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## **CONTENTS**

**From the Editors 86**

**Reviewer Acknowledgements 88**

**An Assessment of a Cross-National Sample  
of Men and Women Arrested for Prostitution**

By Donna M. Vandiver and Jessie L. Krienert 89

**Command Staff Leadership Training and Job Commitment in the LAPD**

By David A. Jenks, J. Scott Carter, and Catherine A. Jenks 106

**From Wildlife Specialist to Police Generalist?**

**The Scope of Nonwildlife Violations Encountered by Conservation Officers**

By Stephen L. Eliason 120

**Native American Indian Women: Implications for Prison Research**

By Julie C. Abril 133

**Book Review: Editor's Recommendation**

**Criminal Justice History Books**

By Willard M. Oliver 145

**Book Review**

Chance, R. (2004). *Raped by the State: Fractured Justice—Legal Abuse*.

Bloomington, IN: Author House

By Robert M. Worley 152



## From the Editors

Dear Colleagues,

This issue marks the end of our second year as co-editors of the Southwest Journal of Criminal Justice. This year has also yielded an important change and nearly brought about a crisis. The most important change is that one of us (W. Wes Johnson) has accepted a position at the University of Southern Mississippi in Hattiesburg, Mississippi, and has already made the transition to his new home. This issue will mark the end of his service as co-editor of the Southwest Journal of Criminal Justice. Wes should be congratulated for his service and dedication not only to the Southwest Journal of Criminal Justice, but to the Southwest Association of Criminal Justice as well.

The other change that nearly occurred this Fall was one of us (Willard M. Oliver) was nearly mobilized for service in Iraq for 15 months. Despite receiving the call to deploy, notifying his employer, colleagues, family and friends, and missing the conference in Corpus Christi for which Will was the President of the Association this past year, it turns out the military made a mistake and he did not deploy. So, fortunately, Will does not have to edit the journal while serving in a combat zone in the middle of the Iraqi desert. He will, however, assume the full duties of editorship of the journal for the last year of the journal being maintained by Sam Houston State University.

There is also a lot of good news to share about the journal. This issue features four articles that analyze some interesting and unique populations in the criminal justice field. The first is Vandiver and Krienert's use of NIBRS data to look at the understudied population of male prostitutes. The second

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article by Jenks, Carter, and Jenks looks at the LAPD's West Point Leadership Program in order to assess the impact that this command staff leadership training has had on its participants. The third article, by Eliason, looks at a population of police officers often overlooked in research—Conservation Officers. And Abril's interesting article looks at Native American Indian women who are imprisoned.

Other good news is the fact we now have an official ISSN number for the electronic version of the journal, and a separate ISSN number for the print version that Sam Houston State University has kindly been printing a limited run of copies for each issue. In addition, we are now listed in the Directory of Open Source Journals, which will hopefully enhance our visibility. And finally, it should be noted that submissions to the journal are up, the number of articles we are reviewing is up, and the number of reviewers for the journal has greatly increased. We appreciate both the submissions and the reviews, and please note the end-of-the-year/volume list of manuscript reviewers on the following page. Keep the manuscripts coming, and please continue to help us review the articles we receive, so that we can make next year's Volume 5 of the journal even better.

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## REVIEWER ACKNOWLEDGMENTS, VOLUME 4

SWJCJ acknowledges the contribution of the following reviewers in the journal's peer review process. The time and effort they devoted in reviewing submissions to the journal is greatly appreciated.

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## **An Assessment of a Cross-National Sample of Men and Women Arrested for Prostitution**

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### **ABSTRACT**

*The purpose of this research is to provide information about male prostitutes, an overlooked population, and compare their characteristics to female prostitutes. The study includes an assessment of 1,382 males and 2,637 females arrested for prostitution in 2001. Males accounted for 34% of all arrests. The data was extracted from the National-Incident Based Reporting System (NIBRS), which was developed by the Federal Bureau of Investigation and includes arrest data from 21 states. Males and females significantly differed on several age, race, and arrest characteristics. Males, on average, were slightly older than females, and just over 20% of the males were Hispanic compared to only 5% of the females. Additionally, males were more likely to be arrested alone and more likely to be released after arrest, whereas females were more likely to be arrested with another person and more likely to be taken into custody. Given that prostitution often coincides with economic marginalization, it is suggested that male prostitutes be referred to other social services agencies to supplement time spent in the criminal justice system.*

**Key Words:** male prostitution, female prostitution, arrest patterns

### **INTRODUCTION**

Much of the prior research on prostitution has focused exclusively on females (see Norton-Hawk, 2004; Sanders, 2004; Sloss & Harper, 2004). The research on female prostitution, in fact, is well-developed and has moved past simply assessing their demographics and characteristics; it includes in-depth analysis of the effects of continued engagement in prostitution (Vanwesenbeeck, 2005), differences between those who have a pimp and those who do not

(Norton-Hawk, 2004), victimization experiences (Sanders, 2004), and hardships associated with being a mother and a prostitute (Sloss & Harper, 2004). While some of the research on females relies on localized samples, the sample sizes commonly include more than 50 subjects and examine a broad range of data, including medical records, past criminal records, sexual abuse histories and family background.

A paucity of research, however, exists for male prostitutes (Vanwesenbeeck, 2001; Weitzer, 2005). Existing research is limited in its reliance on small and localized samples (Boles & Elifson, 1994; Calhoun & Weaver, 1996; McNamara, 1994; Miller, Klotz, & Eckholdt, 1998; Morse & Simon, 1992); few studies have utilized quantitative measures of this population. Although male prostitutes do not make up the majority of prostitutes, they do make up a substantial portion; the Federal Bureau of Investigation (2004) reported males made up 38 of the arrests for prostitution in 2003. Official arrests, however, only provide an indicator of the prevalence of prostitution, rather than a true measure. One researcher even suggested that the number of male prostitutes is equal to that of females (Caukins & Coombs, 1976).

Young people make up a considerable portion of those arrested for prostitution (Federal Bureau of Investigation, 2004). Over the past 10 years the overall rate of prostitution arrests has dropped approximately 18%; the rate of those younger than the age of 18, however, increased by 31%. Additionally, from 2002 to 2003, the overall rate of prostitution arrests decreased only 2%, yet the rate of arrests for those under the age of 18 increased by 11%. Thus, according to arrest data, younger people appear to be a growing population of people who engage in prostitution. A similar trend was also reported from an examination of 1997-2000 NIBRS data (see Finkelhor & Ormrod, 2004).

Many of the studies on male prostitution rely on countries other than the United States, (see Inciardi & Surratt, 1997; Lau & Wong, 2002; Minichiello et al., 2000; Leichtentritt & Arad, 2005) Stevenson, Fernandez-Aleman, & Hyde, 2000) and due to cultural contexts, the findings may not be generalizable to the United States. Additionally, many studies on male prostitution focus solely on the transmission of HIV (see Bloor, McKeganey, & Barnard, 1990; see Boles & Elifson, 1994; Inciardi & Surratt, 1997; Miller et al., 1998) and fail to assess the broader nature of the problem—prostitution represents not only a matter of health or public order, it affects multiple aspects of society (e.g., work, life course, gender, social rights, marginalization, deviance, and exploitation) (Benoit & Shaver, 2006). The existing research is also limited in that much of it is dated, occurring prior to 1990 (see Caukins & Coombs, 1976; see Deisher, Eisner, & Sulzbacher, 1969; Lumby, 1978; Russell, 1971; Sivan & Coombs, 1976), and only one study was found, conducted in the 1990s, that involved a quantitative analysis (see Weinberg, Shaver, & Williams, 1999). The results from the majority of these studies, therefore, do not fully generalize to modern society. The focus of this research, therefore, is to use a cross-national sample of males who have been arrested for prostitution to identify base-line arrest numbers and demographics and also to provide a comparison to female prostitutes. Implications for changes in criminal justice response are also discussed.

## LITERATURE REVIEW

### Male Prostitution—U.S. Studies

Few studies have been conducted in the United States on male prostitutes, and most include qualitative interviews with male prostitutes from urban cities. Male prostitution studies have included samples of 244 in Atlanta (Boles & Elifson, 1994), 211 in New Orleans (Morse & Simon, 1992; Morse, Simon, Balson, & Osofsky, 1992; Simon, Morse, Osofsky, Balson, & Gaumer, 1992), 50 male escorts who advertised on the Internet (Parsons, Bimbi, & Halkitis, 2001), 35 in New York (McNamara, 1994), 22 in Chicago (Luckenbill, 1985), 18 in a southern community (Calhoun & Weaver, 1996) and three in New York (Miller et al., 1998). While these studies provide detailed information, each are limited in that they include only one localized area and are usually restricted to just a few-block area within that location. Additionally, much of the prior research on male prostitution is limited to anecdotal information relying on qualitative analysis, rather than quantitative efforts (Simon et al., 1992). The findings of prior literature, however, are essential to review; it provides a foundation for the current study and offers baseline information about men who have engaged in prostitution.

The typical age of prostitutes ranges from 17 (Calhoun & Weaver, 1996) to 32 years old (Parsons et al., 2001). Morse et al. (1992) reported approximately half of the 211 male prostitutes in New Orleans were Caucasian, and the other half were African American. Boles and Elifson (1994) reported similar results in their sample of 224. Calhoun & Weaver (1996), relying on information gained from 18 male prostitutes, found 15 were Caucasian and 3 were African American. Thus, it appears male prostitutes are racially diverse.

Most studies found prostitutes had low educational levels; Calhoun and Weaver (1996) found the average level of education of 18 male prostitutes was between 9 to 11 years. Boles and Elifson (1994) reported the median level of education of 224 prostitutes was 12 years. Morse et al. (1992) found the average years of education of 211 prostitutes was 10.9 years, yet three had a college degree.

Most of the prostitutes rely on prostitution as their main source of income; approximately half (47.4%) of the 211 subjects in Morse et al.'s (1992) research reported prostitution was their full-time job. The others used prostitution as a supplement for skilled and unskilled labor jobs.

### Drug Use

Drug use among male and female prostitutes appears to be widespread; Morse & Simon (1992) found 95% of 211 male prostitutes used alcohol and drugs weekly. Additionally, 79% reported using two different drugs at least twice a week. The drugs usually included alcohol, marijuana, and/or cocaine. Male prostitutes typically used drugs at the time of engaging in sex with a customer. The researchers reported Caucasian prostitutes were significantly more likely than African Americans to be under the influence of drugs while performing acts of prostitution. Heterosexuals were significantly more likely than homosexuals or bisexuals to be under the influence of drugs while engaging in sex with a customer. Also prostitutes who reported less favorable attitudes toward homosexuality were more likely to be under the influence of a drug at the time of exchange. Some prostitutes report using drugs to cope with their feelings, including conflicts associated with engaging in prostitution. It was found that substance abuse

increased with the presence of psychological distress or conflicts about one's sexual orientation (Caukins & Coombs, 1976; Morse & Simon, 1992). A significant correlation between drug use and an economic dependence on prostitution was also reported (Morse & Simon, 1992).

### **Types of Male Prostitutes**

Prior literature has identified several types of male prostitutes: full-time street hustlers, full-time bar hustlers, call boys/kept boys, and those who advertise for sex. Allen (1980) and Caukins and Coombs (1976) identified full-time street and bar hustlers as a category of male prostitutes. Full-time street and bar hustlers typically engage in prostitution when they need money and live day-to-day without saving any money. Some have girlfriends or a wives, but are more likely to be drifters. They will physically assault customers who do not pay. Caukins and Coombs (1976, p. 442) made a distinction between street hustlers and bar hustlers; they noted a street-hustler was "at the lowest level [of prostitutes]" whereas a bar hustler never earned a living through legitimate means and possibly denied being homosexual.

Call boys include those who use a third person to identify customers (i.e., pimp) or pursue clients on their own (Allen, 1980; Caukins & Coombs, 1976). They are typically attractive and likeable; they are usually successful prostitutes who promote availability when a client calls. Call boys, specifically, are likely to perform any type of sexual behavior and are often lured into prostitution for financial gain (Caukins & Coombs, 1976).

A kept boy provides sex to an older man in exchange for basic living arrangements (with and without a payee). The goal of many male prostitutes is to become a kept boy; it means he will no longer have to look for a customer on a street or in a bar or be fearful of arrest. The dynamic typically involves a lack of independence and preparation for adulthood. Upon maturity, he is typically discarded and replaced with a younger kept boy (Caukins & Coombs, 1976).

Additionally, researchers have identified a group of men who advertise for sex, usually in gay publications (Lumby, 1978). More recently, this category of male prostitute advertises on the Internet (Parsons et al., 2001). These men often indicate types of acceptable and non-acceptable behaviors in their ads and often operate in a more professional manner (Lumby, 1978).

### **Behaviors**

Male prostitutes engage in a variety of risk-taking behaviors, including oral sex, anal sex, and oral-anal stimulation (Morse et al., 1992), placing them at high risk for contracting and/or spreading sexually transmitted and other communicable diseases. Condoms are not utilized regularly (Morse et al., 1992). Additionally, in one study of 211 male prostitutes 28% of those who use IV drugs often shared needles with customers (Morse et al., 1992). Furthermore, more than two-thirds of one sample reported they believed they had at least a 50% chance of contracting HIV (Simon et al., 1992). Researchers have also found approximately 20% of male prostitutes eventually contract HIV (Parsons et al., 2001; Simon et al., 1992).

Some researchers, however, reported male prostitutes are less likely than females to have a pimp and are more likely to work alone (Weisberg, 1985). Thus, females may be more able to avoid potentially dangerous situations (Calhoun & Weaver, 1996), such as being robbed, physically assaulted, and even murdered. Prostitution is a dangerous profession in that prostitutes are often taken to remote locations with someone they have not previously met.



## **Sexual Orientation**

An overlooked topic in much of the prior male prostitution research is the sex of the customer; some literature, however, assumes much of male prostitution is comprised of male-on-male interaction. In fact, serving a predominantly female clientele is typically portrayed as an oddity (see Lucas, 2004). The type of behaviors the male prostitute is willing to engage in differs. For example, one respondent in Calhoun & Weaver's (1996) research said he tried the insertee role, but did not like it and did not allow it to occur thereafter.

The largest portion of male prostitutes was either homosexual or bisexual. Morse et al. (1992) reported 39% of the 211 prostitutes were heterosexual. Forty-one percent reported being bisexual, and 20% reported being homosexual. Parsons et al. (2001) reported 80% of the 50 males were homosexual. Boles et al. (1994) in a study of 224 male prostitutes in Atlanta found 46% were heterosexual while 36% were bisexual and 18% were homosexual. It is important to note, however, Browne & Minichiello (1996) in a critical review of the research, reported that not all male prostitutes indicated they were homosexual. Recently, researchers noted that male prostitutes advertising on the Internet invited male and female clients (Scott, Minichiello, Mariño, Harvey, Jamieson, & Browne, 2005).

West and Villiers (1993) note in older surveys, the majority of male prostitutes indicated they were heterosexual, but in more recent surveys the majority indicate they are homosexual. Thus, the reporting of their sexual preference in the initial studies may be inaccurate, and as homosexuality becomes more acceptable, the reporting of such behavior will increase.

## **Explanations of Behaviors**

The reasons explored for engaging in prostitution include a need for protection (Coombs, 1974), coming from a broken home (Russell, 1971), excitement (Caukins & Coombs, 1976), inability to obtain a reliable job (due to a lack of education/vocational training or dislike of such employment) (Caukins & Coombs, 1976; Deisher et al., 1969), accessibility to sexual partners (Fisher, Weisberg, & Marotta as cited in Calhoun and Weaver, 1996), and financial reward (Earls & Hélène, 1989; Lucas, 2004).

Poverty as a reason for prostitution has been described as an insufficient explanation (Calhoun & Weaver, 1996; Earls & Hélène, 1989). Other researchers, however, propose the possibility of poverty in conjunction with limited opportunities to legitimately earn money (Allen, 1980). In an ethnographic study of 26 male prostitutes from the Chicago area, Luckenbill (1985) identified two paths of entering prostitution: defensive movement and adventurous movement. The defensive involvement emerges when boys enter prostitution due to their living situation, such as poor living conditions with no opportunity to earn money. The second type, adventurous involvement, includes those who entered prostitution after agreeing to a sexual encounter for the purpose of earning additional income; they usually obtain sexual satisfaction. The latter group is not typically in a financially strained situation. They, possibly, have the opportunity to earn steady income through legitimate means.

Rational choice, maximizing pleasure and minimizing pain, has also been suggested as a possible explanation (Calhoun & Weaver, 1996). Calhoun and Weaver (1996), relying on classical criminological theory, examined the factors of severity, certainty, and swiftness of negative consequences in their role of choosing to engage in prostitution. Through interviews of 18 male prostitutes in a Southern community, the benefits and liabilities of engaging in pros-

titution were assessed. Financial reasons were the most common answer given as the benefits of prostituting. Other reasons included sexual pleasure, partying, and flexible work schedules. The most common liabilities or disadvantages of engaging in prostitution included the possibility of being arrested. Six of the prostitutes reported having sex with males as unenjoyable. Many also reported potentially violent behavior, including aggressive sexual activity of the customers, as a liability. Not getting paid was another downside mentioned by a few of the prostitutes. The benefits of prostitution for these men, however, outweighed the risks associated with this behavior.

### **Customers of Male Prostitutes**

Few studies have included information about the customers of male prostitutes. One study, however (Morse et al., 1992), in addition to examining 211 male prostitutes also interviewed 15 customers. Half of the customers were African American and half were Caucasian. The customers solicited the prostitutes an average of 2.5 times per week. The ages ranged from 19 to 49. The sex of the customers was not given.

A slight majority of customers (10 of 15) reported they would refuse services from a male prostitute if he insisted on using a condom (Morse et al., 1992). Customers, however, demonstrated a high level of knowledge about AIDS and transmission of AIDS on a short true-false inventory.

### **Comparison of Men and Women**

In 1990 Weinberg et al. (1999) interviewed 46 female and 46 male prostitutes in San Francisco. While this study was limited in that it relied upon a localized sample, it is the only U.S. study that compares male and female prostitutes and includes quantitative analyses. Male and females prostitutes were significantly different in age; on average females were 29.3 years old while men were 23.8 years old.

Men were significantly more likely than women to report sources of income other than prostitution; men were less likely, however, to report plans of quitting within the next year (Weinberg et al., 1999). Men's patterns of prostitution varied significantly when compared to women's patterns; men were significantly less likely than women to have a regular work schedule and had a significantly lower average number of clients per week. Men spent significantly more time with their clients as compared to the time women spent with their clients. Additionally, men made significantly less money from prostitution as compared to women.

While none of the women (sexually) preferred "only women," 84% of men preferred "only men." Men who prostituted, therefore, were more likely than women to report exclusive homosexual preferences. Men also significantly differed from women in regard to their drug use. Men were significantly more likely than women to use marijuana at least once a week, yet women were more likely than men to use hard drugs at least once a week (Weinberg et al., 1999).

The men from this sample were significantly more likely than women to report being arrested for prostitution (or prostitution-related activity) in the previous year. Men were also significantly more likely than women to report being arrested for a drug-related offense in the previous year (Weinberg et al., 1999).

### **Theoretical Implications for Current Study**

Given that prior researchers have relied primarily on localized samples, large gaps exist in the current information available on this population (Benoit, 2006). Qualitative assessments have contributed to the knowledge by identifying (low) education levels among this population and identifying salient categories of male prostitutes (i.e., full-time street hustlers, full-time bar hustlers, call boys/kept boys, and those who advertise for sex). It has also been found that men who engage in prostitution engage in a wide variety of sexual behavior with their clients and have varied explanations for engaging in prostitution.

Prior research has identified that approximately half of male prostitutes are Caucasian and approximately half are African American; they are typically in the 17 to 32 age range (Calhoun & Weaver, 1996; Parsons et al., 2001); however, it is not known if these results generalize to a cross-national sample of male prostitutes. Additionally, relatively little information is known about male prostitutes who are arrested, given that the prior literature relies on convenience samples of male prostitutes who are not necessarily processed in the criminal justice system.

The current research project attempts to assess some of these gaps by (1) assessing the demographics, (2) offense patterns, and (3) police response using a cross-national sample of males arrested for prostitution. Their results are also compared to their female counterparts. While the data does not include a qualitative component, it will serve to complement existing qualitative reports about this population.

## **METHOD**

### **Data**

The source of the data for this research project is the 2001 National Incident-Based Reporting System (NIBRS) developed by the Federal Bureau of Investigation (Federal Bureau of Investigation, 2004). NIBRS data was established as a more in-depth dataset than the Uniform Crime Reports. It relies on arrest data reported by participating counties from 21 states. Even though the data are not as inclusive as the Uniform Crime Reports, it provides incident-based level information for each crime reported to the FBI, rather than aggregated data. The amount and level of detail provides a distinct advantage in analyzing groups of offenders that are infrequent. Other than a localized qualitative approach, no other research effort is known to include such a wide variety of information.

Due to the vast amount of data included in the dataset, it can be complex for a researcher to use (Roberts, O'Connor, Dunn, Golding, & Team, 2004); the data are arranged in 13 separate segments with linkage variables; the dataset, therefore, is "rectangular." Each criminal incident is assigned a unique number; thus for a single incident, several offenders and victims may be linked to a single incident number. The researcher chooses the unit of analysis to build the dataset. For the current examination, arrestee was chosen. All females and males who were arrested in 2001 for prostitution are included in the dataset.

The advantage of such data is that it allows a researcher to determine if more than one person was arrested per incident; thus, whether the prostitute was arrested alone or with someone can be assessed. Additionally, if the prostitute was arrested for offenses other than the prostitution offense, it can also be assessed. It is also important to note prostitution is defined by

the FBI as lawfully engaging in or promoting sexual activity for profit, yet it does not include solicitation of prostitution; thus, those who are clients of prostitution are not included.

### Participants and Analysis

In 2001, males made up approximately one-third (34%) of the arrests for prostitution included in the NIBRS data. In 2001, 1,382 males and 2,637 females were arrested for prostitution. Descriptive statistics were utilized to assess demographics and offense characteristics for males and females who were arrested for prostitution. Measures of association were utilized for the purpose of examining the relationship between sex (male/female) and many of the demographics and offense characteristics. Lambda was chosen as the most appropriate measure for many of the variables. Lambda is a proportional reduction in error (PRE) measure, which reports the percentage of reduction in error when predicting the value of the dependent variable when information is known about the independent variables (Liebetrau, 1983; Maxfield & Babbie, 2005); thus, for this analysis Lambda was utilized to assess the percentage of influence a variable (e.g., race, country region, arrest type: taken into custody or released, arrested alone or with someone, and arrested in conjunctions with a drug offense) has in terms of sex of arrestee. Lambda is typically utilized for assessing nominal data; thus, for interval/ratio level data, t-tests were employed.

## RESULTS

### Demographics

Males made up 34.1% (N = 1,382) and females made up 65.9% (N = 2,673) of the 4,055 arrests for prostitution in 2001 (see Table I.). The males ranged in age from 14 to 84 with an average age of 37 (SD = 12.5). The females ranged in age from 14 to 75 with an average age of 34 (SD = 8.4). Males and females were significantly different in age (T-test = 8.817,  $p < .001$ ); females were on average three years younger than the males. Additionally, the males also had a wider range in age; many of the males were older than the females.

Race was significantly associated with the sex of the arrestee ( $\lambda = .109$ ;  $p < .001$ ), indicating that knowing the race of the arrestee would increase the chances of estimating the sex of the arrestee by 10%; while this association is weak, it is still significant. The highest percentage of males (51.7%; N = 714) was Caucasians while the highest percentage of females was African American (47.7%; N = 1,276). A larger percentage of females as compared to males were African American (47.7%; N = 1,276 compared to 25.8%; N = 357). Hispanic males outnumbered Hispanic females (20.2%; N = 279 compared to 4.9%; N = 130). Approximately 1% of males (N = 22) and females (N = 29) were an "other" race. The race was missing for 10 males and 21 females; the number of missing cases did not require additional calculation to estimate the race of the missing cases.

**TABLE I. AGE AND RACE OF MALE AND FEMALE PROSTITUTES**

	Male		Female	
	Frequency	Percent	Frequency	Percent
<b>Age</b>				
14-27	362	26.2	675	25.3
28-34	307	22.2	740	27.7
35-40	225	16.3	700	26.2
41-84	487	35.2	558	20.9
Missing	1	.1	0	0.0
Total	1382	100	2673	100
<b>Race</b>				
Caucasian	714	51.7	1217	45.5
African American	357	25.8	1276	47.7
Hispanic	279	20.2	130	4.9
Other	22	1.6	29	1.1
Missing	10	.7	21	.8
Total	1382	100	2673	100

### Offense Patterns

Resident status indicates whether the arrestee was a resident of the same jurisdiction where the crime occurred. While a high proportion of the resident status information was not recorded, the data that were collected indicated males were more likely to be non-residents as compared to females (see Table II). Males, therefore, were more likely to prostitute outside of their jurisdiction. Due to the high level of missing data for this variable, measures of association were not conducted.

**TABLE II. LOCATION OF ARREST AND RESIDENT STATUS  
OF MALE AND FEMALE PROSTITUTES**

	Male		Female	
	Frequency	Percent	Frequency	Percent
Region of Country				
South	745	53.9	1707	63.9
North Central	276	20.0	400	15.0
West	268	19.4	245	9.2
North East	93	6.7	321	12.0
Total	1382	100	2673	100
Resident Status				
Resident	612	44.3	1793	67.1
Non-Resident	325	23.5	392	14.7
Missing	445	32.2	488	18.3
Total	1382	100	2673	100

Males were more likely than females to be arrested alone; 86% of males were arrested alone compared to 67.3% of females. Thus, females were more likely to work in groups with other females whereas men were more likely to work alone. The association between whether they were arrested alone or with someone was weak, but significant ( $\lambda = .050$ ;  $p < .001$ ).

Overall very few of the arrestees were arrested for a drug offense in conjunction with the prostitution offense. Only 5% of females ( $N = 134$ ) compared to 7.5% of males ( $N = 104$ ) were also arrested for a drug offense. The relationship between the drug offense and sex was very weak, yet significant ( $\lambda = .003$ ;  $p < .001$ ).

### Police Response

The majority of the males (53.9%;  $N = 745$ ) and females (63.9%;  $N = 1,707$ ) were arrested for prostitution in the Southern region of the United States, followed by the North Central region. The fewest arrests for prostitution occurred in the West and the North East. The prevalence of males and females were not substantially different in most of the regions; the only exception was in the West. Males were arrested at a slightly higher percentage in the West (19.4% compared to 9.2%). The association between arrest by region of the country and the sex of the arrestee was not significant ( $\lambda = .017$ ;  $p \square .05$ ).

Three possible categories of arrest exist: (1) on-view arrest without a warrant, (2) taken into custody based on either a warrant and/or previous incident report, and (3) summoned/cited, not taken into custody. The first two categories, on-view arrests and taken into custody, result in the person being taken directly into police custody while those in the last category receive either a citation or a summons to appear in court. For males, 67.3% ( $N = 930$ ) received an on-view arrest and 3.2% ( $N = 44$ ) received a "taken into custody" arrest. For females 75.8 ( $N = 2,026$ ) received an on-view arrest and 10.4% ( $N = 278$ ) received a "taken into custody" arrest. Thus, 70.5% of males compared to 86.2% of females were taken into custody. Males were less likely to end up in custody after the arrest; only 13.8% of females as compared to 29.5% of males

were not taken into custody. To assess the associations between the type of arrest and sex, those who were taken into custody (taken into custody and on-view arrest) were collapsed into one category. The association was significant, yet the strength was weak ( $\lambda = .214$ ;  $p < .001$ ).

### Older Male Prostitutes (N = 384)

The initial assessment showed males, on average, were older than females. Additionally a larger percentage of males as compared to females were over the age of 40. Twenty-seven percent of the men were at least 44 years old compared to only 11% of women.

TABLE III. COMPARISON OF OLDER PROSTITUTES				
	Males		Females	
Ages	Frequency	Percent	Frequency	Percent
44-48	143	10.0	209	7.8
49-53	104	8.0	59	2.2
54-58	51	3.6	18	.67
59-63	39	2.8	4	.14
64-68	26	1.8	1	.03
69-73	12	.8	0	0.0
74+	9	.7	1	.03
Total	384	27.7	292	10.9

Seventy-three percent of the older male prostitutes are Caucasian. Eighteen percent are African American, and 7% are Hispanic (missing = <1%). Approximately one-third (31%) were arrested in an area in which they did not live and another one-third (37%) were arrested in their own jurisdiction (missing = 33%); thus older males appear to be more comfortable traveling outside of their own jurisdiction. Additionally, the majority (66%) were arrested alone. Twenty-seven percent were arrested in conjunction with at least one other person (missing = 8%). Older males, therefore, travel outside of their neighborhood and are likely to work alone. Only 8% were arrested for a drug offense in addition to the prostitution offense (missing = 0).

### Hispanic Male Prostitutes (N = 279)

The initial assessment also showed a higher portion of males (20%) was Hispanic as compared to females (5%). The 279 Hispanic males range in age from 14 to 64 with an average age of 29. Approximately half are between the ages of 14 to 27. Only 12% were arrested in an area in which they did not live compared to 50% who were arrested in their neighborhood jurisdiction (missing = 38%). Approximately half (47%) were arrested alone, and 40% were arrested in conjunction with another person (missing = 13%). Only 7% were arrested for a drug offense in addition to the prostitution offense (missing = 0).



## DISCUSSION AND CONCLUSION

Data gathered from NIBRS indicates males make up 34% of all arrests for prostitution. While this data does not include arrest data from all states, it does include data from 21 states and includes a cross-national sample. The results from this study are comparable to the data collected by the FBI, which found males make up 36% of arrests in 2003. Information gathered from males who prostitute indicates men are significantly less likely than women to be arrested for prostitution (Weinberg et al., 1999); thus, the number of male prostitutes in this data set are likely to be an underestimate.

The results, therefore, are not a measurement of prostitution itself, but rather prostitution in light of various law enforcement practices, which are likely immersed in both political and legal practicalities. As noted by Browne and Minichiello (1996, pp. 45-46), "In no other area of human sexual expression are the issues of freedom of expression, diversity, experimentation, fidelity, control power, and authoritarianism more complexly related than within the sex work industry." Prostitution poses a threat to society by potentially affecting the "nuclear family" (Browne & Minichiello, 1996). It is further aggravated when focusing on homosexual males in such an industry. Additionally, law enforcement practices are likely to vary among regions, depending on degree of conservatism, tolerance, and level of visibility. Scott, et al. (2005) note in the 1990s the attitude toward male sex work experienced a shift toward more tolerant views. This shift would likely affect police response to such behavior as well.

While prior research has relied on visible and localized samples, this research accesses male prostitution from an additional source, law enforcement contact. It will not produce findings generalizable to all male prostitutes, but it does broaden the scope of existing knowledge with findings not encountered in previous research. Unfortunately, gaining a representative sample of this population is difficult, as the true population is unknown (Shaver, 2005).

Baseline trends will allow law enforcement to tailor both arrest and treatment options to this population. For example, it appears males have more longevity in prostituting; 35% of males were over the age of 40 as compared to 21% of females. Additionally, males were on average three years older than their female counterparts. From a sociological point of view this fits into gender role expectations, which are different for males and females—women are considered less viable, less attractive, and less desirable as they age (Perlini, 1999). The average age of this group of arrestees is slightly older than what is reported in prior literature (i.e., Calhoun & Weaver, 1996; Parsons et al., 2001; Weinberg et al., 1999); however prior literature focused on much smaller localized samples. Other researchers (Morse, Simon, & Burchfiel, 1999) have noted that while most of the studies include male prostitutes between the ages of 18-40, some are in their 50s and 60s.

A closer examination of the oldest 25% ( $N = 384$ ) showed they were slightly more likely to be Caucasian and slightly more likely (than all of the male prostitutes) to be in their resident jurisdiction when arrested and arrested alone. Perhaps this salient category of male prostitutes has not been fully examined in previous research, which would suggest they are not street hustlers or advertising in public places (i.e., newspapers and/or Internet). Differences in age, race, and location may necessitate differing strategies for prevention. Traditional outreach programs for prostitutes tend to focus on younger women, especially runaways. Programs catering to older male prostitutes are rare. Current data indicates community strategies for older male prostitutes would serve a large proportion of the male prostitute population.



Significant differences were found in regard to the race of males and females arrested for prostitution. While approximately half of the males and females were Caucasian, fewer males were African American (26%) as compared to females (48%). Furthermore, only 5% of the females were Hispanic as compared to 20.2% of the males. A closer examination of the Hispanic males reveals they were more likely (than the population of male prostitutes) to be arrested in their own neighborhood jurisdiction but less likely to be arrested alone. Forty percent of the Hispanic males were arrested in conjunction with another person; thus, they are more likely to work with partners and in their own neighborhoods. Strategies for detection and prevention need to reflect the actual patterns of male prostitution. Police response will differ based on type of prostitution; those working in groups will be targeted differently than those working alone. Further exploration into the basic age, race, and sex differences will allow targeted prevention, detection, and intervention programs to become available.

Prior literature has found approximately half of male prostitutes are Caucasian while the other half is African American (Boles & Elifson, 1994; Morse et al., 1992); however, ethnicity (i.e., Hispanic) may not have been assessed in prior research. Regardless, prior literature portrays male prostitutes as racially diverse, and this research supported that finding. The interaction between sex and race warrants further inquiry. Race may have an overriding effect on the sex of the individual. Prior research examining race, specifically Hispanics, and gender interaction found an interaction does exist in employment status (Zuiker, Katras, Montalto, & Olson, 2003). The research, however, focused on those earning legitimate incomes rather than illegitimate incomes (i.e., prostitution).

Patterns of male and female prostitution significantly differed; males appear to be more likely to work alone. According to prior literature, males are less likely than females to work through a third party, such as a pimp (Weisberg, 1985). Additionally, men tend to be comfortable in a broader work area in that males are more likely than females to be arrested in areas where they do not reside. Females, therefore, may feel more comfortable staying close to areas they are familiar with; additionally, they may choose to work with another female or group of females for safety. Historically females have consistently been more fearful of victimization than males (see Warr, 1984, 2000).

The law enforcement response to male prostitution is different than the response to female prostitution. Males were less likely than females to be taken into custody at the time of the arrest. Thus, male prostitution may be perceived as less serious than female prostitution. It should also be noted that the true scope of male prostitution is unknown. Arrest data are not only a measure of actual criminal incidents, but rather a measure of both the incident and the current attitude towards that particular crime. Law enforcement strategies are often fueled by a broad range of political, economic, and social factors.

The findings here support that the police response to all prostitutes, not just male prostitutes, should include referrals to other social service agencies such as drug rehabilitation treatment centers, education training centers, and/or job skill training centers. As noted earlier, prostitution poses a multitude of problems; typically this population is marginalized on several fronts. Clear knowledge of the basic demographics of this population will allow agencies to develop targeted strategies for prevention and detection.

The impact of providing services to males, however, may be even more substantial than for females. It has been found that males were more likely than females to rely on sources of

income other than prostitution (Weinberg, 1999); males; therefore, may be more successful in rehabilitating (i.e., adapting skills to more legitimate forms of employment). Based on the findings of this research, males have the potential to remain in prostitution as they age, whereas the females' lifespans for such ways of earning money often diminish as they age. Additionally, prostitution is becoming a problem earlier in life, as arrest data show a substantial number of prostitution arrests are occurring at younger ages. Although early intervention would certainly be beneficial, programs also need to address the duration of male prostitution throughout the lifecourse.

Additional research would be needed to assess which groups of prostitutes benefit from what type of response. This research and prior research has shown there is a wide variety of people who engage in prostitution and have different needs. Future research efforts can track the benefits and/or additional hardships placed on prostitutes when they are arrested. Police officers also have a wide range of discretion, and many times prostitution may be thought of as nothing more than a public nuisance; additional research should assess current officers' decision-making process in their response to prostitution by race and gender.

This research indicates males and females differ in their demographics and behaviors; additional research is needed to provide a comprehensive approach to this topic. Currently, research is lacking that fully examines sexual preferences (homosexual, bisexual, heterosexual) and how that relates to prostitution. Additional information is needed about the customers of male prostitutes and the dynamics involved in choosing to prostitute. Additionally, it appears that prostitution is a viable option only for certain groups of people at certain times in their life, and gender role expectation plays a substantial role in explaining the dynamic involved in whether someone becomes involved in prostitution.

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## **Command Staff Leadership Training and Job Commitment in the LAPD**

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### *ABSTRACT*

*The Los Angeles Police Department's West Point Leadership Program (WPLP) was established in 1996. It is one of very few programs in the country directed at improving leadership among current command staff within police organizations. The purpose of this project was to examine the relationship between officers' job commitment and the effectiveness of the WPLP in terms of police culture. Results showed quite similar attitudes and experiences of officers who participated in the WPLP. In general, no significant difference was found between job commitment and program effectiveness among the participants.*

**Key Words:** police leadership, job commitment, Los Angeles Police Department

### **INTRODUCTION**

Since the creation of the Berkley Police School in 1908, the debate has been raging about whether higher educational standards should be required for law enforcement officers (Schafer & Castellano, 2005). Nevertheless, the vast majority of law enforcement agencies in the United States require no more than a high-school education or equivalent in order to become a sworn officer. The decision not to increase educational requirements has not come without costs, and

many agencies are attempting to overcome the deficiencies of incoming recruits through comprehensive in-service training.

In-service training has historically dealt with a variety of limitations (Jang, 2005). First, training programs to improve job performance are often viewed by many in law enforcement as superfluous and ineffective, especially if that training is not provided in a traditional format. Second, in-service training often focuses on the more “exciting” topics for officers such as firearms, defensive tactics, use of force, and emergency vehicle driving while excluding other areas of need in law enforcement, including supervision and leadership. In his evaluation of in-service training within the State of California, Jang (2005) found that only 17% of officers desired training that related to supervisory and leadership roles. This level of preference for academic topics was reflected throughout Jang’s (2005) research and is symptomatic of the need for better in-service leadership training. Third, a number of in-service training programs suffer from the inclusion of participants who lack police-related work experience and job commitment.

While job and organizational commitment have been reviewed, defined, and measured in various fashions (Morrow, 1983; Porter, Steers, Mowday, & Boulian, 1974; Reichers, 1985), only a handful of studies have applied this literature to the study of law enforcement, and even fewer to the area of in-service training. For example, Koslowsky (1990) compared job and organizational commitment between line officers and staff and found line officers to hold higher levels of job commitment. Koslowsky did not, however, investigate any differences for line officers and command staff.

It is also important that job commitment be examined in the context of the traditional police culture. Police culture has been well documented but is loosely defined in the literature (Chan, 1996). Terrill, Paoline, and Manning (2003) outlined several key arguments from prior literature that included the following: an “us versus them” attitude; conflicts between line and command officers; a disdain for procedure; and favorable attitudes toward the masculine trait of aggressiveness in all aspects of their duties. Considered in terms of attitudes toward the WPLP, a lack of variation within and across groups would support the existence of a similar “culture” among command staff.

All organizations develop a culture specific to the people who work within them (Schneider, 1987). Police organizations do not stray from this finding as recruits are acclimatized during academy training. One recent study has determined that there are polarizations in the police culture. Paoline and Terrill (2005) found what they termed cultural fragmentation among patrol officers. They argued officers were classified as either pro-culture, mid-culture, or con-culture. Pro-culture officers adhered to the traditional police culture that embraced masculinity and an “us vs. them” attitude. Con-culture officers resisted those cultural attitudes, and mid-culture patrol officers were somewhere in the middle. While Paoline and Terrill (2005) found this mix of attitudes among patrol officers, we hypothesized that such variation would not be found among command staff due to a number of factors associated with job tenure. Therefore, the purpose of this project was to assess attitudes and commitment levels among upper-level command officers. We hypothesized that little to no variation would be found in the attitudes and commitment levels among higher ranking officers who have been on the job longer than ten years.



## **THE LOS ANGELES POLICE DEPARTMENT'S WEST POINT LEADERSHIP PROGRAM**

The current curriculum at the Los Angeles Police Department's (LAPD) West Point Leadership Program (WPLP) was modeled after the United States Military Academy (USMA) at West Point, which was developed shortly after the Vietnam War. The military realized that their leaders had fallen short of expectations. To address this issue, they developed the Department of Behavioral Sciences and Leadership by combining techniques from educational institutions around the world.

In the 1990s, the LAPD had fallen short of community expectations and turned to the current experts in leadership at the USMA at West Point. In 1992, former LAPD Assistant Chief Jessie Brewer identified the need to improve leadership training and contacted the USMA at West Point for its support (LAPD, 2002). In 1994, the LAPD sent Deputy Chief Rick Dinse, Commanders John Moran and George Gascon, Lieutenant Kathleen Sheehan, and Sergeant Stanley Lemelle to participate in a faculty development workshop on leadership at the USMA at West Point (LAPD, 2002). They adapted the 40-hour program at West Point and expanded it to 136 hours, adding a variety of materials that were more applicable to the law enforcement community. The first class was taught in 1996 and has since been offered an average of three times each year. The program has graduated 304 students representing law enforcement agencies across the west coast and is accredited through California State University Los Angeles for undergraduate and graduate credits.

The conceptual foundation for leadership adopted by the program is "the process of influencing human behavior so as to accomplish goals." Influencing human behavior is calculated through a leader's ability to meet the needs of individuals within his or her command, and goals are defined as those of the organization. The WPLP focuses on improving individual ability to maintain a balance between the needs of subordinates and the demands of superiors at all levels of the command. They define the program as using a decision-making model based on the scientific method. The WPLP refers to this process as Intellectual Procedure. Intellectual Procedure helps focus command staff attention in situations where personal attributes and goals such as motivation, performance, and satisfaction are in direct conflict with the goals of the organization. Intellectual Procedure can also be used to proactively reduce the likelihood that these conflicts will occur.

It is important to place the WPLP in context with other leadership programs currently being offered in the United States. Two such programs are Harvard's National Preparedness Leadership Initiative (NPLI), and the National Highway Safety Transportation Administration and the National Sheriff's Association (NHTSA/NSA) officer leadership program. While both of these programs have been praised for their effectiveness, their goals are much narrower than the WPLP. The NPLI is designed to prepare officials to "respond to situations beyond the scope of their immediate experience, cope with high levels of uncertainty and stress, reach coherent decisions under pressure, and coordinate, define and guide the actions of a wide range of people and organizations" (Harvard, 2006). The NHTSA/NSA officer leadership program focuses on developing officers' skills through the creation of training materials and traffic safety initiatives (NHTSA, 2002). The WPLP is unique in its approach to teaching leadership techniques that are designed for use on an everyday basis, whether in traffic safety, threat of terrorism, or any number of daily situations.



## METHODOLOGY

The purpose of this study was to evaluate the relationship between job commitment and self-reported effectiveness in light of police culture among command staff. There was an abundance of literature on job commitment (Abbott, White, & Charles, 2005; Koslowsky, 1990; Lambert, Hogan, Jenkins, & Wambold, 2006) that suggested that individuals who had higher levels of job commitment were more likely to buy into that agency's goal(s). For the current study, officers who worked for the LAPD (as opposed to other agencies), worked longer in law enforcement, and/or held a higher rank were hypothesized to be more likely to have a vested interest in the WPLP and would be more likely to implement its strategies in their daily duties.

The focus of this research was on job commitment so as to avoid conceptual overlap with the psychological literature on organizational commitment, in which it is well defined and routinely measured using standard instrumentation. Job commitment can be considered an "employee job attitude" (Jones, Jones, & Prenzler, 2005) and also includes loyalty to the department itself, job involvement, and investment. Participation in the LAPD's WPLP can be viewed as an example of job involvement and investment. Since participation is voluntary, officers who choose to participate are investing time into the program, and thus investing in their respective organizations.

Numerous factors have been found to be associated with job commitment, one of which is length of employment (Mathieu & Fajack, 1990; Morris, Shinn & DuMont, 1999; and Wright & Bonnett, 2002). Longer job tenure has a positive influence on one's commitment to the organization. In police organizations, rank is highly correlated with job tenure. One must put in his or her time before being promoted to a command staff position. Research has also found rank to be associated with lower job comparison (Morris, et al., 1999). Higher rank in command staff results in policing being preferred over other occupations, which can be linked to organizational commitment and longer job tenure.

Questionnaires were distributed via email to a systematic random sample (N=100) of all graduates at least six months removed from the WPLP program for which email addresses were obtained (N=304). A response rate of 52% was achieved, which is not considered poor for management within a law enforcement organization for a voluntary survey. Nonresponse fell into two distinct categories: non-contacts and refusals. Refusals included the unwillingness of command staff to complete surveys (as noted by personal comments), an admitted lack of familiarity with the medium, and limited refusal conversion attempts due to time constraints. In regard to the issue of nonresponse bias, due to the fact that the only information available to us regarding nonrespondents was rank and agency, it was deemed impractical to try to ascertain the presence of such bias.

This analysis assessed the impact of years employed and rank as well as other key demographic variables on reasons for attending the WPLP, participants' experiences in the WPLP, and treatment of their subordinates as a result of the WPLP. As described below in more detail, several questions were included culminating in three indices to evaluate each of these areas. Several hypotheses were tested, including those related to police culture theories. These theories argue that officers with many years of exposure to the police acclimatization process would have similar attitudes and expectations. Research has shown the police to be prone to polarization on leadership issues (Goldstein, 1990). Considering the assessment of opinions of relatively high-ranking command staff officers, such polarization was expected here.

In order to more rigorously test this theory, an assessment of intricate attitudinal differences within command staff was completed. High-ranking officers with several years of experience were expected to be acclimated to the police culture and thus maintain similar attitudes toward the program. However, if variation within this command staff was observed, then a re-evaluation of the police culture theory would be advised, and factors that either facilitated or hindered the induction process could be assessed. Level of acclimatization includes the argument that indoctrination should be correlated with rank and years served (Paoline & Terrill, 2005). This analysis assessed the level of variation for command staff.

### **Independent Variables**

The impact of several variables was analyzed including sex, age, years employed in law enforcement, years employed in their respective organization, and agency affiliation. Respondents' sex was treated as a categorical variable (1=male; 2=female). The average age (43.82 years) of respondents was higher than that found in law enforcement in general, which was expected due to the rank of the study population. The age of respondents ranged from a minimum 34 years to a maximum of 55 years. Open-ended questions were used to assess years of employment within law enforcement in general and within their organization in particular. Therefore, these variables were treated as continuous. Respondents were employed with their current agencies an average of 19.9 years and within the field of law enforcement an average of 20.3 years. Age was a continuous variable even though very little variation was expected.

Agency affiliation was gathered from each respondent. Appropriately, it was treated as a nominal level variable comparing the Los Angeles Police Department with larger agencies and other smaller agencies. Rank was obtained using an open-ended question and treated as an ordinal-level variable with two categories: captain or higher, and lieutenant or lower. Morris, Shinn, and Dumont (1999) found that officers who held a higher rank or had longer job tenure were more likely to hold a stronger commitment to the department and the profession, and similar results were expected here.

### **Dependent Variables**

Questions assessing three areas (or indicators) were used to assess attitudes toward the WPLP and its outcomes. In general, we argue that attitudes toward this program reflect differing levels of job commitment. Respondents were asked questions regarding three specific areas: 1) reasons for participating in the WPLP; 2) experience in the WPLP; and 3) treatment of subordinates due to the WPLP. For each area or indicator of job commitment, an index was created. Responses for each question were coded in such a way that the greater the index score, the more likely the respondents agreed with the statements.

The first index [Reason Index] assessed commitment by measuring levels of support for several "reasons for participating in the WPLP" items. More specifically, respondents were prompted to rate several "reasons" why someone might choose to participate in the WPLP using a Likert-style scale (not at all = 1 to very much = 7). Responses for each of the statements were coded in such a way that higher scores related to greater commitment and support of the WPLP and lower scores related to lesser commitment and support of the WPLP. In a principal component analysis, only the first component had an Eigen value greater than 3 (3.545), and it accounted for over 44% of the variance. Therefore, the eight-question composite index provides a parsimonious one-factor measure of commitment. Scores for this index had a possible

range of 14 to 50. Overall, the mean score for this index was 24.43. The questions included in the index included:

- 1) To learn new skills
- 2) To enhance my understanding of leadership
- 3) Provide an opportunity to improve the way I do my job
- 4) Gain personal recognition and respect from my fellow officers
- 5) Support my agency's mission/goals
- 6) Increase in compensation
- 7) To become a more effective leader
- 8) Advancement within my organization

The second index [Experience Index] included several questions assessing commitment by gauging the respondent's experience in the program. Respondents were asked to reply to statements regarding their experience in the program using a Likert-style scale (strongly disagree = 1 to strongly agree = 7). Again, higher scores equated to a greater level of commitment and lower scores related to a lower level of commitment. Similar to the first index, using a principal component analysis, only the first component had an Eigen value greater than 1 (7.202), and it accounted for over 80% of the variance. Moreover, correlations across questions ranged from .650 to .936, which reveals similar response patterns across questions by respondents. Therefore, the eight-question composite index provides a parsimonious one-factor measure of commitment. Scores for this index had a range of 9 to 63. The mean score for the sample was 47.98. The questions for this index included:

- 1) The material presented in the WPLP has practical application to my job.
- 2) The techniques taught in the WPLP are useful in my position.
- 3) Since completing the WPLP, I am better able to attain the goals of my agency while meeting the needs of my subordinates.
- 4) The program helped me to enhance my problem-solving skills.
- 5) I am able to apply the strategies presented in the WPLP to leadership situations daily.
- 6) I am able to translate the theories presented into effective leadership behaviors that suit my rank and assignments.
- 7) Since completing the program, I am better able to manage inter-group conflict.
- 8) The program better enabled me to develop clear objectives and set goals.
- 9) Since completing the program, I am better able to help subordinates internalize the values of my organization.

Finally, a third index [Subordinate Index] included three yes/no questions regarding the effect of the program on the management of subordinates. Scores ranged from 3 to 6 with higher scores reflecting a more positive belief that the WPLP improved respondents' abilities to manage subordinates. Finally, the third index also revealed a parsimonious one-factor measure of commitment, with a principal component analysis revealing only the first component having an Eigen value greater than 1 (2.337), which accounted for over 77% of the variance. Furthermore, correlations across questions ranged from .634 to .734. The mean score for this sample was 3.32. The questions for this index included:

- 1) Has the WPLP helped you develop effective ways of motivating your subordinates?
- 2) Has the program enabled you to enhance your subordinate's job satisfaction?
- 3) Has the WPLP helped you enhance subordinate job performance?

In conclusion, this paper uses three indicators (including reasons for participating, experience, and treatment of subordinates) to assess commitment levels across our independent variables. Although data availability and statistical reliability are necessary in choosing an appropriate dependent variable, these factors were not sufficient. The items chosen must also fit the larger research question. In this case, we attempted to assess commitment levels by measuring the respondents' attitudes toward a program and the effect of that program. Although these questions could be interpreted in different ways, the questions assessed different aspects of respondents' experiences, including reasons for attending, experience in the program, and how the program impacted their treatment of subordinates.

## RESULTS

Supportive of the culture hypothesis, overall results revealed very little difference in commitment levels among the upper level command staff respondents. Table 1 provides Pearson correlation coefficients assessing the relationship between the independent variables and the outcome variable.

Table 1 reveals no statistical significant association between sex or age of respondents for each of the three indices. That is, within the command staff, respondents were similar in their commitment to three aspects of the WPLP regardless of age and sex, including reasons for attending, experience in the program, and how they consequently treated subordinates.

### TABLE 1. PEARSON CORRELATION COEFFICIENTS

	Reason Index	Experience Index	Subordinate Index	Sex	Age	Years w/ Agency	Years in Law Enforcement	Rank	Agency
Reason Index	1								
Experience Index	-.122	1							
Subordinate Index	.277	-.111	1						
Sex	-.096	.067	.111	1					
Age	.222	.145	-.030	-.249	1				
Years w/Agency	.168	.105	-.103	-.241	.808**	1			
Years in Law Enforcement	.183	.058	-.137	-.291*	.782**	.969**	1		
Rank	-.151	.025	-.026	.016	.144	.119	.107	1	
Agency	-.001	.018	.364**	-.039	.021	-.197	-.231	-.278	1

Note: p < .05\*; p < .01\*\* (2-tailed)

There was also an absence of significant relationship between years in agency, years in law enforcement, and rank on each of the three commitment indices. Therefore, experience and rank did not affect reasons for attending, experience in the program, or how respondents subsequently treated subordinates. That is, years in agency, years in law enforcement in general, and rank were not correlated with reasons for attending the WPLP, experience in the WPLP, and how respondents consequently treated subordinates. There was, however, a relationship between agency and the subordinate index. Officers associated with the LAPD were more likely to agree that the program improved their ability to deal with subordinates ( $r = .364$ ,  $p < .01$ ). Agency, however, was not correlated with the reason or experience indices.

Although very little variation was found with the correlation statistic, some relationships were notable. Men appeared to be statistically more likely to have a greater number of years in law enforcement in general ( $r = -.291$ ,  $p < .05$ ). Age was also associated with years in law enforcement ( $r = .782$ ,  $p < .01$ ) and with officer's current agency ( $r = .808$ ,  $p < .01$ ) but not with age, sex, rank, or agency.

Table 2 provides index mean statistics by each of the independent variables. To account for non-linear relationships, continuous variables (age, year in current agency, and year in law enforcement in general) were collapsed into ordinal categories. Age was treated as an ordinal categorical variable comparing the following categories: 30-39 (1), 40-49 (2), and 50-59 (3). Similarly, years in current agency and years in law enforcement in general were also treated as ordinal categorical variables comparing the following categories: 0-14 (1), 15-19 (2), 20-24 (3), and 25-31 (4). The remaining variables were categorical and were unchanged.

**TABLE 2: INDEX MEAN SCORES BY INDEPENDENT VARIABLES**

	Indices		
	Reason	Experience	Subordinate
<b>Sex</b>			
Male	24.74	47.35	3.28
Female	23.36	49.50	3.50
<b>Age</b>			
30-39	25.10	43.56	3.33
40-49	23.27	49.29	3.42
50-59	27.75	46.78	3.00
<b>Years with Agency</b>			
0-14	27.17	47.20	3.60
15-19	22.72*	46.28	3.33
20-24	22.26*	48.06	3.25
25-31	30.50*	50.30	3.30
<b>Years in Law Enforcement</b>			
0-14	27.17	47.20	3.60
15-19	22.38*	48.63	3.38
20-24	22.61*	47.11	3.22
25-31	30.50*	50.30	3.30
<b>Rank</b>			
Upper	24.88	47.42	3.33
Lower	22.85	48.14	3.29
Agency			
LAPD	24.44	47.60	3.12
Other	24.40	48.13	3.75
* $p < .05$ , categories of 15-19 and 20-24 are significantly lower than the 25-31 category using ANOVA.			

Table 2 reveals little variation in mean scores across all three indices for males and females. For instance, although male respondents maintained a higher mean score (mean = 24.76) on the reason index than their female counterparts (mean = 23.36), the score never reached statistical significance. A non-significant difference between male and female respondents is also found for the remaining two indices, although in these two cases the female respondents maintained higher mean scores. Similarly, little variation among the three age groups was observed. Respondents in the 30-39 age group maintained mean scores statistically similar to their 40-49 and 50-59 age group counterparts. Therefore, sex and age did not impact the manner that respondents described their reasons for participating, experience in the WPLP, and how they consequently treated their subordinates.

Looking at years in law enforcement in general, mean scores revealed that individuals with 0-14 years in law enforcement tended to have higher mean scores on the reason index. How-

ever, that difference did not reach statistical significance. Interestingly, individuals with 15-19 years (mean = 22.38) and 20-24 (mean = 22.26) years of law enforcement experience tended to have lower mean scores on the reason index than individuals with 25-31 years of experience (mean = 30.50), and this did reach statistical significance. It should be noted that no difference across the age groups was observed on the experience index and subordinate index.

Assessing years in officers' particular agencies revealed the same pattern across the three indices. Individuals with 25-31 years of experience (mean = 30.50) were more likely to score high on the reason index than were 15-19 (mean = 22.38) and 20-24 (mean = 22.61) year respondents. Rank, however, did not impact responses on the three indices. Although higher ranking officers maintained higher mean scores on the reason index and the subordinate index, the difference does not reach statistical significance. Therefore, although there was no impact of rank, it appeared that respondents with very few and very many years of experience were more likely to show commitment in the reason index. However, that distinction in the level of commitment did not hold for the remaining two indices.

## CONCLUSION

The analysis of job commitment and WPLP experience produced no significant relationships for any of the three indices. These results fail to provide support for the hypothesis that job commitment would vary within the upper level command staff. One interpretation of this finding is that command staff within law enforcement organizations may share a common culture. This culture would theoretically stand in opposition to the culture held by line officers in that command staff would uniformly support rules and regulations, agency guidelines, political correctness, and in-service training. It may also help explain why Terrill, Paoline, and Manning (2003) found that conflict between line officers and command staff was a defining feature of the police culture. In addition, if Paoline and Terrill's (2005) cultural fragmentation among patrol officers remained constant throughout the police organization, then more variation should have been present in the current study. While at times there is a desire to seek a more complex solution, Occam's razor may apply in this analysis. The simplest solution is that officers of similar experience and rank made similar observations regarding the WPLP training. Clearly the current analysis raises more questions than it answers, but it does provide new avenues for future research into in-service leadership training, job commitment, and police culture.

Our findings could also be interpreted in other ways. Concerning the limitations of our questionnaire and how it was distributed and consequently collected, our results could be interpreted as an artifact of this process. Considering this questionnaire was collected by the chief's office, respondents may have been unwilling to vary from socially accepted responses, especially among command officers who are upwardly mobile within their respective organizations. This possible pattern can be seen from the consensus on many of the questions regarding the positive impact of the WPLP. Respondents may have felt the need to express great support and commitment to the WPLP specifically, and law enforcement training in general.

Regardless, the findings show enough variation across questions that lead us to believe that the findings we reported are valid and revealed a great deal of social significance. Respondents were highly acculturated into this organization through experience and rank and maintained a great deal of consistency across indices. Therefore, regardless of direction of support, these

upper-level command staff officers answered in similar fashions. Such a finding could provide a great deal of insight into a culture that advocates unity among members and commitment to the goals of the agency.



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## From Wildlife Specialist to Police Generalist? The Scope of Nonwildlife Violations Encountered by Conservation Officers

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### ABSTRACT

*Conservation officers are the primary enforcers of society's fish and wildlife laws. Historically, the bulk of their time was devoted to wildlife law enforcement. However, it has been suggested that the scope of their duties has broadened in recent years to include the enforcement of a variety of other laws as well. This study took a qualitative approach to data collection, and sought to empirically examine and describe the types of nonwildlife violations encountered by Kentucky conservation officers in the performance of their duties. Common nonwildlife violations included a variety of drug and alcohol offenses, stolen firearms and recreational vehicles, and subjects with outstanding warrants. While conservation officers did enforce other laws, the enforcement of wildlife regulations remained their primary responsibility.*

**Key Words:** conservation officers, crime, policing, rural crime, wildlife law enforcement

### INTRODUCTION

As with rural crime and policing in general, the topics of conservation law enforcement and poaching have been largely neglected by criminal justice researchers (Bristow, 1982; Falcone, 2004; Forsyth, 1994; Muth & Bowe, 1998; Walsh & Donovan, 1984; Warchol, Zupan, & Clack, 2003). This is most unfortunate, given that the theft of natural resources is a tremendous problem worldwide. A significant amount of fish and wildlife resources are lost each year both nationally and internationally to illegal poaching activities (Musgrave, Parker, & Wolok, 1993; Tobias, 1998; Warchol, 2004; Warchol et al., 2003).

Poaching offenses exist on a continuum ranging from relatively minor offenses to serious, flagrant violations. Each state is responsible for setting its own wildlife laws (Musgrave et al., 1993). As a result, there are some variations among offenses in terms of how serious they are regarded. But in general, minor offenses may involve fishing or hunting without a license or

taking a fish or two over the limit. On the serious end, it can also involve shooting deer out of season or at night with the aid of a light, which temporarily blinds the deer and results in an easy kill for the poacher. This unethical and illegal activity is called spotlighting or “freeze-killing” (Green, 2002). Legal hunting may only take place during daylight hours. Some individuals poach animals for a profit, and are known as market hunters or commercial poachers. Describing market hunters, Brymer (1991, p. 179) stated “These groups operate strictly for profit and are often international in scope. Their purpose is to kill large numbers of commercially valuable game animals and to sell them on the black market.”

## **THE JOB OF CONSERVATION OFFICER**

Conservation officers (COs) are the law enforcement agents with specific responsibility for enforcing our nation’s fish and wildlife laws (Calkins, 1970; Morse, 1973; Palmer & Bryant, 1985; Tobias, 1998). They patrol fields, forests, and waterways that include public and private property and attempt to identify and apprehend “camouflage-collar criminals” (Bryant, 1979), or those who commit poaching violations while fishing or hunting.

In their study of Virginia game wardens, Palmer and Bryant (1985, p. 127) described the importance of catching poachers: “Game wardens have their own idea of real police work which, in an indexical fashion, is just as meaningful and important to their collective image as apprehending a bank robber is to the city cop. The wardens’ real cop work, their “big bust” or “good pinch,” involves apprehending spotlighters, habitual violators or “market poachers.” To the wardens, these types make up the “real criminals of the woodlands.” In some states, COs have full authority to enforce all laws, while in other states, their authority is restricted and “they are classified as law enforcement specialists, despite their titular status as state officers” (Falcone, 2004, p. 57).

### **History and Background of Conservation Officers**

The job of CO has a long history. The forerunner of the modern day game warden or CO was called a “gamekeeper” in Europe (Palmer & Bryant, 1985). Gamekeepers were appointed by the kings to protect their hunting preserves from poachers. Hunting was a privilege reserved for the nobility, who controlled the forests and animals. Gamekeepers were often former poachers themselves, as the nobility wanted to employ individuals who were familiar with the dynamics and vagaries of poaching behavior (Kirby, 1933; Munsche, 1981).

The first game warden in the U.S. was appointed in 1739 in the Massachusetts colony, and was called a game protector (Sherblom, Keranen, & Withers, 2002). Falcone (2004) noted that the first salaried game warden position at the state level was in Michigan in 1887. As with their earlier gamekeeper counterparts, evidence suggests that many contemporary COs are also former poachers (Carter, 2006; Sherblom et al., 2002). COs generally possess a thorough understanding of outdoor recreation activities since they most likely participated in hunting and fishing activities while growing up (Lawson, 2003; Lawson, 2002). In terms of background characteristics, COs tend to be white males who come from rural areas (Palmer & Bryant, 1985; Sherblom et al., 2002). In the game warden agency they studied, Sherblom et al. (2002) pointed out that the trend is toward generating a diversified workforce. This means the agency will be hiring more female and minority COs in the future.

Similar to traditional police work, COs have a dangerous and even deadly job. They generally work alone, and patrol remote, isolated rural areas where backup assistance from other officers is virtually nonexistent (Walsh & Donovan, 1984). They routinely interact with armed recreationists, some of whom are under the influence of alcohol or illegal drugs. COs occasionally get assaulted while on the job (Carter, 2004; Forsyth, 1993; Grosz, 1999), and have even been killed in some instances (Baird, 1983; Long, 1985).

### **Changing Nature of Conservation Officer Job**

Some scholars have noted that the occupational duties of COs have broadened in recent decades (Benoit, 1973; Falcone, 2004; Morse, 1973; Sherblom et al., 2002). It has been suggested that conservation law enforcement agencies are in a process of transition, which has resulted in COs shifting from specialized law enforcement officers dealing mostly with the enforcement of wildlife regulations to more traditional, generalist law enforcement officers who must not only deal with wildlife offenses but now find themselves responsible for enforcing a plethora of other laws as well (Falcone, 2004; Sherblom et al., 2002). Describing the historic primacy of the wildlife law enforcement role of COs, Falcone (2004, p. 63) stated "...originally the mission of conservation police was the enforcement of the wildlife code—not the general service-oriented functions associated with such agencies as the sheriff or even the municipal police."

Social change as well as changes in the mission of natural resource agencies have necessitated that these specialist law enforcement officers assume more traditional law enforcement responsibilities. These other responsibilities include but are not limited to the enforcement of recreational vehicle and snowmobile laws, drug and alcohol laws, assisting other police agencies, and the apprehension of criminal suspects and escaped convicts (Falcone, 2004; Morse, 1973; Sherblom et al., 2002). In addition, evidence suggests that crime is abundant in recreational areas, and that it is on the rise (Pendleton, 2000; Pendleton, 1998; Pendleton, 1996).

Chavez and Tynon (2000) noted that many types of what may be called "urban" crime are occurring on National Forest land in the western U.S. The burgeoning responsibilities of conservation police, Falcone (2004, pp. 61-62) stated, have cast "the conservation police into a more police-like role. . . As a result, conservation police agencies have evolved to become full-service policing agencies. . . the image of the conservation police officer as a limited function game warden is quickly waning." Given assertions such as these, there is a need to establish the extent to which the job of CO is changing from wildlife specialist to traditional police officer.

The purpose of this descriptive and exploratory study is to enhance and extend our understanding of the job of CO. More specifically, it seeks to examine and empirically document the types of nonwildlife crime that COs encounter during the performance of their duties. As previously mentioned, some have suggested that the role of CO is changing from that of specialist in wildlife laws to that of a generalist law enforcement officer (Falcone, 2004). Knowledge of the specific offenses COs must now deal with contributes to a better understanding of policing in general and conservation law enforcement in particular.

## **METHODOLOGY**

This study took a qualitative approach to data collection and was part of a larger project on conservation law enforcement. In the initial phase a mail survey was sent to all current COs (n = 146) in Kentucky in April 2001 (Dillman, 1978). A list of names and addresses was

obtained from the Kentucky Department of Fish and Wildlife Resources. The survey contained a series of open-ended questions designed to elicit attitudes of COs toward certain aspects of their job, including the use of discretion, reasons for choosing this line of work, and attitudes toward poaching and poachers. They were also asked "What type of nonwildlife violations do you encounter on the job? Describe them." Open-ended questions have the advantage of letting respondents answer in their own words; this way, information can be obtained in rich detail (Fowler, 1993). Twenty-nine surveys were returned from April to June of 2001.

Given the qualitative nature of the study, a low response rate was not problematic. According to Lincoln and Guba (1985, p. 202), naturalistic or qualitative sampling is "...very different from conventional sampling. It is based on informational, not statistical, information. Its purpose is to maximize information, not facilitate generalization." The intent of the study was to let COs respond in their own words so that the researcher could provide a description of the types of nonwildlife violations that COs deal with as part of their job.

In the second phase, in-depth telephone interviews were conducted with a purposeful convenience sample of twenty-four COs (Lincoln & Guba, 1985). These individuals were located by placing a question on the survey that asked if they would consent to a telephone interview, and if so to provide their name and telephone number. Interviews lasted from approximately 15 to 60 minutes. All COs who consented were located and interviewed. COs were asked open-ended questions about poaching and poachers such as to describe the rationalizations used by violators, the social class of poachers, the extent of physical and verbal abuse they encounter, and the satisfaction they derive from the job. Questions were designed to be guides to discussion and were used to elaborate upon the information provided in the survey as well as to obtain additional information about the duties of COs. The author took extensive notes during the interviews, and wrote down pertinent quotes verbatim.

To analyze the data, the author pored over the comments provided by COs with the intent of identifying common themes. When common themes were identified, data were placed into appropriate categories. Consistent with previous studies, COs who participated were all male, and the majority grew up in rural areas. They ranged in age from 28 to 63 years old. They had anywhere from 2 to 33 years experience and possessed educational levels that ranged from high school graduates to those with master's degrees. To provide wildlife law enforcement coverage of the entire state, each CO is typically assigned to a single county, although there may be two COs assigned to some of the counties.

## **FINDINGS AND DISCUSSION**

Although the nature of conservation law enforcement may be changing, the COs in this study indicated that the enforcement of fish and wildlife regulations was their primary responsibility. Kentucky COs also have responsibility for enforcement of the state's boating regulations, which along with fishing enforcement occupies a significant amount of their time in the summer months. Secondary responsibilities include providing assistance to other agencies. COs work in isolated, rural areas that many individuals seek out for the purpose of engaging in their illegal activities. As such, COs are likely to "stumble upon" criminal activities while they are patrolling for wildlife offenses (Palmer & Bryant, 1985, pp. 121-122). A 44 year old CO with nearly two decades experience summed it up in the following way:



While doing surveillance or routine checks in “out of the way” places you encounter all the things that take place in those types of settings.

Another CO said the nonwildlife offenses they encountered on the job ran the gamut from relatively minor offenses to serious, felonious crime: “Possession of marijuana to working a murder.” While a wide variety of violations were mentioned, drug and alcohol violations were the most common.

## **Drug and Alcohol Offenses**

Many COs said that they routinely encountered various drug and alcohol related offenses during the performance of their duties. These can be classified into three categories: illegal possession of drugs, driving under the influence, and illegal operations where drugs were produced, including marijuana patches and meth labs.

### *Illegal Possession of Drugs*

Kentucky, especially eastern Kentucky, has a significant drug problem (Drug Enforcement Administration, 2007). Marijuana use is widespread in the region, and in recent years there has been a dramatic rise in the abuse of various types of prescription drugs (Drug Enforcement Administration, 2007). It should come as no surprise that hunters and anglers often possess drugs while engaged in outdoor recreational activities. In addition, comments of COs indicated that those engaged in poaching often used drugs. The following comment made by a veteran CO in his fifties with over 3 decades experience said:

Poachers are criminals. Most are involved in other criminal activities. Also they usually have possession of drugs or alcohol.

A 40 year old CO with a half dozen years experience described the various drug and alcohol violations he has dealt with:

Usually marijuana and/or alcohol. Sometimes DUI's, driving [on a] suspended [license]. Sometimes someone wanted for other violations. Drugs include marijuana, cocaine, oxycontin, prescriptions not in proper container.

A couple of COs summed up the extent of the drug and alcohol problem with the following comments:

Probably in at least 50% of the wildlife cases there would be alcohol or marijuana.

Probably 85-90% of spotlighters have marijuana or are D.U.I.

Not as much [with] poaching, more just on license checks, but on late nights when you have a poaching case they usually bring along the beer.

Similar to the findings of Palmer and Bryant (1985), a 33-year-old CO with a half dozen years experience described how drug offenses are often discovered by COs who are on patrol looking for wildlife offenses:

Illegal drug use or possession mostly, marijuana and prescription pill abuse is the most common. Illegal or possession of stolen weapons occurs now and then. This is not to say everyone I catch is on drugs or has a stolen gun, but it does occur. A lot of criminal activity is discovered in our patrols while out and about looking for wildlife violations.



Other comments by COs indicated that they encounter drug users on a regular basis:

More and more I am finding marijuana and pills.

I've cited subjects for drug possession as well as for violating fish and game laws. I've caught several with possession while they were fishing.

Many illegal musselers used drugs, and most of the money they made by illegal musseling was used for drugs.

Pot, prescription drugs, meth.

Alcohol mainly. Some deer cases you find drugs.

Often you find that poachers are under the influence of drugs and/or alcohol.

Drugs, especially marijuana. Alcohol-related misdemeanors.

Lots of marijuana.

We find drugs of all sorts during routine patrols/investigations. Marijuana is the most common drug found.

It depends on the violation that is occurring. Most of my drug activity comes from night hunters, spotlights, and even bank fishermen in out-of-the-way places.

Wildlife agencies are well aware of the fact that COs will encounter drugs in the field, so they are beginning to educate new COs about drug enforcement tactics. In the present study, a veteran 45-year-old CO with over two decades of experience who didn't encounter too many drug violations himself described the emerging trend toward training new COs to be cognizant of narcotics violations:

I don't encounter many. I'm from the old school. They school officers now to look for drugs.

### *Driving Under the Influence*

Most individuals have to travel to the areas where they hunt and fish, so it should not be surprising that COs must deal with drivers who are high or intoxicated. Several COs mentioned that driving under the influence of alcohol and/or drugs was a problem they routinely encountered. The following statements of COs are illustrative of this problem:

Driving under the influence is the most common problem with poaching.

Driving under the influence of alcohol/drugs.

These comments suggest that COs must be able to deal with at least some facets of traffic law enforcement.

### *Illegal Drug Operations*

An important finding that emerged from the comments of COs was the prevalence of illegal narcotics operations that were encountered. Prior research has noted that remote rural areas are often used in the illegal drug production and distribution processes (Cohen, Sanyal, & Reed, 2007; Weisheit, Falcone, & Wells, 1999). Individuals who produce drugs seek out these

sparsely populated rural areas for their activities because they believe no one will bother them “out in the sticks.” One drug that is commonly grown in rural Kentucky is marijuana. Studies have described the organization of the marijuana industry in the state (Hafley & Tewksbury, 1998; Hafley & Tewksbury, 1995). While patrolling his unit, a 48 year old CO with nearly twenty years experience said he has located marijuana patches:

[I] commonly find marijuana, illegal prescription drugs, etc. [I] sometimes locate marijuana-growing operations while patrolling for poachers.

Marijuana production is especially problematic in the eastern part of the state where there is a lot of public land in the Daniel Boone National Forest (Drug Enforcement Administration, 2007). With respect to marijuana production, several COs stated the following:

Most spotlighters also grow marijuana. Night fishing is used as an excuse to check drug patches in the woods that are only accessible by water.

We’ve found a lot of marijuana growing. Occasionally we have some alcohol problems, especially on the lake.

Poachers are also often growers of marijuana.

I sometimes find marijuana patches while working during turkey season.

In addition to marijuana patches, a 50-year-old CO with seventeen years experience indicated that he had encountered methamphetamine labs while on patrol:

I have found drugs and stolen property on violators. I have found meth labs working in the outdoors. I have found several marijuana patches. As I said before they are the same people all law enforcement has to deal with.

Other COs said the following with respect to clandestine meth labs:

We see meth labs, people cooking in the back of their cars. Wildlife management areas seem to be a prime place to cook that stuff up.

We are finding more drugs almost every year. Clandestine labs have become a real problem.

The work of COs aids other law enforcement agencies in their drug interdiction efforts. A 48-year-old CO with 18 years experience described how their agency cooperates and assists other law enforcement agencies when they find meth labs:

Meth labs, we find where individuals have been cooking and that, and we hold them for other law enforcement officers.

## **Other Offenses**

COs indicated that they sometimes encountered individuals who had engaged in other types of offenses which ranged from relatively minor crimes such as littering to more serious offenses such as burglary. These included things such as trespassing, destruction of property, theft, stolen firearms/property, and possession of outstanding warrants. The following statement by a 38-year-old CO with several years experience described the range of nonwildlife crimes COs encounter while in the fields and forests of the state:

I’ve found cocaine, stolen ATV’s, marijuana, drug paraphernalia, driving under the influence

of intoxicants, concealed deadly weapons, and persons with arrest warrants for various other crimes.

COs must always be on guard, as the person whose fishing license they are checking may be wanted on an outstanding felony warrant. A 52-year-old CO with 24 years experience described offenses he'd encountered while working:

Marijuana possession, criminal littering, traffic stuff, D.U.I., possession of stolen articles, criminal trespassing, illegal aliens.

Other comments provided by COs indicate the range of offenses they deal with:

No drivers license. No insurance, and of course criminal trespassing.

Sometimes stolen firearms.

[I] have made additional cases for marijuana, stolen property and criminal property damage.

Yes, you can run into drugs, drunks, meth labs, theft, trespassers, etc. Some of the people committing thefts, domestics, drugs, etc. are subjects that violate boating and fish and game laws also.

Other violations involved are drug possession and use, D.U.I., possession of stolen property, and destruction of private property.

Marijuana, meth, heroin, stolen vehicles and chop shops, drug labs.

Drunk drivers, possession of marijuana, stolen guns, subjects wanted on warrants, domestic violence.

We also run into people with misdemeanor/felony warrants outstanding. Frequently we deal with stolen personal watercraft, boats, cars, and firearms. Concealed weapon violations are also common.

I have even arrested two for "burglary" while working at night during deer season.

Criminal littering, alcohol, and drug abuse. Occasionally we'll have to write vehicle violations.

A 50-year-old CO with seventeen years experience indicated that illegal disposal of waste by companies was a problem he had encountered:

All kinds of pollution. A lot of companies dump their waste. One time I found fifteen bottles of cyanide salt by a creek, a chemical they use in treating wood. Its very dangerous. I've found meth labs, patches of marijuana.

Crime in rural areas also includes agricultural crime (Donnermeyer & Barclay, 2005; Swanson, 1981). Much of the hunting and fishing that takes place in Kentucky occurs on private property, so farms are susceptible to crimes by hunters and anglers. At least one CO reported encountering agricultural offenses committed by poachers:

And some poachers are thieves. I've caught them stealing gas, farm equipment, etc. Destruction of property such as tearing down gates, burning hay.

COs know the geography of their areas very well, and are sometimes called on by other law enforcement agencies to provide assistance in locating fugitives. One CO said that “the state police want us to help them deal with fugitives in the woods.”

## CONCLUSION

The findings of this study provide limited support for the contention made by others that COs are not simply specialist law enforcement agents enforcing fish and wildlife laws, but have become generalist law enforcement officers who engage in a variety of general law enforcement tasks (Falcone, 2004; Sherblom et al., 2002). Although they were not asked what percentage of their time was devoted to specific law enforcement functions, COs indicated that while they must deal with nonwildlife violations, the main focus of their work involves the enforcement of fish, wildlife, and boating laws.

Nonetheless, the COs in this study did deal with a wide variety of nonwildlife offenses, including drug and alcohol use and possession, driving under the influence, and drug manufacturing. As mentioned by some of the COs, remote rural areas such as forests and wildlife management areas are attractive locations for individuals who grow marijuana and produce meth. COs also encounter a variety of property crimes during the course of their work, including theft of firearms, all terrain vehicles, boats and personal watercraft, and destruction of property. They also encounter criminals who have outstanding warrants.

It should not be surprising that COs are dealing with nonwildlife infractions. In modern society we are living amidst a sea of continuously changing social currents. As our nation's population grows and more and more people converge on our nation's forests and lakes for recreational purposes, there is bound to be a greater amount of crime in these areas, including “urban” types of crime problems (Chavez & Tynon, 2000). COs are a valuable asset to other law enforcement agencies because of their tacit knowledge regarding the locations where these activities occur.

Future studies on conservation law enforcement should investigate the extent to which nonwildlife violations impact a CO's effectiveness in terms of taking him/her away from enforcing wildlife laws. That is, how much of a CO's workload is devoted to nonwildlife law enforcement work? Perhaps more importantly, how do COs feel about taking on these other tasks? Falcone (2004, p. 63) stated that while agency administrators may attempt to bring about change in their organizational mission, this can be difficult because “Ingrained in the culture of policing is the primacy of the law enforcement role of the police. . . DNR officers feel a good deal of role ambiguity, frustration, and stress when required to perform police functions other than the enforcement of the game code and the criminal law.”

Future research should also examine female COs. While there are currently very few females employed in conservation law enforcement, evidence suggests there will be more females in the profession in the future given the fact that agencies are being compelled to establish more diverse workforces (Sherblom et al., 2002). To my knowledge, there has been no study of female COs. It would be useful to know their attitudes toward wildlife law enforcement, including their motivations for choosing this line of work as well, as their experiences of working in a male-dominated profession.

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Sherblom et al. (2002) posited there may be tension between the values of newcomers versus old-timers in wildlife agencies as a result of changes that are taking place within the organization. Studies should also examine attitudes of new versus experienced COs in terms of support for taking on new law enforcement responsibilities. Are new CO recruits more interested in performing general law enforcement tasks than seasoned veterans? Does this affect workplace morale? Are older COs more dissatisfied with their jobs? Are veteran COs resistant to assuming additional duties? These and other questions need to be addressed by future research on wildlife law enforcement.

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## Native American Indian Women: Implications for Prison Research

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### ABSTRACT

*This paper illustrates the ability of a Native American Indian ethnic identity questionnaire in capturing identity data from a prisoner population. Survey questionnaire data from Native American Indian women incarcerated at the Ohio Reformatory for Women (ORW) were compared to data from the Southern Ute Indian Community Safety Survey (SUICSS). It is hypothesized that women who hold a Native American Indian identity will report specific information about their ethnic identity. This is important in determining a valid accounting of imprisoned Indian women. It is further hypothesized that women who hold these identities are proud of them and may rely upon them as a source of strength even while they are violently victimized because of them. Findings from this study suggest that pride in one's Indian identity may be an area upon which to target as part of a comprehensive rehabilitative effort.*

**Key Words:** Native American Indian, women prisoners, ethnic identity, ethnic pride

### INTRODUCTION

It is believed that incarcerated Native American Indians (hereafter, Indian) comprise a small segment of the U.S. prisoner population. Because the overall female prisoner population is increasing (Harrison & Beck, 2004), Indian women may constitute a smaller, yet, simultaneously growing segment of incarcerated individuals. Recently the notion of marginality of the Indian prisoner population has been questioned because of emerging research about incarcerated Indian women (Abril, 2002 & 2003).

In this paper, I examine the ability of an ethnic identity data questionnaire to capture such data from incarcerated women. I show it captures the same data from prisoners as it does from confirmed Indians. Confirmed Indians are those enrolled in a federally-recognized tribal group and whose names appear on their respective tribal enrollment roster. Tribes designated as a federally-recognized American Indian Tribe are recognized by Congress and the President to be legal and semi-sovereign nations. Enrolled members of these tribes are entitled to specific

rights afforded to them by Congressional and Presidential mandate. I hypothesize that if a confirmed Indian retains and reveals familial heritage knowledge, then an imprisoned Indian may do so, too.

Survey questionnaire data from Native American Indian women incarcerated at the Ohio Reformatory for Women (ORW) were compared to data from the Southern Ute Indian Community Safety Survey (SUICSS). It is hypothesized that women who hold a Native American Indian identity will report specific information about their ethnic identity. It is further hypothesized that women who hold these identities are proud of them and may rely upon them as a source of strength even while they are violently victimized because of them. Findings from this study suggest that pride in one's Indian identity may be an area upon which to target as part of a comprehensive rehabilitative effort.

## LITERATURE REVIEW

Little empirical research on incarcerated Indians has been conducted. The data that do exist are believed to be an inaccurate reflection of the true Indian prisoner population. This is conceded in two reports published by the Bureau of Justice Statistics.

### **“Official Government Statistics”**

In February 1999, the Bureau of Justice Statistics published *American Indians and Crime* (Greenfeld & Smith, 1999). This was the first comprehensive statistical report on crime among Indians issued by the United States Department of Justice. It was reported then that of the 1,131,581 offenders incarcerated in the United States, only 1 percent were Indian (Greenfeld & Smith, 1999, pg. 26). This means that Indians appear to make up only a small fraction of all incarcerated persons. These data do not include Indians incarcerated in federal prisons, on parole, or otherwise under felony-level supervision by authorities as those data were not reported. There is no breakdown indicating the gender of those so incarcerated.

In 2004, the Bureau of Justice Statistics again reported that of the approximately 171,000 people in Federal Bureau of Prisons (BOP) confinement, 2.4% ( $n = 1,662$ ) were Indian. In 2001, of the 69,900 total people entering BOP custody for violent crimes, 16% ( $n = 913$ ) were Indian. Again, there were no data reporting the breakdown indicating the gender of those so incarcerated.

### **Empirical Work**

Few studies have been focused on incarcerated female Indians' ethnic identities. There has been some empirical work that attempted to determine the number of Indian women under state prison supervision. In her 1998 study of Indian women in prison, Abril reported that state officials argued that there were only two Indian women in their prison (personal communication, 1998). A significant finding from that study was that there were actually 255 women reporting they identified as Indian (Abril, 2003). According to Abril, much of the difference in accounting may be explained by the reality that people are, as one ORW respondent noted, identified by others by “how they look.” That is, if one “looks Black” then they will be identified by others as Black, regardless of their actual ethnic identity. Another possible explanation for the discrepancy is that upon initial imprisonment, perhaps during the intake phase, prisoners may be unwilling to reveal this personal data to prison staff. Thus, the staff may be left to rely upon

the “how they look” standard or the identity data from the court and arrest file, which usually employs the “how they look” standard as well. There have been no other published works in this area found during the search of the literature.

There is emerging data that links an Indian identity to increased reports of violent victimization (Abril, 2007). This is relevant to the study reported here because it is known that female prisoners have a high prevalence of violent victimization experiences previous to incarceration (Belknap, 2001). Now, there is developing evidence that supports the claim that simply being an Indian leads to a higher prevalence of violent victimization and, consequently, more reports of the same (Abril, 2007).

### **Indian Identity and Violent Victimization**

There have been minimal, if any, studies linking an Indian ethnic identity to reports of violent victimization. Abril’s 2007 analysis of violent victimization among a group of Indians and non-Indians living in the same community found that those who identified more as an Indian both ethnically and culturally, are more likely to be targeted for violence and to report such victimization to authorities than others who do not identify so (Abril, 2005 & 2007). As one interview subject from the SUICSS reported, “It’s a hard life to be an Indian...the way you work, the way you pray, the way you try to raise your kids.” The pressure that comes from trying to live up to the standards of two worlds, a possible source of tension, may be mitigated by increased ethnic pride.

### **Increased Self-Esteem Mitigates Effects of Violence**

Increased self-esteem is believed to be beneficial for mitigating the effects of violence. Bennett (2006) found that racial socialization may be a protective factor for ethnic minorities exposed to violence, especially among African Americans. Development of self-esteem based upon ethnic pride, one can then reason, may be essential in mitigating the effects of violence among other populations, especially Indians (also see, Ungar, 1980). Salazar, Wingood, DiClemente, & Harrington (2004) further found that social support acted as a buffer of negative effects in the relationship between victimization and psychological well-being. One may then conclude that social support via racial socialization may aid in the development of ethnic pride.

The links between a substantial, yet unacknowledged, female Indian prisoner population which is likely based upon the “how they look” standard for identity classification, increased violent victimization among both prisoners and Indians in general, and the significance of pride to good self-esteem in mitigating the effects of victimization is somewhat clear.

In the search of the literature, I was unable to locate any other sources focused on Indian ethnic identities among both reservation residing women and female prisoners. This study seeks to aid in filling the relative void in the literature on female Indians in prison.

## METHODOLOGY

### **SUICSS: The Indian Study**

Data were collected during the Southern Ute Indian Community Safety Survey (SUICSS), a U.S. Department of Justice, Bureau of Justice Statistics-sponsored study of crime and violence on the Southern Ute Indian reservation. The SUICSS had three prongs: (a) distribution of a survey questionnaire, (b) personal interviews, and (c) an examination of the Tribal Code. This report focuses only on data emanating from the first two stages of the larger study.

First, I sent a 72-item survey questionnaire to 996 adult Southern Ute Indians and 1,100 adult non-Indians living on the reservation. The contact information for the Southern Utes came from The Tribe's enrollment roster, while the information for the non-Indians came from a randomized selection from the voter registration list from La Plata, Colorado, the county surrounding the reservation. A total of 667 completed questionnaires were returned. Of those, 312 (46.7%) were from Indians and 355 (53.2%) from either Whites/Anglos or Hispanics. There were no self-identified African Americans or Asian Americans in this study. The Southern Ute Tribal Council approved and fully supported the study, so that I was allowed to use the tribal seal on all the study materials and in advertisements. This was important because some tribal members may not have received notice of the endorsement and the study's approval but would be convinced that the Tribal Council had approved it if the official tribal seal was used.

Second, I conducted structured personal interviews with 85 Indians living on the reservation. Subject recruitment notices were placed on bulletin boards around the tribal community. Advertisements were also placed in the tribal newspaper, *The Drum*, and aired on KSUT, the tribal radio station. Of those who took part in the personal interviews, most (79%,  $n=56$ ) were Southern Ute Indian. The subjects who participated in the structured personal interviews were self-selected Southern Utes and Other Indians. "Other Indians" means members of other Indian tribes who live on the Southern Ute reservation. Subjects were paid \$50 for their cooperation. Personnel of the Southern Ute criminal justice system who were interviewed were not compensated since their participation fell under the rubric of their employment duties. The open-ended questions were designed to provide additional in-depth information about social conditions on the reservation as they related to the subjects' cultural and spiritual practices and violent victimization. The interview data are used to make clear the survey information that was provided by the 312 Indians.

I had a wide spectrum of interview subjects, spanning the social strata of the tribal community; the elderly, the young, working, unemployed, males, females, law-abiding, those who have had extensive involvement with the criminal justice system, and those who have had none. The modal subject, however, was an employed mid-40 Southern Ute Indian woman.

Most interviews took place in a centrally-located office provided by the Tribal Council. This had both positive and negative implications. On the positive side, the subjects would be assured I had Tribal Council approval, as that was required in order to gain access to the interview area. On the negative side, while all interviews were confidential and conducted in a private conference room with the door closed, some subjects may have felt their participation in the study would be reported to the Tribal Council. They may have felt pressured to answer questions in a fashion that coincided with Southern Ute Indian Tribal Council policy.

### **Ohio Reformatory For Women: The Prisoner Study**

The only data on Indian ethnic identities among women prisoners found in the search of the literature come from a study conducted during the summer of 1998 (Abril, 2003 & 2002). The data collected during this study were obtained from responses to open-ended questions distributed to all prisoners at the Ohio Reformatory for Women (ORW), in Marysville, Ohio. At the time, ORW had the largest female prisoner population in the state, with more than 1,700 prisoners. The Ohio Department of Rehabilitation and Correction demographic statistics, current at the time of the study, indicated that ORW's population was predominantly Black ( $n = 1,134$ ; 56%); White was the next largest group ( $n = 899$ ; 44.14%). The Ohio agency reported that only 1 Asian and 2 Native American women were housed in ORW (personal communication, 1998). U.S. census data from 1990 for Ohio indicated that the state's general population was almost all White (87.7%), with far fewer Blacks (10.6%). Other ethnic groups, according to official government statistics current at the time of the study, constituted less than 2% of the state's residents.

The participants in this prisoner study were all adult women housed in ORW. They ranged in age from 17 to 70 years. Prisoner participation for this study was requested by ORW's warden, who posted a memorandum to all prisoners on bulletin boards throughout the institution, including each housing unit. The memorandum advised prisoners of the nature of the study, reported the steps the institutional staff would take to facilitate distribution and collection of the questionnaire, and included a request for their participation. The warden also issued a memo to ORW staff advising them of the study and instructing them to assist participants with completing the questionnaires. In particular, staff would read and interpret any questions from prisoners and provide referral services for any prisoner who may become in need of counseling as a result of the study.

Blank questionnaires were sent to the ORW warden. Prison staff distributed and collected the instrument from the prisoner population during the morning and afternoon counts on two days during the week of August 5th, 1998. The warden had instructed the staff to make certain the prisoners, who were away from their usual posts at count, be given the opportunity to complete the questionnaire. More than one third (35.6% or 601 out of 1,700) of the prisoner population of ORW returned a questionnaire to the researcher.

The questionnaire included an introductory letter requesting participation. Many culture- and class-specific terms and phrases were used throughout the instrument. See Abril (2002 & 2003) for complete discussions of the methodology and the study's strengths and weaknesses.

### **MEASURES**

Regarding the questionnaire, ethnic identity was constructed as a dichotomous variable and measured by self-reports. Anyone reporting a Native American Indian tribal affiliation was classified as Indian. Any prisoner self-identifying as Indian or providing cross-validating information that suggests the respondent is an Indian were also classified as Indian. All other cross-validating measures were coded as dichotomous variables (0 = Not Reported and 1 = Reported). Discussion of non-Indian identities is beyond the scope of this report.

Other measures of Indian identity included the following: (1) Reporting the name of one's tribe/tribal affiliation; (2) Reporting being an enrolled member of one's tribe; (3) Reporting family members enrolled in one's tribe; (4) Reporting knowing one's family Indian heritage; (5) Reporting a family members' attendance at an Indian school; (6) Reporting contact with a tribe; and, (7) Reporting visiting one's tribal land or reservation.

These cross-validating measures of Indian identity were not simply contrived by the researcher. They have their basis in knowledge of modern Indian tribal enrollment and practices grounded in the oral tradition of Indians. It would not be unusual for one to take their own ethnic identity for granted within a non-prisoner population. Where familial relations are less likely to be in tact, such as those of a prisoner's (Belknap, 2001), this may not be so. Moreover, if one knows their ethnic identity, it is hypothesized that they would also know from which tribe they hail or tribal affiliation they maintain and, possibly, their own familial Indian heritage. Other measures such as enrollment of one's self and family members and family members' experiences in an Indian school may be information not shared with the prisoner and their family. Finally, contact with one's tribe and visits to one's tribal land or reservation may not be as likely for prisoners as the costs associated may be prohibitive, even if the correct tribal group or reservation name is known.

With these cross-validating measures, I was able to determine if a research subject from either the SUICSS or the ORW study were accurately reporting a Native American Indian ethnic identity.

## ANALYSIS

### **Comparison of SUICSS and Prisoner Samples**

In the analysis, I separated the subjects into two groups: Indian and Prisoner. Descriptive statistics were identified in the first analysis. All between group statistics for each variable was significantly different ( $p=.000$ ). Table 1 presents the descriptive statistics for this study.



**TABLE 1. DESCRIPTIVE STATISTICS**

	Indian (%) (n = 186)	Prisoner (%) (n = 255)	Sig.
Reported an Indian Identity	186 (100.0)	255 (100.0)	---
Reported Name of Their Tribe	181 (93.7)	120 (47.0)	.000
Reported Enrolled	160 (86.0)	11 (.04)	.000
Reported Familial Enrolled	150 (80.6)	29 (.11)	.000
Reported Knowledge of Heritage	169 (90.8)	221 (86.6)	.000
Reported Attended Indian School	128 (68.8)	13 (.05)	.000
Reported Contact with a Tribe	154 (82.7)	15 (.05)	.000
Reported Visit to Reservation	159 (85.4)	35 (.13)	.000
Average # Years in Prison	---	5.5	---
<b>Age</b>			
29 and younger	0	80 (31.3)	.000
30 – 39	62 (19.2)	102 (40.0)	.000
40 – 54	41 (13.1)	65 (25.4)	.000
55 – 59	36 (11.5)	4 (.01)	.000
60 – 80	45 (44.4)	2 (.007)	.000

In the second analysis, mean scores and significance levels were determined for each variable in this study. There were statistically significant differences on the mean scores between the Indians and Prisoners ( $p < .05$ ). Table 2 presents the mean scores and standard deviations on the Indian cultural values scale for the Indians and non-Indians.

**TABLE 2. INDIAN IDENTITY (MEAN SCORES AND SD)**

	Indian	Prisoner	Sig.
Reported an Indian Identity	.47 (.499)	.43 (.495)	.000
Reported Name of Tribe	.46 (.499)	.20 (.403)	.000
Reported Enrolled	.40 (.490)	.02 (.135)	.001
Reported Familial Enrolled	.44 (.497)	.05 (.215)	.000
Reported Knowledge of Heritage	.56 (.497)	.38 (.486)	.000
Reported Attended Indian School	.37 (.482)	.02 (.152)	.000
Reported Contact with a Tribe	.61 (.487)	.03 (.157)	.000
Reported Visit to Reservation	.49 (.500)	.06 (.235)	.000

In the third analysis, binary logistic regression was used to determine which variables, when placed together and controlling for self-identified Indians, would be significant. With the exceptions of Indian school attendance and visits to one's reservation or tribal lands, all variables in the analysis are statistically significant. It should be noted that those who reported an Indian ethnic identity were 16.645 times more likely to report the name of their tribe ( $p=.001$ ). The ability to name one's tribe should be, at least, a minimal standard for establishing an Indian ethnic identity. A woman reporting an Indian identity was 8.469 times more likely to also report that she was an enrolled member of her tribe ( $p=.001$ ). Of those with an Indian identity, they were 14.277 times more likely to also report contact with their tribe. Table 3 presents the results of the binary logistic regression analysis.

**TABLE 3. REGRESSION MODEL**

Variable	B	S.E.	Wald	df	Sig.	Exp(B)
Reported Name of Tribe	2.812	.819	11.794	1	.001	16.645
Reported Enrolled	2.136	.672	10.102	1	.001	8.469
Reported Familial Enrolled	1.569	.644	5.942	1	.015	4.801
Reported Knowledge of Heritage	-3.376	.961	12.340	1	.000	.032
Reported Attended Indian School	.393	.591	.443	1	.506	1.482
Reported Contact with a Tribe	2.659	.647	16.907	1	.000	14.277
Reported Visit to Reservation	.814	.665	1.500	1	.221	2.257
Age	1.623	.293	30.567	1	.000	5.066

## Qualitative Data

### *Ethnic Pride*

“I am a strong independent woman!”—words spoken by a woman nodding in agreement with herself after revealing to me her early adult life was filled with violence and abuse. She, like other women interview subjects in the SUICSS, reported that their daughters, too, are living the lives they once led. Only now, they report telling them that they should feel proud of being an Indian because pride, several women reported, helped them “get through” the effects of constant attacks on their person. Involvement in cultural and spiritual activities, it was reported, helped many Indian women regain their sense of self and attachment to their heritage. More importantly, it gave these women a unique bond to their tribal history of honoring the women of the tribe.

Of the prisoner study subjects, 47% (n = 120) reported they felt some version of pride towards their ethnic identity, while 41.9% (n = 107) reported that their Indian ethnic identity “is just what it is.” Common comments written by prisoners included, “I want to meet my ancestors and the different tribes,” “(it’s) good healing blood,” “proud,” and “I am proud of who I am.” These data support the hypothesis that pride in one’s Indian ethnic identity is important for healing from the effects of violence; violence known to also be experienced by female prisoners.

## DISCUSSION

Indian women in prison are under-counted (Abril, 2002 & 2003). The effects of this reality are discouraging. Official government statistics inaccurately reporting miniscule numbers of Indians in the Nation’s prisons work to facilitate the on-going notion that Indian women are too insignificant for intervention methods directed towards them. These women, who may have been victimized because of their Indian-ness, may also be being denied a supported method of victimization treatment (i.e., reinforcement of self-esteem via their ethnic identity).

The current social climate, however, may be motivating changes to how Indians are perceived. The changing social construction of Indian-ness, too, is helping to mitigate the effects of negative social perspectives about Indians. This century has seen a revitalization of Indian ethnic identities (Cornell, 1990). It is now socially acceptable to be an Indian (e.g., “It’s cool to be an Indian!”), where not long ago Indians were considered to be “wild” (Stremlau, 2005) and “savages” (Blackmar, 1892). Stereotypes still exist. For instance, an undergraduate student recently made a comment with a reference to all those “rich Indians” (personal communication, 2006).

The unspoken mandate that a person who claims to be an Indian should also “look like an Indian,” too, has lessened somewhat because of increased visibility of tribes and their members, especially their leadership while advertising their entrepreneurial ventures. Evidence was found in the words of an imprisoned subject when she stated, people identify you by “how you look”, which is likely the root cause of under-reporting.

The changing nature of multi-culturalism and multi-ethnicities in this century and in the future are likely to play a key role in changing the status of Indians in prison. It may even change the way their ethnic identity data are recorded.

## CONCLUSION

This study found that Indian women who are incarcerated will provide the same ethnic identity data as confirmed Indians. Thus, the Native American Identity Questionnaire is a reliable instrument for gathering ethnic identity data from Indians whether they are incarcerated or not. This study further found that women are proud of their Indian identities. As Indian women are violently victimized more because of their identity (Abril, 2007), building upon the pride one feels about themselves may be beneficial to mitigating the effects of violent victimization whether the victimization is old or new.

### **Implications for Future Prison Research**

Ethnic identity data collection would enhance and provide a more accurate accounting of Indians in prison if the Native American Identity Questionnaire were used in a number of institutions for women. It is unknown if males would respond the same as the women have. Further research on this topic in more institutions may provide the rationale for instituting an across the board overhaul of the current methods of identity data collection. This is important because researchers, policymakers, other stakeholders, and those interested in the well-being of female prisoners, need to have a better accounting of how many Indians are in prison.

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## BIOGRAPHICAL SKETCH

**Julie C. Abril** earned her Ph.D. in the Department of Criminology, Law and Society at the University of California, Irvine in 2005. Dr. Abril has published in the areas of violent victimization, women in prison, Native American Indian crime and justice issues, identity, and policing. She is currently writing on tertiary power transformations as well as on the use of “Bad Medicine/witchcraft/magic/sorcery” as a means of social control by modern Native American Indians.

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## BOOK REVIEW

**Burroughs, Bryan. (2004). *Public Enemies: America's Greatest Crime Wave and the Birth of the FBI, 1933-34*. New York, NY: The Penguin Press.**

**Green, James. (2006). *Death in the Haymarket*. New York, NY: Pantheon Books.**

**Hunter, Stephen and John Bainbridge, Jr. (2005). *American Gunfight: The Plot to Kill Harry Truman and the Shoot-Out that Stopped It*. New York, NY: Simon & Schuster.**

**Oney, Steve. (2003). *And The Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank*. New York, NY: Pantheon Books.**

**Swanson, James L. (2006). *Manhunt: The Twelve-Day Chase for Lincoln's Killer*. New York, NY: William Morrow.**

**Von Driehle, David. (2003). *Triangle: The Fire That Changed America*. New York, NY: Grove Press**

By Willard M. Oliver, Sam Houston State University

Although I serve as a criminal justice professor with a degree in political science, I have always had an interest in history. It was for this very reason that when I went to work at my last institution, I ended up teaching the "History of Criminal Justice" course three times a semester: I had off-handedly said that I would be interested in teaching the course. After conducting all of the research to develop my lectures, this fortuitously led to the publication of a history of criminal justice book (Oliver & Hilgenberg, 2006). It was during the research and writing of the book that I came to learn that within the criminal justice academic field there is a very small minority of people with an interest and passion for criminal justice history. I always thought that was a shame, but thought little else of the matter until this past summer.

I have this habit that when I come across a book that interests me, I buy it and place it on the "to read" bookshelf in my house. Needless to say that particular shelf usually piles up during the academic year as I am busy reading for various research projects, committees, and, of course, student papers. Once summer comes, I usually have the time to make a dent in the bookshelf, and this past summer was no different. As is also usually the case, most of the books tend to be non-fiction and history books. I noticed, however, that a half-dozen of the books on my shelf were history books with a criminal justice theme. The themes were wide and varied, ranging from the presidential assassination of Lincoln to the assassination attempt on Truman's life, with the Haymarket bombing, the Triangle Waistcoat factory fire, the murder of Mary Phagan, and the gangster crime wave of 1933 and 1934 all in-between. Despite the fact that all were history books related to crime and published within the past three years, there were several factors that made these books very dissimilar. Some of these differences include the style in which they were written (academic versus popular); some made the bestseller list (e.g.,



*Manhunt*), while others did not (e.g., *American Gunfight*), and some were about specific crimes (e.g., *Haymarket Bombing*), while others were about the criminals themselves (e.g., *Public Enemies*). The one common theme that did stand out with this reviewer, however, was the fact that none of the books were written by a criminal justice academic.

In fact, on further investigation, only one of the books (*Death in the Haymarket*) was written by a historian. Four of the books were actually written by journalists who, drawing upon their journalistic investigative skills, wrote very engaging books. The last of the authors, having written what became a New York Times bestseller (*Manhunt*), and with good reason, was an attorney. It struck me as odd that of the six books I selected and read this past summer, all on the subject of criminal justice history, none were written by a criminal justice professor. Now, one caveat here is that I did not conduct a sample as this was entirely a purposive sample based on my interests and idiosyncrasies. Yet, I still would have thought that criminal justice history would occasionally be written by a criminal justice academic, and I wondered what might be the reasons for this dearth of my fellow brethren publishing crime history with some of the mainstream publishers.

There has been a number of books published on criminal justice history that have been written by those in the criminal justice field. One recent one that comes to mind is Gilbert Geis and Leigh B. Bienen's book *Crimes of the Century* (1998), which reviewed five famous cases of the Twentieth Century: Alger Hiss, the Lindbergh baby kidnapping, Leopold & Loeb, The Scottsboro Boys case, and O.J. Simpson. This was a well-researched book with very well-written reviews of the cases, but each could have been a book unto itself, and it was published by one of the academic presses. Then again, the popular book that was solely dedicated to the Leopold & Loeb case, also published by an academic press (1975), was written by Hal Higdon, a marathon runner and a former senior writer for the magazine *Runner's World*. This of course in no way degrades the quality of the book, for it was well researched and well written, and the same goes for the books reviewed here, for the majority of these books were also engaging reads and well researched.

Starting in chronological order based on the time frame of the criminal events themselves, the first book, *Manhunt*, by James L. Swanson, the attorney, is about the manhunt for John Wilkes Booth and his co-conspirators in the assassination of President Abraham Lincoln on April 14, 1865. While the events leading up to the assassination and the assassination itself are well-trodden ground and familiar to most students of history, let alone criminal justice history, the aftermath seems to be less well known. The federal government was thrown into turmoil after Lincoln's assassination, and an extensive manhunt was ordered for Booth's capture. For twelve days Booth managed to avoid capture, through a combination of charm, knowledge, friends, associates, and just plain dumb luck. Eventually the military caught up with Booth hiding in a farmhouse, and while attempting to flush him out by burning the building, shot and killed him. His co-conspirators were captured, tried, and sentenced to death, with the greatest controversy surrounding Dr. Mudd, who was accused of complicity in the conspiracy when he tended to Booth's injured leg.

Swanson not only provides the historical background to the manhunt, but then leads readers on an hour-by-hour account that draws them into both the flight and pursuit. The book often takes liberties to appeal to popular culture, as the book is sprinkled with modern day "CSI analyses" regarding Booth's weapon of choice, the trajectory of the bullet, and other such physical

evidence analysis discussions. The book is clearly well researched and gratifyingly written in prose that does not overextend the research, nor does it oversimplify it. Swanson manages to find the right balance to present a solid historical book and one that was well received and on the bestseller list for months. The only danger now lies in the rumor that Hollywood will be making this book into a movie starring Harrison Ford.

Although the next book's crime does not occur until May 4, 1886, the events that led up to it actually start in May of 1865 after Lincoln's assassination, so it was somewhat fortuitous that I happened to read this book next. The book by James Green, the one historian author in the list of reviewed books, was *Death in the Haymarket: A Story of Chicago, the First Labor Movement, and the Bombing that Divided Gilded Age America* (2006). The lengthy subtitle nicely sums up the events that preceded the Haymarket bombing and are at the center of the bombing's controversy. Recognizing that Chicago, with its high populations of European immigrants, was a major player in the development of American business and Labor interest, it became the focal point for America's first Labor movement. As debates over capitalism played out in May of 1886, they tended to generate violence. A May-1st, nation-wide strike that advocated the eight-hour work day was led by August Spies and Albert Parsons. The results were a peaceful protest down Michigan Avenue. Two days later, however, as a number of scabs crossed a lumber-workers strike line, they were attacked, and the police arrived and fired into the crowd killing two workers. This led to a protest, led by Spies and Parsons, at the Haymarket the next day. While seemingly free of violence, the Haymarket was filled with hateful speeches and vulgarities all aimed at the police. This brought out over 170 police officers who ordered the protestors to disperse when a bomb landed among the police, instantly killing seven officers, seven protestors, and injuring another 60 police and civilians.

No one knew at the time who had actually thrown the bomb, which still remains the case today. This did not stop the government from adhering to the rallying cry of "there are no good anarchists except dead anarchists" by putting it into action. Trade union meetings were banned, anarchist newspapers were suppressed, and protests were no longer allowed. The police began a crackdown and mass-sweep of radicals closely resembling the red scares of the early 1920s and 1950s. Eventually eight anarchists were arrested, tried, and seven were sentenced to death. Four would eventually be hanged, one committed suicide, and the rest remained imprisoned until they were later pardoned.

Green does a historian's treatment of the Haymarket affair by providing a highly detailed and well-researched book, yet one that was somewhat surprisingly short, coming in at 366 pages of text. The book is largely chronological, dealing with the issues that led up to the Haymarket bombing and trial, including the history of Chicago and the post Civil War Labor movement. Green remains largely detached from his writing, providing the facts and details with little to no commentary or conjecture. This is acceptable for the fact one recognizes historians do try hard to remain neutral in regard to their subject, but what is most telling about Green's book is what is largely missing: a detailed presentation from the police perspective. Green's book is largely dedicated to the plight of the eight accused of the bombing, and he spends little space exploring the role of the police in the incident. What seems to be lacking is a more in-depth contextual background of the police in Chicago during the Gilded Age and the impact that the deaths and injury to the police officers had not only on the police psyche, but the American psyche as well. Clearly the criminal justice historian would have had more to say regarding the

police. Despite these drawbacks, the book does an exemplary job of presenting all other facets of the Haymarket bombing.

The third book was titled *Triangle: The Fire that Changed America*, written by David Von Drehle. The book details the events that led up to March 25, 1911, the day when right before closing time, the 10-story Asch Building housing the Triangle Shirtwaist Company in New York City caught fire and 146 employees lost their lives. At the time, many tried to treat the fire and deaths as simply a tragic accident. Yet, further investigation reveals that the high number of deaths most likely could have been prevented. The Shirtwaist Company was typical of the “sweatshop” style labor force which featured many female immigrants newly arrived to New York City who were paid little and worked long hours. Coming off of a long strike battle that had lasted for nearly two years, the laborers lost the fight and had to return to work. Despite the fact that a number of safety features had been available at the time, such as enclosed fireproof staircases, fire doors, firewalls, sprinklers, and the practice of fire drills—the factory saw little reason to implement these costly safety devices. When the fire broke out, the fire doors of the top three floors of the Asch building were locked, forcing the employees to either exit through windows or to use the elevators. Those who worked their way through the window managed to get onto the fire escape, which turned out to be of faulty construction, plunging those on the fire escape to their death. Those who had reached the elevators early enough managed to escape, but the elevators also became overcrowded and many people resorted to jumping down the elevator shaft to their death.

The book was an in-depth presentation of both the business-labor and sweat-shop environments of the day, as well as the events that led up to the fire itself. The minute-by-minute presentation of the fire itself is gripping and horrific to read. The aftermath is excellent at detailing how this was more than a tragic accident and was, in fact, what we would categorize today as a white-collar crime. While the book does a good job of detailing the workplace disaster, it is somewhat weaker in wrapping up the book in terms of the reforms that take place in the wake of the fire. The presentation of the trial is solid, but it raises questions of the reforms coming out of the fire when the factory owners were found not guilty and, as a result, led to not one person being held accountable for the crime. Thus, in the end, one wonders about the legitimacy of the subtitle, “The Fire that Changed America”?

Just a few years later, another business, the National Pencil Factory in Atlanta, Georgia, would be the location of the horrendous murder of 13-year-old Mary Phagan, one of the Pencil Factory’s laborers. Steven Oney, in his book *And the Dead Shall Rise*, presents the definitive book on the murder of Mary Phagan and the ultimate lynching of Leo Frank, a Jew, for the murder. After Phagan’s dead body was found in the basement of the building, the investigation would lean toward Leo Frank, the factory manager, who was eventually arrested and put on trial. Oney details some of the evidence that suggests the possibility that a floor sweeper by the name of Jim Conley had the opportunity to commit the crime and may very well have done so. Despite this evidence, Frank was tried, convicted, and sentenced to death. After a number of failed appeals, including two to the U.S. Supreme Court, Frank’s sentence was commuted by a sympathetic Governor, John Slaton. Frank was then ordered to the Fulton County Jail to prevent the mob from getting him. Yet, only one month later, a fellow inmate slashed his throat while he lay asleep. He was saved by the doctors, only to become the victim of a mob of 25 men who stormed the jail, ferreted Frank off to the woods near where Mary Phagan was buried, and lynched him.

Oney does well in dealing with all of the various aspects of the book, ranging from the murder evidence, the trial, appeals, anti-Semitism, and the possibility that a Black male was the actual perpetrator of the crime. In fact, Oney weaves a story and investigation into every fact revolving around the case that one might suspect he was the one historian among the six books reviewed. The only true drawback to the book is the fact that at times the details become excessive and repetitive causing Oney's excellent storytelling to sometimes bog down. It is very apparent that Oney mined every last scrap of information regarding the events of the case to write the definitive book, thus leaving little room for future authors to advance his excellent treatment. In fact, anyone with a criminal justice perspective would most likely not be able to contribute further to this book as Oney handles the criminal justice aspects of the case quite handily.

Advancing to the era of the Great Depression and the post-Prohibition year, is Bryan Burroughs's *Public Enemies: America's Greatest Crime Wave and the Birth of the FBI, 1933-1934*. The book is really a series of varying stories, presented in the order they occurred, of six major criminals of the early 1930s, which include: Dillinger, "Baby Face" Nelson, "Pretty Boy" Floyd, The Barker-Karpis Gang, "Machine Gun" Kelly, and Bonnie and Clyde. The stories are somewhat grouped into the high visibility hunt for John Dillinger, the kidnapping of Oklahoma millionaire Charles Urschel by Kelly, the Barker-Karpis kidnappings of Edward Bremer and William Hamm, a banker and brewer, respectively, and the Kansas City Massacre of law enforcement officers on June 17, 1933.

It is this later event that marks the beginning of the war on the "gangsters," who in reality were nothing more than glorified criminals. Initially the FBI was clearly on a learning curve, resembling more closely the Keystone Cops than the crack investigation agency they claimed to be, and ultimately had to reorient their investigative methods into hunting down basic criminals. The turning point came with the arrest of Kelly in September of 1933. After that, the FBI would eventually catch up with Bonnie and Clyde (killing them), Nelson (killed), Dillinger (killed), Ma Barker and one son (killed), and finally, in April of 1936, Alvin "Ray" Karpis was arrested. While none of these various criminals had much to do with one another, it is of course J. Edgar Hoover and his FBI that is the thread that runs through each of these cases.

Burroughs does a masterful job of presenting all of these cases in a seamless fashion, and one that is presented in a rather gripping read of history. More importantly, Burroughs handily dispels the numerous myths that have developed regarding each of these criminals and the FBI as well. It is also clear that Burroughs spent an enormous amount of time dedicating his research to each of the criminals, giving them nearly equal treatment throughout the book, despite the fact that history has remembered some of these criminals more than others. While each of the criminals may have been given a decent treatment, this is by no means the definitive history of each of the individual criminals. Rather, it is a useful presentation in keeping with Burroughs's thesis that it was this crime wave that gave birth to the FBI.

The one reservation here is that Burroughs presents the events in the book as the definitive birth of the FBI, a claim I think could easily be argued against. The FBI has been, in fact, reborn a number of times. The FBI was born by executive order and political craft by Teddy Roosevelt. It was reborn with the Mann Act, giving the agency its first real mission. Prohibition and the bootleg industry gave it its next rebirth, and the crime wave that Burroughs describes

was yet another rebirth. Another “birth” of the FBI was the changes made to the agency with the advent of World War II, and one only has to look at the FBI in the wake of 9/11 to see yet another iteration. Despite the overly definitive thesis, Burroughs presents an excellent read.

The last book moves forward in time to the post-World War II time frame, when President Harry S. Truman was having the White House remodeled and updated and was living with his wife, Bess, in the Blair House across the street. The authors of *American Gunfight: The Plot to Kill Harry Truman and the Shoot-out that Stopped It* were Stephen Hunter (a film critic) and John Bainbridge, Jr. (a freelance journalist). On November 1, 1950, two Puerto Rican Nationalists, Oscar Collazo and Griselio Torresola, attempted to enter the Blair House with the intent of assassinating the President. The White House Secret Service on duty ended up in a shoot-out that ultimately took the life of one of the shooters, while the other was arrested and sentenced to death (which Truman commuted and Carter pardoned). It also led to the death of one White House policeman. Although the actual shoot-out only lasted an estimate 38.5 seconds, the book details the factors that led up to the shooting, the history of the two Nationalists, as well as the circumstances that led Truman to be in the Blair House. It also deals with the aftermath of all of the participants in the shoot out.

The strength of this book, beside it being the first book-length treatment of the shoot-out, is the details the authors provide of the actual shoot-out, which were quite extensive. The drawback to this particular book is the writing style. The book was clearly written by two authors as the style changes often throughout the book with one author being far more factual, while the other uses highly verbose prose. In addition, the book is often written with a journalistic flair, using sensational phrases and descriptions that seem out of place in a historical treatment of the “shoot-out” (their favorite phrase for describing the events of the assassination attempt). Leaving these complaints aside, it is still a good read for this particular event, but is assuredly the weakest of the six books reviewed here.

In looking at the six books as a whole, a couple of things can be said about them. The best read of those reviewed was *Manhunt*, although it was assuredly not the most detailed. That honor would extend to *And the Dead Shall Rise*, clearly the definitive tome of the bunch in its treatment of its subject. *Public Enemies* is perhaps the next best read, and *Death in the Haymarket* the next best treatment. That leaves *Triangle* and *American Gunfight*, good reads for those with a strong interest in the specific topic it presents. All are good books for those interested in criminal justice history.

That said, it makes me want to return to the query I presented in the beginning: why were none of these books written by those in the Academy of Criminal Justice Sciences? I have no definitive answer, but do have some suggestions. There is clearly a market for criminal justice history books among more than the academic presses, thus offering up an entire area of research and numerous outlets for those in criminal justice. The second point is that despite the fact that many of these books have been treated and often extensively treated (just think Lincoln, the Lincoln Assassination, and the so-called “manhunt”), there is always room for a different perspective. Nearly all of these subjects could be written from a criminal justice perspective thus contributing to the knowledge regarding each of these and other historical events. Which I guess means it is time to stop reading criminal justice history and start writing some.

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## BOOK REVIEW

**Chance, R. (2004). *Raped by the State: Fractured Justice—Legal Abuse*. Bloomington IN: AuthorHouse.**

By Robert M. Worley, University of Texas of the Permian Basin

*Raped by the State*, written by former Texas Youth Commission (TYC) employee, Randall Chance, is semi-autobiographical and describes the neglect and mistreatment of juvenile delinquents in the agency's care. Chance, who had a twenty-one-year career with the agency, discusses a subject that is timely and provides personal insights into the recent TYC debacle. Unfortunately, the author's methodology leaves much to be desired, and Chance demonstrates that he harbors a lot of resentment towards the agency. The author implies throughout the book that he should have achieved a higher position during his tenure with the agency. At one point, he even writes: "Although I am not angry or disgruntled, I am disappointed at times in myself for not sucking up, to further myself in the system" (p. 23).

The book's primary purpose is to address the problem of sexual abuse within youth facilities, but it is extremely disorganized. At best, it is a collection of war stories, and Chance makes little attempt to provide the necessary details and information to verify his claims. The author also uses this book as a forum to voice many of his personal grudges. He complains throughout the book, for example, of the reverse discrimination that is prevalent within the TYC. Assuming that this practice even exists, and it may not, reverse discrimination pales in comparison to the sexual abuse of children. At one point, the author even tells an irrelevant story of how he was unable to obtain a state-issued calendar. These grievances should have been omitted in the final draft, since they paint Chance as biased and do little to build the case that juvenile delinquents are being "raped by the state."

Even more problematic, the author is relentless towards TYC employees and stoops to making personal attacks against them. These personal attacks are unnecessary and do little, if anything, to alert readers to the problem of sexual abuse in youth facilities. Chance's credibility is undermined by these bitter *ad hominem* attacks, and instead of adopting an objective position, it seems as though he is trying to get back at the agency. In one case, the author even maligns the sexual preferences of his former coworkers. For instance, Chance writes:

In these institutions you have homosexuals, lesbians, AC and DC, and many other staff which march to their own drummer. The youth see these staff in their daily activities and some things you just can not disguise. Is this the message we are supposed to be delivering to these youth? (p. 33)

The author also makes very disparaging remarks about TYC administrators. Even in light of the recent problems at the West Texas School in Peyote, these comments seem very unfair. He states, for example: "Not all superintendents are criminals, however many across the state are close to that terminology" (p. 31).

The above statement is typical of many of the broad generalizations that Chance makes throughout the book. Some of his assertions have little, if any, merit and would almost be laughable if it were not such a serious subject matter. When discussing the recidivism problem,



for example, the author insinuates that there is a massive conspiracy headed by TYC officials for juveniles not to be rehabilitated. He writes:

More often than not, youth are sent to facilities which cannot help their individual crime related problems. Many wonder if this is a planned tactic by the system to insure self survival, by insuring an abundance of youth will recidivate back into the system. If the system really cured youth, many administrators would be out of work.” (p. 68)

While there have certainly been unscrupulous employees in the TYC, as there are in any organization, Chance goes overboard and does not hesitate to suggest that the whole system is corrupt. In one part of the book, he implies that some agency employees use mind-altering prescription drugs intended for the juvenile offenders. For example:

“Have a nice weekend; TYC is on the job; now you will never be able to sleep; borrow some TYC drugs to ease your mind and help you forget and sleep. You may find TYC drugs in your neighbor’s house, if they work for the agency; mine being the exception.” (p. 114)

The author provides no basis for the above claim. Throughout the book, Chance disparages his former coworkers relentlessly except for the times when he speaks highly of them to serve his own purposes. In a similar manner, the author paints the juveniles as victims, yet he does not hesitate to suggest that many of these same offenders are also manipulative and dangerous. Contradictions such as these need to be resolved, but Chance does not attempt this, and the result is a jarring, disconcerting personal rant. It is understandable that Chance may have ambivalent feelings about both his coworkers and the inmates, but these contradictions should have been sorted out before he started writing the book. This is just one of the many ways in which his book is disorganized and, at times, even incoherent.

Chance also uses sarcasm throughout the text, and this does little to illustrate his points. Rather, his use of sarcasm is insulting to the readers or at the very least unprofessional and unscholarly. It may have been the author’s way of trying to lighten a very sensitive topic. In any case, it disrupted the flow of the book and made Chance look like a rogue ex-employee with an axe to grind. He suggests that TYC hires pedophiles and ex-gang members but provides no facts to support these outrageous claims. Also, when discussing juvenile rape by staff members, Chance makes the following statement: “TYC just provides the suspected females with a morning after pill, to avoid any legal complications from a TYC sponsored and approved pregnancy” (p. 93).

The above statement is typical of Chance’s attacks against the agency and reflect the book’s overall theme that the TYC is a corrupt and diabolical organization. One may wonder why, if the organization is so bad, Chance chose to stay there for twenty-one years.

If readers are seeking a scholarly work that examines the recent TYC scandal, they unfortunately will be very disappointed in this offering. Although Chance should be commended for publicizing the mistreatment of juvenile detainees, the book is poorly written, makes statements that cannot be verified, and lacks an overall sense of objectivity. I applaud the author’s efforts, but for the above reasons, I cannot recommend this book. The best thing about this book is the title.