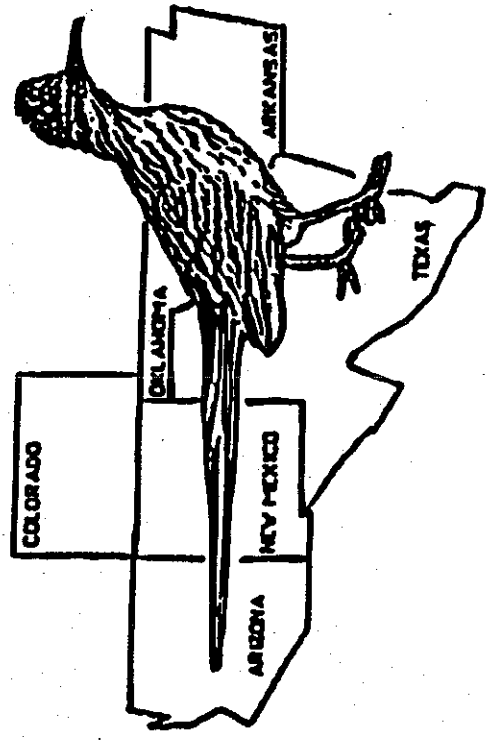


**SOUTHWESTERN ASSOCIATION OF  
CRIMINAL JUSTICE EDUCATORS**

ANNUAL MEETING



**THE SOUTHWESTERN TRADITION  
OF CRIMINAL JUSTICE**

SEPTEMBER 30 - OCTOBER 2

RICHARDSON, TEXAS



N. Pragma Unnithan  
Colorado State University

(Panel 9)

*Child Homicide and Criminal Justice Officials*

Homicide involving child victims arouses great public anger. This paper explores the views, experiences and actions of judges and district attorneys drawn from Texas counties on the processing of such cases through the criminal justice system.

Jeffery T. Walker  
University of Arkansas at Little Rock

(Panel 4)

*Reflections on "Rethinking" the "New Criminology"*

Almost since the beginning of criminological thought, there has been a sustained battle between the left and the right; between those who place the blame for criminality on the criminal or environment and those who place the blame on the society and its agents (the criminal justice system). This paper proposes that, in order to adequately describe and explain the criminal event, elements from both the left and the right must be included. Only through explanations that take into account the context of time and place, the criminal and the offender, and the reaction from society can we begin to adequately analyze the complex human behavior of crime.

William V. Wilkinson  
University of Texas at Brownsville

(Panel 8)

*A Curriculum Analysis of Justice-Related Courses and Programs Offered By the Universidad Autonoma de Tamaulipa*

While NAFTA may be debated by many elements of the three involved countries, free trade from the Yukon to the Yucatan is rapidly becoming a reality. Among the many issues and problems raised with this expansion of commerce lies the problem of differing legal systems. Canada and the United States have similar roots in the Common Law while Mexico has a Civil Law tradition. The purpose of this paper is to examine the educational system of justice-related professionals in Tamaulipas in order to better understand the nature of those governmental and private professionals responsible for insuring justice under the Mexican legal system.

Janet K. Wilson  
University of Arkansas at Little Rock

(Panel 4)

*The Impact of Roles on Involvement in Deviant Behavior During Late Adolescence and Early Adulthood*

To what extent do the roles that we hold explain differences in rates of involvement in deviant behaviors during the years between adolescence and adulthood? While status integration, social control, and multiple identities theories hypothesize an inverse relationship between level of integration and level of involvement in deviant behavior, they differ in that status integration addresses the compatibility of roles, social control focuses on the tendency of conventional roles to strengthen the social bond, and multiple identities examines the additive nature of roles. The data for the analyses were from the 1980 and 1984 National Longitudinal Survey of Youth. Dependent variables are the levels of delinquency as measured by 11 deviance scales. Roles held, age, and controls are employed as independent variables. Results from regression analyses indicate that social control theory is best able to explain the impact of roles on involvement in deviant behaviors during these transitional years.

Welcome to:

SOUTHWESTERN ASSOCIATION OF CRIMINAL JUSTICE EDUCATORS  
ANNUAL MEETING

SEPTEMBER 30 - OCTOBER 2, 1993

RICHARDSON, TEXAS

THE SOUTHWESTERN TRADITION OF JUSTICE

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New Mexico State University

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Southwestern Legal Foundation

Program Chair

Jeffery T. Walker  
Department of Criminal Justice  
University of Arkansas at Little Rock

Plan Ahead for Next Year's Conference

First or Second Weekend in October

Hot Springs, Arkansas

THURSDAY, SEPTEMBER 30

3:00 - 7:00	REGISTRATION	Atrium Lobby
7:00 - 9:30	PRESIDENT'S RECEPTION	SWL1E1

FRIDAY, OCTOBER 1

8:00 - 3:30	REGISTRATION	Atrium Lobby
8:00	CONTINENTAL BREAKFAST	Atrium Lobby
8:30 - 10:00	PANEL #1	Campbell Room

**Chair**

Raghu N. Singh  
East Texas State University

**Papers**

Clifford Dome  
Texas A&M International University  
"Beyond the Widened Net": An Assessment of the Limited  
Appellate Court Review of Juvenile Diversion

Tory Caeti  
San Houston State University  
Differences in Juvenile Right to Counsel in the United States:  
A Statute Analysis of the Fifty States

David Spencer  
Southwest Texas State University  
Analysis of Jury Selection in Travis County, Texas

**PANEL # 2**

Floyd Room

**Chair**

Sam Souryal  
San Houston State University

**Papers**

Sam S. Souryal  
Sam Houston State University  
An Argument Against Loyalty to Supervisors: Applications  
to the Field of Criminal Justice

John R. Cross  
Oklahoma State University  
The Oklahoma County Commissioners Scandal: An  
Examination of Media Hegemony in the Definition of  
Deviant Occupational Activity

Helen Molanphy  
Richland College  
Green Criminology

Every year approximately 600,000 immigrants enter this country with high hopes and dreams for a new start and a bright future. One way of obtaining this goal is through education. In addition to bringing a different culture and value system, most of these individuals do not speak English and have little knowledge of our justice system. Through the method of education we can not only hope to bring the cultures together, but encourage these individuals to become involved in the justice system as a profession. Who can understand better what a minority is going through than a minority police officer that has grown up in the culture?

R.A. Thompson  
Southwest Texas State University

(Panel 6)

*Employment Discrimination Against Homosexuals: A Law Enforcement Perspective and Case History*  
Homosexuality, the practice of alternative sexual orientation, has historically been the subject of various types of social discrimination from Biblical times through the present. This discrimination has expanded from social ostracism to that of virtually every type imaginable, including that which occurs in employment practices. One specific field of employment which is guilty of this response to homosexuals' claims for equal treatment and rights is that of the law enforcement profession. It is speculated that the discriminatory approach to the employment of these individuals by law enforcement stems in part from its deep roots of as one of the final bastions of male heterosexual domination perhaps second only to the military. This paper traces the historic development of homosexuals' constitutional rights as they relate to employment in law enforcement. Examples of common arguments raised by police administrators to justify such actions are examined with each illustrated through related case law. Finally, the paper identifies areas in which the law has begun to provide greater protection for the employment rights and interests of the homosexual class, as well as providing an overview of the law as it presently exists in the state of Texas.

R.A. Thompson  
Southwest Texas State University

(Panel 8)

*Law Enforcement and the AIDS Epidemic: Educational Strategies and Policy Development*  
The issues of AIDS in American society poses several serious concerns for social policy makers, public service administrators, and their employees as professionals. The prevalence of this deadly virus and its recent increase to epidemic proportions impacts the profession of law enforcement from both a practical and policy-oriented perspective. Because law enforcement officers constantly come into contact with those individuals who are at the highest risk of AIDS infection, there is a heightened need to educate these professionals as to the facts surrounding the virus as it relates directly to the practical performance of their duties. This paper then, serves to highlight the need for law enforcement AIDS education, as well as the methods that work best in achieving this objective. In addition, the element of developing departmental policies to deal with AIDS is also examined with emphasis placed upon the role that law enforcement administrators play in ensuring that the problems presented are dealt with in both a thorough and comprehensive manner.

Peggy Tobolowsky  
University of North Texas

(Panel 6)

*The Evolution of the Mitigating Circumstances Requirement in Death Penalty Cases*  
Since a plurality of the United States Supreme Court required, in the 1976 Gregg decision, that mitigating circumstances concerning a defendant be considered in assessing the death penalty, the Court has been deeply divided over this requirement. From 1976 to the 1989 Perry decision, the Court, despite often vigorous dissents, expanded the scope of the mitigating circumstances requirement. After the Perry decision, however, changes in Court membership helped form a new Court majority which has narrowed the scope of the requirement. This paper will review the evolution of the mitigating circumstances requirement in capital cases.

Due to public concern with shortened sentencing and release of some serious offenders, several states have revised their parole release programs. In this study, by analyzing collected data from parole decision making process and follow-up information on parolees, the authors explore factors leading to success/failure of parole release programs.

Helen Molanphy  
Richland College  
(Panel 2)

*"Green" Criminology*  
Environmental problems have produced a new area of criminology which is called "Green" criminology. The goal of this specialization is to analyze now political and economic factors are tied to the occurrence of corporate violence against the environment, animals, and plants. Environmental violence is defined as any behavior directed against living organisms that generated unnecessary pain, suffering, and death. This violence against nature often indirectly victimizes humans. Support for the use of sanctions for health and safety violations that offend community morality appears to be growing. This paper looks at the shaping and enforcement of environmental criminal law in the area of hazardous waste.

James Quinn  
University of North Texas  
(Panel 3)

*Predictors of Police Perceptions of the Severity of Local Gang Problem in Large and Small Cities*  
The paper uses a survey of municipal police departments in nine states to explore the effect of city size on the relationship between five structural features of local gangs and the severity of the local gang problem. Small cities describe their gang problem as less severe than do large cities. The structural predictors of the local gang problems differ with city size. Perceptions of severity in small cities are predicted by the largest gang's longevity in the jurisdiction. Severity in large cities is best predicted by the age of gang members and the organizational sophistication of the city's largest gang.

Sam Souryal  
Sam Houston State University  
(Panel 2)

*An Argument Against Loyalty to Supervisors: Applications to the Field of Criminal Justice*  
The paper differentiates between loyalty to values and loyalty to the person of supervisors. The former is encouraged but the latter may have detrimental effects on the concept and exercise of criminal justice and public service. The paper argues that loyalty to supervisors is artificial, unnecessary, and is always invoked when supervisors fail to perform their duties. The paper calls attention to the anatomy of loyalty, the voluntariness of loyalty, and to the perception that the opposite of loyalty is not necessarily disloyalty. Duty is the appropriate principle that should guide workers rather than loyalty.

David Spencer  
Southwest Texas State University  
(Panel 1)

*Analysis of Jury Selection in Travis County, Texas*  
Anecdotal reports have long held that jury panels and juries in Travis county, Texas (Austin) are not proportionally representative of the general population in the county. This paper investigates the accuracy of those reports, using jury selection and census data from 1990. The paper also explores the effects of adding licensed drivers to the list of registered voters in compiling the jury wheel. Qualitative analysis and chi-square tests are used to test the significance of deviations from proportional representation at various stages of jury selection.

Beverley Spitzer  
Grand Canyon University  
(Panel 9)

*The Statutes of Liberty: The Modern Police Force and the Melting Pot*

**ROUNDTABLE #1**

Criminal Justice as Usual--A Minority's Concern

Willie J. Edwards  
East Texas State University

Jackson Room

**COFFEE BREAK**

Atrium Lobby

**PANEL #3**

Campbell Room

**Chair**

James Quinn  
University of North Texas

**Papers**

James Quinn  
University of North Texas  
*Predictors of Police Perceptions of the Severity of Local Gang Problem in Large and Small Cities*

Eugene E Bouley, Jr.  
Sam Houston State University

*Graham v. Connor and the Use of Force: How Much is Excessive?*

**ROUNDTABLE #2**

Floyd Room

Criminal Justice Program Diversity: Survival into 2000

Mary Parker  
University of Arkansas-Little Rock

**LUNCHEON**

Atrium Lobby

**PANEL # 4**

Campbell Room

**Chair**

Jeff Walker  
Univ. of Arkansas-Little Rock

**Papers**

Jeffery T. Walker  
Univ. of Arkansas-Little Rock  
*Reflections on "Rethinking" the "New Criminology"*

Janet K. Wilson  
Univ. of Arkansas-Little Rock

*The Impact of Roles on Involvement in Deviant Behavior During Late Adolescence and Early Adulthood*

PANEL # 5

Floyd Room

Chair

Billy D. Parker  
University of Central Oklahoma

Papers

Philip Ehrbridge, Jonathan Sorensen and Deon Brock  
University of Texas-Pan American  
*An Evaluation of the Hidalgo County Boot Camp*

Alma Lopez  
Ohio Adult Parole Authority  
*Factors Leading to Success/Failure of Parole Programs*

3:00 - 3:30

COFFEE BREAK

Atrium Lobby

3:30 - 4:00

STATE MEETINGS

Arkansas  
Colorado  
New Mexico  
Oklahoma  
Texas

Floyd Room  
Atrium Lobby  
Jackson Room  
Atrium Lobby  
Campbell Room

4:00 - 5:00

SWACIE BUSINESS MEETING

SATURDAY, OCTOBER 2

8:00 - 10:15

REGISTRATION

Atrium Lobby

8:00

CONTINENTAL BREAKFAST

Atrium Lobby

8:30 - 10:00

PANEL # 6

Campbell Room

Chair

Peggy M. Tobolowsky  
University of North Texas

Papers

Peggy M. Tobolowsky  
University of North Texas  
*The Evolution of the Mitigating Circumstances Requirement in Death Penalty Cases*

R.A. Thompson  
Southwest Texas State University  
*Employment Discrimination Against Homosexuals: A Law Enforcement Perspective and Case History*

George Eichenberg  
San Houston State University  
Jim Crow in the Lone Star State: Racial Segregation Laws in Texas

*Jim Crow in the Lone Star State: Racial Segregation Laws in Texas*

Racial segregation in the South was not statutorily mandated until the 1890's. At that time, numerous states, north and south, began enacting "Jim Crow" laws and "black acts" for the purpose of separating the races. The purpose of this paper is to analyze the racial segregation laws of Texas from their inception to their eventual repeal. These statutes will be examined against the backdrop of that states history and culture. It will be emphasized that the purpose of these laws was the social control of both African-Americans and poor whites. The paper will conclude with a discussion of the contemporary legacy of these laws for the people of Texas.

Philip Ehrbridge, Jonathan Sorensen and Deon Brock  
University of Texas-Pan American

(Panel 5)

*An Evaluation of the Hidalgo County Boot Camp*

The paper evaluates the newly implemented boot camp in Hidalgo County. This intermediate sanction is offered to nonviolent offenders ages 18-25. While designed to divert offenders from prison, it is possible that this sanction widens the net of criminal justice control over offenders who typically would have received only probation. In order to test the net widening hypothesis, we compare the first 96 boot camp participants to a control group of offenders who were eligible for the program, but received prison sentences and a control group of offenders who received regular probation. If the program is working as planned, the group of offenders sentenced to to the boot camp should occupy an intermediate range in offense seriousness and criminal history between the control groups.

Timothy J. Flanagan, et al.  
San Houston State University

(Panel 5)

*Public Policy and Prison Education*

The provision of education programs to adult prisoners has been founded on a number of philosophical and sociological premises. Recently, however, these programs have been questioned on grounds of effectiveness (in reducing recidivism) and efficiency. Whether and how to provide adult inmates with educational opportunities is thus an important correctional policy issue. This paper reports a study of the Windham School System (WSS) which provide educational programs in Texas prisons. The research examines the impact of WSS programs on offender behavior while confined and after release from prison. Implications of the findings for corrections policy and practice are discussed.

Wes Johnson  
San Houston State University

(Panel 7)

*Efficiency Evaluation for Prisons Using Data Envelopment Analysis*

A data envelopment analysis (DEA) model can assess the relative efficiency of local, state, or federal prisons. DEA is a linear programming technique that constructs a frontier of relatively efficient decision making units (DMUs) by optimally allocating weights among the multiple inputs and multiple outputs of the DMUs. DMUs that fall behind that frontier are classified as inefficient. An application of DEA to the prisons of the Michigan Department of Corrections (MDC) finds that three prisons are inefficient. DEA also provides some insight into the source of the inefficiency, which identifies potential remedies and target performance levels. Thus DEA can be a useful management tool.

Alma Lopez  
Ohio Adult Parole Authority

(Panel 5)

*Factors Leading to Success/Failure of Parole Programs*

John R. Cross  
Oklahoma State University

(Panel 2)

*The Oklahoma County Commissioners Scandal: An Examination of Media Hegemony in the Definition of Deviant Occupational Activity*  
During the latter part of the 1970's, a joint Federal Bureau of Investigation and Internal Revenue Service probe began investigating possible corruption and graft in county government in Oklahoma. A three year investigation in the early 1980's exposed one of the largest scandals of government corruption on any level: local, state, or federal. This paper analyzes this county commissioner scandal using Sutherland's concept of differential association. Data for this paper was obtained from a content analysis of all news articles reported in the *Wasa (OK) Tribune* covering the scandal and county reform efforts. The Time period covered June 1, 1981 to May 31, 1982. The following characteristics were analyzed in news articles: full/partial title, page placement, editorials, content and context of articles, and number of paragraphs. This analysis shows how this scandal can be viewed as a form of white-collar crime, the different types of rationalizations used by the commissioners, how the position of the commissioners supplied them with the opportunity to commit these crimes, as well as societal reaction to the scandal.

Jack Dison  
Arkansas State University

(Panel 7)

*Prison Reform in Arkansas Goes to Court*

This paper examines the period of reform in Arkansas prisons between 1968 to 1971. From 1966 through 1968 the Arkansas prisons received a great deal of attention in the national and international press. A series of incidents and investigations revealed the brutality, corruption, and abuse on the large prison farms. Although Governor Rockefeller's administration was committed to prison reform, it was difficult to implement change. The state legislature, accustomed to having a prison system which produced a profit for the state treasury, was reluctant to appropriate state revenue for the prisons. After Tom Murton was fired as prison superintendent, Rockefeller hired Robert Sarver to head the prison system. Although Sarver attempted to implement prison reform, it was only through lawsuits filed on behalf of inmates in the U.S. Court that the old system began to crumble and Arkansas was forced to embark on fundamental change in its prisons.

Clifford Dome  
Texas A&M International University

(Panel 1)

*"Beyond the Widened Net": An Assessment of the Limited Appellate Court Review of Juvenile Diversion*

Juvenile diversion has been researched extensively from the perspective of sociological labeling theory and statistical comparisons of recidivism rates. Appellate court cases on juvenile diversion, however, have been relatively few in number; scholarly materials analyzing such cases have also been limited. After summarizing the history and social science literature on juvenile diversion, this paper examines relevant constitutional issues, such as self-incrimination, due process, and equal protection. These issues are brought to bear on the social science research. Implications for procedural reform and for pedagogy in university juvenile justice courses are addressed by way of conclusion.

George Eichenberg  
Sam Houston State University

(Panel 6)

PANEL # 7

Floyd Room

Chair

Jack Dison  
Arkansas State University

Papers

Jack Dison  
Arkansas State University  
*Prison Reform in Arkansas Goes to Court*

Wes Johnson  
Sam Houston State University

*Efficiency Evaluation for Prisons Using Data Envelopment Analysis*

Pam Clark and Rosalyn Matlock  
University of Arkansas at Little Rock

*Growing Up Fast: Transferring Juvenile Offenders to the Adult Criminal Justice System.*

10:00-10:15

COFFEE BREAK

10:15-11:45

PANEL # 8

Campbell Room

Chair

Tim Flanagan  
Sam Houston State University

Papers

Tim Flanagan et al.  
Sam Houston State University  
*Public Policy and Prison Education*

William V. Wilkinson  
University of Texas at Brownsville

*A Curriculum Analysis of Justice-Related Courses and Programs Offered By the Universidad Autonoma de Tamaulipa*

R.A. Thompson  
Southwest Texas State University

*Law Enforcement and the AIDS Epidemic: Educational Strategies and Policy Development*

10:15-11:45

PANEL # 9

Floyd Room

Chair

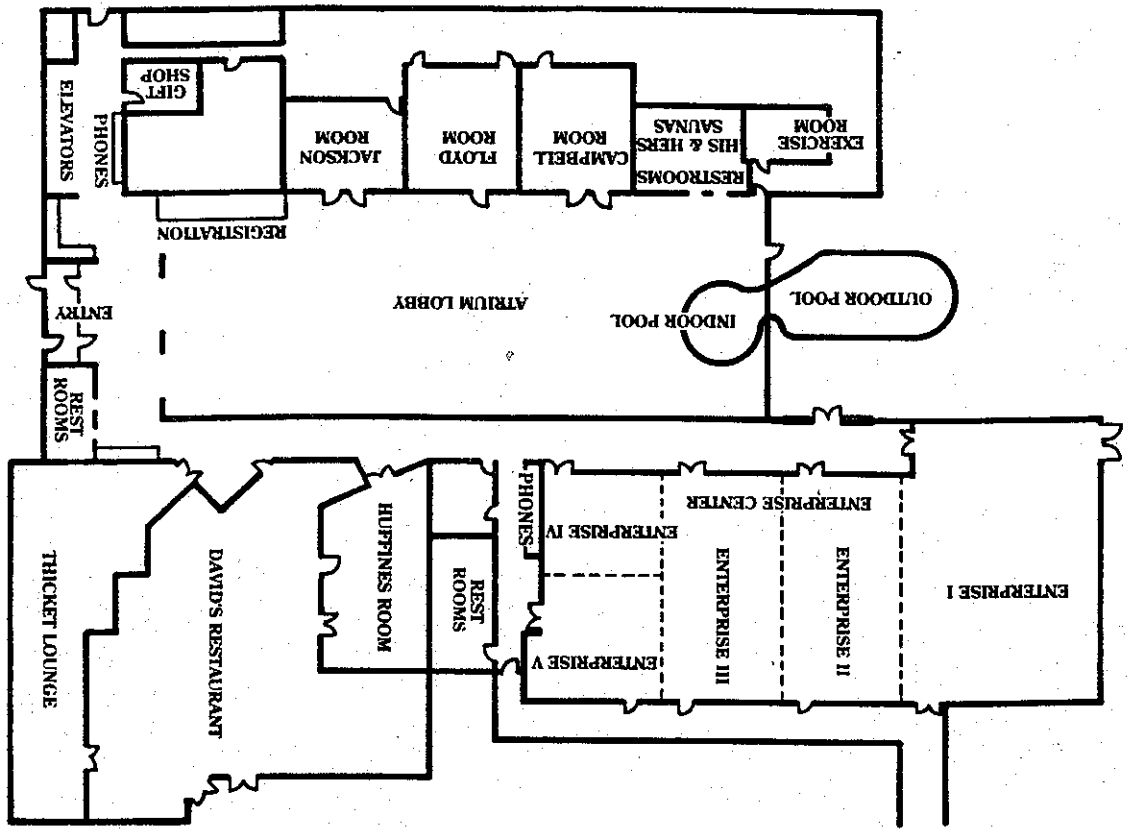
N. Prabha Unnithan  
Colorado State University

Papers

N. Prabha Unnithan  
Colorado State University  
*Child Homicide and Criminal Justice Officials*

Beverly Spitzer  
Grand Canyon University

*The Statutes of Liberty: The Modern Police Force and the Melting Pot*



ABSTRACTS OF PAPERS PRESENTED

Eugene E. Bouley, Jr.  
Sam Houston State University

(Panel 3)

*Graham v. Connor and the Use of Force: How Much is Excessive?*

Prior to 1989, civil suits brought under 42 U.S.C. Section 1983 for excessive use of force were judged using the substantive due process standard contained in *Johnson v. Glick*. In 1989, the Supreme Court held in *Graham v. Connor* that the lower courts should first determine the constitutional right violated, and then apply the appropriate standard. In excessive force cases, that standard should be "objective reasonableness". This paper reviews the substantive due process standard of *Glick*, discusses the objective reasonableness standard of *Graham v. Connor*, and finally analyzes how the *Graham* decision is being interpreted in the lower courts.

Tory J. Caeti  
Sam Houston State University

(Panel 1)

*Differences in Juvenile Right to Counsel in the United States: A Statute Analysis of the Fifty States*

Juvenile justice systems vary from state to state. Typically this variance can be seen in the State's statutes and codes. There have been few seminal federal cases that address a juvenile's right to counsel. *In re Gault* is the leading precedent. The courts have generally left implementation of this right up to the state legislatures. This research reviews each of the fifty state's codifications of the *Gault* decision. The statutes can be categorized into five different groups: States that have no specific statutes; States with a minimal statement of juvenile rights; States that conform to *Gault*; States that offer protection beyond *Gault*; and States that adopt strict guidelines and offer substantially greater protection than the *Gault* decision.

Pamela Clarke and Rosalyn Matlock  
University of Arkansas at Little Rock

(Panel 7)

*"Growing Up Fast": Transferring Juvenile Offenders to the Adult Criminal Justice System*

The waiver of jurisdiction by a juvenile court refers to "the process by which the court relinquishes its jurisdiction for prosecution as in the case of an adult" (Bove, 1991). The general move in this country has been in the direction of making this process easier for juvenile courts. The purpose of this paper is to explore the juvenile waiver process in order to better understand this occurrence and attempt to provide possible alterations and alternatives to the process.