Criminological Highlights
Volume 2, Number 5
September 1999

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 three 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).

The production of Criminological Highlights is assisted by contributions from the Department of Justice, Canada, and the Correctional Service of Canada.

Comments or suggestions should be addressed to Anthony N. Doob or Tom Finlay at the Centre of Criminology, University of Toronto

© Centre of Criminology, University of Toronto
Canadians’ views of the criminal courts are more complex than we had previously thought: Wealthy people are more likely than poor people to think that the courts are doing a poor job of helping victims of crime, whereas poor people are more likely than wealthy people to think that courts are doing a poor job of protecting the rights of the accused.

When we hear concerns being expressed about the courts’ treatment of victims and accused persons, we should remember that these concerns are, to some extent, class based: it is disproportionately the wealthy and highly educated who are most concerned about the success of the courts in providing help to victims. Those from poor households are most likely to think that the courts are doing a poor job protecting the rights of the accused. (Item 1)

Privately-run prisons are no cheaper to run than publicly-run prisons once the size of the prison, its age, and its security level are taken into consideration.

When other characteristics of the prisons are taken into account, there were no financial advantages to private prisons. Generally -- whether public or private -- larger, newer, and minimum security prisons are cheaper to run (than are smaller, older, and maximum security prisons). Ownership, however, did not predict costs. The notion that operational costs will automatically be reduced if a prison is privatized does not follow from the data. Unless, of course, the private prison is new, large, and minimum security. (Item 2)

There appear to be racial differences in tolerance for violence: Blacks and Latinos are, if anything, less tolerant of deviance than are whites according to a recent study in Chicago. However, residents of poor areas of the city are cynical about the legal system and are dramatically less satisfied with the police.

“There is no ‘black’ subculture of violence. If anything, African Americans are less tolerant of crime than are their European-American counterparts. At the same time, inner-city ‘ghetto’ areas displayed elevated levels of legal cynicism, dissatisfaction with the police, and tolerance of deviance generally defined. This consistent finding cannot be explained away by [“individual level”] differences or by levels of violent crime in the neighbourhoods” (p.800). (Item 3)
Much is known today about social policies that could be put into effect – or strengthened – which act to reduce the number of children and young people who are likely to commit crimes. These include home visits and pre-school education programs, parent training programs, and school programs focusing on increasing educational attainment.

“It is now accepted that, to be effective, prevention programs need to comprise a range of complementary measures which target multiple risk factors within the primary domains of a child’s life (the family, the school, the peer group and the local neighbourhood)...” (p.16). “This chapter shows that a wide range of initiatives which target children, their families, their schools and their friends prevent criminality or reduce risk factors.” (Item 4)

Capital punishment – an issue for Canadians that doesn’t ever seem to disappear from the public agenda – simply does not act as a deterrent to murder. Though the rate of executions in the U.S. appears high, and, relatively speaking, the homicide rate in many locations in the U.S. is lower than it has been for decades, a careful analysis demonstrates unequivocally that capital punishment does not deter.

A few years ago, leader of Canada’s Reform Party, Preston Manning, suggested that if most Canadians “after reasoned debate, were to declare their conviction that the death penalty is or could be made... a deterrent, presumably this penalty has some deterrent effect, at least among those who so believe.” This paper demonstrates that no matter what data one looks at, no matter what research method one uses, no matter what type of murder one tries to deter, capital punishment does not deter. Thus if we are really interested in reducing homicide rates, we have to move our attention elsewhere. (Item 5)

Physical difficulties during pregnancy or difficulties experienced during the birth itself when combined with a weak (disadvantaged) familial environment (e.g., instability of the structure of the family) increases the likelihood of violent offending for high risk inner-city children.

This study demonstrated that within an already disadvantaged group (inner-city black youth), biological complications combined with a disadvantaged family environment increased the likelihood that these children would be arrested for a crime of violence. More optimistically, however, it should be remembered that an intervention that either reduced the likelihood of early biological complications or provided a more supportive family environment would appear likely to reduce future violence. Things that happen early in a child’s life – even before birth – can, in combination with later factors, affect how violent the child turns out to be. The health care system can play an important role in reducing crime. (Item 6)
The so-called “New York Miracle” -- the large decline in homicides that took place in the early-mid 1990s was not as unusual as some have suggested. In fact, it is made up of two quite different trends: a slow and steady decline in non-gun homicides and a big decrease (after a large increase) in gun homicides. Simple explanations do not fit the data.

What can be concluded?
- The gradual decline in non-gun homicides must reflect some type of gradual changes that were taking place over a period of a decade. “Attributing non-gun homicide declines to law enforcement changes was premature and unjustified” (p. 1323).
- Some of the decline could have been simply “regression” -- “natural” return to traditional levels. Some, however, could be due to changes in police practices (e.g., a focus on guns). However, the case for regression is strong: New York, compared to other large states, had, relatively speaking, a much larger number and higher rate of homicides during the 1988-90 period (p.1494-5). In any case, some “compensatory” force (p. 1494) appeared to be important in returning gun homicide rates to their “natural” level. (Item 7)

Highly violent nations differ from nations with low levels of violence in at least five ways. Violent nations are high on social disorganization, economic inequality, neglect of children, officially approved violence, and corruption or inefficiency of the criminal justice system.

It is clear that the level of violence in a society is not an “accident.” Factors that vary within a large country and factors that affect portions of a country’s population also have an impact at the national level. Countries that
- value and provide healthy environments for children,
- have stable and healthy communities,
- provide relative economic equality,
- ensure violence within the state or by state agents is not tolerated;
- have fair and just criminal justice systems
are likely to be low in violence. (Item 8)
Canadians’ views of the criminal courts are more complex than we had previously thought: Wealthy people are more likely than poor people to think that the courts are doing a poor job of helping victims of crime, whereas poor people are more likely than wealthy people to think that courts are doing a poor job of protecting the rights of the accused.

Public support for the criminal justice system is clearly important. Courts are seen as being too lenient by a majority of Canadian adults. Members of racial minority groups in Canada believe that racial discrimination is a problem within the criminal justice system. Victims’ groups are often critical of both the manner in which victims are treated and the rights that accused people have in the courts. These views of the courts (or of the police) tend to be expressed in broad terms rather than in terms of specific attitudes. This paper, instead, looks at two specific attitudes of Canadians: views of how well the courts help victims of crime and how well the courts protect the rights of the accused.

This paper starts with the assumption that Canada’s upper classes will identify more with victims of crime, suggesting that “the upper classes’ identification with victims of crime is based on stereotypes which cast offenders as members of the lower classes” (p.370). On the other hand, “individuals of lower socio-economic status are predicted to identify more closely with accused individuals and [are] also more likely to perceive that the rights of accused individuals are not being protected” (p.370).

The data used in this paper come from the 1993 Statistics Canada General Social Survey, a nationwide survey of 10,385 adults over the age of 15. Among other questions, people were asked to “rate the courts in helping victims of crime” and “rate the courts in protecting the rights of accused.” Many more people saw courts as doing a poor job in providing help to victims (49%) than in protecting accuseds’ rights (13%).

The findings show that members of high and low socio-economic groups had quite different views. Those from higher household income groups were more likely than those from poorer households to think that courts were doing a poor job in helping victims of crime. On the other hand, those from poorer households were more likely than those from richer households to think that courts were doing an inadequate job of protecting the rights of the accused. Similarly, it is the relatively highly educated who are most likely to think that the courts are doing a poor job of providing help to victims of crime. “Income remained a significant predictor of public attitudes, even when other important variables such as victimization, court contact, and perceptions of crime were controlled” (p.379). On the other hand, “consistent with previous studies…, respondents with court contact were also more likely to be dissatisfied with the courts’ treatment of victims and accused persons” (p.380).

Conclusion. When we hear concerns being expressed about the courts’ treatment of victims and accused persons, we should remember that these concerns are, to some extent, class based: it is disproportionately the wealthy and highly educated who are most concerned about the success of the courts in providing help to victims. Those from poor households are most likely to think that the courts are doing a poor job protecting the rights of the accused.

Privately-run prisons are no cheaper to run than publicly-run prisons once the size of the prison, its age, and its security level are taken into consideration.

Background. In the U.S.A. and in some other countries, the move toward privatization of prisons is driven, in large part, by governments’ desires to reduce costs. There are many different forms that privatization can take. This paper looks at costs in prisons that are fully owned and operated as private facilities. “Nearly every state in the United States currently relies on the private sector, in some capacity, for correctional services” (p.360). The evidence on cost efficiency is mixed: some studies have suggested that private correctional facilities do operate more efficiently, while others have not.

This study, using the technique known as meta-analysis, looked at “all evaluation research studies assessing the cost-effectiveness of public vs. private adult prisons…” (p. 363). The studies need to have a cost measure included and enough information to allow for statistical controls of other determinants of cost – size of the facility (large institutions with many inmates tend to be cheaper to run), age of the facility (new institutions are cheaper to run), and security level (minimum security is cheaper to run).

The results show that when other characteristics of the prisons are taken into account, there were no financial advantages to private prisons. Generally -- whether public or private -- larger, newer, and minimum security prisons are cheaper to run (than are smaller, older, and maximum security prisons). Ownership, however, did not predict costs. The results are obviously only generalizable to the kinds of prisons that were examined: adult, male prisons. In addition, it should be remembered that there were no measures of quality of service provided in the prisons. Overall, though, the notion that operational costs will automatically be reduced if a prison is privatized does not follow from the data. Unless, of course, the private prison is new, large, and minimum security.

There appear to be racial differences in tolerance for violence: Blacks and Latinos are, if anything, less tolerant of deviance than are whites according to a recent study in Chicago. However, residents of poor areas of the city are cynical about the legal system and are dramatically less satisfied with the police.

*Background:* We often make assumptions about the subcultural values and beliefs of various groups without much direct evidence. “Blacks and low-income [people]... have been posited to evince a cultural tolerance of violence” (p. 778). It has also been suggested that cynicism about the law is directly related to an individual’s tolerance of deviance. This paper challenges these views, suggesting that “a distinction between the tolerance of deviance and cynicism about the applicability of the law” (p. 784) needs to be made. It suggests that “community contexts may shape ‘cognitive landscapes’ or appropriate standards and expectations of conduct” (p.781). “Inner-city contexts of racial segregation and concentrated disadvantage, where inability to influence the structures of power that constrain lives is greatest, also breed cynicism and perceptions of legal injustice” (p.783).

*This study* looked at 343 Chicago neighbourhoods. Tolerance for deviance was measured by asking adult residents “how wrong” they thought the use of alcohol and drugs were, and how wrong they thought “getting into fist fights” was for 13- and 19-year olds. Legal cynicism (e.g., “Laws are made to be broken”) and satisfaction with the police (e.g., “The police in this neighbourhood are responsive to local issues”) were measured separately.

*The results* showed that “African American and Latino respondents are much less tolerant of deviance than are white respondents” (p. 791). Moreover, those lowest in socio-economic status are also less tolerant of deviance. This is even true when the analysis is limited to the question that asked about the acceptability of fighting.

*The neighbourhood* that a respondent lived in made an *independent* contribution to how tolerant a respondent was to deviance. “Areas of concentrated disadvantage and residential instability appear to have increased levels of tolerance of deviance” (p.795) though when one looks only at tolerance of fighting, concentrated disadvantage was unrelated to tolerance of kids fighting.

Blacks and Latinos (and those of the lowest socio-economic status) were, however, higher on the measure of legal cynicism and were less satisfied with the police. These results appear to be best explained by the neighbourhoods in which people live: “Blacks appear more cynical because they are disproportionately likely to live in residential environments of concentrated disadvantage” (p.797). When one looks at satisfaction with the police, the effect of race appears to be due to neighbourhood and other effects. There is no impact of race on satisfaction with the police above and beyond three “neighbourhood” characteristics: Neighbourhoods with high concentrations of disadvantage, high immigrant concentrations, and high violent crime rates were less satisfied with the police.

*Conclusion.* “There is no ‘black’ subculture of violence. If anything, African Americans are less tolerant of crime than are their European-American counterparts. At the same time, inner-city ‘ghetto’ areas displayed elevated levels of legal cynicism, dissatisfaction with the police, and tolerance of deviance generally defined. This consistent finding cannot be explained away by [“individual level”] differences or by levels of violent crime in the neighbourhoods” (p.800).

Much is known today about social policies that could be put into effect – or strengthened – which act to reduce the number of children and young people who are likely to commit crimes. These include home visits and pre-school education programs, parent training programs, and school programs focusing on increasing educational attainment.

Most criminologists today would agree that investing in the criminal justice system will do little to reduce crime. At the same time, we know that different societies produce different rates of criminality. Interventions based on improving the social situation of those “at risk” of becoming criminal can, then, be effective not just in terms of reducing criminality but also in providing other benefits.

This paper provides examples (and references to details of programs) of interventions which reduce the likelihood of children becoming seriously criminal and which can be cost effective. These include the following:

- **Home visitation programs.** “These involve trained and committed individuals, usually nurses, health visitors or social workers, supporting, helping, and sometimes training parents of young children” (p.8). Some of these target both children and parents. Arrest rates are typically reduced considerably (e.g., by 40% or more).

- **Parent training programs.** For example, one program provided “training for parents of 10-year-old children for a period of six to eight months.”

- **School-based programs** which “combined institutional change with individually-based initiatives to increase educational attainment and reduce delinquent behaviour…” (p. 11). It should be noted, however, that “the initiatives based on individuals had no effect on delinquency…” (p.11). “On the whole, research on school effectiveness shows that schools which are characterized by high quality classroom management, good leadership and organization and where children feel emotionally as well as educationally supported, are those which are best placed to protect their pupils from engaging in criminal behaviour” (p. 13).

- Programs that **combine parent training and school programs** and which link the two have shown an “immediate impact in terms of reducing aggressive and anti-social behaviour.”

At the same time, it should be pointed out that not everything works. Among the interventions that appear to be unsuccessful are the following:

- “Individual and peer group counseling or therapy, [most instances of] pharmacological interventions, corporal punishment, suspension from school…” (p.16).

- “Information campaigns, especially in relation to substance abuse” (p. 16), moral appeals, fear arousal.

“It is now accepted that, to be effective, prevention programs need to comprise a range of complementary measures which target multiple risk factors within the primary domains of a child’s life (the family, the school, the peer group and the local neighbourhood)...”(p.16). “This chapter shows that a wide range of initiatives which target children, their families, their schools and their friends prevent criminality or reduce risk factors.”

Capital punishment – an issue for Canadians that doesn’t ever seem to disappear from the public agenda – simply does not act as a deterrent to murder. Though the rate of executions in the U.S. appears high, and, relatively speaking, the homicide rate in many locations in the U.S. is lower than it has been for decades, a careful analysis demonstrates unequivocally that capital punishment does not deter.

A few years ago, leader of Canada’s Reform Party, Preston Manning, suggested that if most Canadians “after reasoned debate, were to declare their conviction that the death penalty is or could be made… a deterrent, presumably this penalty has some deterrent effect, at least among those who so believe” (Globe and Mail, 4 July 1995, A13). Such views are easy to dismiss, if one can escape, momentarily, the circularity of his logic. However, they do raise the question of whether capital punishment “works” in any way other than reducing the population of people who, for the most part, have murdered other humans.

This analysis of the evidence demonstrates, using multiple sources of data, that capital punishment does not deter murder. Various methodological approaches have been used. Among other findings, this paper points out that:

- States in the U.S. that have capital punishment do not have lower homicide rates than those without capital punishment.
- States that have abolished and/or reinstated capital punishment do not show consistently different homicide rates before vs. after the change in the law.
- A comparison of states that have capital punishment to neighbouring states that do not fails to show a consistent advantage to having capital punishment.
- The certainty that a murderer will be executed (“execution risk”) is not related to homicide rates when adequate statistical analyses are performed. (The exception to this conclusion is the mid-1970s work of Ehrlich which, among other problems, is completely dependent on using a particular time period for analysis – 1933-1969).
- Highly publicized executions – which are, presumably, most likely to create the perception that murderers are executed – show no effect. In both a carefully controlled study over the period 1950-1980, as well as a study of the period 1940-1986, there was no significant association “between execution newspaper publicity and homicide rates” (p. 235).
- Similarly, there was no consistent evidence of a deterrent effect due to television coverage of executions.
- It has occasionally been suggested that capital punishment “works” only for certain types of murders (e.g., killings of police, first degree murder, felony murder). This “modified” deterrence hypothesis is not supported by the evidence. For example, for police killings, there was “no evidence that overall and specific types of police killings are responsive to changes in the provision of capital punishment, the certainty of execution, or the amount and type of television news coverage devoted to executions” (p. 239).

**Conclusion.** No matter what data one looks at, no matter what method one uses, no matter what type of murder one tries to deter, capital punishment does not deter. Thus if we are really interested in reducing homicide rates, we have to move our attention elsewhere.

Physical difficulties during pregnancy or difficulties experienced during the birth itself when combined with a weak (disadvantaged) familial environment (e.g., instability of the structure of the family) increases the likelihood of violent offending for high risk inner-city children.

Background. There have been a fair number of studies that have suggested that the determinants of violence begin very early in a child’s life. One of the advantages of looking at early biological influences on violent behaviour is that factors related to later violence may be susceptible to influence. More importantly, if biological factors interact with social or environmental factors to create particular vulnerabilities, interventions could be focused on either type of factor.

This study examines the influence of pre/perinatal disturbances and familial environment on criminal offending within a U.S. high risk, inner-city black population. Detailed medical data were examined including various problems that mothers experienced during pregnancy as well as problems that might have occurred during delivery. A “disadvantaged familial environment” was determined by looking at the number of changes in the mother’s marital status, and the “structure” of the family (whether the child live with one or two parents). Official police records were examined to determine whether the children (from age 7 to 22) had been arrested for a violent and/or property crime.

For property offending, pre/perinatal complications did not have any predictive value (alone or in combination with the family environment). However, coming from a “disadvantaged familial environment” did increase the likelihood that a youth would have been arrested for a property offence.

For violent offending, neither pre/perinatal complications alone nor coming from a disadvantaged family environment alone was of predictive value. However, youths who had both pre/perinatal complications and came from a disadvantaged family environment were approximately twice as likely to have engaged in violent offending as youths who had one or neither of these disadvantages.

Conclusion. This study demonstrated that within an already disadvantaged group (inner-city black youth), biological complications combined with a disadvantaged family environment increased the likelihood that these children would be arrested for a crime of violence. More optimistically, however, it should be remembered that an intervention that either reduced the likelihood of early biological complications or provided a more supportive family environment would appear likely to reduce future violence. Things that happen early in a child’s life – even before birth – can, in combination with later factors, affect how violent the child turns out to be. The health care system can play an important role in reducing crime.

The so-called “New York Miracle” -- the large decline in homicides that took place in the early-mid 1990s was not as unusual as some have suggested. In fact, it is made up of two quite different trends: a slow and steady decline in non-gun homicides and a big decrease (after a large increase) in gun homicides. Simple explanations do not fit the data.

In searching for an explanation for the drop in homicides in New York from 1991 to 1996, the single most important fact to keep in mind is that there are actually two trends.

- From 1985 to 1995 there was a gradual but remarkably steady decrease in the number of non-gun homicides such that by 1996, there were about half as many as there were in 1985.
- Gun homicides, on the other hand doubled between 1985 and 1991. By 1995 the number had returned to its 1985 level and in 1996 was lower than its 1985 level.

In other words, masked by the large increase and equally large decrease in gun homicides, there has been a large decrease, for a long time, in non-gun homicides. The data are inconsistent with the suggestion that there was simply a shift from non-gun to gun homicides.

Any attempt to explain the drop in homicides in New York (1991-96, a 51% drop) must take into account the following facts:

- There have been larger declines since the mid-1980s in homicides in two other cities (a 59% drop in Houston and a 61% drop in Pittsburgh).
- The decline in gun homicides (1991-96) was similar for men and women.
- All age groups showed roughly the same pattern for gun homicides: increasing from 1985 to the early 1990s and then going down.
- Non-gun homicides went down (1985-95) for all age groups.
- Gun assaults and non-gun assaults showed patterns that paralleled, more or less, the homicide data.

When one looks to possible explanations, the data suggest the following:

- Policing changes cannot explain, in any way, the long term trend downwards in non-gun homicides.
- “The increase in [police] patrol strength beginning in 1991 may have had had a positive effect on reducing visible homicides [homicides taking place in public places, which began declining in that year]” (p. 1316). “The pattern... is much more consistent with gun-oriented policing [policing strategies that focus on keeping guns off the street and out of public places] than with indiscriminate quality of life interventions as a cause of decline” (p. 1322).
- “Incarceration trends seem to be unrelated to homicide trends” (p. 1317).

What can be concluded?

- The gradual decline in non-gun homicides must reflect some type of gradual changes that were taking place over a period of a decade. “Attributing non-gun homicide declines to law enforcement changes was premature and unjustified” (p. 1323).
- Some of the decline could have been simply “regression” -- “natural” return to traditional levels. Some, however, could be due to changes in police practices (e.g., a focus on guns). However, the case for regression is strong: New York, compared to other large states, had, relatively speaking, a much larger number and higher rate of homicides during the 1988-90 period (p.1494-5). In any case, some “compensatory” force (p. 1494) appeared to be important in returning gun homicide rates to their “natural” level.

Highly violent nations differ from nations with low levels of violence in at least five ways. Violent nations are high on social disorganization, economic inequality, neglect of children, officially approved violence, and corruption or inefficiency of the criminal justice system.

**Background.** Most attempts to understand cross-national crime rate differences have looked at large numbers of countries and tried, by using statistical techniques, to understand what factors differentiate high- from low-crime countries. These have problems largely in terms of the quality and comparability of the data. Even the measures used – typically homicide rates – have problems including such things as whether attempted homicides are included, and the adequacy of the data gathering and recording system in the country. Furthermore, when there are internal conflicts (as in Rwanda in 1994), it is hard to know how to estimate a homicide rate.

*This study* examined only those countries where there were adequate data on the economic, political and social situation in the country and where there was a reasonable level of agreement (from at least two sources) that indicated that the country was “low or high on violent crime relative to most other nations in the same geographic region” (p.261). Six high and six low violent crime countries (two each from Africa, South America, and Asia) are compared.

Five dimensions appeared to differentiate between high and low crime countries:

- Social integration in low crime countries (e.g., intact kinship and local community systems, political and social stability, ethnic and cultural homogeneity) vs. social disorganization in high crime countries (e.g., ethnic conflict and discrimination, urban slums and street people, diminished kinship and local community systems);
- Economic stress in high crime countries (e.g., poverty and relative inequality, economic downturns) compared to low crime countries which were characterized by economic growth and effective government social welfare programs;
- Care and concern for children was a characteristic of low violent crime countries. This was evidenced by government programs for children, commitment by government to children’s rights and the absence of orphans, street children, child labour, etc;
- Official or approved violence factors (such as violent insurgencies, police and/or military use of excessive violence, abuse of suspects and prisoners, etc) characterized highly violent countries;
- Highly violent countries also tended to have criminal justice systems characterized by corruption, discrimination, abuse of rights, etc.

**Conclusion.** It is clear that the level of violence in a society is not an “accident.” Factors that vary within a large country and factors that affect portions of a country’s population also have an impact at the national level. Countries that

- value and provide healthy environments for children,
- have stable and healthy communities,
- provide relative economic equality,
- ensure violence within the state or by state agents is not tolerated;
- have fair and just criminal justice systems

are likely to be low in violence.