned zero value to technical parole violations if they had been included in the offense versions. Whether in an analysis they should be assigned an arbitrary value depends upon how it is proposed the Index be used. If we use the Index measure as the sole indicator of program effectiveness, then we would assign an arbitrary but low value to technical violations. As an effectiveness measure, the cumulative Index scores would reflect the parole authorities' attitudes as well as crime events.

Another problem is that not all crimes or parole violations for which parolees are accused are, in fact, committed by the parolees. Conversely, many crimes committed by parolees are probably never discovered. There is no way at present to quantify these factors. The only reasonable approach to the problem is to associate a crime event with a parolee only when the records indicate a legal (court) or quasi-legal (parole authority) determination of guilt. (See Mahoney and Blozan, *op. cit.*, pp. 29-30.)

5. *Ibid.*, p. 34.

6. *Ibid.*, p. 46.

7. The following list illustrates some of the more meaningful possible indirect measures of corrections program effectiveness:

Percent in prison.—If for any group of parolees the amount of time they are likely to spend in the system can be estimated, we can also determine the number of parolees from the cohort who are likely to be in the reformatory or some other institution at any point in time. A measure called "percent in prison" is produced. This figure, calculated for successive units of time following release on parole for a given cohort, is one very real measure of the project's effectiveness.

Prison months. This measures the amount of time that returnees are likely to spend in the reformatory, prison, or other custodial institutions. The amount of time is a function of a number of things, including the offense that resulted in incarceration, prior criminal history, behavior during the period in prison, and in some cases the ability of the prisoner or his family to formulate employment and other plans for possible parole.

To calculate the measure, returnees are matched with the expected time to be served by the reason for return. Two possibilities exist: (a) calculating the expected prison-months for an entire cohort, and (b) calculating the prison-months only for those returning.

Earnings and employment status.—The acquisition of meaningful employment is an important objective of rehabilitation and reintegration programs. Two indirect measures of whether the offender is adjusting to the real world are legitimate earnings and employment status.

Earnings or wage rates require little discussion. Their computation and presentation will vary little with use in particular applications. But for a cohort of parolees they incorporate the impact of many other events. Other things being constant, the higher the recidivism rate, the lower the average earnings; the higher the job instability, the lower the earnings; the lower the wage rate, the lower the earnings; and so on.

Exact measures of employment status depend on the particular program being evaluated. If, for example, a parole program has a job-training component and the goal is to provide specific job skills, an employment status measure might be changes of scores on tests examining those skills.

A measure of employment status is important because rehabilitative and reintegrative projects measure success or failure not only in terms of the behavior of released prisoners, but also in terms of the behavior and attitudes of the public, especially of employers, who are often reluctant to hire persons with criminal records. This reluctance may reflect the results of previous experience, and be entirely rational. It may, however, be irrational and merely reflect a lack of correct information. In either case, a statistical tabulation of the employment status of persons with criminal records would mirror the willingness and ability of such persons to find and retain employment and the willingness of employers to provide jobs.

Other measures.—Two other indirect measures which preliminary research has shown promising are prediction of the average time out of prison of an individual once he has been released and prediction of the expected average time in prison once an individual has entered. These measures are based on a statistical prediction model using Markov Chain Theory. (See *ibid.*, pp. 46-57.)

8. *Ibid.*

9. In the field of mental health, treatment skills have far outdistanced etiological explanations, and diagnosis is related more to the predictions of the course and most effective treatment of a condition than to its causation. The history of medicine in general is full of instances of the successful development and utilization of treatment and preventive methods which worked (e.g., lime juice for scurvy, quinine for malaria) long before the real nature of the illness was understood. [Gordon Hawkins and Norval Morris, *The Honest Politician's Guide to Crime Control* (forthcoming publication of University of Chicago Press)].

10. Marguerite Q. Warren, "Classification of Offenders as an Aid to Efficient Management and Effective Treatment," a paper submitted to the Crime Commission, p. 4.

11. *Ibid.*, pp. 7-8.

12. Lamar T. Empey, consultant paper to the Task Force, App. 30.

13. *Ibid.*, pp. 71 and 72.

14. Of the studies currently being funded by federal agencies, the following two project descriptions profile other important work on the individualization of treatment:

Morgantown Experimental Study: "For the past 5 years at the National Training School, Dr. Herbert Quay has been developing screening tests to distinguish different types of delinquents, such as immature, neurotic, subcultural, and psychopathic. Preliminary studies of specialized programs for these different categories of delinquents have shown promising results, so that we are now ready to test the effectiveness in a more rigorously controlled fashion. The opening of the new Youth Center at Morgantown affords a rare opportunity for an experimental comparison of different kinds of programs with an identical population. The initial population for Morgantown will be randomly selected from an age and offense appropriate pool of youthful offenders recently admitted to the Ashland and Tallahassee facilities. At Morgantown, the new kind of program which provides different treatment strategies for different types of delinquents will be tested; while the control populations at Ashland and Tallahassee will continue to receive the treatment programs which have been developed in those institutions. Both the Morgantown experimental group and the control groups in the other institutions will be typed as to delinquent behavior category on the basis of the screening tests, so that comparison of how a particular type responds to specialized treatment (at Morgantown) or to generalized treatment (at Ashland and Tallahassee) will be possible." (Project being funded by U.S. Bureau of Prisons.)

Team classification study. "The team classification system, widely used in federal prisons, is a technique that has increased the effectiveness of diagnosis and made it possible to place the inmate in programs that are most likely to be successful in correcting him. This project will study the team classification system to develop information and techniques that would increase the unit effectiveness of the team members in identifying and treating deficiencies and in evaluating the success of both the individual and the relative effectiveness of the corrective programs. Current status: Nine specific factors that are related to delinquency and criminality have been identified. Preliminary work on methods of measuring these factors has begun." (Project being funded by U.S. Bureau of Prisons.)

These project descriptions are found in *A National Program of Research, Development, Test, and Evaluation on Law Enforcement and Criminal Justice*, Alfred Blumstein, Study Director, Institute for Defense Analyses, Arlington, Va., prepared for Law Enforcement Assistance Administration, U.S. Department of Justice (Washington, D.C.: Government Printing Office, 1968), App. A.

15. "The violent offender does not seem to stand out in corrections as a recognized type around whom special programs are devised. . . ." (T. C. Esselstyn, "The Violent Offender and Corrections," Part I, paper submitted to the Crime Commission, p. 18.)
"You won't find literature on the treatment of the violent offender. . . . When we are faced with the problem of planning treatment for an inmate with an aggressive history, we are fitting available solutions to the problem. We are seldom, if ever, systematically working through the problem to the best possible solution based on all the relevant factors." (John Conrad, quoted in Esselstyn, *ibid.*)
16. *Ibid.*, p. 14.
17. *Ibid.*, p. 15.
18. Although it may be effective to treat violent and nonviolent offenders differently, the fact should not be forgotten that the criminal career of an individual arrested at least once for a violent act is likely to be predominantly composed of nonviolent offenses. See Ch. 12.
19. Warren, *op cit.*, p. 68.
20. Much work on prediction was begun in the 1930's by Sheldon and Eleanor Glusck. Prediction techniques were sophisticated through a series of Borstal studies in England and work has proceeded both in that country and the United States since then.
21. These ideas were first rigorously presented in Hermann Mannheim and Leslie Wilkins, *Prediction Methods in Relation to Borstal Training*, (London: H.M.S.O., 1955).
22. As a guide to how predictive equations should be made to depend on offender characteristics as well as on treatment alternatives, we suggest a model as follows. The traditional prediction equation, focusing only on offender characteristics, has the form:

$$P_R = f(A) = \sum_{i=1}^n a_i A_i$$

P_R is the recidivism probability, the A_i 's (A_1, A_2, \dots, A_n) define a set of individual attributes, and the a_i 's ($i=1, 2, \dots, n$) are constant coefficients to be estimated. The set of A_i 's chosen is composed of those individual attributes which are most closely correlated to recidivism probability.

These variables should be retained in the prediction equation. The more refined goal being sought, however, is to make the probability of recidivism depend on these original correlates as well as on the particular treatment used. The treatment, in turn, will be the one minimizing the recidivism probability for the given set of attributes possessed by the individual.

In more rigorous terms, the prediction equation now becomes:

$$P_{Rj} = \sum_{i=1}^n a_i A_i + \sum_{i=1}^n b_{ij} A_i T_j$$

P_{Rj} is the probability of recidivism using treatment T_j . There is a set of individual attributes (A_1, A_2, \dots, A_n) and a set of alternative treatments (T_1, T_2, \dots, T_m). The a_i 's ($i = 1, 2, \dots, n$) and the b_{ij} 's ($i = 1, 2, \dots, n; j = 1, 2, \dots, m$) are constant coefficients to be fitted from the data. $T_j = 1$ if treatment T_j is used and = 0 if any other treatment is used. Within this equation framework, the value P_{Rj} corresponding to each of the m possible treatments would be calculated. For any given set of A_i 's characteristic of any particular individual, there will be a treatment T_j which minimizes the P_{Rj} value. This T_j and the P_{Rj} it produces are thus the treatment strategy and recidivism probability established by the method.

One of the few current research projects evaluating a prediction model similar to this one is the SIMBAD (Stimulation as a Basis of Social Agents' Decisions) program, which is part of the comprehensive Probation Project directed by the Youth Studies Center at the University of Southern California and is funded by LEAA as Project 168. In brief, SIMBAD uses a Bayesian decision probability model for developing techniques to improve the probation process. As one phase of the project, a computer program is being developed that will help a probation officer make decisions and recommendations to the courts on various treatments for individual youngsters. This program consists of several modules, one of which is a set of statistical routines that will enable certain data on individual youngsters to be combined and presented to the probation officer at his request. The probation officer may then use this information to help decide the best course of action for an individual child. (see "SIMBAD," *American Behavioral Scientist*, reprint, vol. XI, No. 3, Jan.-Feb. 1968, p. 28).

It is also encouraging to note that the development of predictive models as an aid to decision-making for individualized treatment has been recommended as one of the important initial pieces of research in the new Institute of Law Enforcement and Criminal Justice in the Department of Justice:

Two major projects should be undertaken to predict the probable future criminal behavior of individuals, both adult and juvenile, when subjected to various forms of treatment. Such studies will require the availability of a historical data base of several thousand criminal-career patterns, along with a variety of personal attributes. The correlation studies should attempt to develop prior estimates of recidivism bases on personal attributes and experience alone; and then, controlling for these, should attempt to assess the effects of treatment actions by the criminal justice system.

If investigation reveals that such adequate data bases do not exist, then the resources allocated for these projects should be devoted to providing the data bases.

For comparative purposes, the two projects should use different statistical approaches, data from different regions of the country, and different jurisdictions. They might then serve as a check against each other when both studies are completed.

(See IDA Report, *op. cit.*, App. C).

The Task Force believes that increased work in this direction is an important step in the emergence of truly individualized correction action.

23. Daniel Glaser, Donald Kenefick and Vincent O'Leary, "The Violent Offender," National Parole Institutes, U.S. Dept. of Health, Education, and Welfare, Welfare Administration, Office of Juvenile Delinquency and Youth Development (Washington, D.C.: U.S. Government Printing Office, 1966), p. 36.
24. John Conrad, "Program Trends in Correctional Rehabilitation," *Research in Correctional Rehabilitation*, report of a seminar convened in Washington, D.C., July 6-7, by the Vocational Rehabilitation Administration and the Joint Commission on Correctional Manpower and Training, Dec. 1967, p. 6.
25. Daniel Glaser, *The Effectiveness of a Prison and Parole System* (New York: Bobbs-Merrill Co., Inc., 1964), p. 15ff.
26. *Ibid.*, p. 282.
27. Within the span of the inmate's minimum sentence.
28. Empey, *op. cit.*, p. 85, reporting on the work of H.L. Cohen.
29. *Ibid.*, p. 86.
30. *Ibid.*

31. Investigators from the Philadelphia District Attorney's Office and the Police Department concluded in a recent report, for example, that sexual assaults are endemic in the city's prison system. The report estimated that during the 26-month period under investigation there were approximately 2,000 sexual assaults, involving approximately 1,500 individual victims and 3,500 individual aggressors in Philadelphia prisons. The investigators found that virtually every slightly built young man committed to jail by the courts—many of them merely to await trial—is sexually approached within hours of his admission to prison. Many young men are overwhelmed and repeatedly "raped" by gangs of inmate aggressors. (Report on Sexual Assaults in the Philadelphia Prison System and Sheriff's Vans [1968], p. 3.)
- For a general theoretical analysis of the effects of institutionalization, see Irving Goffman, *Asylums* (Garden City, N.Y.: Anchor Books, 1961).
- For a pioneer and still valid case history of life in a prison, see Gresham M. Sykes, *The Society of Captives* (Princeton, N.J.: Princeton University Press, 1958).
32. Crime Commission, *Task Force Report: Science and Technology* (Washington, D.C.: U. S. Government Printing Office, 1967), p. 45.
33. Crime Commission, *Task Force Report: Corrections* (Washington, D.C.: Government Printing Office, 1967), p. 8.
34. For example, in commenting on the findings that the success rates varied from 60 percent to 90 percent in a number of probation studies, one observer says the results, "are not totally valid because they were not obtained under controlled conditions nor were they supported by data which distinguished among the types of offenders who succeeded or the types of services that were rendered. Nevertheless, the success rates were rather uniform and relatively high and cannot, therefore, be discounted totally." (Empey, *op. cit.*, p. 37.)

More negative than cautionary were the findings of at least one early study of parole success in Minnesota:

The results suggest, moreover, that to the extent that the Minnesota sample is applicable, it should not casually be assumed that men selected for release on parole from conventional reformatories, and provided with supervision, are likely to commit fewer recognized offenses after leaving the institution than fellow inmates who are confined until the expiration of their sentences. While data on new convictions pointed to the possibility that parolees may be involved in later felonious offenses to a lesser extent than men discharged after serving until expiration, such an assertion could not be made with assurance.

(Stanley B. Quекerman, Alfred J. Barron, and Horace B. Whittier, "A Follow-Up Study of Minnesota State Reformatory Inmates," *Journal of Criminal Law, Criminology, and Police Science*, Jan.-Feb. 1953, Vol. 43, p. 635).

35. Glaser, *op. cit.*, p. 414.
36. Joint Commission on Correctional Manpower and Training, *Second Annual Report, 1967-68* (Washington, D.C., 1968), p. 3. The report shows, for example, that the ratio of professional staff to inmates is 758 to 1 for counselors, 1,140 to 1 for psychiatrists, 803 to 1 for psychologists, 986 to 1 for physicians and surgeons, 295 to 1 for social workers, 104 to 1 for academic teachers, 181 to 1 for vocational teachers, and 2,172 to 1 for vocational rehabilitation counselors.
37. *Ibid.*, p. 2.
38. Crime Commission, *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, 1967), p. 166.
39. National Council on Crime and Delinquency, *Goals and Recommendations—A Response to "The Challenge of Crime in a Free Society," the Report of the President's Commission on Law Enforcement and Administration of Justice* (New York, 1967), p. 19.
40. Crime Commission, *Task Force Report: Corrections, op. cit.*, p. 97.
41. For example, in Saginaw County, Mich., a demonstration project increased the number and qualifications of members of the probation staff. At the same time, the court began to use probation much more liberally. The result of the experiment was that the rate of violations of the conditions of probation was reduced by almost one-half. (See Paul W. Keve, *Imaginative Programming in Probation and Parole* (Minneapolis, Minn.: University of Minnesota Press, 1967), p. 55.)

42. See Joseph A. Shelly, "The Role of the Correctional Agency in the Undergraduate Curriculum," *Crime and Delinquency* vol. 12, No. 3, 1966, p. 248.
43. See Keith Stubblefold and Larry Dye, introductory article, *Offenders as a Correctional Manpower Resource*, Report of a Seminar Convened by the Joint Commission on Correctional Manpower and Training, (Washington, D.C., Mar. 7-8, 1968), Joint Commission on Correctional Manpower and Training, (Washington, D.C.: June 1968), pp. 1-4.
44. *Ibid.*
45. Jack Otis, "Correctional Manpower and Utilization," *Crime and Delinquency*, vol. 12, No. 3, July 1966, p. 268.
46. Harold B. Bradley, "Designing for Change: Problems of Planned Innovation in Corrections," *The Annals of the American Academy of Political and Social Science*, vol. 381, Jan. 1969, p. 101.
47. Thomas Fleming, "The Computer and the Psychiatrist," *The New York Times Magazine*, Apr. 6, 1969, pp. 44-57.
48. National Council on Crime and Delinquency, *op. cit.*, p. 19.
49. See Vincent O'Leary, "Some Directions for Citizen Involvement in Corrections," *The Annals of the American Academy of Political and Social Science*, vol. 381, Jan. 1969, pp. 102-104.

PART IV

SPECIAL TOPICS

Certain subjects, treated implicitly or explicitly throughout the report, deserve separate attention because of their role in public conceptions of violence and their contribution to a comprehensive understanding of deviant behavior.

Searching for a sense of identity, yet often able to objectively appraise the conventional wisdoms of the established generation, youth have always injected new forms of behavior, both positive and negative, into the national life style. The present edition of youth speaks with the idealism, rebelliousness, intelligence, and freshness of the musical "Hair," and we seek to capture this spirit in Chapter 14, while pulling together the facts, explanations, and policy implications specific to the criminal violence of youth.

Drugs are one highly publicized ingredient in the patterns followed by young people today. Chapter 15 sheds light on the relationships that exist between individual violence and drugs, and well as alcohol.

The facts we have assembled emphasize the big-city locus of criminal violence, and most of the explanations set forth are based on or acknowledge the criminogenic forces of the metropolitan complex. Chapter 16 is the first attempt of its kind to systematically assess the impact of urban environment—its form structure, and density—on violence. The influence of private individuals in molding the physical environment and the contribution of urban planning and design in controlling deviant behavior are explored.



Entwure Zu «Nie Wieder Krieg». Drawing by Kaethe Kollwitz.

CHAPTER 14

YOUTH AND VIOLENCE

Pursuit of campus disorder, devastation and plunder of riot-torn cities, commission of crime on the street, defiance of all too many of society's norms, abuse of drugs and narcotics—these are the images much of America relates to its youth¹ today. Yet most young people are in the process of becoming thoughtful and generally law-abiding adults. In this chapter we examine the meaning of youth, the role of young people in criminal violence², and the policy implications which follow.

THE MEANING OF YOUTH³

Much can be learned about criminal violence by studying the character of youth in our society. As part of the age cycle, youth has a higher probability than any other period for engaging in protest, overt expression of grievance, or rebellion. Psychologically, and in terms of the sheer distance to biological termination, the young have a greater tendency to strike out vigorously for or against something. Passivity is not yet routinized or institutionalized because youths are not yet encumbered by possession of person or property.

They do not yet need to consolidate gains from long years and ego investments. The identity of the young is found in self and in the wonder of their own organisms, rather than in real estate. Their corporeal substance also carries their values. Possessions are found in the svelte swing of their bodies, in the beauty of being a young girl or young man, in lively ideas, however, ancient in origin, carried in freshly awakened minds. Physical possessions are transitory, even ephemeral, however intensely they may be used. Even interactions with other persons often are transitory—intense but fleeting. Time and energy are not yet invested in “things”. Today more than ever before, youth means movement, from home to college campus, to military service, or within local environs.

The young of poorer neighborhoods, less sophisticated in the ways of society and often ill-equipped in terms of social abilities to cope with its challenges, are nevertheless wise in the mysteries of their own social worlds. They migrate within the asphalt jungles of the city, wandering aimlessly in the eyes of older observers. Strutting the streets of ghettos and violating territorial perimeters, they cause consternation in other areas by their mere

presence and by the ominous portent of their grouping and movement. Juveniles make up a vast majority of those who are arrested for "loitering."

Even the most socially disabled and physically restricted ghetto youth is likely to be stimulated to greater awareness of the world outside his direct experience by exposure to the mass media, particularly television. Indeed, the "reality" portrayed by television, for good or ill, is likely to be most influential for the ghetto youngster. The poor spend a far greater portion of their lives watching the medium—up to 6 and 7 hours a day—than do other social and economic groups.

The mind moves in parallel transformations with the body. It is characteristic of youth to slip through ideas, to try them on like a suit of clothing before purchasing with the price of personal identity. These trails are often labeled fads because of their short time cycle and quick adoption. But the boundaries of meaningful thought possessed by youth are contracted. What appears as a short and passing fancy to the "over 30" observer is a much longer and meaningful sequence to an 18-year-old. For the latter, 6 months is one-fourth of life's experience since age 16. Time is compressed; living is short run. Each event, especially a new one, occupies a portion of a rapidly filling mind space and has greater impact than do comparable events for older people.

Childhood and early adolescence are characterized by things done for and to one. The body and mind are fed new food and values, with the child a passive recipient. Emerging from this period, the youth seems suddenly to become aware of his capacity to inject his developing personality into his own environment. He begins consciously to intervene. He can make a car move, smoke in public, and see films labeled "For adults only." Others begin to regard and to react to him as an initiator of action. Perhaps above all, he may find that he can cause a female to respond in a deliciously new and exciting way and thereby be the agent of the most intense reaction he has ever known. She, of course, has the same advantage.

The balance of interaction with parents also begins to change, as they respond to, more than direct, his behavior. He discovers personal power, in the sense that he is no longer subject solely to the will of others, for now they must recognize the validity of his own feelings.

The weight of experience has not yet produced patience with things as they are. He now feels the capacity to make himself felt. He feels that he can capture fate and steer it for his own benefit and the benefit of those people and ideas he has come to cherish. It is a time of heightened feelings of individualism. If ever the individual believes he can overcome the problems that surround him, it is during his youth. For some, this perspective leads to the belief that each bureaucracy or institution has its peculiar frailty which can cause the whole superstructure to crumble. The assumed vulnerability of each of these macroforces provides satisfaction for his awakened feelings of potency, and he learns the meaning of the power to disrupt.

Sex, curiosity, and physical prowess are joined together in youth. The chemical thrust to life propels the body-mind coalition during the stage of youth in a style unlike that of any other period. Energy and enthusiasm reach their apex. The secretion of sex glands is not merely a phylogenetic awakening to intercourse; it is a permeating force that affects the entire

organism. Never before, never quite again, will sexuality combine with the agility of the rest of the body, and with the desire for new experience.

The growing need for companionship comes with youth. Initial encounters come earlier, in nursery school and kindergarten. With youth comes the strong desire to conform to the collective identity, to distinguish it from those who are younger and older. The tendency to dichotomize life, to distinguish one's own group from others, is intensified. To belong, to be "in," to share names and norms become high priorities. There are symbols to be shared: music, dance styles, dress, hairstyles, and mannerisms. But there are more subtle and important dynamics of social interaction, too: patterns of approbation and derision, current styles of humor, linguistic modes, tests of the limits of social tolerance in the display of sex and grievance. In order to have things in common, the language of shared values must be used. So youth bind themselves together, conforming in their individualism to the mood of their own generation. It is not unrealistic for sociologists to refer to the "culture of youth." The ubiquitous transmittal of like attitudes, values, and norms is swift and extends far.

There are implications for socially accepted behavior as well as for social "deviance": participation in civil rights activities and the formation of delinquent gangs, brilliant academic achievement and university riots, the attainment of personal maturity and the use of drugs, responsible citizenship and street fighting. Whether drum majorettes or call girls, uniformed Boy Scouts or white-sheeted youngsters in the Ku Klux Klan, youths congregate, form subcultures of shared expectations, and perceive the world from within them.

An important feature which contributes to the age-graded subculture we call youth is the massive network of communication. Instant dancing, and dating habits quickly diffuse among youth, accelerating the sharing of values and norms across the entire country and throughout much of the world. The structure and technology of mass communications function to reinforce elements in youth subcultures on a larger scale than ever before. A university protest is known abroad even while it is occurring, and repetitive, seemingly imitative, reinforcement soon appears in other universities. Thus, the contraction of time and the extension of space for diffusion of interests attractive to and shared by youth combine in subcultural forms.

Much of this subculture would be impossible without the affluence of the current generation. For some time youth has constituted an increasingly significant portion of American purchasing power. Consumer statistics are well known; today's youth purchase incredible quantities of lipsticks, records, used cars, popular magazines, and transistor radios. This magnified purchasing power is one of the factors creating a profound ambivalence about "growing up," a desire to achieve the privileges of adulthood while retaining the pleasures of youth.

It is difficult to make a valid appraisal of the "youth problem" due to the existence of conflicting cultural prescriptions and proscriptions for youth. We apparently want teenagers to act like young adults, yet we increasingly stretch the socialization process from childhood to adulthood. Sex education focuses almost exclusively on the biology of reproduction, yet the pleasures of sex are everywhere abundant. The number of people involved in the

subcultural stretch is increasingly large. There are nearly 70 million persons in the United States under 18 years of age, nearly one-third of the nation's population.

On the one hand, privileges and age roles are being extended, and young teenagers are as sophisticated or cynical as our older teenagers used to be. On the other hand, and at the other end of the range of youth age, the period of adolescence is also being extended.

The quest for adults who can be looked up to is often desperate and futile. Part of the reason is rapid social and technological change, which makes it more difficult for the adult to perform the traditional role of model and mentor to youth. Some observers say that social change is so rapid that "growing up" no longer means learning how to fit into society; the society into which young people will someday fit is still in the developing stages and cannot, perhaps, even be properly imagined. Many of today's youths feel forced into detachment and cynicism because society seems to offer little that is meaningful. They search in vain for values and goals to which they can be committed. This period can be full of fruitful idealism, but there are today few "objects of fidelity" for youth. "Playing it cool" thus is more than an "in" expression—it is a means of avoiding damaging commitments to goals and life styles of the present generation, which is often interpreted by youth as being hypocritical. Isolation and alienation are thus increased by both social and technological mechanisms; this in turn encourages youthful subcultures.

As both the number and the intensity of value-sharing youths in subcultures increase, the "generation gap" widens. Parents have always and everywhere been accused of not understanding their children. What may be new today is either that more parents do not care, or that they find it more difficult to understand. Perhaps it is not so much that parents are poor models; it may be that their example is viewed as irrelevant. Current social change is so rapid that the youth of today have difficulty conceiving of themselves as adults. The image projected by many adults seem to many young people (and even to some "over 30") as not only inadequate and irrelevant to the challenges of a rapidly changing world, but also as invested in the past, afraid of change, and weary with the burden of life. Paradoxically, at a time when technology has brought the world close to possible answers to such problems, we seem unable or unwilling to achieve such solutions. Youths cannot comprehend the nature of the institutional constraints and cultural lags which sometimes prevent effective action, and are unwilling to accept the apathy of their elders, who remind them that "it has always been that way."

Many authors have emphasized the stress of adolescence, the alienation process, the roving and rebellious character of youth, initiation rites of primitive groups and delinquent gangs, the unstable bridge between childhood and adulthood, the absence of role models or the presence of inappropriate ones, and the need to prepare for change. All of these doubtless have some efficacy, but none is complete and new knowledge and great wisdom are desperately needed.

The position occupied by youth in our society seems to be changing almost as rapidly as the movement from child to adult. Oscillations in the moods and modes of youth are reflected in the observations of social analysts who, having described the passivity and conformity of youth in the 1950's,

now offer somewhat hesitant statements on their activism. We are told that the young today are sometimes excessively impatient for change and engage in violent displays of that impatience; that they are uncouth and make the older generation uncomfortable; and that they are the most intelligent generation in recent times. But in another context we are also told that they are more delinquent and violent than ever.

FACTUAL PERSPECTIVES

How much violent crime and delinquency is youth actually responsible for? We saw earlier that official reported arrest figures on the involvement of youth, or any other group, must be read carefully because of the biases present.⁵ The conclusions nonetheless emerged that the true rate for each of the four major violent crimes—homicide, rape, assault, and robbery—appears considerably higher for those aged 18-24 and 15-17 than for the other age groups. The juvenile and youthful population is growing at a greater rate than other age groups; thus, we found that about 12 percent of the increase in the rate of the major violent crimes combined between 1950 and 1965 was attributable merely to increases in the population aged 10-24.⁶ Uptrends over the last 10 years were reported for all age groups in each of the major violent crimes, but we could only be sure of a disproportionate increase in the true rates for the 10-14 and 15-17 age groups in aggravated assault and robbery.⁷

Sex, Race, and the Inner City

Most youthful offenders are male,⁸ and there is a disproportionate representation of Negroes.⁹ FBI estimates in 1967 suggested a reported criminal homicide arrest rate for the Negro 10-17 age group of 22 per 100,000, approximately 17 times greater than the white 10-17 age group. The reported forcible rape rate for Negro juveniles was 12 times higher than the corresponding rate for white juveniles; the reported robbery rate 20 times higher, and the reported aggravated assault rate 8 times greater.¹⁰ Even when considerable reporting problems are taken into account, these figures imply large differentials in the true rates of juvenile violence when broken down by race.

The locus of delinquency and youth violence is more likely to be the urban ghetto than any other place.¹¹ A 1960 study of Minneapolis showed that ghetto delinquency rates were twice as high as in the rest of the city. The same differential appeared when the Hough area was compared to Greater Cleveland in 1961. A 1961 study conducted in a St. Louis ghetto area, where 60 percent of the population is Negro, showed a delinquency rate 3 times higher than in the rest of the city. In 1962, the delinquency rate for Harlem was 109 per 1,000 population between the ages of 7 and 20, while in New York City taken as a whole the rate was 46 per 1,000 for the same age group.¹² In 1963 statistics gathered in a ghetto area of Greater Boston where most of the city's Negro population resides showed delinquency to be four times greater than for Boston as a whole.

There is some bias in these figures because, among other things, slum offenders are more likely to be arrested than urban or rural offenders. Although it would be naive to say that inner-city youth have a monopoly on

violence when middle- and upper-class delinquency are considered,²³ it is still safe to conclude that delinquency remains primarily a slum problem.

Gangs and Groups

Popular beliefs relate much youthful violence in the ghetto to gang activities:

The imagery evokes tableaux of sinister adolescent wolf packs prowling the darkened streets of the city intent on evil-doings, of grinning gangs of teenagers tormenting old ladies in wheelchairs and ganging up on hatred and envied honor students, and of brutal bands of black-jacketed motorcyclists sweeping through quiet towns in orgies of terror and destruction. The substance of this image and its basic components of human cruelty, brutal sadism, and a delight in violence for its own sake have become conventionalized within the subculture of professional writers. The tradition received strong impetus in the public entertainment of the early 1950's with Marlon Brando and his black-jacketed motorcycle thugs, gathered momentum with the insolent and sadistic highschoolers of *The Blackboard Jungle*, and achieved the status of an established ingredient of American folklore with the Sharks and Jets of the *West Side Story*.¹⁴

Are these images valid? What in fact can we say about the contribution of gangs and other groups¹⁵ to the incidence of major acts of violence? There is a spirited debate among experts as to whether youth and juvenile gangs are responsible for an important proportion of the violence our statistics have registered. One of the strongest affirmative statements is that:

Violence [is] the core spirit of the modern gang... The gang boy... makes unprovoked violence... [senseless rather than premeditated]... the major activity or dream of his life... The gang trades in violence. Brutality is basic to its system.¹⁶

A high incidence of subcultural violence by gangs and groups was postulated in another important work:

In [a] second type [of delinquent gang of subculture] violence is the keynote... The immediate aim in the world of fighting gangs is to acquire a reputation for toughness and destructive violence... In the world of violence such attributes as race, socioeconomic position, age, and the like, are irrelevant.¹⁷

The study of forcible rape in Philadelphia showed that, of the 646 cases examined, 57 percent involved single offenders, 16 percent involved pairs of offenders, and 27 percent involved three or more offenders.¹⁸ Because general police reports were used, gangs and other groups were not differentiated.

By contrast, other recent work minimizes gang involvement in violence. In a study of Chicago gangs observed by detached case-workers it was concluded that:

The very few [gang] boys who persist in extreme aggression or other dangerous exploits are regarded generally as 'crazy' by the other boys... Our conservative estimate is that not more than one in five instances of potential violence actually result in serious consequences... For average Negro gang boys the probability of an arrest for involvement in instances of potential violence is probably no greater than .04.¹⁹

An investigation by detached case workers of Boston gangs notorious for their toughness found violence levels to be very low. Twenty-one gangs, numbering about 700 members, yielded cumulative figures of 228 known offenses committed by 155 boys during a 2-year period and 138 court charges for 293 boys during a 12-year span. It was concluded that "... violence appears neither as a dominant preoccupation of city gangs nor as a dominant form of criminal activity," for even among these toughest of gang members, the yearly rate of assault charges per 100 individuals per year of age was only 5 at age 15, 7 at 17, and 8 at 18, after which the rates dropped through the early twenties. Violent crimes were committed only by a small minority of these gang members, represented a transient phenomenon, were mostly unarmed physical encounters between male combatants, and rarely involved victimization of adult females.²⁰

However, the results concentrate on assaultive violence. The Boston study also found that robbery and burglary did indeed characterize the deviance of gangs, in spite of the absence of aggression:

Any theory of gang delinquency which centers on conflict or aggression must come to terms with the fact that the dominant form of crime by most gang members is not assault, but theft, and that one does not account for the prevalence of theft by accounting for the existence of conflict.²¹

All investigators agree that further research is necessary on the relationship between gangs and violence. National data showing the proportion of cases by type of major violent crime in which gangs are involved would be very helpful. We have made a step in that direction with figures from our seventeen city survey of victims and offenders.²² Because the data in Table 1 come from a sample of general police offenses and arrest reports, it was unfortunately impossible to differentiate between "groups" and "gangs." We therefore simply asked whether or not each case recorded involved three or more offenders.²³ The table indicates that groups or gangs are involved in only about 5 percent of criminal homicides and aggravated assaults in the cities sampled, but that fully 25 percent of the armed and unarmed robbery cases sampled have multiple offenders. Forcible rape falls between assaultive violence and robbery, with 10 percent of the cleared events sampled involving gangs or groups.²⁴

These figures are crude, and more refined work is obviously necessary. When combined with the foregoing literature, however, the information does lead us to believe that gangs and groups are responsible for a very small proportion of the urban criminal homicides and aggravated assaults in this country, but that they are involved in a significant percentage of all robberies

Table 1.—Percentage of major violent crime events cleared by arrest involving groups or gangs, seventeen cities, 1967 (in percent)

Major Violent Crime type	Criminal homicide	Forcible rape	Aggravated assault	Armed robbery	Unarmed robbery
Group-gang classification:					
Group or gang involved (majority of offenders adults):	0.9	5.6	2.2	9.5	6.8
Group or gang involved (majority of offenders juveniles):	2.1	3.3	1.6	14.1	18.6
No group or gang involved	94.9	90.6	95.7	76.2	74.6
	2.1	0.5	0.5	0.0	0.0
Total	100.0	100.0	100.0	100.0	100.0
Total number of cases	(608)	(522)	(1,238)	(310)	(288)

"Group or gang" refers to an event with 3 or more offenders. "No group or gang" refers to an event with either 1 or 2 offenders.

Total number of events-cases (statistical weights applied): 2,966.

Frequencies weighted according to total reported violent crimes for 1967, by type, in the 17 cities surveyed.

Column figures may not add up exactly to 100.0 percent because of figure rounding.

Source: Task Force Victim-Offender survey. See Chapter 5 and Appendix 11.

and, to a lesser extent, of all forcible rapes. The implication, in turn, is that the dominant form of serious violence committed by the typical juvenile or youthful gang is much more likely to be robbery than murder, assault, or rape.

Recidivism

This picture of youth and violence has been based on "latitudinal" information on violence over a single year. What new insights are acquired from "longitudinal" figures following juveniles over a number of years?

We have already extensively discussed the forthcoming Philadelphia cohort study of all crimes committed by 9,946 boys between the ages of 7 and 17 born in 1945²⁵ and will review the main findings here.

The study found considerably higher rates over the time period for nonwhites than whites and for boys of lower than upper socioeconomic status.²⁶ The non-white versus white differentials for juveniles proved similar to the differentials from the 1967 national rates above,²⁷ although the

socioeconomic differences were not as pronounced as the racial differences.²⁸

The study shows especially striking differences between one-time juvenile offenders and recidivists.²⁹ Of the 3,475 in the cohort who had police contacts for delinquent acts over the study period, 55 percent were one-time offenders. These boys were responsible for only 16 percent of all delinquent acts, 11 percent of all assaults, 5 percent of all robberies, and 11 percent of all property crimes. Although the recidivists (offenders contacted for two or more acts) composed only 45 percent of the total number of contacts, they were responsible for 84 percent of all delinquent acts, 89 percent of all assaults, 95 percent of all robberies, and 89 percent of all property crimes. The hard-core recidivists (offenders contacted for five or more delinquent acts) composed only 6 percent of those contacted, yet were responsible for 52 percent of all delinquent acts, 53 percent of all assaults, 71 percent of all robberies, and 62 percent of all property crimes. The fact that such a high proportion of offenses—particularly serious acts of violence—is funnelled through a relatively small number of offenders urgently claims attention for social policy action.

The tendency for one-time offenders to be rarely involved in serious violent offenses was maintained, regardless of race or socioeconomic status. Even nonwhites in the lower socioeconomic status who were one-time offenders had an overall delinquency rate only half that for white recidivists of upper socioeconomic status.

The proportion of nonwhite offenders who recidivated after one contact was considerably greater than the white proportion, however. Of the 1,458 nonwhite delinquents in the study, 65 percent were contacted two or more times, and 30 percent five or more times; 45 percent of the 2,017 white offenders were contacted two or more times, and only 10 percent five or more times.

Not surprisingly, most bodily injury offenses were committed by juvenile recidivists; less than 10 percent of the 1,391 delinquent acts resulting in physical injury involved one-time offenders, despite the fact that they composed 45 percent of all delinquents. Nonwhite recidivists, particularly from low-income families, were responsible for most of the injury offenses.

In sum, although nonwhites and boys from a lower socioeconomic background had significantly higher crude and weighted rates based on the seriousness of their offenses, the differences between one-time offenders and recidivists were among the most striking of any of the findings in the Philadelphia study. If the question of social intervention is posed in terms of the greatest amount of offense reduction registered between groups, it is clear that preventing poor nonwhite boys from committing crime after their first offense would produce maximum delinquency reduction. By focusing resources and attention on lower-class nonwhite first offenders, not only would the general rate of delinquency be affected, but the incidence of serious violent acts would be most drastically decreased.

EXPLANATIONS AND CAUSES

The criminal violence of youth, most associated with the poor, Negro, urban male, has many of its roots in the demographic realities and

deteriorating physical features of the urban environment, accompanying social and psychological forces, subcultural traditions of lawlessness in the ghettos, and models of violence diffused throughout everyday American life.³⁰

Housing and Health in the Ghetto

If the slums in the United States were defined strictly on the basis of dilapidated housing, inadequate sanitary facilities, and overcrowding, more than 5 million families, or one-sixth of the urban population, could be classified as slum inhabitants.³¹

Twenty-five percent of nonwhites living in our inner cities resided in substandard houses in 1960, as compared to 8 percent of the white population. By 1966, these figures were reduced to 16 and 5 percent, respectively.³² However, the percentages increase drastically if deteriorating units and units which violate housing codes are added. In 1965, 90 percent of the 87,369 residential buildings in central Harlem were at least 33 years old, and almost half of them had been built before 1900. The 1960 census listed 11 percent of the "newer" buildings as dilapidated (i.e., not providing safe and adequate shelter) and 33 percent as deteriorating (i.e., needing more repair than would be provided in the course of regular maintenance).³³ There is usually severe overcrowding within such buildings, and oftentimes the residents are required to contribute a very high proportion of their income for rent.³⁴

Many of the deteriorated houses in the slums have been the primary targets of slum clearance and urban renewal projects. Between 60 and 72 percent of those who have been displaced from their homes by such projects are Negroes, yet only a small percentage of the new houses constructed on the razed sites have been open to them. Thus, urban renewal programs seem to be limiting rather than expanding the number of housing units in the sections to which Negroes have most access. The result is more intensive overcrowding. Even when new housing becomes available, it is often too expensive. Low income, coupled with high housing costs and housing discrimination, is at the root of the Negro's housing problem throughout the Nation.³⁵

Slum housing is usually accompanied by inadequate recreational and park facilities,³⁶ a lack of community services, unrepaired streets and sidewalks, and infrequent garbage collection. Poor sanitation and the resulting health problems are high on the list of grievances of slum dwellers. One author estimates that, on the average, the slums contain about 20 percent of the residential population of a city, but 50 percent of the disease.³⁷

Ghetto residents also often face hospital discrimination. They are more frequently handled by medical students and interns than by fully trained doctors.³⁸ In 1960, for example, there were 900,000 Negroes in Chicago, yet only 500 beds were available for them in private hospitals. This meant that only one-half bed per 1,000 Negroes were available in private hospitals, while the figure for whites was 4.5 beds per 1,000.³⁹

The ghetto child grows up on streets littered with trash, discarded liquor bottles, sleeping drunks, narcotics addicts, and prostitutes. Home life is characterized by crowded sleeping arrangements, inadequate plumbing and sanitary facilities, falling plaster, rats, roaches, and a shifting group of

relatives housed in incredibly few rooms. Personal possessions are few and minimal respect exists for the property of others. There is little to hold a child close to this kind of home, and his parents often lose control of his activities.⁴⁰

As one observer commented:

If the Negro has to identify with a rat infested tenement, his sense of personal inadequacy and inferiority, already aggravated by job discrimination and other forms of humiliation is reinforced by the physical reality around him. If his home is clean and decent and even in some way beautiful, his sense of self is stronger. A house is a concrete symbol of what the person is worth.⁴¹

Employment Problems in the Ghetto

Employment problems for Negroes in the cities, particularly as they affect the young and untrained, further add to the criminological forces of our deteriorating urban areas. Seventy-one percent of all Negro workers are concentrated in the lowest paying and least skilled occupations.⁴² They are the last to be hired and the first to be laid off. The unemployment rate for nonwhites is twice as high as that for whites, although there has been some improvement in recent years. By 1968, the overall rate had declined to 3 percent for whites and 6 percent for Negroes.⁴³

As the unemployment rate of white youths (16 to 19 years of age) dropped with the improvement of the economic climate between 1960 and 1967, however, the rate among nonwhite teenagers actually rose. In 1960, the unemployment rate for black teenagers was less than twice the rate for white teenagers; in 1967, the rate was 2½ times greater.⁴⁴

Success in job hunting is very much dependent on information about available positions. Family and friends in middle-class communities are good sources for obtaining information about employment. In the ghetto, however, information about job openings is limited by restricted contact with the job market. The slum resident is largely confined to his own neighborhood, where there are few new plants and business offices. Informal information on jobs is generally sought, and little use is made of state employment services. In one survey of workers in five communities who had been laid off and then found new jobs, for example, 31 to 53 percent relied on informal information. Similarly, a recent sample of young people beginning their first full-time jobs showed that over 60 percent depended on relatives and friends for information.⁴⁵

Transportation to and from job markets presents a problem for slum residents, especially juveniles and youth:

The teenaged children of poor families desperately need after-school jobs; this work may . . . be a prerequisite to their remaining in school. But the demand for their services, for such things as babysitting, grass cutting, snow-shoveling, lies largely in the middle and upper-income neighborhoods . . . In short, we . . . do not have an effective market for juvenile labor . . .⁴⁶

As a result of widespread discrimination against minority groups in the slums and urban ghettos, a separate economic world⁴⁷ has developed and created a different set of values and strategies for survival.⁴⁸ The slum dweller, for example, may find it necessary to create his own special "hustle"—a means to make money that may or may not be legal. He may buy stolen goods and attempt to resell them at a higher price. A man may be a numbers runner or a woman on welfare may work covertly to supplement her welfare checks. This kind of existence with its variations, flexibility, and occasional excitement may be more preferable than demeaning, low paying, jobs. It is no wonder that the jobs typically offered to the slum dweller are rejected or held for only short periods:

... the street corner man ... knows the social value of the job by the amount of money the employer is willing to pay him for doing it ... nor does the low-wage job offer prestige, respect, interesting work, opportunity for learning or advancement, or any other compensation ... The rest of society ... holds the job of the dishwasher or janitor or unskilled laborer in low-esteem if not outright contempt. So does the street corner man. He cannot do otherwise. He cannot draw from a job those social values which other people do not put into it.⁴⁹

The problems of employment are clearly reflected in the figures on income. Although Negro family income in the cities has increased from 1959-67 to a median of \$5,623 at present, this figure represents only 68 percent of the average white family income. One-third of the Negro families in cities lived on \$4,000 a year or less, yet only 16 percent of the whites did.⁵⁰

Some have experienced improvement, but many Negroes in central ghettos continue to experience a deterioration in their economic position:

A 1965 census survey of Cleveland ... points both to advances for some of the Negro population and to retrogression for others ... Negroes living in sections of the city outside low-income neighborhoods doubled in number between 1960 and 1965. And the poverty ratio among them declined more than three times as much as for whites outside these neighborhoods.

However, in the lowest income neighborhood—the so-called "crisis ghetto," which is predominantly Negro—conditions deteriorated sharply. Population declined somewhat, but the number of people living in poverty rose, as the number of low-income families headed by women increased. For such families median real income dropped 15 percent, while in the rest of the city it was moving upward. The unemployment rate for men was 15 percent and for women, 17 percent—in both cases, substantially higher than in 1960. The 1965 census of the Watts area of South Los Angeles yielded very similar findings.⁵¹

The Urban School

Just as poor living conditions, employment problems, and family instability contribute to the unproductive environment of ghetto youth, so

the urban school system often fails to counteract those forces which draw individuals toward crime and violence. The link between school failure and delinquency is not completely known, but there is some evidence that those youths who fail within the school system contribute disproportionately to delinquency.⁵² One estimate is that the incidence of delinquency among dropouts is 10 times higher than among youths who stay in school.⁵³

The public school has been viewed as a major institution for the transmission of legitimate values and goals of society. Recent studies, however, have pointed out that the school system is failing to reach all youth equally and is thus contributing to low achievement and school dropouts.

Drawing on the 1966 Coleman Report, the Commission on Civil Disorders noted that not only did Negro students in the metropolitan Northeast begin first grade with somewhat lower standard achievement test scores than white students, but were over three grades behind whites by the 12th grade. In addition, Negro students in the metropolitan North and West regions were three times as likely as whites to drop out of school by age 16 to 17.⁵⁴

The inferiority of ghetto schools has reinforced the position of those seeking to maintain urban residential and school segregation. The U.S. Commission on Civil Rights noted from its survey of 75 major central cities that 75 percent of all Negro elementary school students were attending schools that were 90 percent or more Negro, while 83 percent of the white elementary school students in those same cities were attending schools that were 90 to 100 percent white.⁵⁵ It has been estimated that by 1975, 80 percent of all Negro pupils in the 20 largest cities, composing half the nation's Negro population, will be attending schools which are 90-100 percent Negro.⁵⁶

One of the major conclusions of the Coleman Report was that minority group pupil achievement appeared to be more affected by the school environment than was the case for majority groups. The factor most strongly associated with pupil achievement was the educational background and aspirations of the other students in the school:

... if a white pupil from a home that is strongly and effectively supportive of education is put in a school where most pupils do not come from such homes, his achievement will be little different than if he were in a school composed of others like himself. But if a minority pupil from a home without much educational strength is put with schoolmates with strong educational backgrounds, his achievement is likely to increase.⁵⁷

School segregation becomes only part of the issue. In many large cities acute overcrowding exists, especially within nonwhite schools. In Washington, D.C., the one predominantly white high school operated at 92 percent of capacity, an integrated school at 101 percent, and the remaining predominantly Negro schools from 108 to 127 percent of capacity.⁵⁸ In the metropolitan Midwest, the Negro classroom averaged 54 pupils per room, although this was not a nationally consistent picture.⁵⁹

While urban Negro schools are therefore often overburdened with more students than white schools, less money is generally spent on central city than suburban schools.⁶⁰ In 1964, for example, expenditures per pupil in the Negro schools of Boston were 10 percent less for textbooks, 10 percent less

for library and reference books, and 27 percent less for health services than in the white schools. In fact, 8 of 9 major items in the budget for education were lower in Negro ghetto schools than in comparable white schools. The average amount of money allocated per pupil to schools with all-white student bodies was \$350 per year, while Negro schools averaged as low as \$235 per pupil.⁶¹

As a result of unequal distribution of facilities and funds, academic programs offered to students vary widely:

Nationally, Negro pupils have fewer of some of the facilities that seem most related to academic achievement: They have less access to physics, chemistry, and language laboratories; there are fewer books per pupil in their libraries; their textbooks are less often in sufficient supply.⁶²

To compound the problem, educational material presented to ghetto youth is often unrelated to their experiences, thereby making learning difficult:

The quality of education offered by ghetto schools is diminished by use of curricula and materials poorly adapted to the life-experiences of the students. Designed to serve a middle-class culture, much educational material appears irrelevant to the youth of the racial and economic ghetto. Until recently, few texts featured any Negro personalities. Few books used or courses offered reflected the harsh realities of life in the ghetto, or the contribution of Negroes to the country's culture and history. This failure to include materials relevant to their own environment has made students skeptical about the utility of what they are being taught. Reduced motivation to learn results.⁶³

The Urban Environment, Anonymous Relationships, and the Lack of Legitimate Opportunities⁶⁴

Combine poverty, deteriorated and inadequate housing, a lack of good employment opportunities, economic dependency, and poor education with population density, social and spatial mobility, ethnic and class heterogeneity, reduced family functions and broken homes—and a matrix of powerful criminogenic forces is structured by the ghetto environment.

Urban living is also anonymous, releasing the individual from community restraints more easily than in tradition-bound environments, and thereby providing greater opportunity for deviance. Urban social life is impersonalized and formally controlled; this means that regulatory orders of conduct are often directed by distant bureaucrats. The police are often strangers carrying out their duties in, at worst, an alien subcommunity and, at best, among an anonymous set of subjects.

Metropolitan areas with mass population, many commercial establishments, and highly visible wealth provide more frequent opportunities for theft than other places. Victims are impersonalized, property is insured, and consumer goods are vividly displayed and more portable.

These forces provide the background for explaining youth crime in terms of disparities between American definitions of success internalized by all

social classes and the restricted opportunities to achieve these aspirations. The discrepancy between legitimate opportunities and occupational and educational aspirations, it has been suggested, promotes frustration and a search for illegitimate means. The theoretical leap to violence is not great, for in an effort to secure material goods and services beyond those available from legitimate resources, lower-class members without work skills and education are pulled into crimes for which violence has a functional utility. Being the less skilled and educated members of a professed open society, these people are responsive to opportunities for illegal gain and less constrained to seek that gain by violent methods.

Just as the police are often the most visible and vulnerable representatives of "the Establishment," so the youth of the lower-class poor are the most vulnerable to frustration from status deprivation, to alienation and to perceived disparities between what they want and what they are likely to get.

To be young, poor, and Negro; to want what the open society claims and shows is available, but mostly to others; to see illegitimate and often violent methods of obtaining those things; and to see others using those means successfully and with impunity is to be burdened with an enormous set of influences that pull many toward crime and delinquency.

Subcultural Contexts of Violence⁶⁵

A new dimension is added to the weave of criminogenic forces by the violent subcultural traditions of lawlessness within the ghetto. A subculture of violence is not the product of cities alone.⁶⁶ The Thugs of India, the *vendetta barbaricina* in Sardinia, and *mafioso* in Sicily have existed for many years. Yet the contemporary American city has the accoutrements not only for the birth but also for the highly accelerated development of violent subcultures, and it is in these cultural settings that most violent crimes do occur.

Not everyone in the ghetto accepts the ethos of violence; even among those who do, violence is not the only or predominant mode of expression. Nor is violence absent from the cultural pattern of the majority in our society.⁶⁷ It is the greater frequency and "approval" of illegitimate violence that distinguishes the subculture of violence from the dominant culture pattern.

The subcultural notion suggests that violent and physically aggressive responses are expected or required as part of daily life in ghetto areas. Such values are most likely to shape the behavior of males during late adolescence and early adulthood. The desire to prove one's masculinity and to become a successful member of the culture requires adolescent "rehearsal" of the toughness, heavy drinking, and quick aggressive response to certain stimuli that characterize the lower-class adult male. Such activities are not necessarily delinquent, but often involve participation in conduct defined as delinquent by the representatives of the dominant middle-class culture. *Machismo* is still a term in various cultures, especially among lower-class youth, that equates masculinity with overt physical aggression.

Because many uses of violence in the subcultures are not viewed as illicit, the users do not have to contend with feelings of guilt. Violence becomes a part of the life style, the theme for solving difficult problems. The situations

to which this behavior refers arise mostly within the subculture, for aggressive violence is primarily an intragroup experience.⁶⁸ Those who subscribe to these values will not be burdened by conscious guilt, therefore, because the victim is likely to share in the same subculture, coming as he does from similar class, occupation, residence, age, and other attribute categories. Even law-abiding members of the neighborhood may not view various illegal expressions of violence as menacing or immoral. Thus, when victims see their assaulters as agents of the same kind of aggression that they themselves represent, violent retaliation is readily legitimized by a situationally specific rationale, as well as by general normative supports for violence.

It is the poor, urban, Negro youth who, more than any other, is likely to be exposed from his earliest years to this subculture of violence—in relations with parents, peers, and the community he knows most intimately.

Gang Violence and Subcultural Values

Subcultural values conducive to conflict and a variety of related organizational forms have been documented among juvenile gangs by a number of observers.⁶⁹

Many gangs organize and create roles (e.g., "war counselor" and "armorers") within their hierarchy which express their conflict orientation. Gangs do not tend to be as highly cohesive as many have been led to believe, and membership and group objectives are often fluid and shifting. Duties and privileges of leadership roles and other special bases for status within the gang tend to be rather nebulous. These characteristics often contribute to the violence of a gang, whether specifically conflict oriented or not. Threats from authorities or another gang may be more perceived than real, but when gang members react to them, individually or collectively, their consequences may be quite real.

Who does and does not act violently within a group may be determined by very specific factors in the particular situation, such as a boy's status at the moment, where he stands in relation to the "action," and the role he has come to play in the group. A "war counselor" in a delinquent gang is under greater pressure to be "warlike" than other members of the gang. A leader must lead. Who ends up with a gun and who uses it may depend upon the "rep" of the respective members.

Paradoxically, those who have leadership qualities are often placed in the most vulnerable positions. They must often choose between a loss of status or involvement in deviant behavior. Entire groups of youngsters, but leaders in particular, have been found to respond in a delinquent—and often violent—manner when their status, individually or collectively, has been threatened.⁷⁰ It has been suggested that delinquent episodes are related to the degree of cohesiveness of gangs, with delinquent behavior serving to unite the group.⁷¹ Another investigator found that group structure and identity within the world of teenagers were especially responsive to threats and definitions within the broad network of teenage relationships.⁷² Although further research is necessary, we may be certain that the combination of subcultural values, group structures, and continuing processes of interaction are important determinants of group behavior in delinquent gangs, and especially of those which have earned reputations for conflict and violence.

There is some evidence on the extent of conflict and the racial composition of gangs. Of particular relevance is a study conducted in Chicago which found that conflict-oriented groups in that city over recent years have been more often black than white.⁷³ Delinquencies in general, and conflict behavior in particular, were not so clearly differentiated from nondelinquent behavior among black as among white youngsters. Participation in the "good" aspects of life (represented by such activities as organized sports and domestic chores) among lower-class Negro boys was closely interwoven with the "bad" aspects (such as gang conflict, robbery, illicit sex, and drug use), while the two were distinct for white boys. Activities, such as individual and team sports, dancing, singing, and gambling, were positively related to a pattern of individual and group fighting, assault, and carrying weapons by black gang members, but these behaviors were not related in any systematic way among white gangs.⁷⁴ This, however, is not to suggest that white gangs are never conflict oriented or never engage in violent behavior. Such patterns are not uncommon; in particular, white youngsters, gang members and nongang, alike, often resist violently the movement of Negroes into white neighborhoods.

Many of the characteristics of gang members are common to both black and white youngsters, and presumably to those with other racial and cultural backgrounds. However, the special deprivation of blacks in our cities and the sheer weight of their numbers makes them especially vulnerable to these mechanisms and does not prepare them to take advantage of even the limited opportunities for legitimate advancement available within their experience. Those youngsters who are able to break out of the vicious cycle of school failure, gang delinquency, and conflict with the law are more likely to identify with occupations and roles outside their lower-class communities and to have more relations with adults in "caretaker" roles than are those who remain trapped in the slums.⁷⁵

Gang Influences and Social Disabilities

In addition to the lack of legitimate economic and status opportunities and the subcultural influences we have been discussing, youth in ghetto areas are handicapped in still another way. Unless they are able to break away from or otherwise avoid involvement into ghetto environments, they are unlikely to develop the basic social skills that encourage nonviolent relations.

The problems of adolescence are often aggravated for boys caught up in the rough street life of the gang. Any display of dependency is likely to be interpreted as a sign of personal weakness. Winning at any cost becomes inordinately important for gang members, and it is not unusual for them to disrupt a contest which appears to be a losing cause.⁷⁶

Relations with females, always a delicate psychological matter for young people, are expected by the traditions of the street to be exploitative rather than tender. This compounds the problem for both sexes. At a time when sexual needs are becoming more demanding as a result of changes in the body and in expected social relationships, pressure on boys to "make out" and on girls to manipulate males increases. Yet emotional needs are denied expression and the means toward their fulfillment are actively discouraged. Reinforcement of one's reputation for "toughness" is sometimes the most

immediate answer available for the youngster on the street. Violence is often the result, so the cycle is perpetuated.

Similarly, the gang does not minister effectively to the adolescent's growing needs for education, vocational skills, motivation, preparation for family life, or participation in other aspects of community life. Many well-meaning efforts to provide employment and opportunities to ghetto youth have foundered due to their lack of such skills. They can, of course, be taught, but it is difficult to inculcate basic social skills if the student continues to be associated with the subcultural values which have led to the basic deficiency in the first place.

Situational Contexts and Institutional Relations

Among the situational contexts most pertinent to an understanding of youthful violence are certain institutional relations in ghetto communities. These relations tend to be more informally structured than in lower-class white ethnic communities.⁷⁷ For this reason, they have not generally been recognized as institutional in character, and they have not been extensively studied as such. The available evidence, however, strongly suggests that these recurrent forms of association satisfy important needs of participants and have recognizable structure. For example:

Lower-class people will *publicly* drink and play cards in places where people of higher status would lose their "reputations"—in the rear of poolrooms, in the backrooms of taverns, in "buffet-flats," and sometimes on street corners and in alleys. They will "dance on the dime" and "grind" around the juke-box in taverns and joints, or "cut a rug" at the larger public dance halls. They will "clown" on a street corner or in public parks.

These centers of lower class congregation and festivity often become points of contact between the purveyors of pleasure "on the illegit" and their clientele—casual prostitutes, reefer peddlers, "pimps," and "freaks." Some of these places are merely "fronts" and "blinds" for the organized underworld.⁷⁸

Such relationships are important beyond the contacts they afford. All are less formally structured than more conventional institutions and, because of this, are less effective in controlling the behavior of those whose lives they touch.

Such less formally structured institutional relationships peculiar to the lower class, and especially the black community, provide supports and interactional contexts for violent subcultures. Life on the street, in city parks, alleys, poolhalls, taverns and ghetto homes which are the scene of "quarter parties"—these are the sites for group and interpersonal associations which are conducive to violence.⁷⁹

The Dominant Culture and Socialization into Violence.⁸⁰

If the poor, young, black male is conditioned in the ways of violence by his immediate subculture, its gang life, and situational contexts, he is also under the influence of many socializing forces from the general, dominant

culture. Violence is a pervasive theme today in the mass media. The sheer frequency of screened violence, its intensity as well as its context, and the myriad forms it takes, cannot claim to instill firm notions of non-violence in the viewers. Unless the assertion that such violence encourages violent behavior (or strips us of our sensitivity to it) is countered by scientifically acceptable evidence, we are playing a dangerous game with the socialization process and its adult products.

As illustrated in Chapter 1, even automobile advertising evokes many attributes of aggression, particularly in males, and seeks to affect purchasing habits by drawing upon the existing pool of socializing forces.⁸¹ Despite pamphlets distributed to young drivers by car manufacturers to encourage courteous driving habits, these same manufacturers advertise aggression behind the wheel by linking their cars and the drivers to masculine prowess.

Such advertisements may cause violence and may well affect the behavior of the adolescent as he is molded by the socializing process. Traffic accidents are the leading cause of death among today's youth. Of all 13 to 25-year-olds who died in a recent 10-year span, 42 percent died as the result of traffic accidents. The young are our worst drivers, as reflected in part through insurance rates. Persons under the age of 25 comprise only 19 percent of all licensed drivers, but cause 30 percent of the accidents. Two-fifths of all teenage drivers are involved in traffic accidents each year.

Much of the same can be said about guns in American society. Although teenagers may not be able to purchase guns, particularly handguns, because of legal age restrictions, the ease with which anyone over 18 can obtain firearms is well documented.⁸²

During the past decade, about 29 million new guns have been added by domestic production and importation. Weak or unenforced control statutes on possession or use and the stimulus of advertising increase the availability. Today half of our population could be armed if the guns in this country were evenly distributed.

An advertisement for a book on guns shows how to "sporterize" nearly all surplus military rifles in the home workshop. For only \$10.50, according to another advertisement, "The Big Seven," made in Italy, can readily be purchased. Pictures usually accompany text, such as the advertisement for "Mighty Small . . . Mighty Handy! .38 Special 'Undercover' 'Self-protection' Revolver." Serviceable replicas such as the "Flintlock coach guard blunderbuss carbine" are readily available. Readers are urged to purchase a "Spitfire Carbine Semi-automatic" in order "to maintain law and order . . . legal for home defense . . . safeguard your home and loved ones." Other advertisements appeal to both sexes: "The Ladies Home Companion Supermatic Design High Standard 20 Ga. House Gun! Protect your Family!! For Only \$99.95." A semi automatic .22 caliber rifle is labeled "The Defender."

Mail-order and other firearm advertisements, the highest gun-to-population ratio in the world, the glorification of guns in our history, and the daily television displays of guns in the hands of heroes, surely play no positive role in minimizing violence in the socialization process of our youth.

These and many other socializing forces colored with violence shape the values and form the mentality of many American youth, whether or not they are under the additional influence of a violent subculture. As we view the

mixture of influences presented to youth, we become increasingly aware that a high proportion are violence-filled and that they are often offered for consumption with the palliative of legitimacy and social acceptability.

THE PUBLIC RESPONSE

How can the public respond to reduce the forces which cause youth to engage in criminal violence? Programs are not easy to formulate because causal relationships are not clearly established, even with the most sophisticated research methods. If cause is deemed unnecessary to know in order to alter effects, there are still correlations that must be made if prediction and management of outcome are to be performed. And ethical questions arise about the extent to which the managers of society should be permitted to manipulate institutions as well as individuals.⁸³

Social Reconstruction

Our knowledge suggests that longer range social reconstruction programs will have the greatest impact on reducing the criminal violence of youth. The recommendations in Chapter 17 which relate most specifically to social reconstruction and youth include more employment and retraining; greatly improved education for all; teaching curricula more consciously emphasizing non-violent values; educational projects conveying non-violent methods of child rearing to parents; new decision-making roles for the young; experiments in how to break up violent subcultures; community participation programs designed to give ghetto youth opportunities for legitimate success; policies aimed at reducing the cultural stimuli to youthful violence from television, advertising, etc.; stronger gun controls; and a more sensitive approach to the problems of drug abuse.

At present, the principal forms of public response immediately available are the agencies of the criminal justice system, especially courts and correctional institutions.

The Juvenile Court

The concept of a special tribunal to handle young people accused of criminal violations grew out of the social reform movement of the nineteenth century. Under common law, a child under 7 years old was presumed incapable of felonious intent and therefore unable to be held criminally responsible for his acts; a child between 7 and 14 years was presumed incapable of criminal responsibility unless it could be proven that he was able to understand the nature and consequences of his acts and to discern right from wrong.

This common-law heritage merged with the reform movement in the 19th century, which covered a broad range of problems in American society. The movement responded to the conditions created by the industrial revolution and the evolution of the United States from a rural to an urban society. Penologists, reformers, and organizations such as Hull House in Chicago expressed humanitarian concern for the children of the urban slum dweller and helped to create pressure for separate treatment of wayward children.

They spearheaded a movement for the establishment of juvenile correctional institutions so that young people would not be forced to mingle with hardened adult criminals. The reformers believed that wayward juveniles could be rehabilitated and saved from a criminal life and that society should emphasize treatment rather than retribution and incarceration. The creation of the juvenile court was the highpoint of this reform spirit.

The basic concept behind the juvenile court was that children were not to be treated as criminals. The juvenile court was conceived as something of a hybrid in the judicial system. Its function was not merely to determine whether a juvenile had committed a particular act but, more importantly, to emphasize the *parens patriae*. To facilitate this role, court procedures had to be informal. Specific criminal safeguards of due process did not apply, because juvenile proceedings were defined by statute as civil in character. A child was not accused of a crime, and adjudication as a delinquent was to carry with it none of the disqualifying stigma of criminal conviction. Judicial records of the juvenile court were not to be available to the public or the press, and juvenile court hearings were to be conducted in privacy.

Judges and supporting court personnel were to be knowledgeable in the behavioral sciences. Delinquency was considered almost as a disease, to be diagnosed by specialists and treated in a kind but firm manner. The aim was to delve into the child's background and design a treatment plan likely to help him become a responsible member of society.

Broad statutes were drafted to give juvenile courts jurisdiction over youths involved in a wide range of activity. Conduct with which the courts had never been concerned before was brought within the definition of delinquency under the juvenile court statutes. Although there is variation from state to state, most statutory definitions of "delinquency" encompass (1) acts which would be criminal if committed by adults; (2) violations of town, county, or municipal ordinances; and (3) various acts that are proscribed only for children, such as curfew violations, truancy from school, and violations of alcohol and tobacco restrictions. They also include violations of vaguely defined catchalls such as "vicious or immoral behavior," "incurability," or "runaways."

The inclusiveness of these broad terms reflected the desire of the reformers to attack what they considered the depravity of urban life. They were disturbed by the influence of movie pornography, cigarettes, alcohol, and a variety of other elements of urban life on the values of the young, and they wanted to control such activities through the institution of the juvenile court. They longed to reinstate the values and life patterns of an older America which was characterized by a strong, close family unit.

How well is the juvenile court performing its function of solicitous concern for treatment and rehabilitation? The general conclusion is that the court is not living up to the high hopes of its founders. The juvenile court has come under increasing criticism in recent years, because it has not been providing the special treatment and rehabilitation which, in theory, it is expected to give.

The Crime Commission, for instance, found that juvenile courts have largely failed in their rehabilitative role and consequently have turned toward dispositions aimed at the same goals as adult imprisonment—retribution, condemnation, deterrence, and incapacitation. "They have not succeeded

significantly in rehabilitating delinquent youth, in reducing or even stemming the tide of juvenile criminality, or in bringing justice and compassion to the child offender."⁸⁴

Critics of the juvenile court system have long emphasized that it has never attracted the quality or number of personnel necessary to accomplish its ambitious undertaking. Juvenile court judges do not enjoy high prestige in the eyes of the bar, and consequently many are not well qualified for their positions. The Crime Commission reported that half of all juvenile court judges receive no undergraduate degree; 20 percent receive no college education at all; and 20 percent are not members of the bar.

Supporting personnel are generally few in number, and resources for treatment of the youthful offender are often non-existent. In a 1963 survey, 83 percent of the responding juvenile courts reported that they did not have regularly available psychologists or psychiatrists. A third of the courts reported that there were no probation officers or social workers available to the staff.⁸⁵ When we consider the original ideal of applying social science knowledge to the rehabilitation of the youthful offender, the absence of such personnel is all the more striking. It is perhaps understandable, however, that few professionally trained social workers are attracted to juvenile courts. In most jurisdictions, the salaries of court-connected social welfare workers are lower than for personnel with comparable qualifications in other public and private agencies, and opportunities for advancement are limited.⁸⁶

It is also true that in most communities, the dispositional alternatives available to the juvenile court are few. Probation is by far the most popular, and the inadequacy of probation staffs is a prominent factor in explaining the general lack of success of rehabilitation efforts. The National Council on Crime and Delinquency has established a recommended caseload of 50 units per month for probation case workers as a minimum standard.⁸⁷ One case under probation supervision is counted as one unit; a new investigation and diagnostic study counts as 5 units. This minimum standard allows about 3 hours per month for each supervision case; when hours spent in traveling, court attendance, preparation of reports, and dictation are considered, only about 1 hour per month is left for face-to-face confrontation with the probationer. This is hardly sufficient to have much of an impact on deeply ingrained patterns of behavior and interaction with society. Yet, even such a minimum standard is rarely met today. The National Council on Crime and Delinquency conducted a survey which revealed that the average caseload in the nation was 71 to 80 cases under supervision per month, and that 11 percent of the children on probation were in caseloads over 100.⁸⁸

Noting the inadequate personnel and facilities available to the juvenile court, the Crime Commission concluded that this problem is not the main reason for the court's failure to fulfill its promise. Aside from present deficiencies in the quality and number of juvenile court judges and supporting personnel, the failure stems largely from the very philosophy on which the system was founded. That philosophy involved an over-optimistic view of what is known about the phenomenon of juvenile criminality and of what even a fully equipped juvenile court could do about it. The causal explanations considered above increasingly support the view that delinquency is not so much an act of individual deviancy as it is a pattern of behavior produced by a multitude of pervasive societal influences well beyond the

actions of any judge, probation officer, correctional counselor, or psychiatrist. The University of Pennsylvania cohort study indicates that over 50 percent of the Negro youth in Philadelphia had at least one official contact with the police prior to their 18th birthday.⁸⁹ Such statistics make it difficult to sustain a belief that delinquent behavior is the consequence of an individual personality defect which can be psychiatrically corrected.

Moralistic approaches by judges or caseworkers are also unlikely to change patterns of behavior which are frequently condoned by the subculture from which the delinquent comes. No matter how well staffed, the juvenile court is not equipped to deal with the concentration of cultural and economic forces which combine to produce delinquent behavior.

The Crime Commission concluded that the juvenile court has at least implicitly recognized this limitation and moved away from solicitous individual concern for each child toward a new direction. With increasing caseloads and growing public alarm over what is perceived as a dangerous youthful population, the juvenile court has taken the approach of traditional criminal courts, and its dispositions have come to stress the goal of protecting society by incapacitating offenders thought to be dangerous. The difficulty is not that the juvenile court has moved in the direction of deterrence through incapacitation in order to protect the community, but that it has continued to have broad jurisdiction and informal procedures which were created to serve a function which is no longer being carried out.

The result, then, is that the child charged with an illegal act is caught in the middle: both the protection accorded adults and the solicitous care and treatment postulated for children are denied him.

Most criticism of the juvenile courts in recent years has recognized the gap between rhetoric and reality and stressed the need for greater procedural regularity. The call for a full set of procedural safeguards was among the chief recommendations of the Crime Commission in the area of juvenile justice.

In 1967, the Supreme Court recognized the faults of a procedure in which a juvenile could be adjudicated delinquent and incarcerated in an institution until he reached his majority. In its decision *In re Gault*, 387 U.S. 1 (1967), the Court set down a number of due process procedural requirements which it made applicable to juvenile court proceedings. Such requirements were: written notice of charges; notification of right to counsel; right against self-incrimination; and, in lieu of a valid confession, a requirement that adjudication be based on sworn testimony of witnesses available for confrontation and cross-examination.

Nevertheless, there is a great difference between the pronouncement of rules and standards by the Supreme Court and their effective implementation. In a recently completed survey⁹⁰ it was found that juvenile court judges in the three major urban centers studied were falling far short of total compliance with the word and spirit of the requirements announced in *Gault*.

As this study makes clear, there is a great deal to be done before the procedural safeguards mandated by *Gault* become a reality in juvenile courts throughout the country. Only one of the three courts studied showed any kind of substantial commitment to the implementation of the *Gault* requirements. Significantly, that court had the most formal procedures prior to the *Gault* decision with clear-cut separation of the pre-judicial, adjudicatory, and positional phases of its proceedings.

Many juvenile court judges, especially those whose appointment preceded the *Gault* decision by a good many years, are committed to the pure *parens patriae* doctrine on which the Court is theoretically founded, and they will be slow to revise their concept of how the juvenile court should function.

However, to conclude that *Gault* has had little impact would be a mistake. Many states undertook substantial revision of their juvenile court law in 1967 and 1968, apparently in response to the *Gault* decision. California has perhaps gone farthest in legislating reforms consonant with the Supreme Court decision and the thrust toward "legalization" of the juvenile court. California's Welfare and Institutions Code was amended to further guarantee the right of notice of charges,⁹¹ the privilege against self-incrimination,⁹² the right to counsel,⁹³ and the right to confrontation and,⁹⁴ other amendments were directed toward assuring that a juvenile taken into custody be afforded *Miranda*-type rights⁹⁵ (prohibition of in-custody interrogation and exclusion of admissions made without proper advice as to right to counsel, privilege against self-incrimination, etc.). Legislation enacting some or all of the *Gault* requirements and providing for their implementation has been passed in a number of other jurisdictions.⁹⁶

Although slow, progress had been made toward formalizing procedures which guarantee basic fairness to youths charged with delinquency in the juvenile courts. Prior to *Gault*, some states had begun the revision of their juvenile justice systems; but the Supreme Court decision undoubtedly had an impact on the movement toward reforms.

However, there is still much to be done:

In a manuscript to be published in the *Law and Society Review*, the authors conclude that the decision [*Gault*] "appears to have greatly accelerated the trends towards legislative reform and increased representation" in three Northern cities studies. But the fact remains, they add, that "children are frequently and sometimes flagrantly denied their constitutional rights."⁹⁷

Juvenile and Youth Correction⁹⁸

The other major dispositional alternative besides treatment in the juvenile court system is incarceration in a juvenile institution. Correctional institutions have historically served several purposes: retribution, restraint, rehabilitation, and reintegration. Although the notion of retribution or punishment has become generally unacceptable as a function of correctional institutions, the concept of detention has not. Officials argue that detention serves to protect the individual from committing further criminal acts, to relieve public anxiety with regard to the incidence of antisocial behavior, and to act as a deterrent to the commission of a criminal act. However, detention in the context of present juvenile and youth correctional institutions more often results in the kind of retribution which studies have shown to be counter productive. Detention is in many cases a "euphemism for terrorism,"⁹⁹ especially if the youthful offender is not incarcerated separately but placed with hardened adult criminals. Consider the following episode described by a young inmate in the final Report on Sexual Assaults in the Philadelphia Prison System and Sheriffs' Vans:

I was laying in my bed when seven or eight inmates came to my bed, pulled the blanket off me, put it on the floor and told me to pull my pants down and lay face down on the blanket. I said, "No" and was punched in the face by one of the inmates. The inmate that punched me stated if I did not get on the floor the other inmates would gang up on me.

I got on the floor and my pants and shorts were pulled off. Two inmates spread and held my legs apart while two more inmates held my hands in front of me. While I was being buggered from behind, another inmate would make me suck his penis. This continued until all the inmates had attacked me and I heard one of them say it was 1:30 a.m. so let's go to bed. They put me on the bed, covered me with the blanket and one of them patted me on the behind saying good boy we will see you again tomorrow night.

While I was being molested I was held by the neck and head and threatened with bodily harm if I yelled or screamed. They stated that they would beat my head on the floor if I made any outcry.¹⁰⁰

According to report, sexual assaults are epidemic in the Philadelphia Prison System:

Virtually every slightly built young man committed by the courts is sexually approached within a day or two after his admission to prison. Many of these young men are overwhelmed and repeatedly "raped" by gangs of inmate aggressors... Only the toughest and more hardened young men—and those few so obviously frail that they are immediately locked up for their own protection—escape penetration of their bodies.

After a young man's body has been defiled, his manhood degraded, and his will broken, he is marked as a sexual victim for the duration of his confinement. This mark follows him from institution to institution. He eventually returns to the community, ashamed, confused and filled with hatred.¹⁰¹

It is small wonder that rates of recidivism proved to be very high for young offenders in the Philadelphia birth cohort study cited earlier. Although it would be wrong to conclude that correctional institutions alone are responsible for recidivism, it is clear that these institutions are not succeeding in rehabilitation.

Rehabilitation and reintegration of juvenile or youthful offender depend upon the total program of the correctional institution or detention center. Suitable facilities, meaningful educational and counselling programs, and adequate supervision are all important to the development of healthy attitudes and a life style acceptable to both society and the individual. However, in practice, this is more the exception than the rule. As recently stated by the chairman of the Senate Juvenile Delinquency Subcommittee:

The words used by penologists have, in practice, lost their original meanings.

"Treatment" does not mean the time spent with counselors or psychiatrists, but simply whether or not a child or a young adult has enough food, a place to sleep and is safe from assault by older, more hardened inmates.

"Rehabilitation," as it stands today, is just another word for the warehousing of inmates.

In all too many instances, "correction" has been replaced by insurrection and the most hardened inmates run the institutions.¹⁰²

Evidence to support these claims is widespread. Although juvenile facilities are generally better than those in adult institutions, overcrowding remains a problem. A report¹⁰³ to the Mayor's Commissioner of Washington, D.C., on January 16, 1969, indicates that the Lorton Youth Center's normal inmate capacity is 300; the average is 350 per day. Other youths are incarcerated in the D.C. Jail, which is currently accommodating an average of 920 men daily, or 155 percent of capacity.

The Commissioner of the Maryland Department of Correctional Services stated that although conditions in Maryland's correctional institutions were improving, they still were characterized by "inadequate education and vocational training."¹⁰⁴ Further testimony comes from the Commissioner of the Philadelphia Department of Public Welfare:

Back in 1954 in an effort to meet a pressing problem, we [the Department of Prisons] agreed to accept an overflow from the Youth Study Center of ten (10), 16-18 year old juveniles. These (10) soon became twenty (20)—the twenty (20) became forty (40), the forty (40) became eighty (80); until in 1964, we had 340 juveniles, overflow from the Youth Study Center. Today our juvenile population is 170.¹⁰⁵

The Crime Commission reported that over 100,000 juveniles in need of special attention are held in jails and jail-like facilities.¹⁰⁶ Overcrowded and inadequate facilities encourage antisocial behavior such as homosexuality and are not conducive to efforts to restore youthful offenders to society.

Juvenile training institutions generally offer limited programs. "Jail detention is characterized by enforced idleness, no supervision, and rejection."¹⁰⁷ This is partly due to inadequate staffing. (See Figure 1.) A survey conducted by the Crime Commission in 1965 showed that only four states have sufficient psychiatric services available to satisfy the required 1:150 ratio.¹⁰⁸ Another reason is the generally poor caliber of program personnel:

In Chicago and many other places throughout the country, they pay house parents or staff supervising children less than guard staff in prisons and jails . . .

State institutions for juveniles and young adult offenders in Illinois and elsewhere experience up to a 50 percent staff turnover yearly. Since staff working with juveniles are paid less than adult workers, in some instances considerably so, the caliber of juvenile staff frequently is not as good.¹⁰⁹

Attitudinal differences among correctional personnel may negate rehabilitative programming:

If he is a custodial officer, he will be inclined to see the offender as devious and in need of control. If he is a teacher, he will see the offender

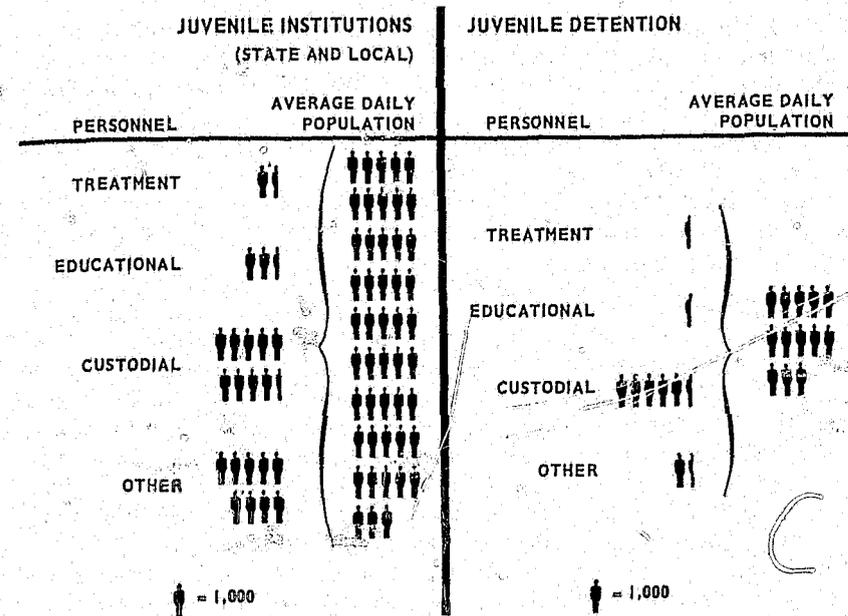


Figure 2.—Personnel and population size in juvenile institutions and detention centers.

as educationally deficient and in need of training. And if he is a therapist, he will view the offender as emotionally maladjusted and in need of therapy. The point is that correctional organizations, themselves, often have confusing and disparate goals, confusing and contradictory emphases which often make the problem worse, not better. The result, too often, is increased cynicism and deviance on the part of the inmate who must somehow survive in an amazingly difficult organization.¹¹⁰

Despite inadequate staffing and programming, innovative programs are being developed, notably the California Youth Authority and the New York State Division for Youth. As discussed in Chapter 13, there have been successful experiments in the differential use of program elements:

One can—with various classification schemata—proceed to "match" treaters, environments, and methods with types of delinquents in a manner calculated to bring about the maximum positive impact.¹¹¹

Preliminary reports indicate measured success from this approach:

The latest reported figures show that only 28 percent of the experimentals as contrasted to 52 percent of the controls have been parole failures within 15 months of parole . . . The figures for 24 months of community exposure time on parole similarly favor the experimental group, 38 percent vs. 61 percent failure.¹¹²

The fact remains, unfortunately, that programs such as the one in California represent an all-too-rare advanced approach to rehabilitation.

Unsuitable facilities, poor programming, and inadequate supervision,

therefore, make it difficult for our youth correctional institutions to rehabilitate offenders. Because they have no immediate or strong political pressure groups, youth correctional institutions and programs are not given high priority for funding. Until they are, we may expect no improvement in the high recidivism rates and no real progress in attempting to make youthful offenders productive citizens.

We will direct attention to these inadequacies, as well as to the problems in our juvenile courts, in the recommendations prescribed in Chapter 17.

CONCLUDING NOTES^{1 13}

There are many different kinds of violence. Some are legitimized by the norms of the society. The older generations of most societies have been involved with violence since their youth. War is but one of the more obvious examples. Because they have not yet reached positions of power and responsibility, our youth cannot be blamed for a society that breeds violence because it fails to make automobiles and highways safer, to reduce inordinately high rates of infant mortality, to move more vigorously to solve the urban crisis or to control the manufacture and sale of guns.

The psychodynamics of group violence among lower-class delinquents and middle-class university students may have some common attributes. Youths who slash tires and steal from pay telephones have their counterparts on campus in those who seize and destroy offices and buildings.

If each group is saying in a different way that what they attack needs to be changed, and that they wish to partake of the rewards of the system they confront, their ideologies may not be far apart. The delinquent wants to achieve his goals through direct, immediate, and illegal means. The violent student is opposed to what he must go through and to what he sees as the end result of his labor. He disrupts to show this disdain.

A repressive response to youthful violence may well assume the violence it seeks to halt. We can hope that, instead, a willingness to change and an understanding of youth's requests will be the older generation's final weapon.

REFERENCES

1. In this chapter we broadly include as "youth" persons in their teens and early twenties. Following legal usage, "juveniles" are persons through the age of 17.
2. For the role of youth in noncriminal, group-oriented violence, see *The Politics of Protest*, Task Force Report on Violent Aspects of Protest and Confrontation submitted to the National Commission on the Causes and Prevention of Violence (Washington, D.C.: U.S. Government Printing Office, 1969).
3. This section is taken from Marvin E. Wolfgang, *Youth and Violence*, a report submitted to the Office of Juvenile Delinquency and Youth Development, Department of Health, Education, and Welfare, Jan. 1969. Editorial adaptations have been made.
4. The reality of this exposure and some of its implications are treated by another Task Force of the Commission.
5. Most police officers agree that it is easier to effect arrest in cases involving juveniles than in cases involving adults. In addition, not only is there a gap between offenses reported and the true offense rate, but there is an additional gap between offenses reported and arrests made. In fact, arrests are made only in about one-third of the offenses known to the police, so we have no information on those who commit almost 70 percent of all major offenses. (See Ch. 2.)

6. See Ch. 3 and App. 3. Another estimate suggests that 33 percent of the increase in the total volume of the major violent crimes from 1958 to 1967 is attributable to the increase in the juvenile population. (Wolfgang, *Youth and Violence*, op. cit., p. 65.)
7. See Ch. 3 and App. 7.
8. See Ch. 3 and App. 8.
9. See Ch. 3 and App. 9.
10. *Ibid.*
11. Because the ghettos are disproportionately inhabited by Negroes, the offender is more frequently Negro.
12. Kenneth B. Clark, *Dark Ghetto: Dilemmas of Social Power*, (New York: Harper & Row, 1965), pp. 86-87. In addition, juvenile court statistics also bear out the prominence of delinquency as primarily an urban problem. The 1966 Report of the Department of Health, Education, and Welfare, Children's Bureau, "Juvenile Court Statistics" (pp. 2-5, Ser. No. 90), reports that the rate of delinquency cases was almost three times higher in predominantly urban areas than in rural areas and courts in urban areas handled two-thirds of all the delinquency cases in the country.
13. The President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission), *Task Force Report: Juvenile Delinquency and Youth Crime* (Washington, D.C.: Government Printing Office, 1967), p. 42, noted as follows:

Middle-class delinquency has received less attention from the analysts and theorists than lower class delinquency, and empirical studies of its incidence are less frequent even than theories about it. One field study found a small (5 percent) group of middle-class students whose aggressive delinquent acts compared in seriousness and frequency with those of lower class students. (Shanley, Lefever, and Rice, "The Aggressive Middle Class Delinquent," *Journal of Criminal Law, Criminology, and Police Science*, vol. 45 (1966), p. 145. This article also refers to some of the other studies in the area.)

While causes of middle and upper class delinquency have not received significant attention to date, certainly the weakening of the family unit as an agent of social control has had a very real effect on delinquency. In that regard, Prof. Urie Bronfenbrenner has reported on a study of American adolescents from middle-class families which concluded that father absence, low motivation for achievement, inability to defer immediate for later gratification, low self-esteem, and susceptibility to group influence all contributed to juvenile delinquency. Bronfenbrenner also reports on an interesting study which he has conducted with school children in the United States and in the Soviet Union. Working with a sample of more than 150 sixth-graders in each country, he reports American children are far more ready to engage in morally disapproved behavior, such as cheating, changing responsibility for property damage, etc. In fact, in America, unlike in the Soviet Union, children were even more willing to engage in such misconduct when told their friends would know of their actions. He concludes the contrasting results are explained in part by the differing role of the peer group in the two societies. In the Soviet Union, character development is considered an integral part of education and the principal agent is the child's collective. A major goal of the Soviet directional process is to forge a healthy, self-sufficient collective which has the task of developing the child into a responsible, altruistic, loyal member of a socialist society. Bronfenbrenner reports that, by contrast:

... in the United States the peer group is of often an autonomous agent relatively free from adult control and uncommitted—if not outrightly opposed—to the values and codes of conduct approved by society at large. Witness the new phenomenon of American middle class scandalism and juvenile delinquency, with crime rates increasing rapidly not only for teen-agers but for younger children as well.

- (See "The Split-Level American Family" by Urie Bronfenbrenner, *Saturday Review*, Oct. 7, 1967, p. 63.)
14. Walter Miller, "Violent Crimes in City Gangs," *The Annals of the American Academy of Political and Social Science*, Mar. 1966, vol. 364, p. 97.

15. There are no universally agreed-upon definitions of a juvenile "gang." Both police conceptions and sociological distinctions, however, speak primarily of gangs as collections of males in their teens and sometimes early twenties with varying degrees of corporate identity and organization, sometimes quite elaborate (including leaders, lieutenants, war counsellors, checkers, and runners) and often with a circumscribed neighborhood, or "turf." Although their reputations sometimes extend beyond the reality of their conduct, gangs are often involved in extensive delinquent or criminal events which form the basis for their negative image among neighborhood residents, law enforcement officials, and the larger community. (See Malcolm Klein, "Violence in American Juvenile Groups, consultant paper submitted to this Task Force, App. 31, and Benard Cohen, *Interneine Violence: A Sociological Investigation of 109 Delinquent Gangs and Groups*, forthcoming publication, p. 13.)

Other groups of youths or delinquents can be viewed as small cliques of individuals who may coalesce sporadically for a variety of reasons, but have no specific purpose or identity. In such cases it appears that when they act illegally, the law is violated in a more spontaneous manner than is the case among most gangs. Non-gang aggregates lack the identity, the organizational structure, the prescribed "turf," and the chain of delinquent acts and police contacts which is characteristic of gangs. (Cohen, *ibid.*, pp. 13-14.)

16. Lewis Yablonsky, *The Violent Gang* (New York: The Macmillan Co., 1962), pp. 4, 6.
17. R. A. Cloward and L. E. Ohlin, *Delinquency and Opportunity: A Theory of Delinquent Gangs* (Glencoe, Ill.: Free Press, 1960), pp. 20, 24.
18. Menachem Amir, "Patterns in Forcible Rape," unpublished dissertation, University of Pennsylvania, 1965, p. 413.
19. J. F. Short and F. L. Strodbeck, *Group Process and Gang Delinquency* (Chicago: University of Chicago Press, 1965), pp. 224, 258.
20. Walter Miller, *op. cit.*, summarized in Wolfgang, "Violence and Youth," *op. cit.*, pp. 57-58. In spite of the relatively low level of assaultive violence these results generally ascribe to gang behavior, Klein and others have found that core members of gangs are more assaultive than noncore members and that gangs are more assaultive than other groups. See Wolfgang, *ibid.*, p. 121.
21. Comments of Walter Miller at a recent office of Juvenile Delinquency Conference, quoted in Wolfgang, *ibid.*, p. 120 and n. 56.
22. See Ch. 5.
23. The category "No Group or Gang Involved" in Table 1 refers to cases where there were either two offenders or one offender tabulated.
24. To the extent we are interested in all events with three or more offenders present, these data are accurate. (Note, however, that many aspects of group relations are missing from the tabulation. Even known gang members have been found to "hang" primarily with smaller segments of the gang, and delinquent incidents on the part of single individuals or groups of two or three can be related to subtleties of groups process which do not find their way into police records. (See, for example, James F. Short, Jr., "Comment on Lerman's 'Gangs, Networks and Subcultural Delinquency.'" *American Journal of Sociology*, 73, No. 4 (Jan. 1968), 513-515, and cases cited in Short and Strodbeck, *op. cit.*, Ch. 8.) If the interest is only in gang violence where three or more members are present, the figures of table 1 are an overstatement. To the extent that we are interested only in gangs but include all events where the violence is a direct consequence of gang involvement, regardless of the number of offenders, the true percentages are likely to be between the first and second alternatives.
25. Thorsten Sellin and Marvin Wolfgang, *Delinquency in a Birth Cohort* (forthcoming publication). See Chs. 3 and 12.
26. The proxy for socioeconomic status used in the study was the median income in the census tract where the boy lived.
27. For example, Ch. 3 shows that while computed arrest rates by the FBI produced black-white differentials (for ages 10-17) of 12-1 in forcible rape, 20-1 in robbery, and 8-1 in aggravated assault. The differentials computed from the cohort study were about 13-1 in forcible rape, 20-1 in robbery, and 10-1 in aggravated assault.

28. For example, the study found the lower class rate for robbery to be about 6 times greater than the upper class rate.
29. The cohort study data for the statements in these paragraphs are found in Ch. 12.
30. This section builds upon the discussions in Part II, but focuses more carefully on many of the causes of violence specific to the behavior of young people.
31. Marshall B. Clinard, *Slums and Community Development* (New York: The Free Press, 1966), p. 5.
32. *Report of The National Advisory Commission on Civil Disorders* (hereinafter referred to as the Kerner Report) (Washington, D.C.: Government Printing Office, 1968), p. 257. The Department of Housing and Urban Development classifies substandard housing as that housing reported by the U.S. Census Bureau as (1) sound but lacking full plumbing, (2) deteriorating and lacking full plumbing, or (3) dilapidated. (*ibid.*)
33. Clark, *op. cit.*, p. 30.
34. For example, one-sixth of all Negroes living in Los Angeles were crowded into the Watts area, where conditions are four times as congested as those in the rest of the city. A census survey undertaken in 1965 in the renewal areas of 132 cities showed that 36 percent of the Negroes paid more than 35 percent of their incomes for shelter. (Charles Abrams, "The Housing Problem and the Negro," *Daedalus: The Negro American-2* (Winter, 1966), pp. 65-66.)
35. *ibid.*, p. 66. See also: *One Year Later, An Assessment of the Nation's Response to the Crisis Described by the National Advisory Commission on Civil Disorders*, prepared by Urban America, Inc., and The Urban Coalition, Mar. 1969, pp. 37-46; The President's Committee on Urban Housing, Edgar F. Kaiser, Chairman, "A Decent Home" (Washington, D.C.: Government Printing Office, 1969); and The National Commission on Urban Problems, Paul H. Douglas, Chairman, "Building the American City" (Washington, D.C.: Government Printing Office, 1969).
36. Inadequate recreational areas mean more children and adults are forced to congregate on the streets. In 1965, in Harlem, more children and adults were killed by cars than in the rest of the city (7 per 100,000 population as compared to 4 per 100,000 for New York City as a whole). (Clark, *op. cit.*, p. 31.)
37. Daniel R. Hunter, *The Slums: Challenge and Response* (Glencoe, Ill.: The Free Press, 1964), p. 77.
The rate of acute respiratory infection and infectious childhood diseases are increased through multiple use of toilet and water facilities, inadequate heating and ventilation and crowded sleeping quarters. Enteritis and kin and digestive disease can occur as a result of poor facilities for storage of food and inadequate washing facilities. Unsurprisingly, the ghetto infant mortality rate is usually much higher than in the rest of the city. In 1961, for example, the infant mortality rate per 1,000 live births was 45 in Harlem, versus 26 for New York City as a whole. (Clark, *op. cit.*)
38. St. Clair Drake, "Social and Economic Status of the Negro in the United States," *Daedalus*, Fall, 1965, vol. 94, no. 4, p. 795.
39. *ibid.* Taken from documents on file with the Chicago Urban League.
40. For a vivid description of home and street life in the ghetto, see Claude Brown, *Manchild in the Promised Land* (New York: The Macmillan Co., 1965).
41. Clark, *op. cit.*, pp. 32-33.
42. National Education Association (NEA), *Reporting of the Task Force on Human Rights* (1968), p. 14.
43. *One Year Later, op. cit.*, p. 7.
44. U.S. Dept. of Labor, *Manpower Report of the President* (Washington, D.C.: Government Printing Office, 1968), p. 60.
45. *ibid.*, p. 90.
46. Wilbur R. Thompson, *A Preface to Urban Economics* (Washington: Resources for the Future, Inc., 1965), p. 373.
47. See Louis A. Ferman, "The Irregular Economy: Informal Work Patterns in the Urban Ghetto" (Ann Arbor, Mich.: University of Michigan-Wayne State University, Institute of Labor and Industrial Relations, June 1967), and also *Manpower Report of the President, op. cit.*, pp. 94-95.
48. "Jobs in the poverty area economy are usually described as dead end, low wage,

- and sporadic. There are few and usually no ladders to better opportunity for the people who have to accept these jobs." See Eli Ginzberg, Marcia Freedman, Stanley Friedlander, and Ivar Berg, *Conservation of Human Resources*, Columbia University, "Perspectives and Policies on Employment Problems of Youth and Juvenile Delinquency," an unpublished paper submitted to this Task Force, p. 5.
49. Elliot Liebow, *Tally's Corner* (Boston: Little Brown & Co., 1967), pp. 57-59, quoted in *Manpower Report of the President*, p. 95.
 50. *One Year Later*, op. cit., p. 6.
 51. *Manpower Report of the President*, op. cit., 1968, pp. 63-64.
 52. See the discussion in Walter E. Schafer and Kenneth Polk, "Delinquency and the Schools," a consultant paper of the *Task Force Report: Juvenile Delinquency and Youth Crime*, the President's Commission on Law Enforcement and Administration of Justice [hereinafter referred to as the Crime Commission] (Washington, D.C.: Government Printing Office, 1967), pp. 222-227.
 53. Lucius F. Cervantes, *The Dropout* (Ann Arbor: University of Michigan Press, 1965), p. 197.
 54. *Kerner Report*, op. cit., p. 237. See also: "Equality of Educational Opportunity," U.S. Dept. of Health, Education, and Welfare, Office of Education (1966). This report is often referred to as the Coleman report and was prepared pursuant to sec. 402 of the Civil Rights Act of 1964.
 55. *Kerner Report*, op. cit., p. 237.
 56. *Ibid.*
 57. *Coleman Report*, op. cit., p. 22.
 58. *Kerner Report*, op. cit., p. 240.
 59. The *Coleman report*, op. cit., p. 9.
 60. See the *Kerner Report*, op. cit., p. 241.
 61. Jonathan Kozol, *Death at an Early Age* (Boston: Houghton-Mifflin Co., 1967), pp. 52-53.
 62. The *Coleman Report*, op. cit., pp. 9-12.
 63. *Report of the Task Force on Human Rights*, op. cit., p. 41.
 64. This section is taken from Marvin Wolfgang, *Youth and Violence*, op. cit., with editorial changes.
 65. This section is taken from Marvin Wolfgang, *Youth and Violence*, op. cit., with editorial adaptations.
 66. See Marvin E. Wolfgang and Franco Ferracuti, *The Subculture of Violence* (London: Associated Book Publishers, 1967).
 67. See Ch. 3 and the discussion below.
 68. See Ch. 5 for the interracial nature of aggressive violence.
 69. See Malcolm Klein, op. cit.
 70. Short and Strodtbeck, op. cit.
 71. Malcolm W. Klein and Lois V. Crawford, "Groups, Gangs, and Cohesiveness," *Journal of Research in Crime and Delinquency*, vol. 4 (Jan. 1967), pp. 63-75. See also Leon R. Jansyn, Jr., "Solidarity and Delinquency in a Street Corner Group," *American Sociological Review*, Oct. 1966, pp. 600-614.
 72. Richard A. Brymer, "Towards a Definition and Theory of Conflict Gangs," unpublished manuscript, 1967.
 73. J. F. Short, R. A. Tennyson, and K. I. Howard, "Behavior Dimensions of Gang Delinquency," *American Sociological Review*, 1963, vol. 28, pp. 421-428.
 74. Short and Strodtbeck, op. cit.
 75. Ramon J. Rivers and James F. Short, *Juvenile Gangs in Context* (New York: Prentice-Hall, 1967), pp. 70-90.
 76. S. Kobrin, "Sociological Aspects of the Development of a Street Corner Group: An Exploratory Study," *American Journal of Orthopsychiatry*, vol. 31 (1961), pp. 685-702.
 77. As, for example, the Boston Italian community in Whyte's classic description. See W. F. Whyte, *Street Corner Society* (Chicago: Univ. of Chicago Press, 1943).
 78. St. Clair Drake and Horace R. Cayton, *Black Metropolis: A Study of Negro Life in a Northern City* (New York: Harcourt, Brace & Co., 1945), p. 610.
 79. James F. Short, "Juvenile Delinquency: The Sociocultural Context," *Review of Child Development Research*, 1966, pp. 423-465. See also Short and Strodtbeck, op. cit.

80. This section is taken with editorial changes from Wolfgang, *Youth and Violence*, op. cit., pp. 22-34.
81. For example, auto advertising associates glamour and thrills in cars with speed and power through such verbs as "runs away," "roars," "growls"; adjectives like "dynamic," "powerful," "exciting," "wild," "ferocious," "swinging"; nouns like "missile," "rocket," "tiger," "stinger." Phrases of advertising include: "just pull the trigger," "start billing yourself as the human cannon ball," "want action?" "fire the second stage," "aim it at the road." Longer excerpts make clear the intended associations: (a) "For stab-and-steer men, there is a new 3-speed automatic you can lock in any gear . . . make small noises in your throat. Atta boy tiger." (b) "Bring on the Mustangs, Wildcats, Impalas . . . We'll even squash a few Spydys while we're at it. Dodge has made it a little harder to survive in the asphalt jungle. They just uncaged the Coronet." (c) "This year let yourself go for power." (d) "All new! All muscle! . . . with Advanced Thrust engineering . . . and an almost neurotic urge to get going. Drive it like you hate it—it's cheaper than psychiatry." (e) "Nobody said a nice car can't play mean now and then."

There are appeals to virility and masculinity: "Get with man-sized Dart," "Sleek, lean, muscled new style . . . improved cat-quick handling," "Burly and businesslike"; "Go ahead, be rebellious. Demand more 'big.' More 'hot!'; "Come rid yourself of prematurely gray driving"; "The 300 has muscle"; "Bold Plymouth Fury"; "A man's kind of action! Bold! . . . It's the man's car for men who like their action big . . . gives a man that 'in charge' feeling."

(See Ch. 1 and Marvin Wolfgang, *Youth and Violence*, op. cit.)
82. See Newton and Zimring, *Task Force Report on Firearms of the National Commission*. On the Causes and Prevention of Violence (Washington, D.C.: Government Printing Office, 1969).
83. Wolfgang, *Youth and Violence*, op. cit., p. 106.
84. Crime Commission, *Task Force Report: Juvenile Delinquency and Youth Crime*, op. cit., p. 7.
85. Center for the Behavioral Sciences, George Washington Univ., "Judges Look at Themselves: Profile of the Nation's Juvenile Court Judges" (prepared for National Council of Juvenile Court Judges, 1965).
86. "Salaries and Working Conditions of Social Welfare Manpower in 1960" (New York: National Social Welfare Assembly).
87. National Council on Crime and Delinquency, "Correction in the United States," a survey for the Crime Commission, *Task Force Report: Corrections* (Washington, D.C.: Government Printing Office, 1967), p. 139.
88. *Ibid.*, p. 140.
89. Sellin and Wolfgang, *Delinquency in a Birth Cohort*, op. cit.
90. Norman Lefstein, Vaughan Stapleton, and Lee Teitelbaum, "In Search of Juvenile Justice: Gault and its Implementation," *Law and Society Review*, vol. 3, no. 4, May 1966, pp. 491-562. The survey and data collection on which this report was based were undertaken under the auspices of the National Council of Juvenile Court Judges, with financial support from the Ford Foundation. The authors, however, take complete responsibility for the article cited and its conclusions. The positions taken do not necessarily represent the views of the National Council of Juvenile Court Judges or the Ford Foundation.
91. Calif. Welf. and Inst. Code, SS 630, 630.1, 658 (Suppl. 1967).
92. Sec. 702.5.
93. Sec. 634, 679, 700.
94. Sec. 702.5.
95. Sec. 625, 627.5.
96. According to a survey of state legislation dealing with the issues raised in *Gault*, the States of Colorado, Connecticut, Florida, Iowa, Nebraska, North Carolina, Ohio, Oklahoma, Vermont, Virginia, and West Virginia, in addition to California, have all acted to implement some of the guarantees called for in *Gault*.

Colorado's new legislation provides that at his first appearance before the juvenile court the child and his parents must be fully advised by the judge of the juvenile's right to be represented by counsel at every stage of the proceedings and the right to court-appointed counsel, if they are without sufficient means to

employ counsel of their own. [Colo. Rev. Stat., ch. 22 (1967 amend.), 22-1-6 (1) (a)].

The legislation also applies the *Miranda* decision to juveniles taken into police custody stating that no statements or admissions of a child made as a result of interrogation of the child by a law enforcement official concerning acts which would constitute a crime if committed by an adult would be admissible in evidence unless proper warnings as to constitutional rights were given. [22-2-2 (3) (c).]

A Connecticut act passed in June 1967 requires advice as to the right to counsel and the privilege against self-incrimination [Conn. Public Act No. 360, S 7]. It establishes the right to confrontation and cross-examination for juveniles [S 8], and implements *Miranda* in ination for juveniles proceedings by providing for exclusion of statements made during interrogation without proper warnings.

The recent Florida legislation is less far-reaching providing only for the appointment of public defenders or court-appointed private attorneys in the juvenile court where the child is insolvent and requests an attorney, Florida [Statutes Annotated, ch. 39, S 39, 11, 1968 supplement.] The state makes no mention of the mandates that the court advise the juvenile and his parents of their right to counsel.

The Iowa legislation is similar to Florida's. It announces the right to legal counsel in juvenile proceedings, and provides for a court-appointed attorney where the respondent is unable, [Iowa Code Ann S 232.28], but has no language requiring that the juvenile be advised of such right.

Nebraska's new statute codifies the advice of right to counsel requirement and provides for payment of court-appointed attorneys in juvenile proceedings. [Nebraska Rev. Stat., 1967 Cumulative Supplement, Ch. 43-265, 06.]

The Ohio legislation is perhaps the weakest among the post-*Gault* responses stipulating only that the court may assign counsel to represent an indigent juvenile in a hearing to determine whether the child is delinquent. [Ohio Rev. Code Ann. S 2151.351 (1968).]

Oklahoma legislation enacted in April, 1968 goes further in providing procedural guarantees akin to those in criminal trials. It substantially incorporates the *Gault* requirements for timely notice of the charges or allegations against a juvenile claimed to be delinquent [Okla. Stat. Annotated, Title 10, 24, 1968 supplement] and advice as to right to counsel [S 109]. In addition, it applies the *Miranda* rules on in-custody interrogation and admissibility of statements thereby obtained, to juvenile delinquency proceedings.

The recent legislation in Vermont establishes careful procedures for notice of charges or allegations against a juvenile. [Vermont Stat. Ann. tit. 33, ch. 12, SS 645-648 (Supp. 1968), and codifies the child's privilege against self-incrimination [652.] It also applies both the *Miranda* rulings on extrajudicial statements and the exclusionary rule governing illegally seized evidence, established by *Mapp v. Ohio*, to juvenile adjudicatory proceedings [653].

The Virginia legislation enacted in April, 1968, requires that the judge inform the juvenile and his parents of his right to counsel and the right to court-appointed counsel if they are indigent. [Virginia Code S 16.1-173.]

West Virginia broadly expanded its right to counsel provision to comply with *Gault*, requiring advice of the right to the child and his parents, including reference to the fact that counsel will be appointed by the court if the parents or guardian are unable to afford private counsel. [West Virginia Code S 49-5-13.]

97. William T. Gossett, "Gault and Juvenile Crime," *American Bar Association Journal*, vol. 55, June 1969, p. 503.
98. For a complete review of the corrections problem, see Ch. 13 above and Ch. 23, *Task Force Report on Law and Law Enforcement* of the National Commission on the Causes and Prevention of Violence.
99. G.B. Shaw *The Crime of Punishment* (New York: The Philosophical Library, 1946), p. 118.
100. Report on Sexual Assaults in the Philadelphia Prison System and Sherriffs' Vans, Alan J. Davis, Chief Assistant District Attorney and Special Master, Sept. 1968, p. 1. For further evidence of atrocities in our correctional institutions, see Ch. 23, *Task Force Report on Law and Law Enforcement*, op. cit.
101. Report on Sexual Assaults, *ibid.*, p. 17.

102. Opening statement of Senator Thomas J. Dodd, Hearings on Conditions in Juvenile and Young Offender Institutions, Senate Subcommittee to Investigate Juvenile Delinquency of the Committee on the Judiciary, 91st Cong., on S. Res. 48, Mar. 3, 1969.
103. "An Assessment of the D.C. Department of Corrections," study conducted by the U.S. Bureau of Prisons, Nov. 21-Dec. 12, 1969, pp. 1-2.
104. Testimony of Joseph G. Cannon, before the Senate Subcommittee to Investigate Juvenile Delinquency, op. cit., Mar. 7, 1969.
105. Statement by Randolph E. Wise, before the Senate Subcommittee to Investigate Juvenile Delinquency, op. cit., Mar. 20, 1969.
106. Crime Commission *Task Force Report: Corrections*, op. cit., p. 121.
107. *Ibid.*, p. 122.
108. *Ibid.*, p. 145.
109. Statement of Joseph R. Rowan, Executive Director of the John Howard Association of Illinois before the Senate Subcommittee to Investigate Juvenile Delinquency, op. cit.
110. LaMar T. Empey, "Contemporary Programs for Convicted Juvenile Offenders: Problems of Theory, Practice and Research," consultant paper to the Commission, App. 30, p. 25.
111. "The Case for Differential Treatment of Delinquents," Marguerite Q. Warren, *Annals of the American Academy of Political and Social Science*, Jan. 1969, pp. 47-59; see also in the same issue, "Innovations in the Treatment of Juvenile Offenders," Milton Luger, Director of the New York State Division for Youth, pp. 60-70.
112. Empey, op. cit., p. 68.
113. This section is taken from Wolfgang, *Youth and Violence*, op. cit., pp. 150-153, with editorial adaptations.



The Dope Addict. Painting by Pierre Leclere.

CHAPTER 15

THE ROLE OF ALCOHOL, NARCOTICS, DANGEROUS DRUGS IN INDIVIDUAL VIOLENCE¹

In this chapter we seek to explain the phenomena of individual violence by investigating the role that alcohol, dangerous drugs, and narcotics play as causative and contributing factors in the commission of such acts.

There is no direct causal connection between alcohol, drugs and narcotics and violence. No drug, narcotic or alcoholic substance presently known will in and of itself *cause* the taker to act violently. Drugs, narcotics, and alcohol can only modify bodily processes and behavioral capabilities already present. Thus, while they may affect conduct, and strongly so, they are not in and of themselves capable of creating or compelling a particular type of performance.

While these substances may alter performance they cannot be said to compel any particular form of social conduct, be it social charm or homicide. It is basically the personality of the user that determines the reaction; the substance is in essence only a catalyst. It is certainly true that as dosage increases for the more powerful agents, effects are indeed more predictable, but these are all in the direction of physiological damage—for example, alcohol or morphine stupor or amphetamine shock. On the other hand, as dosage decreases to that normal range which is usually prescribed or taken, predictability decreases, and the specific effects of the substance are more influenced by other factors such as the motives and personality of the user, the behavior of others, the particular situational context, and the expectations of the user. Drug effects also vary with dosage, manner and frequency of administration, presence of potentiating or antagonizing agents, concurrent health and nutritional status and other such factors.²

The substance is only one of the essential ingredients which determines effects—other important variables, commonly called “set” and “setting,” have been described as follows:

...the pharmacological action of the drug (that is, what a pharmacology text says it should do) is but one of three factors that determine how a given person will react to that drug on a given occasion. The other factors are called ‘set’ and ‘setting,’ and they are at least as important as the drug. Set is the psychologist’s term for an individual’s expectations of what a drug will do to him; it includes much of what we commonly call ‘personality.’ Setting is the total environment—physical and social—in which a drug is taken.

It is quite possible for the combined effects of set and setting to overshadow completely the pharmacological action of a drug. Thus, a barbiturate, which pharmacology texts tell us is a ‘sedative,’ can produce stimulation under certain conditions of set and setting. And amphetamine, a ‘stimulant,’ can cause sedation under other special circumstances. The vaguer and less predictable are the pharmacological effects of a drug, the greater, is the importance of set and setting.³

But while these substances only modify behavior and do not directly cause it, their involvement in acts of crime and violence—sometimes because of modifications of basic behavior patterns and sometimes for less direct reasons—cannot be overlooked.

Alcohol when abused presents the most startling correlation with crime and violence. Alcohol is frequently involved in homicide situations—one typical study described in this chapter found alcohol present in approximately two-thirds of the homicide situations and another found that sixty-nine percent of the homicide victims had been drinking. Even more significant is the presence of alcohol in automobile fatalities. Alcohol, which lessens the efficiency in brain functions necessary for safe driving, is involved in 25,000 automobile fatalities per year!

Drug and narcotic use present additional problems in the manner in which they contribute to crime and violence. The most important consideration is that an addict’s⁴ need to support his habit often leads him to commit crime to secure funds for drugs. Hence in cities with large concentrations of users, such as New York City, significant numbers of crimes, particularly property crimes, are drug related. This fact was vividly portrayed to the Commission in testimony presented by the Chairman of the New York State Narcotics Addiction Control Commission. Emphasizing that most addicts illegally procure money for drugs, mainly by crimes against property, the Chairman referred to 3,600 cases certified to the Narcotics Commission during the last fiscal year and stated as follows:

The average addict sent to us has admitted spending \$30.53 per day for drugs. Multiplied by 3,600 addicts, this adds up to \$109,000 per day spent on illicit drugs. Multiplied again by five [it is said that approximately \$5 in merchandise must be stolen to realize \$1 in cash], we arrive at the value of the property which is stolen daily by 3,600 addicts in order to obtain the

\$109,000 which they spend to meet their daily drug needs. Thus these 3,600 addicts alone stole property daily worth one-half million dollars.⁵

Arrest rates of drug users charged with property crimes in New York City confirm this statement—for example, in 1967, forty-one percent of those arrested for burglary were admitted users. Rates were similarly high for other property offenses.⁶

Another relationship of drugs to violence exists which, while also not causal, is of the utmost importance namely, internal use of violence in the drug-dealing community. Preliminary results of an investigation of drug “pushers” in California, which reports on 315 dealers, show the following significant conclusions: 15 percent admitted to carrying a gun, with 93 percent of this number stating that they had used their guns; 25 percent expressed fear of injury or death because of their drug dealings, principally because they feared revenge from those they had cheated; others stated that users were often irrational or dangerous. Nearly 66 percent of the dealers interviewed reported increasing violence in the business.⁷

ALCOHOL AND CRIMES OF VIOLENCE

It is clear that alcohol generally has certain effects on those who partake of it. These include, for some persons, the removal or reduction of significant social inhibitions. Alcohol quickly enters the bloodstream and through its effect on the central nervous system removes some of the “controls” that generally operate on individuals. Functions such as judgment and complicated motor skills are affected first, followed at a later time by more gross and semi-automatic motor skills, and finally by survival functions such as respiration. The “stimulating” effects generally associated with drinking should more properly be understood as consequences of the depressing effect of alcohol on controlling and inhibiting brain mechanisms.

The fact that many “social drinkers” find themselves behaving more “wildly” (when they are drinking) may lead to a very natural conclusion that uncontrolled behavior of some criminals may be directly related to their drinking at the time they break the law. However, one can rarely say with certainty that a particular crime would not have occurred if the person had not been drinking. As has been indicated in Part II of this report, violent behavior can hardly ever be considered as having been “caused” by a single factor. Highly complicated interactions of various factors, only one of which may be alcohol, generally are involved.

Unfortunately, there are no national statistics on alcohol-related violent crimes. However, numerous research surveys have investigated the question. Although they have certain methodological deficiencies, existing data very definitely show an important relationship between alcohol and violent behavior, including suicide⁸ and automobile accidents. In fact, as will be shown in subsequent parts of this chapter, no other psychoactive substance is more frequently associated with violent crimes, suicide, and automobile accidents than alcohol.

The research surveys which have investigated the question of alcohol involvement in acts of violence are deficient in that intoxication at the time of the offense is generally unknown. In the absence of chemical tests,⁹ it is sometime difficult to determine whether an individual is under the influence

of alcohol, especially if he is a heavy drinker and is experienced in handling himself in such a way as not to create suspicion.

Research surveys, broadly speaking, can be divided into two main categories. The first are those that classify the various offenses and study the percentage of crimes in which alcohol has been known to be present in each category. Local offense reports and other police material are usually used.¹⁰

The second method primarily focuses on interviews with or case histories of apprehended offenders in order to determine the extent of alcohol problems in the past. When possible, studies combine histories with interviews and compare one group of offenders whose patterns are predominantly violent with others who do not exhibit this behavior in their arrest records.

Regrettably, all existing studies are deficient because of the lack of baseline data against which to compare instances in which alcohol is involved in a crime of violence. In other words, it is not known how many other drinkers do not engage in violent behavior, and also how often the same individual may have been drinking but did *not* engage in any violence.

Analyses of Offense Reports and Other Police Materials

The most frequently cited research project on the question of alcohol and violence is the Philadelphia study of 588 criminal homicide offenses.¹¹ As Table 1 shows, alcohol was found to be present in 374 cases, or nearly two-thirds of the criminal homicide events. In approximately 44 percent of the cases studied, alcohol was present in both the victim and the offender. Of the total criminal homicide situations where alcohol was present at all, it was present in both the victim and the offender 68 percent of the time.¹²

The District of Columbia Crime Commission found in its study that 45 percent of the criminal homicide offenders and 47 percent of the victims had been drinking.¹³

As suggested in Chapter 5, serious offenses involving assault or criminal homicide frequently seem to be acts of impulse rather than premeditated crimes. Crimes against property tend to be less impulsive. Because it is known that alcohol functions for most persons as a "disinhibitor," this association with impulsive acts is not surprising. However, the possibility should not be disregarded that persons who commit crimes of violence are more likely than persons committing lesser crimes to be drunk at times when they are not engaged in criminal behavior. Unfortunately, no studies exist which directly address themselves to this complicated question.

Returning to the Philadelphia study, an examination of the data indicates that in those cases where alcohol was present in the victim, offender, or both, a significant association existed between alcohol and "victim-precipitated homicides."¹⁴ Of the 588 cases, 26 percent were identified as "victim-precipitated."¹⁵ Comparison of the "victim-precipitated" with "non-victim-precipitated" cases revealed that alcohol was present in 74 percent of the former and 60 percent of the latter cases. It was also found that victim had been drinking immediately prior to the homicide situation in disproportionately more "victim-precipitated cases" (69 percent) than in "non-victim-precipitated" cases (47 percent).¹⁶

Table 1—The Presence of Alcohol, by Race and Sex of Victim, Philadelphia, 1948-52
[Percent of Total]

Alcohol	Both races			Negro			White		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Alcohol present in both victim and offender	43.5	45.0	38.3	48.2	49.5	43.8	31.0	32.2	27.9
Alcohol present in the victim only	9.2	11.1	2.9	9.4	11.2	3.1	8.7	11.0	2.3
Alcohol present in the offender only	10.9	8.7	18.0	11.7	9.4	19.8	8.7	6.8	14.0
Total: Alcohol present in the homicide situation	63.6	64.8	59.7	69.3	70.1	66.7	48.4	50.0	44.2
Total: Alcohol absent from the homicide situation	36.4	35.2	40.3	30.7	29.9	33.3	51.6	50.0	55.8
Grand total	100.0 (588)	100.0 (440)	100.0 (139)	100.0 (427)	100.0 (331)	100.0 (96)	100.0 (161)	100.0 (118)	100.0 (43)

Source: Marvin Wolfgang, "Patterns in Criminal Homicide," op. cit., p. 136.

The survey showed that the bulk of criminal homicides in Philadelphia occur on weekends—the period when there are increased social contacts and use of alcohol. Alcohol was found to be present in 70 percent of the homicides occurring on Friday, Saturday, and Sunday, while in only 50 percent of the homicides committed between Monday and Thursday.¹⁷ (A Cleveland study found that 62 percent of the homicides in the greater Cleveland area took place on the 3 days of the weekend.¹⁸ Another study found that 84 percent of the homicides occurred on Fridays, Saturdays, and Sundays.¹⁹)

A significant association also existed between alcohol in the homicide situation and the method of inflicting death in the Philadelphia study.²⁰ More stabbings occurred with alcohol present than did any other method of committing criminal homicide. Of 228 stabbings, 72 percent involved the presence of alcohol. Beatings by fist, feet, or blunt instrument ranked second, with 69 percent of the 128 cases revealing the involvement of alcohol. Of the 194 shootings, 55 percent involved the presence of alcohol.²¹ It would appear that criminal homicides involving shooting are more likely to be planned and at least to some extent premeditated.²²

Supporting evidence for the important role played by alcohol in the criminal homicide situation comes from many other sources. A study in Baltimore reported that 69 percent of the criminal homicide victims had been

drinking.²³ Another study found that 44 percent of a sample of such victims had blood alcohol levels over 0.15 percent by weight,²⁴ or at least six drinks.²⁵

Further evidence has been documented in a unique study²⁶ which reported the urine alcohol concentrations of 882 persons arrested during or immediately after the commission of a felony. Table 2 illustrates the alcohol concentrations of those persons arrested for different crimes. Alcohol was present in 72 percent of the robbery cases reported,²⁷ 83 percent of the murder cases, 50 percent of the rapes, and 48 percent of the felonious assaults. It is significant that no less than 88 percent of those arrested for "cutting" had urine alcohol concentrations of 0.10 percent or higher and another 5 percent had lower levels of alcohol concentration.

In sum, the probability that alcohol will be involved in the criminal homicide situation is high; when involved, it is most likely that both the victim and the offender will be drinking.

Aggravated assaults follow homicides as the type of crimes most significantly associated with alcohol. The District of Columbia Crime Commission found that 35 percent of 121 offenders apprehended or identified and 46 percent of 131 victims had been drinking prior to the assault.²⁸ This report also confirms the pattern of weekend nights and early mornings as the peak periods for aggravated assaults.²⁹

Similar results were obtained in a study of aggravated assault patterns in St. Louis.³⁰ Although alcohol was reported in over 25 percent of all the cases, the researchers noted that the number may have been higher were it not for the inability to detect the presence of alcohol and the consequent underreporting.

A less prominent, but nonetheless important, relationship appears to exist between alcohol and sexual offenses. Studies which have been summarized in the Crime Commission's Task Force Report on Drunkenness indicated that 35 and 20 percent of the respective samples were drinking or drunk at the time of the sexual offense.³¹ The District of Columbia Crime Commission found that 12 percent of the offenders and 6 percent of the victims studied had been drinking.³²

A recent study of 646 forcible rapes occurring in Philadelphia between 1958 and 1960 confirms these studies and reveals that alcohol was a significant factor in the rape situation, especially when present in the offender.³³ Alcohol was present in one-third of all rapes. In 63 percent of these cases in which alcohol was involved, both victim and offender were drinking.³⁴

A statistically significant relationship was found between "victim precipitation" and drinking by the victim alone as well as between "victim precipitation" and drinking by both victim and offender.³⁵

Alcohol seems to have only a minimal involvement in robbery. A study of robberies committed in Philadelphia between 1960 and 1966, produced the results shown in Table 3.³⁶ Alcohol was present in only 15 percent of the 892 robberies where an offender was arrested. Of this 15 percent, alcohol was present in only the victims in 8 percent of the cases; in 4 percent of the cases it was present in the offender only, and in 3 percent it was present in both.³⁷ In 53 out of every 100 cases involving alcohol in the robbery situation, only the victim was drinking.³⁸ This somewhat reinforces the image of the

Table 2.—Percent of persons arrested for different crimes as to the degree of presence of urine alcohol: 1951 to 1953 (Columbus, Ohio)
[In percent]

Cases studied	nil	0.00-0.09	0.10-0.19	Alcohol concentration			0.10 plus
				0.20-0.29	0.30-0.39	0.40 plus	
Rape	50	5	19	21	5	0	45
Felonious assault	52	5	9	20	13	2	43
Cutting	8	5	20	35	25	8	88
Concealed weapons	8	8	21	25	35	4	83
Other assaults	8	13	25	35	18	2	78
Murder	17	17	30	23	13	0	67
Shooting	18	3	27	33	18	0	79
Robbery	28	12	15	29	15	0	60
Burglary	29	7	24	24	14	2	64
Larceny	27	9	13	27	19	5	65
Auto theft	30	11	25	22	8	4	59
Forgery	40	0	20	20	20	0	60
Average total	27.3	8.4	20.2	25.8	15.6	2.6	

Source: Lloyd Shupe, "Alcohol and Crime: A Study of the Urine Alcohol Concentration found in 882 Persons Arrested During or Immediately After the Commission of a Felony," *Journal of Criminal Law, Criminology and Police Science*, Vol. 44 (1954).

Table 3.—Presence of alcohol in crimes of robbery, by race and sex of victim, 1960 to 1966 (average). Philadelphia sample
[In percent]

Alcohol when offender is arrested	Both races			Negro			White		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Alcohol present in both victim and offender	3.3	3.3	3.2	3.5	3.6	3.2	2.9	2.8	3.1
Alcohol present in the victim only	8.2	9.1	5.5	8.7	10.2	5.8	7.3	8.4	5.0
Alcohol present in the offender only	3.9	3.8	4.1	4.1	3.8	5.9	3.4	3.6	3.1
Total alcohol present	15.4	16.2	12.8	16.3	17.6	14.0	13.6	14.8	11.2
Total alcohol absent	84.6	83.8	87.2	83.7	82.4	86.0	87.4	85.2	88.8
Grand total (events)	100.0 (892)	100.0 (651)	100.0 (241)	100.0 (563)	100.0 (429)	100.0 (134)	100.0 (329)	100.0 (291)	100.0 (103)

Source: Andre Normandeau, *Patterns in Robbery*, unpublished dissertation (University of Pennsylvania, 1968).

robbery offender as an individual who rationally plans his act against an unsuspecting victim, in contrast to the offender in the other major violent crimes, who often acts more passionately and impulsively.

It is difficult to make an overall comparison with other studies in view of the different research methods employed by individual investigators. However, a recent compilation³⁹ has been made and is shown in Table 4. Listing only those studies which have used similar types of police data, the author was able to compare the presence of alcohol in homicide, robbery, forcible rape, and aggravated assault offenses. This table confirms findings that alcohol is most often found in homicide situations and least often in robberies. With the exception of the forcible rape figure for Washington, D.C., it should be noted that alcohol was present in no less than 24 percent of the offenses.

Interviews With Apprehended Offenders and Case Histories

The second major source of statistical data is derived from studies of apprehended offenders. Several of these investigations have related alcohol to assaultive offenses,⁴⁰ and suggest that alcohol use is often associated with violence.

In one study, alcohol use was found to be a variable which significantly differentiated first admissions to the California Youth Authority of males who were committed for assaultive offenses from those committed for nonassaultive offenses. Two separate studies showed that wards rated as

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Table 3.—Presence of alcohol in crimes of robbery, by race and sex of victim, 1960 to 1966 (average). Philadelphia sample
[In percent]

Alcohol when offender is arrested	Both races			Negro			White		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Alcohol present in both victim and offender	3.3	3.3	3.2	3.5	3.6	3.2	2.9	2.8	3.1
Alcohol present in the victim only	8.2	9.1	5.5	8.7	10.2	5.8	7.3	8.4	5.0
Alcohol present in the offender only	3.9	3.8	4.1	4.1	3.8	5.9	3.4	3.6	3.1
Total alcohol present	15.4	16.2	12.8	16.3	17.6	14.0	13.6	14.8	11.2
Total alcohol absent	84.6	83.8	87.2	83.7	82.4	86.0	87.4	85.2	88.8
Grand total (events)	100.0 (892)	100.0 (651)	100.0 (241)	100.0 (563)	100.0 (429)	100.0 (134)	100.0 (329)	100.0 (291)	100.0 (103)

Source: Andre Normandeau, *Patterns in Robbery*, unpublished dissertation (University of Pennsylvania, 1968).

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Table 4.—Presence or absence of alcohol in offenders and victims in different studies
[In percent]

	Alcohol in offenders		Alcohol in Victims	
	Yes	No	Yes	No
Robbery:				
Philadelphia ¹	7	93	12	88
Montreal ²	12	88	16	84
Homicide:				
Philadelphia ³	54	46	53	47
Montreal ⁴	28	72	22	78
Washington, D.C. ⁵	45	55	47	53
Baltimore ⁶	36	64	53	47
Forcible rape:				
Philadelphia ⁷	24	76	31	69
Montreal ⁸	31	69	16	84
Washington, D.C. ⁹	13	87	6	94
Aggravated assault:				
Montreal ¹⁰	37	63	25	75
Washington, D.C. ¹¹	35	65	46	54
St. Louis ¹²	24	76	25	75

Source: Andre Normandeau, *Patterns in Robbery*, unpublished dissertation (University of Pennsylvania, 1968).

1. Normandeau, *Patterns in Robbery*, *op. cit.*, p. 285.

2. G. Tardif, "La Criminalite de Violence," M.A. thesis, University of Montreal (1966), p. 94.

3. Wolfgang, *Patterns in Criminal Homicide*, *op. cit.*, p. 136.

4. Tardif, *op. cit.*, p. 94.

5. D.C. Crime Commission, p. 45.

6. Criminal Justice Commission of Baltimore, "Criminal Homicides in Baltimore: 1960-1964" (Baltimore, Criminal Justice Commission, Inc., 1967), p. 35.

7. Amir, *Patterns in Forcible Rape*, *op. cit.*, p. 206.

8. Tardif, *op. cit.*, p. 94.

9. D.C. Crime Commission, *op. cit.*, p. 54.

10. Tardif, *op. cit.*, p. 94.

11. D.C. Crime Commission, *op. cit.*, p. 79.

12. Pittman and Handy, *op. cit.*, p. 467.

Source: Normandeau, *op. cit.*, p. 285.

moderate or chronic users of alcohol committed a greater than expected number of assaultive offenses.⁴¹

A study of female prisoners convicted of felonies in California found that drinking was associated to a significant degree with the violent offender in 55 percent of the homicide cases, 62 percent of the assaults, and 43 percent of the robberies. By contrast, alcohol was implicated in only 29 percent of the property offenses.⁴²

Other surveys of inmate populations consistently reveal a higher proportion of alcohol problems among offenders than in the general population.

One study provided information on 2,325 new male arrivals to prisons in

California. Of this number, 29 percent claimed that alcohol had been a major problem in their lives and 28 percent reported that they were intoxicated at the time of the offense. It is interesting to observe that 23 percent of those who admitted to having drinking problems also had prior convictions, compared to only 14 percent of those who denied having drinking problems.⁴³

Another study found a 43 percent alcoholism rate among consecutively convicted felons, and a higher recidivism rate for this group while on parole.⁴⁴

It should be noted, however, that the group of convicted and incarcerated offenders would logically represent a rather biased and highly selected subpopulation of persons who have committed law violations. Quite understandably, these persons would tend to have a larger incidence of previous criminal records. Furthermore, the presence of high levels of alcohol consumption and other problems could be related to the fact that such persons might more readily be apprehended, convicted, and given prison terms.

The chronic alcoholic offender is indeed a serious social problem⁴⁵ but the fact is that the majority of them are not violent.⁴⁶

Conclusion

It cannot be overemphasized that the relationship between alcohol and violent crime is a highly complex one. Only occasionally can one say with certainty that a violent crime would not have been committed if the offender had not been drinking. Therefore, while the relationships indicated in the above studies between alcohol and violent crimes are highly suggestive, they cannot, of course, be construed as causal connections. Significant correlations only note the joint presence of two or more variables, and do not necessarily indicate that one variable, i.e., alcohol, is the cause. It has been pointed out, however, that a causal relationship does appear to exist in many instances between alcohol and violence. For example, when a man kills his best friend over a trivial situation, drunkenness often appears as a direct factor.⁴⁷ On the other hand, although many serious crimes may be committed by drunk persons, more often drunkenness is only one of several complicating factors. It must also be remembered that most men who drink or who are drunk *do not* commit serious crimes, and particularly do not commit homicide.

If the drinking of alcoholic beverage is part of the custom of a substantial majority of a given population, the absence of alcohol in as many as one-third of the homicide situations involving this group might suggest that the drinking per se is not a causally significant factor. Studies currently available do not indicate what the chances of killing or being killed while drinking are, relative to the chances of the same hazard while not drinking. Information on the relative amounts of time spent drinking, where and when it occurs, and with whom and under what circumstances, is not currently available either for the general population or the subcultures from which homicide offenders generally are drawn. One must keep in mind that even if alcohol appears to be a necessary element in some instances of homicide, it is clearly not necessary

for all of them. Further, it is important to bear in mind that alcohol use does not automatically or necessarily lead to violence.

In view of the complexity of the relationship, it is more useful to speak in terms of the differential effect of alcohol on different people. Alcohol has, from a pharmacological standpoint, some rather clear effects. These effects on the central nervous system have been described as removing or reducing significant social inhibitions. Diminished fear of punishment and reduced anxiety and guilt are other psychological consequences. It is important to keep in mind the fact that a number of violent offenders commit their acts without the inhibition-reducing assistance of alcohol.

ALCOHOL AND AUTOMOBILE CRASHES/ PEDESTRIAN FATALITIES AND OTHER "ACCIDENTS"

From an epidemiological point of view, the most important relationship between alcohol use and violent behavior undoubtedly occurs in automobile crashes. (We purposely use the word crashes in preference to "accidents" because "accident" implies absence of neglect, carelessness and other culpable behavior.⁴⁸)

According to one expert, "there is probably no other area in the field of drug research and related dangerous behavior where the role of a drug as a precipitating factor in dangerous behavior is so clear."⁴⁹

Death resulting from automobile crashes can be categorized in two ways. The first category is accidental deaths. These may occur for example, when a person suddenly darts out in front of an oncoming car, when the brakes fail, or when the driver swerves to avoid an object on the road. The second category, however, includes deaths and injuries which occur because a driver is not sufficiently alert, physically or mentally, to handle his car safely because he has been drinking. Our main interest here is with the drivers who fall into the second category.

The magnitude of alcohol involvement in automobile crashes was recently described by the former Secretary of Transportation:

The use of alcohol by drivers and pedestrians leads to some 25,000 deaths and a total of at least 800,000 crashes in the U.S. each year . . . more than half of adults use the highways at least occasionally after drinking. However, the scientific evidence is irrefutable that the problem is primarily one of persons . . . who have been drinking . . . to an extent rare among drivers and pedestrians not involved in crashes.⁵⁰

Our concern is increased by the alarming number of persons injured. In 1967, nearly 2 million people suffered disabling injuries as a result of 13.7 million motor vehicle crashes.⁵¹ Other statistics show that one person was fatally injured every 10 minutes in 1967 as a result of a motor vehicle crash. More lives have been lost this way since 1900 than in all U.S. military operations since the Revolutionary War.⁵²

Effects of Alcohol on Driver Performance

The principal active ingredient in alcoholic beverages is ethyl alcohol. This substance is quickly absorbed from the gastrointestinal tract and carried by

the blood to all parts of the body including the brain. The rate at which alcohol enters the blood is dependent on several factors: (1) the rate of consumption, (2) the amount and concentration consumed, (3) the type and amount of other food and beverages also present.

The most important effect of alcohol is on the central nervous system. Specifically, it results in lessened efficiency in the brain functions which act to control voluntary muscles. While the precise effects will vary with concentration of alcohol in the body, scientific studies have shown that clumsiness of muscular movements is observed by some subjects with blood alcohol levels as low as 0.03 percent by weight. In all subjects, impairment was observed when the blood alcohol reached 0.10 percent by weight.⁵³ The implications for automobile driving are the impaired sensory, perceptual, psychomotor, and mental functions which include decreased reaction time and deterioration of judgment and control.

A recent study reports that drivers with a blood alcohol level of 0.16 percent by weight are 20 times more likely to be involved in accidents than if they had not been drinking. At 0.08 they are twice as likely to be involved in an accident as the nondrinker. When drivers with blood-alcohol levels over 0.08 have accidents, they tend to be more severe than the average.⁵⁴

More important than the effect on muscular coordination are those on brain mechanisms which normally operate to inhibit or moderate certain behavior. Judgment and complicated motor skills considered by some to be the highest functions of the human brain, are the first to be affected.⁵⁵

The effect of blood alcohol concentration on the body is presented in numerous charts set forth below. It seems important, however, that the relationship between such concentration and ingestion first be understood. The following is a good description of this relationship:

If an individual weighing 150 pounds, drinking between one and two hours after an average meal, were to consume in that time at least four ounces of 80 proof liquor, his blood alcohol concentration would probably reach 50 mg. per 100 ml. (0.05 percent by wt.). Similarly, under the same conditions, for 100- and 200-pound individuals the corresponding amounts of 80 proof liquor to reach 50 mg. per 100 ml. (0.5 per cent by wt.) would be slightly more than three ounces, and six ounces, respectively.⁵⁶

Based on these estimates and consistent with earlier studies, it can be said that the ingestion of between three and five drinks (1 fluid ounce of 86-proof spirits per drink) will yield a blood-alcohol level of between 0.05 and 0.09 percent by weight. To reach a blood-alcohol level of between 0.10 and 0.14 percent, approximately six to eight drinks must be consumed. The three most frequently mentioned concentrations 0.05, 0.10, and 0.15 percent by weight and the approximate amount required to reach these blood-alcohol concentrations should be borne in mind as the research on traffic crashes is reviewed.

Experimental studies conducted both in laboratories and in actual driving tests reveal that even one or two drinks can cause adverse effects.⁵⁷

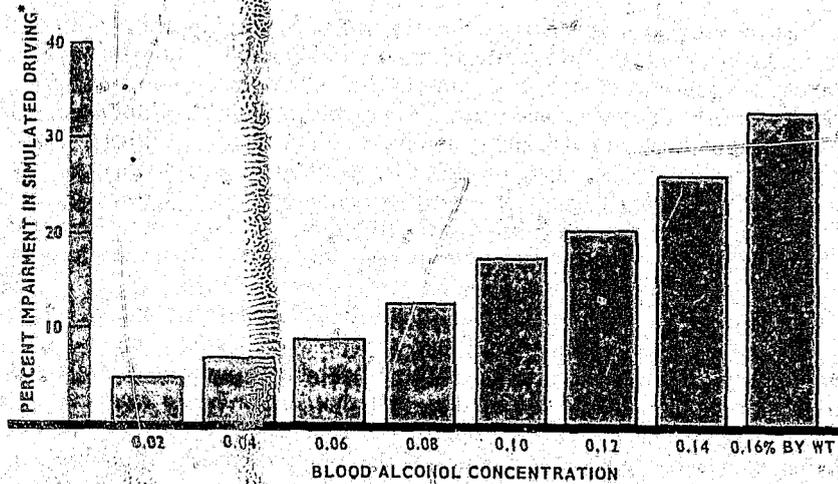
Figures 1 through 7⁵⁸ portray the impairment by alcohol of the ability to act and to respond to various driving situations. Figures 1-2 show the adverse effects of concentrations of alcohol in the blood on simulated driving tasks.⁵⁹ Both figures indicate that even small amounts of blood-alcohol concentration impair driving ability and increase the number of driving errors. It might further be noted that "hazards present in normal driving, such as emergencies, require degrees of concentration, judgment and coordination, not demanded of the driver in our test situation."⁶⁰ Therefore, these two figures represent an understatement of the actual deterioration of performance.⁶¹

Figures 3-7 show the effects of blood-alcohol concentration on vision, balance, coordination of finger movements, calculating ability, comprehension and concentration. All of these tables indicate that alcohol affects the body's ability to function, and that as the intake increases, the adverse effects on the body also increase. The degree to which different activities are affected by the amount of alcohol consumed and the drinking habits of the participants in these studies are varied. In none of the tested areas did all of the participants show total resistance to the lower concentrations of blood alcohol. But at 0.10 percent by weight all drivers were affected in all areas. The percentage of moderate and heavy drinkers unaffected by 0.0-0.05 percent blood-alcohol concentrations is greater than among light drinkers. However, moderate and heavy drinkers, because they imbibe often, perhaps daily, have blood-alcohol concentrations—and therefore reduced mental and physical capabilities—during a significant period of their lives.

Data Relating Alcohol to Automobile Crashes

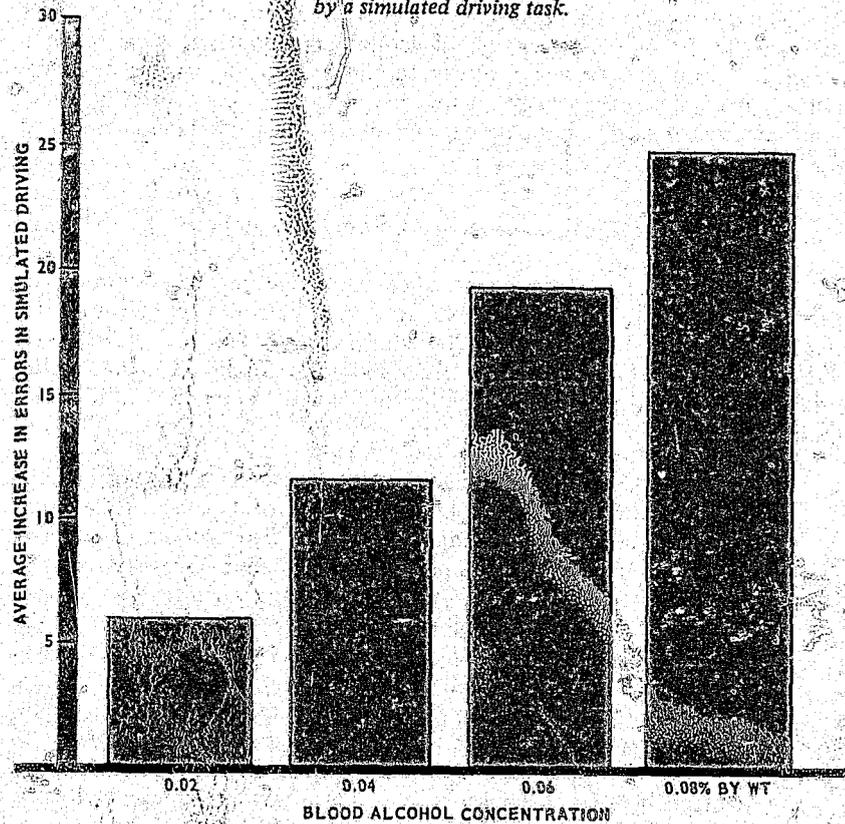
Regrettably, there is presently no statewide or nationwide system which collects information on the extent to which alcohol is involved in automobile crashes. As early as 1904, the *Quarterly Journal of Inebriety* published an article which described the rapidly developing social and health problems connected with the relationship of alcohol to vehicular deaths and injuries:

We have received a communication containing the history of 25 fatal accidents occurring to automobile wagons. Fifteen persons occupying these wagons were killed outright, five more died two days later, and three persons killed. Fourteen persons were injured, some seriously. A careful inquiry showed that in nineteen of these accidents the drivers had used spirits within an hour or more of the disaster. The other six drivers were all moderate drinkers, but it was not ascertained whether they had used spirits preceding the accident. The author of this communication shows very clearly that the management of automobile wagons is far more dangerous for men who drink than the driving of locomotives on steel rails. Inebriates and moderate drinkers are the most incapable of all persons to drive motor wagons. The general palsy and diminished power of control of both the reason and senses are certain to invite disaster in every attempt to guide such wagons. The precaution of railroad companies to have only total abstainers guide



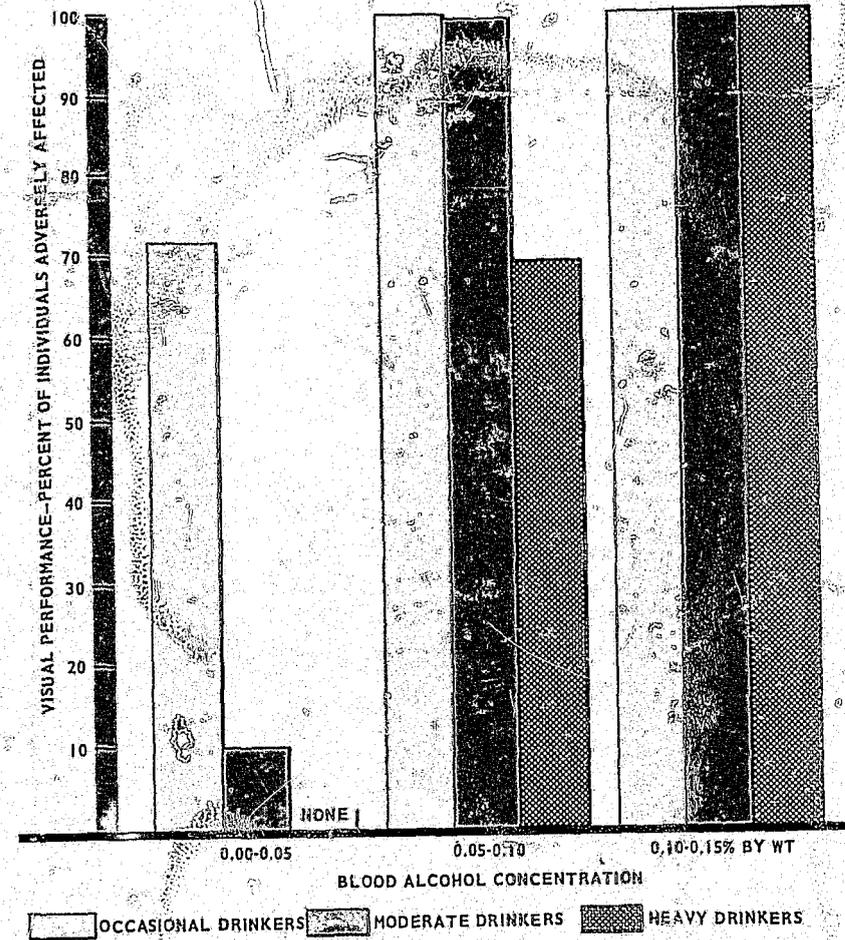
Source: "Alcohol and Highway Safety," *op. cit.*, p. 43.

Figure 1.—Effect of alcohol on performance as measured by a simulated driving task.



Source: "Alcohol and Highway Safety," *op. cit.*, p. 44.

Figure 2.—Effect of alcohol on performance as measured by the average increase in tracking or car positioning errors.

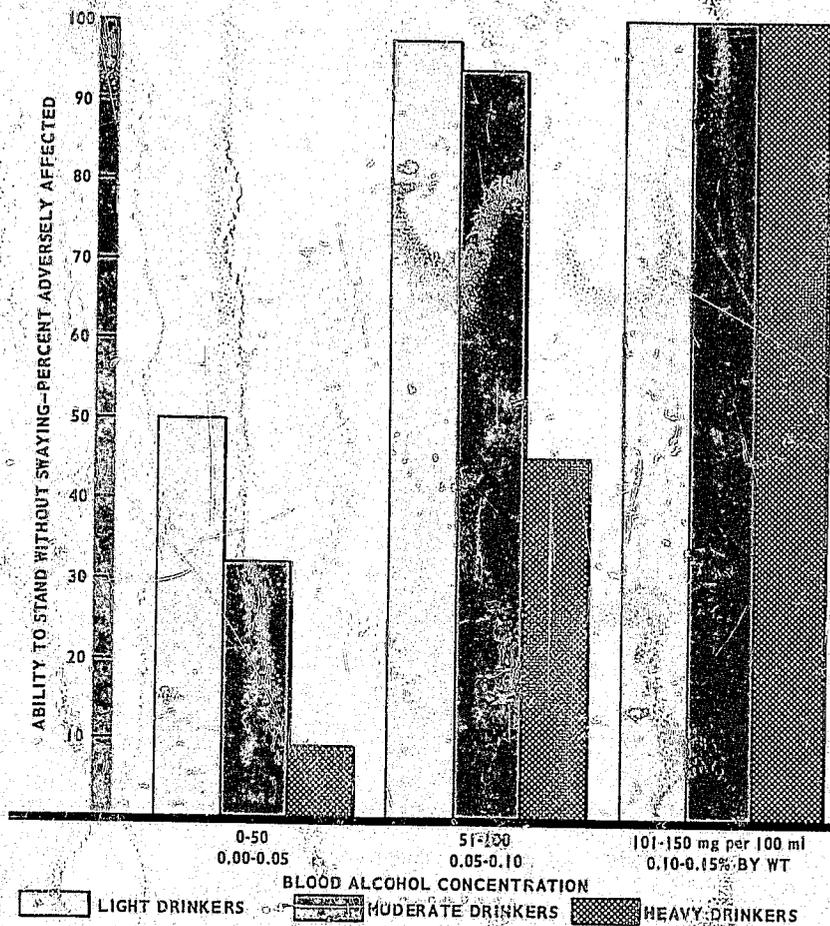


Source: "Alcohol and Highway Safety," *op. cit.*, p. 45.

Figure 3.—Effect of alcohol on performance as measured by a visual test.

their engines will soon extend to the owners and drivers of these new motor wagons. The following incident illustrates this new danger: A recent race between the owners of large wagons, in which a number of gentlemen took part, was suddenly terminated by one of the owners and drivers, who persisted in using spirits. His friends deserted him, and in returning to his home his wagon ran off a bridge and was wrecked. With the increased popularity of these wagons, accidents of this kind will rapidly multiply, and we invite our readers to make notes of disasters of this kind.⁶²

During the last 35 years, whenever there has been a study of the presence and concentration of blood-alcohol among individuals responsible for



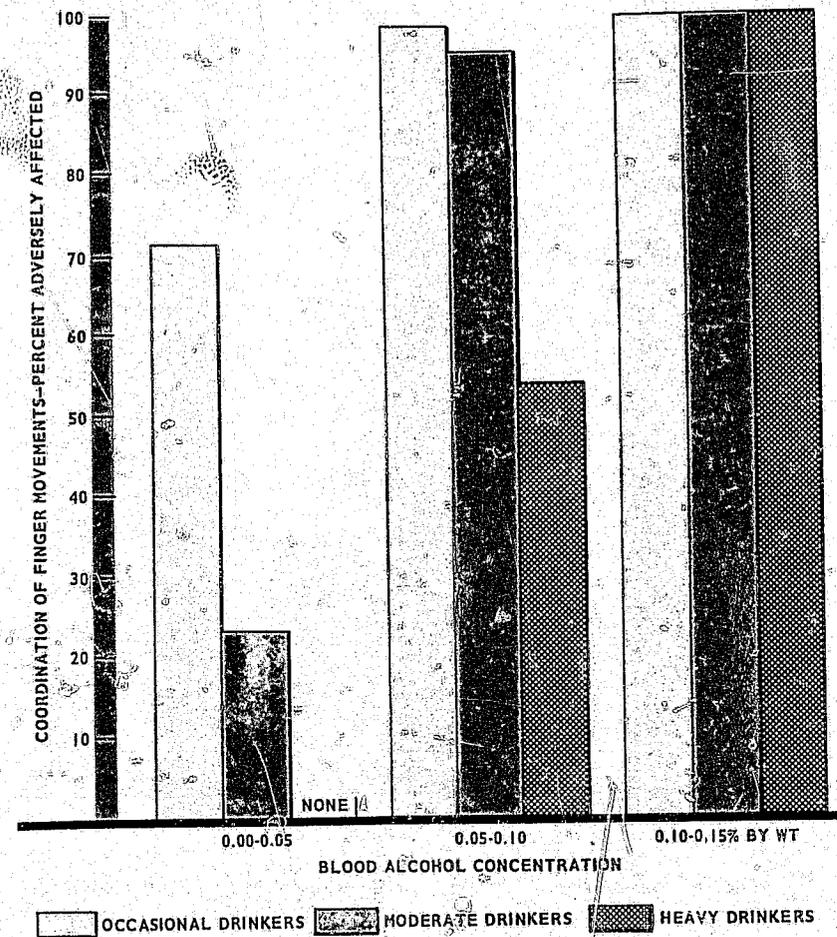
Source: "Alcohol and Highway Safety," *op. cit.*, p. 46.

Figure 4.—Effect of alcohol on performance as measured by the ability to stand without swaying.

initiating crashes, alcohol has been found to be the largest single factor leading to fatal crashes.⁶³

Repeated scientific findings have shown that blood-alcohol concentrations of drivers who are involved in crashes—particularly fatal crashes—are higher than those of average (whether or not they have been drinking) who are not involved in crashes.⁶⁴ Figures 8-10 illustrate this.

Figure 8 summarizes the data from four studies of blood-alcohol concentration of drivers who were not involved in crashes.⁶⁵ The data illustrate that, even at the times and places where crashes occurred, most drivers have not consumed a measurable amount of alcohol, and a substantial



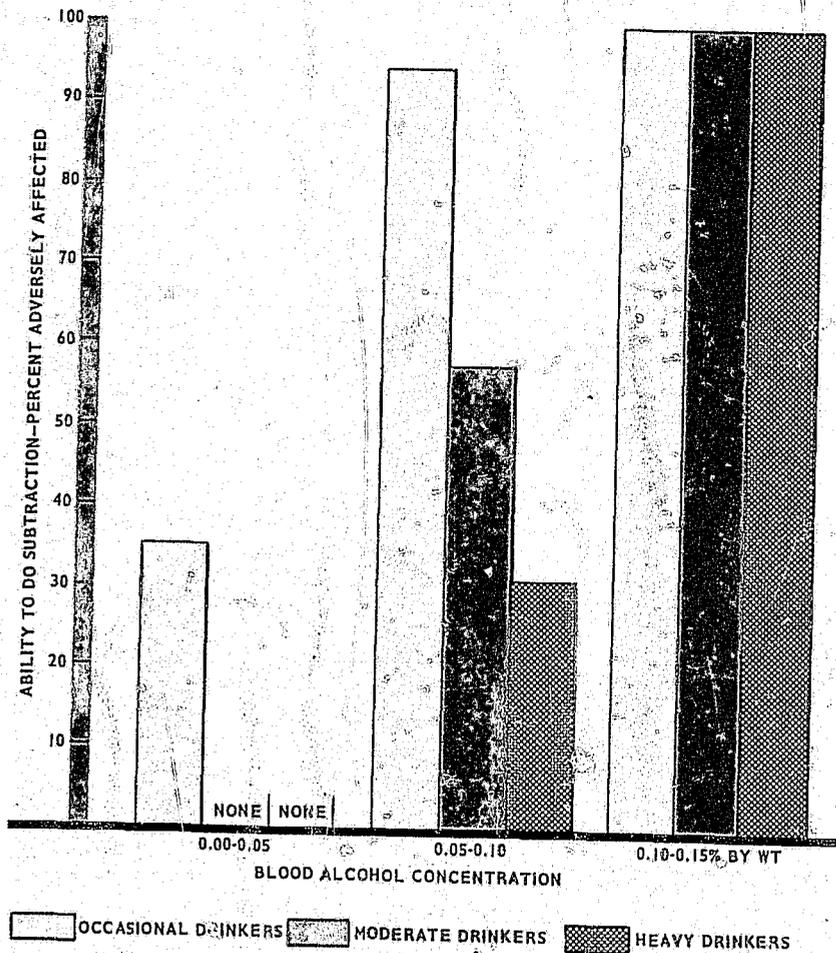
Source: "Alcohol and Highway Safety," *op. cit.*, p. 47.

Figure 5.—Effect of alcohol on performance as measured by a finger movement coordination test.

majority of these have not been involved in crashes. However, 1 to 4 percent of the drivers in these situations had 0.10 percent or higher levels of blood alcohol.

The 1 to 4 percent of drivers who had 0.10 percent or higher blood-alcohol concentrations accounted for 48 to 57 percent of all fatal single car crashes. (See Figure 9). Thus, although the heavily intoxicated drivers are only a small percentage of those on the road, they account for at least one-half of the fatal accidents.⁶⁶

Figure 10 indicates that again, the 1 to 4 percent of drivers with high blood-alcohol concentrations or above 0.10 percent are solely responsible for



Source: "Alcohol and Highway Safety," *op. cit.*, p. 48.

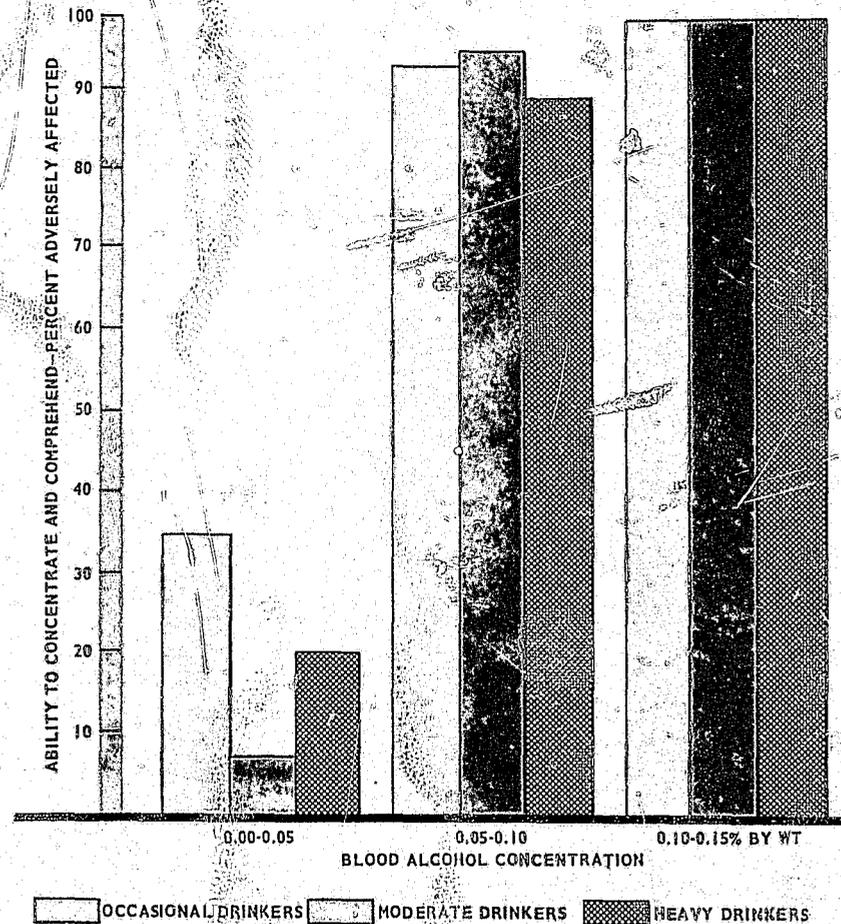
Figure 6.—Effect of alcohol on performance as measured by a subtraction test.

45 percent of multiple vehicle crashes. Drivers believed to have been killed as the result of the actions of others have not usually been drinking. In such cases, 80 percent of the victims have no alcohol blood content.

One medical examiner has said, "Of greater seriousness is the realization that 44% of the *innocent not at fault* [italic his] dead drivers were killed by drinking drivers."⁶⁷

Characteristics of Drinking Drivers Involved in Traffic Crashes

Investigations of drivers involved in fatal accidents show that such drivers are highly identifiable when compared to control groups. Such features as rage, depression, paranoid tendencies, suicidal proclivities, past incidents of



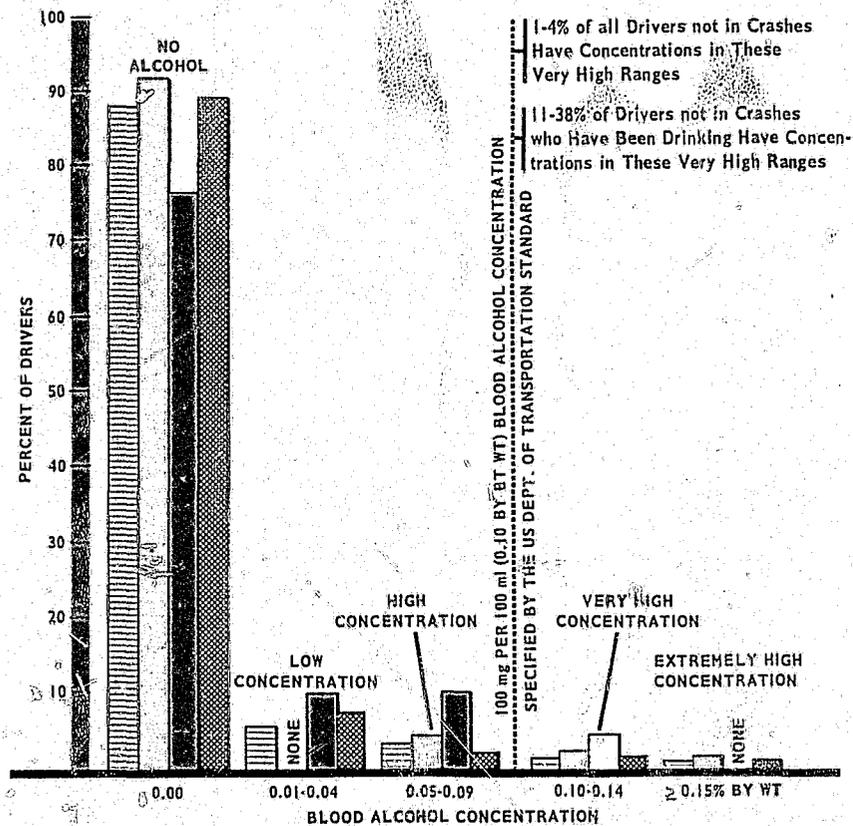
Source: "Alcohol and Highway Safety," *op. cit.*, p. 49.

Figure 7.—Effect of alcohol on performance as measured by the ability to concentrate and comprehend.

violent behavior, prior accidents, personal problems, and alcoholism have been associated with increased probability of causing a fatal traffic crash.

In one study it was estimated that as of 1964, in the state of California, there were between 800,000 and 850,000 persons who could be classified as alcoholics. Discounting 5 to 10 percent of this number as nondrivers, there are at least 650,000 alcoholic persons who are licensed to drive. In California alone, therefore, 6.5 percent of the 10 million drivers are alcoholic. On the basis of these facts and other data on annual mileage of alcoholic drivers, it is estimated that, while drivers with alcoholism represent only 6.5 percent of the driver population, they contribute to over 10 percent of the total mileage.⁶⁸

In California, alcoholic drivers are involved in between 41 and 62 percent



1750 DRIVERS TESTED AT VARIOUS TIMES AND ON VARIOUS DAYS, EVANSTON, ILLINOIS, 1938.

252 DRIVERS TESTED AT TIMES AND PLACES OF FATAL CRASHES, NEW YORK CITY, 1960.

2015 DRIVERS TESTED DURING EVENING HOURS AT CRASH SITES, TORONTO, CANADA, 1951-1952.

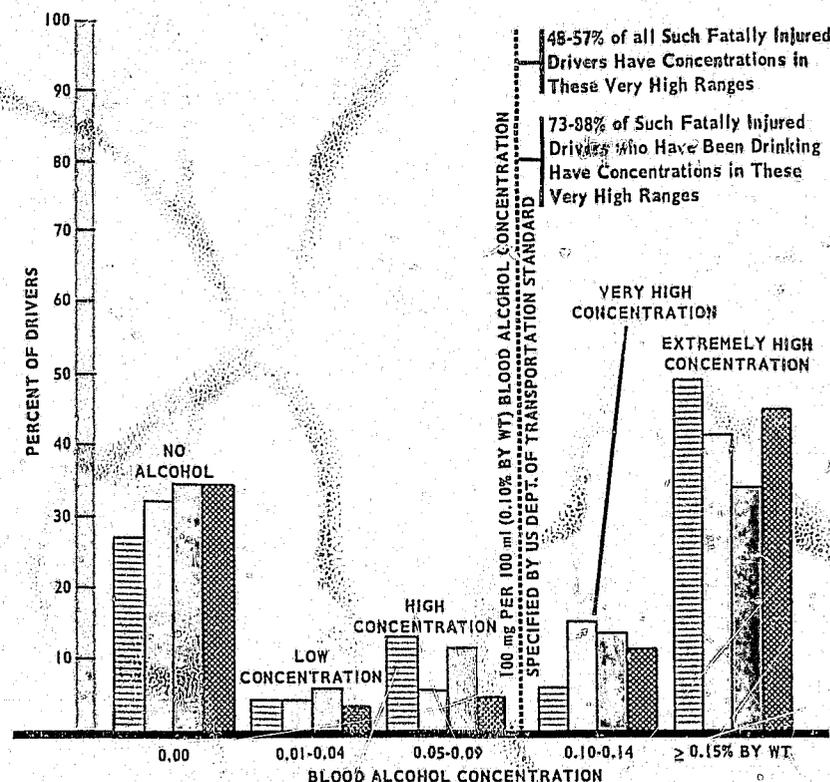
7590 DRIVERS TESTED AT TIMES AND PLACES SIMILAR TO THOSE AT WHICH CRASHES OCCURRED, GRAND RAPIDS, MICHIGAN, 1962-1963.

Source: "Alcohol and Highway Safety," *op. cit.*, p. 19.

Figure 8.—Blood alcohol concentrations among drivers using the road but not involved in crashes.

of the known traffic crashes, and the likelihood is that the actual numbers are in a higher range.⁶⁹

In a study of 72 Michigan drivers who were responsible for fatal collisions, it was found that 40 percent were chronic alcoholics, and an additional 10 percent were prealcoholic or problem drinkers. These two groups represented three-fourths of the 64 percent of the drivers who had been drinking prior to the collision. Tests revealed that these drivers averaged blood-alcohol concentrations in the very high range of 0.14



83 DRIVERS, WESTCHESTER COUNTY, NEW YORK, 1950-1957.

1403 DRIVERS, CALIFORNIA, 1965-1966.

221 DRIVERS, DADE COUNTY, FLORIDA, 1956-1965.

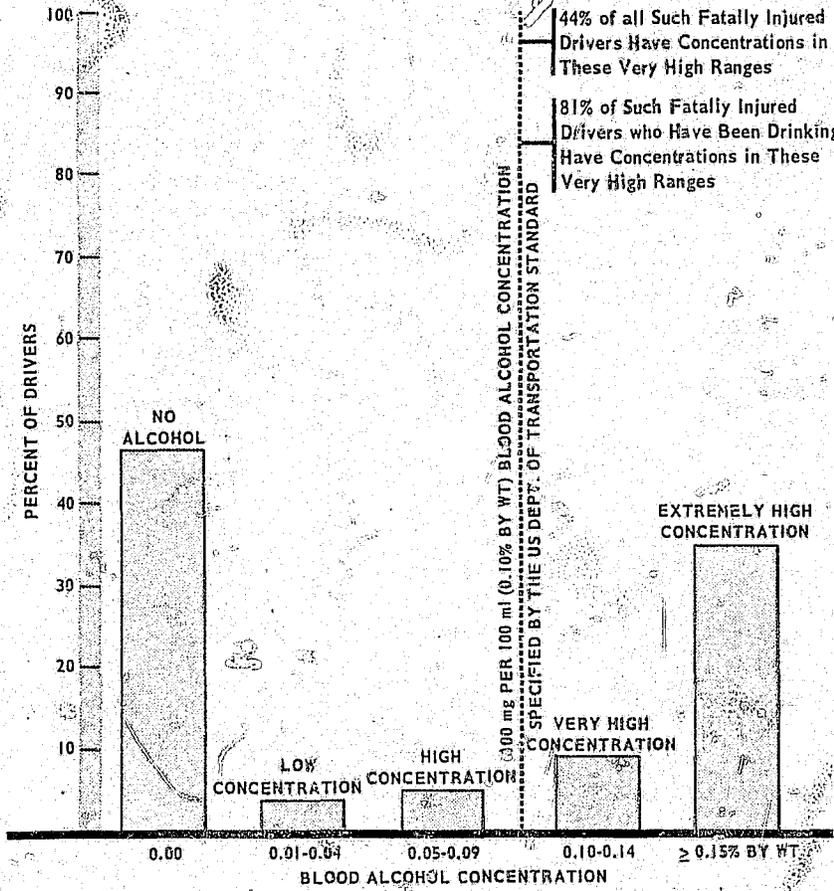
469 DRIVERS, NEW JERSEY, 1961-1963.

Source: "Alcohol and Highway Safety," *op. cit.*, p. 20.

Figure 9.—Blood alcohol concentrations among drivers fatally injured in single vehicle crashes.

percent by weight.⁷⁰ In a recent investigation of 96 drivers involved in fatal accidents in Washtenaw County, Michigan, 37 percent of those responsible for the accidents were alcoholics and had been drinking at the time. Among persons considered to be highly delinquent drivers, a full 50 percent were alcoholics.⁷¹

Further analysis reveals that many alcoholic drivers involved in collisions also have long histories of serious psychopathology, including depression, self-deprecation, suicidal thoughts or attempts, chronic or frequent rage and



Source: "Alcohol and Highway Safety," *op. cit.*, p. 21.

Figure 10.—Blood-alcohol concentrations among drivers fatally injured in crashes involving more than one vehicle but in which no other vehicle or driver is believed to have been responsible.

resentment of others, low frustration tolerance, and destructive or aggressive behavior.⁷²

Earlier studies have associated aggressive behavior patterns with automobile crashes,⁷³ and recent investigations have shown that the drinking driver who is involved in crashes is not typical of other drivers who occasionally drink and drive.

Investigations which have analyzed driving records of known alcoholics have found a rather high correlation between traffic crashes and violent behavior. Such a strong relationship is not as much in evidence for persons involved in crashes which did not involve alcohol. Table 5 shows that nearly two-thirds of the drunken drivers and one-half of the drivers in crashes involving alcohol or hit-and-run crashes had two or more arrests involving the misuse of alcohol. These drivers had many more arrests for violence than did

Table 5.—Percentage of men known to community service agencies, with two or more previous arrests involving alcohol, and with previous arrests for violence among men with no crashes or traffic citations, with citations for moving violations, with crashes involving alcohol or hit-and-run crashes, and with arrests for driving while intoxicated and related offenses, Oakland, Calif., 1965

Previous record	No crashes or citations	Citations for moving traffic violations of all sorts except drunken driving	Crashes not involving alcohol	Arrest warrants for ignoring traffic citations	Crashes involving alcohol or hit-or-run crashes	Arrests for driving while intoxicated and related offenses
Previously known to community agencies . . .	19	34	39	68	76	87
2 or more previous arrests involving alcohol . . .	3	8	14	29	50	63
Previous arrests for violence*	5	8	9	37	36	27
Number of persons	150	131	117	19	33	150

*Violence in this case refers to actual assault upon another person. Arrests for drunken and disorderly conduct, disturbing the peace, and similar offenses as well as for sex offenses were listed separately.

Source: Waller, *op. cit.*, p. 39.

those who were not in crashes or whose crashes did not involve alcohol. Among drunken drivers, it was noted that:

almost three quarters of their many arrests involved drinking. Their marriages often were in a state of dissolution because of excessive drinking. Among drunken drivers, arrest reports commonly observed that the person had been arrested for assaulting his wife, when he arrived home intoxicated and she began scolding him for his alcoholic pattern.⁷⁴

Another study showed that drivers who were killed in single vehicle crashes and who had high blood-alcohol concentrations also experienced high arrest rates for violent crimes (see Table 6).⁷⁵ This same study compared the fatally injured drivers who had prior arrest records for drunkenness, with another group of fatally injured drivers who did not have such prior arrests. As indicated in Table 7, the former group had a greater number of arrests for assault, homicide, manslaughter, and for offenses such as disorderly conduct, and disturbing the peace.⁷⁶

The fact that patterns of difficulty with use of alcohol can be identified early is of the utmost importance in the formulation of policy recommendations. Unfortunately, most persons who have an opportunity to intervene, including public agency representatives who come into contact with these persons mistakenly believe that one must be completely intoxicated every day to be considered an alcoholic. There is a great need for education on this subject.

An interesting comparison has been made which shows the frequency with which alcohol has been found among persons involved in vehicular accidents versus those not involved. As Table 8 illustrates, alcohol is present among persons in injury-producing events, accidental or violent, much more often than among persons not involved in such events.⁷⁷

Taken together, these investigations tend to invalidate the theory that social drinkers are responsible for the majority of crashes involving alcohol. Rather, *it would appear that a minority of drivers with characteristics relating to the abuse of alcohol are responsible for a disproportionate number of automobile crashes.*

Alcohol and Pedestrian Fatalities

With respect to pedestrian fatalities, there has been one carefully controlled investigation of the differences between the blood-alcohol concentrations of fatally injured adult pedestrians and those of uninjured pedestrians. Forty percent of those killed had blood-alcohol concentrations in the range of 0.10 percent by weight and higher; only 8 percent of uninjured pedestrians on the streets at the same times and locations had the same concentration level. These findings also indicated that at the times and places of the events surveyed, two-thirds of the uninjured pedestrians had *not* been drinking, despite the fact that many of the accident sites were in locations, such as New York City's Bowery, where intoxicated pedestrians are commonplace.⁷⁸

Table 6.—Percentage of persons with previous arrests for crimes of violence, and with crashes during the previous 3 years among drivers with different blood alcohol concentrations who were fatally injured in single vehicle crashes, California, 1963-64

Previous record	Blood alcohol concentration		
	Less than 50 mg% (0.05% by wt)	50-150 mg% (0.05-0.15% by wt)	Greater than 150 mg% (0.15% by wt)
Assault, homicide, manslaughter	1.6	6.0	8.5
Rape or intent to rape8	1.2	1.4
Disturbing peace, disorderly conduct, resisting arrest	3.3	6.0	8.1
Vandalism, malicious mischief, property damage	1.6	.0	3.3
Highway crashes	13.7	39.8	29.4
Number of persons	123	83	211

Source: Wickstrom, P.H.; Sayre, B.M.; and Leven, R.: "Alcohol Involvement in Single Vehicle, Fatal Traffic Accidents," Unpublished paper, Div. of Alcoholic Rehab., Calif. State Depts. of Public Health, Berkeley, Sept. 2, 1965.

Other "Accidents"

Aviation Accidents

Research on the relationship of alcohol to transportation has centered almost exclusively on its role in highway accidents and traffic violations. However, *Alcohol and Highway Safety* does note some striking parallels from the results of research on fatal "general aviation" accidents. (The term "general aviation" is used to include civil, private, business, corporate, and commercial flying, excluding all carrier operations and military aviation.) A study of such crashes in 1963 found that alcohol was involved in 35 percent of the cases. Of the fatally injured pilots in this group, 79 percent had blood-alcohol concentrations of 0.05 percent by weight or higher, 57 percent had 0.10 percent, and 45 percent had 0.15 percent by weight or higher concentrations.⁷⁹

Gun "Accidents"—A Pilot Study

A pilot study was conducted for the Task Force to determine if there was any correlation between accidents involving guns and other acts of violence.⁸⁰ The sample consisted of all Vermont residents over the age of 18 who were involved in gun accidents during 1967; this group was compared to

Table 7.—Percentage of persons with previous arrests for crimes of violence, and with crashes during the previous 3 years among drivers with and without previous arrests for public drunkenness who were fatally injured in single vehicle crashes, California, 1963-64

Previous record	Without public drunkenness arrests	With public drunkenness arrests
Assault, homicide, manslaughter	3.3	13.3
Rape or intent to rape	1.0	1.8
Disturbing peace, disorderly conduct, resisting arrest	2.0	17.7
Vandalism, malicious mischief, property damage	1.0	5.3
Highway Crashes	29.8	34.5
Number of persons	304	113

Source: Ibid., p. 41

a random sample of persons of similar age and sex who had driver's licenses, but had not been involved in gun accidents.

The arrest and driving records of the shooters, the victims, and the uninvolved drivers are shown in Table 9.⁸¹ Individuals who initiated injury-producing events with guns were substantially overrepresented in highway crashes and citations, in contacts with the police, in crimes of violence and in crimes involving alcohol, in comparison with those who were shot, and with uninvolved drivers. Among the shooters, every person with alcohol arrests also had arrests for violence and most persons with arrests for violence had arrests involving alcohol.

The author of the study notes:

Of particular interest was the fact that guns were involved in several of the violence arrests among shooters, and that a number of the gun accidents involved rifles with extremely sensitive or "hair" triggers, or occurred during target practice involving Western style "fast draw" with revolvers. Both patterns suggest that owners of the weapons are individuals with aggressive personality patterns.

This study does not answer questions about relationships between highway crashes or violence and the broad range of nonhighway accidents, but it does demonstrate that such relationships exist for many persons involved as shooters in gun accidents. Furthermore, it identifies other factors among gun accidents such as the learning process and truly accidental circumstances. As has been observed earlier, and demonstrated again here, patterns of alcohol misuse and

Table 8.—Frequency of alcohol and of blood-alcohol concentrations of 100 mg% (0.10% by wt) and higher among persons involved in fatal injury-producing events and persons not involved in such events^a

	% with alcohol	% with 100 mg% (0.10% by wt) or higher
Persons believed responsible for initiating fatal injury events:		
Drivers, single vehicle crashes (23)	63	55
Drivers believed responsible for 2-vehicle crashes (23)	49	39
Pilots in private plane crashes (24)	35	20
Drownings (25)	61	45
Poisonings <i>b</i> (25)	75	71
Suicides <i>b</i> (25)	36	26
Persons charged with homicide (26)	54	Unknown
Fatally injured persons whose responsibility for event is unknown or not investigated:		
Drivers, responsibility unknown (23)	24	17
Pedestrians (23)	49	42
Fires (25)	63	58
Miscellaneous accidents (25)	24	22
Persons whose fatal injuries were believed to result from the action of others:		
Drivers believed not responsible (23)	26	14
Passengers (27)	42	26
Victims of homicide (26)	53	Unknown
Persons not involved in injury events:		
Drivers on road at similar times and places to fatal crashes (28)	21	3
Pedestrians on road at similar times and places to pedestrian fatalities (29)	26	7
Persons who died of "natural" causes (25)	14	7

^aRef. 23 is from 41 California counties in 1966; ref. 24 is for entire United States during 1963; ref. 25 is for Sacramento County, Calif., 1954-55; ref. 26 is for Philadelphia, 1948-52; ref. 27 is for Sacramento and Alameda Counties, Calif., from 1960-67 and San Francisco County, 1950-57; ref. 28 is for New York City, 1959-60; Ref. 29 is for New York City, 1959.

^bIt is quite likely that the proportion of suicides involving alcohol is higher than that noted, whereas the proportion of unintentional poisonings involving alcohol is lower since, if alcohol is present, many deaths involving poisonings are routinely listed as accidental instead of suicide.

Source: Waller, J.A., "Accidents and Violent Behavior; Are They Related?", Consultants paper to Task Force, Appendix 33.

Table 9.—Percentage of persons with nonhighway arrests of various types, highway crashes and traffic citations among persons involved in gun accidents of all degrees of severity as shooters or as those shot, and among drivers without gun accidents, Vermont, 1967

	Drivers without gun accidents	Persons shot by someone else	Shooters of selves or others
Nonhighway arrests and investigations . . .	14	15	41
Nonhighway arrests	14	15	38
Arrests and investigations of violence	5	8	32
Arrests for violence	5	8	29
Arrests involving alcohol (includes driving while intoxicated)	5	8	21
Highway crashes in previous years b	29	20	50
Highway crashes since first licensed b	37	40	61
Traffic citations in previous 3 years b	24	30	50
Traffic citations since first licensed b	39	50	65
Number of persons	94	13	34

aDifferences between shooters and drivers were significant at p less than 0.05 or less using X^2 except for 3-year crash record where $p=0.06$. Sample of persons shot was too small for testing.

b18 shooters and 3 persons shot did not have drivers' licenses. These persons and those matched with them were not included in the crash and citation analysis which is based on Ns of 26 shooters, 10 shot and 72 uninvolved drivers.

Source: Waller, *op. cit.*

violence commonly—although apparently not invariably—are closely associated.⁸²

Conclusion

On the average, one person was fatally injured every 10 minutes as a result of an automobile crash during 1967. In addition, more lives have been lost as a result of automobile crashes since 1900 than have been lost in all U.S. military operations since the Revolutionary War.⁸³ Between the years 1940 and 1967, over 1 million Americans died in traffic crashes.⁸⁴

The statistics discussed earlier in this chapter regarding the mortality and injury rates for automobile crashes indicate that the carnage on our highways should be of great concern to society. It is most important, therefore, that the data from numerous research studies which indicate alcohol involvement in a very high proportion of traffic crashes not be dismissed as "accidents" which are related simply to the increasing use of automobiles in our society. The comprehensive report *Alcohol and Highway Safety* makes the explicit statement, ". . . alcohol has been found to be the largest single factor leading to crashes."⁸⁵ [Emphasis in original.]

A great deal of concern has been expressed over the high rates of violent crimes which lead to death, serious injury, and other harmful consequences

each year. For example, the 12,090 criminal homicides, 202,050 robberies, 27,100 rapes, and 253,300 aggravated assaults in the year 1967, are indeed disturbing indices of violence in society.⁸⁶ However, we should be equally, if not more concerned and disturbed by the fact that alcohol-related traffic fatalities amount to at least 25,000 a year (more than double the criminal homicides), and that alcohol contributes to at least 800,000 of the approximately 14 million nonfatal traffic crashes which occur in the country each year.⁸⁷

NARCOTICS AND DANGEROUS DRUGS⁸⁸

There is convincing evidence that drug addicts (i.e., those who are dependent physically or psychologically, or both, on drugs) contribute significantly to property crime rates in some of our large cities. It is an accepted fact that addicts frequently steal to support their expensive habit.⁸⁹ But we conclude that there is no evidence to support the suggestion that there is a causal relationship between the use of drugs and narcotics and the commission of crime and violent acts.⁹⁰

It is the person and not the drug who performs the act. What the drug will do depends upon the person, the circumstances under which it is taken ("the setting"), and the user's expectations ("the set"). It seems unlikely that a well-adjusted individual would become violent under the influence of drugs or narcotics; on the other hand, those narcotics users who have criminal tendencies to begin with are more likely to engage in drug-facilitated violence.⁹¹

The following section contains a review of significant research on the critical issue of causal relationships between narcotics and dangerous drugs and violence. However, we must remember that users very often take a variety of drugs; this makes it difficult to attribute behavior patterns to a particular substance. The problem was described by the Director of the Division of Special Mental Health Programs, National Institute of Mental Health, as follows:

Many persons are multiple drug users exposed to a variety of noxious biological and social forces, making conclusions drawn from retrospective studies about the influence of one variable upon life course untenable.⁹²

The Opiates

The opiates include opium, morphine, their derivatives and compounds and their synthetic equivalents, including morphine, codeine, and heroin (a morphine derivative). Many opiates are prescribed for use in medical settings (e.g., morphine and codeine), but there is significant illicit use of numerous opiates, particularly heroin.⁹³

Heroin will generally act as a depressant, relieving tension and anxiety and diminishing sex and other primary drives. Other effects of use include drowsiness, apathy, lessened physical activity, and an inability to concentrate. It can also impair mental and physical performance, and repeated and prolonged administration leads to tolerance and physical dependence.

There is unquestionably a rapid rise in the use of opiates, notably heroin, in this country, particularly among middle and upper-class youth.⁹⁴ While the public has all too frequently been shocked by general illicit drug use, the

evidence to date demonstrates that opiate use does not lead to any compulsion to violence. When violence does occur in association with addiction, it must be viewed as related to personality, social, and economic factors.⁹⁵ Although opiates may not *cause* one to commit violent acts, it is true that addiction is frequently associated with an asocial or antisocial life style. Insofar as use leads to effects which perpetuate membership in asocial or antisocial groups, opiates do pose a serious problem for the community.

The popular assumption that opiates are a causal factor of violence arises from the identification of narcotics addicts (particularly in metropolitan areas) as disproportional contributors to certain violent crimes, and robberies in particular. Unfortunately, it is not always recognized that these offenders are drawn from the larger pool of young urban males, primarily minority group members, who are involved in various street crimes, and who represent a disproportionate share of heroin addicts as well. One study, for example, shows that 51 percent of the Negro males living in St. Louis had used drugs illicitly and 13 percent had used heroin.⁹⁶ Given the widespread social and personal distress of the impoverished urban Negro and his highly visible involvement in crime, causal relations between heroin use and crime may easily be deduced, even though such a relationship is scientifically unsupported.

A recent study of the relationship of opiate use to violence was conducted on Puerto Rican addicts released from the U.S. Public Health Service Hospital at Lexington.⁹⁷ Half of all addicts admitted to the hospital from 1935 to 1962 were traced and located. Of these, one-third had not been continually addicted after release, and thus could be compared in crime and work adjustment to those who continued to use opiates. Those who were abstinent were rarely arrested; those who were addicted were arrested *five times* as often. Among those who continued as addicts, criminal behavior increased during the post-release period; conversely, the abstinent group showed a marked decrease in arrest rates. The study indicates that "the life course of opiate addiction . . . is toward greater social disability as the years go by."⁹⁸ Although the authors do not distinguish between violent and non-violent crimes, they state that most of the offenses were thefts without use of force or violence. The study concludes that "heroin use is a contributory factor with respect to crimes of violence for a minority of opiate users."⁹⁹

It is a fact that addicts often must steal to support their habit. Therefore, is the addict who has run out of his supply and engages in criminality more likely to be violent because of irascibility, nervousness, or lack of impulse control associated with drug deprivation? Unfortunately, data on this question are very limited. However, a recent study of addicts at the Lexington Hospital¹⁰⁰ shows that during chronic opiate use (morphine was used), addicts are relatively unmotivated for physical, mental, social, or sexual activity. Demands for activity produce irritability and resentment. The morphine addict has more jerking muscles than either non-users or one-time users of the drug. In either chronic or acute phases, addicts are likely to feel disgust for their close associates, for example, family members. However, no changes in psychopathy can be determined when compared to nonusers. Subjective effects found upon withdrawal after chronic use include psychological changes in the direction of depression, hypochondria, hysteria, and compulsiveness. Physically, the addict becomes weak, tired, unmotivated,

tense, unahppy, restless, impatient, irritable, and inefficient. These changes are unpleasant and diffuse enough to show that there are no inevitable and compelling paranoid or aggressive reactions; on the other hand, the distress, tension, and hyper-irritability are such that the continuing physiological state could contribute to pulling a trigger that would not have been pulled by a non-addict. The risk of violence might also be high under heavy dosage.

Amphetamines

Amphetamines are stimulants, commonly known to many persons because of their medical use in treatment for depression or for weight reduction. They cause wakefulness and induce a state of euphoria. Unlike narcotics or barbiturates, overmedication does not lead to physical dependence or addiction. However, there is evidence of psychological dependence.¹⁰¹

Studies have directly contradicted claims that causally link amphetamine use to violence.¹⁰² While there is still no evidence to suggest that a criminal person would be driven to violence by these drugs, toxic doses of amphetamines can produce severe psychoses (paranoid ideas and delusions). There is evidence of increasing abuse by unstable persons, and thus there exists cause for great concern over their potential for violence. The effects of amphetamines are aptly described by one expert's statement that: "No other group of drugs can affect or change character and personality traits to a greater degree than the amphetamines."¹⁰³

Currently the most abused and most popular amphetamine is called "speed." Even in the hippie communities, the word is out that "speed kills."¹⁰⁴ Describing "speed," Dr. James Goddard, former Commissioner of the Food and Drug Administration, said:

Tolerance to amphetamines builds up very rapidly and these young people have been known to inject 200 times the usual oral doses of amphetamine at one time. They will stay on Speed for as long as 3 weeks without eating, without sleeping. The drug produces what amounts to a mild paranoid state, and then the individuals simply seem to collapse for 3, 4, 5 days and sleep around the clock, eat some and then go back on Speed.

Now, sooner or later the individuals get in trouble for a variety of reasons. One is the bizarre psychiatric symptoms that develop. Two, there is a possibility of a debility of the speed that they buy, which can result in an overdose. Infectious hepatitis is very common in people who use Speed because they share, as heroin addicts do "common needles."¹⁰⁵

Psychoses and paranoid ideas (suspicions and delusions of persecution) present a real risk for some amphetamine users, particularly those who have taken large doses for prolonged periods.¹⁰⁶ These acute effects, combined with the fact that amphetamines are being widely used by a bizarre, insecure, and potentially violent group, are cause for great alarm. One study states that

"chronic methamphetamine users without marked mental disorders have a predilection for assaultive behavior." The study cites use by unskilled persons of poor backgrounds, who possess already identifiable aggressive philosophies.¹⁰⁷ Another investigator, referring to an increased use of amphetamines in San Francisco's Haight-Ashbury District, attributes violence to the combination of illicit drug dealers and a group which is jittery, commercially unsophisticated, paranoid, and bizarre (in a recent 2-month period there were 17 homicides, and many robberies and rapes in Haight-Ashbury). He says: "given the current ethic, one involving ... carrying a gun, cheating drug customers, and seeking revenge when cheated among a population already emotionally disturbed prior to any drug use is a sufficiently volatile brew to generate a good deal of violence."¹⁰⁸

Another study, comparing amphetamine "users" with other addicts at the Lexington Hospital, found that amphetamine addicts were more hostile and resentful of authority.¹⁰⁹ They were characterized by a higher incidence of delinquency and prior psychiatric hospitalization and were also more antisocial and schizoid, or paranoid in personality structure. Tests also showed greater psychopathic deviancy.

In an animal investigation of significant interest because many humans use both amphetamines and marihuana (among students, 50 percent of the marihuana smokers had also used amphetamines), it has been shown that both natural and synthetic tetrahydrocannabinol (the most active marihuana ingredient) exaggerated the effects of amphetamine. Thus, although marihuana may be considered a depressant in some of its effects, its use in conjunction with amphetamines results in a stimulative action. "One may speculate that the chronic speed freak may become even more agitated if simultaneously he takes marihuana."¹¹⁰

Marihuana (Cannabis)

While the incidence of illicit use of practically all psychoactive drugs is greatly increasing, the largest increase is in the use of marihuana, a preparation of the leaves and flowering tops of the cannabis plant, most often taken in the form of cigarettes. It has recently been estimated that there are 500,000 to a million "regular" marihuana smokers in the United States and 3 million to 5 million "occasional" users.¹¹¹ One study shows some high schools and colleges in metropolitan areas with more than 50 percent of their students having marihuana experience, and up to one-fourth using it regularly.¹¹²

A 1966 survey of four California colleges placed marihuana use at 11 percent for a Catholic college; 21 percent for a large private university; 21 percent for a junior college, and 33 percent for a state college.¹¹³ A 1-year follow up on the campus of the large private university reported a rise from 21 to 57 percent, and in late 1968 the figure had risen to 69 percent.¹¹⁴

Marihuana use is not restricted to college students, however. Surveys conducted in California indicate that about 30 percent of California's high school students have used marihuana at least once. A recent survey of a large American city showed that 11 percent of the city's entire population had used marihuana.¹¹⁵ The population breakdown of these users was as follows:

Table 10
(In percent)

Age	Males	Females
18-29	32	32
30-39	17	5
40-49	10	3
50-59	11	0.6
60+	1	0.0
Total	14	8

Source: John Kaplan, *The Marihuana Problem* (Forthcoming)

The significance of the widespread disregard of our criminal laws cannot be understated. Marihuana use is a felony, punishable by long-term prison sentences at both the state and federal level, yet a very significant part of our population, and in particular our youthful population, disregards the law and commits a serious criminal offense. Many get caught and are arrested; in California alone, arrests for marihuana offenses during the first half of 1968 were running at a yearly rate of 31,000 adults and 15,000 juveniles.¹¹⁶

The high incidence of arrests clearly suggests the significant costs we are paying to enforce our marihuana policy. For example, consider the dollars spent in apprehending, trying, and incarcerating offenders. California alone estimates that in 1968, state and local government agencies spent \$75 million enforcing its marihuana laws.¹¹⁷ Most importantly, there are tremendous social costs involved. There are serious consequences to labeling one who has violated the marihuana laws as a felon. We have said in earlier chapters that labeling a person "deviant" or "delinquent" often causes them to act in conformity with the label. There is danger of greater damage incurred where these offenders are incarcerated in correctional institutions, for existing data demonstrate that these institutions breed crime.

Perhaps the greatest social cost is that much of our youth has suffered a loss of respect for the law. They note that marihuana use carries serious criminal penalties while the use of alcohol, which evidence shows to be much more harmful when abused, is acceptable and lawful.¹¹⁸ Our youth view this distinction as hypocritical. In the words of one author:

... the continued use of criminal sanctions against marihuana users is very likely to hasten the erosion of respect for the law among the younger generation. We seem to be faced today with a particularly severe crisis of confidence on the part of youth toward the society in which they live. Its causes range far beyond the ambit of this discussion, and its course may well be irreversible. We may in truth be living in a revolutionary age the equal of which has not been seen, at least in the Atlantic world, for almost two hundred years. But those of us who are not prepared to act on apocalyptic premises may well consider whether the erosion of belief in law-abidingness is a phenomenon about which we can afford to be complacent, whether the laws regarding marihuana are not now a substantial contributor to that erosion, and whether we would not do well to prove again what can never stay proven for very long: that the law is made for the people, not the other way around.¹¹⁹

We must carefully consider whether the massive costs of our marihuana laws are worth it. Is marihuana use dangerous? Does it cause violent or aggressive behavior? Does the use of marihuana lead to the use of more dangerous drugs? If not, then the significant costs of these laws are not justified and the laws must be changed.

The strongest argument in favor of the current marihuana laws has been that marihuana use has caused people to commit violent crime. Regrettably the argument has been based on the assumption that if a criminal had used marihuana, the marihuana caused the crime. Empirical data on positive causation have never been developed.¹²⁰ In fact, a substantial body of data has developed over the years which flatly concludes that there is no evidence of any connection between marihuana and crime.¹²¹

As early as 1894, the Indian Hemp Drugs Commission, conducted an exhaustive investigation of widespread use of the substance (in fact, stronger and more concentrated forms of marijuana were probably used in India) and concluded as follows:

[i]n regard to the moral effects of the drugs, the Commission are of opinion that their moderate use produces no moral injury whatever. There is no adequate ground for believing that it injuriously affects the character of the consumer. Excessive consumption, on the other hand, both indicates and intensifies moral weakness or depravity. Manifest excess leads directly to loss of self-respect, and thus to moral degradation. In respect to his relations with society, however, even the excessive consumer of hemp drugs is ordinarily inoffensive. His excesses may indeed bring him to degraded poverty which may lead him to dishonest practices; and occasionally, but apparently very rarely indeed, excessive indulgence in hemp drugs may lead to violent crime. But for all practical purposes it may be laid down that there is little or no connection between the use of hemp drugs and crime.¹²²

So too, a 1931 study of marijuana use among the military in Panama concluded:

[t]here is no evidence that marijuana as grown here is a "habit-forming" drug in the sense in which the term is applied to alcohol, opium, cocaine, etc., or that it has any appreciably deleterious influence on the individuals using it.¹²³

Consistent with these conclusions are the findings of the Medical Society of the County of New York.¹²⁴ Other findings have shown that the effects of marihuana use depend principally on the personality of the user. The findings of one investigation as early as 1934 stated it as follows:

The anti-social, aggressive and sadistic elements of the personality uncovered by the drug are responsible for crime rather than any specific, crime-producing properties of marihuana... In considering marihuana as a "breeder of crime" it must be borne in mind that psychopathic, unstable and socially inadequate types use the drug. It is

quite probable that alcohol is more responsible as an agent for crime than marihuana.¹²⁵

Similarly, the New York Mayor's Committee on Marihuana, appointed by Mayor La Guardia, in 1944, concluded as follows:

[m]arijuana, by virtue of its property of lowering inhibitions, accentuates all traits of personality, both those harmful and those beneficial... Marihuana, like alcohol, does not alter the basic personality, but by relaxing inhibitions may permit anti-social tendencies formerly suppressed to come to the fore. Marihuana does not of itself give rise to anti-social behavior.¹²⁶

More recently, a governmental commission in England concluded that there was no evidence that marihuana use caused violent crime or aggressive behavior—in fact, the commission concluded that violent crime is more strongly linked with alcohol than with the smoking of cannabis.¹²⁷

Individual research studies conducted recently indicate that there is no evidence to support the conclusion that marihuana leads to aggressive behavior. In fact, some studies suggest that marihuana tends to reduce aggression.

The latest reported study is an experiment with a group of nine males who had never before smoked marihuana and eight males who were continual users. The tests used both placebos and marihuana cigarettes. Subjects were required to smoke two cigarettes in succession during each test period, after which they received physiological and psychological tests¹²⁸ as well as tests designed for self-rating of moods and measurement of muscular coordination and attention. The authors of the study conclude that "marihuana appears to be a relatively mild intoxicant in our studies."¹²⁹ Their specific conclusions are:

- (1) It is feasible and safe to study the effects of marihuana on human volunteers who smoke it in a laboratory.
- (2) In a neutral setting persons who are naive to marihuana do not have strong subjective experiences after smoking low or high doses of the drug, and the effects they do report are not the same as those described by regular users of marihuana who take the drug in the same neutral setting.
- (3) Marihuana-naive persons do demonstrate impaired performance on simple intellectual and psychomotor tests after smoking marihuana; the impairment is dose-related in some cases.
- (4) Regular users of marihuana do get high after smoking marihuana in a neutral setting but do not show the same degree of impairment of performance on the tests as do naive subjects. In some cases, their performance even appears to improve slightly after smoking marihuana.
- (5) Marihuana increases heart rate moderately.
- (6) No change in respiratory rate follows administration of marihuana by inhalation.
- (7) No change in pupil size occurs in short term exposure to marihuana.

(8) Marihuana administration causes dilatation of conjunctival blood vessels.

(9) Marihuana treatment produces no change in blood sugar levels.

(10) In a neutral setting the physiological and psychological effects of a single, inhaled dose of marihuana appear to reach maximum intensity within one-half hour of inhalation, to be diminished after 1 hour, and to be completely dissipated by 3 hours.¹³⁰

The first-time marihuana users did not become "high," while regular users did. The authors indicate that there could be physiological or psychosocial explanations, neither of which is completely satisfactory. The physiological explanation suggests that "getting high" occurs only after a pharmacological sensitization takes place. The psychosocial explanation is that repeated exposure to marihuana reduces psychological inhibitions as part of, or as the result of, a learning process.

Another study¹³¹ found that at a dose level of 1.8 milligrams, the most common response was a euphoric mood, with the subjects experiencing happy, gay, relaxed, and silly sensations. With a dose four times as large, hallucinations began, and various perceptual distortions appeared. With a dose eight times as large, the majority of subjects began to experience delusions and hallucinations, and several showed psychotic effects.

A five-college campus investigation reports that of the 19 percent total who had used marihuana, 4 percent reported a loss of self-control after using the drug, with less than 0.01 percent reporting fights or criminal acts due to the drug. On the other hand, 74 percent had tried alcohol, with 19 percent reporting that at some point they had felt out of control, 2 percent reporting criminal acts after drinking, and 8 percent reporting fights while under the influence of alcohol.¹³²

The conclusions of that investigation are supported by the following statement of practicing psychiatrists in California:

A report by Dr. James Paulsen, Head Psychiatrist with the Stanford Health Center, asserts that in his personal experience he has never seen "or even heard of a case where marihuana led to aggressive behavior." Dr. Paulsen feels that, "if anything, all experience indicates that marihuana is actually antiaggressive."

In comparison, the Health Center has had considerable problems with pathological intoxication resulting from alcohol, where the individual becomes extremely aggressive, and finally goes berserk and has to be physically restrained to keep him from harming himself or others.

Dr. Duke Fisher of the U.C.L.A. Neuropsychiatric Institute, concurs in these findings. His experience has indicated that marihuana is chiefly a euphoric and tranquilizing drug. Dr. Fisher reports that, "Of all the numerous cases of LSD 'bad trips' and adverse reactions, I have never seen an example of an aggressive reaction to marihuana. In fact, I have found that quite the opposite seems to be true."¹³³

A recent study provides data to show that the relaxing effect of marihuana is not limited to college campuses.¹³⁴ Investigation of the Negro and Mexican-American youths of West Oakland shows two distinct subcultures.

One is a rowdy-aggressive group using many drugs but preferring alcohol (they use marihuana but dislike the tranquilizing effects). The second group is the "cool culture"—calm, wiser, better dressers and, most significantly, consciously associating marihuana as producing and symbolizing a code of conduct which is opposed to rowdy behavior. The investigator reports the importance of marihuana use to the ethic of the "cool" group as follows:

[t]he passage from the rowdy type to a cool and mellow youngster, as it relates to the use of drugs, involves chiefly a shift to the smoking of marijuana. This is emphasized time and time again by the youngsters in their individual accounts and in their group discussions. Their accounts and discussions also stress that the use of marijuana both produces and symbolizes a "mellow" mode of conduct that is opposed to that associated with rowdy behavior. They place great weight on the "socializing" effects of marijuana use, declaring that its use not only leads youngsters away from violence but has the effect of changing them into sociable human beings.

Youthful informants, for example, report as follows,

... See, people I know, after they got hip to weed, they just climbed out of the rowdy trip. They squared off completely, you know, wanted to jump sharp, enjoy themselves and be mellow instead of getting all brutalized...¹³⁵

Apparently the evidence will not support the theory that marihuana is a cause of crime and violence. Is there any merit to the argument that marihuana use will lead to the harder drugs?

The "progression" argument as a basis for marihuana prohibition is fairly recent for the most part, and has been restricted to the suggestion that marihuana use leads to heroin use. When the original federal marihuana legislation was being considered, Federal Narcotics Commissioner Henry Anslinger flatly denied that marihuana users progress to heroin.¹³⁶ However, in 1951, despite the lack of published data, the Commissioner suddenly adopted the theory.

In spite of its recency, there is overwhelming evidence to deny the validity of any theory that marihuana, as such, causes or leads persons to stronger substances, including heroin. Once again, it is the personality of the user that is critical. Certain users do go from marihuana to hard drugs—this is particularly so among inner-city minority groups, but this is not to say that there is a causal connection; rather, that then personalities dispose them to stronger substances.

As the recent English report concluded:

It is the personality of the user, rather than the properties of the drug, that is likely to cause progression to other drugs.¹³⁷

One current study¹³⁸ contains data which effectively refute the notion of heroin progression. For example, it notes the numerous populations with high marihuana use and little opiate use. So, too, it notes that some populations with a high incidence of heroin use have little or no history of marihuana use (e.g., Vancouver, B.C., has a heroin addiction rate of 250 per 100,000—second only to New York City—but a very insignificant marihuana problem exists there.) Again, it notes that there is generally a gross

disproportion between marihuana and heroin arrests. If one were to assume a progression theory, heroin arrests would be closely related in numbers and trends to marihuana arrests. In fact, heroin arrests are consistently lower. A follow up study in California of persons arrested for drug offenses in the year 1960 shows that rearrest rates of marihuana offenders for heroin offenses are too low to support the progression theory.¹³⁹

Data from the study of five college campuses produced similar findings. Although marihuana use reached 20 to 21 percent, the opiate use was less than 1½ percent. In fact, opiate use correlated far better with other substances.¹⁴⁰

On the question of progression, the Crime Commission concluded:

There is evidence that a majority of the heroin users who come to the attention of public authorities have, in fact, had some prior experience with marihuana. But this does not mean that one leads to the other in the sense that marihuana has an intrinsic quality that creates a heroin liability. There are too many marihuana users who do not graduate to heroin, and too many heroin addicts with no known prior marihuana use, to support such a theory. Moreover, there is no scientific basis for such a theory. The basic text on pharmacology, Goodman and Gilman, *The Pharmacological Basis of Therapeutics* (Macmillan, 1960) states quite explicitly that marihuana habituation does not lead to the use of heroin.

The most reasonable hypothesis here is that some people who are predisposed to marihuana are also predisposed to heroin use. It may also be the case that through the use of marihuana a person forms the personal associations that later expose him to heroin.¹⁴¹

On this same question, the Institute for Crime and Delinquency said:

Over the years the police have consistently arrested persons on opiate charges, and in investigating their background have encountered past records of marihuana use. They could quite honestly and sincerely make the statement that "nearly every opiate user started his drug career with the use of marihuana." This is not, however, a causal statement, it is merely a statement of association. It fast gained credence as a causal statement with the unjustified addition of the idea that "therefore, starting on marihuana must lead to eventual opiate use." This interpretation of a time-sequence association as constituting a causal relationship is unacceptable on both logical and scientific grounds. . . The more reasonable explanation is that suggested by the President's Commission on Law Enforcement: ". . . some people who are predisposed to marihuana are also predisposed to heroin use." Even a cursory glance at the arrest and conviction statistics over the years should have suggested the invalidity of the generalization.¹⁴²

To summarize, we find on the basis of scientific evidence available that marihuana is not possessed of any mysterious power which forces people to commit acts which they would not otherwise perform.¹⁴³ We further find

that the short-term effects of marihuana are mild. Although there are little data on the long-term effects,¹⁴⁴ the psychoactive nature of the drug, if it is taken in chronic doses and over extended periods of time, could result in some adverse consequences—just as there are in the case of abuse of alcohol. For this reason we cannot argue that marihuana is harmless, but the existing criminal laws governing marihuana imply a danger or harm that is far greater than any existing evidence justifies.

Hallucinogens

Hallucinogens or psychedelic drugs include LSD, a semisynthetic derivative of ergonovine, the most dangerous psychoactive drug known to date. Hallucinogens also include the seeds of some morning-glory varieties; mescaline, a phenethylamine present in the buttons of a small cactus; psilocybin, an indole found in a mushroom; and DMT, a synthetic indole, also found in seeds of a South American plant.¹⁴⁵ Psychological, not physical, dependence develops from the ingestion of hallucinogens. Psychoses do follow the use of numerous hallucinogens.¹⁴⁶

These drugs are usually taken orally. Minute amounts of the drug are capable of producing extreme effects. It is usually deposited on sugar cubes in liquid form, although pill form has been reported.

The New York County Medical Society comments on the effects of the most potent of the hallucinogenic drugs, LSD:

its more prevalent use is illicit in the form of LSD coated sugar cubes in capsules, or dissolved in water or soft drinks. . . . The cubes once saturated with LSD may remain potent for a period of several months. . . . After the cubes, containing 100-500 mcg. each, are ingested a startling series of events occurs with marked individual variation. All senses appear sharpened and brightened; vivid panoramic visual hallucinations of fantastic brightness and depth are experienced as well as hyperacusis (abnormal acuteness of hearing). Senses blend and become diffused so that sounds are felt, colors tasted, and fixed objects pulsate and breathe. Depersonalization also occurs frequently so that the individual loses ego identity; he has a feeling of unity with other beings, animals, inanimate objects and the universe in general. The body image is often distorted so that faces, including the user's, assume bizarre proportions and the limbs may appear extraordinarily short or elongated. The user is enveloped by a sense of isolation and often is dominated by feelings of paranoia and fear. If large doses are ingested (over 700 mcg.) confusion and delirium frequently ensue. During LSD use, repressed material may be unmasked which is difficult for the individual to handle; although the duration of the experience is usually 4 to 12 hours it may continue for days.¹⁴⁷

In testimony before the House Subcommittee on Public Health and Welfare of the Interstate and Foreign Commerce Committee, the Commissioner of the Food and Drug Administration provided the following description of the effects of LSD:

The drug when ingested in dosages of approximately 200 or 250 micrograms alters a person's state of consciousness in a variety of ways. Their perception of time is altered. The shape of common objects becomes distorted. Objects may assume motion where none actually exists. Colors fuse and move together. Colors may be heard and sounds may be seen. There are these marked distortions of sensibilities. Therefore, the person at times becomes very apprehensive, under the influence of this drug, very frightened. I am told by patients who received this in certain treatments for chronic alcoholism that they would not go through it again, they were so frightened. So not only does it have that immediate effect but for those persons in our society who are, let us say, susceptible to becoming psychotic it may precipitate a psychotic episode which requires months, and in some cases longer, for complete recovery. It also may, months after taking the initial dosage, cause a recurrence of some of the symptomology. A person may several months later have visual hallucination and, for example, see a rat run across the floor where none exists. So this suggests very strongly that the drug has some influence on the central nervous system that is rather more than transient in nature. It may affect the messenger RNA or it may affect the cells of the brain directly. It is not known yet. Studies are being made to try to elucidate this. So we have a picture of a drug which distorts one's consciousness, makes him unable to function during the period of the so-called trip, makes him withdraw, and unfortunately, may cause him to commit an act which could result in his death.¹⁴⁸

It should be noted, however, that there is a body of data which suggests that these extreme effects are rare occurrences. Self-reports among college students indicate common emotional upset, loss of self-control, and only rarely psychoses.¹⁴⁹ In addition, there is an entire Indian culture which does not report ill effects.¹⁵⁰

Use of the hallucinogens generally is increasing particularly among our youth. Data collected in a recent study suggest that by 1969, over one-fifth of the students in some high schools and colleges will have experimented with hallucinogens, with the likelihood that more regular users will be found in high school than in college as epidemic use spreads to the less well informed, less mature, and more daring younger students.¹⁵¹

While use of hallucinogens generally is increasing, there appears to be a levelling off in the use of LSD, when compared to incidence of use in 1966 and 1967. In testimony to the Senate Juvenile Delinquency Subcommittee on March 4, 1968, the former head of the Food and Drug Administration stated:

When I first appeared before this committee in 1966, LSD abuse was rising. This increase continued through 1966 and most of 1967. Toward the end of 1967 and the beginning of 1968, we saw a levelling off and in some areas a slight decrease in the number of cases. From our experience in the field, it appears that a stabilizing or even possibly a slight downturn is evident.¹⁵²

Earlier conclusions concerning hallucinogens and aggressiveness were summarized in the Crime Commission's Task Force on Narcotics and Dangerous Drugs:

It would appear that insofar as decent citizens take hallucinogens their behavior will remain lawful. We may expect that with the expansion of hallucinogen use to delinquent groups—and perhaps because it is now unlawful in some states, so that its use becomes criminal—a greater frequency of crime will be reported. A tangential remark is offered here. It is the person, not the drug, which is 'responsible' for criminal acts. When an already delinquent youth takes LSD and commits yet another delinquent act, it may well be that the timing or expression of the delinquency is shaped by the drug-induced state of mind, but—as an example—aggression will not be a drug phenomenon. Generally speaking, one would expect (although the scientific evidence is far from adequate) that well-integrated people under heavy drug doses will not do things contrary to their ordinary conduct. Less mature, more neurotic or otherwise less well integrated persons would seem to be more vulnerable to the acting out of impulses, the temporary expression of conflicts or of being persuaded by others to misbehave. Consequently, one's review of crimes reportedly committed under drug influence must attend to the prior criminal and sociopsychological history of the offender. It is also necessary to have regard for the role of clouded judgment or reduced muscular coordination in producing behavior (e.g., a traffic accident leading to manslaughter) that is criminal. There can also be long-run changes associated with drug use, as for example, the clouding of judgment associated with habituation and drug stupor or in psychotic personality change, where criminal acts may conceivably occur (e.g., smuggling marijuana, perjury, theft) as part of a poor judgment syndrome.¹⁵³

There have been no major findings with regard to the hallucinogens which contradict early trends or reports. One expert cautions that as use increases among less stable and more delinquent youths, a larger number of antisocial incidents associated with drug use must be anticipated.¹⁵⁴ In fact, investigations warn of both suicidal and homicidal consequences.¹⁵⁵ In that regard, the Report of the Medical Society of the County of New York states that in an 18-month period between 1965 and 1967, over 130 persons were admitted to the psychiatric division of Bellevue Hospital with acute psychoses induced by LSD.¹⁵⁶ One hundred and fourteen of these cases were studied and the Report notes as follows:

The predominant manifestation in 13% was overwhelming fear, and an additional 12.3% experienced uncontrolled violent urges. Others were found running or sitting nude in the streets. Homicide or suicide was attempted by 8.6%. One-third of the 114 appeared to have underlying psychoses or schizoid personalities. Approximately half of these were actively psychotic prior to LSD use while the others either

had been treated in psychiatric institutions in the past but were adequately integrated into society until given the LSD or had no prior known psychoses but clearly had schizoid personalities. Interestingly, although visual hallucinations usually predominate in LSD psychoses, 1/3 had prominent auditory hallucinations, including one patient whose "voices" told him to jump in front of a subway train, which he did (without serious injury).¹⁵⁷

The report also notes these dangers of LSD: (1) acute or prolonged psychosis, (2) acting out of sociopathic character disorders and homosexual impulses, (3) suicidal or homicidal attempts, (4) uncontrolled aggression, (5) convulsions, and (6) reappearance of the drug's effects weeks or even months after use. The report concludes that apparently normal, well-adapted persons can undergo acute psychotic reactions under the influence of LSD, but notes that we do not know how long such psychoses can be prolonged.

Another danger of LSD is possible chromosomal breakage. Although the data are far from complete, some studies note 80 to 85 percent of those using LSD manifest an unusually high incidence of chromosomal breaks and rearrangement.¹⁵⁸ Similar chromosomal abnormalities have been found in some children of women who took LSD during pregnancy.¹⁵⁹ In testimony before the House Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, the president of the New York State Council on Drug Addiction stated that although no gross infant malformations can be attributed to LSD ingestion by the mother, "the possibilities of harm are substantial."¹⁶⁰

In short, the dangers of hallucinogens are significant. While there is no evidence that they will drive otherwise normal persons to deviance, the dangers of use (psychoses, etc.) are great enough to require strict control over illicit use.

DRUGS IN THE TREATMENT OF THE ADDICT

Imprisonment, per se, is recognized as being ineffective in the rehabilitation of the drug addict.¹⁶¹ Society has responded with a multitude of legislation at the federal and state level designed to treat the addict, both criminal and noncriminal, on both a voluntary and involuntary basis. This legislation has been reported in depth in the Crime Commission's Task Force Report on Narcotics and Drug Abuse.¹⁶² We urge that the treatment approach for drug addicts, both criminal and noncriminal, should be supported, and expanded.

There is a deficiency in the federal program established by the Narcotic Addict Rehabilitation Act of 1966,¹⁶³ which establishes, for criminal offenders, both civil commitment (before conviction) and post-conviction commitment. The Act provides that "eligible individuals" selected by the Court before which criminal charges against them are pending, may be civilly committed for treatment. (Prosecution of the criminal charges is held in abeyance for a period up to 36 months and, if treatment is effective, the charges can be dismissed.) In the case of a convicted person deemed eligible, the commitment can be for an indeterminate period not to exceed 10 years, but not to exceed the maximum possible sentence.

Unfortunately, the act excludes a broad class of addicts who should be included. For example, persons not considered as "eligible" addicts are:

(1) Those charged or convicted of a crime of violence (this includes voluntary manslaughter, murder, rape, mayhem, kidnapping, robbery, burglary, housebreaking in the nighttime, extortion accompanied by threats of violence, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year, also punishable as a felony, or an attempt or conspiracy to commit any of these offenses);

(2) Those charged or convicted with unlawfully importing, selling, or conspiring to import or sell a narcotic drug (in the case of precommitment treatment, the statute provides that the offender would be eligible if the court determines that such sale was for the primary purpose of enabling the offender to obtain a narcotic drug which he requires for his personal use because of his addiction);

(3) Individuals with two or more felony or three or more narcotic commitments;

(4) Individuals against whom there is pending a prior felony charge or those on probation, parole, or mandatory release without fully serving a sentence imposed after a felony conviction, unless the authority which has the power to require his return to custody consents.

Because it is an accepted fact that addicts engage in criminal activity to support their habit, the federal legislation unnecessarily excludes a broad class of addicts who should be eligible. Therefore, excluding an addict with two or more felonies (which could have been property crimes) certainly is unreasonable. It would be preferable to exclude from the class of eligible addicts only those who are dangerous or habitual criminals aside from their addiction.¹⁶⁴ Legislation recently introduced in the Congress¹⁶⁵ makes some advance in this regard by eliminating the exclusion for those who commit burglary or housebreaking, those convicted of two or more felonies, and those with three or more previous narcotic commitments.

Regrettably, there is little cause to be optimistic about our ability to "cure" addicts. While the Crime Commission's Task Force on Narcotics and Drug Abuse reviewed a variety of treatment approaches, it is useful to discuss recent developments in the use of drugs as a treatment process. Some programs provide limited doses of heroin, morphine, or a related substance to addicts so that they need not become criminal to maintain a supply. This approach, begun in U.S. narcotics clinics after the Harrison Act and continuing until this day in England, has been successful with some patients, presumably those interested in leading a near-ordinary life. English experience appears to have been satisfactory as long as the supplied population were well motivated, nondelinquent, and not immersed in the drug life. With the advent of a new population of drug-oriented youth, the English experience has been less satisfactory. So too, Israel¹⁶⁶ has unsuccessfully tried several systems for addicts. A program of maintenance doses failed when criminal addicts exploited it and sold drugs to non-registered persons at black market prices (as now happens in England). A clinic maintenance program was rejected because it created shame in addicts by forced attendance. Finally institutional

care with rehabilitation efforts was a failure: since there was a 97 percent readdiction rate after a period of 5 years. Similar problems have been encountered among heroin addicts in the United States: one author¹⁶⁷ notes self-destructive and angry behavior, and contends that only sophisticated psychological handling can alleviate these problems.

A number of papers¹⁶⁸ have reported on the efficacy of methadone, an opiate which is used to block narcotic-euphoriant effects of heroin.¹⁶⁹ A 2 year follow-up study with volunteer patients demonstrates that methadone, properly administered, can practically eliminate heroin use and drug-related street crimes (robbery, burglary, peddling, possession, etc). A recent report presents data to show that addicts recruited from New York jails prior to release show a similar success.¹⁷⁰ Among 12 treated addicts, none was readdicted one year later and none had been convicted of personal or property crimes; one had been arrested for carrying a weapon. Among the 16 untreated addicts, 15 were readdicted after a year, and 15 had been charged with offenses including 11 burglaries, one assault, and one murder.¹⁷¹ It was concluded that methadone treatment "can achieve significant reduction in crime."

But the New York State Council on Drug Addiction questions the effectiveness and the Council released a report on May 16, 1969, which stated that this methadone program "offers a promising approach to some addicts and nothing more" and recommended that the program not be expanded into public-health policy at this time. The Council said that methadone has been highly beneficial for some individuals, noting that of 707 inpatients at one facility, 548 remained in the program and, among those remaining in the program over 1 year, more than two-thirds are either employed or in school. The Council further noted the arrest rate is approximately one-fourth of that observed in a control group of heroin addicts who were merely detoxified.

However, the Council said that "the use of methadone in a general public health program presents very different problems from its application in a structured, controlled, research situation." The Council noted numerous facts about the New York program which had raised questions about the real effectiveness of the program, including the following: the average age was 32, about 5 years older than the average New York City street addict (studies suggest that addicts are apt to grow out of their habit spontaneously after age 30); only volunteers were admitted, and some were rejected, so that those selected were sufficiently motivated to desire cure. The Council wondered whether these older, well-motivated, and selected individuals might not do just as well with the other facets of the program—counseling and the like—and without methadone. It therefore urged controlled research before extension of methadone maintenance programs.

Findings contradictory to the apparently successful methadone projects discussed above have been reported by investigators working with Lexington, Kentucky, addicts.¹⁷² The authors find "no evidence to support the belief that methadone abuse, per se, facilitates subsequent rehabilitative efforts."¹⁷³

Inconsistencies in methadone treatment results may be attributable to psychological and social factors in the treatment setting and in the relationship between the doctor and the patient.¹⁷⁴ This principle seems to apply to most psychotherapeutic endeavours, and certainly to those centered around the use of a drug in treatment or in the treatment of drug-using

patients. The success of treatment with addicts is still linked to their personal and social characteristics.¹⁷⁵ As with many other forms of drug abuse, delinquency, and mental disorders, success is greater when the person and his background are healthy to begin with. Thus, intervention with addicts to reduce violence appears most likely to succeed in those cases where drug involvement, delinquent life styles, and emotional disorder are minimal before addiction. Unfortunately not many criminal addicts can be described as coming from healthy settings or being well-adjusted persons.

SUMMARY AND CONCLUSION

No drug, narcotic, or alcoholic beverage presently known will by itself lead to violence. Nevertheless, these substances may through misuse or abuse facilitate behavior which may result in violence to person or property.

Alcohol acts as a depressant, controlling and inhibiting brain mechanisms so that social inhibitions are significantly reduced. With some individuals, the removal of certain inhibitions (e.g., diminished fear of punishment or reduced anxiety or guilt) may result in violent behavior. Nevertheless, these suggestive relationships cannot be construed as causal connections; alcohol affects individuals differently, and, while for some individuals alcohol is a catalyst towards violence, for many others it is not.

A more significant relationship is found between the use of alcohol and the incidence of automobile crashes. Alcohol lessens the efficiency in brain functions so as to impair sensory, perceptual, and psychomotor functions, all of which are necessary for safe driving. Empirical studies support the conclusion that alcohol has been found to be the largest single factor leading to fatal crashes.

As with alcohol, there is no evidence to support the position that narcotics and dangerous drugs cause people to act violently. In fact, it may be said that the social costs or side effects of alcohol—in terms of the loss of human life—are higher than those of drugs or narcotics. However, insofar as drug use lead to effects which perpetuate membership in asocial or antisocial groups, a serious problem is posed for the community. This is especially true for young people who use drugs in the face of serious criminal penalties. Like alcohol, the misuse or abuse of drugs may result in violent behavior or criminal acts, but it is important to remember that the violence which does occur in association with addiction must be viewed as related to personality, social, and economic factors.

On the whole, therefore, the use of alcohol, narcotics, and dangerous drugs poses serious problems to society, but their role as stimulants to violence must be considered only as secondary. Personality, economic and social factors are probably the main stimuli to violent acts: alcohol, narcotics, and dangerous drugs merely reduce inhibitions to commit them.

REFERENCES

1. We are indebted to Dr. Richard H. Blum, Dr. Saleem Shah, and John Kaplan for material used in the preparation of this chapter, as well as for their editorial guidance.
2. See Norman E. Zinberg and Andrew T. Weil, "The Effects of Marihuana on Human Beings," *New York Times Magazine*, May 11, 1969, p. 29.
3. Andrew T. Weil, Norman E. Zinberg, and Judith M. Nelsen, "Clinical and Psychological Effects of Marihuana in Man," *Science*, Vol. 162 (Dec. 13, 1968), p. 1242.
4. While there is no settled definition of addiction, medical experts refer to a physical dependence that results in painful sickness when the drug is discontinued, and a psychological or psychic dependence, an emotional desire or compulsion to have the drug, and of tolerance, a physical adjustment to the drug that results in reduced effects as dosage continues and which therefore results in a tendency to increase doses. *The World Health Organization Technical Report*, No. 21, (1950), p. 6, states that chronic narcotics addiction is characterized by "(1) an overpowering desire of need (compulsion) to continue taking the drug and to obtain it by any means; (2) a tendency to increase the dose; and (3) a psychic (psychologic and sometimes a physical dependence on the effects of the drug (often called habituation)."
5. Testimony of Lawrence W. Pierce, Chairman, New York State Narcotics Addiction Control Commission, Hearings before the National Commission on the Causes and Prevention of Violence, Conference on Youth and Violence, Nov. 6, 1968, p. 79.
6. Testimony of Assistant Chief Inspector Thomas C. Renaghan, Commanding Officer of the Narcotics Bureau, New York City Police Department, before the New York State Joint Legislative Committee on Crime and The Advisory Council on Crimes of Violence, Sept. 18, 1968, pp. 6-7.
7. Richard H. Blum, "Drugs and Violence", consultant paper submitted to this Task Force, App. 32.
8. In a Consultant paper submitted to the Crime Commission ("Mind-Altering Drugs and Dangerous Behavior: Alcohol," *Task Force Report: Drunkenness*, (Washington, D.C.: Government Printing Office, 1967), Appendix B), Richard H. Blum reported as follows: "Alcoholics attempt and also complete suicide at a rate much higher than the nonalcoholic population. Drinking by nonalcoholics also appears to precede much suicide behavior. Although alcoholism itself may not cause suicide—since the history and life circumstances of the drinker undoubtedly are necessary elements for a suicidal outcome—the presence of alcoholism is a strong warning of suicidal risk."
In his Report to this Task Force (Drugs and Violence, *op. cit.*), Professor Blum concludes that "the presence of alcohol problems is a warning signal of tremendous import . . ." He also quotes from a study recently conducted in San Francisco where the researcher concluded that suicide and alcoholism were linked as interdependent and proposed that "alcohol consumption probably facilitates suicidal attempts by overcoming inhibitions, reducing judgment and depressing the organism physiologically."
9. The issue of whether the taking of blood samples by chemical tests violates constitutional rights has been raised in several areas. These problems arise only where there is a lack of consent by the one to be tested. *Breithaupt v. Abram*, 352 U.S. 432 (1957) and *Schmerber v. California*, 384 U.S. 757 (1966), held that the extraction of blood in a hospital for a chemical test for alcohol, was not unconstitutional.
10. While we sought to tabulate for the presence of alcohol (as well as drugs) in the seventeen city survey of victims and offenders presented in Chapter 5, relatively few police departments systematically reported on these factors, producing so many unknowns that we could not use the data.
11. Marvin E. Wolfgang, *Patterns in Criminal Homicide* (New York: John Wiley & Sons Inc., 1966). For a discussion of numerous other research studies, see generally, Richard H. Blum, "Mind-Altering Drugs and Dangerous Behavior: Alcohol," *op. cit.*, pp. 29-49.

12. This figure was calculated from table 1 by dividing 43.5 (percentage of cases in which alcohol was present for both offender and victim) by 63.6 (the percentage in which alcohol was involved at all).
See also Blum, who cites studies that support Wolfgang's findings. (Blum, "Drugs and Violence," *op. cit.*, app. 32.)
13. Report of the President's Commission on Crime in the District of Columbia [hereinafter referred to as the D.C. Crime Commission] (Washington, D.C.: Government Printing Office, 1966), p. 45.
14. Wolfgang, *op. cit.*, p. 261.
15. *Ibid.*, pp. 254.
See Chapter 5 for an explanation and review of "victim precipitation" in criminal homicide.
16. *Ibid.*, p. 261.
17. *Ibid.*, p. 142.
18. R. C. Bensing and O. Schroeder, *Homicide in an Urban Community* (Springfield, Ill.: Charles C. Thomas, 1960).
19. H. A. Bullock, "Urban Homicide in Theory and Fact," *Journal of Criminal Law, Criminology, and Police Science*, vol. 45 (1955), pp. 567-575.
20. Wolfgang, *op. cit.*, pp. 140-141.
21. These percentages are arrived at by combining tables 10 and 3 in app. I, *ibid.*, pp. 363, 369.
22. *Ibid.*, pp. 80-81.
23. R. S. Fisher, "Symposium on the Compulsory Use of Chemical Tests for Alcoholic Intoxication," *Maryland Medical Journal*, vol. 3 (1951), pp. 291-292.
24. Most statutes and courts describe alcohol concentrations in terms of the percent by weight of alcohol in the blood, and report alcohol concentrations as "percent by wt."
25. F. P. Cleveland, "Problems in Homicide Investigation IV: The Relationship of Alcohol to Homicide," *Cincinnati Journal of Medicine*, 1955, vol. 36, pp. 28-30.
26. Lloyd Shupe, "Alcohol and Crime: A Study of the Urine Alcohol Concentration Found in 882 Persons Arrested During or Immediately After the Commission of a Felony," *Journal of Criminal Law, Criminology and Police Science*, vol. 44 (1954), pp. 661-64.
27. Shupe's findings differ from those of other researchers who generally have found that aggravated assault follows homicide in frequency of alcohol involvement. However, this may be explained without detracting from the validity of Shupe's data. The classification of offenders into aggravated assaults may be different from that used in other studies, and there is reason to suspect that some of the "cuttings" would be charged with aggravated assaults in other jurisdictions. Also, robbery which is generally least associated with alcohol may have ranked high in his study because of the fact that there were only 85 defendants, whereas there were several thousand robbery offenses reported annually in the city surveyed (Columbus, Ohio).
28. D.C. Crime Commission Report, *op. cit.*, p. 79.
29. *Ibid.*, pp. 79-80.
30. David Pittman and William Handy, "Patterns in Criminal Aggravated Assault," *Journal of Criminal Law, Criminology and Police Science*, vol. 55, No. 4 (Dec. 1964), pp. 462-470.
31. Crime Commission, *Task Force Report: Drunkenness*, *op. cit.*, p. 41.
32. D.C. Crime Commission Report, *op. cit.*, p. 54.
33. Menachem Amir, *Patterns of Forcible Rape* (unpublished Ph.D. dissertation, University of Pennsylvania, 1965), pp. 201-225. This percentage is not inconsistent with the Shupe study (table 2) which did not limit the studies of rape to forcible situations as done by Amir.
34. *Ibid.*, p. 207.
35. *Ibid.*, p. 554-555. See ch. 5 for an explanation and review of "victim precipitation" in forcible rape.
36. Andre Normandeau, *Patterns in Robbery*, unpublished Ph.D. dissertation (University of Pennsylvania, 1968).
37. *Ibid.*, p. 281.
38. *Ibid.*, p. 283. Note also that table 3 shows no significant race and sex differences.

The inconsistency of the findings between the Normandeau study and the Shupe study (table 2) indicate that in the absence of accurate tests, there may be recording bias toward underreporting of alcohol in Philadelphia.

39. Normandeau, *op. cit.*, p. 285.
40. See State of California, Department of Public Health, "Alcoholism and California Criminal Offenders and Drinking Involvement," Publication No. 3, 1960. See also Pittman and Handy, "Patterns in Aggravated Assault," *op. cit.*, and Carole Spencer, "A Typology of Violent Offenders," Research Division (Jan. 1966), pp. 6, 11-12, 18.
41. Martin J. Molof, *Difference Between Assaultive and Non-Assaultive Juvenile Offenders*, State of California, Department of Youth Authority, Research Rept. No. 51 (Feb. 1967), p. 16.
42. David A. Ward, "Crimes of Violence by Women," a consultant paper submitted to the Task Force, app. 17. The study is based on combined samples of 1963 and 1968 prison population at California Institution for Women.
43. State of California, Department of Public Health, "Alcoholism and California, A Pilot Study" "Law Violators, Probation Status and Drinking Involvement." Pub. No. 9, 1969—as reported in Blum, "Mind-Altering Drugs and Dangerous Behavior: Alcohol," *op. cit.*, p. 42.
44. S. B. Guze, and D. P. Cantwell, "Alcoholism, Parole Observations and Criminal Recidivism: A study of 116 Parolees." *American Journal of Psychiatry* (Oct. 1964) vol. 122, p. 436. S. B. Guze, V. B. Tuason, P. D. Gatfield, et al., "Psychiatric Illness and Crime with Particular Reference to Alcoholism: A Study of 223 Criminal," *Journal of Nervous & Mental Disorders*, 1962, vol. 134, pp. 512-521.
45. Blum, "Mind-Altering Drugs and Dangerous Behavior: Alcohol," *op. cit.*, p. 42.
46. David J. Pittman and C. W. Gordon, "Criminal Careers of the Chronic Police Case Inebriate," *Quarterly Journal of Studies on Alcohol*, 1958, vol. 19, pp. 255-268, as cited in *ibid.*
47. M. E. Wolfgang and R. B. Strohm, "The Relationship Between Alcohol and Criminal Homicide," *Quarterly Journal of Studies on Alcohol*, 1956, vol. 17, pp. 411-425.
48. Even though the more common reference is "automobile accidents," in keeping with the terminology used in "Alcohol and Highway Safety," a report to the Congress from the Secretary of Transportation, Aug. 1968, we will refer to these events as "crashes." Automobile crashes may on occasion be essentially "accidental"; i.e., without any clear indication of neglect, carelessness, and other culpable behavior. In many other instances, factors of carelessness, neglect, and clear responsibility for the resulting event may be present. The term "crashes" is preferable to "accidents," in that the latter term implies that such events are not readily amenable to prevention and other types of regulation and control. The relationship for numerous persons, between crash behavior and individual violence, as demonstrated in this chapter, makes the word "accident" inappropriate.
49. Blum, "Mind-Altering Drugs and Dangerous Behavior: Alcohol," *op. cit.*, p. 39.
50. "Alcohol and Highway Safety," *op. cit.*, p. i. In 1968 there were 55,500 traffic deaths.
51. National Safety Council, *Accident Facts* (Chicago, 1967), p. 40.
52. *Ibid.*, p. 63.
53. E. N. Thompson, (ed.), *Alcoholism* (Springfield, Ill.: Charles C. Thomas, 1956), pp. 103-232.

Most studies and courts describe alcohol concentrations in terms of the percent by weight of alcohol in the blood, and report alcohol concentrations as "percent by wt." Analytical methods to accurately determine alcohol concentration in the blood were first suggested by Widmark of Sweden in 1914 when he proposed analyzing driver's urine. Today a number of methods including analysis of blood and breath are widely used and accepted for both scientific and legal purposes. Alcohol concentrations are often discussed in two different but equivalent sets of terminology. Physicians and related professionals express alcohol concentration in terms of x milligrams per milliliters, i.e., milligrams of alcohol per 100 milliliters of fluid. (We will refer only to percent by weight.) See "Alcohol and Highway Safety," *op. cit.*, pp. 2-3.

54. Gordon Hawkins and Norval Morris, *The Honest Politician's Guide to Crime Control* (forthcoming publications of the University of Chicago Press, Feb. 1970).
55. The widespread belief that alcohol is a "stimulant" is incorrect. It is more accurate to describe the apparent stimulating effects as a consequence of the depressing effect of alcohol on the aforementioned controlling and inhibiting mechanisms.
56. "Alcohol and Highway Safety," *op. cit.*, p. 4.
57. T. A. Loomis and T. C. West, "The Influence of Alcohol on Automobile Driving Ability," *Quarterly Journal of Studies on Alcohol*, vol. 19, Mar. 1958, pp. 30-46; G.C. Drew et al., "Effect of Small Doses of Alcohol on a Skill Resembling Driving," Medical Research Council Memo No. 38 (London: Her Majesty's Stationery Office, 1959). The above cited in "Alcohol and Highway Safety," *op. cit.*, p. 39.
58. "Alcohol and Highway Safety," *ibid.*, pp. 43-49.
59. *Ibid.*, pp. 43-44.
60. B. B. Caldwell, "Report on Impaired Driving Tests (Ottawa, Canada: Queen's Printer and Controller of Stationery, 1957), as cited in *ibid.*, p. 39.
- Tests conducted by Goldberg indicated that nearly three-quarters of occasional drinkers and one-fifth of the heavy drinkers were adversely affected in one or more driving task areas. Of special interest is the fact that his subjects had blood-alcohol concentration of 0.05 percent by weight or less. (L. Goldberg, "Tolerance to Alcohol in Moderate and Heavy Drinkers and Its Significance to Alcohol and Traffic," Proceedings of the 1st International Conference on Alcohol and Road Traffic, Stockholm, 1951, Kugelbergs Bortryckeri, pp. 85-106, as cited in *ibid.*, p. 40.)
61. In experiments conducted by Drew, Calquhoun, and Long, a series of test situations were administered to 40 drivers of known sex, age, driving experience, and drinking habits after they had drunk various amounts of alcohol. Statistically significant results were achieved in these tests which very closely resembled actual driving conditions. Driving in the center of the road was wobbly. There was an increased tendency to bump against curbs as well as to negotiate corners erratically. Of most importance was the finding that steering accuracy decreased from the first measurable quantity of alcohol in the blood and progressively increased with increased blood alcohol levels. G. C. Drew, W. P. Colquhoun, and H. A. Long, "Effects of Small Doses of Alcohol on a Skill Resembling Driving," *Traffic Safety Research Review*, vol. 3, No. 4 (1959), pp. 4-11.
62. Alcohol and Highway Safety, *op. cit.*, pp. xx-xi.
63. "Alcohol and Highway Safety," *op. cit.*, p. 8. Also according to Borkenstein et al., high blood alcohol levels are found in approximately one-fourth of all drivers not involved in nonfatal but serious collisions. By contrast, alcohol appears to contribute to about 6 percent of run-of-the-mill crashes in which little serious injury or property is done. (R. F. Borkenstein, R. F. Crowker, R. P. Shumate, W. G. Zeil, and R. Zylman, "The Role of the Drinking Driver in Traffic Accidents," Department of Police Administration, Indiana University, Bloomington, Ind., Mar. 9, 1964, as cited in "Alcohol and Highway Safety," *op. cit.*, p. 11).
64. *Ibid.*
65. *Ibid.*, p. 9. These four studies are cited in app. 1, p. iii, of "Alcohol and Highway Safety," footnotes 6-9.
66. A driver with a blood-alcohol concentration of 0.10 percent by weight is six times as likely to crash as a driver who has not been drinking. At the higher level of 0.15 percent by weight, a driver has increased by 25 his chances of crashing.
67. "Alcohol and Highway Safety," *op. cit.*, p. 10, quoting from "Alcohol, Violence, and the Automobile," Dade County, Fla. Coroner's Office, unpublished, 1966.
68. Julian A. Waller, M.D., "Accident Patterns Associated With Drinking and Violation Patterns Among Drivers With Alcoholism, Other Medical Conditions and No Medical Conditions" (Memo), pp. 15-16.
69. Testimony of Dr. Julian Waller before the Secretary's Advisory Committee on Traffic Safety, Department of Health, Education and Welfare, Feb. 27, 1968.
70. Melvin L. Selzer, and Sue Weiss, "Alcoholism and Fatal Traffic Accidents: A Study in Futility," *Municipal Court Review*, 1965, vol. 5, pp. 15-20.
71. Melvin L. Selzer and J. Ehrlich "A Controlled Study of Alcoholism,

- Psychopathology and Stress in 96 Drivers Causing Fatal Accidents." Unpublished paper.
72. M. L. Selzer, C. E. Payne, F. H. Westervelt, and J. Quinn, "Automobile Accidents as an Expression of Psychopathology in an Alcoholic Population," *Quarterly Journal of Studies on Alcohol*, vol. 28, pp. 505-516 (Sept. 1967).
 73. J. J. Conger et al., "Psychological and Psychophysiological Factors in Motor Vehicle Accidents," *Journal of the American Medical Association*, vol. 169, Apr. 4, 1959, pp. 1581-1587.
 74. Julian A. Waller, "Accidents and Violent Behavior: Are They Related?" A consultant paper submitted to this Task Force, app. 33.
 75. P. H. Wickstrom, B. M. Sayre, and R. Leven, "Alcohol Involvement in Single Vehicle, Fatal Traffic Accidents," unpublished paper, Div. of Alcohol Rehabilitation, California State Department of Public Health, Berkeley, Sept. 2, 1965, as cited in Waller, *op. cit.*, p. 22.
 76. *Ibid.*
 77. Waller, *op. cit.*, p. 38.
 78. William Haddon, Jr., Preston Valien, James R. McCarroll, and Charles J. Umberger, "A Controlled Investigation of the Characteristics of Adult Pedestrians Fatally Injured by Motor Vehicles in Manhattan," *Journal of Chronic Diseases*, vol. 14 (Dec. 1961), pp. 655-678.
 79. "Alcohol and Highway Safety," *op. cit.*, pp. 17-18.
 80. Waller, *op. cit.*
 81. Describing the incidents, Dr. Waller states:
Three basic patterns appeared to exist. The first pattern involved preteen or young teenage hunters who became overly excited upon seeing game and prematurely fired their guns. This pattern suggests error during the learning process. The second type of situation appeared to involve true accidents or random events in which individuals shot others who were hidden by heavy underbrush beyond the game that had been sighted. These persons were hit only because the shooter missed the game and because neither party was previously aware or the presence of the other. In a few cases weapons misfired, and the scattered shot or pieces of the ruptured weapons injured bystanders. In the third type of situation, shooters were engaged in activities that were grossly careless or foolhardy or, occasionally, were suspected to be motivated by intent, even if semiconscious, to injure themselves or others. (Waller, *op. cit.*)
 82. Waller, *op. cit.*
 83. *Accident Facts*, *op. cit.*, p. 63.
 84. *Ibid.*, p. 58.
 85. "Alcohol and Highway Safety," *op. cit.*, p. 8.
 86. F B I, Dept. of Justice, *Uniform Crime Reports-1957* (Washington, D.C.: Government Printing Office, 1968), p. 5.
 87. "Alcohol and Highway Safety," *op. cit.*, pp. 11-12.
 88. We consider in this section narcotics, which include the opiates (opium, morphine, and their derivatives and compounds and synthetic equivalents, including stimulants (amphetamines) and hallucinogens (LSD). Tranquilizers and barbiturates, frequently used in suicide cases, are not included, but they are discussed in the Crime Commission Task Force Report on Narcotics and Dangerous Drugs, as well as in consultants' papers appearing therein. They are also considered in the manuscript of Dr. Richard H. Blum, app. 32. Great reliance is placed on these two sources, and parts of this section are taken verbatim from Dr. Blum's manuscript. In addition, the Task Force relied on a manuscript prepared by Drs. Saleem A. Shah and George H. Weber, of the Center for Studies of Crime and Delinquency, National Institute of Mental Health, entitled "The Problem of Individual Violence."
 89. See testimony of Lawrence W. Pierce, Hearings before the National Commission on the Causes and Prevention of Violence, *op. cit.*, p. 69.
 90. Popular belief is that such substances cause persons to commit violent acts. The following are examples of newspaper accounts of marihuana use, typical of those inserted in the Apr. 4, 1968, *Congressional Record* as supporting a causal relationship between marihuana and violence:
"Asbury Park, N.J., May, 1965—Two men boxed playfully together in the street. One participant was knocked to the ground. He came to his feet with a knife

in his hand. His opponent started to retreat. The angered man chased and caught his companion. He slashed the frightened man's throat and, in a frenzied state, repeatedly stabbed the helpless man. The murderer then calmly folded his knife and walked away. He is still a fugitive. Just prior to the incident, the two men had smoked marihuana together."

"Detroit, Mich., November 8, 1967—A 19-year old man was arrested for murdering his 3-month old daughter. His wife told homicide detectives her husband was a constant marihuana user and had been under its influence when he beat their infant daughter to death with his hands."

"Los Angeles, Calif., March 19, 1967—An individual was arrested for beating and seriously injuring his mother. Officers found a partially smoked marihuana cigarette in the suspect's car."

"Roosevelt, N.Y., March 9, 1966—While smoking marihuana at home a man became violent. He brutally assaulted his wife and terrorized his two children, continuing to smoke marihuana throughout the incident."

91. In fact, numerous experts suggest that drugs tend to decrease aggression. Consider the following statements received by the Task Force:

... the vast majority of studies conducted, suggest that drug use does not lead to violent behavior. Moreover, these studies indicate that, in the main, drug use may even reduce the inclination toward aggressive and violent behavior. Schur (1965), for example, states that the most significant fact about drug-related crime in the United States today is that addiction decreases the inclination to engage in violent crimes. Instead, persistent involvement in petty theft or prostitution (in order to support the drug habit) is an almost inevitable consequence of addiction. (Shah and Weber, *op. cit.*, p. 227.)

Neither the opiates (e.g., heroin) nor marihuana have been proven to appreciably increase violence. Both drugs, by their subjective effects, tend to promote passivity and enjoyment of the drug effects. Heroin addicts account for considerable crime, but this is carried out to get money with which to buy the drug—any violence involved is usually incidental. The problem is complicated by the fact that both drugs are used by criminal types who may commit acts of violence, with or without drugs. (Unpublished statement of Dr. Jonathan Cole submitted to this Task Force.)

There is no convincing evidence linking the narcotics to crimes of personal violence. There is a marked increase in crime rate among narcotics users, but usually crimes against property or for monetary gain. The psychedelic agents [LSD and marihuana, for example], if anything, seem to mitigate against violence and at the extreme may actually decrease "normal" aggressivity.

Evidence concerning the amphetamines is less clear, but they are known to be effective therapeutic agents... These data would suggest that they were not provocative unless producing an overt paranoid psychosis (which may occur upon chronic administration). (Frank R. Ervin, "The Biology of Individual Violence: An Overview," a consultant paper submitted to this Task Force, app. 21.)

92. Hearings, before the Subcommittee to Investigate Juvenile Delinquency of the Committee on the Judiciary, Senate, 90th Cong., 2d sess., on S. Res. 240, statement of Dr. Morton Miller, Director of the Division of Special Mental Health, p. 4664.
93. Heroin, while somewhat more potent and more rapid in its action, "... does not differ in any significant pharmacological effect from morphine." See Crime Commission, *Task Force Report: Narcotics and Drug Abuse*, p. 3.
94. Interestingly enough, the situation is the same in England. In his consultants' paper to this Task Force, Professor Blum states that "... if there has been any recent major development which must be underscored, it is the continuing skyrocketing of English heroin use from a low of a few hundred in the 1950's to an estimated several thousand now and with a prediction of many thousands more within the next few years." (Blum, "Drugs and Violence," *op. cit.*, citing evidence from T. Bewley, "Recent Changes in the Pattern of Drug Abuse in the United Kingdom," *Bulletin of Narcotics*, vol. 18 (1966), pp. 1-13.)
95. C. Winick, "Drug Addiction and Crime," *Current History*, vol. 52 (1967), pp. 349-353; D. Chambers, M. S. W. Moffett, Judith Jones, "Demographic Factors Associated with Negro Opiate Addiction," *International Journal of Addictions*, vol.

- 3 1968), pp. 329-343; J. A. O'Donnell, "The Rise and Decline of a Subculture," *Social Problems*, vol. 15 (1967), pp. 73-84; A. Abrams, J. H. Gagon, J. J. *Public Health*, vol. 58 (1968), pp. 2142-2155; S. M. Bates, "Occupational Characteristics of Negro Addicts," *International Journal of Addictions*, vol. 3 (1968), pp. 345-350, as cited in Blum, *ibid.*, p. 35.
96. L. N. Robins and G. E. Murphy, "Drug Use in a Normal Population of Young Negro Men," *American Journal of Public Health*, vol. 57 (1967) pp. 1580-1596.
97. J. D. Ball and R. W. Snarr, "A Test of the Maturation Hypothesis with Respect to Opiate Addiction," paper presented at the 31st annual meeting of the Committee on Problems of Drug Dependence, National Academy of Sciences-National Research Council, Palo Alto, Calif., Feb. 25, 1969, as cited in Blum, "Drugs and Violence," *op. cit.*
98. *Ibid.*
99. From a personal communication from Dr. Ball to Dr. Blum, (Blum, "Drugs and Violence," *op. cit.*). Professor Blum continues:
What would be very interesting to learn from the standpoint of predicting which released addicts will be at risk of continued criminality, which at risk of violence, and which likely to be abstinent, would be the differences in pre-addiction personality and background and in post-release environment which distinguish between the abstinent, the criminal but non-violent criminal addict. It would also be very useful to rely on self-reports of criminality—the dark number—rather than to rest only on the official data which markedly under-reports the actual offense rates of any population. *Ibid.*, pp. 37-38.
100. C. A. Haertzen and N. T. Hooks, "Changes in Personality and Subjective Experience Associated with the Chronic Administration and Withdrawal of Opiates," *Journal of Nervous & Mental Disease*, 1969. *Ibid.*, p. 41.
101. See Oriana J. Kalant, *The Amphetamines: Toxicity and Addiction* (Springfield, Ill.: Charles C. Thomas, 1966), as discussed in Blum, "Drugs and Violence," *op. cit.*, pp. 49-50.
102. Blum, *ibid.*, p. 48, discussing *Task Force Report: Narcotics and Drug Abuse, op. cit.*, pp. 21 ff.
103. T. C. McCormick, "Toxic Reactions to the Amphetamines," *Disorders of the Nervous System*, vol. 23 (1962), pp. 219-224, as cited in *ibid.* p. 50.
104. Hearings, before the Subcommittee to Investigate Juvenile Delinquency of the Committee on the Judiciary, Senate, *op. cit.* Testimony of Dr. James L. Goddard, Commissioner of Food and Drug Administration, p. 4338.
105. *Ibid.*, p. 4351.
106. AMA Committee on Alcohol and Addiction, "Dependence on Amphetamines and Other Stimulant Drugs," *Journal of the American Medical Association*, vol. 197 (Sept. 1966), p. 1627.
See also Kalant, *op. cit.*; "Amphetamine Abuse," *Journal of the American Medical Association*, Vol. 201 (July 1967), pp. 305-309; Mary Ellen Kosman and R. Unna, Effects of Chronic Administration of the Amphetamines and Other Stimulants on Behavior," *Clinical Pharmacology and Therapeutics*, vol. 9, No. 2 (1968), pp. 240-254.
107. J. R. Tinklenberg and R. D. Stillman, "Drug Users and Violence," in D. N. Daniels, M. F. Gilula, and F. M. Ochberg (eds.), *Violence and Man's Struggle for Existence* (Boston: Little, Brown, in press).
108. Blum, *op. cit.*, p. 51, referring to an article by Roger Smith in *San Francisco Chronicles*, Mar. 1969.
109. E. H. Ellinwood, Jr. "Amphetamine Psychosis," *Journal of Nervous and Mental Disease*, vol. 144, No. 4 (1967), pp. 273-283, cited in Blum, "Drugs and Violence," *op. cit.*
110. Blum, *ibid.*
111. See majority opinion of the Supreme Court of the United States in *Timothy F. Leary v. U.S.*, decided May 19, 1969, citing J. Simmons (ed.), *Marijuana, Myths and Realities*, p. 232, (1967).—U.S.—, 89 S. Ct. 1532, 1554.
112. Blum and Associates, *Students and Drugs* (San Francisco: Jossey-Bass 1969), as cited to Blum, *op. cit.*, p. 65.
113. Eva M. Blum, "Horatio Alger's Children," in Richard H. Blum and Associates,

Students and Drugs (San Francisco: Jossey-Bass, 1969). See also Richard H. Blum, "Drugs and Violence," *op. cit.*, app. 32, p. 5.

While in recent years there has been an increasing number of middle-class youth using marihuana, particularly college youth, use is often associated with the ghetto. (Richard H. Blum, "Social and Epidemiological Aspects of Psychopharmacology," in C. R. B. Joyce [ed.], *Psychopharmacology* [Philadelphia: Lippincott, 1968].)

The American Medical Association described the latter pattern of use as follows:

Another area of society in which marihuana use has been observed for many years is the urban ghettos where feelings of hopelessness, powerlessness, oppression, and futile dissatisfaction provide fertile soil for cultivating the growth of such use. The use of marihuana among Puerto Ricans and both southern and northern Negroes is reputed to be high. In all likelihood, marihuana use among the poverty-stricken urbanite is concomitant with use of other dependence-inducing substances and broad range of social and antisocial activity. (Committee on Alcoholism and Drug Dependence of the American Medical Association, *Journal of the American Medical Association*, vol. 201, Aug. 7, 1967, pp. 369-370.)

114. See John Kaplan, *The Marijuana Problem* (forthcoming publication). We rely extensively on the excellent Kaplan manuscript in the discussion of marihuana in this chapter.
115. Kaplan, *op. cit.*, pp. 5-6. On frequency of use, Kaplan states that statistics presently available indicate that approximately 2/3rds of those who have tried marihuana once will have used it three or more times and approximately 50% of those who have tried it use it on something like a regular basis—though perhaps infrequently. (p. 9)
116. *Ibid.*, p. 13.
117. *Ibid.*
118. In fact, under Federal legislation and legislation in most States, marihuana possession is a far more serious offense than possession of LSD.
119. Herbert Packer, "The Limits of the Criminal Sanction," (Stanford: Stanford University Press, 1968), pp. 340-341, as cited in *ibid.*, p. 10.
120. Kaplan, *op. cit.*, provides an excellent review on the fallacies of numerous studies which allegedly established causality.
121. This is not to suggest that some scientists have not reported individual studies in which it is concluded that marihuana has apparently caused aggressiveness. Certain such reports are discussed in Blum, *Drugs and Violence, op. cit.* It seems, however, that such experiments involved high doses of marihuana, although one experimenter observed assaultive behavior in a low dose subject with no prior psychiatric disorder. See Blum, "Drugs and Violence," *op. cit.*, p. 66.
122. *New York Medicine*, May 5, 1966, p. 3.
123. Marihuana Smoking in Panama", *The Military Surgeon*, Nov. 1933.
124. *New York Medicine, op. cit.*
125. Walter Bromberg, "Marijuana Intoxication—A Clinical Study of Cannabis Sativa Intoxication," *American Journal of Psychiatry*, (1934), p. 302, as cited in Kaplan, *op. cit.*, p. 53.
126. Mayor's Committee on Marihuana, "The Marihuana Problem in the City of New York: Sociological, Medical, Psychological and Pharmacological Studies" (1944). See also to the same effect Bromberg and Rogers, "Marijuana and Aggressive Crime," *American Journal of Psychiatry*, vol. 102, 1946, and Mauer and Vogel, *Narcotics and Drug Addiction*, 3d ed., Springfield, 1967, as cited in Kaplan, *ibid.*, p. 54.

See also the Crime Commission which concluded:

One likely hypothesis is that, given the accepted tendency of marihuana to release inhibitions, the effect of the drug will depend on the individual and the circumstances. It might, but certainly will not necessarily or inevitably, lead to aggressive behavior or crime. The response will depend more on the individual than the drug. This hypothesis is consistent with the evidence that marijuana does not alter the basic personality structure. (Crime Commission, *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, 1967), p. 225.)

127. Report of the Advisory Committee on Drug Dependence, "Cannabis," (London: Her Majesty's Stationery Office, 1968), p. 13.
128. Weil, Zinberg, and Nelsen, *op. cit.*, pp. 1234-1242. Physiological tests were conducted for heart rate, respiratory rate, pupil size, blood glucose level and conjunctival vascular state. Psychological tests included the Continuous Performance Test and the Digit Symbol Substitution Test.
129. Consistent with this conclusion, tests recently announced by the Department of Motor Vehicles of the State of Washington demonstrate that persons with legally permissible blood contents of alcohol were far more dangerous drivers than when they were under the influence of marihuana.
130. Weil, Zinberg, and Nelsen, *op. cit.*, p. 1242.
131. Harris Isbel et al., "Method of Assay in Human Subjects and Results with Crude Extracts, Purified Tetrahydro Cannabinols and Synthetic Compounds," Studies on Tetrahydrocannabinol, NIMH Research Center, Lexington, Ky., cited in Kaplan, *op. cit.*, p. 137. Weil et al. state that there is considerable indirect evidence from users that the quality of the intoxication is different when marihuana or preparations of it are ingested rather than smoked. They report that ingestion seems to cause more powerful effects, more "LSD-like" effects, longer-lasting effects and more hangovers. See Weil, Zinberg, and Nelsen, *op. cit.*, p. 1235. On the other hand, Kaplan reports that eating marihuana causes a lesser degree of absorption of the active ingredients than does smoking; he states that the usual rule of thumb is that one needs about 2½ times as much material orally to achieve the same effect as that smoked (Kaplan, *op. cit.*, p. 138).
132. Richard H. Blum and Associates, *Students and Drugs*, *op. cit.* See also L. F. Hollister, R. K. Richards, and H. K. Gillespie, "Comparison of Tetrahydrocannabinol and Synhexyl in Man," *Clinical Pharmacology and Therapeutics*, vol. 9 (1968), pp. 783-791, as cited in Blum, "Drugs and Violence," *op. cit.*, app 32.
133. Glen W. Schofield, "Marijuana: Its Relation to Aggressive Behavior," unpublished study, 1968, pp. 43-44, as cited in Kaplan, *op. cit.*, pp. 55-56.
134. Herbert Blumer et al., *Add Center Project Final Report: The World of Youthful Drug Use* (Berkeley: University of California, 1967), discussed in Kaplan, *Ibid.*, pp. 58-59.
135. *Ibid.*, pp. 29-30 in Kaplan, p. 60.
136. See Kaplan, *Ibid.* p. 71. who quotes the following exchange:
Congressman Dingell: I was just wondering whether the marihuana addict graduates into a heroin user?
Anslinger: No, sir; I have not heard of a case of that kind. I think it is an entirely different class. The marihuana addict does not go in that direction.
137. Report by the Advisory Committee on Drug Dependence, "Cannabis," *op. cit.* Suggesting the absence of a progression theory, the American Medical Association concluded: "Most persons who experiment with and many who become dependent on marijuana do not go on to stimulants, narcotics or hallucinogens. . . ." (*Journal of the American Medical Association*, "Dependence on Cannabis," *op. cit.*, p. 369.)
138. Kaplan, *op. cit.*, p. 73.
139. Bureau of Criminal Statistic (California), *Follow-up Study of 1960 Adult Drug Offenders* (1968), pp. 1-2, as cited in Kaplan, *ibid.*, p. 77. Kaplan also reviews surveys conducted in the Haight-Ashbury district of San Francisco, an area in which drugs are heavily used, to the effect that the marihuana to heroin progression theory would appear to be inoperative there. (*Ibid.*, p. 80).
140. Richard H. Blum, *Horatio Alger's Children*, as cited in Kaplan, *Ibid.*, Further relying on Blum's study, Kaplan concludes that—

... opiate use correlates with various other drug use considerably better than it does with marijuana, marijuana use correlates with various other drugs considerably better than it does with the opiates. Thus the correlation between marijuana use and the use of hallucinogens (primarily LSD), the amphetamines, the special substances, and tobacco are all considerably higher than the correlation between marijuana and opiate use. (Kaplan, *ibid.*, p. 82.)

In a Mar. 4, 1968, statement submitted to the House Interstate and Foreign Commerce Committee, a large group of psychiatrists who have worked with college

- youth and who were members of the Committee on the College Student of the Advancement of Psychiatry said:
While recognizing the present and apparently increasingly widespread experimentation among young people with marijuana, it is our experience that this does not in the vast majority of cases lead to drug dependence nor to automatic use of other more dangerous drugs, nor to the use of heroin. Infrequent instances of drug dependence and progression of use to a variety of other drugs (rarely heroin) do occur.
- See *Hearings*, before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, House of Representatives, 90th Cong., 2d sess., on H.R. 14096 and H.R. 15355, p. 228.
141. Crime Commission, *The Challenge of Crime in a Free Society*, *op. cit.*, p. 225.
142. Institute for the Study of Crime and Delinquency, *A Follow Up Study of the Juvenile Offender* (Oct. 1967), p. 31.
143. Maurer and Vogel, *Narcotics and Drug Addiction*, Springfield, 1967 (3d ed. (m at p. 281), as cited in Kaplan, *op. cit.*, p. 54.
144. Although there are some studies that suggest the absence of adverse effects from long-term use—for example, the La Guardia Committee found no permanent long-range effects of marihuana use.
145. "Dependence on LSD and Other Hallucinogenic Drugs," prepared by the American Medical Association's Committee on Alcoholism and Drug Dependence and the Council on Mental Health, *Journal of the American Medical Association*, (Oct. 2, 1967), vol. 202, p. 48.
146. Blum, "Mind-Altering Drugs and Dangerous Behavior: Dangerous Drugs," *op. cit.*, p. 27.
147. A policy statement with recommendations by the Medical Society of the County of New York on the abuse of LSD and other nonnarcotic drugs (May 5, 1966). The report of the society was quoted by the Crime Commission, *Task Force Report: Narcotics and Drug Abuse*, *op. cit.*, p. 5.
148. *Hearings*, before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, House of Representatives, *op. cit.*, testimony of Dr. James L. Goddard, Commissioner, Food and Drug Administration, pp. 76-77.
149. Blum, "Drugs and Violence" *op. cit.*, p. 69.
150. From a personal communication from Richard H. Blum to this task force.
151. See Blum and Associates, *Students and Drugs*, *op. cit.*
152. *Hearings*, before the Subcommittee to Investigate Juvenile Delinquency of the Committee on the Judiciary, Senate; *op. cit.*, testimony of Dr. James L. Goddard, Commissioner of Food and Drug Administration, p. 4338.
Dr. Goddard later said the decrease in late 1967 and early 1968 might be as much as 25%, saying experts attributed the decrease to information with respect to possible long-term damage from LSD. (*Ibid.*, p. 4339).
Dr. Stanley F. Yolles, Director, National Institute of Mental Health, substantiated Dr. Goddard's conclusions (*Ibid.*, p. 4650). However, Dr. Goddard did state that while LSD use was falling off, authorities were then observing an increase in the presence of the drug known as "Speed," methamphetamine, a stimulant drug taken orally or by injection. (*Ibid.*, p. 4351).
153. Blum, "Mind-Altering Drugs and Dangerous Behavior: Dangerous Drugs," *op. cit.*, p. 28.
154. See Blum, "Drugs and Violence," *op. cit.*
155. M. H. Keeler and D. B. Reifler, "Suicide During and LSD Reaction," *American Journal of Psychiatry*, (1967, vol. 123, No. 7, pp. 884-885; R. G. Smart and Karen Bateman, "Unfavorable Reactions to LSD: A Review and Analysis of the Available Case Reports," *Canadian Medical Association Journal* vol. 97 2, (1967, pp. 1214-1221; C. R. G. Joyce (ed.), *Psychopharmacology*, *op. cit.*
156. Reports in 1968 indicate a marked decrease in the number of adverse psychological reactions to LSD at Bellevue. Statement of Dr. Morton Miller, *Hearings*, before the Subcommittee to Investigate Juvenile Delinquency, *op. cit.*, p. 4665.
157. A Policy Statement with Recommendations by the Medical Society of the County of New York on the Abuse of LSD and Other Non-Narcotic Drugs, reproduced in

Hearings, before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce, House of Representatives, *op. cit.*, pp. 152-153.

158. Other studies do not support the theory of permanent chromosomal damage from LSD 25. For example, a study by Hungerford et al. published in the Journal of the American Medical Association concludes:

Our data indicate that pharmacologically pure LSD 25 may produce transitory increases in chromosome abnormalities, but that these are no longer evident one month after administration of the final dose of the compound. The transitory nature of these induced changes suggests the existence of a repair or elimination mechanism, or both, operating to reduce the number of aberrations.

... This statement has, of course, no bearing on the possible consequences of illicit consumption of substances represented as LSD.

See "Cytogenetic effects of LSD 25 Therapy in Man," David A Hungerford et al., the *Journal of the American Medical Association*, (Dec. 2, 1968), p. 2290-2291.

For further discussion, see also M.M. Cohen, Marinello, M.J., and N. Back,, "Chromosomal Damage in Human Leukocytes Induced by Lysergic Acid Diethylamide," *Science*, Mar. 17, 1967; W. D. Loughman et al., "Leukocytes of Humans Exposed to Lysergic Acid Diethylamide: Lack of Chromosomal Damage," *Science*, Oct. 27, 1967; and R. S. Sparkes et al., "Chromosomal Effect in Vivo of Exposure to Lysergic Acid Diethylamide," *Science*, June 21, 1968.

159. Statement by the Medical Society of the County of New York, *op. cit.*, p. 153.
160. Hearings, before the Subcommittee on Public Health and Welfare of the committee on Interstate and Foreign Commerce, House of Representatives, *op. cit.*, testimony of Dr. Donald B. Louria, Infectious Disease Laboratory, Bellevue Hospital, and President, New York State Council on Drug Addiction, p. 159.

See also testimony of Dr. Stanley F. Yolles before the Subcommittee to Investigate Juvenile Delinquency, *op. cit.*, p. 4652.

161. See Jonathan O. Cole, "Report on the Treatment of Drug Addiction", *Task Force Report: Narcotics and Drug Abuse*, *op. cit.*, pp. 135-136.

In his March 9, 1966, message on crime and law enforcement, President Johnson reflected this fact when he said: "... our continued insistence on treating drug addicts, once apprehended, as criminals, is neither humane or effective. It has neither curtailed addiction nor prevented crime."

In testimony to the Congress on H.R. 9167, which was later enacted (The Narcotic Addict Rehabilitation Act of 1966), the then Attorney General Katzenbach emphasized that for too long the law had stressed punitive solutions and neglected medical and rehabilitative measures. (*Hearings*, before Subcommittee No. 2 of the Committee on the Judiciary, House of Representatives, 89th Cong., 1st sess., on H.R. 9167, p. 79.)

162. See reports by Jonathan O. Cole, and Dennis S. Aronowitz to the crime Commission, *Task Force Report: Narcotics and Drug Abuse*. Aronowitz criticizes involuntary commitments for noncriminal addicts because of lack of success of treatment programs.
163. Title 28, U.S. Code, sect. 2901-2906 and Title 18, sect. 4251-4255, enacted Nov. 8, 1966.
164. See Crime Commission, *Task Force: Narcotics and Drug Abuse*, *op. cit.*, p. 18
165. S. 1895, introduced by Senator Thomas J. Dodd (D., Conn.) on Apr. 18, 1969.
166. L. Wislicki, "Drug Addiction in Israel," *British Journal of Addictions*, vol. 59, pp. 37-45 (1963). See Blum, *op. cit.*, "Drugs and Violence," app. 32, p. 46.
167. J. D. Sapira, "The Narcotics Addict as a Medical Patient," *American Journal of Medicine*, vol. 45, (1968), pp. 555-588. See Blum, app. 32, p. 44, *op. cit.*
168. V. P. Dole and Marie B. Nyswander, "Rehabilitation of Heroin Addicts After Blockade with Methadone," *New York State Journal of Medicine*, vol. 66 (1966), pp. 2011-2017. See Blum, "Violence and Drugs," app. 32, *op. cit.*
169. A methadone maintenance program is in its fifth year in New York. Under the treatment technique, heroin users are admitted to a hospital unit for 6 weeks

where they are given methadone, a synthetic narcotic, as a substitute for heroin. The substitution continues on an outpatient basis after the completion of hospitalization. The individual so treated remains addicted but the 80-120 mg of methadone, given orally, prevents the addicts from getting a "high" from conventional amounts of heroin and allows him to take his drug only once a day.

170. V. P. Dole, J. W. Robinson, J. Orraca, E. Towns, P. Searcy, and E. Caine, "Methadone Treatment of Randomly Selected Criminal Addicts," paper presented at the 35th annual meeting of the Committee on Problems of Drug Dependence, Palo Alto Calif, Feb. 25, 1969.

171. The recent report of the New York State Council on Drug Addiction questions the effectiveness of that study as follows:

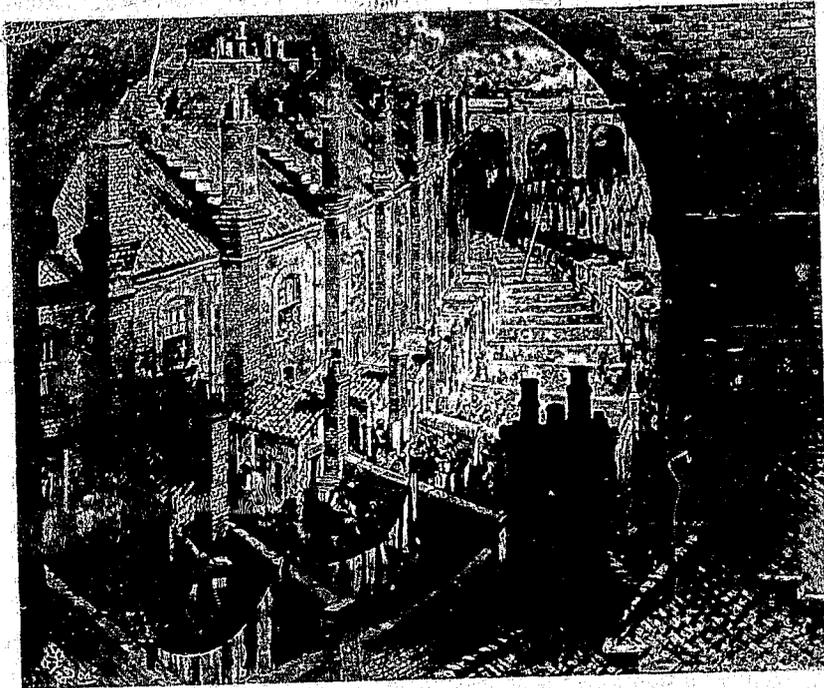
... the 12 addicts at Riker's Island Prison who participated in the experiment were chosen from approximately 1,000 interviewed. All were volunteers. The 12 chosen thus came from a group selected by interview after voluntary application for the methadone program. Random selection was applied only after the volunteers had been interviewed. This is obviously anything but a randomized population. These 12 are in the older age category and 3 of the 12 have already dropped from the program, which is less than a year old.

172. J. D. Sapira, J. C. Ball, and Emily S. Cottrell, "Addiction to Methadone Among Patients at Lexington and Fort Worth," *Public Health Reports*, vol. 83, 107, 8, (1968), No. 1, pp. 691-694. See Blum, *op. cit.*, app. 32, p. 45.

173. The New York State Council on Drug Addiction, in its May 16, 1969, release, reports that a Connecticut methadone maintenance program had a 72% failure rate (the average age of the addict was considerably less than 25) and a Canadian outpatient program reported 48% withdrew from the program after starting.

174. Cole, "Report on the Treatment of Drug Addiction," *op. cit.*

175. J.A. O'Donnell, "Social Factors and Follow-Up Studies in Opiate Addiction," Association for Research in Nervous and Mental Disease, *The Addictive States* (Baltimore: Williams & Wilkins, 1968), as discussed in Blum, "Drugs and Violence," *op. cit.*, app. 32.



Over London by Rail. Engraving by Gustave Doré, 1872. Rare Books Room,
Library of Congress.

CHAPTER 16

URBAN VIOLENCE AND THE DESIGN AND FORM OF THE URBAN ENVIRONMENT¹

Violent crime has been increasing at an alarming pace in the large metropolitan areas of the United States at a time when efforts are being made to redevelop or rehabilitate entire neighborhoods in central cities and when new suburban communities and entire new towns are being built to accommodate our growing national population. Some of the causes of violent behavior may stem from the physical environment. Therefore, it is timely to inquire whether the design and form of our cities are related to urban violence and whether violence can be controlled or prevented by urban planning. Whatever the causes, it is now a hard fact of American life that violence has consequences of its own and is causing changes in the urban environment. It is important to determine what these changes are, why and how they are occurring, and what they portend for the future of urban society in America. Historical precedents and the warning of the Kerner Commission that America "is moving toward two societies, one black, one white—separate and unequal"² compel us to consider the dangers of violence in our cities.

Few definite relationships between the design and form of the urban environment and violent behavior have been defined in the past. The purpose of this chapter is to summarize the knowledge available, to report different ideas, and to describe our conclusions.

RELATIONSHIPS BETWEEN THE URBAN ENVIRONMENT AND VIOLENT BEHAVIOR

Three possible relationships between the design and form of the urban environment and violent behavior can be defined:

- (1) Design and form of the urban environment may control violence directly. Residential areas, for example, may be selected by a criterion of distance from populations with real or assumed propensities to commit violence. Buildings may be designed to include crime control features, perhaps with other social or aesthetic values subordinated or eliminated entirely.

(2) Design and form of the urban environment may encourage positive forms of behavior. To the extent positive behavior is promoted, negative behavior—including violence—is prevented.

(3) Design and form of the urban environment may invite violence. Buildings or open spaces may be negative symbols or may be attributed to other sufficiently neutral or negative values to such an extent that people are willing to destroy or deface them, or to use them as places to commit violent acts.

If violent crime continues to increase, the very character of the urban environment may depend on which of the relationships between design and behavior are emphasized by urban designers, public officials, and to an even greater extent, urban consumers. If all the relationships are valid, and if urban design or consumer choices are oriented primarily toward crime control, the ways our cities are changed will conflict with socially and aesthetically desirable features of the urban environment. Our cities will be caught in a cycle of increasing violence in which the ways the urban environment can be used to control crime will generate more violence and create more racial and economic segregation of residential neighborhoods. Choices of housing types and safe neighborhoods in central cities would be limited even for affluent populations. The enjoyment of the diversity of urban life would be reduced. If individual buildings or whole communities are "fortified," our urban society will be polarized and fragmented within comparatively limited geographic areas. Communication among different ethnic and racial groups which comprise large urban populations will be even more difficult.

The following variables in the urban environment are pertinent to the three relationships mentioned above:

- (1) *Space and location*—which can permit or limit behavior.
- (2) *Distance and access to space*—which can separate potential victims from potential offenders.
- (3) *Visibility*—enabling observation which can be a deterrent to violence.
- (4) *Scale*—not only the absolute size of a design feature which can impede entry, but size relative to the population groups which can prevent violence. A garden wall and a city wall are similar means of restricting access to space, differing only in scale; yet the consequences of setting a house apart from others and setting a city apart from its surroundings are different.
- (5) *Mastery, control, and ownership of property*—which can influence the values people impute to the urban environment and thereby affect behavior.
- (6) *High residential densities, poor physical condition, and low general quality of the urban environment*—which are usually associated together with other features of poverty and deprivation, and which may be causally related to violent behavior.

It is important to ask: What role has the urban environment played in the past in preventing or controlling violence, what present trends can be observed, and what are likely to be the consequences if urban violence continues to increase?

HISTORICAL PERSPECTIVE

A review of the literature shows that little attention has been paid to historical relationships between the design and form of the environment and violent behavior by scholars in architecture and urban design, except in peripheral ways, and then only in general terms. Conversations with authorities in these fields support this conclusion.³

Much of the historical evidence which exists is in the form of surviving structures, illustrations, and descriptions of past urban environments. However, few questions can be answered solely by these sources, because the evidence only pertains to the solutions for given problems, not to the problems themselves. Rarely can the nature of design problems be deduced from specific characteristics of their solutions. During various historical periods, for example, drawing rooms were often placed on the second floor. This may have been to remove residents from noise and smell of the streets, for greater protection from violence, because it was the fashion of the day, or for any combination of these reasons. Other evidence is needed to determine the particular reasons. Because designers seldom leave written statements of the problems they attempted to solve, indirect evidence must be sought in the literature of other fields. In this chapter, insights into the past use of urban environments were obtained from police histories.

Historically, urban populations have been exposed to violence by individuals or small groups against other persons and property; civil rebellion, riots, and commotions in opposition to political leadership or conditions in society; and military attack from outside the society. We are mainly concerned with the first type of violence, although civil rebellion is indirectly of interest because, at times, individual violence became so widespread in cities that it had the characteristics of riots. Military attack is wholly outside our scope, although fortifications built to prevent invasion had secondary uses in maintaining public order.

Building Types

The history of cities from the Middle Ages to the present can be described as a sequence of changing defense perimeters. The comparatively small walled city, with sentries and gatekeepers, protected everyone inside. General descriptions of life in medieval Europe suggest that criminals were driven out of cities whenever possible. They retired to forests and preyed on unprotected travelers. Cities were fortified by walls as much for protection from these domestic "enemies" as from foreign ones. In later years, the larger city contained its own criminal quarters and demanded new forms of protection. The primary environmental units of defense against violence were individual buildings or dwelling units. Even apart from larger structures designed for military or civil defense, there are examples of individual buildings for which safety was obviously the paramount design consideration. Some medieval towers were buildings of this kind.⁴ Many family-owned, slender, prismatic towers were built in Italian cities during the 12th century, some over 300 feet high. More than 200 of them were built in Bologna alone. The ground floors were used only for access to the floor above, reached by retractable ladders. Towers of a similar nature, built before the 12th century,

are found in villages in Svanetia in the Western Caucasus, where blood feuds and vendettas were common until the 19th century. Other examples are the Round Towers of Ireland, built by monastic communities between the 10th and 12th centuries both as belfries and sanctuaries.⁵ These towers were between 70 and 120 feet high. Entrances were about 15 feet above the ground, and were also reached by retractable ladders.

Whether intentional or not, residential buildings providing good defense against violent entry can be cited throughout history. Safety was provided through the architectural forms of the buildings, by such equipment as iron grills and safety chains on doors, and by such management procedures as posting doormen or guards at entrances. Houses of the wealthy Greeks and Romans were arranged around interior courtyards so that most of the door and window openings of the house faced inward.⁶ Walls facing the street were almost completely blank, usually with only one doorway leading inward and very few outward window openings. All major living quarters in the urban palaces of the Italian Renaissance were on the second floor or above. Palaces were arranged around interior courtyards reached by archways from the street. Gateways and other entrances were guarded by heavy doors. First-floor windows were relatively small, often placed high up in the walls, and were protected by iron grills. Even the heavily rusticated stonework of the first-floor walls suggests an obstacle to attack or violent entry. Many older apartment houses in French cities had similar arrangements, with one large gateway leading from the street to an interior courtyard. The front facade of many Georgian townhouses was separated from the sidewalk by an open area about 6 feet wide and 6 feet deep. This area was enclosed by iron railings and bridged by steps leading to the front door. Basement windows were fitted with iron grills, and front doors were heavily constructed and fitted with massive locks.

Early Civilizations

Many early civilizations created organizations to maintain public order and prevent crime in cities.⁷ Jerusalem under the Hebrews was one of the first cities to deploy a police force organized to protect different quarters of the city. Early Chinese cities had a policeman on each important street who kept a register of all inhabitants. Under him were several assistants. Each was responsible for 10 houses to which he had permanent right of entry. In ancient Incan cities, each policeman maintained a night-and-day watch over a group of 10 households. He had permanent rights of entry into these houses, and people were not allowed to lock their doors at any time.

Both Greek and Roman police forces were organized to protect different quarters of each city. Roman police controlled an area extending a number of miles outside Rome. They were assisted by citizens who patrolled their own streets. The organization of French police was strongly influenced by Roman examples. Citizen night watches began in French towns in the 6th century.

Other clues to historical concerns for the protection of people and property can be found in the history of door locks.⁸ The precise origin of locks and keys is not known, but Babylonian cylinder seals dating back to 3000 B.C. carry symbols that have been interpreted as keys. The tumbler lock, made of wood, probably originated in Greece during the 6th century B.C. Iron keys from the Ptolemaic Period (2nd or 3rd century B.C.) have been

found in Egypt. Homer describes Greek keys of bronze with handles of ivory. Although a very old wooden-key type of lock is found in widely distant parts of the world (the Faroe Islands, the Greek Isles, Zanzibar, and all over Asia, for example) lock technology did not advance greatly until medieval times. A great concern for burglar-proof locks, both for doors and safes, was evident in England during the 18th and in America during the 19th centuries. In 1861, Yale invented his pin-tumbler cylinder lock in Philadelphia, and modern lock technology began.

This evidence suggests that from early times municipal administrations were aware that violence and the urban environment were ecologically related, and that the primary environmental unit of defense against violence for the private citizen was the individual dwelling.

Medieval Cities

The medieval cities founded in Europe after the 10th century were a radically new phenomena in the history of urban design and an important part of the great social and cultural change of their period.⁹ Cities declined in importance and some ceased to exist in Europe after the fall of the Roman Empire, but between 1000 A.D. and 1300 A.D. more cities and towns were established in Europe, especially in Germany, Switzerland, and France, than during any subsequent period. From these beginnings, there has been an unbroken line in the evolution of American European cities and urban institutions that can be traced to the present day.

Even after initial development had taken place, the typical 13th-century town was small in population and geographic area when compared with modern cities. The populations of most towns did not exceed a few thousand persons. The largest towns in the Rhine basin had less than 30,000 inhabitants, and Paris in the 12th century had a population of 100,000 persons. Small towns occupied 10 to 25 acres, medium-size towns about 120 acres, and the large Rhine towns occupied less than 250 acres.¹⁰ Medium-sized towns were about one-half mile in diameter. This facilitated communications and enabled every town to have a defensive wall around its perimeter. These walls were up to 30 feet in height and normally had two to four gates.

By the 13th century, most towns had been granted charters of self-government and were in effect city-states under the political control of their citizens—mainly merchants, craftsmen, and artisans. A high degree of social organization existed and municipal institutions were developed to handle every aspect of community life.¹¹ Within the walls, all citizens and visitors were subject to municipal laws which offered considerable protection to persons and property. The Catholic Church also contributed to public safety by offering sanctuary on its properties. Penalties for crime were harsh, and anyone found guilty was banished from the town. The citizens of each town provided for its defense. The gates were closed at night, and the walls and streets were patrolled. The sense of community in these towns, the degree to which citizens protected each other and the citizen's view of his town as an island of peace in a hostile world were remarkable.¹² Violent crime does not appear to have been a major problem in these communities.

Apart from locks in buildings, there is no evidence that design of these

towns was influenced by considerations of defense against violent crime. The fact that the town wall was the major defense perimeter is consistent with the citizens' view of the town as an essentially peaceful place from which undesirable elements of the population were excluded.

These peaceful conditions did not endure indefinitely. By the 15th century, security problems had become serious in many towns.¹³ Large numbers of undesirables were attracted to urban centers. Murders, rapes, and robberies were widespread, and many persons abused the right of sanctuary in churches because ecclesiastical courts were less severe than civil courts.

Colonial Cities

There are many instances in history when cities and towns were designed for the specific purpose of maintaining control over a population or geographic area. In the case of colonial cities, the existence of an environmental entity contributed to the establishment of a new civil order. Although colonial towns were usually built under the aegis of a conquering military force, this feature was more important than military defense or particular details of design.

The Romans built towns of this character. The bastide towns of Southern France were built both by French and English kings during the 12th and 13th centuries.¹⁴ Bastides were built in other parts of Europe as well. Aigues-Mortes (1246) and Monpazier (1284) are two of the best-known examples. Both were geographically regular in layout and had defensive walls. The 17th-century towns of the Ulster Plantation in Ireland are another example. They were an essential part of the first successful attempts of the English kings at long-term territorial control in Ireland. Each town had a fortified area which could be used for defense against civil revolt.

From the 16th century onward, the Spanish colonizers of the Americas founded numerous towns.¹⁵ After 1573, their construction was guided by detailed regulations known as the Laws of the Indies. The design of these towns was intended to impress on the conquered Indians the idea that the Spaniards intended to settle permanently. Knowing this, it was hoped that the Indians would respect the Spaniards and seek their friendship.¹⁶

Paris

The city of Paris is worth examining because its problems of public order developed earlier, were more severe, and are better documented than for most cities. Paris was one of the largest medieval cities, and its physical form—a pattern of narrow irregular streets, few open spaces, and tightly packed houses—is typical of this era.

Henry I instituted a city police force, consisting of a chief and 12 armed men, in 1032.¹⁷ The Force was supplemented by citizen guards who patrolled the streets at regular times during the night. In the reign of Louis IX, a cavalry force of 60 men was added. Apparently these measures were not effective. A report in 1258 states that there were fires, murders, rapes, and robberies all over Paris every night, even under the walls of Louvre Palace.¹⁸ Louis IX was particularly concerned about crime and made a serious attempt to purge vice from the city, but failed.

The Royal Police had been posted historically at one central location in the city. In 1306, new police reforms, introduced by Philip IV, assigned policemen to a dozen quarters of the city. Extra policemen were assigned to the suburbs outside the city walls in about 1450 A.D. In 1559, the civilian night watch was abolished, and again the number of professional police was increased. However, the police system fell into disrepute because of corruption in the 16th century. During this period, repeated attempts to banish criminals from Paris and to control their movement through the city gates failed while lawlessness increased.

The state of public order and safety in Paris during the late-16th and early-17th centuries continued to deteriorate.¹⁹ There was no street lighting, because householders did not put lights in their front windows, as required by law. The citizen guard no longer patrolled the streets at night. There were whole districts in the city where criminals were so numerous that armed police refused to enter after nightfall. Some criminals even formed guilds, and police were suspected of being in league with the criminals. Ambushes were common in the center of the city. Householders barricaded their doors at night and kept weapons beside them.

In the reign of Louis XIII, the police were again ordered to clear the streets, but failed to do so. Medieval slum districts, known as *cour des miracles*, were completely under the control of criminals and destitutes. The authorities were powerless in these sections of the city. Because the streets were so dangerous, decrees forbidding citizens to carry arms were largely ignored.

The trend of increasing lawlessness was reversed after 1667 by Louis XIV through rigid new legislation, police reform, and the appointment of the very able Gabriel-Nicolas de la Reynie as the new Lieutenant General of Police. He extended the responsibility of the Paris police beyond the prevention of crime and apprehension of criminals to include, among other things, the authority to carry out public works. La Reynie restored order in the next decade. He illuminated the streets with more than 6,000 lanterns by the end of the century and drove out the inhabitants of the most notorious *cour des miracles*, near the Porte Saint-Denis, by razing the entire district. La Reynie also was responsible for the planting of trees on the Champs Elysees and the building of the Pont-Royal. He had a city plan prepared for Paris. There is no indication from the information available, however, that he saw any connection between his activities as an urbanist and his efforts to control crime.

The lieutenant generals who succeeded La Reynie in the 18th century extended his work and made remarkable improvements in the urban environment. Under their direction, the remaining *cours des miracles* were razed, street signs were placed on buildings at corners, the house numbering system was devised, the Corn and Leather Markets were built, street lighting was extended to all the streets of Paris, four whole districts of Paris were paved, the Rue Feydeau was constructed, and the Paris Bourse was founded.²⁰

By the 18th century, public order had generally been restored to Paris. The city was much safer than London, and one writer claimed that a person could walk the streets day or night with purse in hand, without the slightest fear.²¹ These developments occurred during the period of the absolute monarchy in France. During the 17th and 18th centuries, France was the

acknowledged leader in European architecture and urban design.²² Great palaces, gardens, public buildings, parks, and royal squares were constructed. The typically medieval urban form of the center of Paris was changed radically. The glorification of the monarchy was a major influence and motive in this architecture. However, it is notable that the literature of the period contains no discussions of any relationships between the mainstream of urban design and concerns for the problems of public order.

Paris in the mid-19th century was the scene of a rare occurrence in the history of urban design—the extensive planned redevelopment of a large city in which one of the stated design objectives was the maintenance of civil order and the control of riots.²³ There were a number of motives for the demolition and construction in Paris between 1853 and 1869, planned under the direction of Napoleon III, and executed by Baron Haussmann, his Prefect of the Seine. The creation of a beautiful and monumental capital city was probably the paramount objective. Among others were the improvement of traffic circulation and living and health conditions as well as the maintenance of public order.

Major public works included the demolition of numerous slum dwellings, construction of major water supply and sewerage systems on a citywide scale, creation of many small and large public parks, and construction of a complete network of wider new streets and new buildings along them.

In 1850, whole districts of the city, some near the center, consisted of slum dwellings. These were areas of dense population and social unrest. On eight occasions between 1827 and 1849, barricades were erected in the streets in these districts, and some of the insurrections resulted in the overthrow of the government. In 1851, one speaker in the National Assembly pleaded for "anti-riot streets."²⁴ Thereafter, two measures were taken to control riots. Wide, straight streets were constructed through and around working-class districts, and a number of barracks, permanently occupied by troops, were constructed at key locations in these districts. The new streets were intended to provide quick access when trouble began, to allow these parts of the city to be cordoned off easily, to break up large districts into smaller controllable geographic areas, and to make the streets much more difficult to barricade. The usefulness of these measures was never tested, because no insurrections of any consequence occurred in Paris after that time.

London

The prevalence of crime in London in the early-18th century was much greater than in any other part of England.²⁵ London differed from Paris in that England had no tradition of professional police. The first police force was established as a result of Robert Pee's Police Bill of 1829. Mid-18th century London was policed by parish constables, night watchmen, and a few magistrate's officers, who were totally ineffective in combating widespread crime. Conditions of crime and public disorder during this period were similar to those in late 16th-century Paris. Criminals and destitutes occupied whole districts which were completely outside the control of public authorities. To protect themselves and their property, citizens armed themselves, barricaded their doors, and kept off the streets at night. Severe penalties were adopted for even minor crimes, but deterrence was negligible because of insufficient

law enforcement. The severity of the law can be judged by the fact that there were 223 crimes which were solely punishable by the death penalty.

There were entire populations living in densely settled slum districts of London whose sole means of subsistence was crime.²⁶ Blocks of dwellings were built over alleys, in courts or on other open spaces, creating labyrinths of interior passageways which connected whole districts. Rooms were filled with people living under appalling conditions. There was little if any security for law-abiding citizens who armed themselves and their servants and fortified their houses. Many people kept pistols within reach while they slept.²⁷ Similar conditions existed in other English cities in the late 18th century as towns grew quickly in size and environmental conditions deteriorated during the Industrial Revolution.

Crime in London began to decrease slowly in the late 18th century. After 1829, the new police forces were very successful, and within 30 years violent crime ceased to be a national problem. Beginning in the mid-19th century, serious efforts were made by public authorities to improve the appalling conditions in the slums where crime was most prevalent. The stated purpose of these efforts was to improve health and curb epidemics of cholera and other diseases. There was a strong underlying premise that a better living environment would also enhance the quality of life, but the reduction of crime did not appear to be a specific objective of any of the measures taken.

Utopian Socialism

Utopian socialist movements which originated in France and England during the late 18th and 19th centuries are remarkable for the importance they assigned to the physical environment in proposals for social reform.²⁸ Most of the attempts to found new communities based on these philosophies were carried out in the United States. However, there is no need to discuss the character of the design proposals because the founders were not directly concerned with crime. They philosophically visualized societies in which crime would not be present. One of the most important early city planning studies of the 20th century, for example, was Garnier's Cite Industrielle, a theoretical design for a modern industrial city of 35,000 inhabitants.²⁹ Garnier's social philosophy was directly influenced by utopian socialism. His design included no police stations, prisons, military installations, or churches, because he believed there would be no need for them in a socialist society.³⁰

Conclusions From History

Although there is little uniform historical evidence about relationships between the design and form of the urban environment and violent crime, some generalizations can be made to obtain a perspective on problems in contemporary American cities.

- The level of urban violence has not been the same throughout the history of Western Civilization. During some periods, urban violence was so widespread that protection was exceptionally important in the design and form of the urban environment. During the era when medieval cities were established, urban violence was exceptionally low. During other periods, safety in cities was imposed by repressive police tactics. Urban

violence was so uncontrolled in some cases that it was the single most important fact of city life.

- The actual or potential targets of urban crime are not apparent from historical evidence. The information available implies that all men were equally potential victims or that a man who could afford to arm himself and fortify his house had something to defend, and hence was the actual or potential victim.
- There is some historical evidence about violent offenders, but the portraits are strangely depersonalized. The clearest picture of the criminal is suggested by the *cours des miracles* in Paris. Pools of criminals lived in the same districts and victimized city residents for more than a century. These areas may have been entirely criminal districts in which all or most of the inhabitants made a living through illegal activities. However, there is no evidence that all Parisian criminals of the time lived in the *cours des miracles*, and many residents of these districts may have simply been impoverished. A number of sources indicate that gangs of brigands were employed as bodyguards by nobles and rich men. Therefore, the implication that razing the *cours des miracles* ended violence in Paris, if only temporarily, is probably untrue.
- Historically, three environmental approaches to crime control can be distinguished:

Arrangement of urban form and activity.— Most people in most societies have opposed violence. The arrangement of urban form and activity historically suggests that when enough people who disapproved of crime were brought together, their presence acted to deter crime. However, the mere presence or visibility of large numbers of people did not always accomplish this. Feud killings in Renaissance Italy were apparently committed in public surroundings, where people either favored the killing, were intimidated into silence by the killers, or were unconcerned.

Use of protective devices.— These included all physical devices for the safety or protection of people and property, such as walls, moats, doors, and particularly door locks and entryway designs. They were widely used to control access to space, that is, to seal off or insulate particular areas from trespass.

Management of the environment.— Control of the environment to prevent crime has been the principal objective of law enforcers throughout history. The razing of the *cours des miracles*, the Chinese block surveillance system, and the Incan police organization are only a few of many examples of environmental management.

CURRENT TRENDS OF URBAN VIOLENCE

Chapters 3 and 5 describe the characteristics of violence in America. Although many questions are unanswered and many refinements are needed in reporting crime and violence, particularly by types of geographic areas, it is important to summarize the earlier findings which are pertinent to the design and form of the urban environment.

Rates of arrest vary considerably by economic status, race, and age of offenders. It is necessary to conclude from the admittedly imperfect data that the true rates of the four major violent crimes—criminal homicide, forcible

rape, robbery, and aggravated assault—are many times higher for poor than for affluent populations, for Negroes than for whites, and for younger age groups (especially those 18 to 24 years old) than for older age groups. The racial difference is particularly relevant to the urban environment. In 1967, the reported Negro arrest rate was about 17 times the white rate for homicide, 11 times the white rate for forcible rape, and 10 times the white arrest rate for robbery and aggravated assault. While there are numerous biases in arrest data—for example, Negroes may be disproportionately arrested on suspicion—the differences cannot be overlooked. Of course, as stated in preceding chapters, correlations of data by race do not reflect differential social, economic, job and educational status and opportunities among and within black and white groupings.

To a considerable extent, the characteristics of persons who commit violent crimes most frequently are features of the same population group which resides in central cities of large metropolitan areas in the United States. Consequently, the combined reported arrest rate for the major violent offenses in 1967 was about 8 times greater in cities with a population of 250,000 or more than in those with a population between 10,000 and 25,000, and 10 times greater than in rural areas. Six cities of more than 1 million population, representing about 12 percent of the population of all reporting areas, contributed about 33 percent of all major violent crimes reported for the nation. Twenty-six cities of 500,000 or more population, whose residents totaled about one-fifth of those in the reporting areas, contributed nearly half of all major violent crimes reported. Suburbs have generally reported lower crime rates except for forcible rape than all but the smallest cities. The same relationships are generally true for nonviolent property crimes.³¹

It was concluded earlier that the true offense rates for homicide, robbery, and aggravated assault have probably increased significantly during recent years in the Nation as a whole. This is particularly true for larger cities.³² In cities with populations of more than 250,000 persons, the reported offense rate for robbery per 100,000 population increased 90 percent between 1963 and 1967. In the same four years, the reported homicide rate increased 51 percent, and the reported aggravated assault rate increased 46 percent.³³ It must also be concluded that the true rates and volumes for the same violent crimes have increased rapidly in suburban areas during recent years, although they started from a much lower level. Thus, while the reported rates for all four violent crimes increased significantly in both central cities and suburban areas, the gaps between the two sets of rates and volumes widened considerably making even greater geographic differences.

The statistical portrait of victims resembles that of offenders. The NORC Crime Commission study showed the probability of being a victim of forcible rape, robbery, and aggravated assault is many times greater for central city residents than for suburban residents, for people 20 to 29 years of age than for people of older ages, for males than for females, for Negroes than for whites, and for poor than for affluent populations.³⁴ A recent survey in Chicago concluded that the chances of physical assault for a Negro ghetto dweller were 1 in 77, while the odds were 1 in 10,000 for an upper middle-class suburbanite.³⁵

When victims were related to offenders in the Task Force 17 city survey,

homicide, forcible rape, and aggravated assault were found to be principally intraracial crimes, committed mainly by Negroes against Negroes and whites against whites. The only exception was robbery, where over 40 percent of all interactions in our victim-offender survey involved Negro offenders and white victims.³⁶

Thus, while the middle-class white taxpayer often bears a disproportionate share of the cost of crime control and perhaps of robbery, the low-income Negro living in the central city pays disproportionately in the pain caused by other types of violence. And although the rate and volume of crime is increasing in suburban areas, much more violence today is committed in central cities.

EXPLANATIONS OF VIOLENCE RELATED TO THE URBAN ENVIRONMENT

Every major explanation of violence suggests that the urban environment plays some role in creating or preventing crime.³⁷ Some theories make exaggerated claims for the role of the urban environment as a producer or inhibitor of violence, while others view the role of the environment simply as a physical deterrent to crime.

Psychological Explanations

Psychological explanations of aggression suggest several possible roles for the urban environment as a producer or minimizer of violence. The most comprehensive theory is the "frustration-aggression hypothesis," which sees all aggression, including violence, as man's response to frustration arising from and interrupting his attempt to achieve some goal.³⁸ Frustration carries with it an instigation to aggression, which may or may not be inhibited on the basis of learning. Should frustration lead to aggression, aggression itself may lead to catharsis, making further aggression unnecessary until some new frustration intervenes. However, aggression can be redirected and catharsis still produced. An animate or inanimate substitute target for aggression may be found.

This hypothesis, then, suggests that the physical environment can function as an instigation to aggression, an inhibitor of aggression, or a focus for catharsis (i.e., a substitute target for aggression).

The environment may also serve as an instigation to aggression when it is designed in its expectation.³⁹ Thus, barred windows may advertise there is something worth robbing, or armed police may invite attack precisely because they are police and armed. This viewpoint implies that if the environment is designed to prevent crime, crime will increase. It has also been suggested that the urban environment be designed not to resist breakage, but to facilitate repair, thus allowing the environment, rather than people, to serve as an object, outlet, or substitute for aggression.⁴⁰

The nature of the environment may encourage or discourage types of behavior by a psychological "presence" or "mood setting" quality, according to another viewpoint.⁴¹ Many behavioral premises of urban design are based on this idea of creating "context."

Anthropological Explanations

Anthropologists relate types of social behavior, such as violence, to the norms and values of an entire culture. They explain violence in America by examining the norms and values of American society which favor violence, as well as the role of violence in the symbol system of society. A symbol system is an organization of meanings, goals, and values of a society which is translated into patterns of "being" or "doing" in everyday life. Symbol systems contain directions for particular types of behavior, and the urban design environment as a symbolic context may call for violent behavior.

If the urban environment has a role in shaping violent behavior, the symbol system of the society may favor violence and the urban environment may express this symbol system. On the other hand, even though the symbol system does not favor violence, the urban environment may be a deviant feature producing many kinds of behavior in conflict with the symbol system. An anthropological theory of the urban environment would suggest, for example, that competition is associated with violence in all cultural symbols. It might also propose that the urban environment has features which encourage competition in a violent manner.

Ethological Explanations

Ethological explanations hold that aggression is a drive innate within man as a biological species, and that man, like some other species, has not evolved innate inhibitors which prevent intraspecies aggression—for example, the killing of other men. Intraspecies aggression often occurs when an animal's "territorial imperative" is violated. A "territorial imperative" is simply that amount of space which an animal of a certain species must possess in order to feel secure. If this territory is violated, he behaves aggressively. However, many animals have controls which allow members of their own species to violate their territories, but prevent killings in intraspecies fights. Using this evidence, ethologists reason that man is overcrowded in the city and his territorial imperative is continually violated, yet he does not possess the controls necessary to prevent his attacking violators. Hence violence occurs primarily in the city.

Yet, there is simply not sufficient evidence to conclude that a "territorial imperative" exists in man.⁴² Although there is suggestive evidence about the effects of residential densities on human beings, most of it shows the ill-effects of undercrowding rather than overcrowding. There is no indication of anything more than an analogous relationship between density-induced neuroses in rats and density-associated, but socially classified, neuroses in human populations. In other words, although rats and humans seem to respond in similar ways to density, there is no evidence to indicate that rats and humans have the same organic neurological structures which respond to overcrowding, or that rats and humans respond to the same deprivations arising from overcrowding.

Similarly, psychological theory does not suggest either that "aggression" is an innate drive separate from other drives, or that aggression as a drive is related to the territorial imperative.

Sociological Explanations

Sociological explanations consider violence as a form of deviant social behavior which can be explained in the same manner as other types of social behavior. If the urban environment does influence social behavior, violence may be one effect. Some sociologists believe there are intervening variables between the environment and social behavior, and it is only by the intervention of these social variables that the urban environment plays a role in producing or preventing violent behavior. Segregation of racial groups and economic classes in the urban environment, for example, is believed to be an intervening variable which can induce violent behavior. Integration brings people closer together and increases understanding, thereby reducing violence. Segregation and social fragmentation of the urban environment lead to a conflict between social groups and increase violence because other more complex forms of social behavior become more difficult. Competition for ownership or possession of the urban environment, another intervening variable, can be an issue of power, and questions of power have historically been resolved by violence.

CURRENT PRACTICES AND THINKING IN CHANGING THE URBAN ENVIRONMENT FOR PROTECTION

Urban environments have always been designed to some extent for protection. Despite historical precedent, professional planners, urban designers, and architects in America have paid little attention to violence. There are some fragmentary references in the professional literature, and there have been practical applications in a few cities. However, there is no well-founded body of information on protection in the design professions today.

There are a number of reasons for this apparent neglect. Comparatively little empirical study has been undertaken to relate physical design to the behavioral sciences. Theories of violent behavior have presented few, if any, practical guidelines for urban design. The philosophy and proposals of the Utopian Socialists who called for and attempted reform during the 19th century had a profound influence on the thinking and work of important 20th century designers such as Le Corbusier and Ebenezer Howard. Much of our physical planning even today reflects the philosophy that if the quality of the urban environment were good enough, crime and violence would disappear. According to the philosophy, because the goal of the design professions is to improve the urban environment, prevention of violence per se need not be considered. This tradition explains in part why few design proposals even now deal with a world in which crime and other social pathologies are acknowledged to be problems.

A few writers and designers have considered relationships between design and crime. The increasing number of urban consumers who are seeking to control crime by "hardening targets" have illustrated design possibilities. In addition, some neighborhood groups have adopted techniques of environmental management to make their communities safer.

Modern architectural features such as elevators, enclosed stairways,

pedestrian underpasses, and underground parking garages offer seclusion and screening from public view. Hence, they are often the settings for violent behavior. This kind of problem can be overcome. In at least one case, the stairways of a public housing project were built on the exterior of buildings, enclosed in glass, and well illuminated. Crime in these stairways virtually ceased.⁴³

Visibility also has been improved by selecting, locating, and trimming trees and shrubbery, by better street lighting, by using closed-circuit television systems, and by eliminating places of concealment. It has been suggested that the corners of buildings should be rounded to prevent unobserved lurking.

In one California apartment development, the doors to an underground garage can be opened only by an electronic device, provided to each tenant at the cost of a \$48 deposit. Thefts from automobiles were reported to be 94 percent less than in a nearby apartment complex, and only one mugging has been reported during the past three years.⁴⁴

Improved safety devices, including locks, safety chains, and inexpensive alarm devices have recently been developed and are being utilized more and more. A simple alarm buzzer which can be carried easily or attached to handbags, doors, or windows is now available. Electrified fences are being used in suburban neighborhoods to surround and protect residential properties.

Increasing numbers of people are purchasing sophisticated intruder alarm systems, clock devices that turn lights and radios on and off in unoccupied dwellings at set hours, firearms, chemical weapons for personal protection, and watchdogs. Neighbors are more watchful of each other's dwellings, and guards, doormen, attendants, and closed-circuit television systems are becoming increasingly common.

Bricked-in, boarded-up, barred, and shielded windows are observed with increasing frequency in some cities. In some cases, no windows or occupancy at all has been observed on ground floors of buildings. Retail establishments and perhaps residences in the future may find it desirable to use new kinds of glass which require 10 to 25 minutes to break. The cost is at least 4 times that of conventional glass, but insurance premiums are reduced on the contents of display windows and other merchandise.⁴⁵

The New York City Police Department is disseminating information and advice in a campaign called "Operation Safe City." The purpose is to make forcible entries into private properties more difficult by use of safety devices.

One new subdivision under construction outside Washington, D.C., offers maximum security for all residents.⁴⁶ The 67 high-cost residences in this 167-acre project will be guarded individually by electronic alarms and closed-circuit television units. The entire development will be surrounded by two fences, broken for entry at only two points, both with guardhouses. Residents will be telephoned to approve visitors. The two miles of fencing will be surveyed by a closed-circuit television system and fortified by hidden electronic sensors. All residents will carry special credentials for identification.

It has been shown that building construction can affect protection.⁴⁷ "Soft" interior walls and ceiling beams without barriers separating adjoining commercial establishments allow burglars to move easily from one establishment to another. Floors, roofs, skylights, and elevators can be designed to reduce vulnerability.

Address numbers are frequently obscured, especially in suburban areas. It has been shown in one city that police response time can be shortened, with increased apprehension of criminals, simply by uniform placement of address numbers so they are plainly visible to police day and night.⁴⁸

Since 1965, South San Francisco has had a municipal ordinance for crime control requiring the police to submit recommendations on zoning and other land use applications. Local standards for lighting and other features have shown positive results in crime reduction.⁴⁹

Because design and relatively inexpensive equipment can contribute to crime control, it has been suggested that every local police department should consult with architects and property owners on protective features, particularly at the early stages of building design and construction.⁵⁰

The activity patterns of people in any part of the urban environment affect a criminal's opportunities to commit unobserved crime. In one public housing project, for example, a laundry room was included for every 20 families. Initially, only one or two people at a time used these rooms. Crimes were committed so often that residents stopped using them. Fewer laundry rooms, perhaps combined with children's play space, might have prevented this.

Examples of environmental management by citizen groups in the New York City area have been reported recently. Residents of the Castlehill Complex on Seward Avenue formed a volunteer Tenants' Patrol. Members are on duty in the evenings, and carry no guns or nightsticks. Their duties include escorting women and children to apartments, discouraging excessive noise, and keeping the public areas of the buildings free of drug addicts who tended to congregate there. Women representing about 480 families in Marian Gardens (Jersey City) formed a Mothers' Patrol. Members patrol their neighborhood in cars to control vandalism and delinquency among children and adolescents.

More than 3,000 citizen volunteers with limited powers assist the police in New York City, especially during evening hours. One such group, the Electchester Auxiliary Police in Flushing, Queens, patrols its own neighborhood. Each member works 3 or 4 evenings a week. Members check the security of buildings and perform services such as escorting people from bus stops to their homes. Since the Auxiliary began its work last year, the crime rate in Electchester has fallen 35 percent.

Several writers concerned with environmental relationships of crime have pointed out that places where large numbers of people congregate and those which are well lighted and visible from the interiors of surrounding buildings tend to have less crime because of the criminal's fear of apprehension. Concentrations of people in particular places depend on activities people engage in during different times of the day or night, land use patterns, and modes of transportation. One author believes that mixtures of land uses are needed to achieve greater safety and that safe streets are those frequented at all times of the day and night. Such streets have commercial and other activities at the ground level, some of which go on during evening hours, with residences on upper floors.⁵¹ The difficulty in this idea for planning contemporary cities has been illustrated by a study of Oakland, California. Establishments which are open during evening hours occupy only four miles of the 2,400 total miles of street frontage in the city.⁵²

Another author believes that three kinds of urban areas should be distinguished to explain relationships between personal safety and activity patterns during evening hours when most crimes are committed: (a) areas of solely daytime activity which are safe in the evening because they are virtually deserted and therefore unattractive to criminals, (b) areas which are safe because the intensity of evening activity makes the risk of being seen committing a crime too great, and (c) areas between the extremes which are unsafe.⁵³ To discourage crime, the author proposes that theaters, bars, restaurants, and other establishments open during the evening hours be grouped together in a small number of "evening squares." These "evening squares" would be safe because of the number of people present and because good design would eliminate poorly lit places and those screened from the view of many people. Parking lots, for example, where crimes often take place, should be near the center of these safe areas, not at the periphery. Industrial, commercial, and other daytime activities should be located in areas where there would be no need to enter or pass through them during night time hours. Low-density suburban residential areas, which are relatively free of violent crime, would be linked to other safe areas by automobile corridors which are relatively safe because people driving on expressways or arterial streets are rarely the victims of crime.

FUTURE DEFENSIVE CITIES

There is little doubt that the urban environment of large American cities is currently being fortified against crime. Historically, when political institutions have failed to protect the public, individuals have taken steps to safeguard themselves, their families, and their property. The present period is no different in this respect. The urban environment is being fortified today, not by public decisions, but through the multiplicity of private choices and decisions which individuals make in our decentralized society. The private market is responding to the growing demand for an increasing range of crime control devices developed by modern technology as well as for other means of safety. In some cases, safety has already become a commodity which is explicitly sold or rented with real estate.

It is important to consider how Americans will live in our large cities in the future, because if urban crime continues to increase, it is likely that the design and form of the urban environment will reflect this condition. Five geographic elements of contemporary defensive cities are definable and comprise an abstract model of a modern defensive urban environment based on safety:

- An economically declining central business district in the inner city would be protected by comparatively large numbers of people shopping or working in buildings during daytime hours. During evening and nighttime hours, the central area would be largely deserted and "sealed off" to protect properties and tax base. Anyone on the streets would attract police attention. Modern technology even now would enable surveillance of downtown streets by closed-circuit television units mounted on roofs of buildings. A variety of other crime control devices, combined with methods of environmental management, would protect the interiors of individual buildings.

- High-rise apartment buildings and residential "compounds" of other types would be fortified "cells" for upper-middle- and high-income populations living at prime locations in the inner city, their residents protected by various expensive methods.

- Suburban neighborhoods, geographically removed from the central city, would be "safe areas," protected mainly by racial and economic homogeneity and by distance from population groups with the highest propensities to commit crimes.

- Expressways would be "sanitized corridors" connecting other safe areas, and would be safe themselves because they would permit movement by comparatively high speed automobile transportation. Other modes of transportation would be safe or unsafe in different degrees during day and nighttime hours.

- Other streets and residential neighborhoods in the central city would be safe in differing degrees. At the extreme, some residential neighborhoods would be human jungles. Crime in these areas would be frequent, widespread, and perhaps entirely out of police control, even during the daytime. These neighborhoods would be modern counterparts of the *cours des miracles* in Paris during the 17th century and various districts of London during the 18th century. The subcultures of violence described in Chapters 5, 11, and 14 would be localized in these "cells" of even more homogeneous lower class populations than today.

The model assumes that if violence in our large cities continues to increase, the future urban environment will not be abandoned, but will be lived in defensively as during the violent times in the past. Individual structures and groups of buildings would be the basic units of environmental defense, constructed or altered to resist unauthorized entry. More efforts would be made to increase visibility and eliminate "blind spots" in the environment. People would avoid areas known or believed to be dangerous. A basic strategy, as in the past, would be to exclude those regarded as potential criminals from certain areas of the city. Other areas would be perceived as "no-man's-land" to be avoided by all outsiders except the police.

This model is based on features found today to some extent in almost every large American city. These rudiments can be vastly intensified, enlarged, or extended. It is also based on historical considerations. The belief that "a man's home is his castle" has long been held. A man expects his home and, if possible, his environment to protect him, his family, and his property against violence. The urban environment has always been designed in part for this purpose.

Even considering great technological advances and the vast change in the size of cities, none of the ways the urban environment was designed and used during past centuries has been totally abandoned during the present period. Historically, individual structures were built and equipped to resist intrusion. Streets and other public spaces were lighted to facilitate observation. Police "presence" was used and distributed geographically as a deterrent. Volunteer citizen patrols were organized. There was explicit recognition that certain sections of a city were more likely to harbor criminals than others. Law-abiding citizens lived and worked in other areas and excluded those regarded as potential criminals from the safer sections whenever possible. It is

also noteworthy that many environmental responses to urban violence have not differed greatly under various political systems. The Chinese block surveillance system and the Incan police organization, for example, may be distinguished from contemporary citizens' patrols only by the fact that the earlier schemes were imposed by monarchies or oligarchies, and the latter are voluntary efforts.

No fundamentally new principles of design or use of the urban environment to obtain safety have been discovered. There is no evidence historically of any role for the physical environment in controlling crime which does not use the variables of space and location, distance and access to space, visibility, and scale. These variables would be the basis of future defensive cities.

Although the current uses of the urban environment to obtain safety are not fundamentally different from those of past centuries, the underlying social factors and the economic and social consequences which defensive cities portend for the future in light of the values of our modern society are very different today.

Race and Physical Distance

However sensitive we are to present inequalities and historical injustice, our findings show or support conclusions that: (1) Negro crime rates are higher and in some types of crimes are rising more than white rates, (2) increasingly more Negroes are living in central cities of our large metropolitan areas, (3) the volume of crime committed in central cities is greater and is increasing more than in suburban areas, (4) victimization risks for both whites and Negroes are far greater for central city than suburban residents, (5) violent crime generally diminishes proportionately with physical distance from the inner core of central cities, and (6) physical distance of residential neighborhoods from low-income Negro populations in central cities is a variable in obtaining greater safety.

The historical trends of suburbanization, involving residential movements of whites from central cities to suburbs of large metropolitan areas in the United States, began even before World War II. These trends are likely to continue in the future for many reasons unrelated to crime. Nevertheless, it must be concluded that crime during recent years has been an important factor in suburbanization and a cause of white population losses in central cities. As a consequence, central-city populations have recently diminished in total size.⁵⁴ In this sense, Negro crime has not changed the direction, but simply accelerated the trends of white suburbanization.

The physical distance of suburban neighborhoods from central cities is the principal way that suburban residents are protected against crime. Distance substitutes for and is more effective than other deterrent features in central cities. Single-family houses, typical of most suburban communities today, are more vulnerable structures from the viewpoint of design than multifamily apartment buildings and urban row houses. An apartment building or urban row house has more residents and fewer doors and windows at ground level which can be used for forcible entry. The view from upper floors overlooking fewer entrances allows less concealment and makes it much less practical for criminals to attempt entry.

The purchase of guns by large numbers of white suburbanites in various metropolitan areas during and following Negro riots of the last few years may be explained by a number of factors, including the greater vulnerability of suburban areas. However, this behavior also suggests two additional features. First, many whites overreact to Negro crime and violence, even when not threatened, although the degree of reaction does not change the conclusion that white population movements from central cities to suburban areas have a rational basis. Second, many Negroes perceive urban violence differently than many whites, and this difference probably has other significant implications.

Subcultures of Violence and the "Valve" Theory

Earlier discussions of urban subcultures of violence in America⁵⁵ have major implications for future defensive cities. The subcultures consist of particular population groups with values and attitudes favoring violence. These values and attitudes are separate from the values of the larger society. Violence is accepted as normal behavior, not an illicit activity, by those who share and transmit the subcultures. The values and attitudes need not be shared by everyone living in particular neighborhoods, but they are most prevalent among lower-class Negro males, ranging in age from late adolescence to late middle age, living in central cities. Failure to commit violence "to prove oneself a man," for example, is most likely to result in social ostracism, although all persons belonging to the subcultures do not commit violence in all situations.

Few studies distinguish significant differences among poor Negro or white populations living in large American cities. Nevertheless, there are reasons to believe that both the Negro and white poor form heterogeneous populations in many ways. Evidence suggests that only a small proportion of all Negroes living in large cities and only some of the Negro poor belong to subcultures of violence. These populations have other attitudes and features which differentiate them from the larger white and Negro urban society and from other poor people.

It is likely that the Negro in-migrants to Northern cities from Southern rural areas did not bring the values and attitudes characteristic of the subcultures with them. Instead, the subcultures are an urban phenomenon which has emerged indigenously from those born and raised in large American cities. They have resulted mainly from the increasing numbers of Negroes living in central cities combined with the increasing homogeneity of low income Negro neighborhoods. Bringing together large numbers of Negro poor for a substantial time in segregated neighborhoods of deprivation has bred a modern counterpart of the violent subcultures of past centuries.

It has been said that members of the subcultures are not "professional" criminals who minimize risks, but angry young men who have no stake in society.⁵⁶ They only have others in their own neighborhoods to look up to and commit crime haphazardly and dangerously, victimizing Negroes more than whites. It is likely that criminal activity does pay off for these subcultures. They have the same material aspirations as the larger Negro and white societies, but they have a separate economy of livelihoods and monetary profit made possible by urban living. For these people, the

subcultures offer substitute incentives and values for those of the larger society. Once established, attitudes toward violence are learned from life in the subcultures. In this way, as during past centuries, the subcultures of violence can be self-perpetuating for long periods.

Although there are no statistical measurements, the violent subcultures probably account for most crimes committed in central cities today, and future defensive cities may result, in large part, from their existence and growth.

In turn, the increasing fragmentation of the urban environment and the specialization of geographic "cells" of the future defensive cities would institutionalize and perpetuate the subcultures of violence even more. The traditional "valve" theory of crime shifts asserts that the volume of crime is not reduced by "hardening targets." If one type of crime, such as robbing busses, is "shut off," crime will shift to other targets, such as robbing taxicabs or stores. Applying this theory to defensive cities, those population groups who flee from the central city to suburban areas or who can afford housing in the fortified "cells" within the central city would obtain protection. Crime would be shifted to unprotected neighborhoods inhabited by the poor, who even now are the main victims of crime. Crime would be pushed back and intensified in the same neighborhoods where the subcultures of violence are localized, accentuating the values and attitudes which distinguished them to begin with.

Economic Effects

Crime may have far-reaching consequences for the future economic health and tax base of central cities. It is axiomatic in economic development programs in the United States that private enterprises avoid or move away from areas of crime or violence. For many reasons, commercial and industrial development does not flourish in areas where public safety is not assured. If crime continues to increase, central cities may be depressed economically and become the holes in the donuts of prosperous metropolitan economies. The economy of many cities may function at lower levels of development than today—in volumes and types of economic activity, levels of productivity, and types of occupations and earning levels of central city residents. Growth of employment opportunities and tax base as well as investment of private capital to improve the urban environment of central cities may be greatly impaired.

Fragmentation of the Urban Environment

As metropolitan cities in America have exploded horizontally to cover larger geographic areas, and as metropolitan populations have increased in size, larger geographic cells within them have come to serve increasingly specialized residential functions. From the beginning of this century, large Northern cities functioned as specialized residential places for ethnic minorities in American society. There are two main differences between the present day and the first half of the 20th century. First, Negroes now

comprise the dominant unassimilated minority in American society. Second, the Negro population in central cities is much larger than any other single ethnic minority was in most large Northern cities during past decades. As a consequence, the relative scale of specialization now applies to much larger areas in central cities. Similarly, the economic and social homogeneity of white populations residing in suburban communities and in some central city neighborhoods are features of geographic specialization.

In this way, the urban environment of large American cities has been fragmented socially to an ever-increasing extent since the end of World War II. A concern for protection has probably always been associated to some extent with other more obvious features of increasingly specialized residential functions. However, future defensive cities would create even more fragmentation and have greater social consequences than ever before within comparatively limited geographic areas.

The Kerner Commission warned America of the danger of being split into two separate and unequal societies. It is important to describe the most likely way this can happen in the urban environment of large American cities as a response to crime.

Space and location permit or limit all human behavior, including crime. When these variables are applied to control crime or violent behavior, distance and access to space are used to separate groups of potential victims from potential offenders. This requires an implicit recognition that some social groups have members who are likely to commit criminal acts. Denying access to space usually involves a more explicit recognition of social groups associated with crime on the basis of such obvious or visible human features as race. In both cases, there must be social expectations about what groups are likely to contain criminals and where crimes are likely to be committed.

Except for fugitives from justice, there are no criminals at large in contemporary American society, by legal definition. We do not condone the medieval method of banishment or outlawry. The concept of the criminal has changed as legal rights have been expanded. Consequently, it is not possible now to recognize potential offenders formally or informally as individuals, but only as members of social groups.

Using distance and denying access to space would be essential elements of future defensive cities. Greater safety would be obtained by using these variables to control crime. Yet, as we have seen, the other consequences of modern defensive cities are socially destructive and foreboding—further fragmentation of the urban environment, formation of excessively parochial communities, greater segregation of racial groups and economic classes, imposition of presumptive definitions of criminality on the poor and on racial minorities, increasing chances of vigilantism, and polarization of attitudes on many issues.

The use of urban space in this manner would inevitably limit the freedom of law-abiding citizens of all races and economic classes to move safely through large sections of the urban environment, to enjoy the diversity of urban life, to choose living accommodations among many safe residential neighborhoods, and to understand and communicate directly with other social groups in our pluralistic society.

RELATIONSHIPS BETWEEN VIOLENT BEHAVIOR AND THE URBAN ENVIRONMENT

We must still examine other ideas and comment on the three possible relationships between the design and form of the urban environment and violent behavior presented at the beginning of this chapter. These relationships need to be considered as greater efforts are made to relate the behavioral sciences to city design and to control and reduce crime in our large cities.

Not all crime is committed by strangers. A significant proportion of all murders, assaults, and rapes are committed against friends or intimates.⁵⁷ In these cases, the physical environment is irrelevant, except perhaps in psychological ways.

We do not accept the premise of environmental determinism that there are simple or direct causal relationships between the physical environment and positive or negative forms of behavior. Historical evidence does not support an argument for environmental determinism in causing crime. Cities have differed during past centuries in amounts of violence, but not because some had particular designs or urban forms conducive to violence and others did not. Indeed, it is likely that the physical environment is more a result than a cause of human behavior.

A traditional view among humanists is that the architecture and urban design of any era were the products of the total social and technological milieu in which they were created so they reflect the paramount values of a particular society or culture. This view emphasizes the physical environment as a cultural achievement and a reflection of society, but does not admit that the environment may have a hand in causing human behavior.

Controlling Violence Directly

The discussion of future defensive cities supports the conclusion that the design and form of the urban environment can control violence through the use of distance and by protecting parts of the urban environment. In this relationship, the urban environment operates directly to control crime, a form of negative behavior. However, this does not say that the urban environment can operate directly to create positive forms of behavior. The "valve" theory suggests that defensive cities would not eliminate or attack the roots of crime, but simply determine its types and locations. It has been suggested theoretically that people can be shifted out of crime by creating a totally fortified environment to "shut off" all types of crime in all areas.⁵⁸ In this case, people would shift to positive forms of behavior. This possibility calls for an extremely repressive closed system of the urban environment, one which would be impractical or impossible to create.

The "valve" theory, of course, implies that there is a given quantity of criminal behavior or a propensity to commit crime in particular populations. This view is consistent with the existence of violent subcultures, but raises strong objections from some behavioral scientists who believe it creates a totally false perspective of human behavior.⁵⁹

Encouraging Positive Behavior

The idea that design and form of the urban environment can encourage positive forms and prevent negative forms of behavior has historical roots in the philosophy of the Utopian Socialists during the 18th and 19th centuries in England and America and is accepted today in many ways. The legal powers of local governments to regulate or redevelop the physical environment by zoning or urban renewal, for example, rest on court interpretations of the Fourteenth Amendment, which specify the "... reasonable tendency to protect the public health, safety, morality or general welfare. . . ." Yet, whatever other purposes may have been served, public programs in our large cities during the past two decades have been far from successful in enhancing public safety by controlling or reducing crime.

There are few, if any, documented cases where urban environments have been consciously designed for low-income populations which have responded favorably by changing from negative to positive forms of behavior. To be sure, crime and other social pathologies are associated to a considerable extent with poverty, high residential densities, and deteriorated physical condition of the urban environment. But all the poor living in deteriorated neighborhoods are not criminals. Even our slum environments in major cities have improved vastly since the beginning of this century. Many examples can be cited to show how our affluent society has raised its standards of what poverty is at the same time that we have made vast improvements. Poverty in the physical environment today is a matter of absolute standards, of course, but it must also be concluded that poverty in the urban environment has become a matter of the relative difference between the levels at which the poor and the well-to-do live.

Some recent experience holds promise for the future, but the evidence seems to indicate that violence can continue independently of whatever changes are made in the design, form, density, or quality of the urban environment. Increasing crime in white middle-class suburban areas refutes the hypothesis that the quality of the urban environment associated with affluence is sufficient to prevent crime in all population groups.

The physical environment may simply be a stage on which individuals and social groups act out their lives. The actors and the play may be the thing, not the stage, in creating positive or negative forms of behavior.

None of the social science theories suggests that the urban environment creates positive forms of behavior directly. The various theories assert instead that there are intervening variables between the environment and behavior, that people impute or apply values to the environment which are essentially independent of a particular design or form of the environment, that human behavior can be a response to the environment in terms of an individual's psychological needs, or that rather than operating directly, that social variables in consonance with the physical environment may encourage positive or negative forms of behavior.

Two possibilities are especially worth considering from this perspective. The first is that some means of controlling crime may have other desirable effects on human behavior. Increasing visibility on comparatively small scales of architectural and urban design is one. The design of public housing buildings, for example, so that laundry rooms are visible from day nurseries

or other daytime activity centers may not only control crime but also further social contacts among tenants of the building. Concentrating activities to improve visibility may also encourage social contacts when numbers of people congregate in "evening squares" or along streets with mixtures of land uses. Concern over crime may bring members of a community closer together and result in increased social cohesion.

The second possibility is that people may be motivated to endow the urban environment with social values, and in this process, the urban environment can be used to change behavior patterns. "Homelike" and "communitylike" qualities are general terms which lack precise meaning as definable physical features of the environment. Instead, they are little more than metaphors for values which people impute subjectively to what they like or identify with in the environment. Our present emphasis on different forms of community participation is based on the premise that the entire process of planning, building, and managing the urban environment can be used to create identity between people and physical features, so that individuals and social groups will contribute constructively and attribute positive values to the homes and communities in which they live. The idea that the urban environment should be designed more to facilitate repair rather than to resist breakage⁶⁰ suggests that the particular design of a building or other physical feature may be less important in shaping human behavior than the process in which it is designed and built.

Some professionals believe that mastery, control, and ownership of property are critical features in the use of the urban environment to create positive forms of behavior.⁶¹ The example of a playground designed and built by children in one American city some years ago can be cited. Although no statistics were kept, there appeared to be a decrease in vandalism in the neighborhood as work on the playground progressed and the children increased their mastery over a small part of the environment. The children asked the city to build a chain link fence around the playground to keep balls from going into the streets or nearby buildings. The city constructed the fence, but did not like the crude equipment which the children had built and removed it. The next day the fence was completely destroyed by the children, and it appeared that other vandalism in the neighborhood was resumed.

Various cases of environmental management also have been observed in which gangs of hostile youths who had vandalized a neighborhood and victimized its residents changed their behavior when given the responsibility for protecting the neighborhood. Some members became increasingly eager to help, and did more than simply chase rival gang members from their "turf." Public programs which enable the poor to own their own homes have a similar premise of endowing the urban environment with positive values.

At present, there are few, if any, behavioral studies and only limited observations which suggest but do not test these principles. Much larger experiments in community participation have been started in various cities, some of which may ultimately show whether or not the process of building the urban environment rather than the particular design or end result of the urban environment can influence social behavior. But it is too early to tell whether these experiments will be successful, and even if they are successful in other ways, whether they will reduce crime.

Inviting Violence

The third relationship—that the design and form of the urban environment can invite violence—is the opposite of creating positive behavior, covered sufficiently earlier in this chapter.

CONCLUSIONS

If urban crime continues to increase and is not abated by other means, we believe defensive cities will become a reality in America. Contemporary defensive cities would be a retreat to earlier periods in history. The consequences are foreboding and would be socially destructive. However, the urban environment of our major cities is being fortified, and defensive cities may become a reality in the future, not necessarily by public decisions, but through mass choices of urban consumers in our decentralized society. Distance and the ways the urban environment can be changed to control crime are means which individuals will understandably use to protect themselves, their families, and their property. Defensive use of the urban environment will not attack the causes or roots of crime, and may add to them, but it is unclear whether the environment can be used positively to reduce the overall volume of crime. Even if positive uses of the urban environment are found, they are likely to require time, public decisions, large public investments, and the consensus of many people. Decisions by individuals to obtain protection can be made more rapidly. Moreover, criminal behavior, once established, can be expected to change slowly, however the urban environment is changed. The urgency of finding other ways to reduce crime is therefore undeniable.

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 33. See App. 4 for detailed data on rates and trends in large American cities.
 34. See Chap. 2 and 3.
 35. Norval Morris and Gordon Hawkins, *The Honest Politician's Guide to Crime Control* (Univ. of Chicago Press, forthcoming, Feb. 1970).
 36. See Chap. 5, which also shows that the percentage of Negroes who robbed other Negroes was almost as great.
 37. See Part II and Chap. 14 of the report for a more complete discussion of the explanations of violence.
 38. J. Dollard et al., *Frustration and Aggression* (New Haven: Yale University Press, 1939).

39. Transcript of Seminar on Architectural and Urban Design in the Prevention of Violence, convened on Nov. 16, 1968, under the auspices of this Task Force, comments of Mayer Spivack.
40. *Ibid.*, Comments of Bernard Spring.
41. *Ibid.*
42. See Chap. 7.
43. Arnold Sagalyn, address given to the National Symposium on Science and Criminal Justice, Washington, D.C., 1966 (Washington, D.C.: Government Printing Office, 1967).
44. Transcript of Seminar, *op. cit.*
45. Small Business Administration Report on Crime Against Small Business, app. D, Architectural Task Force.
46. *Washington Post*, Mar. 16, 1969, p. A8, and *The Wall Street Journal*, June 19, 1969, p. 1.
47. Small Business Administration Report, *Op. Cit.*
48. Transcript of Seminar, *op. cit.*
49. *Ibid.*
50. *Ibid.*
51. Jane Jacobs, *The Death and Life of Great American Cities* (New York: Random House, 1961.)
52. Shlomo Angel, *Discouraging Crime Through City Planning* (Working Paper No. 75, Center for Planning and Development Research, University of California at Berkeley, 1968), p.2.
53. *Ibid.*, pp. 15-19.
54. Recent population changes in central cities are described in: "Statement by Conrad Taeuber, Associate Director, Bureau of the Census, Before the House Committee on Banking and Currency, June 3, 1969."
55. See Chap. 11 and 14.
56. Transcript of Seminar, *op. cit.*, comments of Virgil Keels.
57. See Chap. 5.
58. Transcript of Seminar, *op. cit.*, comments of Virgil Keels.
59. *Ibid.*
60. *Ibid.*, comments of Bernard Spring.
61. *Ibid.*, comments of Mayer Spivak and others.



Studienblatt. Drawing by Kaethe Kollwitz.

CHAPTER 17

GUIDELINES FOR ACTION AND RESEARCH*

INTRODUCTION

The preceding chapters have shown that violence is a very complicated phenomenon. No one explanation will cover cases such as the ghetto youth who robs a liquor store, the wealthy business executive who kills his wife, or the despondent suburban housewife who takes her own life. Each of these involves a diverse, complicated set of factors whose interaction results at one point in an act of violence.

Because of the complexities of criminal violence, there is no easy cure-all to eliminate it. But there can be a significant reduction. For example, in the case of the ghetto youth, it seems probable that something society did or failed to do may have significantly contributed to the commission of the act, for poverty and deprivation lead many to crime and violence. The inner cities contribute disproportionately to crime rates, and the typical offender is most often from a low socioeconomic level. Substandard housing, inferior employment opportunities, and inferior schools also contribute to urban crime. There is every reason to believe that the improvement of these conditions—the establishment of minimum levels of decency and adequate opportunity for all—will give people more of a sense of involvement in society, and thereby work to reduce levels of crime and violence. Because we are convinced that these conditions prompt many persons to deviance, a significant portion of our emphasis in this chapter is directed at broad programs of social reconstruction.

What of the safety and security of the balance of our population? Must their welfare be disregarded? Must we overlook the fact that many citizens feel unsafe on the streets at night, are afraid even to venture into their own public parks, and often feel compelled to form vigilante groups to achieve safety? We do not propose to overlook the safety of the balance of the population. Our broad social reconstruction programs, or what we might better call the establishment of justice for all, should go a long way toward insuring their safety. If crime and violence are reduced, we improve the safety

*For an outline of the recommendations made in Chapter 17, see the Table of Recommendations at the beginning of Volume I of the report.

of the balance of the citizenry. The framework of our approach is therefore based on the concept that justice insures safety.

We also realize that only adequate police work deters some crimes. However, our principal emphasis is not directed at control measures. Our approach differs from the perspective which sees intensified law enforcement activity as the primary deterrent of criminal violence. Police work is obviously indispensable, but it will not deter all potential criminals and for the most part deals with symptoms rather than causes. In the long run, safety cannot be secured alone in this manner. True safety and security come only when the citizens of a society accept the rules of conduct as legitimate and reasonable, and that acceptance can be expected to prevail generally among those who find they can enjoy the normal benefits and pleasures of life in a law-abiding way. In brief, safety and security increase in conjunction with justice.

Any program which seeks a significant reduction in crime and violence must also address itself to the treatment of convicted offenders. There is no reliable evidence that severity of sentence or harshness of treatment in prison contribute to "reformation" or "rehabilitation" of offenders. In fact, the evidence indicates that the average correctional institution often breeds crime and violence and that, as a result, large numbers of men confined to such institutions are likely to return to deviant lives upon release.

It is imperative that our correctional response be restructured so that it more effectively reduces the likelihood of such recidivism. Every convicted offender must be treated as a human being and entitled to a humane and compassionate response. Within the confines of restricted liberty, all programs must attempt rehabilitation by whatever means are necessary to teach the offender to accept the reasonableness and legitimacy of the rules of society.

This orientation is urged not only out of humane considerations, but also because the best research suggests that the factors which produce recidivism are similar to those that induce new criminal activity by undetected and unpunished populations. These explanations have included: unequal chances for a normal life; the frustration that ensues; lack of attachment to society's norms because of unequal stake in them; inadequate socialization into norms; inadequate positive reinforcement of the value of adhering to these norms; exposure to violent subcultural values and the criminogenic forces of the decaying ghetto; perception of the pervasiveness of crime throughout society, only the smallest part of which is detected; encouragement of violence by the media; disdain for the law because of the perceived unequal administration of justice; and considerably lower rewards than enjoyed by others for the same kind of work.

We reemphasize the defects in policies which clamor exclusively for more police, courts, judges, and prisons as the way to safety and security, although they are the most simple and appealing of the policies which the public normally considers. Only when the inadequacies of this singular approach are acknowledged can serious consideration be given to a broader strategic framework. Only in such an expanded context does it become possible to give sober attention to simultaneity of two needs: safety from criminal attacks and justice for the attackers.

The average citizen will probably prefer to risk some loss in justice to criminals for the possible improvement in his own safety. As he views the situation, the need for safety should come first. From his point of view, he is perfectly correct; he is concerned with the immediate, personal implications of social policy. But in this understandable concern for immediate personal safety, the individual citizen may in fact be cheating himself by failing to take into account how much his safety in the short and long run depends on actions aimed at the reducing the fundamental causes of crime. The public official charged with constructing policy that will meet the short- and long-range needs of all citizens must have a broader perspective. He must take into account both the longer reaches of time and the broader ranges of population he is supposed to serve. He is in many ways the conscience of the society. It is his duty to discharge the obligations of that collectivity to all of its members. If, therefore, it is correct to charge him with insuring the safety and security of some, it is equally correct to charge him with insuring justice to others who have been prompted to deviance.

Indeed, such public officials are likely to be among the few who can adhere to the ideal of collective responsibility. Naturally each group of citizens will push vigorously for the adoption of its own particular point of view. In response, our theory of government imposes upon public officials the obligation to keep the interests of all segments of society equally and actively in mind as they come to formulate public policy.

The perspective advocated here accepts the present system as the framework within which changes should be made. It does not call for total change; it does not denounce major institutions in their entirety. It argues rather, that there are significant defects in the operating social institutions; that these defects place a disproportionate burden on the backs of certain segments of society, especially the poor and the black; that the provisions for the incorporation of young people into adult society are generally inadequate; and that, in sum, these basic inequities and burdens must be redressed substantially and promptly, lest they continue to generate increasing disrespect for our society, its institutions, and its laws. Such changes are not likely to occur overnight, but immediate movement in their direction can and must be initiated.

If our society does not move in this new direction on the moderate terms suggested here, it is likely to encounter a seriously escalated condition of dissent and disregard for law and order. More and more individuals are coming to believe that law is not virtuous in itself, that there can be bad as well as good law, and that dissent and conflict aimed at changing bad law may properly be viewed as highly moral actions. Unless these dissenters, protesters, and their sympathizers can be persuasively shown that this society has both the will and the power to "clean up house" within the present framework, more and more people are likely to believe that our major institutions are no longer worthy of support.

Imaginative new policies in the field of crime and violence may do much to remove those shortcomings. The task is not an easy one. It is perhaps the most difficult our society faces. We cannot afford in our uncertainty to overlook either justice for the deviant and potentially deviant or safety for the rest of the population. We may not be imaginative enough in our efforts.

But we must be aware of the moral complexities involved and seek to meet the needs and interests of all citizens with a greater sense of equality and fairness than has been manifest in the past.

The task will require dedication on the part of many—from federal, state, and local government to citizens acting collectively or individually. Our government must provide the leadership and the resources, but a spirit of commitment on the part of the citizenry is also essential.

In this regard, we urge that formal institutions such as organized churches, private social and service organizations and the like, take the lead in efforts to stimulate attitudinal changes that might make the goals we seek easier to achieve. In addition, such institutions must dedicate their resources and personnel to the goal of improving the lives of the deprived and underprivileged.

In building upon the basic theme of justice with safety, we have chosen to recommend those policies we consider most desirable and most important, regardless of the problems of implementation or the probable costs. However, in considering cost, it must be borne in mind that the recommendations cut across a wide range of problems: the failure of education, the disintegration of ethics, racial tensions, and the inadequacies of criminal justice. While the investment cost in a comprehensive program to reduce crime and violence may be high, the effort will simultaneously address other social ills afflicting the country.

IMPLICATIONS FOR RESEARCH AND EVALUATION

A government commission tends to be viewed with distrust when it places heavy emphasis upon the need for more research. Skepticism comes both from those who believe that we need more of what we have done in the past and from those who, by contrast, believe that we need something very different. Both groups believe we know enough to act and that the call for more research is merely a tactic for delaying obviously needed corrections.

Both groups are right to a certain extent. We could do more of the same and continue to fail. We know much already, although existing practices do not begin to incorporate what scientific research has shown necessary. Thus, a conservative estimate might hold that at least three out of every four prisons or reformatories in the United States are operated on principles that bear no visible relationship to the psychological, sociological, educational, and criminological research in the last 40 years. In many of these institutions, humane prisoner treatment is the exception rather than the rule. Without further research, we could therefore specify needed changes in these institutions.

The need for additional research is imperative and covers the policy areas of prevention, rehabilitation, and control. We shall continue to blunder, often at great cost and with little effectiveness, until we invest enough in the required research. Those who object to such investment should take into account what it will cost not to engage in it.

Each recommended program should be evaluated for its relative effectiveness. Evaluation can no longer consist of the subjective impressions of participants themselves, nor can it rely, as in the past, on incomplete and uncontrolled testing. Evaluation must objectively measure the degree to

which a particular program is effective in reducing rates of crime, violence, and/or recidivism. It must also take into account any meaningful side effects, such as a general increase in the earnings of ex-offenders that may arise out of corrections programs.

The evaluation process should continue throughout the course of a new program in order to assess its operational performance. In view of changing circumstances, continuous evaluation must become an integral part of criminal justice operations. Evaluation units must become permanent structures in the agencies charged with developing and maintaining baseline data.

Wherever experimental controls are required in the evaluation process, measurement in quantitative terms is indispensable. Comparing the consequences of an innovation with those of alternative ideas will provide guidance to other jurisdictions on whether or not to incorporate the program into their own operations.

Our approach to policy thus involves the two interrelated aspects of action and research. An innovative program represents not only a new response to felt needs, but also a small-scale experiment in social change. Only when scientifically evaluated as effective should it qualify for more widespread implementation and, if warranted, massive funding.

Consider an example. If some form of Head Start educational program is viewed as potentially valuable, the evaluative experiment requires the creation of a number of different Head Start projects which separately incorporate various features showing the most promise. The alternative or alternatives, if any, that are demonstrably more effective should be retained and recommended for use in many locations, while the less effective alternatives should be discontinued.

Similarly, if a form of community treatment is hypothesized as more desirable than traditional incarceration, several sets of offenders should be given different versions of the treatment. After a specified period of time, their recidivism rates should be compared to those of offenders with comparable personal characteristics who were released after imprisonment only. If some of these community treatment strategies yield significantly lower recidivism rates than others, there should be justification for considering a reallocation of resources throughout the corrections system. Only through such systematic variation, experimental control, and continuous evaluation can we develop information and understanding about effective social policy.

Our research proposals are not to be taken as still another government ploy to delay action by insisting that more study is necessary. More study is necessary, but immediate action is also required. We shall be faithful to our intentions if, while moving forward with provisional programs, we systematically compare them to others and withhold widespread implementation until such evaluation proves a experimental program to be more effective than the others. Above all, we must not overstate the likelihood of success.

RECOMMENDATIONS

Our recommendations can be categorized under these major headings: (I) the social reconstruction required to prevent crime and violence by reducing

the underlying causes; (II) the programs of rehabilitation, reintegration, and criminal justice necessary to prevent recidivism; (III) the instruments of social control and protection required to afford safety to our citizenry while social reconstruction is pursued; and (IV) the public responses needed to compensate more adequately the victims of criminal violence.

We assign highest priority to the first two policy areas. Each area involves a commitment to both social action and research. Although recommendations are made in light of the best knowledge, we need to know far more than we do now if future progress is to be made.

Certain supporting functions are necessary to facilitate the major policy areas. A unified strategy to prevent and control crime and violence, for example, is only as effective as the personnel implementing it. Success will require the support of good relations with citizens, especially as they meet with representatives of criminal justice, such as the police. Proper implementation will call for improved criminal statistics, more efficient management of the criminal justice system, and comprehensive dissemination of information on research-action programs. Numerous references will be made to these support functions in the major policy areas, while more detailed recommendations have been set forth in Appendices 12 through 16.

Policy Area I: Prevention of Crime and Violence Through Eliminating Basic Causes

The recommendations here are simultaneously vehicles for social progress and the general improvement of welfare. Not only is the reconstruction we propose quantitative, striving for a better distribution of justice, rights, and material well-being, but it is qualitative as well, seeking to enrich the meaning of life in this country.

Our major recommendations for social reconstruction focus upon: (1) the reduction of economic deprivation and degradation through programs concerned with jobs, income-supplementation, and homes; (2) the reduction of political alienation through programs designed to provide for greater community participation by citizens and through creation of new channels of communication between government and the poor, the underprivileged, and the unorganized; (3) the reduction of pathologies in child development through educational programs and family services; (4) the elimination of educational inadequacies through programs that provide equal, quality education, enabling every child to secure the emotional and cognitive requirements for effective adult participation; (5) the creation of new roles for youth, so that young people can lend their energies, visions, and skills to the decisionmaking processes of this country and learn through such participation that peaceful change can be effected within the framework of democratic institutions; and (6) the reduction or elimination of prejudice and discrimination that contributes so pervasively to the alienation felt by underprivileged groups.

In addition to these main themes of social reconstruction, we recommend (7) an improved response to violence among intimates, (8) the reduction of violence by official representatives of the law, (9) a more effective and sensitive program against narcotic and drug use, (10) an improved response to

the role of alcohol in violence, (11) a more comprehensive program of suicide prevention, and (12) a more coordinated and exhaustive research effort.

1. *Reduction of Economic Deprivation and Inequality*

Economic reconstruction must be based on the provision of gainful employment for all who are able and willing to work and the provision of a decent standard of living for everyone, employed or unemployed, including decent housing.

These are goals which command universal agreement in theory, but there is a great deal of disagreement as to how we might best proceed as a nation to achieve them.

Existing programs, inspired though they may be by good will, are far from adequate. We applaud and endorse the spirit and vision that guides such programs as the Job Corps, the Neighborhood Youth Corps, the Manpower Development Training Act, Minority-Group Loan Programs, Special Impact, Operation Mainstream, and the Housing Act of 1968. It is important, however, to recognize both the spirit that underlies these programs and their persisting inadequacy. For there are still a staggering number of Americans living below, or barely at, the minimum income level. There are millions living in inadequate lodging—nearly two-thirds of all nonwhite central-city families occupy substandard housing. There are still millions of unemployed, and this strikes particularly hard at those young, poor blacks who contribute disproportionately to crimes of violence. There are still millions of persons who, although above the poverty level, are unable to maintain what would be called a decent standard of living.

Existing programs have made some inroads upon these problems, but they are insufficient. Not enough new jobs are being created; not enough youth and men are being trained and retrained for meaningful employment; and income supplements—in the form of welfare, aid to dependent children, or whatever—are simply insufficient to establish a decent standard of living.

Numerous proposals exist on how best to achieve the goals of decent jobs and incomes. The controversy over the proper balance between unemployment, public spending, and inflation is a prime example. There is also an extraordinary amount of public dispute about income supplements. At one moment, the attacks on traditional welfare systems seem to command considerable public attention; at the next moment, the brunt of the attack seems to shift to talk about lazy men losing their incentives to work and living at the government's expense.

We cannot arbitrate the issue of inflation versus full employment, of negative income tax versus work motivation, or any of the other polarized issues currently facing the country. Nor can we decide what constitutes a decent standard of living or meaningful and dignified work. The aim of the Task Force, however, is to suggest what must be done to eliminate the economic pathologies that lead men to crime and violence to achieve their economic ends. We can only insist that nothing short of meaningful and gainful employment for all those capable and desirous of work and nothing less than a decent standard of living for all members of our society is acceptable.

We do urge that appropriation cuts for the Housing Act of 1968 be reinstated and funding levels be reconsidered, hopefully to surpass the original target of building or rehabilitating 6 million low-income units by 1978. Such additional funding should also insure proper enforcement of the fair housing provisions.

Attention must not be limited to the urban centers already in existence. To help open the ghetto and respond to the 100 million population increase expected in the next generation, we recommend that the government consider the actions of Great Britain, which has built 24 new towns since World War II. Here, too, a new Towns Act might be passed; a New Towns Administration established; programs like the integrated Fort Lincoln New Town outside of Washington, D.C., funded and encouraged; relationships between new centers and nearby big cities coordinated; and barriers to private development overcome. Truly integrated communities hold the promise of creating a fabric of nonviolent mores and encouraging the joint decision-making called for by the theme of community involvement.

In sum, economic reconstruction, defined to include meaningful and gainful employment for all who are able and willing to work, a decent standard of living, and adequate housing for all, is an indispensable feature of any program designed to reduce significantly the crime and violence now prevalent in our society. Such reconstruction will do much to provide the justice without which there can be no real safety.

2. Reduction of Political Alienation

Because the morale of people depends in large part on their sense of achievement in the society and their sense of control over their own destinies, we recommend that every effort be made to increase government responsiveness to citizens' needs and include all levels of citizenry in the decision-making processes of government. People can identify positively with their societies or communities in proportion to the extent to which they feel valued. They will behave responsibly if they feel they have a stake in the society. Responsiveness of government and participation in decision-making is thus a crucial feature of normative and integrated behavior.

A. Citizens' grievance offices

The structure of our system is such that errors, oversights, injustices, and inequities frequently occur, often unwittingly, but just as often with no apparent concern on the part of local, state, and federal government. The interests of the least powerful and least organized people in the country are most often affected.

To these people, government takes the image of a slow-moving, unresponsive, and insensitive bureaucratic structure which cares more for partisan political interests than it does for the rights and interests of the poor, the disadvantaged, the disorganized, and the politically impotent. Periodic exposes of improper conduct in government—conduct which is apparently allowed to continue until the press or private pressure groups highlight it reinforce the image. Public opinion polls frequently report that large percentages of the population believe that they have no voice in government,

that those in charge care little about the common man, and that complaints are useless.

This picture is unfortunate, for it could be easily rectified. The government should be seen as responsive to and powerful in protecting and safeguarding the rights of minority groups, for whom there are few if any spokesmen. The existing bureaus of government are not sufficient to those tasks—or at least they do not appear to be. The Crime Commission and the Kerner Commission recognized the inadequacy of existing agencies and urged the establishment of an office to handle citizens complaints. However, little has been done since then.

We urge that serious attention be given to the establishment of local offices to handle citizen grievances against the conduct of public officials, as well as to handle consumer complaints against private business. Initially, the federal government should allocate funds to a number of state and local governments to establish such offices. The creation of an office at the federal level should be considered. A number of different types of local programs should be established for test and evaluation. The results of such evaluations could provide the basis for widespread establishment of such offices.

While diversity is to be encouraged, we support the Kerner Commission's recommendation that each office meet the following criteria: independence from existing agencies and freedom from political pressures; adequate staffing and funding; general jurisdiction over all local public agencies and authorities; and accessibility for all citizens, including establishment of neighborhood offices in ghetto areas and procedures for encouraging citizens to take part in grievance proceedings. The agency should have the power to hold hearings and subpoena witnesses, make public recommendations for remedial action to local authorities, and, in cases involving violation of the law, institute legal proceedings.¹ In order to insure that such agencies are truly independent of political pressures, federal standards for funding should include a provision for broad local citizen participation.

B. Community Service Centers

We are aware of the difficulties surrounding the concept of citizen participation,² but nonetheless urge that an effort be made to provide everyone with a sense of having been involved in important decisions which affect their lives. We recommend the establishment of Community Service Centers which would coordinate and dispense services rendered by traditional city, state, and federal agencies. As suggested by the Kerner Commission:

Each center should have enough neighborhood workers to reach out into the homes of needy people who are not able to seek help. To assure that the service centers are relevant to the needs and styles of the neighborhood, ghetto residents should be trained and employed at all levels. This purpose can well be served through establishment and involvement of Community Service Councils to establish overall policy.³

These centers should coordinate and dispense services in the following areas to local citizens:

- Job counseling and training.
- Family counseling and family planning advice for those who seek it.
- Medical and psychiatric care and counseling on alcohol and drugs.
- Adult education.
- Preschool training and child care for working mothers.
- Psychological counseling for parents during the formative child-rearing years.
- Domestic quarrel teams.
- Suicide prevention units.
- Youth bureaus, including counseling of youth referred for nonpolice action by local Juvenile Squads and Gang Control Units.
- Legal advice.
- Consumer fraud advice.

Consolidation of services in local facilities will promote efficiency, allow different organizations to share information on troubled families in poor neighborhoods, bring government closer to the people, and hopefully add to a sense of community pride, awareness, and responsibility. We accordingly recommend that Community Service Centers become standard instruments of urban policy.⁴

The coordination of such diverse programs will be no easy task,⁵ but the effort must be made. The federal government must offer significant funding to give local jurisdictions enough incentives to make such a program work. It may well decide that some parts of the center would be better run by the local private sector or by some combination of public-private sponsorship.

The concept of citizen participation should also be extended to housing. If citizens are involved in the design and construction of their homes and neighborhoods, they may be provided with a genuine sense of control over their environment and a sense of pride in their homes and neighborhoods. Concern with the continuing maintenance and attractiveness of homes and the safety and security of daily life in and about them will hopefully also result.

The traditional objection to such community involvement stresses the incompetence of non-specialists in solving the problems of design. The dominant tendency has been to assign decisions regarding design and development to various corps of experts. Some concessions have recently been made to the fact that these dwellings should be gratifying to their residents. However, these concessions propose little involvement of residents in crucial decisions regarding the design and utilization of space and structure.

Certain urban designers are now experimenting with alternative methods of community involvement. There is much to be gained from such experimentation, and little, apparently, to be lost. We therefore urge that, both in urban development and the creation of "new towns," the widest possible resident participation be encouraged.

3. Reduction of Family Pathologies and the Creation of Emotional Well-Being

The relevance of child-rearing practices to the problems of violence makes it crucial that the government consider new measures to strengthen the

desirable tendencies and eliminate or overcome the undesirable tendencies in child rearing. Because there are great dangers to liberty involved in any formal interference in the private conduct of family life, we seek to implement our concern for the character and quality of child rearing through indirect methods.

A national inventory should be taken of the prevalent patterns of child rearing in the United States. From such a study, we can learn, among other things, how many children are living with one parent, with neither parent, in foster homes, and with relatives. How many hours per day are the parents, when present, able to devote to the necessary duties and responsibilities of child care and rearing? Are the parents competent enough to perform these duties and discharge these obligations? We should also determine the range of practices employed by parents to shape the character and behavior of their children, including their forms of discipline. We ask here many of the same kinds of questions asked by anyone concerned with the labor force. Our human products, in the form of healthy children, are surely as vital to the state of our society as are our material products.

A national program of adult education should be launched by the appropriate federal agencies working in cooperation with local and state agencies already involved in adult education. This program should be concerned with problems of family life and child rearing. Its primary aim should be to provide the best possible information on the consequences of alternative forms of family life and parent-child relationships. The program should not be confined to the traditional locales of rooms in school buildings, nor held only during the evening hours, when energies and interests may be at an ebb. Every available instrument of mass media should be utilized so that the largest amount of information about child development can be disseminated to the widest possible audience.

The term "broken home" has crept into the vocabulary on developmental pathologies. The divorce rate is likely to continue at its present level, if not increase, and the rates of separation and desertion are likely to follow the same pattern. Because these various splits affect the lives of millions of children, it is crucial that the government take active steps to provide the opportunity for every child to experience as close to a healthy family life as possible. This refers as much to functionally inadequate homes (where the parents, while nominally present, are in actuality separated) as to structurally broken homes.

Although it is not the government's task to restore absent members to a broken family or to provide substitutes, it is nevertheless possible to institute a program providing activities, experiences, and people, in various new roles, to afford children at least the functional equivalent of an intact family life. Greatly enlarged Head Start programs, day-care centers, and new groups of paraprofessional community workers who can ease the burden upon working women with children could make a significant contribution.

Because early identification of problems of emotional development is of the highest importance and because early intervention is effective, it is imperative that an early warning system regarding childhood emotional disturbance be developed on a much larger scale than now exists. Yet such identification will be of no help unless there are qualified personnel to diagnose problems and to prescribe and provide needed treatment.

We recommend that the existing network of child welfare centers and school personnel trained in pediatric health should be expanded greatly and every effort made, through programs of recruitment, scholarship, and research grants, to increase the number of medical and psychological specialists who devote themselves to youth counseling and therapy. Because the child must live and function in the family, the training of new personnel should be strongly oriented toward counseling and therapy which immediately and continuously involves the families of the children. Wherever possible, these treatment facilities should be readily accessible to community members, and their costs should be borne by the government.

There are diverse styles of family life and child rearing, each of which may, in its own way, be conducive to sound child development. That different personalities will be engendered under different conditions is not to be taken as a sign of trouble. Rather, we can live with and profit from considerable diversity in personality, so long as, at the core of each personality, there are certain indispensable elements which make it possible for the child to face life's tasks and pleasures with confidence.

We do not mean to suggest a monolithic code of child rearing, but there are certain key ingredients which must be alike if we are to insure all our children an equal chance at healthy development.

Among these are the following:

- The chance to develop strong ties to other people, so that, through bonds of affection and love, tendencies toward violent response may be properly channeled into constructive avenues and the child can come to feel deserving of love from others.
- Relative freedom from punitive, especially physically punitive, measures of discipline and abuse.
- Developmental and educational experiences which reinforce the child's attachments, minimize his frustrations, and encourage lenient and flexible inner controls and regulatory mechanisms.
- Patterns of relationship with parents and others in which the child is recognized as a growing creature learning about the world, and who, in that learning, must have a chance to be "bad" without suffering traumatic consequences.

Further specifications need not be made here. There is a general consensus among experts that it is necessary to conform to these and related guidelines in our efforts to produce healthy and productive children. We aim at the diffusion of these and supporting themes through the recommended programs of adult education.

In addition, those programs must be directed at insuring the following conditions:

- Adequate food, shelter and clothing so that the child does not view the normative world as depriving and unsatisfying.
- Adequate provisions for gratifying patterns of recreation and diversion, in some alternating rhythm with duties and responsibilities.
- Effective and supporting connections with the adult community both within and outside the immediate family so that the adult world can be seen as nurturing and facilitating rather than hostile and threatening.

- Freedom from harsh and brutalizing experiences, and from seductions from deviant behavior, such as may be seen and felt by virtually every child living under degraded slum conditions.

If in the next few years America makes significant progress in eliminating the undesirable patterns of child rearing that currently exist and if we can alter the lives and experiences of children in the directions indicated, we will have done much toward insuring a healthy, productive, and peaceful citizenry.

These recommendations represent certain central points of consensus among psychological and psychiatric consultants, yet there are obviously many areas of uncertainty and disagreement. Because intervention in the family lives of our citizens should not be undertaken except with all regard for the privacy of citizens, the President should establish a White House Conference on Family Life and Child Development. This group would identify the most promising programs of social action and research that are relevant to the provision of intact, healthy family lives for all children.

Such a conference should include representatives of the psychological, sociological, anthropological, and biomedical sciences, as well as members of the legal profession who should consider the legal implications of proposed programs. Because adult education programs are indispensable to the dissemination of sound knowledge on these matters, the Conference should also call upon the services of specialists in the fields of adult education and the mass media.

Numerous government agencies are now concerned with one or another of these matters. These existing facilities must be tapped for their possible contributions to the Conference and to such programs of action and research as may be recommended. The Conference should help recommend a governmental structure within which the most effective coordination of all aspects of a Program of Family Life and Child Development might be achieved.

Particular attention should be given to the problem of child abuse. Although there is debate on the extent of child abuse,⁶ many incidents do occur. The White House Conference should develop programs to be administered by Community Service Centers, which might aid in reducing child abuse by removing stress from and sharing responsibility with mothers. The Conference should formulate programs relating to diagnosis, investigation, followup checks, and family therapy. This will require a comprehensive, integrated, multidisciplinary approach involving welfare departments, family service organizations, social workers, doctors, court personnel, and lawyers.

4. Provision of Equal, Quality Education for All

The nation's public schools have failed to provide children in center cities with the educational experiences to overcome the effects of discrimination and deprivation, which are related to the high incidence of violence among ghetto youth. The Kerner Commission held that education, including, of course, racial integration of the schools, is of first priority for the future of American society. Yet we are alarmed that little has been done in response to the suggestions made:⁷

- The Commission recommended sharply increased efforts to eliminate de facto school segregation through substantial federal aid to school systems seeking to desegregate. One year later, school integration has been pursued with some success in small to moderate-sized cities, but there is no evidence of success in big cities with substantial minority populations.
- The Commission recommended elimination of racial discrimination in Northern as well as Southern schools by vigorous application of Title VI of the Civil Rights Act of 1964. One year later we observe that federal enforcement of laws and judicial rulings against school segregation has been of limited effectiveness in the South and is only beginning in the North.
- The Commission recommended substantial federal funding of year-round compensatory education programs for schools serving disadvantaged children and revision of state aid formulas to assure more assistance to such schools. One year later, we find that compensatory programs to ghetto schools are hampered by shortages of funds and insufficient means to measure their effectiveness. Federal aid each year is spread more thinly, and state aid remains inequitably distributed.

In sum, the Kerner Commission's education recommendations continue to seek a proper response; ghetto schools continue to fail. The situation must be reversed.

Our schools must provide equal, quality education to all children, regardless not only of differences in race or religion, but also of differences in talent or ability. Though all children are not created with equal natural endowment, there is no justification for allocating different opportunities to different children. All children are entitled to an equal share of the best things our schools have to offer. No considerations of national emergency or welfare can be superior to this basic obligation of equal treatment.

We urge support of continuing evaluation of preschool training now in progress. Initial efforts in such programs have not yet been soundly evaluated. The Longitudinal Study of Head Start Programs now being conducted by the Educational Testing Service should be given every possible support in its efforts to determine the "mix" of factors from family, community, and schools that influence the educational well-being and productivity of children.

In the same vein, a program should be initiated to determine the adequacy of existing institutions of higher learning beyond the 12th year of school. Consideration should be given to a federal network of community colleges providing a 13th and 14th year of schooling, or more, for those who seek education beyond high school. Because of the differing capacities of those who have completed high school, a variety of programs may be required.

Any policy designed to improve the quality of education must also consider teacher training. Lack of resources and public support have hampered these programs, particularly those directed at training teachers to work effectively with children from diverse religious, racial, and ethnic backgrounds.

We believe that the Office of Education should give immediate consideration to developing a network of federally financed teacher-training institutions. Through this network, regional variations in training could be

effectively reduced, local mores would not play such a significant role in determining the content of the training program, and the teaching force would be available for employment with equal utility and effectiveness anywhere in the country. The ability of the federal government to insure compliance with the statutes against discrimination would thereby be considerably enhanced.

Existing programs, such as the Teacher Corps, presently aim at the recruitment and training of young people for teaching in elementary and secondary schools. Although it is too early to determine the adequacy of the Corps (the first systematic evaluation is now in process), its stated purposes are commendable, and every resource should be devoted to expanding successfully evaluated parts of the program. Perhaps no professional group is more important to the present and future well-being of the country than teachers. Our national policy should reflect this judgment.

The emphasis Congress has placed on education in the last decade indicates that this country has become aware of the educational requirements for a healthy and peaceful society and the existing inadequacies in our educational system. We enthusiastically endorse the spirit which produced that legislation, yet point out its insufficiencies for present and future needs.

While not proposing specific legislation, we cite the major provisions of the Elementary and Secondary Education Act and other existing legislation, such as the Higher Education Act and the Adult Education Act, which need implementation, augmentation, and intensification if our educational needs are to be met. Existing provisions of these Acts and others make it possible, among other things, to:

- Keep schools open more hours per day and more weeks per year.
- Involve the local communities in the reshaping of the schools.
- Provide facilities and personnel for neglected and delinquent children.
- Pay special attention to actual and potential dropouts.
- Significantly increase the number of teachers required for the range of special educational needs confronting every school.
- Develop school resources needed for bilingual education.
- Provide new dimensions of adult education especially for illiterates and job trainees.

The programs, resources, and personnel provided by these Acts—multiplied many times over their present levels—are required if our schools can afford every child a quality education suited to him and his life needs, and thereby instill capacity for satisfactory management of life's affairs in normal and legal ways.

5. Creation of New Roles for Youth

We have placed an emphasis on youth in various sections of this report because of our awareness of the manner in which young people are socialized into violence by the operations of adult society and knowledge that younger people are becoming more and more involved in violence and crime. The special disabilities of poor, young blacks results in a disproportionate contribution of that population to crimes of violence. The involvement of

even the most educated and affluent youth in political protests and dissent, often on behalf of black youth, reminds us that any program aiming at social reconstruction must consider the needs, special susceptibilities, and sensibilities of youth.

The youth of our nation have recently taken the lead in calling the conscience of this country to task for its many defects in implementing its commitments to equality and justice for all. Those most politically active have developed an ethic by which our failure to eliminate all evidence of racial discrimination and our continued involvement in the Vietnam war are unmistakable evidence of moral corruption.

As a result, they are losing respect for law and order, which are viewed as efforts to maintain discrimination and military subjugation. They have also concluded that they can no longer trust the older generation to make the important decisions and are demanding far more effective participation in the management of the society.

However, it is also apparent from such programs as Vista and Peace Corps that significant numbers of youth are prepared to offer skilled, devoted service to aiding those less fortunate than themselves. We should not lose this opportunity. If our young people are willing to serve this country, society must provide the channels by which that dedication can be utilized. The traditional and ill-founded tendency to consider youth unfit for mature roles has prevented us in the past from involving them in effective participation in the affairs of the nation. Because of this misguided point of view, society suffers a double loss: not only do we lose their energies, their visions, and their talents, but we also suffer from their protest and dissent.

In response to the dilemma of youth, the White House Fellows Association reported to President Johnson in 1968 that no single mechanism would meet the need for the amplified participation by young people in management of the society, and accordingly recommended the following courses of action which we endorse:

- *A Special Assistant or Office within the Executive Office of the President* would provide a focal point for young people within the governmental framework.
- *A National Advisory Commission on Youth* would provide a widespread nationally visible group of citizens to focus on youth problems and develop specific proposals.
- *Offices of Youth Affairs in Departments and Agencies* would help the executive branch to better understand and utilize the talents and energies of youth.
- *A review of the Training Process for Young Federal Employees* would facilitate the ease of access of youth into the federal government.
- *The President's Students in Residence Program* would bring a number of college juniors to Washington for a series of frank and open discussions with government leaders.
- *The Appointment of Youth to Advisory Committees* would augment youth's representation in important policy decisions.
- *The Encouragement of Governor's and Mayor's Fellows Programs* would provide a means for youth participation at all levels of government.

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- A *Cooperative Policy Study Program* would bring to bear youth's academic talent on questions of federal policy.
- A *National Television Series* would expose citizens throughout the nation to the concerns of a younger generation.⁸

These recommendations are principally directed at the student community, a group firmly entrenched in the mainstream of our society. Another approach is required, however, for those who are out of the mainstream—the school dropouts, the untrained, and the unemployed. It is these young people, members of minority groups in the inner cities, who are the most delinquent prone and who warrant the most attention. With this group we are faced with the challenge of providing “an alternative to the society of the streets, where those most adept at criminal pursuits provide the models of success.”⁹

Unfortunately, traditional youth organizations have failed to reach this hard core.¹⁰ They have focused principally on leisure-time activities, have not included the target group in the conception, design, and operation of their programs, and have not made the programs truly relevant to the life style of the youths they are trying to reach.¹¹ Yet programs designed to perform a variety of important services—for example, to upgrade education, teach job skills, encourage business operations, improve communication, and provide supportive services such as health and legal assistance—have been very successful when conceived and run by indigenous youth.¹²

We strongly recommend that the private sector—the traditional youth organizations, social welfare groups, foundations, and churches—as well as the government, join in a massive effort to channel funds and facilities¹³ into youth self-help programs. These programs will help erase the stigmatic label of “delinquent” and are designed to teach job skills, encourage and establish business ownership, educate, provide cultural experiences, and provide supportive services. They should be conceived and run by the youth and be consistent with the life style of the people they seek to reach. Funding must be adequate and for longer periods than 1 year. We have seen the adverse effects of short-range funding: the uncertainties of continuation tend to undermine many programs before they have had a chance to operate effectively.

6. Elimination of Prejudice and Discrimination

Nothing contributes so effectively and pervasively to the sense of alienation felt by blacks and other underprivileged persons as the persistence of prejudice and discrimination on the basis of class and race. The requirements for reducing class discriminations are an integral part of basic social reconstruction, and will have to be met by our society over the long run.

In principle, the nation is committed to the elimination of prejudice and discrimination. Existing legislation outlaws “discriminatory practices,” although it works only indirectly against the beliefs and attitudes that are collectively labeled “prejudice.”

Programs must be developed to eliminate prejudice and discrimination, yet it is equally important to make a distinction between the two. Available

scientific evidence indicates that it is possible to change behavior without changing commensurately beliefs and feelings. That is, it is possible to reduce discrimination without first reducing prejudice. The enforcement of existing legislation and the development of new prohibitions against discrimination, where needed, must therefore be implemented, regardless of what men privately feel, believe, and prefer.

Existing legislative and administrative provisions against discrimination—in education, employment, housing, and the like—would produce marked changes in race relations if they were forcefully implemented. It is the recommendation of this Task Force that every local community pressure and power be utilized for the complete elimination of all discriminatory practices. Our aim is to make a man's racial, religious, or ethnic origins irrelevant to his chances in life, however relevant he may wish to make them to his life style.

Although many discriminatory practices can be eliminated without a commensurate reduction in prejudice, prejudicial feelings and beliefs serve as important sources of discrimination. It is therefore crucial that, while programs aimed at discrimination are being pursued, there should be a continuing effort to eliminate the false beliefs now held about people whose color, religion, or national origin differs from the majority.

We consequently recommend the immediate initiation of a program of education for children and adults directed at the causes, forms, and consequences of racial, religious and ethnic prejudice and discrimination. The true facts about race and racial differences—their irrelevance for anything significant in cultural participation—must be made so clear that only the smallest number of children in the next generation will be able to foster such distortions and biases. The roots of prejudice are deep and often buried in emotional and psychic needs; when these prejudicial orientations are unable to find factual confirmation, they tend to falter.

Because loyalties to one's own in-group and fear and hostility toward strangers tend to go hand in hand, it is imperative that we reexamine our educational efforts in the field of intergroup relations. It must be possible for citizens of this society to relate to each other as individuals with distinctive identities, without fear about differences in religious or national origin. Such training must begin early in life. Where the neighborhoods of the communities do not provide the opportunity for heterogeneous living, the schools should provide a functionally equivalent substitute. Knowledge of and experience with different religions and traditions is necessary to dispel ignorance, distortion, and fear. Interaction among people of differing religious, social, and national backgrounds is vital to maintenance of intergroup peace and to the reduction of individual hostility toward "strangers." While there are currently skilled professionals in the field of intergroup relations, many more programs must be developed in and out of schools.

Above all, our teachers must be well versed in intergroup relations so they can both communicate such knowledge to their students and help in the management of tensions that may arise in their schools and communities.

We therefore recommend that the Office of Education initiate a program designed to develop sound and effective materials about intergroup relations and underlying information about racial, religious, and ethnic differences for primary and secondary schools. The effective employment of such materials

at every grade level should be considered a prerequisite for the receipt of federal aid. All personnel and facilities required for monitoring such programs and assuring their effectiveness should be established. The required funds should be allocated to the Office of Education as a regular feature of its annual budget.

The Office of Education should also inaugurate a program of aid to all institutions which train teachers to participate in such programs of intergroup education. Such training should ultimately be considered a prerequisite for teacher certification. The Commissioner of Education should be required to monitor these programs and report to the President every year on their effectiveness. The position of Associate Commissioner for Intergroup Education should be established for administration of the programs.

7. Improvement of the Response to Violence Among Intimates

A great deal of criminal homicide, aggravated assault, and forcible rape occurs indoors between intimates, friends, or acquaintances. Alcohol and "victim precipitation" are not uncommon as partial catalysts, and murder and assault in many cases are the unanticipated consequences of altercations. Short of the large-scale reconstruction we have been suggesting, it is very difficult to formulate a policy for prevention of these forms of violence. They are usually hidden from traditional police surveillance, and it is hardly practical to urge the elimination of bedrooms, the return of prohibition, or the minimization of disagreements among husbands and wives.

The policeman must nonetheless respond to domestic, home-oriented violence. Half the calls for assistance to an urban police department may involve family crises or other complaints of a personal nature.¹⁴ Yet the realities of police training and the structure and organization of the police establishment do not emphasize the role of the officer as a social worker or conflict resolver. Quite to the contrary, the young policeman is expected to suppress compassion and play the role of the determined "suppressor-of-evil."¹⁵

The seriousness of violence among intimates, the difficulty of formulating preventive policy, and the inadequacy of the police response demand creative innovations. One partial answer is the "domestic quarrel team." Such a team would be on 24-hour call, capable of rapid mobilization, quick decision making, and accelerated conflict resolution among intimates. This program has been tested and evaluated in New York City, where psychologists have trained 18 local policemen for service in a Family Crisis Intervention Unit in a West Harlem precinct. The police, all volunteers, have maintained their normal duties, but have learned to show respect for combatants, avoid unnecessary shows of force, deescalate anger through informality, listen and discuss with sympathy the arguments of both sides, concede a man's masculinity, permit antagonists to talk out their problems at length, and suggest alternative solutions.

The unit has proven its effectiveness. Over the first 15 months of operation, none of the patrolmen has been injured, even though one-fifth of all policemen killed on duty in this country are responding to "disturbance" calls such as domestic quarrels.¹⁶ After intervening in more than 1,000 family crises, the unit had not been charged with a single act of police

brutality—in a location where such accusations are commonplace. Most importantly, none of the interventions has resulted in either homicide or suicide by the citizens involved.¹⁷

We feel that the domestic quarrel team concept should be adopted by all cities and a Domestic Quarrel Team Center, directed by behavioral experts from local universities or other institutions, be provided as part of every neighborhood Community Service Center. The actual field teams responding to calls should be composed of behavioral specialists (e.g., college and graduate students in related fields; social workers, and specially trained ex-prisoners), neighborhood paraprofessionals and volunteers (who know the values and expressions of the ghetto subculture, where most violence among intimates occurs), and police officers trained in conflict resolution (who both help in solving the conflict and protect other team members from violent attack).

The team should cooperate with the suicide prevention and mental health departments of the Community Service Center, referring, for example, individuals who appear in need of psychiatric help to the appropriate counselors. Local mass media and public transportation advertising space could be used to publicize the availability of Community Service Center facilities. The messages should have the personal impact and professionalism of current television warnings against cigarette smoking.

8. Reduction of "Official Violence"

Official violence—violence by persons acting in the name of the law or the society at large—is a daily fact of life. Acts of violence by police, National Guardsmen, and members of the armed forces may be necessary and justified, at least by present standards, but they unavoidably contribute to a feeling that violence is endemic to our society as the most natural response to disorder.

We recommend that the frequency and visibility of violence by official agents of the society be substantially reduced. The notion of talented young people who will find in this newly conceived set of activities an inducement to take up a role that is not present in the traditional police image. It is crucial that the first-line representatives of society should, by their words and actions, come to stand for commitment to nonviolent management of dissent, rather than be perceived as brutal agents of unrestrained violence.

In particular, the police can benefit from the training in interpersonal sensitivity, instruction in techniques of conflict resolution, and orientation to nonviolence. These qualities are not presently encouraged, and we believe the result has been a severe limitation in the available response patterns in conflict situations. As a result, violence is often created by police in the course of attempting to control violence by others.

Every officer in every major police department should be given the kind of training received by the volunteers in the experimental New York program discussed above. The goal should be to broaden the officer's response capability in complex situations without diminishing his role as enforcer of the law. We do not seek to transform policemen into social workers or psychologists, but merely to enhance their ability to perform the function

they are expected to perform.¹⁸ While only a relatively small proportion of all policemen need to be recruited to fill a domestic quarrel team's quota, each officer, regardless of his assignment, should have an increased capacity to diffuse and resolve interpersonal conflicts nonviolently.

The gains could be far-reaching. For example, we recommend that all major cities follow the lead of Philadelphia in establishing a "gang unit," assigned to patrol areas with high gang activity. The purpose of this unit is to gain information on the size, location, characteristics, and future activity of gangs and to investigate all criminal acts for which they may be responsible. Gang unit members should be specially trained to work with youth, to understand the motivations of gang members (recognizing, for example, that they are more likely to rob than commit assaultive violence) and to resolve interpersonal tensions. Equipped with such an increased sensitivity, perhaps outfitted in "mod squad" dress and aided by detached social workers and youth reference facilities of Community Service Centers, police gang units have the potential to make progress in an area where little has been accomplished in the past.

Serious consideration should be given to the recruitment of youth for work as paraprofessionals in the expanded police services we are recommending. Young people might be allowed to choose such work in lieu of military service, producing a program that would both render valuable social benefits and give youth a sense of active participation in the affairs of society.

9. Improvement of the Response to Narcotic And Drug Use

Only an insignificant portion of all crimes of violence are directly involved with the manufacture, sale, or use of narcotics and other dangerous drugs. However, a major portion of all narcotic and drug users become or stand in constant danger of becoming involved in criminal activity to sustain their habit. Crime is only one feature although a central one. Therefore, programs aimed at reducing the use of narcotics and addictive drugs may indeed affect the amount of violence and crime that is generated by that use. It is also possible to envision a program that aims at reducing violence and crime by making narcotics and drugs more available. Many have argued that the legalization of narcotics and drugs would have such an effect; they point out that most of the problem lies in the illegality and subsequent high prices of drugs and the resultant need to secure drug money through crime.

It is reasonable to assume that such crime occurs most frequently among those with true addiction. The compelling character of addiction is central to this association. Hence, any program aimed at reducing drug-associated crime must address itself to the problems of addiction, and we must ask: (1) what can and should be done about addicts, who may resort to crime to sustain their habits, and (2) what can and should be done about reducing the number of people who are likely to become addicts.

A substantial number of "pushers" are addicts who seek to secure the funds necessary to maintain their own habits. It is not easy to distinguish sellers from users with any clarity or to treat them as though they were separate entities in the drug community. Yet legislation is obviously required to control the illegal manufacture, sale, and distribution of addictive drugs. It

would therefore seem humane to recommend legislation governing all such illegal manufacture and sale, while at the same time providing special treatment for those whose involvement in such activities is demonstrably related to their own addiction.

In suggesting such guidelines, we must reiterate that severe criminal sentences seem to have little deterrent effect.¹⁹ Most states have severe penalties, even for mere unlawful possession without intention to sell, of amphetamines, barbiturates, opiates, hallucinogens, and marihuana. The federal government has for many years maintained strict statutes regulating unauthorized possession of marihuana and heroin.²⁰ Despite these prohibitions, the illegal use of narcotics and dangerous drugs appears to be increasing, with a commensurate increase in the number of addicts who may be forced into illegal activities to sustain their habits. By the same logic, the involvement of organized crime in this lucrative trade is almost sure to increase commensurately.

We recommend below initiation of a massive effort on all aspects of drug abuse, amendments to existing federal and state laws governing the manufacture, sale, and distribution of narcotics and dangerous drugs, and new approaches for the treatment of offenders.

We emphasize the need for a range of systematic and careful research and evaluation efforts in these areas. It is essential to acquire additional knowledge on questions about the nature and extent of the narcotic and drug problems; the biological, social, psychological, and related effects of use; how best to develop and present educational programs in order to maximize the desired educational effects; the initiation and evaluation of improved programs and approaches for the treatment, counseling, rehabilitation, and control of addicts; and careful assessment of a variety of strategies and programs of prevention. The National Institute of Mental Health (NIMH) should initiate and coordinate such a plan of research and evaluation with the assistance of the Food and Drug Administration and the Bureau of Narcotics and Dangerous Drugs. State and local agencies, as well as private organizations, should cooperate in developing the research and evaluation effort.

A. Education

Presentation of scientific data on the dangers of narcotic and drug abuse, properly disseminated to actual and potential users, will hopefully be one factor effective in reducing incidents of abuse. Many experts attribute the recent leveling off of LSD use in significant part to the fact that users were impressed by the scientific reports of psychosis and chromosomal breakage.

We presently do not know which educational approaches are best for different types of drug users—the high school and college youth, the educated middle-class persons, the lower social class person, the slum dweller, or the older person oriented to a social behavior. A variety of educational programs must therefore be developed and subjected to careful test and evaluation. It is hoped that such efforts are developed along the following lines:

- Programs, conducted factually and by well-trained personnel, should begin in elementary school, continue through college, and be designed

to present youth with up-to-date evidence on the effects of drugs and the penalties for illegal usage. NIMH should solicit the cooperation of the Food and Drug Administration, the Office of Education, the American Medical Association, and local medical associations to develop and participate in such programs. Each must be carefully tailored to the specific population group.²¹ It is essential that educational programs be based on scientific data, without the sensationalism that has permeated such discussions in the past. The inadequacy of present educational approaches is best demonstrated in the case of marihuana. Existing scientific data fails to establish the adverse effects of marihuana, but when youth are lectured in moralistic terms and told that it will cause them to do things they would not otherwise do—a fact they know to be untrue—they tend to disbelieve everything they are told about drugs.

- Educational programs should be offered to parents so that they can better teach their own children how to use socially and medically employed drugs with full regard for the resultant risks and benefits.
- The most current information on drugs should be brought to the attention of physicians, pharmacists, narcotics officers, teachers, and others who have particular responsibilities in dealing with or teaching about drugs.
- Special briefings and workshops should be held for journalists, radio and television commentators, and science and police writers. Well-informed journalists might be able to influence the mass media to dampen sensationalism and minimize inaccurate reporting which leads to the circulation of misunderstanding about the relationships between drugs and violence.
- Early use of illicit drugs or unsupervised use of alcohol or tobacco should be taken as a warning signal of increasing involvement in drugs and also as a danger signal for the development of delinquent careers. Parents, physicians, teachers, the police, and other adults in a position to observe the behavior of children and youth must be alert to experimentation with and in some cases dependency on psychoactive drugs. They should encourage young people to openly discuss drug use with them.
- Community Service Center personnel should be trained to counsel persons with actual or potential drug problems, and educational and publicity campaigns should emphasize the availability of such counseling. Spot television and radio announcements on the dangers of abuse and on the availability of such services should be developed.

B. Legal policies

To begin with, we endorse the "traditional" recommendations, namely:

- Increased enforcement activities, at both federal and state levels, directed at the illegal manufacture, sale, and distribution of narcotics and dangerous drugs.
- Those who manufacture, import, export, sell, and dispense narcotics and dangerous drugs should be licensed and violation punishable as a felony. Possession without intention to sell should be a misdemeanor.

There should be no minimum sentences or denial of parole; the courts and correctional authorities should be accorded flexibility.

- Additional money, personnel, and facilities should be allocated to the Bureau of Narcotics and Dangerous Drugs and the Customs Bureau to properly implement such increased enforcement activities.
- Existing federal laws governing the bookkeeping of those licensed to manufacture, sell and distribute should be amended so as to require segregation of records.
- Uniform state and federal statutes governing narcotics, dangerous drugs, and marihuana should be established.

These recommendations only scratch the surface of the problem. Underneath lies a whole range of complex social questions, the most important of which deals with offenders who violate both drug and nondrug laws because of their addiction and the heavy penalties of our marihuana laws, which have alienated a large segment of the youthful population, caused them to lose respect for the law, and turned many of them into criminals.

The Treatment of Addict Offenders—On the first question, we do not propose to immunize every offender from all aspects of the criminal law because he is an addict. However, we do believe that addiction must be considered a disease which creates a compulsion to procure and use narcotics. Thus, if the criminal act is directly caused by the addiction, the offender should not be held criminally responsible. There is currently a legal debate over a person's legal responsibility for crimes compelled by addiction.²² There are some cases in which it has been recognized that addiction may be equivalent to legal insanity.²³ In other cases, the status of addiction has been held insufficient to warrant an insanity instruction to the jury.²⁴ Congress should settle the question by enacting legislation which would provide that one charged with a violation of any criminal law who asserts that such crime was compelled by his addiction should be committed for medical examination. If it is determined that the criminal act was compelled²⁵ by the addiction, civil confinement for medical treatment until cure should be mandatory. In any case where the criminal act is found not to be compelled by the addiction, civil commitment should be at the discretion of the court—but because ordinary incarceration does little good for addicts, we urge that such discretion be liberally used by the courts. For the less serious drug offenses where the offender is not an addict (for example, possession without intention to sell) psychiatric and educational programs might be advisable in lieu of criminal sanctions for a first offender. In all such cases where civil commitment is accorded to the offender, there should be imposed upon release, a period of strict supervisory control, the length of which should depend on the seriousness of the original offense.

So that the examination procedure might not unduly disrupt the normal activities of the judicial system, it is urged that serious consideration be given to the establishment of special courts to handle drug and narcotic offenders. Such courts could utilize the services of judges specially trained to handle the offenders. A corps of medical and psychiatric experts could be developed to assist the court.

These recommendations, heavily weighted in favor of medical treatment for addicts both for humane reasons and potential long-range benefits, assume

the existence of adequate facilities and programs. But far more research and testing is required. We urge that more and better facilities be established and that research and testing of treatment programs receive high priority. Additional research on drug maintenance programs, such as the methadone program in New York, should be encouraged.

Our Marihuana Laws—No other body of legislation presents as serious a problem to our society today as existing marihuana laws. Despite the lack of any scientific data to prove danger to the user or to society generally, and despite the fact that alcohol has been proven harmful, the use of marihuana is considered a very serious crime in our country, often punishable by at least 5 years in prison. Despite these harsh criminal penalties, illegal use of marihuana is increasing at a staggering pace, particularly among the young. It is not inaccurate to say that many, many people now use marihuana with relative impunity.²⁶

The price to be paid by the continued criminal treatment of marihuana use is high indeed. The existence of these laws means that large segments of our population are engaging in criminal behavior. Many are caught and labeled "criminal;" despite the fact that they are otherwise law-abiding citizens. No other body of legislation has created as much general disrespect for our laws, particularly among the young. No other body of legislation has "criminalized" as many otherwise law-abiding citizens.

We therefore urge that our existing marihuana laws, which are both archaic and ineffective, be drastically changed.²⁷

As a minimum, we urge the legalization of marihuana use or possession for use by persons over 18 years of age.²⁸ This is not intended to be an endorsement of marihuana use. Marihuana abuse is as dangerous as the abuse of any other psychoactive substance (for example, alcohol); chronic doses over extended periods could result in psychiatric disturbances, social disorganization, and the like. Therefore, we ask that educational campaigns discouraging use be undertaken, just as we hope that families will discourage their children from using marihuana.²⁹

The legalization of marihuana use presents a number of other questions. Should the distribution or sale of marihuana be illegal? If distribution or sale is not illegal, should the federal and state governments control the distribution of marihuana through licensing arrangements, thereby insuring, among other things, that standards concerning quality and purity are maintained? The idea of sale through a government licensing system is most attractive—it would significantly reduce the attractiveness of the market to organized crime by eliminating contact with criminals to secure the drug.

We urge that serious consideration be given the problem of the distribution cycle of marihuana with a view to the establishment of federal controls, regularity sellers, purity, quality and the like. It might be advisable to initiate a variety of test programs to determine the effectiveness and acceptability of licensing systems for distribution and sale.

10. Improvement of the Response to the Role of Alcohol in Violence

The identification and effective medical treatment of the alcoholic population of the United States, a group previously shown to make a

significant contribution to incidents of violence in America, is presently one of the most difficult tasks we face. Our knowledge of alcoholism is almost primitive. Debate in the medical profession rages over the nature and manifestations of alcoholism, and "there is yet no known generally effective method or treating the vast number of alcoholics in our society."³⁰

Even if were the required knowledge in hand and massive expenditures for physical facilities made, trained personnel to cope with the problem would be lacking. One recent study concluded:

[T]here is little likelihood that the number of workers in these fields could be sufficiently increased to treat even a large minority of problem drinkers. In California, for instance, according to the best estimate available, providing all problem drinkers with weekly contact with a psychiatrist and once-a-month contact with a social worker would require the full time work of every psychiatrist and every trained social worker in the United States.³¹

Regrettably, legislative and judicial efforts to treat that portion of the alcoholic population which comes in to contact with our criminal processes have virtually failed. We applaud efforts viewing chronic alcoholics as sick persons entitled to treatment,³² but work to date resembles "the hanging of a new sign—reading hospital—over one wing of the jail-house."³³ Without knowledge and facilities, the approach today runs the risk of massing alcoholics in inadequate, poorly staffed facilities for indeterminate terms.

We urge that research expand on the nature and treatment of alcoholism increased efforts be made to identify those with alcohol problems in individual communities (for example, through the efforts of the Community Service Centers).

Is there anything that can be done now to reduce alcohol-related incidents of violence? We can better control the drunken drivers on highways—drivers who account for more than 25,000 deaths and many thousands of serious injuries every year. This aspect of alcohol-related violence is concrete and manageable. We can significantly reduce or eliminate it by stricter controls for driving while under the influence of alcohol, including legislative mandates for tests to detect alcohol in the blood, closer controls on persons with drunken-driving convictions and stiffer penalties for violations.

A person driving or attempting to drive a motor vehicle on a road or other public place who has consumed alcohol in such quantity that the proportion in his blood exceeds 80mg/100ml (0.08 percent) should be liable to a maximum penalty, for a first offense, of 12 months' disqualification from driving. For second and subsequent offenses, the penalty should be a 5-year license suspension. A police officer should be authorized to require a "breathalyzer" test if he has reasonable cause to believe that a person is operating or attempting to operate a motor vehicle while under the influence of alcohol. If the test indicates that the driver is probably above the legal limit of ingested alcohol, the officer should be authorized to arrest him, and the suspect should be required to provide a specimen of blood and/or urine for laboratory analysis.³⁴

Some jurisdictions require that the holder of a driver's license consent to

the administration of the breathalyzer test whenever a police officer believes him to be under the influence of alcohol. Refusal to take such a test may result in license suspension for a period upon receipt of a statement from the arresting officer and a hearing on the charge and refusal. We endorse such procedures.

There is strong evidence that the recommended legislation will be effective. The studies referred to in Chapter 15 establish both that the consumption of such a quantity of alcohol impairs driving ability and is a major precipitant of auto fatalities. Investigations of the records of fatal road crashes, controlled laboratory tests, and tests with experienced drivers in actual driving situations all confirm the deleterious effects of alcohol. The largest and most thorough recent study, carried out at Indiana University, reveals that drivers with a blood-alcohol level of 0.16 percent (160 mg/100 ml) are 20 times more likely to be involved in accidents than if they had not been drinking. At 0.08 percent (80 mg/100 ml), they are twice as likely to be involved in accidents as nondrinkers. And when drivers with blood-alcohol levels over 0.08 percent have accidents, they tend to be more severe than the average.

In Britain, where legislation very similar to our proposal was enacted in October 1967, a careful evaluation of the effects of the new policy has revealed a dramatic decrease in road traffic accidents and serious accidents in particular after the new law came into effect. In the last 3 months of 1967, road deaths were reduced by 23 percent and casualties by 16 percent as compared with the previous year. There were 36 percent fewer road deaths at Christmas and 30 percent fewer seriously injured than in 1966. Australia introduced a comparable law as early as 1960, and accidents involving alcohol fell by more than 25 percent in the first full year.

Our proposed edicts on drunken driving are modestly phrased. Many countries have much stricter controls than we seek. Czechoslovakia, Bulgaria, and the German Democratic Republic have the alcohol limit set at 30 mg/100 ml, and Poland, Norway, and Sweden have a limit set as 50 mg/100 ml. Our limit of 80 mg/100 ml is shared by the United Kingdom, Switzerland, and Austria. In Norway and Sweden, the courts impose prison sentences and revoke the driver's license for at least a year. In Bulgaria, drivers who have been drinking and are involved in fatal crashes are subjected to a *minimum* of 10 years' imprisonment.

If the United States is serious about reducing violence, it has a unique opportunity to do so through the enactment and proper enforcement of strict regulations limiting the blood-alcohol content of motor-vehicle drivers.

11. Reduction of Suicide³⁵

The major suicide prevention effort in this country is directed by the Center for Studies of Suicide Prevention at the National Institute of Mental Health. Since the Center began operations in 1966, it has established a new profession, begun a multidisciplinary fellowship program to train students, and been instrumental in expanding the number of suicide prevention centers in this country (from 15 in 1966 to 90 at the present time).

We believe that the Center has great potential and that it should be considerably expanded. One of its most important tasks at present is to

determine why the local urban suicide prevention centers have not succeeded in lowering the suicide rate. An overriding problem has been that, while the present local centers work with many patients who have suicidal proclivities, they rarely intervene beforehand in the lives of individuals who actually succeed in committing suicide. Ninety-eight percent of all successful suicides have never set foot in a suicide prevention center, and those who commit suicide have different characteristics and backgrounds than do suicidal patients.

It would therefore seem imperative that NIMH evaluate new methods through which local suicide prevention centers can better orient their services to the characteristics and life styles of those persons most likely to complete a suicide attempt. Possible innovations are already apparent.

Because present data indicate that few people on the verge of suicide will telephone for help, local prevention centers must more aggressively seek them out. Television may be especially helpful, because there is evidence that more suicide than nonsuicide types utilize the medium. Such advertising should in part be oriented to informing spouses and friends of presuicidal behavior, so that they can initiate professional contact.

Similarly, because a high proportion of completed suicides appear to have visited a physician within several months of their death, doctors should be better informed by NIMH of presuicidal symptoms and encouraged to work more closely with and report to local prevention centers. Because suicide incidence varies so greatly among different groups in the population, decentralization of the present suicide prevention centers into those urban and suburban areas with the highest suicide rates might be helpful.

Once NIMH develops a more successful intervention program, all cities should adopt suicide prevention centers. If decentralization of facilities proves effective, the several suicide centers scattered throughout high-risk neighborhoods of each city should be part of the respective Community Service Centers. Even if it proves more effective to retain just one central suicide prevention facility, neighborhood Community Service Centers should work closely with the suicide agency, helping to provide information on and treatment of local citizens.

The public in general should be provided with a greater understanding of suicide, beginning with education in secondary school. Death and suicide have been taboo subjects for some time, and many individuals are literally driven to make an open suicide attempt before they can find someone to listen to their problems. The self-destructive individual often displays symptoms for days or weeks prior to the actual act, but all too often those in his surroundings find the thought of death so uncomfortable that the "cry for help" goes unheeded. Discussions about death and suicide should be as much as a part of a health education curriculum in high school and college as is sex and drug usage. We ask the Office of Education to recommend and initiate curriculum changes in this direction.

The educational process should also be improved in professional schools, such as medicine, social work, psychology, nursing, and the clergy. Presently, these disciplines generally provide far too little in the way of courses dealing with death, self-destructive behavior, and crisis intervention. This will require expanded NIMH encouragement and funding of university programs for the study of suicide and related phenomena.

From a legal perspective, the status of suicide varies from state to state, creating many confusing situations. On the basis of current psychiatric knowledge, it seems inappropriate to deem suicide or suicidal attempts a crime. Aiding a suicide or an attempted suicide seems to be the only aspect deserving legal attention. Suicide should be considered a medical-psychiatric problem, and we recommend uniform legislation affirming this interpretation.

Further research on suicide is greatly needed, including studies of the relationships and differences between suicides, violent auto fatalities, and criminal homicides. An important first step should be the improvement of the basic information on suicides and auto deaths supplied by local coroners. Above all, NIMH must be a source of innovations in social intervention and a financier of personnel training programs for the local suicide prevention centers, mental health facilities, and domestic quarrel teams.

12. Improvement and Expansion of Research

Our social reconstruction programs must be conceived as experimental and provisional. Several variations on the basic themes should be attempted simultaneously, a continuous evaluation program should be built in, unrealistic optimism should be scrupulously avoided, and it should be recognized that different segments of the population may require substantially different programs.

Emphasis must once again be placed on the importance of using research and evaluation as vital ingredients in effective social reconstruction. If conceived in this manner, the research will suffer less at the hands of those who decry it as the wasteful preoccupation of absent-minded intellectuals or the typical procrastination of a bureaucratic government.

Because of the possible relevance of biological, psychological, and sociological factors in the production of violence and crime, specialists in each of these fields have pursued research. Yet they have tended to work largely in isolation, ignorant of each other's findings and openly disdainful of each other's preoccupations. As recounted in a manuscript provided by the NIMH:

The disciplinary insularity is indeed remarkable and the diversity of the approaches quite glaring... Behavioral science research has focused on limited situations in which the scientist either is able to control and manipulate the variables within his experimental design, or deals with broader societal concerns in which the researcher correlates various factors with the problematic behavior.

Psychiatric studies have mainly been of a clinical nature and have sought to understand the psychodynamics of the violent act. Characteristically case-oriented, psychiatric research derives its findings from uniquely selected populations. Consequently, it is impossible to generalize from the results. Likewise, the various neurological, neurophysiological, and cytogenetic research provides some interesting and highly relevant information but, in the absence of more adequate data about base rates and the complex interactions among many related variables, the significance of brainwave abnormality, chromosomal anomalies, and the like, is extremely difficult to determine.

Much of the work in psychology has involved various laboratory experiments and field studies with different kinds of definitions, measures, and procedures. To the extent that such operational definitions have differed, or the procedures and measures have been varied, the divergent findings may well reflect such variations. Sociological research in this area has, in the main dealt with the social and legal definitions of violence, for example, violent crimes, and the accumulation of vast amounts of information about demographic, ecological and related variables. Essentially, much of this research has been of a correlational nature, that is, establishing relationships between different sets of variables and particular indices of violence. Obviously, causal relationships cannot be attributed to correlational data—even though this is sometimes implied.³⁶

We conclude, with NIMH, that there is a very real need for "an integrated, multidisciplinary approach to the problem of violence," drawing data from each of the disciplines.

The responsibility for encouraging multidisciplinary studies of violence, identifying gaps in our knowledge, organizing, analyzing, and disseminating research findings should be assigned to NIMH. The Institute must be properly funded to undertake the task and should be assisted by a special advisory panel selected by the President. For general guidance to such research, we offer the following suggestions based upon our consideration of the relevant literature.

A. Biological factors

We know very little about the relationship of genetic abnormalities and violent behavior, but there is no indication that the identification, treatment, or elimination of any large group of biologically abnormal human beings can significantly reduce the incidence of violence. We endorse biological research, particularly on the neurology of the brain and other mechanisms and on the biochemistry of human behavior, but believe there are more promising avenues of investigation to achieve the goal of the reduction of crime and violence.

Before any conclusions can be drawn about the relationship between biological factors and crimes of violence, we must know:

- The incidence of the disease in the general population.
- The incidence of the disease in the deviant and nondeviant populations, each of which must be carefully and precisely specified.
- The factors which seem to implicate the pathology in only a minority of cases in deviant behavior, while carrying no such implications in the majority of cases.
- The connecting mechanisms within the body between the pathology and certain desirable types of social behavior.
- The connecting links outside the body, in the form of social and cultural factors, which transform the pathology into deviant behavior.

B. Psychological Factors

The present state of psychological theory suggests that we need to investigate more thoroughly the frustration-aggression theory of rage and

violence and its various modifications. We need to know more about inhibiting aggression without damage to the organism. What factors may be utilized to dissipate rage? How can the cumulation of rage be prevented? Are there significant and useful forms of "catharsis" (the displacement of rage onto harmless objects)? Can the energy that normally pours into rage and aggression be diverted toward socially useful goals?

In the same vein, it is crucial that significant and decisive experiments be conducted on the influence that exposure to violence has on individual violent tendencies. Specifically, we are concerned with research regarding the impact of violence in the mass media on the violent tendencies of children and adults. At present, the evidence does not seem decisive, yet it is difficult to ignore the great amount of violence portrayed on television, in the movies, and in magazines and newspapers. It is therefore urgent that psychologists and sociologists move toward a more decisive formulation of this issue.

It has been suggested that violent activity sometimes occurs when individuals feel unworthy and unwanted. They may act violently to reinforce their egos or to wound those whom they feel are responsible for their degradation. The sense of self-worth thus may be a crucial variable in the problem of violence. Research should be devoted to the question of self-worth; when does it flourish and when is it deficient? What kinds of interpersonal experiences can restore a sense of self-confidence to individuals and in turn reduce any violent tendencies?

Although the most general requirements for the sound emotional development of children are now known, there is still an urgent need for a firmer charting of natural developmental sequences and of the support they require from their elders if they are to achieve their full promise. How much, for instance, should children at various ages be allowed to exert their will against the opposition of their parents and other adults? How much do they need to be restrained and circumscribed? How much do they need to try out being "bad" without suffering undue or punishing consequences? What kinds of experiences are likely to imprint the pattern of violence upon them, and how may these best be avoided while, at the same time, firm guidance and support are given to them?

These and numerous other questions are important in the relationships between adults and children. They are intimately connected to the problem of the moral development of the child. Such inquiry must be given wide support. We must learn more about the development of conscience of the child, the age at which he is ready for various kinds of moral commitments, which stages naturally precede others, and which factors facilitate the sound and healthy development of this conscience.

C. Social and Cultural Factors

Our general emphasis on social and cultural explanations must be matched by new research. Because it is evident that the matrix of violent crime includes poverty, degradation, lack of skills, unemployment, a sense of powerlessness, the need to validate masculinity, and the like, it is to these factors that the experimental programs we have recommended must turn their attention. We reiterate the need to treat the programs experimentally. Thus, in order to provide a decent standard of living to all, we must explore alternative ways to supplement incomes, various methods of job training and

retraining, the most effective mixture of private enterprise and public works, and the most suitable kinds of job incentives. A number of programs in each of these fields are now in motion and require systematic evaluation.

The possible gains and losses arising from community control and participation by indigenous peoples in decisions regarding their own well-being are only beginning to be understood. We have only started, for example, to inquire into alternative programs for local control of schools. Only in scattered spots throughout the country is there any effort to involve local residents in the design and redesign of their homes and their neighborhoods. Similarly, consumer-protection agencies are almost nonexistent, while government responsiveness to the needs of the poor and the unorganized is only dimly visible. In each of these areas, and the many more that social reconstruction requires, experimental programming must be undertaken and carefully evaluated.

More must be learned about family dynamics, including the significance of an absent father, the problems facing youth whose fathers are not successful by common standards, the impact of a sibling's delinquency on the behavior of other members of the family, and, in general, the network of interactions among home, school, peer group, and neighborhood in producing patterns of delinquent conduct. Much research is needed, too, on compensatory programs involving family, school, and work. What kind of Head Start organization will work best to overcome social and cultural obstacles?

How may one best make up for factors missing in the family structure of a child? What kind of supports and controls can be provided and how can this be effectively accomplished?

In each of these problem areas, the delineation of research priorities and requirements for successful implementation should be the subject of White House conferences called specifically for such purposes. Specialists in each area know what needs to be done and what has the best chance of success.

We must reinvigorate the traditional affection of the youth for the operations of a democratic society; the pursuit of the causes and possible cures of auto violence; the inquiry into the complexities of suicide and possible methods of its prevention; and the more sound determination of the causes, conditions, and cures involvement in narcotics and other dangerous drugs. In each of these cases, national conferences of specialists should be called together to organize and provide for the needed research. The National Institute of Health could coordinate the conferences and, in collaboration with other relevant branches and departments of the government, formulate the required strategies of research and action.

Throughout the report, emphasis has been placed on the impact of urban violent subcultures, characterized by certain shared values and patterns of social interaction that encourage, or at least tolerate, the common use of physical aggression. Such violence is manifest in homicides, assaults, rapes, and gang fights among individuals whose response patterns are limited and whose living space is dense and restricted. Within territorial boundaries, the representatives of these subcultures reinforce one another's aggressive attitudes.³⁷

If violent subcultures were reduced and their members redistributed throughout the city, a significant decline in urban violence could well result. Redistribution means integration of subcultural families into middle-class

neighborhoods which hold the dominant, nonviolent values of our society.³⁸ It has been suggested that once the subculture is disintegrated by scattered redistribution of its members, aggressive attitudes would go unsupported and violent behavior would appear insufficiently to encourage initiation and repetition. More positively, families transported from the violent subculture would be expected to incorporate more of the nonviolent values of the dominant middle-class culture in a natural way, through the residential propinquity to families, schools, and peer groups containing muted expressions of violence in child rearing, marital life, playground activities, and personal interactions.

The government should initiate a research-action program in a number of cities, perhaps as a part of a Model City project which would measure the effectiveness of such a physical reduction and redistribution of the ghetto.

We are not recommending massive population shifts. Renewal programs that simply relocate large segments of a ghetto from one part of the city to the other and yet leave the ghetto intact do not destroy violent subcultural values. In order to dissipate the subculture, the scattered units should be small. Subsidized public relocation and redistribution of ghetto populations could be attempted on an experimental basis. Public subsidies could be provided to help ghetto families buy or rent dwelling units on the private market. Welfare agencies could purchase single dwelling units throughout the city and help move the poor to better quarters. Financial support should be sufficient for the new residents to maintain a life style similar to that of their neighbors.³⁹

Although the process might be natural enough to minimize the need for further social intervention, a number of other support functions could be made available. One possible service is a detached family worker program. Entire families could be employed part time in host neighborhoods to consult and work with families transported from the violent subculture.⁴⁰ Such an approach would address on an intimate level the individual problems of each family member as well as meet the difficulties the family might have living as a unit in a new neighborhood. An important part of these support services would be the effort to insure acceptance of the new families by the host community.

Policy Area II: Prevention of Crime and Violence Through Rehabilitating and Reintegrating Offenders

1. Reform in the Corrections System

Through principles of decent, humane treatment, the corrections system must attempt to restore significant numbers of people to normal, meaningful, law-abiding ways of life.

We must begin by acknowledging past failures and examining current practices. The following recommendations work toward these ends.⁴¹

A. Particular Treatment for Particular Offenders

A uniform diagnostic classification should be developed throughout all correctional institutions, so that individual treatment strategies corresponding

to offender classifications can be adopted as the basic framework within which the system operates. Violent and nonviolent offenders could be differentiated. The mix of correctional strategies need not be composed of entirely new ideas in treatment (though innovation is, of course, encouraged), but should make full use of current alternatives differentially applied to the various categories of offenders.

Every person found guilty of criminal activity should be treated as an individual case. We should focus on each particular personality and social situation, deciding which course of action is most likely to succeed in reducing future criminal acts.⁴²

The development of adequate treatment strategies tailored to the attributes of specific offenders will be slow and costly, but is an important means of achieving an effective and humane correctional response. As progress is made, there should be better coordination between the courts and corrections systems. It will be the duty of the courts to make the initial judgment-diagnosis on each offender as he passes through the criminal justice system. Laws should be accordingly revised so that the flexibility of judgments required by individualizing treatment can be made administratively possible. In particular, we believe that a pre-sentence investigation, researched in cooperation with community psychiatric services, should be required in all cases where the offender has been found guilty of a felony. The recommended improvements in diagnostic decisionmaking are therefore as crucial in court operations as in the corrections system. After a court decision is made, the corrections system will continue to have the responsibility to revise diagnoses and implement treatment.

Restraint through incarceration, rehabilitation in an institution, and reintegration into the community are the most viable general correctional alternatives within a framework that relates treatments to offender types. The first step is to decide which goal or combination of goals is best for each offender classification. Our recommendations reflect belief, based on available evidence, that rehabilitation and reintegration are more effective than restraint for most offenders.

B. Restraint

The main justifications claimed for restraint (imprisonization for its own sake and not as retention accompanied by rehabilitation) include deterring the offender from recidivating, protecting society from the danger he creates, and punishing him.

We recommend that scientific experiments be conducted to explore the deterrent impact of incarceration on offenders. Until more positive evidence on the utility of incarceration as a deterrent to recidivism becomes available, however, we are persuaded by the scattered data presented in Chapter 12 that the effectiveness of deterrence on violent offenders is dubious when other factors (such as rehabilitation) are controlled. The fact that the concept of deterrence has diffused so deeply into the corrections system, without sufficient evidence of its effectiveness, may be viewed as an indictment of current policy.

Available information suggests that restraint-as-protection is only partially justified, at least in the case of violent offenders. Juveniles and adults arrested

or convicted for homicide or rape rarely repeat the same crime, although the likelihood is greater for assault, robbery and burglary offenders. There will always be individuals judged so dangerous that they cannot be released, and we know violent offenders may well commit a less serious crime in the future. However, the fact remains that an offender is much less likely to repeat a serious violent act than a more minor offense. In this sense, restraint based on the perceived need to protect society from the violent offender is only partially justified.

The soundest argument for restraint is probably its justification as punishment. Unlike the other arguments, this one cannot be empirically verified: it is a value judgment society makes. At present, many believe that, to varying degrees, criminals should "pay" for their crimes. It may be said that any program to which an offender is subjected against his will is a form of punishment and that incarceration under any circumstances involves some element of punishment. The retention of an ethical interpretation of expiation may indeed help to temper the punitive character of incarceration while satisfying some notions of justice.

Perhaps restraint of some offenders does serve both to protect and deter, but it must be balanced against the chance that imprisonment can produce negative effects and render offenders less capable of rehabilitation. The price we pay for restraining an offender may be greater difficulty if and when we attempt to rehabilitate him.

C. Rehabilitation

Rehabilitation includes those correctional programs operating in an institutional setting which are designed to modify the offender's behavior and attitudes so that he no longer commits crime. The process should not only discourage the commission of crime and violence, but also more positively generate the opportunity to live a meaningful life. A criminal career must be changed to a productive law-abiding career.

Evidence indicates that earning ability is an important asset if ex-convicts are to lead crime-free lives upon release (especially for young, adult males, who make up a large proportion of all inmates). Because the present correctional system is woefully inadequate in vocational preparation, we strongly endorse the recommendations made by the Crime Commission:

- Correctional institutions should upgrade educational and vocational training programs, extending them to all inmates who can profit from them. They should experiment with special techniques such as programmed instruction.
- States could, with federal support, establish programs to recruit and train academic and vocational instructors to work in correctional institutions.
- States should work together and with the federal government to institute modern correctional industries programs aimed at rehabilitation of offenders by instilling good work habits and methods. State and federal laws restricting the sale of prison-made products should be modified or repealed.⁴³

To increase the probability that inmates will get along with one another in vocational training, test programs should involve only a small number of prisoners, a low level of contact with the rest of the inmate population, and a careful selection of trainees.

The offender should have considerable freedom to demonstrate his abilities and choose the vocation he is most interested in learning. Job placement tests should be given to all offenders for whom vocational training is judged to be an important mode of individualized treatment. Once ability and interest are ascertained, the offender should be placed in an institution specializing in the teaching of that particular skill. The training process should make every effort to simulate real working conditions.

We recommend that major state and federal prisons coordinate their vocational training efforts so that each institution specializes in teaching a limited range of skills. The costs of maintaining modern equipment usually preclude training in many vocations. Currently, an inmate must learn the skill being taught at the institution to which he is assigned, whether or not he has interest and ability in it. In the cooperative vocational training program proposed, capital costs could be spread over the major correctional institutions and a wide variety of training programs offered. The first step in developing such a network should be a study of how the considerable legal obstacles against transferring inmates throughout the country can be overcome.

In conjunction with the development, test, and evaluation of a cooperative vocational-training network, we recommend that a National Prisoner Savings and Loan Association be chartered. If state and federal laws restricting the sale of prison-made products were repealed, and if more extensive training programs were instituted, it is reasonable to expect a certain level of income from the sale of prison-made products. This income could in part be used to cover fixed and variable operational costs (e.g., equipment and teachers' salaries) and in part be credited to those who made the products. A compulsory inmate savings program could be instituted in which a certain minimum proportion of all earnings would be set aside to help meet post-release expenses. Savings could be deposited in the National Prisoner Savings and Loan Association and interest generated. Thus, not only would the inmate be motivated to learn a skill in order to earn money, but he would have the satisfaction resulting from the accruing interest. The Association itself could be run by professionals and operated along the lines of any other savings and loan institution. However, only savings from inmates and contributions from the public would be accepted, and released inmates would be the primary group to whom special, low-interest loans were made.

Specialized skills should be academic as well as vocational. A number of major correctional institutions should develop educational centers for the teaching of grade school, high school, and college-level subjects. To be effective, academic training programs should (1) select only those who can benefit from concentrated academic, as opposed to vocational, education (although learning in one area is not necessarily incompatible with learning in the other) and (2) require each participant to study over a period of minimum duration⁴⁴ which has as its goal the completion of a specific amount of work (e.g., the equivalent of a grade school or high school diploma, or of 1 year in junior college). The most important recipients of

academic education should be youthful offenders. They should also be provided with personal guidance in gaining self-understanding, developing interpersonal relationships, and acquiring positive social values.

Psychological therapy should be used as a supplement to such learning and as an approach to greater self-and-interpersonal-understanding. One broad type of treatment is insight therapy, which theorizes that disordered behavior is the result of peculiarities inside the individual. To treat them, the therapist explores the inner states and motivations that underlie surface difficulties, on the assumption that their understanding will give the patient greater control over his behavior.

Group therapy is considered the most promising insight approach in correctional institutions. Although it is generally conducted among individuals who have committed similar offenses, we recommend that a greater mixture of deviants and nondeviants be tested and evaluated for their effectiveness. Value change, resocialization, and model imitation may be encouraged and accelerated by such a combination. The enormous burden of producing value shifts is currently placed on the group's therapist and the slow emergence of collective wisdom by the deviants themselves. The sheer numerical increase of carriers of nondeviant norms and values in the alternative suggested here may produce a more rapid and positive shift.

When offenders in a group therapy session have committed violent crimes, an additional feature to be tested is the development of nonviolent modes of conflict-resolution. Because many violent offenders feel obliged to fight to prove themselves, nonviolent games such as negotiation might be useful. Violent offenders should also be given the opportunity to work in a situation where nonviolent alternatives are made constantly available to them. For some, social service work or philanthropic activity is probably the best possible therapy.

Another broad avenue of psychological treatment is action therapy. Less concerned with motivational states, action therapy tends to focus on the treatment of the symptoms themselves. Practitioners believe that most symptoms are learned habit patterns which should be treated by special forms of training or conditioning. Current techniques of action therapy should be evaluated for their effectiveness on offenders who require a more intense form of rehabilitation treatment than group therapy and educational training alone.

So long as rehabilitation continues within the institutional setting, negative effects of imprisonment, such as assaultive violence, sexual violence, and racial hatred, must be dealt with. The best response to the problem is to eliminate the large, total institution in favor of community treatment. Because this is not always feasible, institutions removed from the community should at least be smaller than at present, with higher staff-to-inmate ratios. In addition, we recommend that:

- Conjugal and other sex-partner visits should be permitted.
- Techniques of operations research should be used to develop alternative patterns of inmate distribution: Is it better to isolate violent from nonviolent offenders to avoid the potential negative influence the violent group has on the values of the nonviolent group? Or is it better to mix the offenders in the hope that the nonviolent group may positively modify the values of the violent group? The same kinds of questions must

be asked with regard to distributional patterns by age, region, crime type, etc.

- Whenever possible, inmates should be treated by personnel as if they were subordinate members of a single staff who share the task of running the prison for the maximum long-run benefit of all.

- Institutional personnel, especially custodial staff, must be more carefully screened and observed. Volunteers, especially youth, should be encouraged, so that fresh, nonprison values are brought into the system.

- Institutions should be physically designed to reduce negative incarceration effects. They should be structured to allow more daylight in, provide more room for exercise, revolve activity around a central plant, include self-sufficient "quarterway" houses on the prison grounds, etc.

Research on the possible rehabilitative roles of drugs and surgery in the correction system should be instituted, although a sensitivity to the legal, ethical, and social implications of behavior modification devices must be maintained. In the short run, mentally ill criminals should be treated with the full range of drug and other therapies presently used in fully certified mental hospitals.

D. Reintegration

Reintegration is the extension of rehabilitation from the institutional to the community setting. The future of effective corrections policy lies in the direction of community-based treatment, usually as part of parole or probation operations, but also as a basis for providing services for offenders who have left the corrections system completely. Although some criminals will have to be incarcerated for the protection of society in general, when the decision is made to rehabilitate an individual, the community offers a much healthier environment than the institutional setting. It is the outside world, after all, for which the offender is being prepared. The sooner that preparation can involve the world beyond the prison walls, the more natural and successful the adjustment process will hopefully be.

Correctional institutions should adopt rigorous prerelease programs to prepare the offender for community reintegration. Such programs should include sessions on employment problems, practice in completing employment application forms, arrangements to obtain Social Security cards, lectures by industry and labor officials on how to hold jobs, discussions of parole rules, and introductions to parole supervisors. The prerelease acclimatization to normal community life should also include conjugal and other sex-partner visits, reinstatement of certain civil rights (such as voting rights) to individuals making rehabilitative progress, short furloughs with families, vocational and academic training programs requiring participants to leave prison during the day, "quarterway" houses on institution grounds where men working in the community during the day can eat and sleep at night, and temporary release periods for specified recreational, religious, and civic activities. The growth of effective programs will be accelerated if correctional administrators follow the Crime Commission's recommendation that institutions be built closer to population centers.

The logical extension of the institutionally based prerelease program is one

centered in the community. Since 1961, several metropolitan prerelease guidance centers have received prisoners from institutions shortly before their release dates.⁴⁵ The prerelease experience is designed to make community reintegration a more gradual process than the direct step from institution to parole. The community centers are generally considered highly promising instruments of correction. We recommend further evaluation leading to a possible expansion in their use.

The prerelease center is a "halfway house" between the traditional institution and the community. Because it is a continuing place of rehabilitation located in the community rather than in an institutional setting, the halfway house has been a viable alternative between probation and incarceration, at least for youthful offenders. The prototype for juvenile, group-oriented residential centers has been the Highfields Program, established in 1950 on the premise that rehabilitation through guided group interaction could be accomplished in three or four months. Programming is simple and designed to emphasize problem solving, decisionmaking, and control through the group.⁴⁶

Since Highfields began, the Provo, Essexfields, and Silverlake experiments have been undertaken as variations in which juveniles spend their days in a community halfway house, but are allowed home during weekends or at night. The effectiveness of these programs is not yet clear, but the recidivism figures provide some grounds for optimism. We encourage continued evaluation and widespread implementation for both juvenile and adult offenders if the experiments prove successful.

Halfway houses have been tested less as residential centers for released offenders. Although many offenders, especially youths, tend to return home upon release, those who live alone tend to have much higher recidivism rates.⁴⁷ Under these circumstances, a halfway house occupied by other post-release offenders sharing common problems and having easy access to live-in professionals and student volunteers should provide a better environment and should allow for liberal rules of conduct and curfews.

Whatever their particular function, halfway houses can be run by public and private agencies or by private citizens. Private citizens or paid employees should be encouraged to run informal group homes for offenders, and "home parents" could be considered as paraprofessionals eligible for correctional agency training programs.⁴⁸

Psychological treatment should be available for offenders on parole or probation as well as for those completely released from the corrections system.⁴⁹ To the extent that neurotic and psychotic tendencies may be more prevalent among violent offenders acting passionately than among property offenders acting rationally, violent offenders have a need for continuous psychiatric services.

In the transition to the community environment, it is also important to continue academic and vocational growth. Some federal and state vocational organizations have already provided extensive training opportunities for unskilled but trainable persons in special fields. Indications are that a period of several weeks of training can produce dramatic results in rapid learning and employment placement. We recommend the further development, testing and evaluation of these programs, especially in cooperation with local vocational schools, high schools, and colleges.

One of the keys to community reintegration of offenders is acceptance and support by citizens. Potential employers form a small but particularly important subgroup of citizens, in our view. Very little is known about employers' attitudes toward ex-convicts and requirements for their acceptance as employees. A number of sample surveys should be undertaken to ascertain the standards employers will require of released offenders in the most relevant economic sectors. Because some employers may be unreasonably militant in their demands, the federal and state correctional systems should undertake a publicity campaign explaining the problems of offenders and requesting greater employer cooperation—even tolerance of substandard performance during an initial period of employment. Private employers and labor union leaders should be encouraged to initiate an annual quota system in which a specific number of offenders who meet established standards are hired each year.

The need for greater cooperation by employers extends into the public sector as well. Indeed, government agencies generally lag behind private industry in the employment of ex-convicts.⁵⁰ We recognize that many government positions require an unusually high degree of trust, so that caution is surely necessary in filling them. However, there are also many jobs, such as road maintenance or food preparation, where security precautions are not as strict. With these occupations in mind, government at all levels should take the lead in hiring released offenders. In addition to creating more jobs, such leadership could serve an incentive to expanded hiring practices in private industry, and might lead to a program in which the private sector matches the number of positions opened by the public sector.

Preliminary findings indicate that the corrections system does not necessarily have to find such jobs for offenders as long as they are properly trained. Many institutions require that an offender have a job waiting for him before his parole is approved, but the theoretical implications are not necessarily borne out. At least one study has shown that inmates considered capable of employment but who did not have jobs upon release had a lower post-release crime rate than inmates in a group considered generally incapable of employment but who began jobs immediately upon release.⁵¹ Although the availability of employment is a necessary condition for effective reintegration, it is therefore not likely to be sufficient unless the offenders possess work skills.

Even for offenders with marketable job skills, the period after release and before a steady flow of income from legitimate work begins is a trying one in which the likelihood of recidivism is particularly high. In the past, economic assistance to newly released prisoners has been minimal. Available funds have been distributed more with a concern for administrative convenience than with a strategic estimation of the most effective way to reduce recidivism. An essential supplement to an employment program is therefore an expanded system of financial assistance. In keeping with the theme of individualization of treatment, we recommend that financial aid be distributed according to the needs of the particular offender.

One means of financial assistance is the granting of loans to released offenders who are judged reasonable risks. We recommend that this be a prime responsibility of the National Prisoner Savings and Loan Association, which we recommended earlier. Special federal and state loan programs may

also be desirable. Low-interest rates and strictly defined repayment periods could be incorporated.

Another aid would be unemployment insurance. At present, eligibility for unemployment insurance under the Social Security Act is dependent upon two requirements which released prisoners generally have difficulty in meeting. To be eligible, a released offender must (1) have been previously employed at a firm covered by unemployment insurance, and (2) must have earned a specific amount during a designated period of the preceding year. The fact that ex-prisoners are confined during the preceding period eliminates the possibility of unemployment compensation under this requirement. We therefore urge that anyone who can demonstrate he was involuntarily unemployable during the designated time period should be permitted to claim benefits on the basis of a previous employment record. This would require specific legislation defining imprisonment as involuntary unemployability, because past court decisions have held that an inmate is not involuntarily unemployed if his confinement results from the voluntary performance of a criminal act.

E. *The Implementation of Information About Recidivism*⁵²

Present knowledge about recidivism must be more incorporated into correctional strategy. Corrections treatment should concern itself with the question of why violent offenders, both black and white, depart from their predominantly nonviolent careers while many other criminal offenders never commit a violent offense.

The association between mobility and recidivism suggests that correctional treatment should attempt to give the offender the desire to gain acceptance within the law-abiding community.

If more refined data eventually show that a significant number of adults "specialize" in aggravated assault, robbery, or burglary, there would seem to be a need to orient treatment more fully to the reasons for repeating the relevant violent act. Thus, for example, offenders whose only "skill" is robbery or burglary might change their outlook if taught meaningful, legitimate profession.

After the violent offender leaves more intensive, restrictive correctional supervision or is otherwise allowed to live a more or less normal life in the community, resources from both the corrections system and the community should be used to assist him over the next two to three crucial years.

First priority should be given to preventing one-time delinquents from recidivating, especially if they are nonwhite and belong to the lower socioeconomic class. By focusing attention on such persons who are first offenders, not only would the general rate of delinquency be affected, but the incidence of serious violent acts would be drastically decreased. Although there is not enough information to make a similar recommendation for adults, current knowledge does suggest that intervention after the first offense may be a successful strategy.

Correctional resources should also be concentrated on the hard-core recidivists who commit so much of the total volume of crime and violence. The kinds of treatment may have to differ from those for one-time offenders. In particular, the range of community treatment programs may be more immediately relevant to one-time offenders, while the strategy for the

hard-core recidivist may have to be a mixture of in-depth institutional rehabilitation and retention before treatment can be continued in the community.

F. Professional Personnel

A great deal must be done to alleviate the severe professional manpower inadequacies in the corrections system. The Crime Commission advised that the 6,657 specialist personnel in our institutions—primarily teachers, psychologists, and psychiatrists—be expanded to 20,400 to meet minimum needs. Similarly, it judged that the 14,731 parole and probation officers employed in community services be expanded to 44,800 to reduce caseloads to an acceptable level of 35 per officer. Although it has already been demonstrated that more and better personnel work effectively to reduce recidivism, there has been little response to these suggestions. We strongly recommend their implementation.

More employees are needed at all positions, but the proportions of employees should also be changed to include relatively fewer nontreatment and more treatment practitioners and relatively fewer institutional and more community service personnel.

Closing the professional manpower gap in corrections involves more than increasing the quantity of personnel. Many top-quality professionals are needed. The appeal for better personnel should especially be geared to our educational institutions. The Crime Commission broadly recommended that:

Universities and college should, with governmental and private participation and support, develop more courses and launch more research studies and projects on the problems of contemporary corrections.⁵³

We endorse this position and make the following additional recommendations:⁵⁴

- Corrections officials should offer their services free of charge to relevant departments (e.g., sociology, law, psychology, medicine, social work) of local universities as consultants for establishing or upgrading of courses dealing with corrections, social deviance, or related subjects.
- Correction agencies should make staff available free of charge to serve as part-time instructors, guest lecturers and speakers for university courses. Offenders should be taken along as speakers whenever possible. In addition to reviewing substantive issues and making the subject matter come to life, correctional lecturers should clearly define the types of positions in the correctional field available to students.
- Greatly expanded financial support should be given to students studying corrections, criminology, and related fields and to law and medical students with an interest in devoting at least part of their professional time to corrections. This assistance should be coordinated through federal and state agencies and be in the form of loans, paid jobs, internships, and stipends. Corrections pay scales and benefits should be improved and students informed of the change.
- Students should be afforded opportunities to observe and take part in

correctional activities. The range of opportunities should include research in the field by corrections officials, tours and visits of facilities, internships, summer employment, part-time jobs during the academic year, and a program of voluntary work.

- Correction agencies should provide personnel for supplemental college-level courses at night and in the summer.
- Correction officials should become better acquainted with academic guidance and placement personnel and inform them of employment opportunities.
- A federally sponsored, three-level training program for people entering the corrections system should be implemented. The first level would be in the form of a National Correctional Training Academy devoted to training executives, administrators, policymakers, and key treatment personnel. The second level would consist of regional training centers located either adjacent to a correctional institution or in a university, and should concentrate on training middle-management and middle-range treatment personnel. The third level would be directed at the beginning worker and should involve training programs within the agency, supplemented by educational leaves, stipends, and grants to promising students. Individuals in colleges and universities should be informed that, even if they have not been prepared for a correctional career, this program will teach those who qualify (in terms of basic intelligence, interest, and incentive).

Although educational institutions are the major source of top-quality correctional personnel, ex-convicts should be given consideration for such posts. Not only do ex-offenders offer a manpower source that could significantly reduce the present personnel gap, but training for such positions would be an excellent means of vocational rehabilitation. In addition, the ex-offender may have unique insights in the job. We accordingly recommend extensive test and evaluation of ex-offenders for personnel roles. If the concept proves effective, prohibitive statutes should be removed and ex-offenders used liberally in correctional institutions.

G. Paraprofessionals and Voluntary Personnel

Paraprofessionals and volunteers have already proved effective in working with the mentally ill, but the corrections system has failed to utilize their talents in closing the manpower gap. The effective development of subprofessional and volunteer programs requires a conviction that they have an important function to serve in corrections. It will also take time to develop the most effective grouping of professionals and paraprofessionals in various treatment strategies. We endorse the Crime Commission's recommendation that probation and parole services should utilize volunteer and paraprofessional aides in demonstration projects and regular programs as well as explore the potential of such aides in the sphere of institutional rehabilitation.

H. Facilities

Correctional facilities must be considered as an additional variable, along with offender characteristics, the treatment mode, and the correctional

personnel, in test and evaluation for the most cost-effective rehabilitation alternatives. Our previous recommendations on new facilities, such as redesigned prisons and the extensive use of computers, have generally implied the need for greater future capital outlay. However, this should not be at the expense of investment in community service facilities. By 1975, the planned capital outlay for additional space in prisons will exceed \$1.13 billion, and added operating costs will amount to \$200 million. This last figure exceeds the total amount now being spent for all community based correctional services. Such an allocation appears unwise. We believe instead that, in conjunction with the suggested increase in institutional allotments, there would be an even greater increase in community facility investment, resulting in a reallocation of capital resources in favor of community services. This change would complement the emphasis on community services recommended by the Crime Commission and this Task Force.

I. Citizen Cooperation

The effectiveness of corrections personnel and facilities can be noticeably enhanced through cooperation by citizens outside of the criminal justice system. We recommend that the power and influence of all citizens who function as custodians of social and economic opportunity or who are important decisionmakers be more strategically employed by corrections officials.

J. Coordination

City, county, state, and federal governments involved in corrections typically act independently of and compete for funds and manpower with each other. To improve coordination, the Crime Commission recommended that:

Local jails and misdemeanor institutions should be integrated into State correctional systems. They should not be operated by law enforcement agencies. Rehabilitative programs and other reforms should be instituted.⁵⁵

We further urge each state to diffuse correctional facilities of equally high quality throughout the entire jurisdiction.

At the federal level, corrections agencies (the Bureau of Prisons, the Law Enforcement Assistance Administration in the Department of Justice, the National Institute of Mental Health, the Office of Juvenile Delinquency and Youth Development, the Children's Bureau of the Department of Health, Education, and Welfare, and the Rehabilitation Services Administration) should consolidate their efforts to devise innovative strategies for both federal and state prison systems. These agencies should coordinate their research and funding to reflect the priorities articulated by the Crime Commission and the Task Force, lead the way in encouraging test and evaluation methods, disseminate experimental results through a common set of publications, and encourage implementation of effective programs. The LEAA is already working with its new state planning agencies, which receive technical direction and action grants from the federal agency for a wide range of crime prevention and control programs. We suggest that other federal agencies

involved in corrections seek an arrangement with LEAA whereby the state agencies can channel federal guidance and financial support throughout the state corrections systems. Increased federal support should be extended to states where planning is most coordinated and the most promising correctional innovations are utilized.

Rehabilitative and reintegrative efforts in corrections could benefit from a better integration of all federal- and state-sponsored social welfare programs. Significant scale economies are being lost by failure to coordinate treatment with the broader social program framework. Thus, an effective innovation might be juvenile parole programs which are functionally part of OEO job-training programs, police-sponsored summer camps, and HEW-directed community recreation programs. Such cooperation might be promoted by committees composed of representatives from all relevant welfare and social services and sponsored by the LEAA state planning agency.

K. Funding

Finally, advances in correctional effectiveness require much higher levels of financial support for both research and action than are presently forthcoming from federal, state, and local governments.

2. Reform in the Juvenile Justice System

Because of the emphasis on rehabilitating and reintegrating young offenders, we extend our discussion of humane and effective treatment into the special problems of the juvenile justice system. Aside from the changes wrought by the Supreme Court's decision in the *Gault* case,⁵⁶ the recommendations of the Crime Commission on the juvenile justice system have largely gone unimplemented. Our recommendations largely reiterate the changes originally called for. The Commission summarized the basic thrust of its proposals as follows:

- The formal sanctioning system and pronouncement of delinquency should be used only as a last resort. In place of the formal system, dispositional alternatives to adjudication must be developed, including agencies to provide and coordinate services which will achieve the necessary control without unnecessary stigma. Alternatives already available, such as those related to court intake, should be more fully utilized.
- The range of conduct for which court intervention is authorized should be narrowed.
- The cases falling within the narrowed jurisdiction of the court and filtering through the screen of informal disposition would largely involve offenders for whom more vigorous measures seem necessary. Court adjudication and disposition of those offenders should no longer be viewed solely as a diagnosis and prescription for cure, but should be frankly recognized as an authoritative court judgment expressing society's claim to protection. While rehabilitative efforts should be vigorously pursued in deference to the youthfulness of the offenders and in keeping with the general commitment to individualized treatment of all offenders, the incapacitative, deterrent, and

condemnatory purposes of the judgment should not be disguised. Accordingly, the adjudicatory hearing should be consistent with basic principles of due process. Counsel and evidentiary restrictions are among the essential elements of fundamental fairness in juvenile as well as adult criminal courts.⁵⁷

A. Pre-Judicial Disposition

We repeat the Crime Commission's recommendation that greater emphasis be placed on pre-judicial disposition outside the juvenile court.

The limited effectiveness of the formal processes of the juvenile justice system, the stigma of the label "delinquent," the inability of the system to reach the influences that shape the life of a youngster, the limited disposition options available to the juvenile court, the lack of personnel and diagnostic and treatment facilities—all of these factors give pre-judicial dispositions an especially important role in the treatment of juveniles.

To insure that official handling is limited to those who have committed relatively serious acts, we proceed beyond the recommendations of the Crime Commission and propose that juvenile court jurisdiction be limited to acts which would be criminal if committed by adults. This, we believe, would be a practical recognition of the function of the juvenile court and would reduce the gap between theory and the reality which has developed. It would allow the court to frankly acknowledge that serious juvenile offenders can present a threat to society and that, in certain instances, incarceration to protect the community is a proper response of the juvenile court.

B. Implementation of the Safeguards in *Gault*

Recognizing the coercive authority of the juvenile court and the loss of liberty which can result from adjudication, we propose efforts to insure the implementation of the procedural safeguards in *Gault*. Organizations such as the President's Lawyers Committee on Civil Rights Under Law, could play a significant role. Such an organization, which has the support of the leaders of the bar in each city as well as a full-time staff of its own, could do much to influence the quality of justice in the juvenile courts.

Perhaps the most important ruling in the *Gault* case is the requirement that a juvenile and his parents be advised of their right to counsel and to court-appointed counsel if they are unable to afford their own. Representation by a trained lawyer is the best way of insuring that a youth charged with criminal conduct will receive a fair hearing and that all relevant facts and circumstances will be heard.

Presently there are few lawyers willing to represent alleged delinquents. Moreover, few lawyers have training in the practice and procedures of the juvenile court.

In recent years, law texts on juvenile courts have been developed, and some law schools now offer courses in juvenile court practice. We urge that this movement continue and that all law schools offer courses to acquaint their students with the special problems related to the juvenile justice system. States should relax their requirements to allow third-year law students to represent juveniles appearing before the court. If a student attorney were present in the court at all times during the day, there would be fewer instances of parents waiving their right to counsel. Hopefully, the meeting of

lawyer and client would not be on such a last-minute basis. Law schools could organize a committee of student-attorneys who could enter the case at an earlier stage through reference from the police or juvenile court intake authorities.

Another possible program would be the establishment of a Youth Justice Corps to recruit young law school graduates and social science graduates for work in the criminal justice system.⁵⁸ A training program similar to that for Peace Corps, Vista, and Teacher Corps volunteers could be established. Persons who have completed their education would be eligible to enroll full time in university-operated programs. Graduates would be placed in state and local law enforcement and corrections agencies, with the federal government matching up to 80 percent of the salary costs. Persons in the last year of law or other professional training schools could become part-time students with academic credit given in accord with university policies. Student loans received under existing federal programs might be written off whenever a student continued participation in the criminal justice field for 2 years after graduation. Such service might also be considered draft deferred. The curriculum in the participating universities would hopefully be enriched by courses in law enforcement, justice administration, and rehabilitational and correctional techniques.

In addition to encouraging participation and thereby increasing and upgrading the manpower supply, such a program would have the advantages of stimulating the independent development of university curricula in criminal justice and increasing the number of specialists in law enforcement and correctional agencies.

By implementing procedural regularity and providing a juvenile with an advocate of his rights and interests in the juvenile court hearing, the arbitrariness of the juvenile process would be eliminated, and those coming before the court would hopefully develop a greater respect for the judicial system.

C. Greater Procedural Regularity and Reorientation of the Court Intake Process

In order to promote the atmosphere necessary for a fair determination of delinquency, we recommend that juvenile courts establish formal procedures which clearly differentiate between the adjudication hearing (the purpose of which is to determine the truth of the petition), and the disposition proceeding (at which the juvenile's background is considered in connection with the case).

By emphasizing the need for greater procedural regularity, we do not mean to suggest that the juvenile court should be a carbon copy of adult criminal courts. The process should not become so mechanical that all juveniles charged with criminal offenses immediately become adjudicated delinquents. We endorse the Crime Commission's recommendations that the juvenile court's intake process be used to divert many referrals from official handling by the court.⁵⁹

Our recommendations take into account the negative impact formal adjudication may have on a young person, acknowledge the role of the juvenile court in upholding community standards and protecting the community, and seek to reorient court procedures so that only those charged

with the most serious and threatening violations will actually be objects of official state intervention.

We do not believe, however, that these offenders should be written off as irretrievably headed toward a life of crime. The rationale for the juvenile court is the belief that young people are capable of developing new and different patterns of behavior enabling them to assume responsible roles in society. For this reason, we believe they should not be treated with the harshness of the adult criminal system, which deprives the convicted offender of many rights of citizenship and attaches to him a public record which is available to prospective employers. The Crime Commission stressed the need for utmost confidentiality in the keeping of juvenile records,⁶⁰ and we again endorse its position.

Correctional facilities, probation offices, and other rehabilitative programs should be outside the administrative structure of the juvenile court. Crime Commission studies pointed up the limited staff available to most courts and stated that juvenile court judges should not be burdened with both administrative and judicial responsibilities, which are somewhat conflicting. The court would seem less capable of developing and administering programs to deal with the complex factors related to delinquency than other community organizations which have greater resources and can focus exclusively on the problem of rehabilitation.

We thus support a system which leaves the authority to make the disposition of the case to the juvenile court, but maintains programs of development and administration outside its jurisdiction. Rehabilitation will be successful only to the extent that a variety of programs are developed, taking into account the myriad of influences contributing to delinquency. For this reason, it is important that program administrators cooperate closely with the courts in developing community services for youthful offenders and in keeping the court well informed of a variety of dispositional alternatives. However, we believe that this can be more successfully done through means other than the juvenile court.

The Crime Commission recommended limiting juvenile court jurisdiction to those charged with serious antisocial behavior. Early juvenile court statutes defined delinquency to include many activities which are not per se illegal for adults, and with which courts and government had not traditionally concerned themselves. It is highly questionable whether noncriminal conduct such as "smoking cigarettes," "use of vile, obscene, vulgar, profane or indecent language," or "absenting one's self from home or place of abode without just cause" should be brought within the authority of the state. Further, such terms as "incorrigible," "growing up in idleness and crime," or "engaging in immoral conduct" are exceedingly vague and permit a judge to apply his own moral values toward activity which he finds personally repugnant.

From a practical point of view, those who come within the juvenile court's jurisdiction in violation of these noncriminal provisions make up a large portion of court referrals and add to the heavy burden already placed on personnel and facilities. It is estimated that a quarter of the children handled by the juvenile courts each year have *not* broken any law which would be judged a crime if they were adults. Many are brought before the courts merely as truants or incorrigibles.⁶¹

In addition, there is good reason to question the rationale of labeling such offenders as "delinquents." Many experts believe that this stigma by itself may lead to anti-social patterns of behavior.⁶²

Thus, there are at least three sound reasons for eliminating the juvenile court's jurisdiction over noncriminal behavior:

- Such jurisdiction contributes to an overcrowding of court facilities and wastes time which could be used more efficiently.
- A boy who has been involved in merely mischievous conduct and has been adjudicated as a delinquent may view himself as deviant and increase his antisocial tendencies.
- Some areas of conduct should be regulated by general community values without resort to intervention by official institutions of government.

The idea of reducing juvenile court jurisdiction is not new. Critics of the court have stressed this for a number of years, and the Crime Commission recommended such a step. However, changes in this area have come more slowly than in procedure (this is primarily due to the *Gault* case).

Very few states have revised their jurisdictional provisions. The main thrust of such legislation is to limit the definition of delinquency to acts which would be criminal if committed by adults and to create new categories for conduct, such as "incorrigibility" or "truancy." These statutes also limit the dispositional alternatives available to the juvenile court in dealing with such "noncriminal" youths, generally excluding commitment to a state juvenile reformatory. Changes of this nature seem to be aimed at reducing the possibly detrimental consequences of adjudication and keeping nonserious offenders separate from hard-core youthful criminals.

Since 1960, seven states have revised their juvenile court statutes and established distinct categories for "delinquents," as opposed to other juveniles coming before the court for noncriminal activities. New York enacted a comprehensive Family Court Act in 1963. A juvenile delinquent was defined as "a person over seven and less than sixteen years of age who does any act which, if done by an adult would constitute a crime."⁶³

The statute creates a second classification—a "person in need of supervision"—and defines the term to include:⁶⁴

a male less than sixteen years of age and a female less than eighteen years of age who is an habitual truant or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority

The statute provides similar dispositional alternatives for both categories, except for initial commitment of a "person in need of supervision" to an institution for delinquents.⁶⁵

Several other states have moved to establish such a separation between juveniles referred for criminal and noncriminal acts.⁶⁶ Creation of a new category, however, will not necessarily narrow the jurisdiction of the juvenile court. For one thing, the public (including employers and prospective employers) may still equate those "in need of supervision" with delinquents.

D. *The Youth Services Bureau*

Recent studies indicate that a local community can work more effectively with a young person's problems than can official public organizations, which are often coldly bureaucratic and perceived as alien to the life style of the troubled youth. To implement such a program, we propose the establishment of local Youth Services Bureaus, possibly as part of the Community Service Centers recommended earlier.⁶⁷

Such bureaus could handle youths referred from schools, parents, and police for conduct not within the revised jurisdiction of the juvenile court. They might also serve as dispositional alternatives available to the juvenile court for delinquents who are not considered a serious threat to the community.

The funding of a Youth Services Bureau is very feasible. Under the Juvenile Delinquency Prevention and Control Act of 1968, Title I, Part C, funds could be made available to nonprofit agencies or organizations which sponsor such projects, with the federal government contributing as much as 75 percent of the total cost. The act also provides for the creation of meaningful Youth Services Bureaus at the local level. A major drawback at the present time is the meager (\$5 million) appropriation of funds.

In the next fiscal year, appropriations should be closer to \$50 million and communities should receive substantial aid in creating local Youth Services Bureaus.⁶⁸

Policy Area III: Control of Crime and Violence Through Increasing the Risk of Apprehension

We turn now to the more immediate tactical goal of controlling crime and violence by increasing the difficulty of commission. The primary concern is to increase the potential criminal's perception of apprehension as well as to facilitate his capture. Control policy emphasizes the safety of the general population, yet it does not diminish the need for social reconstruction and correctional programs.

1. *Control of Individual Crime and Violence by Local Police, Government, and Citizens*

We have assigned lower priority to control than to social reconstruction and corrections because the police, the primary agents of control, have been thoroughly examined by the Law and Law Enforcement Task Force of the Violence Commission. Nonetheless, control does play an important part, especially in the short run, and recommendations which follow are made with an awareness of the major policy needs in the field.⁶⁹

A. *Deterrence*

There has been little research on the extent to which incarceration deters offenders from recidivating and potential offenders from committing a crime in the first place. Even less has been done on how the police and the community can more effectively deter potential criminals. Much is still to be learned about the relationship between variations in threat situations and the behavior of potential offenders. We need to discover how different people,

especially juveniles and habitual offenders, react to a given threat situation, how they act to avoid the threat, how the threat is communicated, and what aspects of the threat are most relevant—apprehension, conviction, or correction. Local police forces and community groups, working with LEAA guidance and financial assistance, should greatly expand projects testing the effectiveness of various alternatives.

Such projects must seek deterrence through better control of the external community environment. This will probably not affect major violent crimes among intimates and those that are more "passionate" than rational—criminal homicide, forcible rape, and some assaults. Similarly, deterrence policy will have little effect on individuals so desperate that no potential threat holds any real significance for them. However, deterrent techniques do have a great potential against crime and violence that is more rational and impersonal, more likely to occur in the street, or more oriented to property. In terms of specific violent acts, deterrent strategy is mainly applicable to robbery, some forms of assault, burglary, arson, vandalism, and perhaps disorderly conduct.

Street robberies in particular are affected by such tactics. One successful deterrent instrument is intensification of patrols—the "omnipresence of police." Operation 25 in New York, for example, showed a reduction of over 50 percent in street robberies in the precinct where intensive police patrols were conducted.⁷⁰ The consequences of a significant increase in patrol forces allocated to a particular precinct should be more widely evaluated. Changes in the crime rate by type of crime must be measured both in the test precinct and adjoining precincts. Side effects (e.g., additional misdemeanor arrests and hostility to the police) in both the test and adjoining precincts must also be measured. In areas where the practice proves effective, local governments should be prepared to finance the additional staff and equipment necessary. Other characteristics, such as the relationship between patrols and street lighting and the best ratio of marked to unmarked cars, should be evaluated.

In general, the effective allocation of police patrol resources is perhaps the single most important operational problem facing police departments today. Allocation problems include predicting the demand for services (e.g., forecasting the number of calls from citizens), establishing allocation criteria (e.g., basing allocation on the minimization of average police response time), and positioning forces (e.g., establishing a method of spatial assignment). The Task Force recommends that all major police departments build upon the excellent work being done in St. Louis and Boston to improve patrol allocation and so increase deterrence through the application of operations research and computer analysis techniques.

There is also a potential for the greater use of surveillance and alarm systems. We recommend expanded test and evaluation of surveillance devices which present either audio (microphone) or visual (television) information to an observer who is in a position to distinguish criminal activity from normal traffic. There should be demonstration projects in which surveillance sensors are put in public transportation, apartment hallways, elevators, and certain streets where crime is a serious problem. To function with the new automatic vehicle locaters being developed by police, new alarms should be developed for buses, taxis, and even for personal use by pedestrians.

Once the detection stimulus is triggered, it becomes necessary for the information to be transmitted to the police as quickly as possible, usually via

telephone. The process, however, needs improvement. The victim without a dime, for example, should be able to call the police from any pay telephone. Installation of telephones which allow the caller to reach the operator without depositing a dime has begun in some cities, but should be widely expanded. There is now a national emergency number (911), but local communications systems must be more rapidly developed to respond to calls. Existing fire alarm stations have been replaced by emergency callboxes connected to police stations and police callboxes opened to the public in some cities. Similar practices should be throughout the country.

All of these devices will help citizens report crime and violence, and hopefully deter it, yet a greater community willingness to cooperate with police in such reporting must be simultaneously generated. The recommendations in Appendix 13 for improving police-community relations should therefore also be seen as assisting in the control and deterrence effort.

B. Target Hardening

The lessening of victim susceptibility to crime and violence is a relatively unexplored area and deserves increased attention by police, local government officials, urban designers, private manufacturing firms, and the LEAA Institute on Law Enforcement and Criminal Justice. Innovations would have the greatest effect on robberies, although some have relevance to assaultive violence and to burglary, arson, and vandalism. A partial list includes:⁷¹

- Manufacture of credit cards which are extremely difficult for anyone but the owner to use (e.g., by the incorporation of photographs, fingerprints and magnetic recordings of the owner's voice).
- Encouragement of nighttime commercial establishments (liquor stores, markets, gas stations, nightclubs, movie theaters, restaurants, bars, laundromats, etc.) to agglomerate into central squares by offering special zoning laws, and emphasizing the economic benefits to be gained.
- Improvement of parking facilities on the fringe of or underneath such centers.
- Distribution of bus stops in or near nighttime commercial agglomerations, places of relatively high population density during day and night, or at least in well-lit places with unobstructed visibility.
- Use of scrip on buses.
- Addition of partitions between the driver and passengers in taxicabs.
- Elimination of "channels of pedestrian circulation," having a "critical traffic density" in which there are a sufficient number of potential victims to attract offenders but not enough witnesses or police patrols to deter them (e.g., through closing of underground pedestrian tunnels).

- Elimination of dense shrubbery, and the like, from close approximation to pedestrian walks.
- Design of parks and other landscaped places to minimize visual obstructions without impairment of esthetic effects.
- Elimination of recessed doorways and similar hiding places from all new buildings without impairment of esthetic effects.
- Reconsideration of local building code specifications for private homes, apartments, and commercial establishments to provide increased safety (e.g. the requirement of electronically controlled garage entrance doors on all apartment buildings).

Similarly, for the special case of auto violence, safety measures that should be developed include:⁷²

- Installation of facilities and equipment that are more simplified and standardized (e.g., clearer road signs and road sign spacing and standardized gear shift patterns).
- Installation of better lighting, median barriers, and breakaway signs on highways.
- Construction of off-street playgrounds and pedestrian bridges.

C. Command and Control Centers

Most calls to the police in large cities are processed through some form of communications center. There are a few modernized centers today, but most can be improved. Delays add up to a significant part of the total time needed to respond to a call sometimes as much as 50 percent. Urgently needed innovations include automatic routing of telephone calls directly to an appropriate dispatcher, information displays for the dispatcher, automatic reporting patrol-car locations, computer assistance in making dispatching decisions and in monitoring the operation of the entire department, closer communication links between the caller and the police, and direct access to department computers and police computers across the nation. Once the decision to dispatch a police car is made, speed is important not only for the apprehension of the criminal but also to prevent a minor fight or argument from escalating into a violent crime.

The overall requirement is for adoption of a computer-assisted command and control system in each of our major police departments. With such a system, the officer receiving a call would code the address, the nature of the call, its urgency, and an estimate of the danger involved. A locator system would monitor the positions of all patrol cars and report them to the computer at regular intervals. The computer is then able to locate the police car closest to the call and dispatch an assignment message directly to the car's

teleprinter via a digital link. All computer-generated orders would be displayed simultaneously in the command center to a senior officer who could override any instructions his professional judgment indicated were improper. St. Louis, New York, and Los Angeles are among the cities installing centers with many of these features, and we believe it essential that all other large urban departments rapidly follow suit.

D. The Police Radio

One important link in command and control operations is the police radio. Probably the most significant advance in police technology over the past three decades has been the use of radio communication to control a department's forces. Nevertheless, there are still some major difficulties. Channels are crowded. Officers often have to wait for as long as an hour to report that they are available for further assignment. In the Chicago metropolitan area, 38 suburban cities with 350 patrol cars must share one frequency, and New York had 100 cars sharing one radio channel until just recently. Police should be assigned additional channels, perhaps by drawing upon unused television bands. Techniques such as trunking and channel switching should be widely implemented.

However, even when a channel is open, the police officer may not have access to a radio. In most cities, radio patrol cars contain only two-way radios. When an officer leaves his car, he is out of contact with the department. This is a serious problem. Present transistorized radios are heavy, bulky, and awkward to operate. Moreover, with a cost ranging from \$600 to \$1,000, they are far too expensive for many departments. Miniaturized versions of current radios would weigh about 12 ounces and could be sold for about \$150 in quantities of 20,000 or more. Unfortunately, no single police department represents such a large market. The federal government, working through LEAA, should therefore underwrite the research on a family of standardized, cost-effective hand radios and insure a market to potential manufacturers.

E. The Police Car

The police car is an important instrument of control. It is surprising that these vehicles are no more than simple stock sedans, modified by adding a roof light, a two-way radio, and sometimes a large engine. Many kinds of equipment—such as car location evidence kits, photographic equipment, and dictating and recording equipment—should be included to make a police officer's patrol and crime investigation more thorough and his performance more efficient.

A design competition for the construction of a prototype police automobile should be conducted by LEAA. The car design should be based on a conventional chassis and engine to minimize production costs. The specifications should include consideration of the functions a policeman performs inside and outside his vehicle and the visual impact of the exterior on the public. Once these specifications have been written, they should be distributed to engineering and industrial design organizations with invitations to submit proposals for construction.

There are many situations where the car can be supplemented by other vehicles. Helicopters are particularly effective for tracking cars through heavy

traffic or for surveillance of unusual activity in relatively deserted areas. Use of these supplementary vehicles should be investigated.

F. Prediction of Crime

A police force could also be aided considerably if it could predict where and when various kinds of crimes are likely to occur. Computer analysis of crime records and the use of statistical techniques such as multivariate and cluster analysis should be explored by police departments. The progress in computer prediction made by the St. Louis and Philadelphia police should be followed.

G. Nonlethal Police Weapons

The development of a nonlethal weapon which protects the officer and those he defends might be a positive step in reducing any unnecessary violence in the course of police operations. The potential responses of offenders to such a device should be investigated. For example, a criminal who knows he cannot be killed might act more aggressively than he would were he facing a gun. The qualities that must be sought in a nonlethal weapon are immediate incapacitation and little risk of permanent injury to the target. No such weapon is presently available, but continuing research to this end should be pursued at the federal level.

H. An Equipment Testing Laboratory

The technological innovations we have suggested will require a central laboratory for evaluation, quality control, and national information dissemination. This will avoid the high cost of custom design for each operating agency and allow uniform guidelines to be developed. The laboratory would be similar to the National Bureau of Standards, Underwriters' Laboratories, and Consumers' Union. Such a laboratory should be established through LEAA as a semiprivate, nonprofit organization.

I. Citizen Use of Firearms

The Task Force endorses the following recommendations, which are more fully developed in the Firearms Task Force of the Violence Commission:

- A widespread public education campaign to stress the duties and responsibilities of firearm ownership.
- Further research on the relationship between firearms violence, and strategies of firearms control.
- Establishment of licensing systems for handguns through federal legislation requiring all states to restrict the lawful possession of handguns to individuals who demonstrate a need for them.
- Establishment of minimum standards for state regulation of long guns, including the identification cards and tests on the operations, storage, and care of long guns.
- Extension of the Gun Control Act of 1968 to ban the domestic production and sale of "junk guns."

- Repeal of present legislation allowing licensed gun dealers to loan or rent firearms to nonresidents.
- Establishment of a federal firearms information center to accumulate and store data received from state agencies on firearms and owners.
- Passage of federal legislation requiring licensed gun dealers to adopt and maintain security procedures for the handling and storage of firearms to minimize theft.
- Improvement in the administration of existing firearms legislation.
- Consideration of Federal purchase of handguns from private citizens.⁷³

2. Control of Organized Crime Activities by Federal, State, and Local Authorities

An exception to the lower priority we have generally assigned to control relative to social reconstruction and correction presents itself in the special case of organized crime. For we are here not so much talking about scattered offenders who may have been driven to violence by their environment or by other factors, but about a tight group of individuals who have rationally chosen to use violence as a means to the end of profitmaking in illicit business activities. Not only does control therefore appear to be the main policy response to organized crime, but the cool, businesslike nature of underworld operations make them potentially ideal objects of deterrent strategies, which essentially assume the offender acts rationally.

Two years have passed since the Crime Commission concluded that the nation's fight against organized crime "has been primitive compared to organized crime's way of operating."⁷⁴ If, therefore, our suggestions are strikingly similar to those of the Kefauver committee of 1952, the American Bar Association Committee of 1953, and the Crime Commission in 1967, it is because little has been done. We make our recommendations in the hope they will be implemented. Although we are aiming primarily at the illegal business operations of organized crime, it is assumed that control of these functions will reduce the violence which is used to support them.

A. Proof of Criminal Violation

Because of the unique hierarchical structure of organized crime, syndicate bosses are completely insulated against detection by law enforcement. They do not commit criminal acts themselves; they merely oversee crime. A soldier in La Cosa Nostra may spend his entire career without ever communicating with the head of the family.⁷⁵ We recognize the insulation underworld leaders have built and seek to reduce it.

Electronic Surveillance—Most authorities believe that the use of electronic surveillance equipment is essential for developing strategic intelligence, securing witnesses, and gathering proof in cases against organized crime. Congress has agreed, and enacted a restricted electronics surveillance statute as part of the Omnibus Crime Control and Safe Streets Act of 1968⁷⁶.

Investigative agencies should make judicious use of the authority granted by the statute, but only after having developed and agreed upon careful, restrictive guidelines for its use.

The statute itself suggests additional guidelines. It is difficult, under the terms of the law, for law enforcement agencies to meet the required tests prior to authorization of an electronic search. The agency wishing to utilize electronic surveillance must show probable cause that a specific offense has been, or is about to be, committed, and must carefully enumerate such evidence and state in substance the conversation it desires to overhear.

These guidelines are helpful, but insufficient. We believe that use of electronic surveillance should be confined to conspiratorial arrangements. The surveillance statute was intended to reach; and should therefore only be used against, conspiracies in which the higher officials who direct the crimes are not physically involved. Use of such equipment should be clearly restricted to the activities of organized crime and never against individuals.

In our judgment, the prohibitions in the Safe Streets Act against infringements on privacy and invasions of privileged conversations are inadequate. Guidelines should restrict the use of electronic devices to offices or places of business; these devices should not be planted in homes unless they are frequently used as places of business. The tapping of public telephones should be avoided unless certain phones are used regularly for a given illegal activity. To safeguard individuals even further, surveillance devices should always be monitored and never used automatically. We suggest that the so-called "emergency provision" of the act not be used until and unless experience proves it essential and that no extensions beyond 30 days be granted unless extenuating circumstances warrant such action. All logs should be routinely submitted to attorneys in the Department of Justice. They can then make private, confidential judgments for the Attorney General about the legality and utility of the surveillance being conducted.

Several states have begun to pass electronics surveillance statutes. Federal, state, and local agencies must agree on uniform standards for use so they can rely on each other's work. The Attorney General should convene a conference to develop standards for Title III of the Omnibus Crime Control and Safe Streets Act of 1968 and provide technical assistance for training law enforcement officers in the use of electronic devices. This can be done through the new Federal Law Enforcement School.

Immunity—Federal statutes grant immunity to witnesses only in a limited number of cases. Only the availability of immunity can overcome the silence in which organized crime witnesses frequently wrap themselves.

The National Commission on Reform of Federal Criminal Laws has proposed a broad witness-immunity statute. It would not constitute a complete defense from prosecution, but provides that immunity is only a ground, not a defense, for suppressing evidence (thus permitting prosecution on untainted evidence). The proposal would consolidate a multitude of individual immunity statutes, court or grand jury, formal administrative or congressional, and would eliminate the unnecessary ritual of taking the immune witness before the grand jury, then to the court which directs him to answer, then back to the grand jury. Instead, the court, or other competent

authority, would deliver the direction to answer in advance, contingent upon assertion of the privilege.

The substance of the Commission's proposal has been introduced in Congress⁷⁶ and we support its adoption.

Perjury—Most authorities believe that the incidence of perjury is higher in organized crime cases than in ordinary criminal cases. An immunity statute will be effective only if witnesses can be compelled not only to testify but to testify truthfully. The difficulty of proving perjury discourages prosecutors from seeking organized crime indictments and makes perjury laws less forceful than they should be.

Two rules of evidence have a detrimental effect on perjury prosecutions. One is the "two-witness rule," which states that the uncorroborated testimony of one witness is not sufficient to establish falsity of testimony. The other is the "direct evidence rule," which requires that proof of false testimony in a perjury prosecution be direct and that no circumstantial evidence, regardless of how persuasive it appears, be sufficient for conviction. Both of these rules would be eliminated by the Model Perjury Act of the Commission on Uniform State Laws.

Title IV of S. 30, a bill to control organized crime, introduced on January 5, 1969 by Senators McClellan, Hruska, Allen and Ervin, based on the Model Perjury Act, would abolish the two-witness and direct-evidence rules. It would also eliminate the need for proving the falsity of one of the contradictory statements made under oath. We endorse this provision.

Housing Government Witnesses—Law enforcement officials feel a need to establish protected facilities for the housing of government witnesses. The lack of such facilities has made potential informers less willing to testify. The transfer of informers from city to city is not only dangerous but costly. Title VI of S. 30 provides for the establishment of such facilities, but many officials feel that funds should rather be appropriated for the housing of witnesses as prosecutors deem advisable. The latter approach seems sensible, and appropriations should be made for this purpose.

Sentencing—Criminal statutes do not now authorize greater punishment for crimes which are part of a continuing business. We endorse the Model Sentencing Act of the National Council on Crime and Delinquency's Council of Judges and the Model Penal Code of the American Law Institute, which would create a separate category for such violations. These provide extended sentences for any felon whose crime was committed as part of a continuing criminal conspiracy and who is so dangerous that he should be isolated from the public.

We recommend legislation providing extended prison terms where the trial or post-conviction hearing, in conformity with constitutional protections, shows that the felony was committed as part of a continuing illegal business.

B. Gambling

All authorities agree that illegal gambling enterprises are the single greatest source (\$20 to \$50 billion annually) of organized crime's revenue. The profits from illegal gambling finance the other activities of organized

crime—loansharking, narcotics, labor racketeering, and infiltration of legitimate business. Perhaps even more important, they provide the vast funds with which organized crime corrupts police and other public officials.

The nation's attitude toward illegal gambling has been characterized by an ambivalence which has made enforcement of gambling laws impossible. Our moral code has led us to outlaw gambling, yet millions gamble regularly. Even in those jurisdictions which have attempted to effect gambling laws, enforcement has been at best minimal.

We must stop organized crime's investments and corruption of public officials with gambling profits. We must either provide the legal and financial resources to enforce our gambling laws or face the question of legalization with stricter controls. In either case, we must end the problems associated with gambling.

In two related cases,⁷⁷ the Supreme Court struck down the Federal Wagering Tax Act. Before it can be reenacted and the Internal Revenue Service brought back into gambling enforcement, the act must be redrafted to eliminate the self-incrimination provision (permitting disclosure of information to law enforcement authorities) which the Court found objectionable.⁷⁸

Although many have suggested that the legalization of gambling would deprive organized crime of its lucrative profits, we are not prepared to make extensive recommendations until law enforcement agencies know more about the operations of the nation's vast illegal gambling enterprises, the scope and effect of their activity, and the approximate number of people who gamble regularly. The experience of Nevada, where gambling is legal and law enforcement techniques have been very conventional, does not persuade us that legalization is necessarily the answer to the gambling dilemma. We must have more information. Comparative data would be secured if another state legalized gambling on an experimental basis and combined legalization with vigorous and imaginative control of illegal activities. Different forms of control would also have to be tested and evaluated. It also must be learned whether extensive prosecution will so swamp the courts that the costs of enforcement will become intolerable.

C. Investment of Illegally Acquired Funds

Organized crime has developed an intricate system for investing illegally acquired funds in the United States and abroad. Sometimes money skimmed from legal or illegal gambling enterprises is sent by a courier to a so-called "banker" who distributes a percentage to each organized crime syndicate. At other times, funds are directly invested in other illegal or legal enterprises. Another practice is the sending of funds to Switzerland, where they remain in numbered bank accounts until withdrawn for investment.

More information is needed about illegal financial transactions. The main obstacle to the acquisition of information is the secrecy which generally surrounds most financial transactions—legal and illegal. Although there is a legitimate need for silence in the financial world, we believe that the threat of organized crime justifies carefully controlled compulsory disclosure. We therefore recommend that all banks doing business in the United States be required to disclose information about anonymous numbered accounts to certain select federal law enforcement officials.

We recommend that foreign investment in American stock exchanges be limited and controlled. The Securities and Exchange Commission should require certain kinds of information from foreign individuals and corporations prior to their investment in this country, such as the names of the corporation's principals. The SEC should be empowered, when the need is justified, to require corporate disclosure of ownership records. All disclosures should be made available to investigative agencies only upon authorization by the Organized Crime and Racketeering Section (OCRS) of the Department of Justice.

D. Federal Coordination and Reorganization

There are several federal agencies with organized crime responsibilities in addition to the OCRS. The Justice Department's Federal Bureau of Investigation, Immigration and Naturalization Service, and Bureau of Narcotics and Dangerous Drugs also have jurisdiction. In the Treasury Department, the Audit, Intelligence, Inspection, and Alcohol and Tobacco Tax Divisions of the Internal Revenue Service, as well as the Customs Agency Division of the Bureau of Customs and the Secret Service are involved. The Labor Department's Office of Labor-Management and Welfare-Pension Reports, the Post Office, and Securities and Exchange Commission, and perhaps a dozen other departments and regulatory agencies have jurisdiction over some aspect of organized crime.

The OCRS is charged with generally coordinating all these activities.

Yet due to its inadequate authority, low status, and small budget, the OCRS has been unable to fulfill its mandate, and consequently the attack on organized crime has been sporadic and uncoordinated.

We therefore recommend that the OCRS be made a full division in the Justice Department so that it can coordinate the efforts against organized crime and function as an operating agency in the field. The benefits of such a change would be significant. It would help insure public accountability and give the section greater prestige and authority in its dealings with other federal agencies. Most of all, the section would be given more money and authority to hire required additional personnel. The President should grant the OCRS the authority to coordinate organized crime functions of all federal departments and agencies. Bureau of the Budget personnel should be temporarily assigned to examine the enforcement activities of every federal department and agency to provide the Section with a clear picture of the overall effort.

Under the direction of the new Division, the work of other federal agencies should be made more efficient in the fight against organized crime. Thus, for example, we recommend that the law enforcement agencies of the Treasury Department be combined into one Treasury Department law enforcement agency which works in cooperation with the Organized Crime Division.

Another important initial function of the new Division will be to work in cooperation with the Statistics Center of the National Institute of Law Enforcement and Criminal Justice. The need for new, comprehensive, and reliable data is perhaps nowhere greater than in the area of organized crime. We make these statistical suggestions:

- Establishment of local police investigation and data reporting units.
- Coordination of local reporting through state statistical centers into a computerized national organized and professional crime intelligence network.
- Creation of a national public data bank on organized crime that consolidates available public information.
- Development of data on organized criminals, their customers, their operations, and on the effectiveness of law enforcement agents.

The Organized Crime Division should issue to Congress an annual "white paper" on organized crime—an authoritative status report, modeled on that issued annually by the Chicago Crime Commission. The first of these reports should be a comprehensive survey of organized crime in the United States.

In the event that a person named in any such report contends that he has been improperly named, legal remedies, such as the right to seek a declaratory judgment on the question, would provide sufficient safeguards.

In addition, the Division must be given funds and authority to develop a system of cost accounting for its work. At present, OCRS can only allocate its resources and measure its effectiveness through conviction rates. Such "body counts" are not a reasonable measure of effectiveness. The OCRS is the logical agency to provide training, particularly of prosecutors and intelligence specialists, technical assistance to states and localities, and establish public education programs. Because it must account to Congress and the public, OCRS will have to devise methods for measuring both the effectiveness of such programs and highly intangible factors such as intelligence progress.

E. State and Local Action

At the present time, state and local law enforcement agencies do not have the facilities to deal with the problems of organized crime. The organized crime units which exist in a few cities usually have a very small staff. Most prosecutors' offices have similarly low numbers of personnel.

States with organized crime problems should examine the model program of the Massachusetts Attorney General's office which includes a special investigative unit, special prosecutors, and an intelligence force. Every state with a syndicate problem should form a unit of attorneys and investigators to gather information and prosecute organized crime. Every metropolitan police force should have intelligence forces assigned solely to collect information on and monitor organized criminal activities. Responsibility for the organized crime program, however, should be fixed at the highest state level—with the governor or attorney general—to minimize corruption and maximize authority.

States must also examine their criminal codes to consider revisions necessary for a more effective fight against organized crime. All states and localities should realize that the success of organized crime depends on the complicity and passivity of government. It cannot function without

corrupting public officials. Police, local government personnel, and contractees should be given security checks prior to employment and be aware of their vulnerability to organized crime.

In the private sector, effective methods must be found to acquire information about infiltration of business and industry by organized crime. Regrettably most business people refuse to get involved.⁷⁹

We realize that it may seem unfair to ask a single businessman to stand up to criminals who are invading his industry, but he can discover safe ways of communicating this information to the proper authorities. Perhaps he will learn that, although opposition by one businessman is difficult, it is easier for 5, and very safe for 10. As a first step, businessmen should be more generous in starting credit unions which will give their employees an alternative to loansharking.

Large private organizations such as the Chamber of Commerce or the National Council on Crime and Delinquency should create a single community focus for organized crime information. This "ombudsman" could give confidential information to local investigative agencies, public or private, who would then examine and investigate it. Such private efforts, as the Chicago Crime Commission has shown, can lead to indictments. To support the citizen disclosures, the federal government should initiate a reward system (operated through a quasi-public agency to reduce the possibility of "buying" testimony) for information leading to the arrest and conviction of La Cosa Nostra members.

Newspapers and television stations in areas where organized crime operates should assume special responsibility. Each should assign one investigative reporter full time to cover organized crime.

F. Training and Technical Assistance

There is a special need to train personnel working against organized crime at all levels. At the local and state levels, the FBI helps through its National Academy and instructional assistance to police training schools. The Bureau of Narcotics and Dangerous Drugs has an even more limited program. Neither of these agencies really provides instruction in the special investigative and prosecutive techniques necessary to fight organized crime; both have other pressing responsibilities. Because Congress and public opinion measure their success only by the number of indictments and convictions returned, they receive no credit and are less likely to devote sufficient attention to technical assistance and training.

The OCRS and the Organized Crime Programs Section of the Law Enforcement Assistance Administration are the logical agencies to train personnel working at the local and state levels. Such a program should include training of police (intelligence), state and local prosecutors (grand jury investigations, contempt proceedings, perjury, and motion practices), intelligence and systems analysts, statisticians, and accountants. Whenever possible, permanent personnel of the OCRS should be used, so that vital working relationships can be built. The OCRS, when adequately staffed, should assign personnel on a temporary basis to state and local units and bring state and local personnel to work in Washington as part of a continuing training process.

At the federal level, the OCRS, in cooperation with the FBI and LEAA, should undertake a training program for all relevant departments and agencies whose organized crime detection activities it will supervise.

G. The Infusion of New Ideas

Is the cost of gambling enforcement greater than the cost of gambling itself? Can loansharking be eliminated if we create legitimate lending institutions to save high-risk borrowers?

Law enforcement personnel and others must begin to think about organized crime in new ways. We must examine the structure of our laws, our enforcement policy, even our values, to make basic decisions not only about law enforcement but also about ourselves. As a first step, the mystique which surrounds organized crime should be dispelled. Many police officers and prosecutors believe that La Cosa Nostra is so powerful and complex that it is beyond their reach. Everyone in the field believes that information is so sensitive it cannot be shared, even with other law enforcement agencies.

Thus, what the organized crime law enforcement community needs above all is an infusion of fresh ideas. This will not occur until we understand that organized crime is generally like all other kinds, except that it is more efficiently run and has greater impact. The well-trained police officer can attack it better than anyone else. The schooled and trained prosecutor can attack it effectively. The almost universal policy of secrecy succeeds only in hiding information from people who might be helpful.

Policy Area IV: Compensation to Victims of Major Violent Crimes

Our recommendations have been concerned with the perpetrators of acts of violence and their identification, treatment, and rehabilitation. What about the victims? Does society owe any special obligation to innocent persons who are mugged, raped, or assaulted, or to their survivors if the attack is a fatal one? Should society compensate for such personal injuries?

Experience shows that often the victims are relatively impoverished, with no funds to maintain themselves or their families during extensive periods of recuperation. The only remedy normally available to a victim is to sue the offender. However, filing suit is only minimally effective; even if the offender is apprehended, he is often without funds, and if incarceration follows, it is even more difficult to obtain payment.⁸⁰

Recognition by the government that it owes some financial responsibility to those citizens who are the victims of criminal violence is by no means new. The concept was utilized as early as 1775 B.C., in the Babylonian Code of Hammurabi, when there was an imposition of communal responsibility for certain crimes committed by unknown persons.⁸¹ The Book of Exodus records that such practices also existed among the early Hebrews, and evidence has been found to establish the existence of differing forms of victim compensation among the Greeks, Romans, and ancient Germans.⁸²

While the government has assumed the responsibility for the prosecution of offenders and transformed the compensation into a fine paid by the offender to the state, the question of victim compensation has continued.

Jeremy Bentham supported the concept in the early 19th century,⁸³ and the noted Italian criminologist, Raffaele Garofalo, later wrote that "it will be a long step in advance when the state comes to regard as a public function the indemnification of the person injured by criminal acts."⁸⁴ Another Italian criminologist, Enrico Ferri, believed it was the government's responsibility to make certain that the victims of crime were properly compensated.⁸⁵

The decisive stimulus to the enactment of contemporary victim compensation plans was provided by Margery Fry, the famed English magistrate and social reformer.⁸⁶ The first plan was adopted by New Zealand in 1963. Compensation schemes were subsequently adopted in Great Britain, four Canadian Provinces,⁸⁷ and in New South Wales. In the United States, plans have been adopted by California, New York, Hawaii, Massachusetts, and Maryland. There are also plans to cover all of Canada,⁸⁸ as well as proposals pending in numerous state legislatures in the United States.

The three generally accepted premises for the concept are: (1) the government is responsible for preventing crime and should compensate victims of crime it fails to prevent; (2) the government can easily remedy a hardship that exists; and (3) such victim compensation is simply public aid to the needy. All compensation plans recognize that the government has an obligation to persons who suffer bodily injury from acts of criminal violence.

Existing compensation systems are detailed in Appendix 34 to the report. A broad review shows that foreign plans usually compensate for direct pecuniary loss attributable to the crime and for pain and suffering, although coverage generally excludes persons injured by members of their own family. Where there is contributory negligence on the part of the victim, these plans generally attempt to assess fractional shares of blame. Interesting variations include New Zealand's provision that the offender may be ordered to pay all or part of the compensation, depending on his financial position, and Great Britain's provision that the earnings loss to be covered cannot exceed twice the average industrial earnings published by the government at the time of injury.

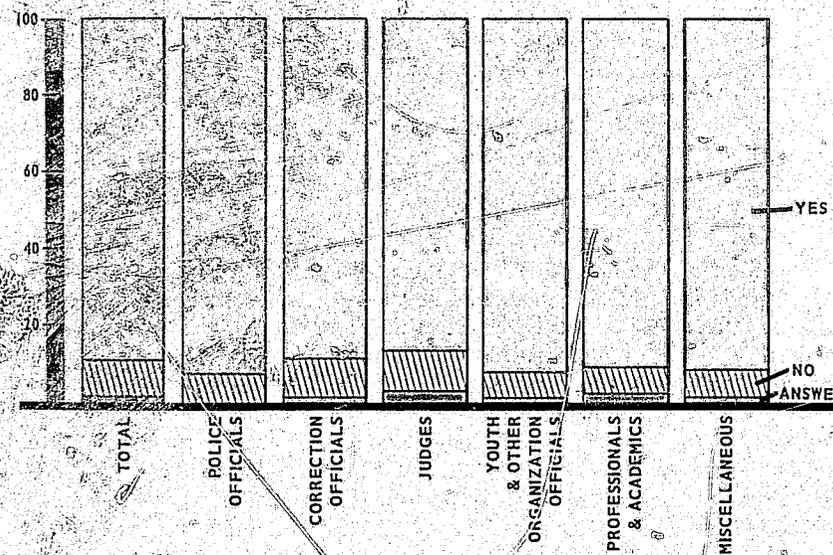
In the United States, compensation has usually been limited to necessary expenses—for example, hospitalization, medical treatment, and loss of wages directly attributable to the injury. Compensation for pain and suffering is excluded in all states except Hawaii. Hawaii and Massachusetts are the only states that do not require proof of serious financial hardship as a condition of recovery. Allowable compensation ranges from \$5,000 in California to \$30,000 in Maryland. Most jurisdictions exclude members of the offender's family from coverage.⁸⁹

There is growing support for a recognition of society's obligation to victims. Former Supreme Court Justice Arthur J. Goldberg posed the challenge succinctly in 1964 when he stated:

Whenever the government considers extending a needed service to those accused of crime, the question arises: But what about the victim? We should confront the problem of the victim directly; his burden is not alleviated by denying necessary services to the accused. Many countries throughout the world, recognizing that crime is a community problem, have designed systems for government compensation of victims of crime. Serious

consideration of this approach is long overdue here. The victim of a robbery or an assault has been denied the protection of the laws in a very real sense, and society should assume some responsibility for making him whole.⁹⁰

The Crime Commission endorsed the concept of victim compensation,⁹¹ and public-opinion polls have demonstrated overwhelming support. In 1965, the Gallup Poll found 62 percent of a national sample endorsing the concept. In 1966, the International Association of Chiefs of Police passed a resolution supporting "reasonable indemnification to the victims of violent crime and/or their surviving kin."⁹² A 1967 *Reader's Digest* poll of professional members of the National Council on Crime and Delinquency (judges, law enforcement officials, etc.) revealed support for victim compensation in 90 percent of the 1,700 responses. An analysis of the responses, broken down by the profession of the respondent, is presented in Figure 1.⁹³



Source: 1967 *Reader's Digest* Poll, Tabulation by Task Force. See appendix 34.

Figure 1.—Opinion of professional groups as to whether or not victim compensation is needed

Individual cases show the need for compensation to victims of major violent crimes. The following three presented to the New York Victim Compensation Board are reasonably typical:

- Claimant, 38-year old male, married with four children, assaulted and robbed by unknown assailants and left unconscious on street. Sustained fractures of right frontal and temporal bones of skull. Has been in hospitals for almost four months. Now awaiting admission to N.Y.U. Medical Center for rehabilitative care. Protracted disability. No assets except cash of \$480, and would suffer serious financial hardship. Lump

sum award for unreimbursed lost earnings and medical expense of \$1,462.40 to the end of 1967 and commencing with January 1, 1968, \$364 per month during disability, not exceeding \$15,000.

- Man, age 52, gas station attendant, attacked while at work by two men, sustaining fracture of nasal bones and frontal sinus, left maxillary bone fractured, numerous lacerations on face and head, and body contusions. He was then thrown into a grease pit, hit his head on iron step and robbed of \$30 in silver. Confined to hospital two weeks; out of work for nine weeks. Medical expenses \$1,098.45, paid by employer's compensation carrier. Difference between earnings and amount paid by Workmen's Compensation carrier for nine weeks allowed. No provocation, serious financial hardship; since claimant has no assets and liabilities over \$1,000. Assailant arrested and charged robbery first degree. Award difference in loss of earnings for 9 weeks, \$283.50

- Female, age 47, assaulted by two unknown assailants. Punched in face, knocked to ground, and pocketbook was taken. Sustained sacral rupture of left eye and fracture of zygoma. Confined to hospital for almost 3 weeks. Disabled from employment for 25 weeks and 4 days. Hospital bill reimbursed under Medicaid. Received disability benefits. Unreimbursed loss of earnings of \$1,403.42. Unreimbursed medical of \$34. Has virtually no assets. Serious financial hardship is determined. Award \$1,440.42. Emergency award of \$500 to be deducted, leaving balance now payable of \$940.42.⁹⁴

We endorse government compensation to victims of major violent crime. We urge adoption by the individual states of victim compensation plans⁹⁵ and ask that bills presently pending in Congress which are designed to establish a plan for areas within federal jurisdiction be brought to public hearings by the respective Senate and House committees.⁹⁶

In an effort to frame more precise recommendations, accumulate enough information on the operation of existing plans, and define basic criteria which all compensation plans should meet, the First International Conference on Compensation to Victims of Violent Crime was convened by the Task Force in Los Angeles on December 3-4, 1968. The conference was arranged in cooperation with the Public Research Institute of the School of Public Administration, University of Southern California. In attendance were representatives of Great Britain, Canada, California, New York, Hawaii, and Maryland. Representatives of the proposed Illinois Plan, the National Council on Crime and Delinquency, University of Southern California, consultants and Task Force members also attended.

With the suggestions of the participants at the International Conference in mind, we make the following additional recommendations:⁹⁷

- Victim compensation plans should include those persons injured while assisting law enforcement officials in the performance of their duties or persons injured in the course of assisting a victim of major violent crime. This "Good Samaritan" concept already expressly exists in numerous state plans in the United States as well as in many foreign plans, and the unanimous opinion of the representatives at the International Conference supported coverage for such persons.

- Victim compensation for major violent crimes must be regarded as a right for all citizens and, therefore, financial hardship requirements should be eliminated. This requirement received extensive criticism at the International Conference. One expert described the requirement as an "iniquitous idea that should be exorcised."⁹⁸ If, as we believe, there is a moral obligation to victims, it should apply to all injured citizens and not to the needy alone.

- All future compensation programs should be administered by a separate board which deals exclusively with victim compensation.

- Maximum or minimum awards should be left to the discretion of the board and not be regulated by statute.

Most experts at the Conference believed that pain and suffering should not be compensated, although no recommendation was passed to this effect.⁹⁹ The general consensus was that such compensation would result in unreasonable demands by victims. It was reemphasized that the primary goal of victim compensation should be to help victims recoup financial losses, not to assuage losses less measurable in monetary terms.

There are two final questions: will there be significant side effects (on victims, offenders, or criminal prosecutions), and will these costs be manageable?

Unfortunately, it is currently impossible to answer the first question. Future research in this area—preferably tied into the operation of compensation plans—would therefore be highly desirable. The experts believed, however, that compensation probably has minimal influence on the behavior of offenders or victims. Until evidence to the contrary becomes available, we do not believe that compensation will cause victims to become more careless or offenders to commit more violence.

Although it may be argued that compensation plans would lead to a decrease in successful criminal prosecutions—because victims, assuming they will be compensated, might be more charitable to the offenders and less anxious to assure conviction—it could also be validly argued that convictions would increase because a guilty verdict would assure compensation. Answers to such queries should be sought, but our present lack of complete information should not deter society from recognizing the obligation it owes to the victims of violent crime.

On a cost basis, victim compensation need not be viewed with alarm. Although the exact cost of any program depends on its special features (e.g., on whether there is compensation for pain and suffering, whether financial need is a requirement, etc.), experience has shown that the costs of existing programs have been relatively moderate. The program in England, for example, is now running at an annual rate of approximately \$3 million.¹⁰⁰ As stated by the English representative at the International Conference:

Begun with some foreboding about the possibility of widespread fraud, surrounded by suggestions that its administration would bog down in adjudicatory complexities, and bothered by uncertainties regarding possible costs, the British program has to date proceeded through the awarding of more than 10,000 claims with neither untoward events nor meretricious consequences having become manifest.¹⁰¹

New York's program has not been unduly expensive. Awards made under the New York program from March 1, 1967, to October 15, 1968, have averaged \$3,000 for deaths, \$4,071 for protracted disability, and \$1,400 for personal injury.¹⁰² The program has operated on a \$750,000 dollar budget, and \$1.5 million will be requested for the next fiscal year.¹⁰³

Average state costs might be roughly projected from the figures for the proposed Illinois Plan. It provides that compensation not be paid where the cost to the victim is less than \$100. Maximum proposed payment is \$10,000. Illinois has estimated that if all eligible victims claiming injury were paid the full amount for which they were qualified, the annual cost to the state would be between \$2,265,000 and \$2,653,000.¹⁰⁴

Thus, the cost of victim compensation seems very low compared to the reduction in social injustice it provides. We reiterate that victim compensation for major violent crimes is a right of all citizens, and therefore ask that legislation on the state and federal levels be adopted following the guidelines we have recommended.

REFERENCES

1. The National Advisory Commission on Civil Disorders, *Reports* (hereinafter referred to as the *Kerner Report*) (Washington, D.C.: Government Printing Office, 1968), p. 151.
2. For example, The Model Cities Program, designed to achieve maximum citizen participation in attacking the problems of our cities, has met with very serious obstacles. An internal report, in late 1968, reviewed the first 6 months of community organization under the program and concluded that many cities "may be moving toward confrontations and acrimony." The report added that militant blacks in model neighborhoods initially said "no control, no participation" and that while the situation has improved in some cases, in most it has not. It was also stated that the city hall that seeks only "the appearance of participation" is the norm rather than the exception." See Urban America, Inc., and The Urban Coalition, *One Year Later, An Assessment of the Nation's Response to the Crisis Described by the National Advisory Commission on Civil Disorders*, Feb. 1968, sec. II, p. 23.
3. *Kerner Report*, *op. cit.*, p. 154.
In an effort to increase community involvement in all decisions affecting its members, the Kerner Commission recommended the establishment of "neighborhood city halls" in ghetto areas, consisting of representatives of the mayor, city service agencies, community organizations, churches, business and youth leaders, functioning as a community cabinet listing to and acting on community needs. The Commission recommended that this group ultimately be part of the permanent structure of local government, with one-stop neighborhood centers for the coordinated delivery of services. (*Ibid.*, p. 153.)
4. When speaking in favor of "intermediate institutions" to link the government and the poor, Rev. Joseph Fitzpatrick, S.J., told the Commission:
Research has indicated that central to much of the massive delinquency which affects our cities is a condition defined as institutional dislocation. This is a condition of the poor, of many of the poor who are deeply dependent for their welfare and survival on a range of social institutions, such as schools, hospitals, housing authorities, community centers, courts, departments of welfare and so forth. But the poor have none of the means whereby they can effectively control or manage these institutions on which they depend. They have no effective way of making their needs known as they themselves perceive their needs. Services are often provided with such a manner or style which makes little sense to them and their representation of grievances is often misinterpreted or misunderstood.

The poor get caught in systems which they didn't create which are

controlled by people who are strange to them and which operate on a basis of norms, values, and perceptions which the poor do not share.

The consequences are often aggravating and frustrating when they are not positively unjust, and we had some examples of that here this morning.

As a consequence many of the poor will seek the only readily available means they have at hand to protect their interests and promote their interests by forms of behavior which the larger society defines as deviancy or crime.

(*Hearings*, before the National Commission on the Causes and Prevention of Violence, Conference on Youth and Violence, Nov. 6, 1968, testimony of Father Joseph Fitzpatrick, Fordham University, pp. 91-92)

5. *One Year Later* reports significant difficulties in the limited number of cities in which neighborhood centers have been established. It is noted that a major problem is getting local agencies to work with each other and with federal administrators. So, too, at the federal level, interagency wrangles developed. (*One Year Later*, *op. cit.*, sec. II, pp. 24-25.)
6. Dr. David Gil states that "the scope of the phenomenon as a serious social problem has been exaggerated." (David G. Gil, "Physical Abuse of Children—On Manifestation of Violence in American Society," unpublished consultant paper to this Task Force, p. 75.) On the other hand, Dr. Vincent J. Fontana, Director of Pediatrics, St. Vincent's Hospital and Medical Center of New York, states that the problem is much greater than most investigators, including Dr. Gil, recognize. Dr. Fontana states that "We are probably seeing only the upper portion of a submerged iceberg." (Vincent J. Fontana, M.D., "The Neglect, The Abuse, and the Battering of Children," unpublished manuscript submitted to this Task Force, p. 5.)
7. *Kerner Report*, *op. cit.*, p. 12; and *One Year Later*, *op. cit.*, pp. 29-36.
8. *Confrontation or Participation? The Federal Government and the Student Community*, a report to the President of the United States by the White House Fellow Association, Oct. 1968, pp. 3-4.
9. Virginia M. Burns, "Youth Self-Help Programs: Review and Recommendations," unpublished consultant paper submitted to this Task Force, p. 3.
10. Most traditional private groups provide leisure time activity. With few exceptions, private groups do not rely on youth in program conception or design, for they do not really conform to the group life style. This is not to say that they have not been useful, and their activities such as summer camp counselors, have certainly helped many a deprived child. But much more is needed. (See transcript of Conference on Youth and Violence, *op. cit.*, Nov. 6, 1968.)
11. See proceedings of Conference on Violence and Youth (*Ibid.*) See also Burns, *op. cit.*
12. A number of such programs are described in detail in Burns, *ibid.*, as well as in the testimony of Aaron Bodin, Department of Labor, at the Conference on Youth and Violence, *op. cit.* (pp. 106-111). Among those discussed in the Burns paper are: *Twelfth and Oxford Streets Filmmaking Corporation*
A Philadelphia gang from an area in which approximately 40 percent of the city's listed police contacts originate, was trained in filmmaking and has now established a nonprofit corporation directed at a variety of self-help programs, with public and private funding. "Throughout the program's two and a half year's development, motivation has remained high and delinquency rates among the . . . gang have remained low." (Burns, *op. cit.*, p. 20.)
Neighborhood Youth Program
This is a Washington, D.C., Youth Organization which focuses on education training and social and economic development. Directed at the hard-core inner city youth, "the rate of recidivism among a random sample conducted recently was less than 5%." (*Ibid.*, p. 35.) *Pride* primarily recruits the hard-core unemployed. The men are frequently living in a state of crisis; because personal problems requiring immediate attention often arise, the program includes built-in supportive services such as health and legal services. Educational programs are also included. A recent evaluation report showed that while arrests prior to joining *Pride* averaged 68 percent, in a corresponding 6-month period after joining *Pride* averaged 68 arrested. (*Ibid.*, pp. 40-41.)

In testimony to the Commission, Aaron Bodin of the Department of Labor stated:

"The key to its success was that the program was managed by youth themselves with the responsibility for its operations vested in youth leaders in general proportion to the authority they already had achieved in the street culture." (Conference on Youth and Violence, *op. cit.*, pp. 110-111.)

Scientific evaluations of the exact extent to which such programs have decreased crime and delinquency are not available, but initial reports are promising. While there have been mistakes in the operation of the programs—for example, in some cases financial accountings have not been proper—these can probably best be explained by inexperience on the part of the youth running them. We urge that these few errors not be used to destroy the program concept.

13. For example, church and school facilities should be available for such programs when they are not otherwise being used. See transcript of Conference on Youth and Violence, *op. cit.*
14. Elaine Cumming, I. Comming, and Laura Edell, "The Policeman as Philosopher, Guide, and Friend," *Social Problems*, vol. 12 (1964), p. 279.
15. Morton Bard, statement submitted at the invitation of the Commission, Oct. 4, 1968.
16. FBI, Dept. of Justice, *Uniform Crime Reports—1967* (Washington, D.C.: Government Printing Office, 1967), p. 49.
17. Ronald Sullivan, *New York Times Magazine*, "Violence, Like Charity, Begins at Home," Nov. 24, 1968, p. 59.
18. Bard, *op. cit.*
19. The President's Advisory Commission on Narcotic and Drug Abuse reported: "The Bureau of Narcotics maintains that the present severe penalties act as a powerful deterrent. The Commission does not agree."
20. Presently there are two federal statutes governing traffic in marihuana. The first, 21 U.S.C. 176a, prohibits illegal importation or receipt with knowledge of illegal importation. Possession is deemed sufficient evidence for conviction unless the defendant satisfactorily explains his possession to the jury. The second is a tax statute, 26 U.S.C. 4741 *et seq.*, which makes it unlawful to be a transferee and to transport, conceal, acquire, etc., without paying a transfer tax. Penalties for violation are severe—for example, conviction for violation of 21 U.S.C. 176a carries a minimum sentence of 5 years' imprisonment, no suspension of sentence, probation or parole being permitted. In the case of *Timothy F. Leary v. U.S.*, decided May 19, 1969, the Supreme Court held that the tax statute was unconstitutional as violative of petitioner's right against self-incrimination, insofar as it required prospective purchasers to obtain a federal order form prior to purchasing marihuana. The Court also struck down as unconstitutional that part of the statute which held that possession supported an inference of knowledge of illegal importation. There is also in the Federal structure a law which makes unauthorized possession of heroin illegal, whether or not for personal use (26 U.S.C. 4701-36). Although there is a federal statute (21 U.S.C. 174) which has the same presumption of illegal importation for narcotics, the Court expressly limited its decision on the presumption question in the *Leary* case to the facts of marihuana use. The Court further said: "We are constrained to add that nothing in what we hold today implies any constitutional disability in Congress to deal with the marihuana traffic by other means." [J. Harlan, speaking for the Court, 89 S. Ct. 1557 (1969).] Other cases relating to these statutes are presently before the Supreme Court.
21. Dr. Helen H. Nowlis, Professor Psychology and former Dean of Students at the University of Rochester, has done much work in the area of drug education projects for college students, serving as Director of the National Association of Student Personnel Administration Drug Education Project. Such work must be expanded.
22. See McMorris, "Can We Punish for the Acts of Addiction?," *American Bar Association Journal*, vol. 54, p. 1081 (Nov. 1968), and McKeivitt, "The Untouchable Acts of Addiction," *American Bar Association Journal*, vol. 55, p. 454 (May 1969).
23. The act of addiction as such cannot be punished. *Robinson v. California*, 370 U.S. 660 (1962). But the question is, is addiction a defense to charges other than addiction per se. *Castle v. U.S.*, 347 F. 2d 492 (D.C. Cir. 1964), and *Morton v. U.S.*, 317 F. 2d 595 (D.C. Cir. 1963), recognized that addiction may be equivalent to legal insanity. Also, in a number of cases, addicts have been successful in raising the insanity defense. See cases cited in separate opinion of Judge Bazelon in *Hutcherson*

- v. *U.S.*, 345 F. 2d 964 (D.C. Cir. 1965). For a general discussion of the insanity question in the District of Columbia, where the progressive Durham-McDonald rule governing insanity applies, see Bowman, "Narcotics Addiction and Criminal Responsibility Under Durham," *Georgetown Law Journal*, vol. 53, p. 1017, 1965.
24. See *Heard v. U.S.*, 348 F. 2d 43 (D.C. Cir. 1964).
25. When the question has arisen in the courts as to whether addiction was equivalent to legal insanity, complicated questions have arisen as to whether the defendant appreciated the wrongfulness of his conduct, whether he knew right from wrong (see *U.S. v. Freeman*, 357 F. 2d 606 (2d Cir. 1966), and whether the defendant suffered from an abnormal condition of the mind which substantially impaired capacity to control behavior (*Heard v. U.S.*, *op. cit.*). The inappropriateness of such standards is demonstrated by the *Heard* case where the Court, referring to expert testimony that deprivation could impair an addict's capacity to control his conduct, said that because the defendant had a supply of heroin at the time of the unlawful act, the defense would fail. But an addict lives in constant fear of withdrawal; perhaps he was acting out of fear of future deprivation, and therefore he was not responsible for his actions. (See statement of Judge Bazelon in support of Petition for Rehearing En Banc, *Heard v. U.S.*, *op. cit.*) The criteria which we urge must be more liberal than any of the above. We seek to avoid any strict test which would require the establishment of an absolute direct causal relationship. The critical fact will be the degree of compulsion in each case, and the extent of the compulsion will be related to psychological and physical dependence. (See *Bowman, op. cit.*)
26. See proceedings of American Sociological Association, San Francisco, Sep. 1969.
27. The extreme case of an 18-year-old Prince George County, Va., youth getting a 20-year sentence, of which 10 years were suspended, for marihuana possession, points up the absurdity of our statutes. Commenting editorially on the local sheriff's statement that this case had "nipped it [the marihuana problem] in the bud," a *Washington Post* editorial of May 30, 1969 said:

"If so, the County may become unique because harsh sentences bearing no relation to the crime committed have had no noticeable effect on would-be lawbreakers elsewhere. And all of the efforts around the country to wipe out the use of marihuana through heavy sentences elsewhere seem to have backfired. The simplest lesson of the last few years is that the drug problem among youth is not going to be solved by vicious sentencing or by public officials who, like the Prince George prosecutor, admit they know little about it" (p. A-30).
28. Driving while under the influence of marihuana, narcotics, or dangerous drugs should be a crime. Though no tests are presently available to determine the blood-level content of these substances, it is possible to determine the extent to which the individual's driving ability is impaired.
29. Further research is urgently needed before any recommendations can be made regarding the possession and use of stronger varieties of marihuana, including hashish, synthetic marihuana, and marihuana concentrates or derivatives. We suggest that our liberalized recommendations concerning marihuana not cover hashish and the stronger varieties of marihuana, but rather that these substances be treated as the dangerous drugs.
30. See opinion of the Supreme Court in *Powell v. State of Texas*, 392 U.S. 527 (1968).
31. See *ibid.*, p. 528, citing Cooperative Commission on Study of Alcoholism, *Alcohol Problems*, Vol. 120 (1967).
32. See *Easter v. District of Columbia*, 361 F. 2d 50 (1966). In that case the court held that a chronic alcoholic could not be punished for public drunkenness. The response has been inadequate. See, also, the report of the President's Commission on Crime in the District of Columbia (Washington, D.C.: Government Printing Office, 1966).
33. *Powell v. Texas*, *op. cit.*, p. 529.

NIMH should take the lead in the initiation of research programs. NIMH should also promote educational programs on the dangers of alcohol abuse. Spot radio and TV announcements on abuse, possibly coordinated through the local Community Service Centers and referring persons there for counseling, should be encouraged.
34. See *Schmerber v. State of California*, 384 U.S. 757 (1966), where the Supreme Court of the United States overruled constitutional challenges to such compelled tests.
35. The information and recommendations on suicide in this section are based on

- Lawrence Dizmag, "Suicide," unpublished consultant paper submitted to this Task Force, and Ronald Maris, "The Sociology of Suicide Prevention," unpublished manuscript, Dartmouth College, Aug. 1968.
36. "The Problem of Individual Violence: A Review of Some Major Issues and Concerns." National Institute of Mental Health, Center for Studies of Crime and Delinquency, unpublished manuscript submitted to this Task Force.
 37. Marvin E. Wolfgang, *Youth and Violence*, a report submitted to the Office of Juvenile Delinquency and Youth Development, Department of Health, Education, and Welfare, Jan. 1969, p. 132.
 38. We are here especially referring to serious violence; it should be remembered that less serious modes of violence appear to be diffused throughout our society, in the subcultures as well as in the dominant culture.
 39. Wolfgang, *op. cit.*, p. 142.
 40. *Ibid.*, p. 144.
 41. To retain the research-action approach, the corrections system should scientifically test and evaluate proposed innovations in controlled situations for their cost-effectiveness, using such measures as the Sellin-Wolfgang Index, the recidivism rate, the average amount of time spent in prison, and the earnings and employment status of released offenders. If a tested program is found effective, it should be implemented even if the causal explanation for its success is not fully understood. This follows practices in the field of mental health, where treatment skills have far outdistanced etiological understanding, and where diagnosis is related more to the predictions of the course and most effective treatment of a condition than to its causes.
 42. To assist in the diagnostic decisionmaking process of how best each offender should be treated, we need (see Chapter 13):
 - More detailed personal and social data on offenders;
 - More computers to store, analyze, and print out relevant information;
 - Research directed at programming computers to print out diagnoses, potentially successful treatment alternatives;
 - Improved psychological inventory testing devices;
 - More complete medical-biological examinations; and
 - Base-expectancy prediction equations to estimate recidivism probabilities as a function of treatment alternatives and offender characteristics.
 43. President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission), *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, 1967), pp. 175-176.
 44. Within the span of the inmate's minimum sentence.
 45. The centers have a high ratio of staff to inmates. Additional part-time employees have been recruited from among local graduate students in sociology, social work, and psychology. The intensive program includes general and employment counselling lectures and audiovisual programs. Men are either given job leads, referred to a liaison in the state employment office, or follow leads procured on their own. As income increases, participants are gradually required to pay some of their expenses. At the same time, future parole supervision officers are introduced to the offenders, and counseling responsibility is shifted from the center staff to the probation officers. (See Daniel Glaser, *The Effectiveness of a Prison and Parole System* (New York: The Bobbs-Merrill Co., Inc., 1964), pp. 416-417.)
 46. During the day, the boys work at a nearby mental hospital. In the evening, the group is broken into two groups of 10, each of which has a daily meeting. There are few formal rules. Control is exercised informally through the development of a group culture which presumably decreases the distance between staff and offenders, and sponsors the offender in a more active role. Rather than simply receiving treatment, the offender is expected to administer it. The idea is that individuals can best help themselves when they become capable of helping others. (See LaMar T. Empey, "Contemporary Programs for Convicted Juvenile Offenders: Problems of Theory, Practice and Research," consultant paper submitted to this Task Force, app. 30, pp. 72-84.)
 47. See Glaser, *op. cit.*, p. 510.
 48. This idea was suggested by Milton Bundman, "Realism in Community Based

- Correctional Services," *The Annals of the American Academy of Political and Social Science*, vol. 381, Jan. 1969, pp. 77-78.
49. Studies indicate that 7 to 8 percent of released offenders have a continuing need for professional psychiatric services. For another 10 to 15 percent, it is important that parole and probation staffs have access to clinical consultation. (*Ibid.*, p. 78.)
 50. For federal jobs, the standard employment application (Form 171) requests that the applicant report his convictions for any misdemeanor or felony. A prior conviction is not a barrier to federal employment, but it does make the applicant subject to special restrictions. It is the policy of the U.S. Civil Service Commission to require that 2 years elapse after discharge from a felony sentence before an applicant is considered for any position requiring a high degree of integrity. (Glaser, *op. cit.*, p. 414.)
 51. John M. Stanton, "Is It Safe to Parole Inmates Without Jobs?" *Crime and Delinquency*, vol. 12, No. 2 (1966), pp. 147-150.
 52. This section deals with the most important empirical findings of Chap. 12.
 53. Crime Commission, *The Challenge of Crime in a Free Society*, *op. cit.*, p. 185.
 54. The first really comprehensive plan of corrections recruitment and relations with education institutions is expected from the final report of the Joint Commission on Correctional Manpower and Training, forthcoming this year.

The recommendations listed are based on these papers:

 - a. Loren Karachki and John J. Galvin, "Higher Education Programs in Criminology and Corrections: Report of a Survey," in *Criminology and Corrections Programs*, proceedings of a Seminar convened by the Joint Commission on Correctional Manpower and Training, Washington, D.C., May 1-2, 1968 (Washington, D.C.: July 1968).
 - b. Joseph A. Shelly, "The Role of the Correctional Agency in the Undergraduate Curriculum," *Crime and Delinquency*, vol. 12, No. 3 (1966).
 - c. Richard A. McGee, "The Federal Government's Role in Corrections," paper submitted to the Crime Commission, 1967.
 55. Crime Commission, *The Challenge of Crime in a Free Society*, *op. cit.*, p. 178.
 56. In the case *In re Gault*, 387 U.S. 1 (1967), the Supreme Court set down certain due process procedural requirements applicable to juvenile court proceedings. Such requirements were: written notice of charges; notification of right to counsel; right against self-incrimination; and absent or valid confession, a requirement that adjudication be based on sworn testimony of witnesses who are available for confrontation and cross-examination. In a recently completed survey (Norman Lefstein, Vaughan Stapleton, and Lee Teitelbaum, "In Search of Juvenile Justice: *Gault* and Its Implications," *Law and Society Review*, vol. 3, No. 4, May 1966, pp. 491-562), it was found that juvenile court judges in three major urban centers studied were falling far short of total compliance with the word and spirit of the requirements announced in *Gault*.
 57. Crime Commission, *The Challenge of Crime in a Free Society*, *op. cit.*, p. 81.
 58. This proposal was suggested by Selma Mushkin of the Urban Institute, Washington, D.C.
 59. The Crime Commission's report described the kind of flexibility which we endorse:

Intake-Pre-Judicial Disposition in Court Pre-judicial disposition is no newcomer to the juvenile court. Some courts today, as noted above, dispose of more than half the cases referred to them by means short of adjudication. It is in the court, therefore, where problems of lack of accurate, up-to-date information about needs and alternatives, and lack of systematic ways to bring the juvenile and the service together are particularly acute.

To meet those difficulties, the court intake function of pre-judicial disposition should be more systematically employed and more formally recognized and organized. Written guides and standards should be formulated and imparted in the course of inservice training. Staff resources should be augmented where necessary to keep abreast of service opportunities and programs in the community and to make inquiries into the backgrounds of juveniles sufficiently comprehensive to select intelligently among alternatives. Overly informal methods of control (such as informal probation with filing of a petition as the penalty for violation), subject as they are to abuse, should be abandoned in favor of institutionalized nonjudiciary disposition.

More specifically, the Commission commends to the attention of juvenile courts the preliminary conference recently adopted by both New York and Illinois, through which voluntarily attended discussions among court personnel, juvenile, parents, complainants, and other involved parties are used to resolve grievances without adjudication. Safeguards essential to such a procedure are that it occur within a specifically limited time, to eliminate the indirect coercion of an indefinite threat that a petition will be filed at some later date, and that use of statements made at the conference be inadmissible in subsequent court proceedings.

The Commission recommends:

Juvenile courts should make fullest feasible use of preliminary conferences to dispose of cases short of adjudication.

Another method of employing the arbitrating and treating authority of the juvenile court without the disadvantages of adjudication is the consent decree. Consent decree negotiations, too, would be conducted by intake officers and would involve the juvenile and his parents and lawyer (the presence of whom, unless waived, would be required) and a probation officer assigned to the case. The consent decree would be embodied in writing and attested to by the parties and would be effective only upon approval of its terms by the juvenile court judge. It would prescribe a treatment plan but could not commit to an institution. Its duration would be limited, preferably to a year. Negotiations would be subject to the same protections as the preliminary conference procedure. If negotiations failed or the consent decree were violated, the same possibilities—dismissal, referral to a nonjudicial agency, and filing of a petition—would be available as were available prior to the decree. In case of violation of the consent decree, the charge would be the one that initially gave rise to the proceedings. Violation of the decree would be relevant only to disposition.

The Commission recommends:

Juvenile courts should employ consent decrees wherever possible to avoid adjudication while still settling juvenile cases and treating offenders.

(Crime Commission, *The Challenge of Crime in a Free Society*, op. cit., pp. 83-84.)

60. *Ibid.*, pp. 87-88.

61. National Council on Crime and Delinquency, "Goals and Recommendations" (New York: 1968), p. 6.

62. "... the process of labeling is itself a critical determinant of the subsequent deviant or conforming career of the individual. Both the way in which the label is applied and the nature of that label are likely to have several future consequences for the individual. An important component of an emerging commitment to a deviant career is a person's definition of himself as a deviant; and the extent to which such a self-concept develops is partly determined by how degrading and public the "labeling ceremony" is. If an individual is reacted to in a highly derogatory or demeaning fashion or if he is set apart from those applying the label or observing its application, he is likely to come to see himself as deviant. Partly as a matter of "right" and of rebellion and rejection, then, the individual may be likely to increase rather than decrease his deviant conduct in the future.

Another consequence of the labeling process is that if it is highly exposed to the view of others—directly or through later communication—they are likely to develop and maintain a conception of the individual as "bad" or... as an "outsider." As a result, the person is likely to be perceived, treated, and reacted to in the future as a "bad guy," an "ex-convict," a "hoodlum," or a "delinquent," as the case may be. Such perceptions, treatment, and reactions may be independent of the individual's own motivation—or actual behavior. (Walter E. Schafer and Kenneth Polk, "Delinquency and the Schools," Crime Commission, Task Force Report: Juvenile Delinquency and Youth Crime (Washington, D.C.: Government Printing Office, 1967), App. M, p. 227.)

63. N.Y. Family Court Act S 712 (1963).

64. *Ibid.*

65. *Ibid.*, SS 753-58 (1963).

66. California has completely discarded the label "delinquent" and established two categories: one describes "Minors violating laws defining crime; minors failing to obey court order"; the other defines "Minors habitually refusing to obey parents; habitual truants; minors in danger of leading immoral life." [Calif. Code, Welf & Inst. Ss 601-602 (1963)]. The statute provides that youngsters in either category may be adjudged wards of the court, but establishes a ban against commitment of noncriminal wards to an institution for delinquents. [S 730].

Illinois passed a comprehensive new Juvenile Court Act in 1965 and adopted the classifications "delinquent minor," "minor otherwise in need of supervision," "neglected minor," & "dependent minor." [Ill. Rev. Stat. SS 702-1, 702-2 (1965).] The second category is more restricted than Colorado's comparable provision, including only minors beyond the control of parents or guardian or habitually truant.

Kansas has enacted legislation creating a series of categories: delinquent child; miscreant child; wayward child; traffic offender; and truant. Under this plan, "delinquent child" refers to one who commits a felony or has been adjudged a miscreant child three or more times. Miscreant child refers to one who has committed a misdemeanor, violated a local ordinance or regulation, or been adjudged a wayward child at least three times. Wayward child refers to one whose behavior is injurious to his welfare, who has run away from home, or who is habitually disobedient. [Kans. Stat. Ann SS 38-802 (1965)]

The dispositional alternatives available to the court for delinquent and miscreant children are the same. The court is not, however, permitted to commit wayward children or truants to a state reformatory for juveniles. [Kans. Stat. Ann. S 38-826 (1965)].

Oklahoma has recently adopted the "delinquent child—child in need of supervision" classifications. The content of the two categories is substantially similar to the Colorado provision. [Okla. Stat. Supp. S 1101 (1968).]

Finally, Vermont also acted recently to revise the jurisdiction of the juvenile court by establishing the classifications "delinquent child," "neglected child," and "unmanageable child," the latter referring to habitual truancy or habitual disobedience to parents or guardian. [Vermont Stat. Ann. tit. 33 SS 632 (3), (12), (18) (1968).]

All of the statutes mentioned prohibit initial commitment of youngsters within the noncriminal jurisdiction of the court to juvenile reformatories.

67. The Youth Services Bureau has been described as follows:

An other possible approach to helping troubled youth and their families is to create a special youth agency in the community to which other agencies can refer and which families and youth themselves can call upon. Such an agency might be located in an existing center or school, but would have its own identity as a youth agency and would have its own authority, funds, and resources.

It would provide assistance to all community youth and families so that youth in trouble would not be set apart or stigmatized.

It would offer a full range of services—not only immediate diagnosis and counseling services for youth and their parents, but employment and training, arts and culture, family life education, counseling services, and opportunities for youth to participate in a range of community affairs. Its staff would include youth, nonprofessionals, and volunteers as well as professionals with a range of skills.

It would have the authority and the funds to assure that other needed community services were made available when needed.

It would have authority to coordinate other youth services and to bring pressures on these agencies to make their services more relevant to the needs of youth in difficulty. Members of its staff might be located in schools, recreation departments, gang projects, neighborhood development centers, and welfare agencies to keep track of children having difficulties, not only to provide individual service, but also to help bring about needed changes in the situations.

(Virginia M. Burns and Leonard W. Stern, "The Prevention of Juvenile Delinquency," President's Commission on Law Enforcement and the Administration of Justice, *Task Force Report: Juvenile Delinquency and Youth Crime*, op. cit., app. S, p. 396)

The proposed dimensions of such an agency are described in a recent study of a New York neighborhood:

Once high-priority neighborhoods have been identified, new types of locally based welfare programs might be mounted in such areas. These locally-based programs would have three general purposes. First, they would be designed to meet a number of the self-defined reality needs of ghetto youths and at the same time act to prevent the spread of alienation and the outbreak of serious delinquency among such youth.

Second, these programs, if administratively situated outside the system of criminal justice in the so-called private sector of welfare, could be used to divert local youths out of the official system when they got "in trouble." Thus modern ghetto-dwellers could follow the lead presented by the Jews, Irish Catholics, and other earlier immigrant groups who developed their own large-scale private welfare systems which served to divert their children and youth from the courts, public training schools, and reformatories of earlier days. Such local programs might not only help local youth in some worthy welfare sense, but they might also, quite literally, be used, wherever feasible, to keep local youths out of official trouble by taking them out of the hands of overworked police youth bureaus and precincts, off the overcrowded dockets of juvenile courts, and otherwise out of the official processes of justice. Just such a mechanism for local communities was recommended by the President's Commission on Law Enforcement and Administration of Justice in the form of local Youth Services Bureaus. Such Bureaus, the Commission urged, should be situated in comprehensive neighborhood community centers, and should receive juveniles, both delinquent and nondelinquent, referred by the police, the juvenile court, parents, schools, and other sources. Linked with juvenile court policies designed to narrow the court's jurisdiction to more serious offenders and to policies designed to dispose of as many cases as possible without official adjudication, such Bureaus could deal much more informally with many local adolescents defined as deviant.

One of the significant similarities between the concept of Youth Services Bureaus offered by the President's Commission and the concept being developed is that both recommend that the parent structures operating such services in local communities might best be situated administratively outside of the network of public agencies. Sponsored and operated to a maximum extent by local community residents, such services would be offered in the private welfare sector, but not by those groups and organizations which now run things in private welfare. Ideally, the new services would be run by those sectors of the nation's population whose members most often inhabit urban slums and whose children and youth most often are arrested, sent to court, and committed to correctional institutions. In plain language, this means that in Washington, D.C., Chicago, New York City, Boston, and scores of other cities, North and South, the blacks, Puerto Ricans and other presently disadvantaged groups in the ghettos of these communities would develop the capacities to own, operate, and staff the new local services.

(John M. Martin, Joseph P. Fitzpatrick, and Robert E. Gould, *The Analysis of Delinquent Behavior* [New York: Random House, 1969], pp. 184-85.)

68. Virginia M. Burns, "Youth Self-help Programs: Review and Recommendations," unpublished consultant paper submitted to this Task Force, p. 130.
69. Unless otherwise specified, these recommendations are taken from Alfred Blumstein, "Science and Technology in the Control of Violence," consultant paper submitted to the Law and Law Enforcement Task Force, and from Alfred Blumstein, Study Director, "A National Program of Research, Development, Test and Evaluation on Law Enforcement and Criminal Justice," Institute for Defense Analyses, prepared for Law Enforcement Assistance Administration, U.S. Department of Justice. The material covered is treated much more comprehensively in these publications and by the Science and Technology and Police Task Forces of the Crime Commission.

The same careful testing and evaluation emphasized in Policy Areas I and II should be used to judge the effectiveness of control programs. The most important measures of success in controlling crime in the community are the crime rate broken down by type of crime and the Sellan-Wolfgang Index.

70. Although increases in robbery were reported in neighboring precincts, giving partial credence to the "valve theory" of crime incidence. See Chapter 16.
71. The suggestions with an urban design orientation are from Schlomo Angel, "Discouraging Crime Through City Planning," Working Paper No. 75, Center for Planning and Development Research, University of California, Berkeley, Feb., 1968.
72. These suggestions are from Julian Waller, "Accidents and Violent Behavior: Are They Related?," consultant paper submitted to this Task Force, app. 33, pp. 54-55.
73. Crime Commission, *The Challenge of Crime in a Free Society*, op. cit., p. 200.
74. Fully described in Mark Furstenberg, "Violence and Organized Crime," a consultant paper submitted to this Task Force, App. 18.
75. "Electronic Surveillance and Organized Crime," a speech by Sen. Joseph D. Tydings, *Congressional Record*, 90th Cong., 2nd sess., May 13, 1968, pp. S-5437 ff.; American Bar Association, *Standards Relating to Electronic Surveillance* (New York: 1968); testimony of Robert Blakey before the Subcommittee on Criminal Laws and Procedures, Senate Committee on the Judiciary, 90th Cong., 1st sess., 1967, p. 932.
76. S. 2122 (sponsored by Senators McClellan, Ervin and Hruska) and H.R. 11157 (sponsored by Representatives Poff, Kastenmeier and Edwards (California) introduced on May 12, 1969.
77. *Marchetti v. United States*, 390 U.S. 39 (1968), and *Grosso v. United States*, 390 U.S. 62 (1968).
78. S. 1624, sponsored by Senator Hruska and H.R. 322, sponsored by Representative Poff, now pending before Congress, are designed to accomplish this objective.
79. The experience of one advisor to the Commission illustrates this position. After spending 12 hours with some 200 businessmen and convincing them of the need to do something about organized crime, he requested that each man put on his payroll one witness who had to be relocated and supported. Of the 200, only one volunteered. He asked permission to write a followup letter to each, but the organization which had convened the meeting would not give him its mailing list.
80. At the first International Conference on the Compensation to Victims of Violent Crime, convened by this Task Force in cooperation with the Public Assistance Research Institute of the University of Southern California, Allen M. Linden of the Osgoode Hall Law School of York University, Toronto, Canada, stated that the right to sue an attacker was only an "empty shell" because "most offenders are poor, just like most people who are attacked are poor..." Professor Linden cited a study which he conducted in Toronto in which he found that only 2 percent of the persons attacked ever collected any money from their attackers. (*International Conference on the Compensation to Victims of Violent Crime* [hereinafter referred to as *International Conference*], Los Angeles, Dec. 3-4, 1968, vol. I, pp. 86-87.)
81. While such programs are interesting and suggestive, they provide little support for plans today because they were tied to social structures built upon intricate kinds of systems and detailed patterns of reciprocal rights and obligations; designated leaders acted primarily as arbiters, lacking procedures now available to the state.
82. See Gilbert Geis, "State Compensation to Victims of Violent Crime," Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, App. B, p. 159.
83. See Gilbert Geis, "Compensation for Victims of Violent Crime," (hereinafter referred to as "Compensation"), consultant paper submitted to this Task Force, App. 34, p. 11.
84. Raffaele Garofalo, *Criminology* (1914), pp. 434-435, cited in Geis, *ibid.*, p. 13.
85. Enrico Ferri, *Criminal Sociology* (1917), pp. 511-512, cited in Geis, *ibid.*, p. 13.
86. See Geis, *ibid.*, p. 13.
87. Only in Saskatchewan and Ontario are the plans in operation. In Newfoundland a statute has been passed but is not yet effective. The new government of Manitoba has promised legislation in its next legislative session, which will make it the fifth Canadian Province to enact a compensation plan.
88. In Canada a Parliamentary Committee has studied this idea but the Committee has not yet made any recommendations. The Canadian Corrections Association, a private voluntary organization, has proposed a national plan.
89. The exclusion in the Hawaii statute is not complete. As explained by the chairman

of the Hawaii Criminal Injuries Compensation Commission, John Jubinsky, in a letter to the Task Force, the Hawaii arrangement is as follows: "Hawaii has an exclusion if the victim was at the time of his injury or death a relative of or living with the offender as spouse or member of the offender's household but the exclusion is not complete. Our statute permits such a person to receive compensation for the expenses actually and reasonably incurred as a result of the injury or death to the victim. A loss of any compensation that otherwise might be compensable by virtue of loss to the victim of earning power or pecuniary loss to the dependents of a deceased victim or any pain or suffering or other losses would be excluded." All of the existing victim compensation plans, both foreign and United States, are described in detail in Geis, "Compensation," *op. cit.* Interesting variations include California's provision that convicted persons may be required to pay a fine to defray costs of the program. New York's plan provides that the claimant must have out-of-pocket expenses of at least \$100 unreimbursable from other sources or loss of earnings for at least two continuous weeks; no more than \$100 per week can be awarded for loss of earnings and designated insurance payments, including private insurance company payments, are deducted from any awards.

90. Arthur J. Goldberg, Fifth James Madison Lecture, New York University, "Equality and Government Action," *New York University Law Review*, vol. 39 (1964), p. 224.
91. See Crime Commission, *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, 1967), p. 49.
92. See Geis, "Compensation," *op. cit.*, p. 72.
93. Details of this poll, the results of which were first tabulated by this Task Force, appear in Geis, *ibid.*
94. *Annual Report of the Crime Victims Compensation Board*, Albany, N.Y., 1967, pp. 15-23.
95. A similar endorsement has recently been made in Glenn E. Floyd, "Victim Compensation Plans," *American Bar Association Journal* vol. 55 (1969), pp. 159
96. The Crime Commission also urged hearings on bills pending in Congress. Presently awaiting action is S. 9 introduced on Jan. 15, 1969, by Sen. Yarborough (D., Texas). This bill would provide for compensation of up to \$25,000 to crime victims and would include payment for pain and suffering. The bill would cover the maritime and territorial jurisdictions of the United States, including the District of Columbia.
97. The substance of all recommendations reviewed are set forth in the manuscript prepared for this Task Force by Gilbert Geis, "Compensation," *op. cit.*, app. 34. Emerging from group discussions, the recommendations should not be regarded as carrying either the personal or official endorsement of any Conference participant. In his manuscript, Professor Geis also sets forth the following recommendation, again suggested at the Conference: The Congress and the Department of Justice should give serious and immediate consideration to the matter of providing compensation to all persons physically injured by violators of any Federal Civil Rights legislation (p. 84) We agree that this question is worthy of investigation. It should not, however, be an obstacle to State's adoption of their own plans or to the Federal Government's adoption of a Model Plan designed expressly for the territories and the District of Columbia.
98. Statement of Norval Morris, *International Conference, op. cit.*
99. In this regard, the First Report of the Hawaii Criminal Inquiries Compensation Commission, to the Governor of Hawaii, states as follows: *Pain and suffering.*—We question the desirability of having pain and suffering compensated for in this type of legislation. As a practical matter, the evaluation of pain and suffering and the amount to be awarded for it has been the most difficult aspect of our deliberations. Of necessity, pain and suffering is unique to each case and it is impossible to establish objective criteria for its measurement. The lack of such criteria makes it difficult, if not impossible, to assure that each qualified applicant is receiving a fair and equitable award. (pp. 4-5)
100. It should be noted, however, that claims are increasing each year. While it is expected that there will soon be a leveling off, there "is still present the likelihood that a successful scheme would cost approximately double the initial estimates."

Jack M. Kress, "Victim Compensation: A Study," Cambridge, England, 1968, p. 14. Even a doubling of the original estimate does not detract from the feasibility of the program.

101. As reported by Sir Walker Kelly Carter, Chairman, Criminal Injuries Compensation Board (England)
102. Testimony of Stanley L. Van Rensselaer, Chairman, New York Crime Victims Compensation Board, before the New York State Representative Committee on Crime, Its Causes, Control and Effect on Society, Oct. 31, 1968.
103. As reported by Stanley L. Van Rensselaer, *International Conference, op. cit.*, vol. I, p. 153.
104. State of Illinois, Illinois Legislative Council, "Estimated Costs of Crime Victim Reimbursement Under Proposed Act," to Hon. Abner J. Mikva, 1968.

APPENDIX 12

RECOMMENDATIONS ON PERSONNEL AND TRAINING

The demand for more and better quality personnel in all agencies combating crime and violence has been a recurrent theme throughout this report. We now bring together our recommendations on the subject. The nation's resources must be devoted to the creation of new cohorts of professional, paraprofessional, and voluntary personnel for work in the programs being formulated.

PREVENTION

Administrators of prevention programs must:¹

- Recognize the need to bring together and train diverse kinds of personnel for community services, such as domestic quarrel teams. They should include behavioral specialists, students, community members, ex-convicts, and police.
- Train through NIMH an increased number of professionals to supervise proposed Community Service Centers.
- Greatly expand positions for voluntary and paraprofessional personnel in all Community Service Centers and other neighborhood activities.
- Encourage decisionmaking by community members in political, design, and reconstruction issues affecting their neighborhoods and give them responsibility to maintain and patrol renovated areas.
- More effectively involve youth in political, social, and economic decisionmaking through a National Youth Policy, and more actively recruit youth for field positions in community reconstruction programs through a coordinated effort by all involved agencies (e.g., HEW, OEO, HUD, DOT, DOJ).
- Train teachers to more systematically transmit non-violent values, convey methods of intergroup (especially interracial) communication, and use peers and older children to reinforce the model of behavior being presented.

• Train and coordinate personnel working in all social reconstruction programs to seek several interrelated goals simultaneously—e.g., the reduction of violence, the elimination of poverty and segregation, the improvement of general welfare, and the beautification of cities.

POLICE

We recommend that the police system:²

- Divide functions and personnel entry and promotion lines among three new kinds of officers—the police agent, the police officer, and the community service officer.
- Encourage volunteer and professional work, especially by students, and hire citizens for certain tasks traditionally performed by police (e.g., traffic control).
- Assess manpower needs and provide more personnel if required.
- Recruit more actively, especially on college campuses and in inner cities.
- Increase police salaries, especially maximums, to competitive levels.
- Consider police salaries apart from those of other municipal departments.
- Require a college degree for general enforcement officers and supervisory positions.
- Improve screening of candidates.
- Modify inflexible physical, age, and residence recruiting requirements.
- Stress education and ability in promotion, rather than time spent in a particular grade.
- Encourage lateral entry to specialist and supervisory positions.
- Require a minimum of 400 hours of training.
- Improve training methods and broaden coverage of nontechnical background subjects, especially human behavior and conflict resolution.
- Place more emphasis on broadening the officer's ability to resolve interpersonal conflicts non-violently, without diminishing his role as a law enforcer. Place the most sensitive officers on domestic quarrel teams or gang and juvenile units.
- Emphasize the need for police, as the first-line representatives of society, to express whenever possible a general commitment to nonviolence through their words and actions.
- Require a 1-week yearly minimum of intensive inservice training and encourage continued education.
- Require 12 to 18 months' probation and evaluation of recruits.
- Establish police standards commissions.
- Establish a national retirement system to cover all local, county, and state law enforcement officers and to enable advancement or lateral moves from one department to another.

ORGANIZED CRIME

In the case of law enforcement activities directly related to organized crime, the need is to:³

- Assign local police personnel to special units investigating organized and professional crime and reporting information into a national intelligence network.
- Grant the recommended new Organized Crime Division of the Department of Justice funds and authority to hire additional attorneys, investigative agents, and supporting personnel.
- Train state and local law enforcement personnel for work against organized crime through the LEAA academic assistance program.
- Train federal personnel for work against organized crime through a cooperative program directed by the recommended new Organized Crime Division and the FBI.

COURTS

With regard to court personnel, it will be necessary to:⁴

- Increase judicial and supportive personnel at all levels, especially in the lower courts.
- Provide prosecutors, defense counsels, and probation officers in all lower courts now lacking them.
- Hire enough qualified personnel to undertake pre-sentence investigations for every offender.
- Encourage citizen volunteer and subprofessional work, especially by students and youth.
- Improve selection of judges through better screening.
- Provide judicial tenure of at least 10 years.
- Expand programs for training judges.
- Establish commissions on judicial conduct with power to discipline or require retirement.
- Institute salary and selection reforms for prosecutors.
- Coordinate local prosecutors through state attorney general and prosecutors' councils.
- Establish programs for training prosecutors.
- Extend early provision of counsel for indigents.
- Institute state-financed, coordinated assigned counsel or defender systems.
- Expand training programs for defense counsels.

CORRECTIONS

Administrators of corrections programs must:⁵

- Select top corrections administrators and parole board members through a civil service or merit system, thereby eliminating political rewards.

- Increase the number of personnel at all positions in the corrections system.
- Hire proportionately less nontreatment and more treatment personnel.
- Hire proportionately less institutional and more community service personnel (especially parole and probation officers).
- Hire more ex-offenders, who would be trained for their positions as part of the rehabilitative process while they are still in prison.
- Improve the quality of personnel through a broad set of programs aimed at recruiting more college graduates.
- Establish a federally sponsored, three-level training program for people entering the corrections system.
- Greatly expand the use of sub-professionals and volunteers—especially youth—in institutions as well as in parole and probation services.
- Work with private citizens who have power and influence in the community.

YOUTH

We envision a special role for youthful volunteers and paraprofessionals in almost all of the program areas. The recruitment of a large number of young people will help close the manpower gaps in crime and violence reduction and control programs, infuse fresh values into operations often saturated with conventional wisdoms, and give the young a sense of participation in solving one of our most urgent social problems. Hopefully, many will be encouraged to devote their professional careers to the field. Their involvement in VISTA and Peace Corps programs shows that many young people are willing to devote their time to improve the well-being of others. We recommend that immediate consideration be given to an expanded Domestic Peace Corps and suggest that the newly established President's Commission on an All-Volunteer Armed Force investigate the possibility of work in such a program as an alternative to military service.

RESEARCH PERSONNEL

Administrators must provide the facilities, salaries, and opportunity for the professionals needed to direct the research aspects of all recommended programs. Such professionals are required at all governmental levels. Federal coordination and supervision—especially in NIMH, the Children's Bureau of HEW, the LEAA Institute of Law Enforcement and Criminal Justice, the Bureau of Prisons, HUD, and OEO—will require the largest numbers of such personnel. Only the federal government is capable of funding the needed in-depth research on crime and violence.

At present, there is a shortage of qualified research personnel. The problem is complicated by the lack of coordination among various research programs. An integrated, multidisciplinary approach is clearly needed. NIMH, in cooperation with the Bureau of Prisons and the Urban Institute, should be the federal coordinator for the research on crime and violence reduction programs of Policy Areas I and II, and the President should appoint a special

advisory panel consisting of representatives of various disciplines to assist in this task.

Similarly, federal personnel researching and evaluating innovations for the control programs of Policy Area III and the community relations programs discussed in Appendix 13 should be recruited and coordinated into multidisciplinary groups by the Institute of Law Enforcement and Criminal Justice. Research into organized crime should be coordinated by the LEAA Institute with the proposed Organized Crime Division of the Justice Department.

Federal research personnel working on the support programs of Appendixes 14, 15, and 16 should be integrated into both NIMH and the LEAA Institute.

The work of federal personnel must be complemented by greatly expanded research, test, and evaluation programs at universities and newly created private institutes. At least one major private research center should be established through initial funding by NIMH, the Urban Institute, and the LEAA Institute. The organization should be given the authority to create interdisciplinary teams of mathematicians, computer scientists, electronics engineers, physicists, biologists, natural scientists, political scientists, psychologists, economists, lawyers, and anyone else whose services may be required.

Such a private organization would hopefully attract many qualified researchers who would otherwise be unwilling to work directly for the federal government. This would be further facilitated if established by a university or group of universities and located within a major metropolitan area.⁶

Research personnel are also needed at the state and local levels. They are required in the state planning agencies of the LEAA (e.g., statisticians to coordinate the reporting of police, court, and corrections data and local reconstruction programs), police departments (e.g., computer experts for command control systems), courts (e.g., psychologists to direct presentence investigations), and corrections institutions (e.g., criminologists to reduce the negative effects of incarceration). The state and local agencies should have the responsibility for hiring and coordinating such personnel. However, NIMH and the LEAA Institute should use their facilities to guide state and federal research, disseminating findings and lending personnel when needed.

At all levels, a full-time cadre of research professionals will be needed, and many others must be encouraged to consult and take research sabbaticals from teaching or other jobs which they are unwilling to permanently leave.

RESEARCH ON PERSONNEL

We recommend that NIMH and the LEAA Institute undertake the investigation of selection and training methods for operations personnel. The initial research should:⁷

- Systematically study the various jobs to be performed inside and outside of the criminal justice system, identify mental and physical skills required, develop criteria and measures of performance, and validate selection procedures.

- Examine job turnover rates to identify those who are unable to function successfully over an extended period of time, and pay particular attention to personality changes in those interacting with the community, especially with the police.
- Design and upgrade training programs so that quality personnel will remain on the job. This includes the evaluation of innovative training techniques such as T-group sessions, programmed learning, and management training games.

REFERENCES

1. These recommendations build upon Policy Area I.
2. Recommendations here follow those made by the President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission) (Washington, D.C.: Government Printing Office, 1967), with modifications and additions by the Task Force.
3. Summarized from Policy Area III.
4. Taken from the Crime Commission.
5. Summarized from Policy Area II with additions from the Crime Commission.
6. The need for such a private institute was first discussed in the Crime Commission *Task Force Report: Science and Technology*, Washington, D.C.: Government Printing Office, 1967, p. 82.
7. These recommendations are mainly taken from Alfred Blumstein, Study Director, "A National Program of Research, Development, Test, and Evaluation on Law Enforcement and Criminal Justice," a report by the Institute for Defense Analyses for the Law Enforcement Assistance Administration, U. S. Dept. of Justice (1968), pp. 47-49.

APPENDIX 13

RECOMMENDATIONS ON
COMMUNITY RELATIONS

The success of the programs recommended in Appendix 12 will depend in no small part on community cooperation. Private citizens must be seen as supportive personnel who play important roles in reducing and controlling crime and violence.

A violent urban subculture can be dissolved only if the citizens in the dominant culture are prepared to accept the pains of true integration. Increased appropriations for local educational systems must be approved by community residents. The availability of jobs and job training for potential offenders or released prisoners requires a cooperative effort from employers. The volunteers and paraprofessionals we seek for many positions must come from the ranks of citizens who have a sense of social involvement. The initiative for implementing many control devices falls primarily on private individuals and entrepreneurs. The fight against organized crime can be effective if businessmen shed their fears, band together, and submit information on illegal business activities to law enforcement agents. The legislatures which must pass and fund so many of the recommended programs are designed to be representatives of the people. Every positive step taken by official personnel to reduce and control crime and violence must be made with an awareness of the citizen's potential contribution, a sensitivity to the community's responsiveness, and a desire to gain full cooperation from every member of society.

There is one point of interaction between the community and the professional implementers of our programs which requires special attention and specific recommendations. Nowhere is the need for cooperation greater than in the relationship between the police and the community. Other professional groups involved in policy programs will interact with the community as much as the police. However, of all the professional groups, only the police must work in the community, positively relate to citizens, and control them forcibly when necessary. No group runs a greater risk of creating violence while attempting to contain it.

In this sense, the burden of balancing just treatment of real, perceived, and potential offenders against the safety of all citizens falls more on the police

than on any other professional group. Many decisions must be made on the spot, often with insufficient information. Do you control some at the risk of alienating others; do you respond violently at the risk of personal safety? It is no small achievement to be a sensitive conflict resolver as well as a fighter, especially at a salary hardly commensurate with the requirements. Yet this is what we expect of our police.

Although some cities have made noticeable progress, the nationwide effort to improve community-police relations has been largely unsuccessful. In a 1966 Crime Commission study, 75 locations were surveyed, and only 28 had formal police-community relations units.¹

The success of existing programs has been limited:

Although of great potential benefit, the results thus far have been disappointing.

... too often these are not community relations programs but are public relations programs, designed to improve the department's image in the community.

... it is clear that these programs have little support among rank and file officers.²

Current community-relations programs... have most often developed into honeymoons with "respectable" groups already sympathetic to the police side rather than maganimous attempts to communicate with the more-hostile elements.³

The police-community relations ideal which still must be attained was best articulated by the Crime Commission:

A really meaningful police and community relations program in a police agency saturates the entire organization at every level. Ideally, it is a total orientation, permeating every facet of police operations: policy, supervision, personnel practices, training and education, planning and research, complaint machinery, and, of course, the community relations unit itself, whatever it may be called. A police administrator does not establish a community relations program merely by activating a special unit, or by adding a few hours of special instruction in police training courses. Community relations must permeate the entire fabric of the organization and in a meaningful manner, not merely as "the current kick" in the department or as a manner of "window dressing."⁴

We believe all specific recommendations must be made with this in mind.⁵

TEST AND EVALUATION

As with social reconstruction, corrections, and control programs, there is a need to measure and evaluate more rigorously the effectiveness of community relations efforts. Whenever innovations are implemented by local police departments, their success should be measured through attitude surveys as well as by behavioral indicators, such as grievance reports and the ratio of official to nonofficial contacts reported by police. Attitude and behavior

changes before and after the program implementation should then be used as a measure of its effectiveness.

Every large urban police force should measure the effectiveness of its community relations programs. In addition, we recommend that one or more medium-sized urban police departments be funded by the LEAA Institute of Law Enforcement and Criminal Justice to act as a special laboratory for research and experimentation on police-community relations. The most creative personnel should be recruited; police administrators, psychologists, criminologists, public administrators, sociologists and others should be given carte blanche to devise new programs. Police in other cities could then adopt the successfully evaluated programs, although certain programs are bound to be effective in some areas and unsuccessful in others. The Institute should help to direct the research, fund, and technically assist police-community relations efforts throughout the country. The Community Relations Service of the Department of Justice should become a clearinghouse for community relations program information and develop training programs, materials, and aids for this effort.

THE IMPACT OF RECRUITMENT, TRAINING, AND POLICE ORGANIZATION

All recommendations for improving police training should be seen as vehicles for improving community relations. Undoubtedly the recommendation with the greatest potential impact is the emphasis on broadening an officer's ability to resolve interpersonal conflict in a nonviolent way without diminishing his role as enforcer of the law. A clearer commitment to nonviolence through words and actions will go far to assuage accusations of police brutality, which now represent the strongest impediment to police-community relations.

As a first step, we recommend that serious consideration be given to renaming police officers "human affairs officers," "public welfare officers," "conflict resolvers," "public service officers," or "public protection officers." Police should also be outfitted with uniforms which present a less hostile appearance to the community. The Covina, Calif., police are presently undergoing such an experiment. German policemen are beltless and bootless and have their guns and clubs hidden from view. The English constable has a special pocket for his only weapon, the wooden truncheon, and French police will soon have a new uniform which conceals their weapons. We suggest that all American police departments follow these examples.

Sensitive, college-educated commanding officers are needed to implement these recommendations and attract the kind of men who will promote good relations throughout their everyday assignments in the community. Personnel assignments should maximize positive relations with the community. The most sensitive and skillful conflict resolvers should be assigned to the most potentially volatile areas, advancement procedures should be changed to allow the best qualified man to remain in the field (and not be assigned to desk job) even after promotion, and minority group officers should be recruited for service in minority group areas.

Change is also needed in organizational structures. Police departments are usually semimilitary and rigidly controlled. Superior-subordinate relationships

are often sycophantic. "Rank" is so exaggerated as a mark of accomplishment that professional competence is often ignored. The young policeman discovers that his promotion capabilities are best served by suppressing compassion and playing the role of the determined suppressor-of-evil. Promotion decisions within the organization must therefore place more emphasis on values such as the ability to respond sensitively to complex situations. Similarly, there must be greater acknowledgment of diversity and initiative rather than uniformity and acquiescence; this can only occur when the new breed of police we seek achieves positions of authority.

COMMUNITY RELATIONS UNITS AND THE IMPROVEMENT OF COMMUNICATION

Special community relations units should be uniformly established in neighborhoods throughout our cities. The need is especially great in minority population precincts. Such units should not be oriented to widespread promotion campaigns. Rather, their fundamental goal should be the opening of communications channels between the community and the police. Most of the successful police-community relations programs have achieved just such a goal.

A few such programs are community education (e.g., instruction by police officers in St. Louis elementary and high schools on police problems); police education (e.g., exercises in Covina, Calif., where police trainees pose as derelicts and subject themselves to arrest); the teaching of minority-group languages, customs, and motivations to officers; group therapy sessions (such as those in Sausalito, Calif., where hippies, homosexuals, Negroes, peaceniks, and anyone else likely to irritate police are discussed); joint learning sessions (e.g., the Houston T-group courses for both police and citizens in which attitude change is measured over a 6-week period); nonofficial interactions (e.g., police-sponsored camps and contests for children, such as those created by the Operation FRIENDSHIP program in New York's 24th Precinct); grievance mechanisms (e.g., the citizen complaint sessions run by community relations officers in Atlanta); expansion of police-welfare service partnerships (e.g., use of police and behavioral specialists in 24-hour emergency domestic quarrel teams); expansion of police-community partnerships (e.g., the \$1.4 million, 18-month OEO-sponsored "model precinct" project in Washington, D.C., which hires community residents to perform such traditional police tasks as traffic control and patrolling of storefront areas); police willingness to overlook certain ostensibly illegal acts (e.g., allowing children to open fire hydrants on blocked-off streets in the summer); encouragement of officers to live in or near their beats; citizen advisory committees; and cadet and auxiliary police corps.

If each major city would adopt such community relations activities, we believe a significant improvement in police-community relations would soon be apparent. The early English and American law enforcement systems were nothing more than groups of private citizens who organized to keep the nightwatch and apprehend lawbreakers. The goal of our suggested innovations is nothing more than a return to this original union of interests. The police and the community must function more effectively as allies against the common enemies of violence and crime.

CITIZEN REPORTING OF CRIME AND VIOLENCE

An important function of the police-community relations unit should be to increase citizen reporting of crime and violence. One Crime Commission survey found four main reasons why citizens do not report offenses.

The first was the belief that the incident was not a police matter, either because citizens did not want the offender harmed or because they thought the incident was private, or at least a noncriminal affair. The second was fear of reprisal, either physically from the offender's friends, or economically from cancellation of or increases in insurance rates. Thirdly, people did not want to become involved with the police or were too confused to do so. The last reason was based on attitudes toward police effectiveness: Here people believed the police could not do anything about the incident, would not catch the offenders, or would not be bothered.⁶

If community relations units systematically address these problems, the public would at the very least have less cause to use reasons (3) and (4) (which accounted for 64 percent of the answers to the survey), and might accordingly increase the reporting rate.

INTERNAL INVESTIGATION UNITS

In support of the community relations units, each major police department should have an internal investigation unit to prevent dishonest, unethical, and offensive acts by police officers. We do not necessarily believe that citizen review boards are necessary, but ask that community representatives be at least partially involved in the investigative and decision making process.

Guidelines for such investigative units should be set up. The following illustrates the kind of legislation we seek:

Whenever a person is stopped by police or sheriff for field interrogation, or in any other way deprived of freedom of action to any significant degree, and such police or sheriff action results in (1) personal injury, (2) property damage, or (3) detention longer than 20 minutes, and no arrest is made; *or*

Whenever a person is arrested by police or sheriff, but is discharged from custody without the filing of a criminal complaint, or is discharged after filing but before trial, or has charges dismissed at preliminary hearing or arraignment, or whenever a person is found not guilty at trial, or whenever a person is convicted of a criminal offense and has such conviction reversed on appeal, and no successful prosecution for the same offense occurs within 180 days;

The jurisdiction involved shall:

- Expunge all notations of detention, arrest, prosecution, and/or conviction from the agency record system, and notify all other agencies which have been sent information on the matter, requesting similar change;
- Reimburse the detained person, on the basis of regular take-home pay, for any time held in custody longer than 20 minutes; or, if arrested, for any time held in custody from time of arrest;

- Pay all costs of medical care if personal injury occurs;
- Pay all costs of replacing or repairing damaged property;
- Pay all costs incurred by such person in securing his release, including reasonable attorney's fees; and
- Vacate any stipulations as to probable cause which were made as a condition of release.

REFERENCES

1. President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission), *Field Surveys V: A National Survey of Police and Community Relations* (Washington, D.C.: Government Printing Office, 1967), p. 60.
2. National Advisory Commission on Civil Disorders, *Report* (Washington, D.C.: Government Printing Office, 1968), p. 167.
3. See William W. Turner, *The Police Establishment* (New York, G. P. Putnam & Sons, 1968).
4. Crime Commission, *Field Surveys V, op. cit.*, pp. 378-379.
5. Unless otherwise specified, most of the following recommendations are based on: Alfred Blumstein, Study Director, "A National Program of Research, Development, Test, and Evaluation on Law Enforcement and Criminal Justice," a Report by the Institute for Defense Analyses for the Law Enforcement Assistance Administration, U.S. Dept. of Justice (1968); A. C. Germann, "The Problems of Police Community Relations," a consultant paper submitted to the National Commission on the Causes and Prevention of Violence, *Task Force Report: Law and Law Enforcement*; National Advisory Commission on Civil Disorders, *Report, op. cit.*; Crime Commission, *Task Force Report: The Police* (Washington, D.C.: Government Printing Office, 1967); Urban America, Inc., and Urban Coalition, *One Year Later, An Assessment of the Nation's Response to the Crisis Described by the National Advisory Commission on Civil Disorders*, Feb., 1969. See the Crime Commission and the National Commission on the Causes and Prevention of Violence, Task Force on Law and Law Enforcement for more extensive consideration of police-community relations.
6. Philip H. Ennis, "Criminal Victimization in the United States: A Report of a National Survey" (*Field Surveys II, Crime Commission, 1967*), pp. 43-44.

APPENDIX 14

RECOMMENDATIONS ON
CRIMINAL STATISTICS

Perhaps the most pressing support requirement behind our recommendations is for improved data on crime, criminals, and criminal justice system operations. Much attention has been called to the problem, and although there has been significant improvement in the collection and interpretation of criminological data, advances have been secured only after considerable controversy and conflict.

The present data often fulfill needs of operating agencies, but are not rigorous enough for the demands of scientific research. It is imperative that reporting systems be made more comprehensive so that the myriad forms of violence can be systematically and objectively studied. For many types of research, statistics serve as the primary laboratory, allowing the scientist to relate behavioral phenomena to social conditions and population characteristics in a controlled manner. Knowledge from such studies is necessary for the better understanding and control of violence and the solution of underlying social problems. We seek to provide comprehensive data for the scientific community, to improve operational data for police, and to satisfy the informational requirements of other users. This society can no longer tolerate either inadequacy in vital information on crime and violence or failure to interpret and disseminate that information properly.¹

The federal government has recognized the need to collect basic social information in certain areas, but it has spent very little on national criminal justice statistics. For example, the 1967 expenditure for major federal statistics programs totaled approximately \$124 million. Estimates for the Bureau of Census and Labor totaled over \$30 million, while 12 other federal statistical programs each spent more than \$2 million.² In comparison, expenditures for national criminal justice statistics have been under \$800,000 annually.³ At least five major studies since the 1930's, including the Violence Commission, have recommended a strong national criminal statistics program centered in a single Federal agency.⁴ The Crime Commission recommended a National Criminal Justice Statistics Center in the Justice Department. Such a center has now been provided as an arm of the LEAA National Institute of Law Enforcement and Criminal Justice. The center has yet to begin operations, and its functions are defined only to the extent that LEAA expresses general agreement with the Crime Commission.

The following recommendations specify the functions and responsibilities the Task Force believes the Center should have.

THE RELATIONSHIP BETWEEN THE CENTER AND FEDERAL AGENCIES

The Crime Commission stated the Center must possess:

Clear statutory and executive branch authority to oversee and coordinate all Federal criminal statistical programs . . . Insofar as existing Federal programs of collection from the States are operating satisfactorily or could be brought up to a satisfactory performance by improvements, the Center should continue the present arrangements. Where an existing Federal program requires a major overhaul, however, the Center should be free to take over responsibility for collecting information in the hands of State and local agencies itself, if that appears desirable . . . The Center would have free access to all data collected by other agencies, including terminal linkups, and would coordinate data storage as well as collection and dissemination. The Center would itself be expected to publish comprehensive statistics covering the whole criminal justice system.⁵

It is important for the Center to produce a publication or set of publications to serve as the official source of crime and violence-related data in the United States. Certain agencies should be allowed to publish their statistics separately, although they should also be included as one part of general Center publication. The Center should make the final decision on what data are needed and how they are to be presented. The publication must be analytic and objective, with no interpretive value judgments and consideration of the biases present and the limits of statistical inference. The data should be rigorous enough to meet any technical standards and must satisfy the needs of all users, with the first priority given to criminal justice system administrators and social scientists.

The best example of a federal agency which should continue its own data collection is the FBI. The Bureau should continue the *UCR* program and work with local police agencies to improve data collection. The *UCR* could still be published separately, but the FBI should serve as the field liaison for the police statistics section in the overall publication. The Center and the FBI should make decisions on necessary police operational and research data and how they are to be collected.

When the Center takes over the data collection of a currently operating agency, a new liaison system will have to be worked out with local data sources. This will also occur when collection on totally new kinds of data is begun. Unless it is reasonable to assign the responsibility for collecting new data to a particular agency (for example, the National Safety Council could collect statistics on "violent auto fatalities"), the Center may have to work directly with information sources at the local level.

THE RELATIONSHIP BETWEEN THE CENTER AND STATES AND LOCALITIES

Of equal importance is the means by which information from local sources should be transmitted to the national level. In particular, should the local sources report directly to the Center or to a state statistics center which collects, consolidates, and transmits the state-wide data to the Center?

The Crime Commission felt that state statistics centers, such as the California Bureau of Criminal Statistics, should be developed. However, because the establishment of such systems will take time (due to both political and technical restraints), and because the statistical needs are so urgent, the Commission believed that the new national program should not be held up until the state centers are established:

Federal collection should not be limited to State statistical bureaus. It should make use of such bureaus where they exist, and work for the development of new ones, but rely in the meantime on development of alternative methods of collecting and monitoring statistics directly from the operating agencies.⁶

We also hold this position, but see the need to utilize state statistical centers as part of the LEAA assistance program. Each state center should be a division of the state planning agency which LEAA has designed. Just as each state planning agency is a small-scale model of LEAA, the state statistics center should be a modest version of the National Statistics Center.

State planning agencies should be required to establish state centers in order to receive federal funds and technical aid. Once they are fully staffed and operational, local agencies should be bound by statute to report to the state level, as in the case with the highly successful California system. State centers need not be bound by law to report to the federal level, but full cooperation would be in their best interests.

Grants and technical assistance to set up the state centers and improve the reporting and general statistical abilities of local agencies are essential. As each state center gains experience, it will hopefully be able to efficiently allocate federal funds earmarked for statistics improvement through knowledge of local problems.

The FBI has already instituted programs for police data reporting in California and New Jersey.⁷ In each state, local police agencies are now reporting to the state agency, which in turn reports to the FBI. The Bureau is continuing to make data checks on local agencies, but they no longer report directly to Washington.

AN INTEGRATED PLAN FOR THE COLLECTION, CLASSIFICATION, ANALYSIS, PUBLICATION, AND DISSEMINATION OF DATA

As operational relationships between the Center and federal, state, and local agencies are worked out, it will be necessary to decide what statistical collection procedures are to be used and what the costs of the alternatives

are. The relevant question here is whether data should be collected from all of the sources (so that a full census collection is employed) or only a proportion of them (so that a sample collection is used). The answer, of course, varies with the particular kind of data being collected.

The Center could have four basic procedural alternatives:⁸ (1) continuous collection for all persons, events, or operations (continuous census); (2) collection for all persons, events, or operations but at intervals (census); (3) continuous collection for a proportion of all persons, events, or operations (continuous sample); or (4) collection for a proportion of all persons, events, or operations at intervals (interval sample).

Given data requirements and a set funding level for statistical collection, the Center should decide which procedure is most desirable for each kind of data. Thus, for example, the great importance of police data surely dictates their collection as part of a continuous census, but special studies on community attitudes toward the police or victim-offender relationships can follow the interval sample approach. Mandatory local reporting of all census and continuous census data would be advisable, although it is not necessary for sample surveying.

The need for uniform and complementary classification of the collected data is directly related to the achievement of optimum collection procedures. For any one kind of data, all local reporting sources must classify their material in the same way. As discussed in Chapter 2, the FBI has long been improving the uniformity of police classification. Such progress must continue. For most other kinds of data, the need for improved classification is even greater. Internal classification uniformity will be essential for new kinds of data. After establishing cross-jurisdiction uniformity, the Center must constantly check local classification and reporting, as the FBI presently does with police agencies.

A high degree of classification uniformity must also exist among the different kinds of data collected. Consistency is especially necessary for police, court, and corrections data (as opposed to data which generally do not fall within the scope of the criminal justice system). The only way to measure the effectiveness of the complete criminal justice system is to follow the individual from arrest and clearance through court decisions, corrections treatment, and post-release behavior. A model was drawn up by the Crime Commission and is reproduced here as Figure 1. The Statistics Center should work with the Systems Management Center of the National Institute to effect complementary classification of different kinds of data which fit together into functional models.

The Center must take upon itself the task of properly analyzing and qualifying all the data collected for the official publication on crime and violence. However, because it will never be possible to publish all the available data in all the ways possible, the Center should be equipped to provide additional information free of charge and perform special tabulating, analysis, computer runs, and other similar services on a fee basis.⁹ The official publication and other work related to the Center must be widely disseminated through public relations efforts, field representatives, and close communication with all reporting sources.

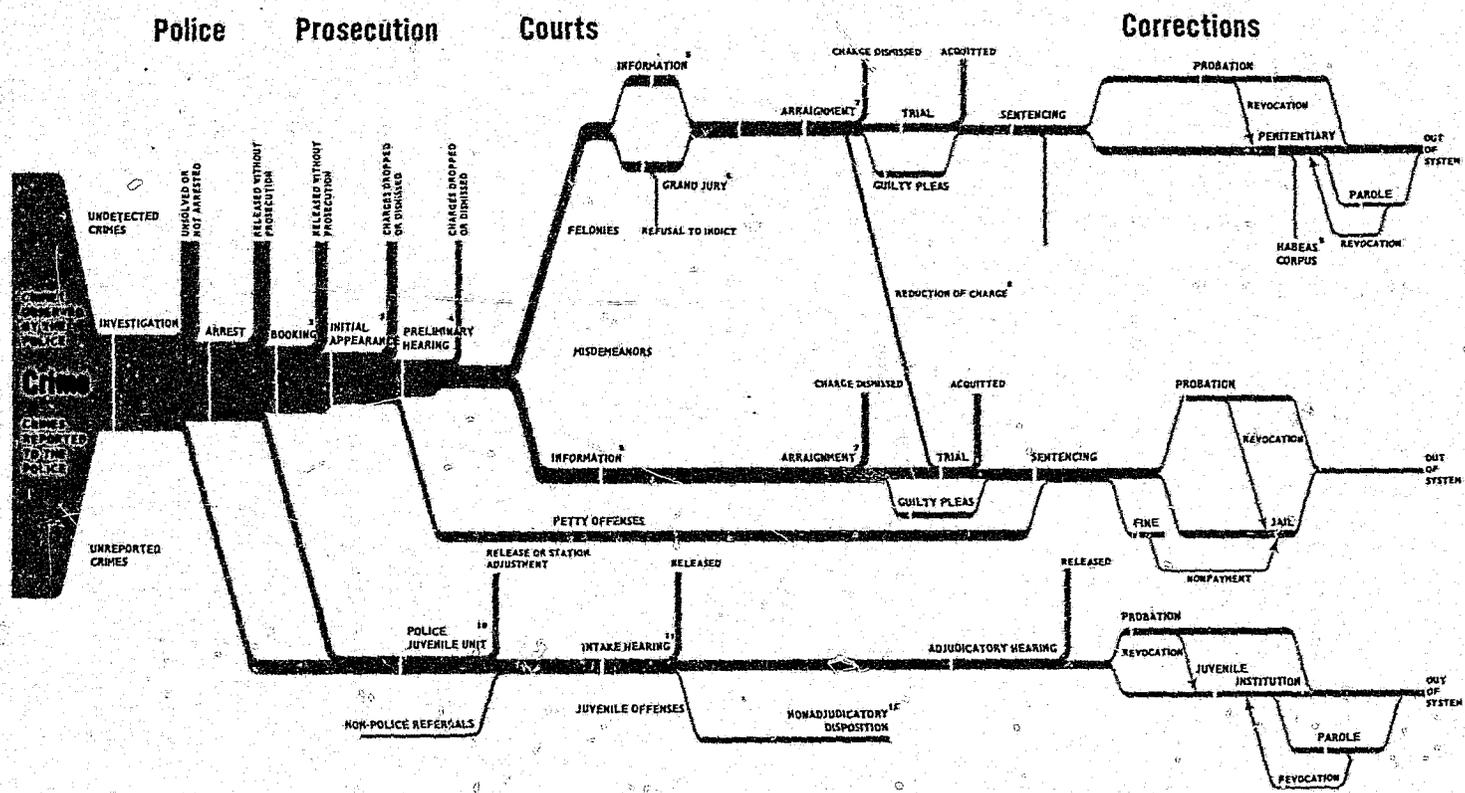
THE IMPROVEMENT OF PRESENT STATISTICAL PROGRAMS

There is room for considerable improvement in all related statistical programs to be used in the Center's publication. The suggestions made here, as well as the recommendations for new statistical programs, have on the whole been enthusiastically supported by administrators and criminal statistics experts. It will nevertheless be necessary for the Center to survey the needs of all potential data users to systematically ascertain the exact data needed. Such a survey is important to assure that all new and improved data are actually required. The utility of information lies only in its use. If the federal government is to spend more public money on data related to crime and violence, there should be clear justification for the expenditure.

Police Statistics

Police data provide the best single source for measuring the levels and trends of crime and violence. UCR police data are more sophisticated than any other national source of criminal justice operations. Chapter 2 made clear, however, that a great deal more can be done. The FBI has, in the past, been receptive to new suggestions. "Critiques of these reports have been searching, to say the least, but the FBI has shown their value by adjusting statistical practice to meet professional objectives."¹⁰ It is in this spirit of continued and constructive improvement that the Task Force makes the following recommendations:

- If there is to be an "index" of crime, the criteria for including certain kinds of crimes and excluding others should be rethought. A number of crimes (such as assault and battery) are at least as serious as many on the present Index and do not experience noticeable greater reporting problems. The acts should certainly be included in an expanded "index."
- A first step to eliminate the great differentials in the seriousness of the offenses presently aggregated with equal weight into the UCR Index should be the elimination of the Index in deference to separate subindices for violent (or personal) and property crimes. Although the problem is not eliminated by doing this (because crimes are not weighted according to seriousness), it will be smaller than with the present Index (because the more serious violent crimes are at least separated from the less serious property crimes).
- The second step should be conversion to the kind of aggregate Index discussed in Chapter 2, where each crime included has a predetermined weight, attempts are separated and weighted differently from completions, and all the acts in a multiple event are counted and weighted. These innovations would provide a *real* index of criminality instead of the simple sum currently labeled an "index" by the FBI. Weighted subindices for personal and property offenses could be computed. The new system would require the police not only to report the number of crimes occurring in a specific event, but also to compute



The chart seeks to present a simple yet comprehensive view of the movement of cases through the criminal justice system. Procedures in individual jurisdictions may vary from the path shown here. The differing weights of line indicate relative volumes of cases disposed of at various points in the system, but this is only suggestive since no nationwide network of this sort exists.

1. May continue until trial.
2. Administrative record of arrest. First step at which temporary release-on bail may be available.
3. Before magistrate, commissioner, or justice of peace. Formal notice of charge, advice of rights. Bail set. Summary trials for petty offenses

usually conducted here without further processing.

4. Preliminary test of evidence against defendant. Charge may be reduced. No separate preliminary hearing for misdemeanors in some systems.
5. Charge filed by prosecutor on basis of information submitted by police or citizens. Alternative to grand jury indictment often used in felonies, almost always in misdemeanors.
6. Reviews whether government evidence sufficient to justify trial. Some states have no grand jury systems; other seldom use it.
7. Appearance for plea defendant elects trial by judge or jury (if available);

counsel for indigent usually appointed here in felonies. Often not at all in other cases.

8. Charge may be reduced at any time prior to trial in return for plea of guilty or for other reasons.
9. Challenge on constitutional grounds to legality of detention. Maybe sought at any point in process.
10. Police often hold in formal hearings, dismiss or adjust many cases without further processing.
11. Probation officer decides desirability of further court action.
12. Welfare agency, social services, counselling, medical care, etc., for cases where adjudicatory handling not needed.

Figure 1.—A general view of the criminal justice system.

a weighted "score" for that event, perhaps broken down into violent and property subscores. The federal government should be prepared to finance the extra personnel necessary for the accomplishment of this task.

- Although such a refined index would give a profile of the total incidence and seriousness of all the crimes included, separate rates for individual crimes must still be computed. They should reflect the separation of attempts from completions and the computing of all acts in multiple events.

- These rates will focus on specific kinds of crime. The crime as the basic reporting unit should be used both for the number of offenses reported *and* for the number of offenses for which arrest has been made. Rates for both number of offenses committed and numbers of offenses for which arrests have been made should be computed for all crimes reported. (At present there are rates on numbers of offenses only for Index crimes; there are arrest rates for all crimes, but these are for numbers of persons arrested, not for the number of crimes.)

- Arrest rates should be broken down according to demographic characteristics of offenders—especially by age, race, sex, and hopefully also by such variables as socioeconomic status, income, education, and occupation. Again, the federal government should finance through the Center the extra efforts required by local police to collect this information. Rates should, of course, be based on arrest and population volumes for the specific group being isolated. Importantly, all of these rate breakdowns should be cross-tabulated. (At present, UCR demographic breakdowns are in terms of volumes only and not entirely cross-tabulated.)

- Special care should be given to upgrading the reliability, validity, and accuracy of non-Index crime data as well as that of Index crimes. For example, Chapter 2 showed that, while such nonmajor violent crimes as child abuse, disorderly conduct, and vandalism may be less serious than other acts, they are important in developing a total picture of individual violence. Specific classification and reporting problems which may arise in each case must be resolved. With regard to child abuse, for example, there is presently no agreement over which professional group (police, social workers, etc.) is the best reporting source.

- In general, figures should be in rate form, although volumes important for police resource allocation, administrative, and cost accounting purposes should be retained in a separate section of the Center publication. All superfluous presentations, such as the "Time Clocks," should either be discontinued or replaced by presentations in rate form. This overall format should be used in both annual and quarterly publications, even though rate estimates are more difficult to make on a quarterly basis.

- Strict care must be taken to avoid interpretive judgments on the data in the official publication (though not in separate and special studies undertaken by the Center). Inherent data biases, such as the fact that everyone arrested is not necessarily guilty, should be brought out, however.

- The board categories of aggravated assault and robbery should be broken down into subclassifications according to degrees of seriousness. Robbery, for example, might be split into two standard reporting classifications—armed and unarmed—which are differentiated in all robbery data throughout the Center publication. (At present, the UCR include graphs in the introductory sections showing general trends of certain types of crime [e.g., robbery], broken into subtypes [trends of street robbery, bank robbery, etc., since 1960]. These subcategories are not retained, however, in the exact numerical listings of specific crime rates and in breakdowns by city, region, age, race, and sex.)

- The data from suburban areas should not include urban data, as is presently the case.

- Efforts should be made to bring UCR and U.S. Census classifications into accord with one another.

- The Center publication should include revisions of historical figures annually made by the FBI according to the method in Appendix 2. It should also indicate the number, kind, and percentage of reporting units omitted from national trends each year.

- Cities should be ranked by rate for various crimes, as has been done for the major acts of violence in Appendix 3. "There is some danger that such rankings would cause overreaction in high crime areas, but they would almost certainly create pressure on these locales to reduce the amount of crime, encourage research into the differing crime rates, and promote the development of more sophisticated measures of comparison. Because the practice would also create danger of statistical manipulation by high crime rate cities, it would also increase the need for rigorous monitoring of the statistics."¹¹

Arson Data

The Center publication should work with the National Fire Prevention Association to obtain arson data instead of using its own figures. Because of the progress the NFPA has already made in creating a reporting system for incendiary and suspicious fires (as well as for all others), the Center should use it as a federal liaison with local fire marshals for reporting and estimating the real incidence and cost of arson.

Suicide Data

The Center should use the National Center for Health Statistics of the National Institute of Mental Health as the federal liaison for data on suicides. A section of the Center publication should be devoted to comparative data on criminal homicides, suicides, violent auto fatalities, and other deaths which are judged to be violence related.¹² To compare suicide with criminal homicide, the suicide data must be consistent with the suggested revisions in police statistics. There is perhaps an even more urgent need for consistency between data on suicides and violent auto fatalities (which should be collected by the National Safety Council as Federal liaison for the Center). Both suicide and auto accident data come from local coroner's reports, and misclassification often occurs between the two.¹³ Not all suicides involve

autos, but when they do, current reporting procedures frequently produce inconclusive judgments on the mode of death. The Center, working with the NCHS and the NSC, must work to improve the accuracy, validity, and reliability of death certificate reporting and achieve a more uniform and rigorous system of classifying violence-related deaths.

Juvenile Court Data

The Children's Bureau Publication, *Juvenile Court Statistics*, is in need of (1) a better classification system, (2) an expansion of information, (3) an increase in the percentage of reporting from solicited units, and (4) better reporting from many local units. More information with regard to the courts themselves must also be obtained, such as on the number and background of judges and the extent to which the courts have access to psychiatric help.¹⁴ Instead of the present sample collection method, a complete census may be advisable for juvenile court data, as well as for general court information.

The Crime Commission recommended that all data on juvenile crime, violence, and treatment within the criminal justice system be processed by the Department of Health, Education, and Welfare, which, under the proposed "Juvenile Delinquency Prevention Act of 1967" would be given authority "to collect, evaluate, publish and disseminate information and materials relating . . . to prevention or treatment of delinquency or provision of rehabilitative services for delinquent youths."¹⁵ We agree with this suggestion and propose that the Department of Health, Education, and Welfare become the Center's federal liaison for the collection of all relevant juvenile data.

Prison Data

The Bureau of Prisons publication, *National Prisoner Statistics*, should extend coverage to provide more complete information on the prior history of inmates, their sentences and crimes, programs in different correctional institutions, the length of actual incarceration versus the length of sentence, major disciplinary actions taken against inmates, transfers from one security level institution to another, and termination of custody either by completion of the sentence or by parole.¹⁶ In addition, Chapter 2 emphasized the urgent need for a uniform classification system of prisoners by the kinds of crimes for which they have been incarcerated. The refinements in prison and court statistics should be complementary to the suggested refinements in police statistics.

The Bureau of Prisons is the natural federal liaison for corrections statistics and should coordinate all the new data related to incarceration and treatment.

Miscellaneous Federal Data

Certain relevant data fall primarily within the scope of federal activities. Included are information on federal narcotics law violations, federal prisons, and Justice Department prosecutions. These and related data are presently

scattered throughout numerous annual reports, and should be centralized in a special section of the Center's publication.

THE INITIATION OF NEW STATISTICAL PROGRAMS

The many new kinds of data which users are demanding can roughly be split into two categories: (1) census information on criminal justice system operations, crimes, and criminals and (2) sample survey and special study information on a variety of topics.

Census Information

In some areas where census information is required, data needs are oriented toward operations. In others, needs are more oriented to crimes and criminals, while still other jurisdictions demand both kinds of information. It would probably be wise for the Center to organize all operational-decision data in one section and all crime-criminal data in another, even if this cuts across such traditional categories as police, courts, and corrections.

Data on Criminal Justice System Workload Volumes

Administrators allocating funds within the criminal justice system must have interrelated data on workload volumes. Although the FBI has provided fairly complete information for police administrators (e.g., on offense and arrest totals), workload volume information is either scarce or nonexistent for the rest of the criminal justice system. The data necessary to complement police information and to create a functional model of criminal justice workloads includes the volume of criminal and civil court cases, the length of time from filing to termination in court transactions, the volume of criminal and civil appellate court cases, and the number of persons under supervision in the various kinds of correctional institutions.¹⁷

Data on Criminal Justice System Administrative Characteristics

There is also a demand for information on criminal justice agencies which is useful in estimating system effectiveness. Data are required on such administrative characteristics as the number, kind, and quality of personnel and manpower training programs, the distribution of working time for key decision makers (such as judges), and salaries.¹⁸

Pretrial Data

Few pretrial statistics are maintained, even at the local level. These are required to cover the operations and workloads of prosecuting attorneys; the composition, characteristics, and decisions of grand juries; the requirements for effectiveness of bail; and the operations, facilities, staff, prisoner intake, and detention periods of jails.¹⁹

Court Data

Pretrial data should be accompanied by information on the number of offenders standing trial, charges, plea, type of trial, representation, and disposition. The data on both misdemeanors and felonies should also cover the sentencing process, including the use of presentence reports. A special section should be devoted to the delays involved in the judicial process.²⁰

While these data will cover persons and their offenses to a certain extent, the nature of the court process orients informational needs more to operational decisionmaking:

Statistics of court decisions are not statistics of criminals (persons); the two concepts should be clearly separated. In assessments of court work the number of persons involved in the decisions may be important, but the main factor must be the number of decisions. Of course, the person is affected by the court decisions, but the final decision . . . is the factor of most concern from the viewpoint of the person in the dock, and the value (utility) of the decision.²¹

New data on decisions are therefore essential. There is presently no natural federal liaison for court and pretrial data, so the Center may have to manage data collection directly through state statistical centers. Experts agree that data should be collected on a continuous census basis from all general jurisdiction and appellate courts.²²

Probation and Parole Data

There has never been a comprehensive national collection of data on the operations of and individuals involved in probation and parole. Such a survey should be instituted through an expanded statistical staff on the National Bureau of Prisons and the National Parole Institutes, working with the Center. Information on the number of offenders on probation, their characteristics and criminal history, the length of probation, the extent of supervision, the number of violations based on the commission of offenses, and the number of violations of other probation conditions is needed. Cohort studies will be especially useful for information about individuals on probation.²³

There is also a demand for data on paroles. The goal of better statistics in each case is to improve decisionmaking and program effectiveness in community reintegration of the offenders. A study for the President's Committee on Juvenile Delinquency and Youth Crime has already demonstrated the feasibility and desirability of a uniform parole reporting system. Thirty-three states are now participating on a voluntary basis in further development under a 3-year grant from the NIMH. Emphasis is being placed on formulation of procedures, standardization of definitions, and collection of cohort statistics.²⁴

Data on Violent Auto Fatalities

Because the data published by the National Safety Council in *Accident Facts* already touch on the kind of violence-related auto fatality tabulations

we feel are important (see Appendix 1), the Council is the logical choice to develop a reporting system in cooperation with the Center. The first order of business would be to produce a workable definition of "violent auto fatalities" so that decisions can be made by local authorities using new reporting forms on whether or not an accident falls into this category. The NSC will have to work with the National Center for Health Statistics, the proposed liaison for suicide data, to achieve more detailed reporting on death certificates, the basic data source for both suicides and accident fatalities. It may be necessary to provide federal funds to expand and upgrade the staffs of coroners and other local authorities investigating violence-related deaths. The NSC should also be encouraged to begin a comprehensive system reporting *all* accidents—fatal and nonfatal—which are judged to be in some way violence related.

Data on Organized and Professional Crime

The need for reliable and comprehensive data reporting is perhaps nowhere greater than for organized and professional crime. Secrecy and security are essential to the health of La Cosa Nostra, so it is not surprising that regularly reported information has been minimal. This situation must be changed if the effectiveness of new programs designed to control organized crime is to be properly evaluated. Change can be effected through an adequately funded, creative reporting program.

The Organized Crime and Racketeering Section (OCRS) of the Justice Department—which should be elevated to a Division with full authority to coordinate all federal action against organized crime—should be the liaison agency working in cooperation with the Center. It is already beginning to experiment with the processing of organized crime intelligence records.

At the local level, OCRS and the Center should establish the kind of units begun by the Chicago Police Department in 1963.²⁵ Two special units were formed—one focusing on organized and the other on professional criminals. This is an exception to the traditional pattern of police organization, which focuses on crime, not criminals. When it is thought that a crime may have been committed by someone for whom there is a file, the units attempt to link suspect to crime. The establishment of such units in areas where professional and organized crime is entrenched will not only assist law enforcement efforts, but will also aid in the transmission of data from the local level.

Information on the number, activities, and characteristics of specific local criminals should be consolidated on a regular basis by such units and fed to the Center via the LEAA state statistical centers. The state-organized professional crime data should be linked with a computerized national professional crime intelligence network similar to the FBI's National Crime Information Center. The OCRS and the Center should set up standards for the reporting and analysis of the data. A national public data bank to store the vast amount of information about organized crime gathered through research on newspapers, congressional and state legislative hearings, and records of indictments and trials should be created.

Information must be gathered on the characteristics of the customers of organized crime as well as on the criminals. No comprehensive analysis has

ever been made of loan shark customers or of how much or how often each borrows. The same can be said for gamblers and drug addicts. We know little about the feelings which motivate an urban slum dweller to begin taking heroin or which make the numbers game appeal to him.²⁶ Information about these unexplored topics would be extremely useful in creating strategies to reduce and disrupt the markets of organized crime. Studies on the customers of organized crime may or may not be necessary on a census basis. However, it would probably be wise for OCRS and LEAA to provide additional funds to local police units concentrating on organized and professional crime so that behavioral scientists can be hired as consultants for such community studies.

When preference is given to data on operations rather than criminals and customers, the first requirement is for an annual estimate by local police units and state statistical centers of both external and internal violence levels.²⁷ The Center should break down the estimates into demographic variables such as region, city size, etc. There has been little research on regional and city patterns of organized and professional crime across the nation. Interesting questions can be asked in this regard, and such data may provide initial answers. Why, for example, are there different styles of killing in different cities? Chicago is noted for the use of the shotgun, Youngstown is the "dynamite city," and New York has perfected the "disappearance," to cite only a few variations.²⁸

Annual estimates of the costs of professional and organized crime would also be helpful. Because organized crime is primarily a profitmaking business, with violence only a side product, cost estimates are in fact the most direct measure of its activities. Consideration can then be given to making indirect estimates of the levels of supportive external and internal violence from the cost levels of the primary business activities. The OCRS and the Center should form a special staff to make yearly social and economic estimates of the costs of all crime and violence. In the special case of professional and organized crime activities, the local police units suggested above could again be useful in providing information.

Operational data on the effectiveness of law enforcement against organized crime cannot be overlooked. A set of indices should be developed to provide a measure of law enforcement effectiveness. The following list illustrates some things that should be considered:

- *Numbers gambling odds:* The statistical likelihood of a given number winning remains fairly constant. Therefore, an increase in the odds offered to the players on a given bet indicates a decline in the effectiveness of law enforcement.
- *Purity and cost of narcotics:* A decrease in the purity of narcotics offered for sale at a given price may indicate an increase in the effectiveness of enforcement and a blocking of the lines of commerce. Conversely, increases in purity at constant prices may indicate that the market is well supplied.
- *Extent of public corruption:* Because corruption is necessary for organized crime to exist, a decrease in the number and status of public officials identified as suspects may indicate an increase in law enforcement effectiveness.

- *Number of gang killings:* A rise may indicate that a struggle for organization or succession has caused a breakdown in organizational stability. When struggle follows imprisonment of a leader, killings become a measure of effectiveness.

- *Number of informants:* A rise in the number of people willing to testify and inform, especially those from the middle ranks of organized crime, indicates a breakdown of organization discipline and a corresponding gain in law enforcement strength.

- *Large-scale thefts:* A decrease in the dollar value of thefts of such goods as securities, bulk commodities, and drugs, which require elaborate distribution systems, indicates an increase in law enforcement.

- *Organization meetings:* Because organized crime operates through a series of agreements regulating geographical areas of activity, an increase in the number of meetings, people attending, and regions represented indicates disputes or vacancies, in turn suggesting disruption caused by law enforcement.²⁹

Further thought should be given to formulating measures along these lines. Although local police units assigned to investigate professional and organized crime can contribute some information for such indices, it will probably be necessary for the Center to assign federal agents to gather information which cuts across local jurisdictions.

Data on Juvenile Gangs

Chapter 14 showed that comprehensive national information on the characteristics and activities of juvenile gangs is similarly unavailable. In response, LEAA funding should be used to upgrade and expand the staffs of local police units assigned to juvenile gangs. If the suggestion that the collection of all juvenile data be consolidated on the national level by HEW is followed, the Center should work with the Department to set out informational needs on juvenile gangs.

Data on Group and Mass Protests

The Center should initiate a section of its publication devoted to information on any civil disorders, student group protests, etc., which may have occurred over the reporting period. The Center should deploy a specially trained fact-finding team during all such events to construct (via interviews, pictures, and other means) as complete and objective a picture as possible.

Sample Survey and Special Study Information

The kinds of data we have been discussing are designed for collection on a regular, census basis. The Center will also have to undertake sample surveys and special investigations as the need arises. There is a need for controlled test and evaluation of innovations across all the major program areas, and the Center should be prepared to undertake any special empirical studies necessary for evaluation. With no provision for a dynamic program of empirical innovation, the Center will become ineffective as an instrument of social research and action. A staff assigned to evaluate sample and special

empirical studies will be essential. The following are several of the many possibilities.

Victim Surveys

The NORC victimization survey was presented in Chapter 2 as a highly useful supplement to police census figures, which roughly estimate the true levels of crime. Victimization samples improving on the NORC methodology should be made on a continuous basis. Such estimates can be integrated with UCR rate estimates in every annual publication.

Victimization surveys can be very useful in measuring the effectiveness of innovations in individual localities. For example, new police patrol techniques often uncover crime that has previously gone unreported, making evaluation difficult in terms of known crimes. A victim survey in the area before the new technique is introduced and after it has a trial run would provide the police with a much more accurate measure of patrol effectiveness.³⁰

Surveys of Reporting Behavior

Interval sample surveys of public reporting behavior will be useful in explaining changes in reported levels of crime and violence. Sample survey techniques could provide measure of change by means of attitude scales or subjective utility assessments. Such measures would help to determine whether a rise in reported crimes reflects a real increase or merely a change in reporting patterns.³¹ In addition, an index of reporting behavior and attitudes would prove helpful in assessing police-community relations programs.

Recidivism Data

The utility of recidivism data in profiling the nature of crime and violence and as a measure of the effectiveness of treatment has been demonstrated in Chapter 12. Rigorous cohort studies similar to the one discussed should be encouraged.

The FBI "Careers in Crime" file was also used as an important source of empirical information in Chapter 12. The computerized record of all arrests and convictions of individuals violating federal laws since 1963 provides a wealth of easily accessible material which remains relatively untapped. The FBI is highly cooperative in programming and retrieving requested information from the file, and the Center should accordingly design empirical investigations from this data, such as those worked out for this report.

The same can be said about the computerized FBI National Crime Information Center file. The file at present contains records of all cars reported stolen for more than 24 hours, all persons wanted for extraditable offenses, all stolen guns, and all stolen property worth more than \$1,000. The file was initially designed to hook up with 15 major police agencies throughout the country and is being expanded to eventually include all the states.

The Crime Commission recommended that the file be used as the base for

a National Criminal Justice Information System in which a wider spectrum of data could be reported by all police agencies in the country:

There should be a national law enforcement directory that records an individual's arrests for serious crimes, the disposition of each case, and all subsequent formal contacts with criminal justice agencies related to those arrests. Access should be limited to criminal justice agencies.

There should be State law enforcement directories similar to the national directory, but including less serious offenses.

States should consider criminal justice registries that could record some ancillary factual information (e.g., education and employment records, probation reports) in their State directories. This information must be protected even more carefully than the information in the directories, and would be accessible only to court or corrections officers.³²

The Task Force can see the necessity for a nationwide information network; we urge that, as the central file is built up, an off-line link be made with the facilities of the Center so that statistical analyses can be undertaken from tapes of accumulated offender and offense data.³³ If and when all the states and the most important police agencies begin adding to the file, it will become the best operational source of research data available.

Other Studies

Other studies of special interest are on victim and offender characteristics and relationships, the effects of guns and gun control legislation on the incidence of violent crime, the effects of the mass media on all forms of social deviance, and the diffusion of "legitimate" violence and "normal" deviance throughout our society and in comparison to other societies.

THE FIRST STEPS IN CENTER OPERATIONS

The Center is just beginning its work, and will hopefully receive sufficient funding to perform the major functions discussed above. As first steps, the Task Force agrees with the Crime Commission and the U.S. Census Bureau Report that the following activities should be given highest priority:

- The formation of an advisory committee of criminal statistics experts.
- The attraction of the right personnel—truly the best in their field—to compose the Center's staff.
- The compilation of a directory of all criminal justice and other relevant agencies on the local, state, and federal levels with which the Center will have to work.
- A survey of the needs of all data users—criminal justice system agencies at all levels, legislators and other government officials, scholars and researchers, librarians, the press, and other nongovernmental users.

- The collection and analysis of all records forms currently being used by relevant agencies and the development of new, model records forms.
- The establishment of a uniform classification scheme functionally consistent both within any kind of data to be collected and among all the different kinds of data to be included within the Center's publication.
- The immediate improvement of all relevant reporting systems which the Center judges are worthwhile to maintain.

REFERENCES

1. Recommendations on how to improve national statistical reporting have already been well thought out - especially by the Crime Commission and in the recent Report on National Needs for Criminal Justice Statistics by the U.S. Bureau of the Census.
The Census report was published in 1968. The report is a compilation of the conclusions reached by criminal statistics experts in three conferences convened by the Bureau - on correction needs (Dec. 18, 1967), court needs (Jan. 8, 1968) and police needs (Mar. 4, 1968). Since the publication of the report, the Census Bureau has made estimates of the costs associated with the major recommendations as a further funding, the Bureau is interested in continuing work in this area in order to help establish the new Statistics Center in the National Institute of Law Enforcement and Criminal Justice. (As disclosed in a letter dated Nov. 21, 1968, to the Task Force from the Acting Chief, Special Projects Branch, Governments Division, Bureau of the Census.)
A set of recommendations is available in both the Crime Commission and Census reports. The following summary of statistical requirements will merely draw together the main points from each source and combine them with the needs suggested in Chapter 2. Although special attention will be given whenever relevant to improving statistics on individual acts of violence, recommendations for a better national reporting system should logically cover all types of criminal and violent behavior, as well as the operations of the entire criminal justice system.
2. President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission), *Task Force Report: Crime and Its Impact—An Assessment* (Washington, D.C.: Government Printing Office, 1967), p. 123.
3. *Ibid.* Most Federal money for national criminal statistics is allocated to the FBI. The total 1968 expenditure for the UCR and "Careers in Crime" program was \$655,000.
4. *Ibid.*, p. 124.
5. *Ibid.*, p. 125.
6. *Ibid.*
7. Since Jan. 1969.
8. Following the suggestions of Leslie T. Wilkins, "New Thinking In Criminal Statistics," *Journal of Criminal Law, Criminology, and Police Science*, vol. 56, No. 3, p. 278.
9. Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 136.
10. John P. Conrad, "The Unfinished Business of Criminal Statistics." In Marvin E. Wolfgang (ed.), *Crime and Culture—Essays in Honor of Thorsten Sellins*, (New York: John Wiley & Sons, Inc., 1968), p. 160.
11. Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 130.
12. Such as firearm "accidents."
13. And, to a lesser extent, among suicides, violent auto accidents and willful murders.

14. Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 130.
15. *Ibid.*, p. 131, and S. 1248, 90th Cong., 1st sess., Mar. 10, 1967, sec. 203.
16. Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 130.
17. See U.S. Dept. of Commerce, Bureau of the Census, *Report on National Needs for Criminal Justice Statistics* (Aug. 1968), pp. 36-39.
18. *Ibid.*, pp. 40-43.
19. See the Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 131.
20. *Ibid.*
21. Wilkins, *op. cit.*, p. 283.
22. U.S. Dept. of Commerce, *Report on National Needs for Criminal Justice Statistics*, *op. cit.*, p. 70.
23. Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 131.
24. *Ibid.*
25. *Ibid.*, p. 101.
26. Crime Commission, *The Challenge of Crime in a Free Society*, *op. cit.*, p. 189, as cited in Mark Furstenberg, "Violence and Organized Crime," Consultant paper submitted to this Task Force, App. 18, p. 47.
27. These two general reporting frameworks were explained in Chap. 4.
28. Ralph Salerno, "Organized Crime and Violence." Unpublished manuscript submitted to the National Commission on the Causes and Prevention of Violence, as cited in Furstenberg, *op. cit.*, p. 47.
29. Furstenberg, *op. cit.*, pp. 45-46.
30. Crime Commission, *Task Force Report: Crime and Its Impact—An Assessment*, *op. cit.*, p. 132.
31. Wilkins, *op. cit.*, p. 281.
32. Crime Commission, *The Challenge of Crime in a Free Society*, *op. cit.*, p. 268.
33. Such analyses, of course, will not report on the characteristics of particular individuals but will analyze aggregates of data, so that the important security provisions on the data need not in any way be threatened.

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APPENDIX 15

RECOMMENDATIONS ON THE MANAGEMENT OF CRIMINAL JUSTICE SYSTEM OPERATIONS

The criminal justice system—police, courts, and corrections—is presently a poorly run enterprise from the point of view of contemporary management techniques. Improvement in operations management will raise the general level of professionalism and provide a smooth-running base upon which to administer the programs we have recommended. LEAA should provide the necessary funding and technical guidance on the local level through its state planning agencies. The Systems Management Center of the LEAA Institute of Law Enforcement and Criminal Justice should be the federal coordinator of the research aspects of all programs designed to improve the efficiency of criminal justice system operations. The more specific recommendations which follow should have priority for research and action.

IMMEDIATE PRACTICAL REORGANIZATIONS OF PERSONNEL AND OPERATIONS¹

The Crime Commission made a number of practical suggestions for the improvements of system operations, which we endorse.

Police

- Establish police standards commissions as part of each LEAA state planning agency. Set guidelines for improved local police organization and provide financial and technical assistance through such commissions.
- Encourage through the commissions the development of central control in all local police departments. Develop supportive specialist units for such matters as planning, research, and legal advice.
- Encourage through the commissions the organization of key staff and line personnel into an administrative board similar in function to a corporation's board of directors, whose duty would be to assist the chief and his staff units in developing and enforcing department policies and guidelines for the day-to-day activities of line personnel.

- Encourage through the commissions the consolidation of law enforcement in all counties or metropolitan areas.

Courts

- Establish single, unified state court systems subject to central administrative management within the judiciary.
- Establish timetables for the completion of various stages of criminal cases.
- Use professional court administrators and business efficiency experts to assist judges in their management functions.

Corrections

- Establish a central probation administration as part of each LEAA state planning agency to provide services and guidance to local probation programs.
- Improve coordination in parole decisionmaking between staffs of institutional programs and releasing authorities.
- Integrate local jails and misdemeanor institutions into state correctional systems.

IMPROVEMENT IN THE ALLOCATION OF RESOURCES²

Throughout our recommendations, we have asked that the resources of the criminal justice system be increased. In practical terms, however, it is probable that the facilities, money, and personnel available will always be limited. Efficient allocation of the available resources therefore becomes imperative. The LEAA Systems Management Center must help to coordinate local demonstration projects designed to improve resource allocation.

In police operations, allocation projects should include determination of the number and types of police officers assigned to precincts, patrols, detective work, communications, and other specialized activities. Improved resource allocation is probably the most urgent need facing police today.

We must also improve the efficiency of and reduce the delay in processing cases through the courts. Emphasis should be placed on identification of critical bottlenecks, reallocation of clerical resources, development of efficient scheduling procedures, and consideration of detention costs.

Projects in the corrections system should include determination of optimum allocations of professionals in institutional versus community settings and professionals versus volunteers in varied environments. Ideal staff workloads should be developed according to the characteristics of corrections officers and offender types. We must also determine how best to bring together different kinds of offenders in everyday living and working patterns to reduce the negative impact of incarceration.

THE DEVELOPMENT OF INTRA AND INTER-AGENCY INFORMATION SYSTEMS

The operations of all agencies can benefit greatly from the implementation of computerized systems which produce complete and accurate information. The advantages of computers within specific agencies, institutions, and sectors of the criminal justice system have been pointed out. Police urgently require computerized command and control systems. We have encouraged expansion of the FBI's National Crime Information Center as rapidly as possible. A similar national computerized network for information on organized and professional crime has also been suggested. Computerized records of offender backgrounds and characteristics are an important innovation to aid in the diagnostic judgments both courts and corrections administrators must make.

Different kinds of agencies in the same and other jurisdictions must also be linked. The goal is to allow every criminal justice system user to have access to large, computer-based central data banks, with security restrictions on who gets what information. In addition to providing basic data on offenders at all stages of the criminal justice process, such a linkup will provide data for resource allocation, evaluation of alternative actions, and examination of subsystem interactions. For purposes of data analysis, the LEAA Statistics Center should be linked with a multiagency criminal justice information file and work with the Systems Management Center in constructing the computer system.³

RESEARCH ON THE EFFECTS OF ORGANIZATIONAL CHANGES⁴

Innovative organizational changes (e.g., the introduction of computers to automate activities) will probably be accompanied by structural changes in the organization. The nature of these changes is undetermined, and their full impact has not been measured. To realize the full potential of innovation and change in the criminal justice system, research on the organization before and after the introduction of new equipment, methods, or procedures should be undertaken by the Systems Management Center. This research should include analyses of work flows, equipment usage, changes in the decisionmaking process, personnel changes and attitudes, and areas of difficulty.

REFERENCES

1. All of these recommendations are from the President's Commission on Law Enforcement and Administration of Justice (hereinafter referred to as the Crime Commission) (Washington, D.C.: Government Printing Office, 1967), with certain modifications by the Task Force.
2. These recommendations are based on Alfred Blumstein, Study Director, "A National Program of Research, Development, Test, and Evaluation on Law Enforcement and Criminal Justice," a report by the Institute for Defense Analyses for the Law Enforcement Assistance Administration, U.S. Dept. of Justice (1968), pp. 41-44.
3. *Ibid.*, pp. 173-177.
4. *Ibid.*

APPENDIX 16

RECOMMENDATIONS ON THE DISSEMINATION OF INFORMATION

There must be full and free dissemination of information on all research-action projects undertaken, so that the program we have recommended in Chapter 17 and these appendices is understood as widely as possible. The public should know of the risks taken and the securities provided. The experimental nature of these new programs and the possibility of failure must be stated at the outset. Simultaneously, there must be complete and accurate reporting of all endeavors.

As the two most important coordinating agencies of the program we have recommended, NIMH and LEAA should have primary responsibility for the release of information. They should jointly institute a federal clearinghouse for information on all programs of social reconstruction, corrections, control, personnel, community relations, statistics, victim compensation, and system management. Other agencies might share some of the distribution burden for specific areas (for example, the Community Relations Service of the Justice Department could be responsible for dissemination of information on police-community relations). A complete file of all relevant federal, state, and local agencies should be maintained and new information distributed free of charge to all agencies desiring it. Professional meetings, workshops, newsletters, and perhaps a new journal should be jointly sponsored by NIMH and LEAA.

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