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FROM THE EDITORS

Dear Colleagues,

This has been a year of transition for the Southwest Journal of Criminal Justice, and with this issue, the transformation is complete. Since taking over the journal, we have managed a number of articles to which the previous editor had committed. This issue begins with one such article then transitions to articles managed by us as the new editors. Although the number of submissions are down for this year, numbering 20, ten less than the previous year, most of these articles came in the latter half of the year, and it would appear that we are on an upswing. We hope the rate of submissions will continue to increase as we enter the new year. In addition to the four quality articles published herein, we are looking at a number of excellent articles that we hope to publish in the Spring issue.

In addition to the on-line publication, Sam Houston State University has agreed to publish a short run of 100 printed editions of the journal. We released the Spring issue at the Fall Southwest Association of Criminal Justice conference in Fort Worth, Texas, and we are planning to have this current issue available for dissemination at the annual meeting of the Academy of Criminal Justice Sciences in Seattle, Washington, in March of 2007. We will then continue that cycle throughout the rest of our tenure as editors in the hopes that it will help to advertise our journal, improve its quality, and perhaps begin moving us toward an affiliation with a print publisher for future issues.

In order to continue working toward the improvement of the journal, we are asking for SWACJ members to submit articles in the coming year to the journal, as well as encouraging others to do so. If we work together on this, we can continue the progress of making our journal one of high prestige. In addition, we are encouraging everyone to submit an article or book review to the SWJCJ. Please send your manuscripts to swjcj@shsu.edu. That helps us to ensure the review process is as "blind" as possible. If you forget, there is a link on the www.swacj.org web page. Finally, we would like to see some of the most recent and cutting-edge dissertations in the criminal justice field reviewed under a section we would label "Dissertation Reviews." If anyone knows of a high-quality dissertation they would like to review for the journal, please do not hesitate to contact us.

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Medium Security Prisons and Inmate Subcultures: The 'Normal Prison'

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ABSTRACT

Time spent in prison does not occur in a vacuum. Inmates' views of self, the situation, and others around them are likely to have a major impact on their imprisonment. The goal of the current research was to investigate assimilation into the inmate culture, and norms of the current inmate culture. Qualitative investigations were employed to examine and to gain a better understanding of these views. Data collection procedures consisted of open-ended, unstructured interviews with twenty male inmates at a medium security prison in Ohio. Analyses of interview transcriptions suggest that the inmate culture of this institution is built around trust and respect. Hierarchies, norms, and tips for serving a sentence revolved around the presence or absence of respect accorded by other inmates.

INTRODUCTION

The current population of individuals incarcerated in the United States exceeds two million. These individuals have been deemed so deviant that society wants them at least temporarily incapacitated. Amidst this, there are periods, though infrequent, when prisons are overrun by the deviants within. Thus, the goal of the current research was to investigate and describe processes of assimilation into the inmate culture. A plethora of research was conducted on similar topics throughout the 1950s, 1960s, and 1970s (for example Clemmer, 1958; Sykes, 1958; Sykes & Messinger, 1960; Goffman, 1961; Wheeler, 1961; Irwin & Cressey, 1962; Irwin, 1980; and Thomas, 1977). Also, there has recently been a movement towards conducting research on the "prison community" or "pains of imprisonment" in relation to female inmates (e.g., Alarid 1997); however, little research has been conducted to update knowledge of the male inmate subculture.

Time spent in prison does not occur in a vacuum. Inmates' views of the self, the situation, and of others about them are likely to have a major impact on their imprisonment experience. Qualitative investigations were employed to examine and gain a better understanding of these views.

Several themes associated with inmates' experiences while incarcerated were explored through this study:

- Relationship processes
- Descriptions of inmate culture
- Processes of assimilation into the inmate culture

This study did not test statistically the presence of a particular set of norms nor propose to test theoretical explanations for the existence of a prison culture. Theories of prison culture will be discussed when applicable.

LITERATURE REVIEW

A prison, as Clemmer (1958) argued, is simply another community. This community can be viewed as a self-contained world with its own morals, social relations, patterns of behavior, rules, and laws. Because prison is a self-contained community, acts that are viewed as deviant might be defined differently than how they would be defined in the open society. Inmates must learn what is viewed as deviant in the community in which they will live (Castle, Hensley, & Tewksbury, 2002).

Throughout literature on the topic of violations of norms in institutions, the central focus revolves around the rules established by the inmate code. The code represents an organization of criminal values in clearcut opposition to the values of conventional society, and to prison officials as representatives of that society. The main tenet of this code forbids any type of supportive or nonexploitative liaison with prison officials. It seeks to confer high status and prestige on those inmates who stand most clearly in opposition to the administration (Ohlin, 1956, p. 28). An argument exists about the actual number of rules that comprise the inmate code; ranging from a high of seventeen rules (Sykes & Messinger, 1960) to a low of three rules (Pollock, 1997). The inmate code is not a published piece of legislation, however; a basic assumption is that the prescriptions for behavior in the inmate code are different from "official" values of the institution.

More recent literature has deemphasized the effects of the inmate code (Irwin, 1980), or suggested that the code is constantly changing to suit the needs of the inmates who have been incarcerated for longer periods (Kaminski, 2003). Furthermore, the inmate code seems to have been replaced by a "Code of the Streets" as a result of the growing importance of gangs in prisons (Hunt, Riegel, Morales, & Waldorf, 1993). Lerner (2002) suggests that inmate statuses exist, however the power one possesses in prison is based on affiliation with a gang.

The purpose of the current research was to investigate descriptions of current inmate culture at a medium security prison. Much of the current literature on inmate culture centers on maximum security prisons rather than the most common, medium security institution (for example: Austin and Irwin's 2001 chapter on Super-Max). Early (1992) and Santos (2004) examine life in United States penitentiaries Leavenworth and Atlanta, respectively. Both of these institutions are infamous for their violent populations. Finally the first hand experiences of the inmates in Ross and Richards (2003) seem to glamorize or sensationalize the importance of violence within an institution.

METHODS

To understand the current dynamics that exist within the prison community it was necessary to conduct a two-part investigation. The first stage of the research was composed of a qualitative pilot examination of inmates' accounts and narratives. According to Orbuch (1997, p. 455) accounts, stories, and narratives "represent ways in which people organize views of themselves, of others, and of their social world." Since research on prison argot is somewhat outdated, it was necessary to gain an updated understanding. Examination of inmate accounts, stories, and narratives allowed for a better understanding of the current inmate argot and facilitated the construction of a proper interview schedule. The aim was to better understand the impact of prison life on individuals by exploring the personal meanings inmates portray through their stories. Inmate accounts, stories, and narratives can serve both as ways of interpreting their experience and as a means of communicating to others (Baumeister & Newman, 1994). The accounts and stories may not be totally veridical in that people often selectively construct, retrieve, and distort narratives to fit their self-concepts, and to represent what they believe is important" (Heatherton & Nichols, 1994, p.665).

This research, in essence, will focus on the prison inmates' perception of the cause of relationship formation, code violation, status violation, as well as the factors influencing these attributions, and the actor's perceived reactions to the friendships, code violations, and status violations.

THE PILOT STUDY

A pilot study was conducted at a medium security prison so the researcher could construct a proper survey instrument. Interviews were conducted until the data became repetitive and no new information was gained. As a result, the target sample size of ten was achieved. The data collection procedures consisted of several open-ended, unstructured interviews. With the subjects' permission, interviews were audiotaped. The researcher transcribed these taped interviews. The format of the interviews included substantive areas such as perceptions of prison prior to incarceration, perceptions of prison experiences, perceptions of friendships, and perceptions of others' prison experiences. Probes were utilized as needed to keep subjects on task and to facilitate brevity. Subjects were interviewed in private rooms with only the

interviewer present. No prison staff or other inmates could overhear the interview. Interviews lasted between 53 minutes and two and one-half hours. At the conclusion of the interview, subjects were debriefed and given contact information.

THE CURRENT INVESTIGATION

Interviews were conducted at a medium security prison. The target sample size was approximately fifteen to twenty-five subjects. Interviews were conducted until themes became repetitive and no new information was gained. The interviews were audio-taped and later transcribed. The transcriptions were employed to analyze the interviews and discover themes.

The second data-gathering component of the study consisted of a more in-depth qualitative investigation of the inmates' relationships and perceptions of the inmate culture. From the interviews emerging patterns relating to the formation, maintenance, and functions of inmate friendships, as well as some of the codes, statuses, and language of the inmate subculture are described. Several of the respondents provided mini-themes related to a presence of an inmate code as well as making several slang references about particular types of inmates that could be construed as current inmate statuses and the corresponding inmate argot. For example, respondents indicated differentiations between inmates based on sentence type (determinant versus indeterminant).

Early sociological influence on accounts can be seen in Goffman's (1959; 1971) work regarding presentation of the self after a transgression has occurred. Accounts were used to correct behavior or to counteract the negative implications of wrongdoing. Sykes and Matza (1957) used accounts as a tool to counteract negative consequences or implication of behavior. They describe the process by which individuals rationalize deviant acts and behaviors when reproached. Accounts and narratives may be used to provide justifications or excuses for deviant forms of behavior. The techniques of neutralization developed by Sykes and Matza include denial of injury, denial of victim, denial of responsibility, and condemnation of the condemners.

Accounts, however, are not limited to negative situations. Scott and Lyman (1968) utilize a more concise conception of accounts: individuals use accounts whenever their actions are subject to "valuative inquiry" (p.46). Individuals use excuses to deny personal responsibility for their actions, choosing instead to attribute behavior to external factors. Conversely, justifications are used to accept responsibility while downplaying any relationship between behavior and personal disposition (Crittenden, 1983). Garfinkel (1967) examined accounts in the context of more mundane experiences and argued that in everyday life, individuals continuously use accounts to describe, criticize, and idealize specific situations. Moreover, actors are apt to use entitlements to claim credit for desired outcomes and enhancements to increase the value of their behavior (Forsyth, 1980).

Baumeister and Newman (1994) view narratives as a tool or a means to achieve a particular goal. They argued that many interpersonal motives for and patterns of storytelling depend on the particular social context or audience. First, stories can be told by actors in an attempt to obtain a particular goal. Baumeister and Newman (1994) state, "stories can manipulate other people's perceptions, emotions and inferences, and so describing events in particular ways can increase an individual's chances of obtaining desired rewards" (p. 680). The way in which an actor is able to present information will alter the perception of the audience. For example, a story may be used to elicit respect, fear, and/or sympathy from the audience. Second, stories can be a tool for the transmission of culture. As a medium for socialization, narratives are often employed to teach others. Polkinghorne (1988) argued that narratives transmit norms, moral beliefs, and cultural values. Finally, stories can be used in an attempt to validate identity claims. Individuals may employ techniques such as altercasting and impression management to achieve validation. "Our self-evaluations are affected by the evaluations others have of us, and more importantly, by how we perceive those evaluations" (Gecas & Schwalbe 1983, p. 77). Social interactions are therefore vital to construction of identity.

Sampling

For the purpose of this study the subjects were adult males incarcerated at a medium security institution in Ohio. The target sample size was approximately fifteen to twenty-five subjects.

Subjects were randomly selected by institutional staff through the use of their Department of Rehabilitation and Correction number. The institutional staff members selected thirty institutional numbers at random from a list of all inmates incarcerated for the given interview schedule. Inmates that were selected were then asked to volunteer for the interview.

The data collection procedures consisted of open-ended, unstructured interviews.   With the subject's consent, the interviews were audiotaped. The researcher transcribed these tapes and then the tapes were destroyed for confidentiality. These issues were addressed in the consent form. All subjects were guaranteed confidentiality. No names were associated with the resulting transcription of the audiotaped interviews. The subjects were advised prior to the interview to avoid the use of real names throughout the interview. If an actual name was inadvertently used, it was replaced with a pseudonym in the transcription. Actual subjects and the institution are referred to by pseudonyms at all times in the transcripts. Only the researcher had full access to the raw data.

The risks to the subjects were minimal. The topics covered included general questions pertaining to the inmates' background, friendships with other inmates and those outside the walls, perceptions of inmate hierarchies, unwritten rules, and expectations for release. Any information that could jeopardize the subjects' legal status was not collected. The questions were not intended to be threatening or anxiety-producing. The interview, however, could have posed a slight emotional risk.

RESULTS

Several themes associated with inmates' experiences while incarcerated were explored through this study. Specifically, the following broad themes were the foci of this study: friendship processes, processes of assimilation into the inmate culture, and descriptions of current inmate culture. After the transcriptions of the interviews, several themes emerged. This section will discuss the themes that were under investigation as well as unexpected themes that developed.

Analyses of the data consisted of transcript organization so that meaningful conclusion could be drawn. The data analyses for the study involved organizing segments of transcripts into the three broad categories presented throughout this chapter. Excerpts from interview transcriptions are included to illustrate the themes that emerged in each of the three broad categories. The excerpts are referenced to each appropriate respondent by pseudonym. A brief vignette of each respondent and their appropriate pseudonym appear in Appendix A.

How to Do Time

Analyses of discussions revealed several themes related to suggestions about how to serve time. These include impression management, standing up for oneself, doing your own time, and getting to know other inmates. Respondents where asked to report rules to live by and how to serve time. Many of the respondents' suggestions appear to resemble "lifestyle tips" rather than norms.

Impression Management

Many of the respondents emphasized the importance of new inmates' impression management. Many respondents suggested that how individuals "carry themselves" determines how they will spend their time while incarcerated. It was believed that individuals who are able to display convincing performances adjusted better than individuals who were not as convincing.

Brad: It depends on who you are really, I mean your stature. If you're small, white guy, specifically, you get preyed upon in here, mostly by the black inmates. Not because of their stature or nothing, but because they know they're scared. They prey on that weakness. And might have parents looking out for him where this guy here he might have been locked down already for ten years. Most of his funds have been depleted, and most of his contacts to the outside world has left him on his own. So now he preys off the weaker young guys and for whatever, monetary value, his own reputation, owes everybody. My advice to a kid like that is, you know, "Hey little man do what you gotta do. Gotta be a man. Get your own reputation going. You ain't gotta be a prison punk, tossin salads, or you ain't gotta give this guy twenty dollars of your fifty every week. You don't have to do that. Fight for what you believe in. But everyone needs to [look like they are ready to use violence]. It's how you carry yourself."

Turner: Well the first thing you got to do, you got to carry yourself like a man. You can't behave like a kid. You can't act like a kid. And you can't let them treat you like a kid. That's number one. That goes for staff and other inmates or whoever. Be respectful to yourself and naturally you gonna be respectful to everybody else. And everybody else will respect that.

Mark: You be like, "Well, I don't really know a good dude, and I can't say nothing bad about him, but by how he carry his self and his conduct."

Steve: Because you know, guys look, like I said, they look for weaknesses. They prey on weaknesses, so best thing to do is, watch how you carry yourself….

I: What do you mean by, "Watch how you carry yourself?"

R: Look like you ready to fight or can fight. Ya know?

I: Be ready to fight?

R: Yeah, if you look like you can protect yourself, you will be alright. But you need to be able to keep that up at all times.

Many respondents emphasized the importance of inmates' ability to provide a convincing performance. Respondents posited that how individuals carry themselves determines the conditions of their confinement. It was asserted that individuals should appear that they are willing to use violence if prompted. Inmates that were able to display more convincing performances adjusted better than inmates who were not as convincing.

Stand Up for Yourself

When faced with adversity, many respondents advised that inmates stand up for themselves. It was revealed that inmates who fight send a message to others that they were prepared to use violence and, therefore would be difficult to exploit.

Don: The number one thing with a young guy like that is to not make themselves a sexual target. If somebody comes on to you, you fight. Yeah, you're going to go to the hole and everything but usually if you fight once or twice, the word gets out that there's easier pickin's around you know (laughs).

I: Even if you lose?

R: Right. 'Cause the guys trying to do something. They want to try to taunt somebody into something. They don't really want to fight with somebody, and there's always the possibility that they might lose.

It was reported that inmates who fight send a message to others that they are prepared to use violence and, therefore, are difficult to exploit. Inmates who are considered predators look for targets that will not fight, whom they can exploit without drawing attention to themselves.

Do Your Own Time

Some of the respondents recommended that inmates should do their own time. Respondents reported that inmates that do their own time stay out of trouble, receive more respect, and are viewed as wanting to improve their situation. This suggested normative theme could be a holdover from the inmate code.

Kurt: Well. Stay to yourself. Pretty much, keep your mouth shut.

David: Stick with your own, at least until you establish yourself. At least 'til you can pick through the bullshit to see who's decent and who's not. You know, stick with your own and go from there.

Ralph: Stick to yourself as much as you can and gather your thoughts. And try to educate yourself. Whatever area you're lacking in, try to strengthen that. If you have a problem and you haven't got your GED, work on that. And hit college and hit some vocational training. Cuz, all you have is time in here. And if you use it to your advantage, that's going to help you. If you sit and just dream about the past or hope for the future, that doesn't help you, and you can gossip and talk about people all day, but that's not going to keep you out of the joint.

One of the maxims of the inmate code is to do your own time (Sykes, 1958). Some of the respondents asserted that inmates should do their own time. Inmates who do their own time stay out of trouble, receive more respect, and are viewed as wanting to improve their situation. Although several respondents discussed that importance of doing your own time, many contradicted themselves both in behavior and further suggested normative behavior.

Get to Know Other Inmates

In stark contrast to the theme "do your own time," many respondents contradicted themselves and emphasized the importance of newer inmates getting to know other inmates. Respondents recommended that new inmates should get to know others and form a small, close-knit group to help ease the pain of their incarceration.

Keith: Now, I'm goin' tell you by really stayin' to yourself, or what you should do really is by finding two or three people to kick it with and base your time around that. Cause y'all could use each other to bid off each other, to make your time pass.

Brad: I would tell 'em, "Say, make sure you really get to know people. Know 'em for yourself. Don't listen to a lot of these guys. These guys will say this and say that. Don't listen to em. Just get to know people for yourself. You'll know who they are; you'll know who's good guy, who's bad guy, who to be with and not to be with. You know, and you're going to do what you want to do anyway, so, be choosy.

Mike: Get to know your cubies. Respect em. Know who they are. Find a good group to do your time with.

Kurt: You're gonna want to find a small group. Choose your friends, honestly. They'll make your bit a lot easier. Part of it is choosing your own friends. I don't even know of any gangs that are here, but if you know, one approached you and that's what you want, boom. If you don't, hey you just tell em, no.

Max: First off you need to know who your affiliating yourself with. If you start messing around with guys that's, that's all the time in the shit, being loud, you want to back away from them. Try to keep a low profile. Don't let yourself in the limelight, but have you some friends. But not too many. Keeps a lot of the staff and stuff up off from you too, cuz they recognize just as well as anybody else.

Carl: Having people makes the time go by faster. Share it with some good friends that will really help you out there. Make the time smoother. But won't be getting into any trouble. That makes your time go faster. Help you out in the long run. That's about the main thing I guess.

In stark contrast to "do your own time," many respondents revealed that new inmates should get to know other inmates. There were two reasons provided for getting to know other inmates. First, having a primary group of friends would ease inmates' sentences. Second, it is important to find high quality friends. As previously mentioned, respondents reported that they had

primary groups of friends while incarcerated and suggested that having these groups assisted in coping with their sentence.

Existence of Hierarchies

Discussions about hierarchies were also contradictory. Many respondents suggested that hierarchies did not exist, however, analyses of transcripts revealed several themes related to a hierarchical standing of inmates that included occupations, organizations, athletics, religion, education, patients, convictions, and individuals or groups to avoid. The hierarchies that emerged from the analyses seem to be based on very conventional criteria.

Occupations

Some of the respondents suggested that different occupations were more desirable than others. In addition, some occupations provided inmates with more power than other inmates, thus establishing a hierarchy. For example, a respondent reported value in occupations that would allow inmates to be versatile. It is important to note that educational programs are considered an occupation throughout the Ohio Department of Corrections.

Mike: GED first. That's top of the list. Get that; then you can go anywhere in this kingdom. You can go OPI, you can go to vocational school, you can go a lot of other places, college, whatever, but if you ain't got your GED, they ain't going to let you OPI. You won't be able to go to vocational school.

Another respondent suggested that occupational hierarchy is based on the monetary reward, physical fitness, and demands of the occupation.

Jason: What are you going to do with your day? Which job are you gonna select. What do you wanna do? Do you want to work at recreation? Which is you know, a good job. OPI, where I work, is a good job. I prefer working there cuz it pays the most. Um…

I: What's a bad job?

R: Kitchen. Cutting the grass.

I: Why are those bad?

R: Well, Kitchen is bad because you have to get up at four o'clock in the morning. And, they don't really treat them as well over there. The hours are bad, it's too early. You gotta

work a split shift, you leave, you know, you got a little bit of time. You gotta come back and work, you know, like you do now. Cutting the grass is just doing the yard maintenance is just too boring. For my opinion, boring. It's menial. Its not doing you any good.

I: Why are those other jobs good jobs?

R: Well, from my point of view, OPI is a good job because a lot of guys learned the sewing skill, and they left here and usually found jobs. You know, we pick em out of the paper all of the time and put them on the boards over there. So there's a demand for it. Since we have an apprenticeship program through US Labor Department, some of them have become quality control inspectors, have left a couple of them have and have gone down and gotten in, and, I forget which. Oh, Delphi Automotive in Dayton has a QA, a quality control inspector based on their apprenticeship program. Plus, you earn more money. So if you, you don't want to burden your people, you can get by much easier making a hundred dollars a month than you can making eighteen or twenty dollars. So that would be OPI. Education pretty self-explanatory. If you can't read or write, you can go all the way through college. Especially if you're just barely short of a GED. I would rate those three as probably the, OPI, recreation, and education. Now then you pick your order. That's the three best things you can do here.

I: Why is recreation so desirable?

R: I always thought because you can stay physically fit. You can get out. You have an excellent weight room, basketball, golf, track in the back. You can occupy your time and stay in shape and whatever. 'Cause a lot of guys have finished high school or two years of college here and they're in a net that they do have to go find something else. OPI has a hiring limit. So you can't everybody can't go there. We're limited to 125. So the next, the third alternative is recreation.

Organizations

Throughout the institution several volunteer organizations exist such as the Vietnam Veterans of America and the Good Hope Jaycees. These organizations hold fundraisers for outside benefactors. The fundraisers generally involve food sales from outside vendors (e.g., Pizza Hut, McDonalds). Respondents reported that being in these organizations or knowing the heads of the organizations provides opportunities for privileges.

Kevin: I know the president of the Jaycees, and I know the president of the VVA, and they're both nice people. Um I don't know 'em well enough to consider them as quote-unquote "friend," but I mean they are if you have a question about what the organization's about they'll let you know. They have about as much power as a guy can. You can make your own prediction from there.

Brad: Different leaders in organizations, Jaycees something like that. You know what I'm sayin'? You always want to rub elbows with the big honchos of the Jaycees and see if you can move me up in line at the Pizza sale or something.

Athletes

Some of the respondents believed that inmates that perform well during the institutional recreational activities are well respected throughout the institution.

Mike: Well, the ball players especially. They gets lots of respect. I don't care if you're white, black, even if you're white. You're goin' to play shortstop and you're good you gets lots of respect, from all players. They, basketball the same way. You can go up there, and you can dunk or you can shoot or you can run that floor. Pssh, you get the utmost respect. I mean from each pod. You ain't even got to be in the pod you in. "Aw man, there goes so-and-so. Man, he can play."

Mark: And even kitchen workers. You can work in the kitchen, but you the dunkin'est basketball player. Man they're, "Oh man, there goes Breakmen."

Education

Many respondents thought that participation in the education programs available in the institution is well respected. In addition, having knowledge of legal matters can also provide inmates with higher-level status.

Don: Somebody who's got some intelligence gets respect because right away you're looked at as somebody. Somebody's got some legal work or something that they don't understand. That's a source that they can go to for help, you know. And I think maybe from what I've seen, it's the really intelligent guys that get the respect across the board.

Jerome: For anybody in GED program. Trying to get an education. College program one of these guys that is trying to get himself together spiritually. Any guys trying to get their behavior together. That's the kind of guy you're supposed to admire. Now come in here and you're trying to be one of those guys that is gangbanging, you're going backwards. You won't be one of the guys trying to go forward. Vocational programs, even some of the guys working in the kitchen. They work hard over there. Some guys just trying to do their time, trying to stay out of the way. That's the kind of guys you want to be with.

Max: There's some guys in here that don't deserve to be here, and there's some guys that do. And then there's guys that deserves a chance because, you meet guys, and, there's some good dudes here. For real, and intelligent guys here, that has, they could go through college if they wanted to, probably no problem. That has certain expertise in certain areas. You know, there's some intelligent guys here. I mean there's some guys here that can work with the law and the law books over there.

Patients

Allen Correctional Institution is unique because the institution has a unit for inmates with mental disabilities. The inmate population call these "patients." In addition, these inmates wear separate uniforms from the rest of the inmate population. Because the patients are easily identified, some respondents saw them as targets for....?

David: In this place there's a lot of crazy guys. RTU, SCDU inmates.

I: Who is that ? What do you mean?

R: Mentally retarded or, it's guys that you could look at and you can tell there's something wrong with them. Whether they're mentally retarded or deformed in a facial feature or something. They kind of gravitate together and if there would be a bottom, I guess you would say it would be them. Cuz everybody heaps shit on them. And they talk shit to them and play jokes on 'em or what not. But they I guess would be at the bottom.

Carl: Patients for the reason, uh, medicine or whatever, people find out about em and talk about them and stuff. Really don't respect them.

Convictions

Some of the respondents thought that a negative hierarchy based on convictions exists. Inmates' type of conviction, particularly child molestation, lowered their statuses. However, some respondents revealed type of conviction rarely raised inmates' statuses.

Patrick: That you should respect? Yeah there's a few guys that, I mean you gotta understand, just cuz this is medium security prison; you got guys in here that are killers. You've got guys that were on death row, that were, whose sentences were commuted

under the old law when they trans, when they stopped the death penalty. They're in here now, and they, but they're doing life. They're never getting out of here. So this is home. I wouldn't, if your gonna pick a fight with somebody, pick it with the right person.

Keith: People really don't even look at what you done did no more unless it's like rape messing with little kids anything pertaining to that, you're liable to get hurt in here.

David: Child molesters are normally at the very bottom. I think, at every institution, child molesters kinda catch a lot of shit. That's something that if you're in for child molesting, you try to not let anybody know cuz you're going to get some shit out of it.

Kurt: Child molesters, you got problems until you establish yourself. And if you a child molester most guys ain't goin' to give you no respect anyway. Cuz, I mean everybody's got kids, or their friends or family have kids. That's something that just hard to accept. You mess with kids. Rapists any more, it's no big deal. Murders, they, I think the administration thinks that murders carry more weight, but they don't. It's an individual thing. You got guys in here for petty larceny, grand theft auto that carry more respect than guys that got double murders. It's all the individual.

Jake: People who've been down longer get more respect. That I've noticed. People who are not here on sex crimes, pedophile. You know, there's certain…certain crimes that obviously take back even inmates.

Even those offenders convicted of sexual offenses ranked sexual offenders lower in the hierarchy. For example, an offender who was convicted of a sexual offense provided the following quote.

Jason: Sex crimes rate the lowest, but there's still differentiation between those because, you know, some people on sex crimes, some people have read their cases, and the transcripts saying, "I can't believe you got convicted of this," you know, etc. Which is totally different than say, those, the pedophile thing with the priest now, with the young kids? I mean there's different levels of that.

Individuals or Groups to Avoid

Many respondents revealed that there are several types of individuals or groups to avoid while incarcerated. These included individuals viewed as troublemakers, those who attract the attention of the staff, and gang members.

Mike: The guys to avoid are the jumpsuits. The guys in the jumpsuits and the guys that see that the CO harass a lot. You can just sit back, and you can see the CO, "You come here, come here. Pull your shirt off. Do this," and you see he's got tattoos or something like that. Harass 'em all on a daily basis because they been with that type of people. So them's the ones you avoid. 'Cause if you with 'em, naturally you're going to shake them down; they're going to shake you down. So, simple as that, that's what you avoid.

Jake: The ones that I would stay away from are the ones that are loud and into trouble. They're into drugs, they're into tattoos and they're pretty outward about it. It's not like they you know, stuff that usually is concealed. They may think that they're tying to conceal it, but you can see what they're doing. What ends up happening is once you get involved in that and those are your friends, you're gonna get caught at some point. And you're gonna end up having that on your record, but not only that now the staff sees you with those people and you're associated with that group. Guilt by association. That goes on a lot, both by inmates and by staff. And here you are known by who you hang around with.

Steve: 'Bout every group, you know, that's got a loud mouth. Someone that's always looking to draw attention to themselves. Maybe they feel, more accepted that way, or they just want to be the center of attention. Those type of guys you want to avoid altogether because they're always drawing attention to theirself. You know if the staff looking at them, they seein' you too.

Keith: Yeah. The ones who, I mean the certain signs to look for. You got people who walk around with lighting bolts on them. That's a group to avoid 'cause that would mean they are the Aryan Brothers. People who hang around in a large amount of people, definitely aren't the crowd to be in, 'cause if they doin' it, and then you become cool with them, then you will get dragged onto that activity.

Max: Well you got your Crips, you got your Bloods, you got your AB. Yeah. You avoid them. I mean, if you, the first thing you want to do is keep a low profile if you can. But, you don't want to throw yourself in to the limelight. You want to avoid these groups because they prey on each other, prey on the weak individuals. Some groups protect their own race. If they feel that certain, certain, should be taken care of then you got other groups that all they want to do is fuck someone. So you have the differences in you groups. Between the AB, Bloods, Crips, Black Coalition, and you got your Spanish groups. So, you want to avoid em.

Jerome: Yeah, your basic, like on the street you've got gangs. Aryan brothers, Crips, Bloods, whatever you want to call 'em. Guys in the Klan. All you do, you ignore 'em.

Cuz you're one of the subjects. You know they ain't wrapped too tight anybody want
to sit around in that trash all day long, you ain't wrapped too tight.

The Changing Nature of Institutions

The changing nature of institutions was a theme that emerged across all other themes in the
discussions. This theme was discussed by respondents specifically in regards to gang activ-
ity, type of conviction offenses being respected, differences in sentences, and the inmate code.
Many of the respondents who commented on the changing nature of institutions have been
incarcerated previously, for longer periods, and/or were older; thus, they had an opportunity to
compare past and present prison cultures.

Ohio, like other states, has made a concerned effort over the past several years to reduce
the presence and power of gangs in prisons. During the interview process respondents were
asked about groups to avoid. Many of the respondents suggested avoiding the gangs in gen-
eral, and specific gangs, identified by name, in particular. Respondents asserted, however, that
administrative changes in handling gang activity have reduced the power of gangs. Don said,
"It's kind of hard to tell because that's one of the things about this camp. They're real strong
on gang activity. So, I don't think you see near the kind of gang activity going on here that you
would see in some of the other prisons or in older prisons."

Respondents observed that the institution has been changed by the state's procedures for
handling gang activity. According to Max, who consistently called himself a "convict" through-
out the interview, the "gangs used to control when a hit was gonna take place. Now, you never
know. Not that they happen that often, but there was an understanding." Gangs may have been
functional for the institution because they lowered the rate of random violence. Inmates who
were immersed in the inmate culture valued the reduction of random violence even more than
an overall reduction in violence.

As previously mentioned, certain types of conviction offenses can lower inmates' statuses;
however, many of the respondents asserted that rarely would a type of offense raise an inmate's
status. Keith suggested that "people really don't even look at what you done did no more unless
its messing with little kids." Another example from Jason, explains that the inmate population
is more concerned with their future than establishing a hierarchy based on type of conviction.
"And that's how it used to be, but the prison system has changed a whole lot. Nobody's held
in that much esteem. Everybody is just trying to leave here. Who cares what you did?" It is
possible that the security level (i.e. medium) of the prison housing the respondents in this study
reduced the importance of type of offense.

Many of the respondents sentenced under the state law effective prior to July 1, 1996, dis-
cussed the changes in the inmate culture based on the type of sentence inmates received. The
passing of Senate Bill 2, effective July 1, 1996, changed the structure of felony sentences in

Ohio. Prior to Senate Bill 2 indeterminate sentences (e.g., 2 to 5 years) were imposed. Under Senate Bill 2 offenders are given determinate sentences (e.g., 4 years), or what the inmates have termed "flat time." Many of the respondents asserted that differences exist in the behaviors based on the type of sentence. For example, David stated:

> *I'm under the old law, so I still have to deal with the parole board. There's a great number of people here now that are new law, flat timers, and their mindset is a lot different than mine. They don't care. They know when they're going to go home. They don't have to worry about getting in trouble or doing whatever. I can't think like that. I have to always think the parole board in the back of my mind. I can't get in no shit, 'cause I'll have to answer to that when I get to the parole board.*

Some of respondents reported that the difference in release criteria changes the way the inmates serve their sentences. Martin suggested that flat timers have a flippant attitude towards older inmates that try to enforce inmate-created rules. "They're like, 'Man fuck you. I'm doing a year. You can't tell me shit. And I'll go spend all year in the hole. It doesn't matter where I do my time at. When that year's up, I'm goin' home. I mean it's changed a lot." Individuals serving determinate sentences may disregard cultural norms important only to those serving indeterminate sentences.

For many respondents the changing nature of institutions meant the abandonment of an inmate code. Some studies have noted the diminished effects of the inmate code (Irwin, 1980). These studies argue mandatory, fixed-length sentences reduce the threat of inmates "snitching" on deviants. The results of the present study also suggest the declining importance of an inmate code. Very few of the original maxims of the inmate code or argot roles as described by Sykes (1958) were present in the discussions with the respondents. When these rules or roles were discussed, the information provided often related to examples of how the institution has changed. For example, Jason stated, "Those John Wayne movies are a dud. That stuff isn't real prison. It's no longer us versus staff. Everybody is a snitch."

The changes in the inmate culture and the institutions seemed to produce anxiety among some of the respondents. For example, Max sought medical attention because of the anomic feeling he was experiencing.

> *I've done this off and on over twenty something years, and I've seen the gradual change in prison from the first time I arrived in Mansfield until now. Prison nowadays isn't as physical as it used to be, although you've still got to be strong. It's more of a mental thing now. And you have a different class of individuals coming in, what we call Generation X. They have no respect or morals, or no principles or values any more. They're off the hook. And that makes it harder for a guy such as myself. I consider myself a convict. I been down some twenty some years. I've been tested. I've been through the mill. I'm well respected. The younger guys now is making prison life much, much harder.*

Because they're constantly cursing you or putting you on their nuts or something like that. Back in the day you didn't do that. If you did that you had a fight right there at the drop of a hat. Nowadays it ain't like that. I got out in '91 and came back in '95 and just the difference in just that four or five years things changed so much that I actually thought I was having mental problems. I even went to the psychologist and got on Prozac. Things had changed so much, so drastically that I thought I was going soft.

Other respondents that had served longer or previous sentences articulated similar sentiments. Stu became noticeably upset when he asserted that "seeing these changes, inmates are going soft. We used to have a code to live by. At times I thought I was going a little nuts. I mean everybody is telling on people. (pounding fist on desk) What is that about?" The anomic feeling that these respondents experienced could support the notion that differences in sentencing established two cultures throughout the institution. The culture of flat timers seems to have superseded the previously established culture. The increasing number of newer inmates has enabled their culture to become dominant.

The emergence of the theme relating to the changing nature of the institutions may be a consequence of the security level of the prison. Many of the respondents who discussed the changing nature of the institutions were older. In addition, many of the respondents that have served longer determinant sentences did not report changes in the nature of the institution.

One of the goals of this study was to attempt to update the literature relating to the inmate code. The early descriptions of the inmate code and prison argot roles were based, for the most part, on the work of Sykes (1958) and his study of maximum security institutions. Little support was found to support the traditional inmate code as described by Sykes. However, the results suggest that Kaminski's (2003) argument that the inmate code is a rather fluid construct of the inmate society seems to be supported. The themes in this study suggest that the code is based on conventional criteria.

Limitations and Suggestions for Future Study

The current study endeavored to investigate relationships between inmates. While the perceptions of the respondents in this sample may not represent those in other prisons, the information presented may instruct future efforts.

A basic limitation of this study is related to sample size. The pilot study was limited to ten subjects selected because the staff viewed them as "talkative." The current study was limited to twenty subjects for both temporal and practical reasons who were selected randomly from a list of all inmates. Two of the subjects were eliminated from the sample of the follow-up study for lack of ability to expand on their answers. Participation in both studies was strictly voluntary. The experiences of the respondents that chose to participate in the interviews may be different from respondents who did not participate.

The data are comprised of the respondents' own words and expressions as told to the interviewer. Attempts to validate claims made by the respondents were limited to information similar to the vignettes provided in Appendix A. The Ohio Department of Rehabilitation and Correction maintains an offender database website. This public access website contains information such as conviction offense(s), length of sentence, time served, and date of birth. The information found at this site was used in an attempt to verify the information provided by the respondents. In a few instances, respondents provided false information about their conviction. For example, Jason stated during the interview that he had been convicted of a violent offense; however, the database stated that Jason had been convicted of a sexual offense (Ohio separates these offenses on their offender database). The norms that exist in the inmate culture might have influenced respondents' willingness to disclose specific types of information. Although respondents were assured confidentiality, some may have withheld information they considered incriminating or embarrassing.

Differences exist between inmate cultures based on institutional custody levels. Previous studies on inmate culture generally focus on maximum security institutions. The current study was conducted at two medium security level institutions. The inmate population at medium security institutions consists of inmates that are serving shorter sentences, approaching release, or serving longer sentences, yet, because of proper behavior have been classified as medium security. It is important to note that maximum security institutions comprise less than ten percent of all institutions, while medium security institutions comprise more than half of all institutions. Future research on prison culture should further investigate medium security institutions as well as update the literature on maximum security institutions.

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APPENDIX

Pseudonym of Respondent: Mike
  1) Race: African American
  2) Age: 46 – 50 years
  3) Length of sentence: 15 – 40 years
  4) Amount of time served: 11 – 15 years
  5) Conviction: Violent
  6) Previous incarceration: Close
	Pseudonym of Respondent: Don
	  1) Race: White
	  2) Age: 50 – 55 years
	  3) Length of sentence: 5 – 25 years
	  4) Amount of time served: 11 – 15 years
	  5) Conviction: Violent, Sexual
	  6) Previous incarceration: Close

Pseudonym of Respondent: Keith
  1) Race: African American
  2) Age: 20 – 25 years
  3) Length of sentence: 0 – 5 years
  4) Amount of time served: 0 – 5 years
  5) Conviction: Violent, Drug
  6) Previous incarceration: Close
	Pseudonym of Respondent: Jason
	  1) Race: White
	  2) Age: 50 – 55 years
	  3) Length of sentence: 5 - 35 years
	  4) Amount of time served: 11 – 15 years
	  5) Conviction: Sexual
	  6) Previous incarceration: Close

Pseudonym of Respondent: Kurt
  1) Race: African American
  2) Age: 60 – 65 years
  3) Length of sentence: 5 – 15 years
  4) Amount of time served: 11 – 15 years
  5) Conviction: Violent
  6) Previous incarceration: Medium
	Pseudonym of Respondent: Kevin
	  1) Race: White
	  2) Age: 20 – 25 years
	  3) Length of sentence: 0 – 5 years
	  4) Amount of time served: 0 – 5 years
	  5) Conviction: Property
	  6) Previous incarceration: None

Pseudonym of Respondent: Max
  1) Race: White
  2) Age: 46 – 50 years
  3) Length of sentence: 5 – 25 years
  4) Amount of time served: 6 – 10 years
  5) Conviction: Violent
  6) Previous incarceration: Maximum, Close; Medium
	Pseudonym of Respondent: Jerome
	  1) Race: African American
	  2) Age: 20 – 25 years
	  3) Length of sentence: 15 – 20 years
	  4) Amount of time served: 6 – 10 years
	  5) Conviction: Violent
	  6) Previous incarceration: Close

Pseudonym of Respondent: Stu 1) Race: African American 2) Age: 30 – 35 years 3) Length of sentence: 15 - Life 4) Amount of time served: 6 – 10 years 5) Conviction: Drug 6) Previous incarceration: Medium	Pseudonym of Respondent: David 1) Race: White 2) Age: 30 – 35 years 3) Length of sentence: 10 – 50 years 4) Amount of time served: 10 – 15 years 5) Conviction: Violent 6) Previous incarceration: Close
Pseudonym of Respondent: Patrick 1) Race: White 2) Age: 26 – 30 years 3) Length of sentence: 6 – 10 years 4) Amount of time served: 0 – 5 years 5) Conviction: Drug 6) Previous incarceration: Medium	Pseudonym of Respondent: Jake 1) Race: White 2) Age: 30 – 35 years 3) Length of sentence: 15 - Life 4) Amount of time served: 10 – 15 years 5) Conviction: Violent 6) Previous incarceration: Close
Pseudonym of Respondent: Carl 1) Race: African American 2) Age: 26 – 30 years 3) Length of sentence: 10 – 15 years 4) Amount of time served: 0 – 5 years 5) Conviction: Property 6) Previous incarceration: none	Pseudonym of Respondent: Turner 1) Race: African American 2) Age: 20 – 25 years 3) Length of sentence: 21 – 25 years 4) Amount of time served: 0 – 5 years 5) Conviction: Violent 6) Previous incarceration: Maximum, Close
Pseudonym of Respondent: Mark 1) Race: African American 2) Age: 20 – 25 years 3) Length of sentence: 0 – 5 years 4) Amount of time served: 0 – 5 years 5) Conviction: Drug 6) Previous incarceration: none	Pseudonym of Respondent: Steve 1) Race: White 2) Age: 26 – 30 years 3) Length of sentence: 0 – 5 years 4) Amount of time served: 0 – 5 years 5) Conviction: Drug 6) Previous incarceration: Medium
Pseudonym of Respondent: Brad 1) Race: White 2) Age: Under 20 3) Length of sentence: 11 – 15 years 4) Amount of time served: 0 – 5 years 5) Conviction: Drug 6) Previous incarceration: none	

BIOGRAPHICAL SKETCH

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Women on the Wing: Inmate Perceptions about Female Correctional Officer Job Competency in a Southern Prison System*

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ABSTRACT

Much of the current research on female correctional officers examines attitudes of prison staff about the ability of female correctional officers to perform prison job duties. This study seeks to examine male inmate attitudes and perceptions about female correctional officers. This paper specifically addresses male offenders' perceptions of female correctional officer job competency. Building upon research by Kissel and Katsampes (1980) and Petersen (1982), these perceptions were examined across three custody levels within a Southern prison system: Minimum, Medium, and Maximum custody. The analysis found that minimum custody inmates were more likely to have negative perceptions about female officer job competency than medium or maximum custody offenders.

Key Words: Female correctional officers, gender, employment, maximum custody, inmates, southern prisons

INTRODUCTION

Female correctional officers are becoming a common sight in male correctional facilities. This new trend has helped to alleviate staff shortages as well as open new job opportunities for women who are seeking employment in the correctional field (Pollock, 2004). This study seeks to examine how these female correctional officers are perceived by the offenders they are in charge of and the inmates' attitudes about their presence within the institution. Inmates within the Texas Prison System were surveyed across various custody levels in order to ascertain what effect the presence of female correctional officers has on the inmates.

In 1998, women comprised 22% of the American correctional officer workforce. Eight out of ten female correctional officers work in male prisons (Camp & Camp, 2003). The growth of female correctional officers working in male institutions in Texas demonstrates the impact that legal decisions have made in affording women equal employment opportunities. In 1978, Texas had no female correctional officers working in "contact positions" in male correctional facilities. A "contact position" refers to any situation where a prison employee works in close proximity to offenders. A decade later, 17% of female correctional officers were employed in male institutions. By 1998, Texas was employing 8,528 female correctional officers, with 6,616 (80%) working in male institutions (Camp & Camp, 1998). It was inevitable that such drastic changes in the number of female employees would impact upon the prison environment. It would be highly advantageous to evaluate the influence that female officers have on one of the largest correctional systems in the world. Little research has been done to examine this impact, especially from the viewpoint of the male offender.

Research on female officers has increased since the late 1970s, but most studies have only scratched the surface on how inmates perceive correctional officers (Philliber, 1987; Zimmer, 1986). Pioneers in the field have made headway on how female officers interact with their co-workers and administrators. Much of the literature has addressed female submersion in the prison guard subculture and socialization into a traditionally all-male "club" (Home, 1985; Hunter, 1986; Philliber, 1987). Additional research has shown that women have a calming effect on male inmates (Morton, 1980). Females may be especially successful at diffusing potentially violent situations in the early phases of confrontations.

Scholars, such as, Potter (1980) have also argued that female correctional officers not only carry out their jobs proficiently, but they have also added aspects of female skills, interests, and concerns that have markedly improved the general atmosphere of the prison environment (Potter, 1980). One additional study conducted in the early eighties noted that the presence of women also lowered the level of aggression and improved hygiene and language within the institution. The author noted that, "I know of no situation where the presence of women endangered the safety or welfare of inmates or staff, and yet the myths build, and the resistance to women's presence continues" (Breed, 1981, p. 40).

Few researchers have investigated inmate attitudes and opinions about how female officers have impacted institutional life (Kissel and Katsampes, 1980; Petersen, 1982).

Women correctional officers also have the opportunity to offer male and female inmates a positive image of women. It is also like that if male offenders are required to interact with women in positions of authority, this may encourage them to develop more positive attitudes towards females (Breed, 1981). Instead of considering female correctional officers as dependent, dumb creatures, they may be viewed as persons of integrity, intellect, and ability. The available research on the supervision of male prisoners by female officers suggests that positive outcomes can and do occur. These positive outcomes may be a result of prior positive interactions with other women in authoritative positions such as teachers or mothers. Conversely, male inmates may resent female correctional officers' authority if they have had negative interactions with their teachers or mother. Research by Zimmer (1987) found that the majority of male inmates who were supervised by female correctional officers felt no invasion of privacy, no resentment at having to take orders from women, and little or no sexual frustration. Inmates may also like having female officers because of their "softer" and more humane intervention style. Alpert and Crouch (1991) found that seventy-two percent of male inmates surveyed in their sample preferred female correctional officers.

Kissel and Katsampes (1980) found that fifty-three percent of the inmates were in favor of being supervised by a female. Kissel and Katsampes (1980) also found that the majority of the inmates (74%) reported that they felt that the presence of female correctional officers improved the quality of life within the institution. It was also found that inmates felt that the female officers made special contributions to the prison and that their presence made the institution a better place to live. Specifically, the current research has failed to address the difference in attitudes across custody levels. This study will examine the impact of custody levels on inmates' perceptions of female correctional officer job competency.

METHODOLOGY

The data in this article were collected through self-report surveys distributed by the researchers in four male prison units in the Huntsville, Texas, area from September to October 1999. These institutions were chosen non-randomly by the Texas Department of Criminal Justice–Institutional Division (TDCJ-ID) officials due to security concerns and short staffing within TDCJ-ID institutions. One minimum security, two medium security, and one close custody unit were selected, and a total of 475 surveys were randomly distributed. This figure reflects a number of surveys that TDCJ felt would be adequate to capture the information desired without significantly disrupting institutional operations. The survey was completed by 367 inmates, yielding a total response rate of 77%. Inmates assigned to minimum and medium custody were surveyed in the education department of the prison units. The response did not vary significantly between minimum (84%) and medium (86%) custody offenders, although

maximum custody offenders had a lower response rate (51%) than minimum and medium custody inmates. This could be due, in part, to an institutional lockdown imposed on close custody offenders at the time of the survey. Inmates assigned to minimum and medium custody were surveyed in the education department of the prison units. Close custody offenders completed the survey instrument in their double-occupancy cells. Every survey included a cover letter explaining the nature of the study, assuring the subjects of their confidentiality, and obtaining their written consent to participate in the study. The surveys took, on average, approximately thirty minutes to complete. Once the surveys were completed they were placed in return envelopes, collected in a sealed box, and taken from each unit by the researchers at the conclusion of every collection effort.

Custody level.

Within TDCJ-ID, all state inmates are classified into five principle custody designations. Custody levels are based upon an inmate's institutional behavior; the more restrictive the custody level (based on prison behavior), the fewer the privileges (e.g., visitation, length and type of recreation, and access to non-programmatic activities). Appendix A provides a comprehensive overview of TDCJ-ID custody levels at the time of the study.

In this study, the minimum custody group was comprised of both minimum in and minimum out offenders. Close custody inmates were chosen by TDCJ-ID officials to represent maximum custody inmates. The close custody inmates at the time of the study had been on institutional lockdown for 6 weeks and were released from their cells only for medical emergencies. This lockdown is more restrictive than administrative segregation.

Quality of Female Job Competency.

Seventeen measures in the survey were used to assess inmate perceptions of female correctional officer job performance. These items asked the inmates to rate whether female officers performed as well as males at various institutional tasks and posts found within the prison. The measures represented typical correctional officer job responsibilities such as working in disciplinary segregation units, responding to stabbings, transporting inmates, and enforcing institutional rules and regulations. Some of the questions replicated items used in other studies asking male correctional officers about female correctional officer job performance (Kinsell & Shelden, 1981; Shawver & Kurdys, 1987; Walters, 1993). These items specifically measure inmates' perceptions of female officer abilities to (1) write reports, (2) "back up" male officers, (3) handle disputes and disturbances, (4) conduct cell searches and pat downs, (5) supervise inmates, and (6) manage inmates in various situations. The inmates were asked to respond to these items using Likert-style responses (e.g., strongly disagree=1, disagree=2, somewhat agree=3, agree=4, strongly agree=5). Therefore greater agreement with the statement would be indicated by higher average scores for each item.

FINDINGS

Univariate Analysis

Characteristics of the Sample.

Table 1 presents descriptive statistics for the three custody levels of male prisoners in the sample (n=367). The respondents' ages ranged from 17 to 77 years, with an average age of 33.5. Minimum custody inmates were significantly older (42 years-old), on average, than inmates in medium (32 years-old) or close custody (27 years years-old). The majority of the inmates were African-American (53.4%), followed by Hispanic (22.9%), White (17.4%), and other (2.4%). Close custody inmates were significantly more likely to be African-American (61%) or Hispanic (30%). For the purposes of current offense categorization, offenses were broken down into three basic categories: Violent Crime (e.g., Murder, Sexual Assault, Assault), Property Crime (e.g., Robbery, Auto-theft), and Drug Crime (anything that related to the possession, distribution or manufacturing of drugs). Offense category was broken down into primary offense for current incarceration. Offenders who reported that they had committed crimes in more than one category were placed into the category of the most serious offense. Of the inmates surveyed, the majority were incarcerated for violent crimes and were more likely to be classified as medium (51%) or close custody (47%). Ninety-four (25.6%) of the respondents were imprisoned for property crimes. Minimum custody prisoners (32%) were more likely to be in prison for property crimes. Minimum security inmates were significantly more likely to report prior prison time (51%), and had, at the time of the survey, served more time in prison (8 years) than any other custody group.

TABLE 1. DEMOGRAPHIC AND OFFENSE CHARACTERISTICS OF THE SAMPLE			
VARIABLE	**MINIMUM CUSTODY**	**MEDIUM CUSTODY**	**MAXIMUM CUSTODY**
Prior time			
Yes	50.5% (51)*	42.9% (76)	21.3% (19)
No	49.5% (50)	57.1% (101)	78.7% (70)**
Current Offense			
Violent crime	21.8% (22)	50.8% (90)**	47.2% (42)
Property crime	31.7% (32)**	20.3% (36)	29.2% (26)
Drug crime	21.8% (22)	10.7% (19)	12.4% (11)
Missing	24.8% (25	18.1% (32)	11.2% (10)
Marital Status			
Married	23.8% (24)	22.0% (39)	11.2% (10)
Single	76.2% (77)	78.0% (138)	88.8% (79)

TABLE 1. DEMOGRAPHIC AND OFFENSE CHARACTERISTICS OF THE SAMPLE (CONTINUED)			
VARIABLE	**MINIMUM CUSTODY**	**MEDIUM CUSTODY**	**MAXIMUM CUSTODY**
Race			
African American	48.5% (49)	52.5% (93)	60.7% (54)
White	21.8% (22)	20.9% (37)	5.6% (5)
Hispanic	23.8% (24)	18.6% (33)	30.3% (27)
Other	5.9% (6)	7.9% (14)	0.8% (3)
Mean Age	41.9 SD 8.5	32.1 SD 8.7	26.8 SD 5.2
Mean Time In	8.1** SD 5.4	6.5 SD 4.4	5.7 SD 2.9

*P<.05; **P<.01

The data collected for this research reflects state and national prisoner demographics in 2003. The racial breakdown for TDCJ-ID male institutions is 45.1% black, 28.0% white, 26.2% Hispanic, and .7% other. Of the total TDCJ-ID inmate population, 80.9% are in minimum custody, 6.6% are in medium custody, and 5.4% are in close custody with 7.1% being in maximum or super-maximum custody. The average age of TDCJ-ID offenders is 34.0. The racial breakdown for all inmates housed in the United States in 1997 was 37.9% black, 43.3% white, 11.9% Hispanic, and 6.9% other. Of the prison population in the United States, 32.1% are minimum custody, 40.3% are medium custody, and 10.3% are close custody with 17.3% being in maximum or super-maximum custody. The average age of inmates at this time in the United States was 33.5 (Camp & Camp, 1998). Of the sample collected, whites were slightly under-represented and blacks and Hispanics were slightly over-represented in comparison with the state and nation averages. Although the sample was originally drawn to reflect equal numbers in each custody level due to limitations from the agency, medium custody inmates are over-represented and minimum and maximum custody inmates are under-represented.

Scale Analysis

Custody level and inmates perceptions about female officer job competency.

In order to best assess attitudes and perceptions of female officer job performance, a series of questions was created which built upon earlier research by Kissel and Katsampes (1980) and Petersen (1982). Six items appeared to represent one underlying construct for "job competency" among female correctional officers. To examine whether these six items sufficiently measured this concept, a factor analysis was used. Appendix B presents the results from factor analysis of the six items selected to represent job competency. A reliability analysis was used to determine if the internal consistency of these items is a reliable measure of job competency. Table 2 reports the results from this analysis.

TABLE 2. RELIABILITY ANALYSIS OF JOB COMPETENCY		
VARIABLE	**CORRELATED ITEM-TOTAL CORRELATION**	**ALPHA IF ITEM DELETED**
Female officers are calm/cool in tough situations. (A-1)	.46	.82
I prefer to be supervised by female officers. (A-2)	.62	.79
Females make the institution a better place because the prison becomes more normal. (A-4)	.65	.78
Female officers are able to control inmates as well as male officers. (A-6)	.59	.79
Female officers are as effective as male officers. (A-7)	.68	.78
Some of the best officers on this unit are women. (A-11)	.54	.81

Alpha =.82

Cronbach's Alpha for the scale (.82) is statistically significant. Theoretically, these items are important measures of job competency as previously described and were retained in the scale.

A variable, Job Competency Score, was created. The score value is the total of responses for the six items selected in the Job Competency Scale. The lowest value that could have been obtained was a six, where the subject would have responded Strongly Disagree (1) to all of the job competency items. The highest value that could have been obtained would be thirty, where the subject would have responded Strongly Agree (5) to all of the job competency scales. The range from this scale was from 6 to 30.

Bivariate Analysis

The next phase of analysis examines the significant relationships between the dependent variable: perceptions of female correctional officer competency and the independent variable custody level, including control variables such as race, age, prior TDCJ-ID time, and marital status. Table 3 presents the correlation matrix with custody levels, demographic characteristics, and job competency score.

	Job Compt.	Min. Cust.	Med. Cust.	Max. Cust	White	Age	Prior TDCJ	Marit. Status
Table 3. Pearson Correlation Coefficients for Control Variables and Job Competency								
Job Compt.	1.00							
Min. Cust.	-.227**	1.00						
Med. Cust.	-.008	-.595**	1.00					
Max. Cust.	.245**	-.349**	-.546**	1.00				
White	-.152**	.071	.088	-.176**	1.00			
Age	-.257**	.530**	-.133**	-.394**	.174**	1.00		
Prior TDCJ	.098	.135**	-.062	-21.3**	-.067	-.379**	1.00	
Marit. Status	-.045	.060	.052	-.123**	-.067	.104	-.111**	1.00

*P<.05; **P<.01

In examining the Pearson correlations, many significant values were found in relationship to job competency. A negative value for job competency would indicate an inmate's low perception of job competency, while a positive value indicated a higher perception of job competency. Minimum custody inmates gave significantly lower job competency scores than medium or maximum custody inmates (r = -.227). Maximum custody inmates gave significantly higher job competency scores (r = .245). Race/Ethnicity was also correlated with job competency. White inmates gave significantly lower job competency scores than minority inmates (r = -.152). The age of the offender was also found to be a significant correlate of job competency. Younger inmates gave a significantly higher job competency score than older offenders (r = -.257). It should be noted that minimum custody inmates were more likely to be white and older, while maximum custody inmates were significantly more likely to be non-white and younger. This could be an underlying reason for the differences in perceptions of job competency among custody levels.

Multivariate Analysis

The next portion of the analysis used multiple linear regression to predict inmate perceptions of female correctional officer job competency. Multiple linear regression is used to assess to what extent a metric dependent variable (Y) can be predicted or explained by two or more metric and/or non-metric variables (X). The multiple linear regression asked to what extent male inmates' perceptions of female correctional officer job competency can be explained by custody level, attitudes about women scale, belief that women could be manipulated, offense category, marital status, time spent in TDCJ-ID, prior incarceration in TDCJ-ID, race, and age. After calculating the multiple linear regression the R Square was found to be .451, which would indicate that the amount of variance explained by the independent variables was 45.1% in the work stress scale. As noted by Pallant (2005) this is a respectable result and a

significant amount of variance explained. The adjusted R square was .433, which was not a significant difference from the R2, and the F value of the model was found to be significant at .000 (F=24.982). Table 4 provides an overview of the independent variables and their coefficients and significance levels.

TABLE 4. MULTIPLE LINEAR REGRESSION MODEL PREDICTING MALE INMATES PERCEPTIONS OF FEMALE CORRECTIONAL OFFICER JOB COMPETENCY							
	B	SS	T	P	ZERO-ORDER	PARTIAL R	PART
Medium custody	.743	.064	1.121	.263	-.001	.031	.045
Maximum custody	1.628	.120	1.990	.047	.242	.108	.081
Offense Category	.497	.042	.973	.331	.118	.053	.039
Race/Ethnicity	-.495	-.033	-.771	.442	-.165	-.042	-.031
Age	-.102	-.170	-.3162	.002	-.255	-.170	-.128
5 Years or Less	-1.879	-.094	-2.249	.025	-.019	-.122	-.091
Prior TDCJ-ID	.505	.108	1.536	.126	-.089	.084	.062
Attitude about women	-.815	-.599	-13.699	.000	-.626	-.599	-.555
Marital Status	-.384	-.026	-.635	.526	-.028	-.035	-.026
Women manipulation	-.179	-.046	-1.070	.286	-.092	-.058	-.043

NOTE. R2 = .455

As indicated in Table 4 there are four variables that are significant predictors of a male inmate's positive perceptions of female correctional officer job competency. Attitudes about women was the variable that had the most predictive power. Not surprisingly, male inmates who had higher perceptions of women in general were significantly more likely to also have reported high levels of perceptions of female correctional officer job competency. Age also had a high level of predictive power, with younger offenders reporting that female correctional officers were perceived as highly capable of correctional tasks. Offenders who had spent less than five years in TDCJ-ID were also significantly more likely to have higher perceptions of female correctional officer job competency. The last variable that reached significance was maximum custody, with offenders who were housed in maximum custody being more likely than medium or minimum custody offenders to believe that women are competent as correctional officers.

DISCUSSION AND CONCLUSIONS

Many differences between minimum, medium, and close custody offenders must be noted. Minimum security inmates live in dormitories or cellblocks, where there is far less privacy than close custody cells. There are many opportunities for interactions with officers and, whether male or female, the officers are almost always in close proximity to inmates and are constantly moving around in the dormitory or cellblock area. In maximum security facilities, however, inmates live in single cells with limited interactions with correctional officers. An officer may only approach the cell to deliver mail or pass a meal through the food slot. Inmates in maximum security may only have contact with an officer one or two times in the course of a typical eight-hour shift, and these interactions are often highly impersonal and ritualistic (Marquart, 1986a). Also, more often than not, male officers tend to work with these inmates. It is also not unheard of for maximum custody offenders to have little or no contact with female officers.

Zimmer (1986) found that the presence of female officers made prison seem more "normal." With little or no outside interactions, it would seem that inmates in maximum custody relish the opportunities to interact with female officers. This could account for the reason that the inmates in maximum custody had a positive correlation with female officer job competency. Regardless of the actual job performance that female correctional officers might be doing in maximum custody, the mere lack of contact between male offenders and female staff might have made their attitudes about women more positive than minimum custody offenders. These maximum custody inmates tend to be young, first- time offenders and are generally more likely to accept female correctional officers. Many of the inmates in minimum custody have spent time in the Texas Prison System before females were placed into contact positions in 1988. These older inmates may prefer the "way it was" before females came into the housing units and may resent their presence and the changes that have occurred due to their integration into male institutions (Cheeseman, Mullings, & Marquart, 2001). Because of the novelty and rarity, the close custody inmates may welcome the presence of female officers and be pleased with their competency. Interestingly, this may in part be because many close custody inmates are non-white and may have grown up under the presence of strong female disciplinarians. Anderson (1990) concludes

that minority males who grow up under the influence of a strong, single mother are more likely to respect female authority.

The results of this study indicate significant differences among custody levels and perceptions of female officer job competency. Richards, Terry, and Murphy (2002) note that prisoners have little confidence in prison staff and that prison-defined roles of guards and prisoners foster feelings of animosity toward one another. Marquart (1986b) also noted that there is tension and hostility between the "keeper" and the "kept." This may, in part, explain the perceptions of minimum custody inmates. Sykes and Matza (1958) discuss techniques of neutralization that individuals use to justify their crime or deviance. It is possible that these minimum custody inmates engage in "condemning the condemner." Correctional officers, whether male or female, would be viewed as oppressive, domineering, and even sadistic (Richards et al., 2002). While this could logically be said of all inmates, this study points to the fact that maximum custody offenders had positive perceptions of female staff. It was once thought that female correctional officers were in a no-win situation and would not find acceptance in the correctional environment from their peers or male inmates (Zimmer, 1986; Potter, 1980). The results of this study have shown that female officers are effective correctional employees and are perceived as competent by the inmates that they supervise, particularly by inmates in maximum security areas.

This study is not without limitations. The study uses self-report data. TDCJ-ID did not allow access to offender records to cross check information provided, such as offense category, time incarcerated, and prior convictions. This information would have been helpful to assess whether or not offenders were being honest in their responses. The results could have been used to see if there were any links between drug offenses and serious habitual offending, or between sexual offenders and perceptions of female officers. It would have also been beneficial to assess attitudes and perceptions of correctional officers from the perspective of female offenders. Though it has its limitations, this study provides valuable insight into how male inmates feel about the female correctional officers that supervise them. Female officers are still being placed in non-contact positions such as control pickets or radio pickets. Female officers may be able to reduce violence and aggression by being placed in maximum custody areas. Recent findings by Cheeseman, Mullings, and Marquart (2001) found that the majority of female officers are perceived by inmates as equally or more capable of dealing with maximum custody inmates. These offenders have higher perceptions of female correctional officer job competency and may prove to be an asset in maximum security areas, if utilized correctly.

It would be beneficial for correctional agencies to offer gender-specific training at pre-service and in-service training academies. As the researchers have found from their own personal experiences, inmates interact with females in a variety of ways, which often differ from their interactions with male officers. This could include approaching an officer for contraband or for a physical relationship (Marquart, Barnhill, and Balshaw-Biddle, 2001; Worley, Marquart, and Mullings, 2003). Female officers should be aware of the challenges they will face when

working in male institutions, and be given necessary tools to deal with the unique situations that are presented to them.

Women will continue to play a major role in male institutions. As older offenders leave the prison system, and offenders who have been supervised by female correctional officers increase in number, these officers will continue to be more accepted. Correctional administrators, staff, and male offenders fifty years from now may find that the issue of cross-gender supervision in male prisons is inconsequential. In time, the debate over female correctional officer success in male institutions may disappear (Zimmer, 1986). This research highlights the need for further studies on inmates' perceptions of prison and the officers and administrators who oversee them.

BIOGRAPHICAL SKETCH

Kelly Cheeseman Dial is an assistant professor at Old Dominion University in Norfolk, Virginia. Dial received her PhD in Criminal Justice from Sam Houston State University in Huntsville, Texas. Kelly has published articles in journals such as Corrections Management Quarterly, Southwestern Journal of Criminal Justice, Criminal Law Bulletin, and Deviant Behavior. Her current research interests include sex offender registration, prison deviance, correctional officer stress and job satisfaction, institutional corrections, the death penalty, and deviant behavior.

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APPENDIX A:

Overview of Prison Custody Levels

Minimum out: Can live in dorms outside the perimeter fence and can work outside the fence with little or no supervision.

Minimum in: Can live in dorms inside the fence and require armed supervision outside the fence.

Medium: Must live in cell and require armed supervision outside the fence.

Close: Must live in a cell, has serious disciplinary record, more restricted movement, and must have armed supervision outside the fence.

Administrative Segregation: Must be separated from the general population, is considered a dangerous threat, must live in a cell without a cell partner and leave their cells only for showering and limited recreation.

APPENDIX B:

FACTOR ANALYSIS OF JOB COMPETENCY	
SURVEY ITEMS	**FACTOR LOADING**
Female officers are calm and cool in tough situations. (A-1)	.60
I prefer to be supervised by female officers. (A-2)	.75
Female officers make the institution a better place because the prison becomes more normal. (A-4)	.78
Female officers are able to control inmates as well as male officers.(A-6)	.74
Female officers are as effective as male officers. (A-7)	.80
Some of the best officers on this unit are women. (A-11)	.68
Eigenvalue 3.19 Percent of Explained Variance 53.2	

Law Enforcement Perceptions of Sexual Assault Nurses in Texas

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ABSTRACT

The data collected in this study reveal excellent support for and confidence in the contribution to effective criminal investigation by Sexual Assault Nurse Examiners (SANEs). Law enforcement officials believe that SANEs perform the medical forensic physical evidence collection in an efficient and professional manner. They also indicate confidence in the written reports, chain of custody responsibilities, and later case development cooperation when SANEs are part of the investigative team.

INTRODUCTION

This study analyzes the level of satisfaction that law enforcement investigators have with the sexual assault nurse examiner's (SANE) delivery of services to the victims of sexual assault and the criminal justice process. Meredith, Speir, and Johnson (2000) note that for many sexual assault victims, law enforcement professionals are their first contact with the criminal justice system and/or victim service providers; therefore, the police are a critical partner to victim service programs. Given that many sexual assaults are not reported, it becomes especially important that victims who do report receive professional, caring service. SANEs provide that level of care and aid in the prosecution process by collecting evidence and providing expert witness testimony in court cases.

Historical Perspective

Prior to the 1970s, victims of sexual assault who dared report their victimizations to the agents of the criminal justice system were often "re-victimized" by those who had sworn to protect them. Criminal Justice practitioners, who were predominantly male, frequently denied (or were skeptical of) the possibility that victims, who were predominantly female, could have been forced to engage in sexual activity against their will. In 1966, The National Organization for Women was founded and, due primarily to its activism, social and legal reform in the area of violence against women have created a more supportive environment for the victims, both male and female, of sexual assault (Adler, 1975).

During the late 1960s, battered women's shelters, and later rape crisis centers, offered compassionate care and needed services to female victims of sexual assault. Many of the earlier shelters had a feminist ideology and a collectivist structure (Shecter, 1982). Feminists blamed male dominance for violence against women and they challenged the ideology that preached subordination of women. Initially, the women running the shelters used informal conscious-ness-raising techniques that encouraged self-determination with women who came to them for assistance and shelter. As the shelter movement grew, persons who were not necessarily feminists focused primarily on the immediate needs of the battered women, and sexual assault victims.

Prior to the advent of the rape crisis movement in the 1970s, victims of sexual assault were often denied treatment and other services in hospital emergency rooms (Ledray and Arndt, 1994). Those who received services were more often than not subjected to long waits in common areas because their injuries were not life-threatening; therefore, medical personnel assigned them low-priority status. Furthermore, medical practitioners were sometimes either inadequately trained to conduct forensic examinations and/or they were reluctant to do so because of the possibility that they would be required to testify in legal hearings. For these and other reasons, sexual assault victims might not receive compassionate and adequate treatment. Rape crisis centers and nurses, in an attempt to address deficiencies in the services provided to victims of sexual assault, created some of the first Sexual Assault Nurse Examiner (SANE) programs. (Ahrens, Campbell, Wasco, Grubstein, and Davidson, 2000). Although most of these programs continue to operate within the confines of the hospital emergency room, the services that sexual assault victims receive are now qualitatively different.

SANE Programs

The first SANE programs were established in the mid-to-late 1970s by nurses in Minneapolis, Minnesota, Memphis, Tennessee, and Amarillo, Texas (Littel, 2001, p. 2). During the 1990s, these programs grew exponentially, and by mid-1999 an estimated three hundred SANE programs had been established. Patterson, Campbell, and Townsend (2006) conducted interviews with the most experienced nurses from 144 SANE programs. They found that in

general, SANE programs were categorized on the basis of their primary goals: prosecution of cases, attending to patient needs, and those which placed the least amount of importance on prosecution of cases and focused on victim support issues. Regardless of program type, the sexual assault nurse examiner has become the most important actor in the provision of service to victims.

A sexual assault nurse examiner is a "…registered nurse who has been specially trained to provide comprehensive care to sexual assault victims, who demonstrate(s) competency in conducting a forensic exam for the collection of evidence, and has the ability to testify as an expert witness" (Texas Office of the Attorney General, 1999, p. 1). SANEs may also conduct evidentiary examinations of suspects in sexual assault cases. These exams are usually conducted at local hospitals. In general, during the course of a victim's exam, SANEs:

- Perform the physical exam.
- Collect, preserve, and document all evidence.
- Collect urine and blood samples and send them to designated labs.
- Obtain victim's account of the assault.
- Provide the victim with prophylactic medications for the prevention of sexually transmitted diseases and other care needed as a result of the crime.
- Provide the survivor with referrals for medical and psychological care and support (Littel, 2001, p. 3).

SANEs are paged whenever a victim enters the sexual assault response system, and they usually respond within thirty minutes or less. The victim's need for emergency medical care is assessed, and serious injuries are treated by emergency room physicians and nurses prior to the SANE's evidentiary examination (Littel, 2001). In many jurisdictions (including Texas), trained victim advocates are allowed to be present, with consent of the survivor, during the examination. Sexual assault examinations can last anywhere from two to five hours. In Texas, Article 56.045 provides that before an exam is conducted the survivor must be offered the opportunity to have a trained advocate from a sexual assault program present during the exam. Exams in Texas are ordered by either a law enforcement agency or a district attorney's office, but the victims may decide at any time to discontinue the exam. Local police agencies pay for the examination and are reimbursed by the Crime Victim Compensation Fund managed by the Office of the Attorney General (OAG) after the submission of required documentation. If and when sexual assault cases go to trial, SANEs may be required to testify about forensic evidence they collected during exams. They usually testify as expert witnesses and communicate with prosecutors prior to the court date.

In the 1980s, many police departments created sexual assault investigations divisions. Protocols were developed for the processing of these victims. Prosecutor's offices began to offer services to victims, and many grassroots and private charitable organizations that offered

services to victims of sexual assault and other forms of violence proliferated during the same period. Subsequently, many communities and counties formed sexual assault response teams (SARTs), which consisted of representatives from the law enforcement community, prosecutor's office, rape crisis centers, and sexual assault nurse examiner (SANE) programs. According to Little (2001, p. 6), SARTs "… oversee coordination and collaboration related to immediate response to sexual assault cases, ensure a victim-centered approach to service delivery, and explore ways to prevent future victimization." SARTs play a critical role in the development and continuance of effective SANE programs. Central to an effective SART is a positive working relationship between the SANE and the law enforcement components.

How effective are SANE programs? Campbell, Patterson, and Lichty (2005, p. 313) attempted to answer this question by conducting a comprehensive review of the extant empirical literature regarding the effectiveness of SANE programs. The authors examined five domains: (a) promoting the psychological recovery of victims, (b) providing comprehensive and consistent post-rape medical care, (c) documenting the forensic evidence completely and accurately, (d) improving the prosecution of sexual assault cases by providing better forensics and expert testimony, and (e) bringing multiple service providers together to provide better service to providers, and thus creating community change. While the authors' findings seemed to suggest that SANE programs were effective in all domains, they cautioned that most studies were incapable of rigorously testing program effectiveness because of methodological inadequacies.

Research reveals that, overall, prosecutors support these programs and the positive impact that SANE examinations have had on conviction of sexual assault offenders. SANEs can provide needed corroboration on the issue of consent in such cases. Several states have adopted legislation specifically defining the role of SANEs in the criminal justice system. It is anticipated that most states will expand their SANE programs over the next few years to provide a greater range of services.

Law Enforcement Role of SANEs

SANEs provide a valuable source of testimony for the trial process. During the examination of sexual assault victims, the SANE invariably discusses the case with the victim. When sexual assault nurse examiners are called upon to testify in court regarding statements made to them by victims, the defense is obligated to object to the evidence as hearsay. However, one exception to the rule against hearsay is for statements made for purposes of medical diagnosis or treatment. Attorneys have challenged whether this rule should be applied to SANEs or restricted to physicians. A two part test is typically applied to resolve this issue: (1) the declarant's motive for making the statement must be consistent with that of a patient seeking medical diagnosis or treatment, and (2) it must be reasonable for the care provider to rely on the information conveyed by the declarant in diagnosis and treatment. In People v Hackney (1990), it was held that testimony of a nurse, as to the child's account of the precise nature of the sexual acts or conduct involving him, was admissible under Michigan R Evid., Rule 803(4). Likewise, in a prosecution

of the defendant for sexually abusing his 13-year-old daughter, the court in People v Van Tassel held that statements the victim made to a nurse in an interview conducted before a physical examination identifying her father as her abuser were admissible. In another prosecution for child sex abuse, the court in State v Hicks (1991) held that statements made by the victim to her nurse in response to questions regarding the attack were admissible. Similar conclusions regarding the ability of the SANE to relate testimony derived while the examination is being conducted have been reached in virtually every jurisdiction that has reviewed the issue in appellate opinion. These cases have enhanced the value of SANEs to effective prosecution of sexual assault cases involving both adult and child victims, granting SANEs parity with physicians in this matter.

A second law enforcement role of SANEs is in establishing and maintaining the evidentiary "chain of custody" required for effective prosecution. When organic nonblood specimens are removed from a human body for scientific analysis the proponent must authenticate the specimen by showing that the specimen subjected to testing is the same specimen collected from the person in question. This is usually accomplished by proving a chain of custody, which requires accounting for the sample's handling from the time it was first collected until the time it was analyzed. In State v. Peter (1997), the chain of custody for the biological samples of the victims was established by the testimony of the emergency room nurse (SANE) who completed the sexual assault evidence kits for each victim, the forensic serologist who testified about the storage of the victims' blood samples, the detective who took the kits to the state department of public safety's laboratory, and the department's criminalist who sent the victims' samples to the FBI laboratory. In sum, the court held, the evidence initially gathered by the SANE and subsequent actions by the state had established with "reasonable certainty" that the samples taken from the victims and from the defendant were the same as those tested by the FBI laboratory. Numerous other appellate cases have addressed the collection and maintenance of biological samples taken by SANEs and their strict adherence to principles of maintenance of the chain of custody.

The third function of SANEs which is significant to law enforcement is their role as an expert witness. The issue of whether a SANE qualifies as an expert witness in court is an important issue because expert witnesses may not only testify as to what they observed but also make rational deductions (opinion evidence) from those observations. Expert witnesses must possess special knowledge by virtue of education, profession, publication, or experience exceeding that of a lay person. Admissibility of expert witness testimony in most jurisdictions is governed by the Daubert Standard, a legal precedent set by the United States Supreme Court which requires the evidence to be both relevant and reliable (Daubert v. Merrell Dow Pharmaceuticals, 1993). SANEs, by virtue of education and professional training, may qualify as expert witnesses which renders them much more valuable to the criminal investigator who interviews the SANE. A SANE will be able to testify, for example, to his/her opinion regarding not only the existence of wounds such as laceration or bruising, but also opinion regarding the probable source of said injury.

Courts in Texas and other jurisdictions have thoroughly reviewed issues regarding the admissibility of physical evidence and verbal testimony gathered by SANEs and other registered nurses as it pertains to the prosecution of sexual offenses. A decade of appellate opinions from numerous jurisdictions has established the viability of SANEs' evidence collection and testimony as experts (Dinkin and Seltzer, 2001). A West Law search produced over forty appellate opinions in Texas, which have addressed an array of legal issues regarding the activities of SANEs in the investigation of sexual offenses. Objections alleging that SANEs engaged in the unauthorized practice of medicine have been rejected. Their status as expert witnesses has been objected to and thoroughly reviewed with outcomes generally favorable to the prosecution. The Supreme Court of Virginia, whose opinions on this subject are often cited in other jurisdictions, concluded that SANEs possess adequate knowledge, training, and experience to render an informed opinion (Velazquez v. Commonwealth, 2002).

In Texas, even registered nurses not SANE certified have been permitted to testify about statements and symptoms of child abuse. Numerous appellate decisions approve of permitting SANEs to testify about the patient interview before and during the conduct of the two to five hour physical examination for sexual assault victims. These intensive examinations follow a thoroughly developed protocol involving the utilization of a standardized sexual assault evidence collection kit. Indeed, the activities of SANEs transcend mere evidence collection. Forensic examination of sexual assault victims as conducted by SANEs includes: the collection of samples of tissue; hairs from internal and external areas of the body; torn, bloody or soiled articles of clothing; foreign debris such as, hair fibers, cloth fibers, and secretions adhering to the victim's body; photographs documenting bruising, contusions, or other injuries; fingernail scrapings; colposcope results, etc. The thoroughness of this examination process opens the door for development of a special rapport which often results in a relationship of trust. This means that SANEs may receive a greater degree of verbal evidence about the victim's victimization and prior sexual/medical history than has previously been available to prosecutors. Incident to this elaborate process, SANEs develop rapport and trust with the victim(s) who may confide information valuable to the prosecution (or defense). Some surveyed SANEs even report maintaining contact with the survivor after the exam. This trust relationship may help decrease the incidence of victims withdrawing from the prosecutorial process later.

Legislative Mandate

In 1997, the 75th Texas Legislature passed House Bill 2561. Chapter 420 of the Bill outlines the provisions of the Sexual Assault Prevention and Crisis Services Act. Among the provisions of this act was the requirement that the Office of the Attorney General (OAG) of the state of Texas develop rules establishing minimum standards for the training and certification of sexual assault nurse examiners (SANEs). Nurses can seek both adult and/or pediatric certification. Additionally, the OAG was mandated to establish minimum standards for the suspension, decertification or probation of SANEs that violate the state-mandated rules and regulations. Certification rules, which were not a part of the bill, can be revised without legislative approval.

SANEs who had received training prior to September 30, 1998, were required to have completed 40 verifiable hours of classroom training to be eligible for certification. Those trained after October 1, 1998, were required to receive 56 hours of classroom training and 66 hours of clinical practice for adults or 96 hours of clinical for children to be eligible for certification. Classroom topics include the historical development of the sexual assault nurse examiner conceptual model; definitions and facts of sexual assault; role and responsibility of a SANE; symptomology of victims and crisis intervention skills; needs of special populations; orientation to adult female and male genital anatomy; detailed genital examination for injury identification; visualization adjuncts; sexual assault examination/documentation forms; laws specific to sexual assault and evidence collection; steps of evidence collection; specimen collection, preparation, and packaging; etc. Local police agencies pay for the services/examination and are reimbursed by the OAG (CRIME VICTIM ASSISATNCE FUND) after the submission of required documentation. While the literature indicates that there is little question to the level of training and sophistication of the modern SANE, their relationship with law enforcement has received little examination.

SURVEY METHODOLOGY

The law enforcement perceptions of sexual assault nurses were obtained by conducting a mail out survey. A 2001 listing of all law enforcement agencies in the state, which included the total number of sworn officers in the agencies, was obtained. Using this list a stratification procedure was developed. It was decided to divide the agencies into groups using number of sworn officers as the criteria. Agencies with more then 200 sworn officers were considered to be large. Agencies with between 50 and 199 sworn officers were considered to be midsized. Agencies with less than 50 sworn officers were considered to be small. The decision was reached to survey all the large and midsize agencies. This resulted in a total of 28 large agencies and 99 midsized agencies. In the large agencies category the largest agency reported 4,905 sworn officers, and the smallest had 207. The average size of the large agencies was 822.29 officers. In the midsized agencies the largest reported 188 sworn officers and the smallest had 50. The average size of the midsized agencies was 93.42 officers.

To represent the small agencies (less than 50 officers) a probability sample of 100 agencies was selected out of the 2,254 small agencies. In this small agency category the largest agency sampled reported 45 sworn officers, and the smallest had 2. The average size of the small agencies was 11.67 officers. There was no significant difference between the average number of offices in the sample and the average number of officers in the census of small agencies. The decision to use a probability sample of the small agencies was based on two factors. First, the cost of surveying all the small agencies would have been prohibitive. Second, the small agencies were much less likely to have contact with sexual assault nurses. The authors recognize that a less than 5% sample is not ideal and that any generalizations from this small agency category should be made with extreme caution.

The survey instrument included a series of 23 questions which included both fixed alternative and open ended questions.   The questions addressed if the agency referred cases to SANEs, the degree of experience the respective department had with sexual assault nurses, their points of satisfaction and dissatisfaction with sexual assault nurses, and some demographic variables about the agency. After its construction the survey instrument was reviewed by a committee of experts in the subject matter prior to being administered. The review committee was composed of staff from the state's attorney generals office, which administers the sexual assault nurse certification program, practicing sexual assault nurses and representatives from state-funded sexual assault victim services centers.

The survey was addressed to the investigative unit that handles sexual assault in each agency. While the authors believe that an appropriate official responded in each case, since the survey was anonymous, it is impossible to determine the exact respondent. Each survey (see Appendix A) included a cover letter, postage paid return envelope and a separate "acknowl-edgement" post card that could be mailed back at the same time as the survey instrument. The acknowledgment postcard allowed the survey to be returned anonymously and let the authors to know which agencies had responded. Then, when a reminder letter was mailed out it could be mailed only to agencies that had not originally responded. Assuming that the agencies who responded to the survey are also the agencies who returned the postcards, this technique could also be used to examine the response rate by agency size. As a methodological note; while the agencies were asked to mail the postcard with their agency name on it separately, to maintain anonymity, a number included the postcard in with the returned survey. When this occurred the two items were immediately separated. Two months after the initial mail out, a follow-up mail out was conducted to agencies that had not mailed back their acknowledgement cards.

A very good response rate was achieved on the mailed surveys with 55.5% (126) of all law enforcement agencies in the sample responding. Of the large agencies 21 or 75% responded, of the midsized agencies 67 or 67.8 % responded and of the small agencies 38 or 38% responded. The much lower response rate from the smaller agencies was expected. Because of the nature of the jurisdictions they serve, smaller populations and other factors, they were much less likely to have had contact with sexual assault nurses. For these agencies the relevance of the survey was probably low and that produced a lower response rate.

SURVEY RESULTS

The survey questions were designed to address some areas of common concern that had been identified in the literature. A grouping of four questions was designed to examine whether law enforcement officers thought that SANEs had improved the relationship and cooperation between sexual assault victims and the police. A second block of four questions was used to address the issues of evidentiary quality and the third block of questions addressed if SANEs had improved the relationship and cooperation between the medical services personnel and the law

enforcement agencies. Open-ended questions were used to request a description of the collaborative arraignment that comprised the SART in their jurisdiction and any suggestions that they had for improving the services of the SANEs in Texas.

Victim Cooperation/Participation

Victim participation is crucial in the apprehension and successful prosecution of sexual assault offenders. Nugent-Borakove, Fanflik, Troutman, Johnson, Burgess, and O'Connor (2006) found in their study of the impact of SANE/SART interventions on the judicial process that victim participation was one of the strongest predictors of arrest of the offender. The extent to which victims cooperate with law enforcement is partially attributable to the quality of their contact with SANEs/SARTS. Prior to the intervention of SANEs, Littel (2001) notes that sexual assault victims often spent four to 10 hours in emergency departments before their examination by medical personnel because they were viewed as non-critical cases, especially if minimal physical injuries were sustained. After the long waits in the emergency departments, victims were often re-victimized by insensitive medical personnel and skeptical law enforcement officers. These experiences did not facilitate the investigation and prosecution processes, as victims were less likely to be fully cooperative, nor were their emotional needs met.

In this study, which examines law enforcement perceptions of SANE functions, sixty one percent of the respondents agreed or strongly agreed that the use of SANEs has reduced the hospital wait time for sexual assault victims (See Table 1).

TABLE 1. LAW ENFORCEMENT PERCEPTIONS CONCERNING VICTIM RELATIONSHIP/COOPERATION						
VICTIM RELATIONSHIP/COOPERATION	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	NO OPINION
1. The use of SANEs has reduced the hospital wait time for sexual assault victims.	42%	19%	17%	11%	1%	10%
2. Victim comments made to SANEs during sexual assault examination are useful in identifying and apprehending suspects in sexual assault cases.	33%	52%	7%	5%	0%	3%

TABLE 1.						
LAW ENFORCEMENT PERCEPTIONS CONCERNING VICTIM RELATIONSHIP/COOPERATION (CONTINUED)						
VICTIM RELATIONSHIP/COOPERATION	**STRONGLY AGREE**	**AGREE**	**NEUTRAL**	**DISAGREE**	**STRONGLY DISAGREE**	**NO OPINION**
3. Sexual assault victims are not as likely to give as much information about a sexual assault to a law enforcement officer as they might give to a SANE.	15%	32%	26%	19%	1%	7%
4. Victims examined by SANEs are more likely to be cooperative with law enforcement throughout the apprehension and conviction of the suspected sexual assault perpetrator.	18%	40%	29%	3%	0%	10%

This finding supports those of other researchers (Campbell et al., 2005; Crandall and Helitzer, 2003; Durhammer, Reed and Young, 2000; Greenwood, 2003; Ledray, 1993; Little, 2001; Nugent-Borakove et al.). Crandall and Helitzer (2003, p. 6), who evaluated the SANE program at the University of New Mexico Hospital Emergency Medicine Department, found that before the inception of the SANE program, "the average time from check-in to discharge was 4 hours and 16 minutes. After SANE, the average time from dispatch to discharge was 3 hours and 26 minutes". Thus, on average, the time spent at SANE was 49 minutes less compared to the ED, and the victims received a greater variety of referrals during the contact period.

In the current study, eighty-five percent of law enforcement surveyed believed that victim comments made to SANEs during their sexual assault examinations are useful in identifying and apprehending suspects. Further, fifty-eight percent of the law enforcement officers reported that victims examined by SANEs were more likely to be cooperative with them throughout the apprehension and conviction of the suspected offender. Similarly, Crandall and Helitzer (2003, p. 6) reported that a greater proportion of victims examined by SANEs reported to police (46 % before SANEs vs. 67 % after). Law enforcement officers in the Crandall and Helitzer study (2003) also reported that because the SANE environment tended to be calmer and less hectic, they were able to interview victims who were less stressed and more willing to cooperate with them. Trust relations were established, interviews were more coherent and consistent, and there was an increase in successful prosecutions.

Crandall and Helitzer (2003) also reported that more cases were cleared by arrests. Ledray (1992), and Nugent-Borakove et al. (2003) had similar findings. Nugent- Borakove et al.

found that 208 of the 530 cases examined resulted in an arrest of a suspect. In an additional 71 cases, a suspect was identified and issued a summons to appear in court or was indicted and not arrested. The authors concluded that there is an apparent relationship between SANE or SANE/SART intervention and the likelihood of the arrest of a suspect, although other factors were greater predictors of arrest. These included victim/offender relationship, previous arrest of suspect, and the level of victim participation in the process. These and other findings reveal the importance of SANE/SART intervention in the victim's decision to cooperate with law enforcement, which leads to the greater likelihood of identification, apprehension, and prosecution of sexual assault suspects.

Evidence Collection Process

Regarding the participation of SANEs at the evidence-collecting stages of sexual assault investigations, those responding to the survey indicated very strong support for their assistance. It is noteworthy to mention that registered nurses hold not only at least a bachelor's degree with heavy scientific emphasis, pass a rigorous licensing examination, and also participate in continuing education programs after licensure. Survey results, particularly the response to question 5 (See Table 2), reflect that the reports written by SANEs generally meet high professional levels of performance and instill confidence in the relationship between law enforcement officials and SANEs. Cogent, well-written investigative reports are critical to successful criminal investigation. Responses to this portion of the survey instrument indicate lack of support by an insignificant 1% of the respondents.

TABLE 2. LAW ENFORCEMENT PERCEPTIONS OF EVIDENTIARY/LEGAL CONCERNS						
EVIDENCE /LEGAL	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	NO OPINION
5. Sexual assault documentation records written by SANEs are more complete, and better documented, compared to those written by other medical personnel.	49%	33%	9%	1%	0%	8%
6. Police officers/investigators can rely on forensic evidence and information collected by SANEs.	67%	29%	2%	1%	0%	1%
7. SANEs are more likely to maintain proper chain of evidence than other healthcare personnel.	59%	30%	8%	0%	0%	3%

TABLE 2. LAW ENFORCEMENT PERCEPTIONS OF EVIDENTIARY/LEGAL CONCERNS (CONTINUED)						
EVIDENCE /LEGAL	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	NO OPINION
8. When investigating a sexual assault case, the evidence collected by SANEs is superior to evidence collected by other medical personnel	54%	31%	9%	1%	0%	5%

Performance of an essentially medical task, the collection of tangible, physical forensic evidence by SANEs (question 5) was assessed even more positively than the documentation records written by SANEs. This issue goes to the core issue of the SANE concept with 96% of the responses indicating agreement or strong agreement regarding reliability of evidence collection by SANEs. Once collected, appreciation of the maintenance of rigorous standards regarding the maintenance of the chain of evidence (essentially a prosecutorial burden to be able to establish the location and appropriate preservation of any article of evidence from the time it is taken into custody until the final disposition of a case) received a degree of support that, once again, demonstrates the confidence which criminal investigators display in their relationship with SANEs. The responses indicated no dissatisfaction with maintenance of the chain of custody by SANEs.

Our review of literature indicted anecdotal dissatisfaction with physicians' performance of the tasks now performed in many jurisdictions by SANEs. In fact, it is one of the reasons for the evolution of the SANEs program and protocols (Lenehan, 1991). The authors are sensitive to the demands placed upon emergency medical personnel and the research results should not be interpreted to disparage performance by them. It is, however, a logical deduction that SANEs, who volunteer for specialized sexual assault examination training, bring a high level of personal commitment to the performance of this important function. Regardless of interpretation of the survey results, 85% of the respondents reported overall superior evidence collection and preservation/maintenance by SANEs as compared to "other medical personnel". An additional 14% were either neutral or expressed no opinion regarding the query in question 8. Overall the data collected reflects strong law enforcement support for the contributions of SANEs in this significant area of criminal investigation and prosecution.

Interagency Cooperation

There are numerous examples in the literature of the criminal justice system being referred to as a non-system. These comments arise in part because there are frequently separate organizations responsible for different parts of the system process. For a successful prosecution to occur, the investigative resources of a law enforcement department must blend with the evidentiary needs of the local prosecutor. This requires two independent agencies to coordinate their efforts, even if there is no actual chain of command or clear organizational connection.

Over thirty years ago Cole (1970) described this coordination process as an "exchange system" in which they each assist the needs of the other in an effort to get their own needs resolved. This need for organizational cooperation and the resulting exchange systems does not always function smoothly. This is especially true when the agencies or parties that need to cooperate are not traditional partners like law enforcement and prosecutors. Sometimes the agencies may even have divergent primary goals.

This is easily observed in cases like arson investigation. The primary goal of the fire department is to extinguish the fire as quickly as possible and with as little risk as possible. The primary goal of the law enforcement agency in an arson case is evidence preservation and successful prosecution. There is some obvious conflict between the primary goals. The fire department has some interest in stopping arson but preservation of crime scenes is secondary to their other mission. In a situation like this, there is little that a law enforcement agency can do for a fire department to encourage their cooperation in protecting the crime scene. One of the results of these conflicts over the years is that in some jurisdictions arson investigation is the responsibility of the law enforcement agencies and in some it is the responsibility of the fire departments and in some there are joint "task force" groups including all the parties necessary for successful arson investigation (Galvin and Toscano, 1991).

In the arena of sexual assaults, SARTS are the equivalent of these arson task forces. They represent an attempt to coordinate the needs and interests of all the parties (victim, victim services, SANEs, law enforcement, prosecutors, and medical services). This relationship, somewhat like the arson issue, is complicated by the fact that the SANE and the law enforcement investigator work for different groups with different primary goals. SANEs are normally employed by hospitals or other medical service delivery components. Their agencies' primary goal is the delivery of medical services and their SANE duties are secondary to their other medical responsibilities. Even in major metropolitan jurisdictions a SANE will spend the bulk of her time in the delivery of traditional medical services. The question is then, when there is a need for responsiveness to an outside group (i.e., law enforcement), are SANEs more responsive than medical personnel that have not had the specific training? When asked, 73% of the law enforcement departments responded that SANE's were more timely in providing sexual assault records than traditional medical personnel (See Table 3). There was also a strong consensus that SANEs were easily accessible (82%), and that overall SANEs increased the likelihood of successful prosecution (93%).

TABLE 3. LAW ENFORCEMENT PERCEPTIONS OF SANE/AGENCY COOPERATION						
AGENCY COOPERATION	**STRONGLY AGREE**	**AGREE**	**NEUTRAL**	**DISAGREE**	**STRONGLY DISAGREE**	**NO OPINION**
9. The use of SANEs helps the police department obtain sexual assault records in a more timely fashion as opposed to those reports generated by other medical personnel.	39%	34%	11%	8%	0%	8%
10. SANEs are accessible after the exam and are willing to explain and interpret their findings to investigating law enforcement officers.	42%	40%	9%	3%	0%	6%
11. Overall, the use of SANEs increases the likelihood that law enforcement will be able to create a successful case for prosecution against a suspected sexual offender.	61%	32%	2%	1%	0%	4%
RESPONDENTS FAMILIARITY/KNOWLEDGE	**STRONGLY AGREE**	**AGREE**	**NEUTRAL**	**DISAGREE**	**STRONGLY DISAGREE**	**NO OPINION**
12. I am familiar with the Sexual Assault Nurse Examiner (SANE) concept.	59%	35%	3%	0%	0%	3%

CONCLUSIONS

The data from this survey indicates that the law enforcement community is strongly supportive of the use of SANEs in the sexual assault investigation process. When given the opportunity in an open-ended question to suggest improvements in the SANE program, the most common suggestion from the law enforcement community was to increase the number of SANEs available. Other common suggestions were for joint training with law enforcement and for increased logistical support for the existing SANEs.

The emergence of SANEs and SARTs has been a truly grass roots movement within the criminal justice system during the last three decades. It was clearly propelled by the feminist movement and philosophy. The fact that law enforcement has embraced a program which evolved out of such roots is truly significant. The research described herein is based upon survey instruments disseminated to law enforcement officials within the state of Texas, home to one of the pioneering SANE programs in Amarillo. Overall support for, and confidence in, the partnerships between the medical/evidentiary function and criminal justice function of SANEs is clearly reflected in the research results. This conclusion corroborates previous studies of SANE/SARTs in other jurisdictions such as Rhode Island. Our research model did not solicit responses from the victims and survivors of sexual assault. That decision was reached after assessing issues of privacy and revictimization and solicitation of the advice of victims' advocates and SANEs. It should also be noted that some contemporary writers believe little progress has been made in the investigation of sexual assault cases. This is a minority perspective not shared by the respondents to this study's questionnaires.

The data collected in this study reveals excellent support for and confidence in the contribution to effective criminal investigation by SANEs. Law enforcement officials believe that SANEs perform the medical forensic physical evidence collection in an efficient and professional manner. They also demonstrate confidence in the written reports, chain of custody responsibilities, and later case development cooperation when SANEs are part of the investigative team. They also found that victim statements made to SANEs were another valuable aspect of their functions. Indeed, there is an evident belief that SANEs create a superior setting for eliciting valuable detail than a conventional law enforcement interview. Also noteworthy is that a majority of the law enforcement representatives responding indicate that victims interviewed by SANEs were more forthcoming and cooperative with law enforcement officials at subsequent stages of the criminal proceeding than those not the beneficiaries of a medical examination performed by a SANE. Despite the fact that medical treatment is the primary consideration for injured victims of sexual assault, there is no evidence that this reduces the effectiveness of SANE performance of evidence collection and preservation. It appears both functions benefit from SANEs with their specialized training in the physical, mental, and emotional trauma experienced by victims. Undoubtedly there is some variation in the organizational aspects of SARTs statewide. This study cannot, however, be used to shed light on such variations because of the anonymity in data collection. Our findings indicate that the SANE/SART team approach, which emerged initially as an unfunded pragmatic response to a recognized area of deficiency in criminal justice policy, has become widely utilized and accepted as an integral component of the investigative machinery in Texas.

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APPENDIX

Dear Sexual Assault Investigator…

The Office of the Attorney General Victims Services Division has contracted with Southwest Texas State University to conduct an evaluation of the Sexual Assault Nurse Examiners (SANE) program. To effectively conduct the evaluation we are seeking input from groups that are involved in delivering services to or working with sexual assault victims. Any information that you provide will be kept in the strictest confidence. The survey is designed to be anonymous and we request that you do not put any identifying information on the survey. With the survey we are including a postcard that has your institution's name on it and is addressed to SWT. When you complete the survey, please return it in the self addressed stamped envelope that is provided. At the same time please separately mail the postcard that has your institution as the return addressee. This will allow us to know who has responded but will allow the survey data to remain anonymous. If you do not believe that you have the knowledge necessary to respond to this survey please transmit it to the person in your agency that is most qualified.

This survey is an important part of providing better services to sexual assault victims in the state of Texas and your opinions are highly valued. We would like to thank you in advance for taking the time to complete this survey and working to make Texas a better place to live. If you would like to receive a copy of the survey results please send a written request to: The Office of the Attorney General Sexual Assault Prevention & Crisis Services P.O. Box 12548 MC011-1 Austin, Texas 78711.

If you have any questions about this survey please feel free to call, write or email me at anytime.

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Texas Sexual Assault Nurse Examiner (SANE)
Program Evaluation
Law Enforcement Survey

Instructions:

For the following questions, please mark one answer.

Q1. What type of community does your police department or sheriff's office serve?

_____ Primarily urban area

_____ Primarily suburban area

_____ Primarily rural area

Q2. My police department refers sexual assault survivors for Sexual Assault Nurse Examiner (SANE) examinations.

___Yes: please continue with the survey.

___No: My agency does not have access to SANEs. (please skip to question 22 on page 6)

___No: We have access to SANE's but chose not to use them. (please skip to question number 22, on page 6.

Q3. The Office of the Attorney General requires communities that request SANE training to demonstrate collaboration among agencies interacting with sexual assault survivors. How is this requirement being met in your community? (Please write unknown if the answer is unknown.)

Instructions:

Please rate your degree of satisfaction with the following questions/statements about SANEs. Circle only one answer.

Q4. I am familiar with the Sexual Assault Nurse Examiner (SANE) concept.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q5. When investigating a sexual assault case, the evidence collected by SANEs is superior to evidence collected by other medical personnel.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q6. Victim comments made to SANE nurses during a sexual assault examination are useful in identifying and apprehending suspects in sexual assault cases.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q7. Police officers/investigators can rely on forensic evidence and information collected by SANEs.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q8. Photographs taken by colposcope of injury included in SANE reports are useful in charging sexual offenders.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q9. Other photographic evidence and documentation collected by SANE's is useful in charging sexual offenders.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q10. Overall, the use of SANEs increases the likelihood that law enforcement will be able to create a successful case for prosecution against a suspected sexual offender.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q11. Sexual assault documentation records written by SANEs are more complete, and better documented, compared to those written by other medical personnel.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q12. SANEs are more likely to maintain proper chain of evidence than other healthcare personnel.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q13. The use of SANEs helps the police department obtain sexual assault records in a more timely fashion as opposed to those reports generated by other medical personnel.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q14. The use of SANEs has reduced the hospital wait time for sexual assault victims.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q15. SANEs are accessible after the exam and are willing to explain and interpret their findings to investigating law enforcement officers.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q16. Investigators often find additional or different information in a SANEs records not previously disclosed or known to the officer.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q17. Victims examined by SANEs are more likely to be cooperative with law enforcement throughout the apprehension and conviction of the suspected sexual assault perpetrator.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q18. To what degree do you believe that SANEs are victims' advocates?

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Q19. Sexual assault victims are not as likely to give as much information about a sexual assault to a law enforcement officer as they might give to a SANE.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Instructions:

For the following questions, please mark one answer.
Space is provided for explanation if necessary.

Q20. Drawing from your personal experience (or that of other officers), do you have knowledge of a mistake made by a SANE that has compromised the forensic evidence collected by the SANE?

_____Yes   _____No

Q21. What three suggestions can you offer for improving the Office of the Attorney General's SANE program?

    1._____

    2._____

    3._____

Thank you for completing the survey, please return it in the self addressed stamped envelope that is provided. At the same time please separately mail the postcard that has your institution as the return addressee.

If you answered "no" to question 2, please proceed with the survey at this point.

Instructions:

Please rate your degree of satisfaction with the following question/statement about SANEs. Circle only one answer.

Q 22. I am familiar with the Sexual Assault Nurse Examiner (SANE) concept.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion

Instructions:

For the following question, please mark all that apply.
Space is provided for explanation if necessary.

Q23. What are the impediments to your department using SANEs?

_____ Internal Administration issues/conflicts
_____ Lack of community support
_____ Funding issues
_____ No need for SANE services
_____ There are no SANEs in my community
_____ Other/combination of the above: _____

Thank you for completing the survey, please return it in the self addressed stamped envelope that is provided. At the same time please separately mail the postcard that has your institution as the return addressee.

BIOGRAPHICAL SKETCH

Dr. William E. Stone is a Professor of Criminal Justice at Texas State University-San Marcos. His current research interests include custodial suicide, sexual assaults in institutions, police use of deadly force and issues in international policing and corrections. Dr. Stone is currently serving as Chair of the Texas State University Faculty Senate and as Webmaster for the Southwest Association of Criminal Justice. He has over 30 years of criminal justice teaching experience and has been active in research and professional associations for many years. He holds a Ph.D. in Criminal Justice from Sam Houston State University

Dr. John A. McLaren is an Associate Professor of Criminal Justice at Texas State University-San Marcos. His primary teaching interests are in Criminal Procedure and the law of Civil Rights, especially as it pertains to persons in custody of or under supervision of criminal justice agencies. He is an attorney licensed to practice in both state and federal court He has taught a wide range of courses, graduate and undergraduate, and served three years (1998-2001) as Acting Chair of the Department of Criminal Justice. He holds degrees from Texas Tech University and the University of Texas School of Law. He has presented and published numerous works including the Texas Intermediate Sanctions Bench Manual (2003) a manual for the judiciary concerning community corrections sanctioning options and resources throughout Texas. He has been with the university for over 25 years.

Dr. Verna J. Henson, Director of the Texas Success Initiative Program and a Texas State University faculty member since 1994, earned her B.S. degree from the University of Houston-Downtown, and her M.A. and Ph.D. in Sociology from the University of Missouri-Columbia. A tenured faculty member in the Department of Criminal Justice, Dr. Henson has published in the areas of "homelessness" and "campus crime." She has also worked as a research associate on an Office of the Attorney General grant that evaluated the Sexual Assault Nurse Examiner Program in Texas, and has completed the administration of a Kellogg Foundation mentoring grant.

Vehicle Cues and Perceptions of Driver Characteristics:
A Comparative Analysis of Police Officers and College Students

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ABSTRACT

This article seeks to advance the current research regarding vehicle symbols/cues on perceptions of driver characteristics. College students' perceptions of driver characteristics based on vehicle symbols/cues are examined and compared to those of police officers from a previous study. There was reasonable agreement among the college students surveyed as to the race/ethnicity, gender, age, and social status of the drivers of ten different vehicles. Further, both college students and police officers reported similar perceptions of drivers based on vehicle cues, perhaps indicating that these perceptions originate from the larger society and not from the police subculture. Suggestions for future research regarding vehicle cues and racial profiling and police training are considered.

Keywords: vehicle cues; racial profiling; student perceptions; police subculture

INTRODUCTION

Arguably, by the late 1990's, the issue of racial profiling had become one of the most prominent and important debates in law enforcement (Heumann & Cassak, 2003). In addition, racial profiling has certainly become a major political issue since that time as well, especially since the terrorist attacks of September 11, 2001 (Nowicki, 2002; Zalman, 2005). It is now exceedingly important to understand the processes by which racial profiling occurs. In particular, it is important not only to accept the notion that race and ethnicity can directly lead to profiling, but also to understand that other factors may serve as proxies for race/ethnicity which may indirectly lead to racial profiling; while at the same time serving to make racial profiling more covert, complex, and harder to detect. The purpose of this article is twofold. First, perceptions

of college students towards driver characteristics based on vehicles symbols or cues will be examined. Second, these perceptions will be compared to those of police officers in order to begin to understand how such extra-legal factors are generated.

LITERATURE REVIEW

Criminal profiling has a long history separate of racial profiling. That is, criminal profiling is the practice of presuming distinguishing characteristics of persons responsible for committing certain crimes. Criminal profiling is intended as a scientific approach to investigating and solving crimes and engages the considered judgments of experts in criminology, psychology, and forensic science (Heumann & Cassak, 2003). The purpose of criminal profiling is not to specifically identify the person or persons who may have committed a particular crime but, to create a general description of the type of person who is most likely to have committed that crime as an aid in helping to identify the particular person (Ingram, 1998).

The emergence of racial profiling as a distinct practice from criminal profiling has not been easy, and it is not recent. Arguably, one of the first forms of racial profiling, for example, dates back to slavery and the rise of Jim Crow Laws. During this era, using Jim Crow Laws and slave codes, skin color could be used as the basis to detain and question individuals without probable cause or evidence of a crime (Pampel, 2004). Outside of just this era,

Legalized discrimination has had a profound impact on the police. As the primary agents of domestic law enforcement, the police were responsible for upholding and enforcing discriminatory laws…racial minorities have historically been viewed as objects of law enforcement and social control rather than as citizens entitled to civil procedure. (Bass, 2001: 163)

As a result of this history of enforcing laws, some of which were racist in nature, the police have now become the object of resentment and anger for many African-Americans (Pampel, 2004). This resentment has certainly manifested itself during the past decade in form of concerns regarding racial profiling.

Racial profiling, as defined by the U.S. Department of Justice, constitutes "any police-initiated action that relies on race, ethnicity, or national origin rather than the behavior of an individual or information that leads police to a particular individual who has been identified as being or having been engaged in criminal activity" (Ramirez, McDevitt, & Farrell, 2000: 3). Using this definition of racial profiling, it is permissible for law enforcement officers to use race or ethnicity when determining if a specific person matches the description of a specific suspect (Ramirez, et al, 2000; Pampel, 2004). However, it is considered unacceptable for police to rely on race or ethnicity when choosing who they will stop and search (Ramirez, et al., 2000).

When considering the issue of racial profiling, one of the police-initiated actions that is often examined relates to the act of stopping vehicles or pedestrians in the search for criminal

evidence (Pampel, 2004). It is further suggested by Pampel (2004) that when police observe a serious crime in progress, they have little discretion as to whether to act or not; however, when minor crimes occur police officers have more room for discretion regarding whether to act, as well as how to act. Since police must make many discretionary decisions in the course of their day, especially in relation to minor crimes, it is not unreasonable to wonder if some of these judgments could be influenced by racial or ethnic stereotypes (Skogan & Frydl, 2004).

Weitzer and Tuch (2005) suggest that racial profiling stems from the larger issue of racial bias exhibited by law enforcement officers. According to Weitzer and Tuch (2005), racial bias by the police includes, but is not exclusive of, racial profiling of motorists, racial prejudice among police officers, and discriminatory treatment of minority individuals and minority neighborhoods. The practice of racial profiling is inextricably tied not only to race, but to officers' perception of place, of what activities should typically occur in that location, and what type of people should be in the area (Meehan & Ponder, 2002). According to Barlow and Barlow (2000), when law enforcement officials engage in stereotyping suspects on the basis of race, this leads to (1) higher rates of stopping and questioning Blacks, (2) arresting Blacks on the basis of less stringent legal standards, and (3) shooting and killing Blacks at a disproportionate rate.

Rudovsky (2002) ruled that police often defend racial profiling practices by implying that minorities in general commit more crimes than non-minorities. This view states that the aggressive policing and targeting of minority communities have led to significant seizures of contraband, weapons, and fugitives, as well as a reduction in crime (Rudovsky, 2002). However, Rudovsky (2002) suggests that racial disparities documented in police stop-and-frisk and search practices cannot be fully explained or rationalized by crime patterns, police deployment, or policing tactics.

There is now a litany of studies which indicate that minorities are disproportionately subject to being stopped and searched when compared to whites (Harris, 1999b; Ikner, et al., 2005; Smith & Petrocelli, 2001; Steward, 2004). Despite the higher rate of stops and searches, it is clear that the searches of African Americans have not resulted in higher arrests or drug seizures than the searches of white drivers (Harris, 1997; Harris, 1999b; Ikner et al., 2005). The concern, then, becomes that minorities are being disproportionately and unfairly subject to profiles based on racial prejudice and stereotypes.

The concern over racial profiling has led to various governmental responses, including an executive memorandum by President Clinton that prohibited racial profiling by federal law enforcement agencies and that mandated such agencies to collect data regarding racial profiling (Skogan & Frydl, 2004). In addition, at least 21 states have adopted legislation or policies aimed at preventing racial profiling (Thibault, Lynch, & McBride, 2004). The U.S. Supreme Court has also weighed in on the issue of profiling, most notably in the case of Michael A. Whren and James L. Brown v. United States, 517 U.S. 806, 116 S.Ct. 1769, 135 L.Ed.2d 89 (1996). In this decision, the Court ruled that police could conduct traffic stops to investigate their suspicions even if they had nothing to do with the traffic offense for which the person was

stopped (Skogan & Frydl, 2004). As a result of this decision, pretext traffic stops became legal for law enforcement.

A "pretext stop" occurs when a police officer detains the citizen for a minor crime (i.e., traffic offense) because the officer actually suspects the person of involvement in a major crime (i.e., drug possession). Examples of pretext stops include, but are not limited to, obeying speed limits and traffic signs, signaling properly before making turns, and keeping your car in working order. If an officer can not form a convincing explanation for why a vehicle was stopped, the seizure becomes illegal and any evidence found during the traffic stop can not be used in court. Further, this ruling makes it difficult to prove that a stop involved inappropriate considerations such as race or ethnicity (Pampel, 2004). As described by Ikner et al. (2005: 84),

> *A pretext traffic stop is based on the justification (legal or extra-legal in nature) that the police officer uses to initiate the stop. Drivers routinely violate traffic laws, and these violations can serve as a pretext for some police officers governed by other motives…to stop the vehicle.*

It is partially the use of such traffic stops that has led to the disproportionate minority contact of law enforcement.

According to Engel and Calnon (2004), the bulk of the available reports and studies reveal disparities favoring whites regarding police traffic stops, traffic citations, being searched or arrested. Measures of institutional police performance have missed the opportunity to focus on the individual police officer and his/her perception of vehicle drivers based on observed vehicle symbols and/or cues. Currently, police agencies collect and measure racial profiling data in aggregate form rather than in individual form (Ikner, 2004).

Self-preservation and denial of racial profiling serve as possible reasons that many police superiors have decided to refuse to delve into the individual practices of officers (Ikner, 2004). Even if some police administrators realized that individual officers were abusing the pretext traffic stop strategy, little incentive existed for supervisors to single out and punish individual officers, especially if the officers were producing arrests and citations. Many agencies, then, have chosen the path of least resistance by deciding to collect aggregate racial profiling data, where no baseline existed (Ikner, 2004).

Most of the research regarding racial profiling has primarily focused on identifying and analyzing data, in order to determine if the practice of racial profiling by police exists; thus corroborating minority claims (Harris, 1997; Harris, 1999b; Meehan & Ponder, 2002). According to the available research, most studies have examined the policies and procedures of law enforcement traffic stop encounters; however, the decision by law enforcement officials to make a traffic stop in the first place has not been examined (Lundman & Kaufman, 2003).

Even though the literature has emphasized several baselines, individual measures have not been presented (Ikner, 2004). Racial profiling is for the most part an individual and not an institutional driven police practice—it is not institutions or agencies which choose what drivers to pull over, rather, it is individual officers who are conferred with this discretionary decision. With over 650,000 sworn law enforcement officials in the nation, there is little doubt that some police officers stop people based on their skin color (Nowicki, 2002). Failing to examine individual-level behavior and attitudes in regards to racial profiling, then, amounts to failure to fully examine the issue.

The notion that profiling is an individual-level phenomenon is not new. In 1966, Skolnick argued that police officers stop young black men more frequently and treat them differently from other people because they fit the image of the symbolic assailant. Trained to be watchful and suspicious, police officers create an idea of what a dangerous criminal looks like based on clothing, language, and gestures and are more likely to react to people who fit that description as their actions are more likely to be interpreted as potentially dangerous. The notion of the symbolic assailant can originate from training and/or experience. If aspects of outer appearance such as clothing and gestures are part of the notion of the symbolic assailant, it is possible that vehicle type is also part of this same notion. When a person is in a moving vehicle, it is not generally possible to observe their gestures, clothing, or language; however it may also not be necessary. If police officers are likely to match certain vehicles with certain people, then it could be that the vehicle type could be understood as part of the image of the symbolic assailant.

Ikner et al. (2005) examined the influence of vehicle symbols or cues in determining the race, gender, age, and social status of the driver among individual police officers in order to begin to understand if police officers associate certain types of vehicles with specific sorts of people. In other words, vehicle cues were examined as a possible type of extra-legal factor that could be used as a proxy for race or ethnicity in the decision to stop a vehicle. Among individual police officers, association of vehicle cues with particular driver characteristics is a factor that could originate from socialization within the larger society and within the police culture. Using videotaped images of various types of vehicles, Ikner et al. (2005) asked police officers to identify their perceptions relevant to the personal characteristics of the driver. For nine of the ten vehicles shown to the officers, the driver was identified as white. In the remaining case, the driver was identified as Hispanic.

These findings by themselves, tell little of where these perceptions originate in relation to either cultural socialization or professional socialization. However, comparing the perceptions of law enforcement officers to those of a group of non-law enforcement officers might begin to provide a sense of where these perceptions originate. In this article, the same measurement devices used by Ikner et al. (2005) are utilized with a sample of undergraduate students in the same city in an effort to ascertain if the responses will correspond. If there is wide agreement across each of the scenarios regarding the identification of driver characteristics based on vehicle cues, then, we can begin to surmise that cultural socialization plays a large role in the perceptions of law enforcement officers regarding racial and ethnic stereotypes. On the other hand, if there is not wide agreement across the scenarios among law enforcement and

non-law enforcement respondents, then we can begin to surmise that professional socialization plays a large role in the perceptions of law enforcement officers regarding racial and ethnic stereotypes. Restated, students' perceptions if in agreement with those of police officers would suggest that law enforcement training and experience has very little impact on the perception of vehicle cues. On the other hand, if the perception of students differs from police officers, it would suggest that law enforcement personnel are affected by the training and cultural experiences of the law enforcement profession when perceiving vehicle cues.

METHODOLOGY

Study Site and Participants

The University of Texas at Arlington is the second largest academic institution in the University of Texas system and is located in the City of Arlington, Texas. The University's campus is widely diverse; the 2005 fall semester student population was comprised of 25,352 students (5,785 graduate students) from 150 nations. In terms of race and ethnicity, 52% of the students at the University are white, 12% are African American, 12% are Hispanic, and the remaining 24% belong to some other racial or ethnic group (University of Texas at Arlington, 2006a). Approximately 46% of the students at the University are male, and 52% are between the ages of 21-29 with another 25% under the age of 21. Further, 65% of the students are considered full time students (University of Texas at Arlington, 2006b).

A non-probability convenience sample of 189 students was drawn from the population of undergraduate students taking classes at the main campus. A required first year class was randomly chosen – all students attending class on the day of the study were offered the opportunity to volunteer as participants in the study. The study was confidential and no identifying information about the students was collected or reported.

Data Collection Procedures

Data were collected during the Spring 2006 semester following similar procedures as employed by Ikner et al. (2005), with minor modifications to the survey instrument with the intent of making it more appropriate to the student population. Students were shown a DVD that contained video images of ten different vehicles in ten separate scenes. These were the same scenes used by Ikner et al. (2005). The vehicle scenes included randomly selected vehicles in motion on highways located in various parts of the city. Table 1 contains a list of the vehicles viewed by the respondents. The specific model year for the vehicles is not known, but the majority of the ten vehicles appear to be newer models. All of the vehicle scenes were recorded in the same city during the same month in 2003, although they were recorded at different places, on different days, and at different times. Originally, 20 separate scenes were recorded by a videographer riding in a marked police patrol car. The vehicles were recorded at different locations in the city, attempting to represent all of the major areas of the city.

Because these images were recorded at different locations, on different days, and at different times, the background is not constant; however in all cases, the vehicle constitutes the largest object and is in the center of the scene. While it is not the same exact background in all cases, the background is similar across all scenes, with roadway, other cars, and landscaping generally consistuting the background images. There were no buildings shown in any of the scenes. All vehicles were filmed from behind so that there is consistency in regards to what part of the vehicle is shown. It is not believed that the differences that exist in the backgrounds would influence the results given that the video scenes only last 5 seconds each, allowing for very little time for respondents to note much detail besides the vehicle.

During the editing process, the video editor selected ten of the twenty scenes to be used for data collection. This person was not part of the research team and chose scenes based on video clarity and quality. Identifiable information with regards to the driver and the vehicle was distorted and/or removed to ensure confidenitiality. After viewing each 5-second scene, the participants were given 10 seconds to respond to the survey question that corresponded with the scene, recording what they perceived to be the race/ethnicity, gender, age, and social economic status of the driver of the vehicle shown in that scene. Skolnick's (1966) description of the symbolic assailant as a young black man would warrant asking about perceived age, race, and gender of the driver. Social class was added because it is a characteristic often popularly associated with criminal behavior. In addition, these characteristics were asked in order to assure consistency with the study by Ikner et al. (2005) so that appropriate comparisons could be made. The participants viewed and provided responses to each of the ten (10) different scenes.

Overall, the survey consisted of 18 questions. The first 10 measured respondents' perceptions of driver characteristics (race/ethnicity, gender, age, and social status) for each of the 10 scenes and 8 demographic questions, including race, age, gender, enrollment status, grade-point average, and major. The demographic information of the respondents was used only to determine how representative the sample was of the larger student population at the university. These variables were not used as part of the analysis of perceptions.

TABLE 1. DESCRIPTION OF VEHICLES	
SCENE	VEHICLE
One	Dodge Ram Pick-up Truck
Two	Ford F-150 Pick-up Truck
Three	Ford Focus - 4 door Sedan
Four	Nissan Pathfinder SUV
Five	Ford Pick-up Truck
Six	GMC Sierra Pick-up Truck – 2 door
Seven	Mitsubishi – 4 door Sedan
Eight	Cadillac Deville – 4 door
Nine	Honda SUV
Ten	Nissan – 4 door Sedan

FINDINGS

Demographics

The demographic information for the 189 respondents is presented in Table 2. As shown in the table, the majority of the respondents were female (67%), single (95%) with no children (98%), under the age of 21 (83%) and identified as white (55%). In addition, the majority of the respondents were full-time (96%) and first year (61%) students. The modal category for cumulative GPA was 3.5-4.0 (32%). In terms of major, 23% had not yet declared a major and there was fairly widespread representation of other majors offered on campus, with the most frequently reported being nursing (17%) and business (14%).

TABLE 2: DEMOGRAPHIC CHARACTERISTICS OF SAMPLE			
VARIABLE	**ATTRIBUTE**	**N**	**%**
Age	Under 21	151	83.0
	21-25	27	14.8
	26 and over	4	2.2
Gender	Male	60	33.0
	Female	122	67.0
Race/Ethnicity	White	98	54.7
	Black	25	13.9
	Hispanic	16	8.9
	Asian	32	17.8
	Native American	3	1.7
	Other	5	3.0
Marital Status	Single	171	94.5
	Married	9	5.0
	Widowed	1	0.5
Number of Children	0	177	97.8
	1 or more	4	2.2
Student Enrollment Status	Part Time	8	4.4
	Full Time	174	95.6
Student Classification	Freshman	111	61.0
	Sophomore	43	23.6
	Junior	21	11.5
	Senior	7	3.9
Cumulative GPA	No GPA	39	21.7
	Below 2.0	3	1.7
	2.1-2.5	12	6.6
	2.6-2.9	22	12.2
	3.0-3.4	47	26.1
	3.5-4.0	57	31.7

TABLE 2: DEMOGRAPHIC CHARACTERISTICS OF SAMPLE (CONTINUED)			
VARIABLE	**ATTRIBUTE**	**N**	**%**
Major	Undeclared	40	22.5
	Architecture	5	2.8
	Business	25	14.0
	Communications	3	1.6
	Criminology & Criminal Justice	2	1.1
	Engineering	11	6.2
	History	2	1.1
	Nursing	31	17.4
	Political Science	3	1.6
	Science	17	9.9
	Social Work	2	1.1
	Sociology/Anthropology	5	2.7
	Other	32	18.0

In comparison to the characteristics of the University as a whole, the sample appears to overrepresent females (67% vs. 54%), those under the age of 21 (83% vs. 25%) and full-time students (96% vs. 65%). The sample appears to be fairly representative regarding race and ethnicity, with whites (55% vs. 52%) and African Americans (13.9% vs. 12%) being slightly overrepresented and Hispanics being slightly underrepresented (9% vs. 12%). The possible challenges with regards to representativeness are to be expected given the sampling method employed and should be addressed when considering generalizability of the findings.

Common Driver Profile Based on Student Responses

Following the model of data analysis used in Ikner et al. (2005), the most common driver profile for each vehicular scene was identified using the mode. Accordingly, the least common driver characteristic was also identified. In Table 3, the reader can find the results of student perceptions relevant to the race/ethnicity and gender of the driver for each vehicle scene.

TABLE 3. **MOST/LEAST FREQUENT RESPONSE FOR PERCEIVED RACE/ETHNICITY AND GENDER OF DRIVER BY SCENE**								
SCENE	**RACE/ETHNICITY**				**GENDER**			
	MOST FREQUENT	**%**	**LEAST FREQUENT**	**%**	**MOST FREQUENT**	**%**	**LEAST FREQUENT**	**%**
One	Hispanic	68	African-American	1	Male	89	Female	6
Two	White	47	Native American	2	Male	78	Female	13
Three	White	65	Native American	1	Female	79	Male	16
Four	White	73	Native American	3	Female	52	Male	41
Five	Hispanic	41	Asian	3	Male	86	Female	5
Six	White	61	Other	2	Male	85	Female	10
Seven	African-American	43	Native American	3	Female	63	Male	30
Eight	White	48	Asian	1	Male	55	Female	35
Nine	White	67	Other	3	Female	51	Male	44
Ten	White	48	Other	4	Male	55	Female	40

As shown in Table 3, in 7 of the 10 scenes, the driver was identified as white. The exceptions to this were scenes 1 (Dodge Ram pick-up truck) and 5 (Ford pick-up truck) in which the majority of respondents (68% and 41% respectively) perceived the driver to be Hispanic; and scene 7 (Mitsubishi 4-door sedan) in which the most common category chosen was African American (43%). For the race/ethnicity variable, the scene with the highest percentage of agreement was 4 (Nissan Pathfinder SUV) with 73% of respondents identifying the driver as white. The scene with the lowest percentage agreement regarding race/ethnicity was scene 5, where 41% of the respondents identified the driver as Hispanic.

Also shown in Table 3, in 6 of the 10 scenes, students perceived the driver to be male. The four vehicles associated with females were: the Ford Focus 4-door sedan (scene 3), the Nissan Pathfinder SUV (scene 4), the Mitsubishi 4-door sedan (scene 7) and the Honda SUV (scene 9). The scene with the highest percentage of agreement was 1 (Dodge Ram pick-up truck), with 89% of the respondents identifying the driver as male. The scene with the lowest percentage agreement was 9 (Honda SUV) with just over half of the respondents (51%) identifying the driver as female.

The results for the perceived age and social status of the driver are presented in Table 4. In 6 of the 10 scenes, the respondents perceived the age of the driver to be between 18-29 years old. In scenes 6 (GMC Sierra 2-door pick-up truck) and 9 (Honda SUV), the age of the driver was perceived to be 30-39, in scene 5 (Ford F-150 pick-up truck) the age of the driver was most frequently perceived to be 40-49, and in scene 8 (Cadillac Deville 4-door sedan) the age

of the driver was most commonly perceived to be over 60 years old. The highest percentage agreement for age was for scene 1 (Dodge Ram pick-up truck), with 64% of the respondents perceiving the driver to be 18-29 years old. The lowest percentage agreement for age is for scene 8 (Cadillac Deville 4-door sedan) with 28% of the respondents indicating the driver to be over 60 years old. Even though the youngest age category was selected in six of the ten scenes, the percentages were not as dramatic when compared to the other characteristics with the percentages generally under or around 50%.

TABLE 4. MOST/LEAST FREQUENT RESPONSE FOR PERCEIVED AGE AND SOCIAL STATUS OF DRIVER BY SCENE								
SCENE	AGE				SOCIAL STATUS			
	MOST FREQUENT	%	LEAST FREQUENT	%	MOST FREQUENT	%	LEAST FREQUENT	%
One	18-29	64	50-59	1	Middle	56	Upper	2
Two	18-29	51	over 60	1	Middle	63	Upper	3
Three	18-29	53	50-59	1	Middle	73	Upper	9
Four	18-29	49	50-59	1	Middle	66	Lower	7
Five	40-49	37	under 18	2	Lower	82	Upper	1
Six	30-39	46	over 60	1	Middle	81	Upper	7
Seven	18-29	49	50-59, over 60	1	Middle	69	Upper	4
Eight	over 60	28	under 18	2	Middle	55	Lower	9
Nine	30-39	42	over 60	1	Middle	80	Lower	5
Ten	18-29	52	50-59	1	Middle	71	Upper	4

The results for the perceived social status (lower class, middle class, or upper class) are also shown in Table 4. In 9 of the 10 scenes, the respondents perceived the driver to be middle class. The only exception was scene 5 (Ford pick-up truck), where 82% of the respondents perceived the driver to be lower class. This is also the scene with the highest percentage agreement. Perhaps the difference in perception in this scene with regards to social status is because the pick-up depicted in that scene was noticeably an older model. The scene with the lowest percentage agreement for social status was 8 (Cadillac Deville 4-door sedan), with 55% of the respondents perceiving the driver to be middle class. The respondents did not perceive any of the vehicles depicted to be driven by someone who was upper class. Further, for 7 of the 10 scenes, the least frequent response was upper class.

| | | TABLE 5. | | |
| | | MATRIX PROFILE ANALYSIS | | |
SCENE	RACE/ETHNICITY	GENDER	AGE	SOCIAL STATUS
One	X		X	X
Two	X		X	X
Three			X*	
Four		X	X	X
Five	X		X*	
Six	X		X*	
Seven	X	X	X	X
Eight	X	X	X*	X
Nine		X	X	
Ten		X	X	X

X = Noteworthy numbers of responses in categories that were not most frequently chosen.

X* = Noteworthy numbers of responses in categories that were not most frequently chosen and fairly equal dispersion across those categories.

Table 5 provides a summary description of the distribution of the responses for each of the four driver characteristics. Rather than presenting only the most- and least-frequent responses as done previous to this point, this table is intended to show the amount of variation in the students' perceptions. An "X" indicates that there was a considerable proportion (20% or more) of responses in categories other than the ones that were most frequently chosen. An "X*" indicates that there was a considerable proportion of responses in more than one category and that they were evenly distributed across those categories. The absence of an "X" or "X*" indicates that there was strong agreement in perceptions whereas the presence of an "X" or "X*" suggests less agreement. As shown in the table, there was variation in the perception of driver characteristics. Perceptions of gender were varied in 5 of 10 scenes; perceptions of both race/ethnicity and social status were varied in 6 of the 10 scenes, and perceptions of age varied in all ten scenes presented. The results of scenes 7 (Mitsubishi sedan) and 8 (Cadillac Deville) were the most varied, with noteworthy distinction for all four of the driver characteristics. Overall, then, there was some notable variation among the student respondents' perceptions of driver characteristics. Despite this variation, however, the most frequently chosen categories by the students were generally quite clear.

Common Driver Profile Comparison

As noted previously, the purpose of this article is to compare the perceptions of college students to those of police officers as reported in Ikner et al. (2005). Table 6 displays the results for both the Ikner et al.(2005) study as well as the present study relevant to the perception

of the drivers' race/ethnicity, as well as gender. There was slightly more variation among the student respondents than the police respondents regarding the perceived race and ethnicity of the driver; however, there was general agreement in the perceptions of the two groups. Among the police respondents, the driver was perceived as white in 9 out of the 10 scenes. Scene 1 was the only one in which the police respondents perceived the driver to be something other than white. In this scene (Dodge Ram), both police and student respondents perceived the driver to be Hispanic (71% and 68% respectively). For the 7 scenes in which both the police and student respondents perceived the driver to be white, the percentages are remarkably similar between the two groups. Testing for differences in proportions, the only statistically significant difference is for scene ten (Nissan 4-door sedan). There are two scenes for which the police and student respondents did not agree on the perceived race/ethnicity of the driver. The majority of police officers (63%) perceived the driver in scene 5 (Ford pick-up) to be white whereas students most commonly (41%) perceived the driver to be Hispanic. Scene 7 (Mitsubishi 4-door sedan) also yielded differing results. Police respondents most commonly (49%) perceived the driver to be white, whereas student respondents most commonly (43%) perceived the driver to be African-American.

TABLE 6. COMPARISON OF COMMON DRIVER PROFILE FOR POLICE OFFICERS AND COLLEGE STUDENT RESPONDENTS FOR PERCEIVED RACE/ETHNICITY AND GENDER OF DRIVER.								
SCENE	RACE/ETHNICITY				GENDER			
	STUDENT	%	POLICE	%	STUDENT	%	POLICE	%
One	Hispanic	68	Hispanic	71	Male	89	Male	88
Two	White	47	White	49	Male	78	Male	78
Three	White	65	White	64	Female	79	Female	74
Four	White	73	White	73	Female	52	Female	46
Five	Hispanic	41	White	63	Male	86	Male	80
Six	White	61	White	54	Male	85	Male	83
Seven	African-American	43	White	49	Female	63	Female	63
Eight	White	48	White	48	Male	55	Male	46
Nine	White	67	White	68	Female	51	Male	51
Ten	White	48	White**	67	Male	55	Male	52

**$p < .05$

With regards to the perceived gender of the driver, there is only one scene for which the police and student respondents provided different results. In scene 9 (Honda SUV), a slight majority (51%) of police officers perceived the driver to be male whereas the same percentage (51%) of college students perceived the driver to be female. Since both percentages are

just over 51%, the difference in perceptions is not regarded as significant. For the remaining 9 scenes, the police and student respondents agreed as to the perceived gender of the driver and with fairly similar percentages. None of the difference in proportions is statistically significant. Examining Table 6, then, it is clear that there is general agreement between the two groups of respondents as to which type of vehicles were viewed to be driven by men and women, accordingly.

	TABLE 7. COMPARISON OF COMMON DRIVER PROFILE FOR POLICE OFFICERS AND COLLEGE STUDENT RESPONDENTS FOR PERCEIVED AGE AND SOCIAL STATUS OF DRIVER								
SCENE	**AGE**				**SOCIAL STATUS**				
	STUDENT	**%**	**POLICE**	**%**	**STUDENT**	**%**	**POLICE**	**%**
One	18-29	64	18-29	58	Middle	56	Middle	58
Two	18-29	51	18-29**	57	Middle	63	Middle	64
Three	18-29	53	18-29	41	Middle	73	Middle	81
Four	18-29	49	18-29	53	Middle	66	Middle**	85
Five	40-49	37	50-59	28	Lower	82	Lower**	53
Six	30-39	46	30-39	42	Middle	81	Middle	78
Seven	18-29	49	18-29	52	Middle	69	Middle*	79
Eight	over 60	28	50-59	22	Middle	55	Middle*	45
Nine	30-39	42	30-39	45	Middle	80	Middle	81
Ten	18-29	52	18-29	49	Middle	71	Middle	78

**p < .05; *p < .10

The comparison of the responses offered by police officers and college students regarding the perceived age and social status of the driver is presented in Table 7. As shown, in 8 of the 10 scenes, the police and student respondents agreed as to the perceived age of the driver, with the driver in 6 of the 10 scenes perceived to be 18-29 years old and 30-39 years old in two of the scenes. Testing for difference in proportions, the only statistically significant difference among these is scene 3 (Ford Focus) – students were significantly more likely to report the age group as 18-29 years old. In scene 5 (Ford pick-up truck), the police respondents most commonly (28%) perceived the driver to be 50-59 years old whereas the student respondents most commonly (37%) perceived the driver to be between 40-49 years old. The students, then, perceived the drivers to be in the age group that was just younger than did the police. In scene 8 (Cadillac Deville), the police most frequently (22%) perceived the driver to be 50-59 years old whereas the college students most frequently (28%) perceived them to be over 60 years old. In this instance, then, the students perceived the driver to be in the age group just older than the age group indicated by the police. The differences in perceptions in these two scenes only

differ by one age category, which does not seem to be significantly different. Overall, then, there is general agreement between the two groups of respondents regarding the perceived age of the drivers.

The police officer and student respondents shared similar perceptions of the drivers' social status in all 10 scenes (see Table 7). In nine of the ten scenes, both groups perceived the driver to be middle class; the only exception being scene 5 (Ford pick-up) in which both samples perceived the driver to be lower class. Neither sample perceived the driver of any vehicle to be upper class. More than any of the other characteristics, the percentages across the two groups show some notable differences when testing for differences in proportions. In particular, the percentages for police officers relevant to scenes 4 and 7 were significantly higher than those offered by students. In contrast, the percentages for students for scenes 5 and 8 were significantly higher than those offered by police officers. Even with these significant percentage differences, there is still wide agreement regarding the perceived social status of the driver between the two groups of respondents.

Overall, as indicated in Tables 6 and 7, the responses offered by police officers and college students regarding the perceived race/ethnicity, gender, age, and social status of the driver based on vehicle cues are reasonably similar to one another. Further, it should be noted that in instances where there was agreement in perceptions, the percentage of the two groups was quite similar; with the most significant differences in the percentages being for assessments of social status. Also, in instances where disagreement was detected, the differences did not appear to be noteworthy.

DISCUSSION AND CONCLUSION

This study examined the perceptions of vehicle cues and characteristics of drivers by college students while comparing their responses to those offered by law enforcement officials in a previous study. The authors of this study specifically sought to determine whether college students' perceptions of a vehicle driver's race, gender, age and social status were influenced by the type of vehicle driven.

The findings indicate that the responses offered by police officers and college students in the City of Arlington, Texas, reflected more similarities than differences. The differences in the responses could suggest that a disparity exists in the type of training and/or experiences each group is exposed to, therefore influencing their perceptions of vehicle drivers. College students could have responded differently than police officers to the vehicle scenes because they are not likely to hold some of the perceived beliefs that police officers may have; it is likely that students have not experienced or been exposed to the police subculture and/or law enforcement training. Due to experience and/or training, then, the image of the symbolic assailant may be more strongly embedded for police officers, leading to differing perceptions.

However, given that the differences were few, the impact of the professional socialization that police officers receive appears to be negligible when examined in this manner. These find-

ings, then, could be interpreted to mean that the working personality of police officers is not as influential in affecting an officer's decision-making process relevant to vehicle cues. The working personality refers to the assumption that the attitudes of police officers are affected by influences and learned behavior from the police subculture and/or law enforcement training. Even though students are not likely to have experienced or been exposed to the police environment, their responses almost mirrored those offered in a previous study of police officers' perceptions; thereby indicating that some other process may be at work in the creation of the perceptions of both. Namely, members of both groups, whatever their differences in experience, have been socialized in the larger society in which they live which may explain some of the similarities in perceptions. That is, as members of the same general community, both groups may have learned similar interpretations of vehicle cues.

Such conclusions, however, should be made with great caution since very little about the origin of perceptions was examined in this study. We are simply arguing that it is logically plausible to conclude, based on the findings of these two studies, that perceptions of driver characteristics based on vehicle cues may be related more strongly to socialization that occurs in the larger society than to police socialization. This is not a definitive conclusion, however. The authors recognize that part of the socialization process of both sets of respondents is based on the notion that automakers target specific ethnic and socioeconomic groups in society. Given this, a respondent may assume that a vehicle in question is driven by an individual belonging to a particular social/ethnic group.

Limitations to the Study and Future Research

Given that both samples are drawn from populations in Arlington, Texas, it is unclear as to the generalizability of these results. That is, it is not unreasonable to believe that people in Texas may have a different assumption of vehicle drivers based on vehicle symbols/cues. If citizens of another state viewed the same vehicles, their responses could vary as a result of differences in the perceptions of vehicle driver characteristics by location. In addition, if this study was conducted in a rural area versus a metropolitan environment or in a different region of the United States, it is likely the respondents from each area could have differing perceptions on driver characteristics based on vehicle type. In addition, showing only ten vehicles might not be sufficient to determine the impact of vehicle cues. And, lastly, a broader range of vehicle types might also yield different results. For these reasons, it is suggested that additional studies of vehicle cues and driver characteristics, using a larger number of scenes and a broader array of vehicles, should be undertaken before general conclusions are drawn.

As noted previously, the sample of college students is not wholly representative of the student population at the university, so it is unclear how generalizable the findings are from this sample to the population. In addition, and more significant, is the fact that a sample of college students is typically not representative of the general population. The perception of college students may be very different than the perceptions held by members of the general population. In light of this, it is suggested that further examination of vehicle cues employ samples drawn from more general populations than college students.

While there is an attempt to theoretically link the use of vehicle cues to racial profiling, this study did not test that link. Illustrating a link between vehicle cues and perceived driver characteristics does not necessarily relate to racial profiling. The argument presented here is that vehicle cues might serve as a proxy measure for driver characteristics that can be used by individual police officers who choose to engage in racial profiling. It should be noted that no items were tested in this study that portend to specifically link vehicle cues, driver characteristics and racial profiling. Instead, if research can continue to show agreement in perceptions of driver characteristics based on vehicle cues, the next step would be to assess whether or not those vehicle cues relate to racial profiling. That is, if certain vehicle types are typically associated with minorities, do police officers make the discretionary decision to stop them more often?

This study suggests the need for further research on racial profiling; particularly research that seeks to identify the extra-legal factors that can be used by individual officers in making pretext stops. As argued by Ikner et al. (2005), such a body of research could be utilized in police training as a means of addressing any biased perceptions that individuals might hold regarding vehicle cues and the appropriateness of relying on such cues to decide who to stop and issue a citation. The issue of racial profiling and how it takes place is an important one – there is a long history of racial profiling in the U.S., and additional concerns have been raised regarding racial profiling in the war on terror. Certainly, discovering the subtle ways in which individuals might engage in racial profiling is warranted.

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BOOK REVIEW: EDITOR'S RECOMMENDATION

Suskind, R. (2006). *The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11*. **New York: Simon & Schuster.**

By Sam Swindell, Sam Houston State University.

Ron Suskind's The One Percent Doctrine is a valuable and invigorating volume for the concerned citizen and criminal justice scholar alike. This book is of specific interest to anyone interested in national policy, decision making, counter-terrorism, use or generation of intelligence, rule of law, public administration, federal law enforcement and organizational culture— all topics relevant to criminal justice as a discipline. We are a nation at war, a war (or group of wars) whose genesis lies in the time period spanned by this book: from the initial days after the September 11, 2001, terrorist attacks through the 2004 presidential election. Suskind's scope is on the "Global War on Terror," (GWOT) portrayed through the actions of two inter-related groups of characters: the "notables," public leaders known well to even the most casual consumers of news, such as President George Bush, Vice President Dick Cheney, Condoleezza Rice, George Tenet and Colin Powell; and the "invisibles," long-service professionals in intelligence or security whose methods, identities, successes and failures ideally pass unnoticed. The work benefits from what are apparently very well-placed sources.

The work is amplified by its central theme, named for the policy laid down by Vice President Cheney in a November 2001 White House meeting and frankly announced by Suskind's title, The One Percent Doctrine. This fascinating, rare thread traverses the entire tapestry, weaving through every scene, uniting and changing each: it casts all the well-known events of this story in a new light, sharpening the details while giving some a more macabre, jaundiced hue. Cheney's one percent doctrine stated that only a one percent probability was required that a subject was a terrorist before taking action against them. Once that (immeasurable) one percent probability was perceived, it was then not a question of whether to act, but only how. The true significance of the one percent doctrine is that it became the Bush administration's philosophy for all actions in the GWOT, actions by an administration guided far more by ideology than by conventional analysis of fact or context. One also cannot help wondering how profound an impact the doctrine had on the U.S. political landscape, particularly in light of the sound reversals in the November 2006 mid-term elections.

Those tasked with carrying out the one percent doctrine included most significantly the CIA and the FBI, an odd couple that the GWOT has demanded to work well together. Suskind explains the differences between these two by focusing on their end products, and the methods used by each for decades to achieve such end products. These methods have been woven into the organizations through their recruiting, training, and culture, not to mention decades of practice. The end product for the CIA is intelligence analysis. For the FBI, on the other hand, the end product is finished, complex criminal cases: these are two very different animals. There is a valuable lesson in the disparities of organizational culture springing from

this difference of focus and dynamics: an immediate common purpose does not effectively erase decades of difference.

The bulk of the story deals with intelligence, historically the province of the CIA. Intelligence analysis, or "finished intelligence," is an educated best guess that informs the analysis's "consumer" of its general limitations. In both intelligence and diplomacy, overconfidence can lead to deadly misunderstandings, so both use similarly hedged and indefinite language. Intelligence analysis is an exercise in restraint, not just of language, but of critical thought and scientific method, trying to blend, accord, or cross-check fragmentary information from diverse sources of "raw" intelligence: human sources, communication intercepts, satellite imagery. The finished products upon which the CIA focused decades of its existence were therefore well-hedged analysis, sometimes candidly devolving towards guesses in strength of conclusion.

The FBI's model of action was radically different from the CIA's. A complex criminal prosecution requires volumes of evidence, documenting without question that the burden of proof required at each stage of the proceedings has been met, in the face of the dedicated and potentially well-financed attacks by the defense counsel of the accused, whether drug lord, bank robber, or sophisticated white collar criminal. The FBI therefore demands that every step must be documented, "papered" in FBI parlance, establishing that the government's action met the legal standard at that point in time.

Suskind highlights well the confusion in trying to accord these two organizational mindsets (intelligence analysis and criminal prosecution). Then, on top of that, requiring these organizations to act in accordance with a third mindset, foreign to both of them, is certainly a recipe for chaos. The one percent doctrine was not only foreign, but completely antithetical to both the intelligence analysis and the criminal prosecution mindsets or models.

All that said, Suskind's book has something else to recommend it: a fine story. It is a story of struggle and uncertainty, of the kind of heroic action that springs from the marriage of desperation and innovation. Suskind's story is not one of heroic successes, however, as much as it is of heroic struggles—struggles in a shadowy world where friend and enemy, indeed success and failure, have elusive and shifting identities. If one looks for success in GWOT, it is there alongside chillingly clear failures. The significance of either—for assigning blame to actors or for judging progress in the struggle—remains obscure. Victories seem to wane in significance, impending threats evaporate, and even defeats seem to be ambiguous. Each "victory" seems more and more like digging the sandy shore.

Intelligence learns the actual identity of a key al Qaeda leader, appearing throughout signals intercepts as "SwiftSword," right after he is released by the Saudis after being held for weeks. SwiftSword is a driving force in jihadist training and ideology on the Arabian Peninsula, and is killed later by the Saudis in a gun battle, but no intelligence exploitation is made from his apartment, person, or belongings such as cell phone, notes, or computer hard drives. Another trail goes cold.

If this story were to have just one hero, it would be George Tenet: CIA director on 9/11 and the first few years of its aftermath, the director that President Clinton hired and President Bush would not fire. Suskind paints a vivid, realistic, and sympathetic picture of Tenet. He is a hero because he is an admirable character with a central role in a historic fight that is not yet history, but also because he alone among the notables also walks at ease among the invisibles.

He stands temporarily as a bulwark against the excesses of the one percent doctrine, especially as its champions try to politicize the intelligence estimates feeding the international public debate over going into Iraq. This all swirls as Tenet remains steadfastly loyal to Bush for having stood by him in the immediate aftermath of 9/11. Tenet is a man conflicted by his loyalties to leader, subordinates, and professional obligations. He is also a man with invaluable connections throughout the leadership of world governments, connections lost when he eventually steps down.

Suskind gives us more heroes, however, like Dan Coleman of the FBI. Coleman was the FBI's leading expert on Islamist terrorism going into 9/11. He was among the FBI agents who were in Manhattan on September 11th , 2001, rushing downtown to see whatever they could do. The dust from that trip downtown months before was still in the crevices of Coleman's FBI-issue sedan when he drove it to Dulles airport in the middle of the night, to pick up what was alleged to be the severed and mostly decayed head of Zawahiri, Bin Laden's number two in al-Qaeda. The Special Forces officer who handed it over in a duffle bag delivered the unofficial message that Coleman's son, a U.S. Army Ranger serving in Afghanistan, was doing fine over there. It was Coleman who later spots the very dangerous profile of a suspect that the FBI was ordered to tail when he arrived in the U.S. from Great Britain. His warning causes inter-bureau feuding over who is to do what, and the result is inaction: the man is put on the no-fly list, and not allowed to fly to the U.S.. He is tipped off by this that he is being watched, and keeps a very low profile while he later masterminds and leads the group that commits the now infamous London subway bombings in July 2005.

The relationship between President Bush and his advisors and briefers comes out as we might expect, with Bush setting the stage in ideological terms and focusing on people. He sizes up the messenger, sizes up the opponent, and seems unfocussed on the message; if he is anything but oblivious of written reports, no matter how short, he conceals it perfectly. The Vice President, on the other hand thinks about strategies and counterstrategies, philosophies and trends. Bush is not painted as incompetent, however, but rather possessing different competencies, competencies which unfortunately catch many working for him off guard.

Here, in what could be a highly-politicized story, Suskind appears an honest broker. Bush is painted unflatteringly in many aspects, but in others he is the man for the job of walking into the Oval Office on September 12, 2001. In a war fought often based on personal loyalties among leaders, he shared with Tenet the ability to bond with them, even if it meant stopping a highly-choreographed briefing of a foreign leader to ride Bush's ranch in his pickup: folksy to the point of ridicule, yet quite effective. Bush's focus on the messenger is a profound lesson in communication. The entire system of communication set up over decades to inform the president is suddenly rendered neigh unto impotent. The system focuses on the message, and does not contemplate a receiver focusing on the messenger. Suskind asserts that the messenger sent specially to brief President Bush in August 2001 on the looming threat of significant but unspecified al Qaeda activity failed to convince the president because he was nervous and dismissed as insincere, "Now you're just covering you're ass." The CIA did not yet understand Bush's style of listening, and the specter is raised of one more pre-9/11 "what-if."

A constant drumbeat throughout the book is the consequences of pushing organizations into roles for which they are historically and culturally unsuited, often with acquiescence of both leadership and the rank-and-file. The CIA steps past its familiar, traditional roles of analyst

and collector, into the less-familiar role of jailer and interrogator. Suskind blames this shift for some embarrassing interrogation failures. The CIA and FBI jockey over who will interrogate valuable terrorist insiders, the debate being between using the soft, indirect methods of the FBI, which had proven successful with suspects in the 1993 World Trade Center bombing, or the rougher and more aggressive methods that the CIA claimed expediency demanded. Here the CIA had no recent track record, but their sense that the aggressive methods were required held sway, and the CIA conducted the interrogations with embarrassingly sparse results. The CIA operations, on the other hand, while often daring and impressive, left a wake of disgruntled countries and wary political leaders. Here the organization moved out of its core competencies, and followed instinct rather than accepting the experiences of its rival. The results were dismal. The FBI, on the other hand, was being looked to by the Bush White House for intelligence, likewise out of its traditional area of competence. The FBI had a long record of criminal investigation, but this is far different than intelligence. Piecing together who is responsible for a specific crime, in such detail that it can be proven in court beyond a reasonable doubt, is different from predicting what might happen, who will do it, and specific times and places. The FBI was trying hard to develop intelligence gathering and analysis capabilities, but in these procedures it was the neophyte and produced similarly unimpressive results.

Impressive victories were achieved, however. The most significant intelligence successes in the story come from analyzing the financial data in massive commercial databases that could be searched with powerful software. Private U.S. companies such as Western Union and First Data volunteered to assist the Intelligence Community with access to their databases and with access to contemporaneous information about the business dealings of suspects. These searches could leverage raw intelligence from the field into numerous leads. The sophisticated forensic investigative techniques honed by the FBI in domestic cases yielded many such leads when a suspect's personal possessions, cell phone, computer, vehicle, and residence were immediately subject to such scrutiny and the results exploited before news of the suspect's detention spread to his comrades and contacts. Following on a dismal failure of interrogation of Wazir, a financier for al-Qaeda, the immediate brazen infiltration of his storefront bank (hawala) in Pakistan, bore much fruit. Two CIA agents actually replaced Wazir's employees, and the agents operated the hawala for months, gathering priceless intelligence on al Qaeda operatives financed through it.

The intelligence theme is indeed fairly rich in this work, from this level of collection to its uses at the highest level. One of the more disturbing branches of this then is the politicization of intelligence; Suskind paints a detailed picture of the Vice President, who had independently advocated an Iraq invasion since 9/11, trying to make the public case for the invasion of Iraq. In this Tenet is loyal to his analysts, and tries to keep the intelligence analysis free from politics, while Cheney's office consistently pushes intelligence scraps that support the invasion, even though these had been discredited repeatedly. Suskind opines that although the Intelligence Community resisted this pressure, the effects insidiously and inevitably tainted intelligence products.

There are also some interesting lessons on loyalty in this story. Tenet and Bush were doggedly loyal to each other while Tenet was Director of Central Intelligence (DCI), but when he left then Suskind claims Tenet became the scapegoat for the failure of prewar intelligence on Iraq. He was labeled in Bob Woodward's Plan of Attack as having jumped up in a meeting with Bush and yelling, "It's a slam dunk case!" Suskind tells Tenet's side of the story, which does

not authoritatively refute Woodward's account, but undercuts it, while acknowledging Woodward has the weight of witnesses on his side. Tenet feels betrayed by the story, and Suskind highlights that Tenet sees loyalty as abiding while Bush treats it as transactional: once you are off the team, then you do not receive the loyalty due the team.

Other ramifications of the one percent doctrine are a smaller part of the story, but their introduction suffices for those with an eye for the rule of law. The standards of the FBI are those of U.S. domestic law, which is to say the U.S. Constitution. The Fourth Amendment to our constitution requires at least probable cause that a suspect has committed a specific crime before he can be incarcerated. This was a crucial part of the criminal investigation model the FBI was intimately familiar with. The one percent doctrine, when applied to domestic arrests or detentions, would require that a suspect be arrested or detained if there is a one percent chance that they were a terrorist, as long as that action were operationally expedient. The one percent doctrine was clearly at odds with the Constitution, and thus illegal as applied to detentions. Similar applications to search and seizure law yield the same ultimate conclusion: that the doctrine violates our constitution.

Suskind likewise does not highlight the practical effects of the one percent doctrine in an operational sense. In September 2001, there was very little in the way of intelligence leads on al Qaeda, so in the early days, the doctrine made sense. A low threshold of action allowed action when action was craved and there was little intelligence to exploit. When there is more to act upon, however, at some point actions are premature, and "actionable" intelligence drew various governmental agencies and leaders, up to the Commander in Chief, into decisions, actions, and statements that were not in the appropriate time place or manner.

The CIA intelligence analysis model is necessary to rate what threats are greatest, what are worth alerting the public over, and which ones the President needs to get involved in. Marginalizing it proved embarrassing. At one point there were reports that Middle Easterners in Kansas were looking for a large storage space, and wanted to pay in cash. Certainly, this was an intelligence lead that needed to be followed up. Under the one percent doctrine, the president was looking for any scrap of intelligence on terrorists acting in the U.S. in his daily briefings. That the President should be briefed on the single report without contextual information highlights the absurdity of the doctrine when followed unchecked. The next morning, despite the fact that lead had not been fully investigated, the FBI director reassured Bush, "Mr. President, the FBI has Kansas surrounded." His enthusiastic assurance leads one to envision the disproportionate shifting of FBI assets to Kansas on what turned out to be a wild goose chase: the men ran flea markets, a cash business requiring storage. Under an intelligence analysis model, this information would have been checked out, but not caused panic; under the one percent doctrine, the wild goose chase animated the entire chain of command. That national policy should be based on such a model is particularly chilling.

Suskind's account must join others written in this crucial period, such as Woodward's Bush at War, Plan of Attack, and State of Denial, and others that will later reflect on it through the lens of history. Among the former, The One Percent Doctrine holds its own, and adds valuable detail, flavor and thematic insight to this already-told but not fully-developed story. Like any such account, particularly one dealing with such sensitive and "secret" subject matter, it has its limits. It is nonetheless recommended without reservation.

BOOK REVIEW

Merlo, A. V., & Pollock, J. M. (Eds.) (2006). *Women, Law, and Social Control (2nd ed.).* **Boston: Allyn & Bacon.**

By Edward J. Schauer, Prairie View A&M University

Women, Law, and Social Control (2nd Edition) is a current, useful tool for understanding historical, philosophical, social, professional, and legal issues relating to women and the criminal justice system. Edited by Alida V. Merlo and Joycelyn M. Pollock, the articles included in this second edition have undergone thorough revision, and, along with document updates and rewrites, new chapters have been added: first, to broaden understanding of the history of informal and formal social control of women; second, to emphasize the key role which drug use, law, and policy plays in the lives of women, their increasing incarceration rates, and in service available to them; and third, to emphasize the interplay of race/ethnicity with class and gender as it affects women of color in American society.

In the first chapter, Joycelyn Pollock presents a historical overview of the experiences of women (criminal justice practitioners, victims, and offenders) with formal social control agencies. She likens the progress of women, in terms of gaining rights and equal treatment, to "a meandering river." In the second chapter, Frankie Bailey explains that historically distorted images, which accentuate sexuality and sex roles, affect all women who relate to the criminal justice system. Ancient in origin, yet current in use, the challenge for scholars is to develop future research and policy to counteract this stereotyping.

In Chapter Three, Stohr and Bostaph build upon the thesis that the law has often been used to "keep women separate, unequal, and ultimately oppressed." They explain the functioning of the law as a gendered entity and show how the "reasonable man" standard is misapplied to women. Bagley and Merlo continue in Chapter Four with how the law has been used to regulate and control the bodies of women. They discuss legal issues relative to drug use by pregnant women, laws based upon flawed research, "coercive contraception," and controlling women with AIDS, whether in the community or in prison.

Whereas Part One of this compilation relates to law and social control, Part Two contains three chapters dealing with female practitioners of criminal justice. In Chapter Five, Scarborough and Garrison discuss the entry and development of women in policing. While women make up approximately 50% of the total workforce in the U.S., women represent only 10.6% of local police. Few women hold managerial or administrative posts. Most inroads and advancements made by women in policing have been through legal actions. Recruitment and retention are the most serious concerns of women in policing today.

"Women Working in Prisons and Jail Settings," is the theme of Chapter Six by Mary Ann Farkas. Women tend to list "job security" and "benefits packages" as reasons for choosing correctional work. Gender bias is common in the workplace and is obvious in assignments and advancements received. Less job stress is evident for women who work in facilities which have definite complaint procedures and training programs for sexual harassment and discrimi-

nation. In Chapter Seven, Francis Bernat illustrates that while women make up approximately half of the students in law school today, only 16% serve as law partners. Women in law firms tend to be "mommy-tracked," and are bypassed for promotion. They suffer from employment and pay inequities.

"Women as Victims," is the theme of Part Three. In Chapter Eight, Mittie and Rachel Southerland deal with rape survivors, explaining that reality diverges from the intent of the law. Rape definitions vary; citizens' conception are shaped by contexts and through agreed-upon realities, and these perception shape the response to rape by both victims and society. The extent of hidden rape remains significant. Thus, the authors conclude, "Those interested in women's rights must stand vigilant, and work for and support research, education, and change throughout society." In Chapter Nine, Denise Gosselin discusses intimate partner violence both against and by women. Intimate partner violence appears to be pandemic and pervasive in American society, although actual incidence is unknown. The current official response is criminal justice intervention with a social services component. Gosselin suggests that much more could be learned through more research into same-sex partnerships.

Part Four includes three articles on women offenders. In Chapter Ten, Davis, Merlo, and Pollock report on "Female Criminality: Ten Years Later." Women's arrest and incarceration rates have risen appreciably in two crime categories: "Other assaults" and drug abuse violations. The authors explain that, while it may appear that women are committing more index crimes, the rise in "other assaults" may be largely due to changes in police domestic violence policy; while the drug abuse violations reflect changes in drug laws and sentencing. With the above said, the authors possibly err in suggesting a criminological theory which emphasizes individual behavior in seeking the cause of female crime.

McShane and Williams discuss "Women Drug Offenders" in Chapter Eleven. They explain the history of drug use, women's lifestyles and drug offending, treatment issues, and policy responses and implications. They conclude that women drug offenders are "disproportionately represented" among those who are processed by the criminal justice system; yet, women drug offenders are at the lowest end of the spectrum on a measure of drug seriousness. In Chapter Twelve, Peter Benekos expands upon the theme of "Women as Perpetrators of Murder." He explains that the nature of women's offending may not be changing, but rather that the justice system responses are changing. Further, women are most likely to commit homicide in intimate relationship, and often they have been victims of abuse in those relationships prior to the homicide.

"Girls and Women in the System," is the subject of Part Five, which consists of three chapters. Barbara Owen explains women's imprisonment in Chapter Thirteen. Chapter sections include: Social control, pathways to prison, prison history, contemporary women's prisons, issues especially affecting women inmates, and issues with reentry. Owen concludes that women's pathways to prison include "multiplicity of abuse," family disruption, drug use, down-spiraling marginality, and "subsequent criminality." These factors, along with minor dependent children, suggest interventions and treatment.

In Chapter Fourteen, Chesney-Lind and Irwin develop the "them" of girls in the juvenile justice system. They explain that controlling girls' sexuality by bringing them into the system through "status offenses" was traditionally the major vehicle of control. The Juvenile Justice and Delinquency Prevention Act of 1974 gave girls more equitable treatment. Since the mid-

1990s, girls are increasingly arrested for violent offenses. Again, as in the case of women, the behavior of girls does not appear to be changing; the responses of formal agencies of social control (or "upcriming") appear to be driving the new arrest rates.

Janice Joseph explains the "Intersectionality of Race/Ethnicity, Class, and Justice" in Chapter Fifteen. She shows that the interaction of the three variables make it much more likely that poor women of color will become the subjects of, and be processed by, the criminal justice system, although these are also among those most in need of social services and economic interventions.

Part Six, consisting of Chapter Sixteen, is written by co-editor, Alida Merlo. In this chapter, Merlo summarizes the material from the preceding fifteen chapters, and adds a few thoughts of her own. While the previous chapters were informative and interesting, this chapter is tedious and dull. The "treasury" ends with the fifteenth chapter; the book and the subject would be complete had chapter sixteen been omitted.

The chapters in this compilation are very well written, thoroughly researched, and well thought out. The editors should be complimented for their insight, choice of authors and materials, and their great efforts in organizing the book. The result is a closely-jointed volume which reads as a whole – a reader which is a welcome addition to the criminal justice literature. The material may be a bit heavy, the volume too massive, and the conclusions too disheartening for the book to be used as an undergraduate textbook. This reviewer, however, heartily recommends this anthology for use as a graduate textbook; it is a "must-read" for scholars and criminal justice professionals who relate in any way to women's issues.