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Criminological Highlights is produced approximately six times a year by the Centre of Criminology, University of Toronto and is designed to provide an accessible look at some of the more interesting criminological research that is being published.

Contents

- The first few pages contain "headline" that summarizes the important points of the article. This is followed by a single paragraph "conclusion" on what one might learn from the paper. **We suggest that the busy user of this service should begin by reading the headlines** and any of the "conclusions" that seem interesting.
- Next comes an 8-page section -- the core of this document -- where we have provided one-page summaries of each paper.
- Copies of actual papers can be obtained from your own library or from the Centre of Criminology (at cost).

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The number of youths killed by gun violence in schools is about half the number of Americans killed annually as a result of being struck by lightning. Yet the media are creating the impression of a “crisis” and politicians are responding with “tough” crime control measures. The “tough” measures are totally unwarranted because students are actually safe, and feel safe, at school.

Even though there are relatively low levels of lethal violence perpetrated in schools, and even though students appear to feel safe in schools, the response to the media “hype” about the “violence” crisis has been to cut after-school programs, put police officers in schools, expel students for minor acts of violence and try youth as adults. We see similar trends occurring in Canada with the development of “zero-tolerance” policies which mandate that students be expelled, suspended or criminally charged for any act of violence. Not only are such measures unwarranted, but they also appear to have little impact on violence. If one is really interested in reducing youth violence, thought should be given to expanding after-hours programs in schools. The after school hours between 3:00pm and 8:00pm appear to be the “peak” juvenile crime hours. Thus, programs which occupy children during those times appear to be the most cost-effective means to control and prevent delinquency. Studies have found that “recreational programs which aggressively recruit youth and sustain participation in their programs hold excellent potential to prevent juvenile delinquency within the community.” **(Item 1)**

When can “intermediate sanctions” reduce recidivism? When they target the specific needs of an offender that relate to crime (e.g., drug dependence) and when they are implemented well and with sufficient intensity. “Intermediate sanctions” are no more a quick fix to crime than are the prison sentences they replace.

There are no “quick fixes”. Thus, “one-size fits all” type of programming -- whether it involves prison or non-prison sanctions -- will not work. Programs that have the main focus of control and surveillance do not appear to be effective in terms of lowering recidivism rates. To be effective, quality treatment which targets specific problems needs to be part of the program. Moreover, the specific offender who is to benefit from a particular program needs to be identified. Clear goals of the program should also be outlined. The proper -- and sufficient -- implementation of the program is crucial.

(Item 2)

Youth violence can be prevented. Early intervention -- focusing on intensive early childhood education and family support for urban, low income family -- tends to be effective in addressing long term chronic violence. Programs focusing on youth in schools, gangs, and the community generally tend to reduce “adolescent limited violence.”

There is no “one size fits all” solution to youth violence. Different types of interventions will be effective with the two types of violent youth. Early social interventions can effectively address “life course persistent” violent youth. Programs that target adolescents in their everyday settings address can be effective with “adolescent-limited” offenders. **(Item 3)**

School is consistently found to be an important factor that helps youth maintain resilience to delinquency and drug abuse. The importance of encouraging and helping youth to become involved in, and committed to school should not underestimated.

The importance of encouraging and helping youth become involved in, and committed to school should not be underestimated. School was consistently an important protective factor for both delinquency and drug abuse. This highlights the significant positive role school plays in adolescents' lives. Since youth appear, naturally, to become resilient over time, focus should be on developing attachments to school early on. Evidence from this study suggests that developing such an attachment early on would also have an effect in preventing drug abuse much later on in life. **(Item 4)**

Spousal homicides may be different from other homicides, but they do not constitute a homogeneous category. Men who are killed by their female partners almost always precipitated the violence by first abusing them, whereas female victims of violence from their male partners is rarely preceded by violence from the female victim. The type of relationship a female murder victim had with her male partner is also important. For example, boyfriends who kill their intimate partners are more likely to have an officially recorded history of violence than are married or common-law males who kill their spouses.

The gender of the victim and the role of ongoing male physical and psychological aggression, the predominance of alcohol use, and the role of gun availability are important in understanding spousal homicides. Policies related to intervention and prevention should focus on these reoccurring situational factors. But there are important differences in cases of lethal violence among intimates which are often obscured by crude measures of victim-offender relationship. If we were able to understand why particular groups are high risk and at which points during estrangement women may be at greatest risk (e.g., some research has indicated that risk is greatest immediately after separation and diminishes with time), then interventions and resources could be targeted more effectively. **(Item 5)**

A multimedia campaign to inform the public about crime and crime control did not educate the public, nor did it alter their fear of crime. However, the campaign did manage to make people evaluate the criminal justice system more positively. This demonstrates that educating the public about crime and crime control is a complex process. One cannot simply give people an extensive amount of non-specific information and expect changes in attitudes or behaviours.

Educating the public about crime and crime control is a complex process. One cannot simply give people an extensive amount of non-specific information and expect changes in attitudes or behaviours. The public thinks about crime and crime control with a degree of sophistication which requires a thoughtful plan to educate. **(Item 6)**

It is estimated that one out of every 20 Americans will spend some time in prison, largely for drug-related crimes. With the soaring cost of prisons in the US (38 billion dollars – an amount larger than the national budget of Switzerland), treatment for substance abuse appears to be a viable, cost-effective approach with long-term benefits.

Programs need to be well designed and implemented. Providing aftercare in the community is critical. Programs that phase an inmate into independent living, while allowing the individual to have contact with treatment staff has been shown to reduce post-release relapse and recidivism. Providing educational and vocational training is also critical. Helping the offender reconnect with the community and develop ties is critical in maintaining a “crime-free” lifestyle. The authors also claim that the mandatory sentencing laws, which provide no chance of early release or parole, should be modified. Eliminating any chance of early release also eliminates any incentive on the inmates’ part to participate in treatment. Finally, non-violent substance abusers should be diverted into treatment – it saves money and has a better chance of reducing “crime”. **(Item 7)**

Ordinary jurors can understand complex evidence at a trial. But it would help if certain basic techniques of good communication were applied to the presentation of evidence at trials.

80% of a group of English adults were found to be competent to serve on a major fraud trial. Obviously some screening would increase this number, but better presentation techniques and “interactive pre-instruction” of jurors to establish key terms and ideas would also have been beneficial. When courts of appeal focus solely on whether the instructions to juries were “right” and ignore whether they could be understood correctly, it is inevitable that juror’s understanding will suffer. In other words, juror “performance” could be improved. The only impediment is our failure to address this problem.

(Item 8)

The number of youths killed by gun violence in schools is about half the number of Americans killed annually as a result of being struck by lightning. Yet the media are creating the impression of a “crisis” and politicians are responding with “tough” crime control measures. The “tough” measures are totally unwarranted because students are actually safe, and feel safe, at school.

The Context. In the past year the news media have been reporting lethal violence in American schools giving the impression that there is a “crisis” of classroom violence. Without putting the isolated idiosyncratic events in context, the public’s fears of violence and school safety for their children are intensified. The politicians have reacted by proposing “solutions” such as increasing the number of police in school, eliminating or lowering the age at which youth can be tried as adults and expanding the death penalty to juveniles.

Violence in Schools in Context. The authors examined data from a variety of sources and always came to the same conclusion: lethal violence in school is rare. Similar to the past six years, in 1997-8 there were 40 shooting deaths in US schools. That number is, however, an overestimation because the data included any deaths that occurred near, or on the way to school. Thus any deaths (suicides or homicides) of children or adults, committed by children or adults, were included. The authors estimated the rate of juveniles murdered outside of school to be 40 times higher than the rate of murders in school. The authors concluded that “the number of children killed by gun violence in schools is about half the number of Americans killed annually by lightning strikes” (pg. 2).

The authors also reported results from victimization surveys administered to students between 1989-1995, which found that there was a 0.1% increase in overall victimization. During that same time period however, the US saw significant increases in the rate of juvenile arrests for serious violence. The authors also examined “violence related” hospital emergency admissions. Only about 6% were said to have occurred at school. In contrast, 48% of the injuries occurred at home, 29% at work and 15% on the streets. Moreover, in a self-report survey in 1993, roughly 90% of students surveyed said that they felt “safe” or “very safe” at school.

Implications. Even though there are relatively low levels of lethal violence perpetrated in schools, and even though students appear to feel safe in schools, the response to the media “hype” about the “violence” crisis has been to cut after-school programs, put police officers in schools, expel students for minor acts of violence and try youth as adults. We see similar trends occurring in Canada with the development of “zero-tolerance” policies which mandate that students be expelled, suspended or criminally charged for any act of violence. Not only are such measures unwarranted, but they also appear to have little impact on violence.

If one is really interested in reducing youth violence, thought should be given to expanding after-hours programs in schools. The after school hours between 3:00pm and 8:00pm appear to be the “peak” juvenile crime hours. Thus, programs which occupy children during those times appear to be the most cost-effective means to control and prevent delinquency. Studies have found that “recreational programs which aggressively recruit youth and sustain participation in their programs hold excellent potential to prevent juvenile delinquency within the community” (pg. 10).

Reference: Donohue, E., Schiraldi, V. & Ziedenberg, J. (1999). *School House Hype: School Shooting and the Real Risks Kids Face in America*. Washington, D.C.: The Justice Policy Institute, Center on Juvenile and Criminal Justice.

When can “intermediate sanctions” reduce recidivism? When they target the specific needs of an offender that relate to crime (e.g., drug dependence) and when they are implemented well and with sufficient intensity. “Intermediate sanctions” are no more a quick fix to crime than are the prison sentences they replace.

Context. “Intermediate sanctions” can be used as enhanced forms of probation or parole or as an alternative to imprisonment. Generally, the popularity of intermediate sanctions relates to their ability to hold offenders accountable without the cost and negative effects of prison. Their use, therefore, is typically not justified on the basis that they aid in the offenders’ rehabilitation. Nevertheless, some make claims that intermediate sanctions actually achieve a rehabilitative goal which prisons or other sanctions do not. In this article, the author reviews three types of intermediate sanctions – aftercare programs, alternatives to custody and boot camps – in order to understand how best to design effective “intermediate” programs.

Many evaluations of *aftercare programs* did not find any differences between those who participated in the program on release from prison and comparable groups who did not. When reviewing why they have no effect, it appears that there are two reasons:

- The aftercare programs are generally not well implemented. For example, offenders usually only receive general support as opposed to support that targets specific problems and risk factors (e.g., dealing with drug abuse, unemployment, etc.).
- Many of the programs focus first and foremost on control and surveillance. Addressing specific problems (e.g., drug dependence) is not seen as particularly important. Programs which focus mainly on control and surveillance of the offender are not as effective as programs that incorporate treatment and rehabilitation.

The same problems emerge when examining *alternatives to custody*. Generally, many of the programs have been poorly conceptualized and implemented. There are no clear goals of what the program should achieve and the specific type of offender that is supposed to benefit most from the program is not identified.

In reviewing *boot camps*, it appeared that the “prison” phase of the program has no effect on recidivism. In fact, there is evidence that offenders who are put through the prison phase actually do worse than others who do not go through the prison phase (i.e. higher recidivism, etc.). Boot camps that devoted time to treatment programming (i.e. education, substance abuse, etc.) showed the most promise. However, this needed to be followed by intensive supervision and aftercare support. Once released into the community, offenders benefited from quality support services such as education, employment and counseling.

Conclusion. There are no “quick fixes”. Thus, “one-size fits all” type of programming -- whether it involves prison or non-prison sanctions -- will not work. Programs that have the main focus of control and surveillance do not appear to be effective in terms of lowering recidivism rates. To be effective, quality treatment which targets specific problems needs to be part of the program. Moreover, the specific offender who is to benefit from a particular program needs to be identified. Clear goals of the program should also be outlined. The proper -- and sufficient -- implementation of the program is crucial.

Reference: Altschuler, D.M. (1998). “Intermediate sanctions and community treatment for serious violent juveniles”. In R. Loeber and D. Farrington (Eds.), *Serious and Violent Juvenile Offenders: Risk factors and Successful Interventions*. (Pp. 367-385). California: Sage Publications.

Youth violence can be prevented. Early intervention -- focusing on intensive early childhood education and family support for urban, low income family -- tends to be effective in addressing long term chronic violence. Programs focusing on youth in schools, gangs, and the community generally tend to reduce “adolescent limited violence.”

Context. “Knowledge of the factors that increase risk for violence can help define populations that should receive preventive interventions...” (p. 263). Some risk factors cannot be changed through interventions, but there are “protective processes that mediate or moderate effects of risk exposure, promote resilience in children, and prevent health and behaviour problems” (p. 263). Two groups of violent youth need to be differentiated so that different types of interventions can be provided:

- “Life-course persistent” offenders. They show an early onset of troublesome and aggressive behaviours. They usually begin to engage in delinquency at a young age (age 10) and continue offending in their adult years
- “Adolescent-limited” offenders. They do not have a history of troublesome behaviours in early childhood. In the teenage years they begin offending when situations and opportunities present themselves. Usually, however, they will obey and conform to school and family rules and begin to naturally desist from crime around the age of 18. The increase in youth violence in the late 1980s and early 1990s appeared to be a result of an increase in the numbers of this type of violent offender, not of an increase in “life-course-persistent” offenders (p. 273). In other words there was a “spread” in violence rather than a “deepening” in violence.

Interventions for life-course persistent offenders. Interventions must occur early in life if life-course persistent offenders are to benefit. Targeting impoverished areas and providing prenatal care decrease the risk of complications during birth. Following the prenatal care, it is important to provide home visits by health professionals in order to help foster positive parent-child attachment and teach parents how to control and manage the child. Because poor parent-child attachment and inconsistent or punitive parenting are strong predictors of later problem behaviour, it is not surprising that training parents how to positively manage young children’s has been found to reduce delinquency. Teaching school teachers to control problem behaviours has also been effective in reducing aggressive behaviours in the classroom. It is crucial that children develop a sense of attachment and commitment to school. In that respect, it is important to treat cognitive deficits so that problems do not develop further.

Interventions to prevent the spread of violence. Violence has a contagious element to it. It appears to spread in social contexts where young people interact: peer groups, school, and youth gangs. The focus, in other words, is simply to stop “natural” peer influences from creating a larger number of violent youths. Typical effective programs are those that teach skills related to “anger management, impulse control, and empathy” (p. 292), or which involve after school recreation programs (p. 294).

Conclusion: There is no “one size fits all” solution to youth violence. Different types of interventions will be effective with the two types of violent youth. Early social interventions can effectively address “life course persistent” violent youth. Programs that target adolescents in their everyday settings address can be effective with “adolescent-limited” offenders.

Reference: Howell, J.C. & Hawkins, J.D. (1998). “Prevention of youth violence”. In *Youth Violence (Crime and Justice: A Review of the Research, Volume 24)*. (pp. 263-315). Michael Tonry & Mark H. Moore (Eds). Chicago: University of Chicago Press.

School is consistently found to be an important factor that helps youth maintain resilience to delinquency and drug abuse. The importance of encouraging and helping youth to become involved in, and committed to school should not underestimated.

Context. It is well established that there are family and environmental factors which place youth “at risk” of engaging in delinquency and drug use. However, up to 50% of children identified as being at high “risk” to engage in such behaviours, never do. Thus, researchers have started investigating why some extremely disadvantaged children are resilient to delinquency. Attempts are being made to identify “protective” factors which promote resilience to delinquency. Protective factors are not merely the absence of risk factors because they have an impact on behaviour once risk is established. Thus, protective factors differentiate youth who face relatively high levels of risk but do not acquire the undesirable attribute – in this case, delinquency.

This Study investigated protective factors for delinquency and drug use. Although delinquency and drug use are related, they are not the same – most notably, drug abuse usually has a later onset than delinquency. Over 700 youth were interviewed every 6 months for 4 years – from grades 7 and 8 to grades 11 and 12. Males from high crime areas were over-sampled to create a sample of “high-risk” youth. The youths were asked about their involvement in delinquency and drug use. Information was also gathered about the presence of various risk factors (low household income, single parent family, drug use within the family, child placed in foster care, etc.). Finally, each youth was asked about the presence of various “protective” factors (strong family attachment, strong academic ability, commitment to school, involvement with “law-abiding” peers, high self-esteem, etc.).

The Results: Over 60% of the high-risk adolescents were resilient – i.e. they resisted delinquency and drug abuse. However, the more risk factors a child had, the more likely he or she was to be involved in delinquency and drug abuse. High-risk youth who were resilient to delinquency and drug abuse had more protective factors than the high-risk youth who were not resilient. Educational factors consistently distinguished resilient youth from non-resilient youth. Those youth who were good at school, valued school, and who reported having positive interactions with teachers were more likely to be resilient to delinquency and drug abuse. Strong parental attachment was also an important protective factor. While early protective factors continued to affect resilience to drug use over the long term, the same was not true for delinquency. Protective factors only exerted an influence in the short term. As time went on youth appeared naturally to become more resilient to delinquency.

Conclusions: The importance of encouraging and helping youth become involved in, and committed to school should not be underestimated. School was consistently an important protective factor for both delinquency and drug abuse. This highlights the significant positive role school plays in adolescents’ lives. Since youth appear, naturally, to become resilient over time, focus should be on developing attachments to school early on. Evidence from this study suggests that developing such an attachment early on would also have an effect in preventing drug abuse much later on in life.

Reference: Smith, C., Lizotte, A.J., & Thornberry, T.P. (1995). “Resilient youth: Identifying factors that prevent high-risk youth from engaging in delinquency and drug use”. *Current Perspectives on Aging and the Life Cycle*, 4, 217-247.

Spousal homicides may be different from other homicides, but they do not constitute a homogeneous category. Men who are killed by their female partners almost always precipitated the violence by first abusing them, whereas female victims of violence from their male partners is rarely preceded by violence from the female victim. The type of relationship a female murder victim had with her male partner is also important. For example, boyfriends who kill their intimate partners are more likely to have an officially recorded history of violence than are married or common-law males who kill their spouses.

Context. The type of relationship between a victim and an offender, and their genders, are critical if one wants to understand homicides. It has long been recognized that intimate relationships are more prone to lethal violence than other relationships. As a result, intimate homicides generally, and lethal violence against women in particular, have often been studied separately and treated as a homogenous phenomenon.

The first study explores the context in which a homicide takes place, looking at all 108 partner homicides in North Carolina in 1989. Victim precipitation or the idea that homicide victims sometimes participate in the actions leading to their deaths (p. 403) turns out to be especially important when looking at spousal homicides involving male victims. 75% of the incidents involving male victims appeared to be victim precipitated (typically by violence from the male directed at the female). None of the female victim events were precipitated by such behaviour from the victim.

Five themes are identified in these killings: (1) these acts are often the final outcome of chronic women battering (p. 411); (2) battered women are in danger when they remain with their abusers, when they attempt to leave the relationship, and after they have left (p. 412); (3) existing protective measures for battered women are not reliable guarantees of their safety (p.413); (4) domestic violence is not always private violence as it often occurs in front of others or it is known about (p. 413); and (5) use of alcohol by males and the availability of guns are significant correlates of partner homicide (p.414).

The second study demonstrates that relationship state (whether or not the couple is separated) and relationship status (whether the couple is legally married, living common-law or dating) are also important concepts if one is interested in understanding the killing of women by current or former male partners. This study examines 703 cases of intimate femicide that took place in Ontario, 1974-1994.

The results demonstrate that offenders who kill common-law partners or girlfriends are likely to be younger, more likely to have a criminal record, and less likely to have children than offenders who were legally married to their victims. Moreover, in contrast to legally-married offenders, common-law partners were more likely to be unemployed. In addition, boyfriends were more likely to kill their victims in public and to have a known history of violent behavior.

Conclusion. The gender of the victim and the role of ongoing male physical and psychological aggression, the predominance of alcohol use, and the role of gun availability are important in understanding spousal homicides. Policies related to intervention and prevention should focus on these reoccurring situational factors. But there are important differences in cases of lethal violence among intimates which are often obscured by crude measures of victim-offender relationship. If we were able to understand why particular groups are high risk and at which points during estrangement women may be at greatest risk (e.g., some research has indicated that risk is greatest immediately after separation and diminishes with time), then interventions and resources could be targeted more effectively.

References. Smith, P.H., Moracco, K.E., & Butts, J.D. (1998). Partner Homicide in Context. *Homicide Studies* 2(4), p. 400-421. Dawson, M. & Gartner, R. (1998). Differences in the Characteristics of Intimate Femicides: The Role of Relationship State and Relationship Status. *Homicide Studies* 2(4), 378-399.

A multimedia campaign to inform the public about crime and crime control did not educate the public, nor did it alter their fear of crime. However, the campaign did manage to make people evaluate the criminal justice system more positively. This demonstrates that educating the public about crime and crime control is a complex process. One cannot simply give people an extensive amount of non-specific information and expect changes in attitudes or behaviours.

The Context. The criminal justice system needs the support of the public in order to function adequately. However, most people appear to be ill-informed about the limits of the criminal justice system – seeing it as “the solution” to crime. People also have little knowledge of the way the law works, the types of sanctions offenders receive, etc. Moreover, the public usually has inaccurate perceptions of crime rates. Thus, the belief that the criminal justice system is the “solution” to crime coupled with insufficient information about the law has two unfortunate effects. First it creates resentment toward the system for not decreasing crime. Second, it can lead to apathy on the public’s part to engage in preventive behaviours.

This study examined a program that sought to inform the public about the nature of crime and the criminal justice system. It had three goals. First, by providing accurate information about the nature of crime, the designers of the program hoped to decrease the public’s level of fear. Second, by providing information about the nature of crime and the role communities and individuals play in preventing crime, it was hypothesized that people would initiate prevention efforts. Third, by providing information about the limited role the criminal justice system plays in reducing crime, it was hypothesized that people would develop more realistic expectations about the system and therefore would not be as negative in evaluations of the justice system.

Two similar communities were chosen – one received information, the other did not. Information about crime and crime prevention was disseminated to individuals by police officers, over the radio and through two regional daily newspapers. There were also community meetings, press releases, posters, etc. informing people about the campaign to increase knowledge of crime and the criminal justice system. There was also a “crime prevention” van which gave out information about crime and crime prevention.

Conclusion. The campaign was largely unsuccessful. The results indicated that although the community that received the information was aware of the campaign, they were no more knowledgeable than the community that did not receive the information. There were no differences in knowledge of the criminal justice system or in fear of crime. The only effect of the campaign was that people who received the information appeared to evaluate the criminal justice system more positively.

These findings demonstrate that educating the public about crime and crime control is a complex process. One cannot simply give people an extensive amount of non-specific information and expect changes in attitudes or behaviours. The public thinks about crime and crime control with a degree of sophistication which requires a thoughtful plan to educate.

Reference: Kuttschreutter, M. & Weigman, O. (1998). “Crime prevention and the attitude toward the criminal justice system: Effects of a multimedia campaign”. *Journal of Criminal Justice*, 26(4), 441-452.

It is estimated that one out of every 20 Americans will spend some time in prison, largely for drug-related crimes. With the soaring cost of prisons in the US (38 billion dollars – an amount larger than the national budget of Switzerland), treatment for substance abuse appears to be a viable, cost-effective approach with long-term benefits.

Context. The United States has seen an enormous growth in prisons and prison populations over the past number of years. To put the financial burdens of sustaining the prisons in perspective, in 1996 the cost of building and operating state and federal prisons in the U.S. was 38 billion dollars – an amount larger than the national budget of Switzerland. Between 1995 and 1996, Medicaid saw a 3.5% increase in funding while prisons received a 28% increase in funding. It has been estimated that one out of every 20 Americans will spend some time in prison.

How did this happen? Public concern over violence and drugs prompted politicians to adopt a “war on drugs” approach which saw sentences increase and the implementation of mandatory sentences for the possession of some drugs like crack and cocaine. However, drug offences are not the only time that substance abuse is associated with “crime”. While the public perception is that the more “dangerous” drugs like crack and cocaine are closely associated with violent crime, alcohol is, in fact, more tightly coupled with violence. For example, 21% of inmates in state prisons who were convicted of a violent crime admitted to being under the influence of alcohol when they committed their crime. In contrast, only 3% of violent offenders were under the influence of crack or cocaine at the time of their crime. The authors estimate that roughly “80% of the men and women behind bars – some 1.4 million individuals – are seriously involved with drug and alcohol abuse” (pg. 2). While 75% of state inmates need treatment, only about 17% receive it.

Not only has the “war on drugs” not been effective in reducing “crime” or dealing with the substance abuse associated with crime, it has also been extremely expensive when compared to various treatment approaches. For example, there is evidence that treatment interventions for heavy cocaine users would cost one-seventh that of law enforcement and would achieve the same reduction in cocaine consumption. The authors estimate that comprehensive treatment would cost \$6,500 per inmate. If the individual remained crime free and employed, an annual benefit of \$68,800 could be achieved because not only would the individual be working and obtaining an income, but there would be no arrest, prosecution, incarceration (roughly \$19,600 per inmate per year), or health care costs. Moreover, the authors note that “the success rate needed to break even is fairly modest: if just 10% of the inmates who are given one year of residential treatment stay sober and work during the first year after release, the investment is more than returned in economic benefits” (pg. 58).

So what can be done? There are no “quick fixes”. Programs need to be well designed and implemented. Providing aftercare in the community is critical. Programs that phase an inmate into independent living, while allowing the individual to have contact with treatment staff has been shown to reduce post-release relapse and recidivism. Providing educational and vocational training is also critical. Helping the offender reconnect with the community and develop ties is critical in maintaining a “crime-free” lifestyle. The authors also claim that the mandatory sentencing laws, which provide no chance of early release or parole, should be modified. Eliminating any chance of early release also eliminates any incentive on the inmates’ part to participate in treatment. Finally, non-violent substance abusers should be diverted into treatment – it saves money and has a better chance of reducing “crime”.

Reference: Belenko, S. and Peugh, J. (1998). “Fighting crime by treating substance abuse”. *Issues in Science and Technology*, Fall, 53-60. From a report by the National Center on Addiction and Substance Abuse at Columbia University: *Behind Bars: Substance Abuse and America’s Prisons*.

Ordinary jurors can understand complex evidence at a trial. But it would help if certain basic techniques of good communication were applied to the presentation of evidence at trials.

Context. Concern about jurors' abilities to understand complex evidence sometimes comes from prosecutors who have conducted spectacular, but failed, prosecutions. In the U.K., for example, the Home Office released a consultation paper in 1998 suggesting that non-jury trials should be considered for certain, as yet undefined, complex cases. However, earlier research that showed that jurors *did not understand* or recall certain evidence did not examine whether they *could be helped to understand* and recall this evidence if issues surrounding comprehension were addressed (p. 764).

This paper reports the results of three studies using a representative sample of 207 adults who met the criteria for jury service in the U.K. Various measures of the quality of the reasoning used by the participants in the studies were examined. In addition, jurors were asked how difficult they found the presentation of the evidence to be.

Results. Most participants "did not use poor quality reasoning" (p. 768). For example, on three different measures of jurors' "quality of reasoning" no more than 10% used what were seen as poor reasoning. On a fourth indicator -- the use of "weak or indirect considerations" (e.g., "it seems unfair to blame one person" [when it is clear that more than one were involved in the offence]) -- 25% of participants used poor reasoning. Furthermore, depending on the criterion used, between 10% and 46% of participants reported some difficulty in understanding the evidence. Repetition of key evidence, however, appeared to increase comprehension (p. 769). It appeared that various techniques could also have been used to increase comprehension and adequate reasoning.

Participants in the studies -- whether they had difficulties or not -- suggested that summaries of the evidence at key points and visual aids would have been helpful. It would also have been helpful if the court had summarized the evidence and put it in a coherent order. The authors note that "this last point is important because where jurors are simply presented with a list of information without clear structure... this is likely to make it difficult for them to (a) retain it, and (b) interpret it meaningfully." In the absence of a "structure" on which to place the evidence, jurors "may impose their own -- possibly inappropriate or inaccurate -- structure ("story") in order to interpret the evidence as it is being presented" (p. 771).

Conclusion. The authors believe that 80% of their representative group of English adults were competent to serve on a major fraud trial. Obviously some screening would increase this number, but better presentation techniques and "interactive pre-instruction" of jurors to establish key terms and ideas would also have been beneficial. When courts of appeal focus solely on whether the instructions to juries were "right" and ignore whether they could be understood correctly, it is inevitable that juror's understanding will suffer. In other words, juror "performance" could be improved. The only impediment is our failure to address this problem. It should be noted that the authors did not speculate about, nor did they test, the ability of ordinary *judges* to comprehend complex evidence and to come to a conclusion using adequate reasoning.

Reference: Honess, R. M., R. Levi, and E. A. Charman. Juror competence in processing information: Implications from a simulation of the Maxwell trial. *Criminal Law Review*, 1998, 763-773.