

SOUTHWESTERN
ASSOCIATION OF CRIMINAL
JUSTICE



COMMUNITY JUSTICE

Clarion Hotel—Performing Arts Center
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September 30th – October 2nd, 1999

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1998 - 1999

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September 30th

3:00—7:00 pm Conference Registration (\$40) 4th Floor

7:00—10:00 pm Past Presidents' Reception (Honoring all Past SWACJ President's)

Friday, October 1st

8:00—3:30 pm Conference Registration 4th Floor

7:00—9:00 am Continental Breakfast (free with conference registration)

8:30—10:00 am Panels, Papers and Roundtable Discussion Groups

PANEL #1 CORRECTIONS SALON A

Chair/Discussant: **Claudia Stuart**, West Texas A&M University

Jefferson County Sheriff's Department Boot Camp Program: A Case Study

J. R. Altemose, Lamar University

Community Service: A Productive Alternative for Offenders and Communities

Gail Caputo, University of North Texas

A Qualitative Examination of Probation Officer Attitudes Toward the Minimization of Discretion

Tana McCoy, Sam Houston State University

W. Wesley Johnson, Sam Houston State University

Adult Probationers as Satisfied Customers: A Case Study

Philip W. Rhoades, Texas A&M University—Corpus Christi

PANEL #2 POLICE SALON B

Chair/Discussant: **Sutham Cheurprakobkit**, University of Texas of the Permian Basin

The Impact of Police Visibility and Relationships with Citizens Upon Citizens' Perceptions of Police Performance: A Multivariate Analysis

Wayne Carson, University of Texas in Arlington

Maria Mays, University of Texas in Arlington

Charles Mindel, University of Texas in Arlington

Policing Is a Paradigm

Aditi Gowri, University of Texas LBJ School of Public Affairs

The Impact of Police Contact on Citizens' Attitudes Toward Police Performance

Sutham Cheurprakobkit, University of Texas of the Permian Basin

PANEL #3 JUSTICE ADMINISTRATION (STUDENT PANEL) SALON C
Chair/Discussant: **Tory J. Caeti**, University of North Texas

Dallas Challenge Truancy Prevention Program

LETOT Runaway Intervention Facility

University of North Texas Police Department

Texas Youth Commission

10:00—10:15 AM BREAK LOBBY

10:15—12:00 PANELS, PAPER PRESENTATIONS AND ROUNDTABLES

PANEL #4 POLICE SALON A
Chair/Discussant: **Philip W. Rhoades**, Texas A&M University—Corpus Christi

Practical Evaluation of Police Training

A. Steven Dietz, University of Texas LBJ School of Public Affairs

Police Academy Appears Successful in Certification Test Preparation

Philip W. Rhoades, Texas A&M University—Corpus Christi

John Moseley, Corpus Christi Police Department

Anthony Davis, Texas Department of Criminal Justice

Henry Whitman, Texas Department of Public Safety

Ralph Yates, Corpus Christi Police Department

Dry, Damp, or Wet? Enforcement Dilemmas Associated with Alcohol Policy Transitions

Edward L. Powers, University of Central Arkansas

Janet K. Wilson, University of Central Arkansas

Digitalization of the Criminal Justice System: Resourcing and Constraining the Application of Technology

Wayne T. Tisdale, Corpus Christi Police Department, Texas A&M University—Corpus Christi

ROUNDTABLE A: DISTANCE LEARNING
Facilitator: **Al Patenaude**, University of Arkansas at Little Rock

SALON B

Tory J. Caeti, University of North Texas
Steven Cuvelier, Sam Houston State University
Eric Fritsch, University of North Texas
Al Patenaude, University of Arkansas at Little Rock
Jeff Walker, University of Arkansas at Little Rock
Bill Wilkinson, University of Texas at Brownsville

PANEL #5 TEACHING JUSTICE
Chair/Discussant: **Sam S. Souryal**, Sam Houston State University

SALON C

Parallel Themes in World Literature and Criminal Justice: An Approach to the Integration of Literature in the Criminal Justice Curriculum
Alice Ann Munson, University of Arkansas at Little Rock

Applying the Criminal Justice Classroom to the Community
Everette B. Penn, Prairie View A&M University

The Justice of Loyalty and Loyalties
Sam S. Souryal, Sam Houston State University

Beccaria Revisited
Robert Walsh, University of Houston—Downtown

PLENARY SESSION & LUNCHEON (with registration fee)
12:30 Noon- 2:15 pm
SUNDANCE BALLROOM

Welcome and Introduction: **James Golden**, President, Southwestern Association of Criminal Justice
Alida Merlo, President, Academy of Criminal Justice Sciences

Session Speaker: **Linda Reyes**, Texas Youth Commission

Student Paper Awards: **Bill Stone**, First Vice-president, Southwestern Association of Criminal Justice

2:15—2:30 PM BREAK

LOBBY

2:30—4:15 PANELS, PAPER PRESENTATIONS

PANEL #6

VIOLENCE

SALON A

Chair/Discussant: **Joseph B. Graves**, University of Texas at El Paso

Childhood Victimization and Youth Violence

Joseph B. Graves, University of Texas at El Paso

Frustrated Youth and Delinquency: An Essay on the Relationship between Personality Types, Music, and Different Types of Juvenile Delinquency

Greg Gullion, University of North Texas

John E. Holloman, University of North Texas

Sexual Victimization and Persons with Disabilities Who are Institutionalized

Lacey Sloan, University of Houston

Dawn McCarty, University of Houston

A Test Of The "Cycle Of Violence" Hypothesis

Stephanie A. Whitus-Goodner, Sam Houston State University

Raymond H. C. Teske, Jr., Sam Houston State University

PANEL #7

CAMPUS CRIME

SALON B

Chair/Discussant: **William E. Stone**, Southwest Texas State University

Fear of Crime on Campus: Comparing CRCJ Majors and Non-Majors

Alex del Carmen, University of Texas at Arlington

O. Elmer Polk, University of Texas at Arlington

Sexual Assault on College Campuses

Verna J. Henson, Southwest Texas State University

Campus Crime and Its Reporting at Major Universities in Texas

William E. Stone, Southwest Texas State University

PANEL # 8**JUVENILE CRIME****SALON C**

Chair/Discussant: Deborah L. Laufersweiler-Dwyer, University of Arkansas - Little Rock

*Assessing Your Community's Gang Problem***John S. Boyd**, Stephen F. Austin State University*ADHD, Self-Control, and Deviance: Should We Bring Biology Back into Criminology?***Jody Crowley**, New Mexico State University*School Violence: A Cooperative Effort***Deborah L. Laufersweiler-Dwyer**, University of Arkansas at Little Rock

4:15—4:45 PM	BREAK	LOBBY
4:45—5:45 PM	SWACJ BUSINESS MEETING	BALLROOM
5:45—6:30 PM	STATE MEETINGS	SALONS A, B, C

Saturday, October 2nd

8:00—3:30 pm	Conference Registration	LOBBY
8:00—8:30 am	Continental Breakfast	LOBBY
8:30—10:00 am	Panels, Papers and Roundtables	

ROUNDTABLE B: PUBLISH OR PERISH **SALON A**
 Facilitator: **Wes Johnson**, Sam Houston State University

Robert Taylor, University of North Texas**N. Prah Uunnithan**, Editor, Journal Criminal Justice Education, Colorado State University**Jeff Walker**, University of Arkansas at Little Rock

PANEL # 9

ENFORCEMENT ISSUES

SALON B

Chair/Discussant: **John A. McLaren**, Southwest Texas State University

What is a Terroristic Threat?

John A. McLaren, Southwest Texas State University

What Happens After the Lone Ranger Rides Away?

John W. Stickels, University of Texas LBJ School of Public Affairs

Christian Identity and Right-Wing Militia Movements

Robert W. Taylor, University of North Texas

PANEL #10

COURT-RELATED ISSUES

SALON C

Chair/Discussant: **Curtis Hayes**, Western New Mexico University

The New Federalism: New Mexico's Experience with Independent State

Constitutional Analysis of Fourth Amendment Rights

Curtis Hayes, Western New Mexico University

Drug Courts: Community Justice, Restoration, Reintegration, or Net-Widening?

Lance Hignite, Sam Houston State University

Legal Boundaries Surrounding the Use of Force by Law Enforcement: A Reformulation of Agency Policy

Georgen Guerrero, Southwest Texas State University;

Lamar v. Coffield (1977): The Racial Integration of Texas' Penal Facilities.

Chad Trulson, Sam Houston State University

10:00 – 10:15 a.m.

BREAK

10:15—12:00

PANEL AND PAPER PRESENTATIONS

Panel # 11

CORRECTIONS

Salon A

Chair/Discussant: **Wes Johnson**, Sam Houston State University

Mental Health Care of Inmates: A Look into the Texas Prison System

Donna Vandiver, Sam Houston State University

Managing Elderly Offenders in Correctional Settings

Chad Trulson, Sam Houston State University

An Empirical Examination of Jail Suicides in Texas: Who, What, Where, and Why

Patti Ross Salinas, J.D., Sam Houston State University

ABSTRACTS

PANEL # 1

Jefferson County Sheriff's Department Boot Camp Program: A Case Study

J. R. Altemose, Lamar University

Rigorous evaluations of correctional boot camp programs have had difficulty in demonstrating their effectiveness. Furthermore, the literature is almost silent on the important question of which aspects of boot camp programs may be successful and which may not. This case study uses in-depth interviews of both staff and inmates to determine the perceived effectiveness of various aspects of a particular boot camp program. The findings are generalized to suggest that the reason much of the evaluative literature finds no overall effect for correctional boot camps may be that the ineffective elements of these programs are canceling out the effective elements.

Community Service: A Productive Alternative for Offenders and Communities

Gail Caputo, University of North Texas

Despite various potential benefits, community service is not frequently used in the place of incarceration for adult offenders. Instead it is used mainly as a sole penalty for very low-level offenders and in conjunction with other sanctions, typically probation. Recent research on a privately operated community service sentencing program in New York City indicates that chronic, low-level, and presumably jail-bound adult offenders are able to perform reasonably well in a community service setting and communities benefit from work performed by offenders.

A Qualitative Examination of Probation Officer Attitudes toward the Minimization of Discretion

Tana McCoy, Sam Houston State University

W. Wesley Johnson, Sam Houston State University

This paper outlines the core components of Project Bright Line, an innovative pilot program in community supervision. While Project Bright Line incorporates a zero tolerance for probationer non-compliance, the program also incorporates several innovative aspects designed to assist the offenders in community reintegration. The primary innovation of Bright Line is the coupling of a personalized compliance plan with a "hard-line" approach to probation enforcement. Thus, while the probationer plays an integral role in the construction of the compliance plan, he or she is afforded no latitude in its violation. In essence, the probationer draws his or her own "bright line" in the sand and is held strictly accountable should he or she cross it. This approach results in a dramatic reduction in probation officer discretion. The paper focuses on interviews with community supervision officers and their experiences and attitudes toward the reduction of the discretionary component of community supervision.

Adult Probationers as Satisfied Customers: A Case Study

Philip W. Rhoades, Texas A&M University—Corpus Christi

This paper reports the findings from a customer satisfaction survey of 248 adult probationers in a judge's caseload at the Nueces County Community Supervision and Corrections Department. Findings indicate overall satisfaction with procedures, personnel and services. Few differences appear in results due to ethnicity, gender, employment status, or marital status. Gender and marital status account for the most significant differences. The paper will include a separate 400 client sample if data are received in time for analysis.

PANEL # 2

The Impact of Police Visibility and Relationships with Citizens upon Citizen's Perceptions of Police Performance: A Multivariate Analysis

Wayne Carson, University of Texas in Arlington

Maria Mays, University of Texas in Arlington

Charles Mindel, University of Texas in Arlington

Through a four year study of the Dallas Police Department's Interactive Community Policing program, yearly telephone surveys provided insights into resident perceptions of police activities. Using structural equation modeling, nearly 3,000 telephone responses were analyzed to determine the effects of both police visibility in the neighborhood and officer relationships with citizens upon citizen perceptions of police activities. Respondents' age, race, employment, victimization, and perceived level of social disorder in the neighborhood were controlled. The level of police visibility in the neighborhood and the degree to which officers had personal relationships with citizens positively impacted citizen perceptions of police activities.

Policing Is a Paradigm

Aditi Gowri, University of Texas LBJ School of Public Affairs

Attempts to define community policing as a "new paradigm" are fundamentally flawed because policing is not a large enough domain to contain multiple paradigms. Adherents of contending paradigms do not agree on how to define important problems—let alone solutions. This is a basic feature of paradigms on Kuhn's theory. Policing itself is a paradigm for understanding and resolving problems of social order. It defines social order problems in terms of law, crime and criminality. Alternative, contending paradigms include medical/therapeutic, educational, and radical economic approaches to social order.

The Impact of Police Contact on Citizens' Attitudes Toward Police Performance
Sutham Cheurprakobkit, University of Texas - Permian Basin

This study examines the impact of police contacts (i.e., nature of police contact and type of police experience) on citizens' attitudes toward police performance. Data analysis is based on a survey of 251 residents in Odessa and Midland, Texas, who have had contact with the police. The study concluded that appropriate police policies must be implemented to create positive police-citizen contacts.

PANEL # 4

Practical Evaluation of Police Training

A. Steven Dietz, University of Texas LBJ School of Public Affairs

This presentation argues that there are three key principles of practical training evaluation for police training: (1) Clarify who wants what; (2) Draw a road map; and (3) make the initial evaluation meaningful. Clarify who wants what—practical training evaluations (PTEs) are designed around a clear understanding of what different constituencies want and expect from the evaluation activities and reports. Draw a road map—the design of PTE measurement tools is guided by a map of outcomes leading to the bottom line. Make the initial evaluation meaningful—the initial information provided by PTE is presented in ways that all major stakeholders can understand and use in addressing and answering questions about program development and accountability.

Police Academy Appears Successful in Certification Test Preparation

Philip W. Rhoades, Texas A&M—Corpus Christi

John Moseley, Corpus Christi Police Department

Anthony Davis, Texas Department of Criminal Justice

Henry Whitman, Texas Department of Public Safety

Ralph Yates, Corpus Christi Police Department

This study examines the relationship between civil service selection test scores, academy examination scores, and TCLEOSE Certification test scores. Results for 63 officers from three academy sessions demonstrate that academy examination scores are positively associated with TCLEOSE test scores. Further, college education was positively associated with higher test scores. Significant differences between experienced and non-experienced officers were found in an unexpected direction with both academy and TCLEOSE test scores. Comparisons are made to a previous study of graduates from a community college based academy.

Dry, Damp, or Wet?: Enforcement Dilemmas Associated with Alcohol Policy Transitions

Edward L. Powers, University of Central Arkansas

Janet K. Wilson, University of Central Arkansas

Law enforcement officers spend an enormous amount of time addressing alcohol-related offenses. The current study examines the potential impact a change in alcohol regulation policy has on the workload of police. Enforcement efforts are expected to change both qualitatively and quantitatively when counties decriminalize the sale of alcohol. Using a case study approach, a brief examination of counties converting from dry to wet reveals many of the problematic changes associated with this transition. One Southern metropolitan county that is currently "damp" (between dry and wet) but considering liberalization of alcohol policies is used as an example. An examination of this particular county reveals the range of dilemmas faced by officers forced to shift enforcement priorities.

Digitalization of the Criminal Justice System: Resourcing and Constraining the Application of Technology

Wayne T. Tisdale, Corpus Christi Police Department, Texas A&M University—Corpus Christi

Criminal justice personnel have been drawn into a digitalized community. Pressure from the private sector demands that the criminal justice system become more efficient and effective. Technological applications are being constantly integrated with a variety of databases. This compilation of data can affect the relationship between the criminal justice system and the public. Constitutional lines of privacy are being encroached upon. Criminal justice personnel must carefully evaluate each technology tool to determine if the application is viable in today's legal, moral and professional environment.

PANEL # 5

Parallel Themes in World Literature and Criminal Justice: An Approach to the Integration of Literature in the Criminal Justice Curriculum

Alice Ann Munson, University of Arkansas-Little Rock

This paper maintains that the great issues of law and criminology which are the concerns of the criminal justice field are well studied in many texts of the great literature of the western world, works which present conflict in the world-view and the system of values by which a civilization defines itself. Criminologists, as well as philosophers and theologians, have seen in today's rising crime rate a reflection of a widespread alienation from traditional values; literary texts serve as excellent source materials for the study of such conflict.

Applying the Criminal Justice Classroom to the Community

Everette B. Penn, Prairie View A&M University

Students pursuing a degree in criminal justice find themselves in an ever-evolving field of theory, research, policy, and practice. Volunteering, service learning, COOPs, and internships allow the student to take his or her classroom experiences to a level beyond the traditional educational environment. The paper will present strategies to enhance traditional classroom learning to benefit the student and the community.

The Justice of Loyalty and Loyalties

Sam S. Souryal, Sam Houston State University

One of the main elements of community justice is the locus of loyalty and loyalties—loyalty to what, to whom, and at what price. In criminal justice organizations, these matters could be so problematic they could threaten the integrity of the entire organization. Misguided loyalty could make police/probation/parole officers lie, cheat, and steal; discriminate against certain groups and individuals; participate in cover-ups; or simply be corrupt. This paper explains the philosophy of loyalty; the hierarchy of loyalties at criminal justice agencies; the imperative of loyalty to principles rather than persons; the clash of personal/institutional/ and integrated loyalties; the grammar of organizational loyalty; and the teaching of loyalty at the workplace. This paper will conclude by suggesting a workable model of organizational loyalty that optimizes personal accountability, mutual respect, unhindered efficiency, and institutional morale.

Beccaria Revisited

Robert Walsh, University of Houston—Downtown

This paper is presented to provide a framework for the teaching of one early part of the study of criminology, the classical school. Cesare Beccaria contributed much to this field of study with the publication of his book of essays, *On Crime and Punishment*. Part of what he wrote might have been a mischaracterization, which might then redefine his part in the classical school.

PANEL # 6

Childhood Victimization and Youth Violence

Joseph B. Graves, University of Texas at El Paso

The primary goal of this paper will be to examine the assumed relationship between childhood maltreatment as a risk factor leading to later violent juvenile behavior. The extent and impact of youth violence in the United States as well as the prevalence of childhood maltreatment will be analyzed. Research theories linking the two will be highlighted. Methodological limitations of previous

research studies will be considered. Then the paper will propose and outline a research design that will focus on specific correlations between severity as well as typological measures of child maltreatment in relation to youth violence. The paper will conclude by discussing important policy implications of research findings and stressing the need for proactive strategies such as prevention and early intervention.

Sexual Victimization and Persons with Disabilities Who are Institutionalized

Lacey Sloan, University of Houston

Dawn McCarty, University of Houston

The societal variables influencing sexual assault rates remain elusive. Sexual assault rates seem to have some correlation to poverty, racial demographics, divorce, and ecological change within neighborhoods. This research, however, finds the sexual assault rate in a major Texas city most clearly correlated to areas with a high percentage of the population living in institutions. This supports beliefs that sexual assault is related to individual vulnerability. It also raises the issue of social policy related to persons with disabilities.

Frustrated Youth and Delinquency: An Essay on the Relationship between Personality Types, Music, and Different Types of Juvenile Delinquency

Greg Gullion, University of North Texas

John E. Holloman, University of North Texas

According to Eysenck, delinquency is anti-social behavior which has a tendency to be impulsive. Many youths act on the spur of the moment without awareness of the risk involved and without consideration for the consequences of their behavior. In this paper, we develop a biosocial theoretical relationship between juvenile delinquency, music, and personality types. Based on Eysenck's personality theory, we show that there is a correlation between different types of juvenile delinquents based on personality type and type of music listened to. We theorize that juvenile delinquents with an extravert personality, who listen to "heavy metal" and "gangster rap" music commit very different types of delinquent acts than those that have introverted personalities. Propositions and hypotheses are included.

A Test Of The "Cycle Of Violence" Hypothesis

Stephanie A. Whitus-Goodner, Sam Houston State University

Raymond H. C. Teske, Jr., Sam Houston State University

This paper examines the "cycle of violence" hypothesis; specifically, the authors explore the likelihood of children being abused when their own parent was abused as a child. Data for this analysis was collected by the authors, which includes information from two statewide surveys of Texas residents regarding their own

and their children's experiences with child abuse and/or neglect. Data are analyzed using logistic regression to predict the likelihood of respondents' children having been abused using several predictor variables, including socialization, severity of abuse, socio-economic, cultural influence, and social stability variables

PANEL # 7

Campus Crime and Its Reporting at Major Universities in Texas

William E. Stone, Southwest Texas State University

To be in compliance with the Student Right-to-Know and Campus Security Act, every post secondary educational institution that takes Title IV federal funds is required to inform both its students and employees of crimes that are occurring on campus. This study is a brief examination of the degree of compliance with the right-to-know act and an examination of campus crime trends at major universities in Texas. The crime patterns at major Texas universities will also be compared with similar institutions from other states.

Sexual Assault on College Campuses

Verna J. Henson, Southwest Texas State University

Sexual assault on college campuses, a previously hidden phenomenon, was not "discovered" by academia until 1957, when the findings of a study conducted by Kirkpartick and Kanin were published in the American Sociological Review. This study remained one of the few to address the issue of sexual assault in the "ivory tower" until the 1980s. Since that time, a plethora of studies addressing sexual assault in both the general population and on college campuses has been conducted and published. The nature and extent of sexual assault on college campuses will be examined in this paper.

Fear of Crime on Campus: Comparing CRCJ Majors and Non-Majors

Alex del Carmen, University of Texas at Arlington

O. Elmer Polk, University of Texas at Arlington

This study measures students' fear of crime on a major university campus in a partial replication of a 1996 fear of crime study by Elizabeth McConnell. Data were collected from a 40-item survey administered to a purposive sample of 561 students. Fifty-one percent were surveyed before a serious violent crime occurred on campus and the remaining 49 percent were surveyed afterwards. Analysis will focus on academic and personal characteristics of the sample respondents and correlate fear with those variables in numerous campus settings. Findings will emphasize differences in fear values between majors and before and after the violent crime incident.

PANEL # 8

Assessing Your Community's Gang Problem

John S. Boyd, Stephen F. Austin State University

Criminal youth gangs are becoming a significant problem in both urban and rural areas. The devastating effects of the gangs are obvious by the increase in drug trafficking and violent crimes committed by younger offenders. Realistically, gangs and their crimes are only the tip of the iceberg that includes a dizzying array of symptoms and risk factors. Gangs are distinctly different in Arkansas, Arizona, Colorado, New Mexico, Oklahoma, and Texas, even when they display the same name. This paper will provide a format for the community leaders to utilize when assessing its own unique gang problems and making budgetary decisions.

School Violence: A Cooperative Effort

Deborah L. Laufersweiler-Dwyer, University of Arkansas-Little Rock

Pulaski County Sheriff's Department in a partnership with Pulaski County Special School District are looking at non-weapon assaults. This research involved a survey of all Pulaski County Special School District junior high and high school students. This survey examined fear of victimization and actual victimization. The initial results from the survey were utilized to develop an interview instrument to be used in interviewing all perpetrators and victims of non-weapon assaults for the 1999-2000 school year. This presentation will discuss the initial survey data and how this can be utilized to direct programming in the school district.

Who Joins Gangs?

Dot Merianos, Sam Houston State University

While no single variable is revealed as a causative factor in a youth's decision to join a gang, in general, the literature shows support for three key variables assumed to influence the decision: family relations, school performance and peer influence. An analysis was conducted examining three key socializing variables in a group of gang and non-gang youth institutionalized in the Texas Youth Commission. Gang members were significantly less likely to have a high level of family attachment, and more likely to experience inconsistent punishment. Gang youths were more likely to spend little time on homework or school activities or school attendance. Both groups were equally likely to have a low number of non-delinquent or non-drug using peers.

ADHD, Self-Control, and Deviance: Should We Bring Biology Back into Criminology?

Jody Crowley, New Mexico State University

Recent medical research connects Attention Deficit Hyperactivity Disorder to a cluster of diagnoses involving biologically-based difficulties with attention and

impulse control. Recent theories of crime emphasize the importance of self-control as predictors both of crime and victimization. This presentation will review what we know about the etiology and consequences of ADHD and consider how such knowledge might be used to improve programs for the large proportion of delinquent youth who can be diagnosed as having ADHD.

What Happens After the Lone Ranger Rides Away?

John W. Stickels, University of Texas LBJ School of Public Affairs

A community policing program consisting of citizen input and problem-solving techniques often results in a decision to police places and translates into lower crime rates at the policed locations. These policing programs work because they build social capital which invests neighborhood citizens in the crime reduction efforts and reduce the simultaneous occurrence of potential offenders and victims required for crimes to be committed. These factors support the theory that policing places can provide answers to society's everyday crime problems.

Christian Identity and Right-Wing Militia Movements

Robert W. Taylor, University of North Texas

This presentation explores Christian Identity and Right-Wing Militia movements currently observed in the United States. Special attention is given to the philosophy behind the movement hypothesizing that various groups have merged in strategy and tactics aimed at legitimizing their cause. Focus is also given to recent juvenile groups which have been linked to recent school violence in Arkansas, Oregon and Colorado.

What is a Terroristic Threat?

John A. McLaren, Southwest Texas State University

Texas Penal Code Section 22.07 creates and attempts to define the crime of terroristic threat, an offense unknown to the common law and apparently created to fill a vacuum within the traditional offenses of assault, battery and disorderly conduct. Depending upon the nature of the verbal or written communication (threat) by the accused and the intended victim it may be prosecuted as an A or B misdemeanor or 3d degree felony. This paper will address the appropriate use of this statute, possible misapplications of the offense, defenses including First Amendment issues, and the necessary elements which must be proven in order to produce a valid conviction. Substantive due process issues will also be addressed.

PANEL # 10

The New Federalism: New Mexico's Experience with Independent State Constitutional Analysis of Fourth Amendment Rights

Curtis Hayes, Western New Mexico University

In the early 1970s, several state appellate courts began examining whether provisions in their state constitutions had a different meaning than comparable provisions in the Bill of Rights. This paper briefly examines the four theoretical frameworks that have developed concerning the issue of when, if ever, a state court should engage in independent analysis of state constitutional provisions. The paper then examines the New Mexico Supreme Court's analysis of the issue. Finally, the paper reviews those cases in which New Mexico appellate courts have interpreted the New Mexico Constitution differently than the nearly identical language in the Fourth Amendment.

Legal Boundaries Surrounding the Use of Force by Law Enforcement: A Reformulation of Agency Policy

Georgen Guerrero, Southwest Texas State University;

This paper takes a brief look at what happens when police officers use excessive force in the line of duty. Some of the consequences at hand, not only for the officer and the victim, but the community as well are discussed. This paper also looks at some of the landmark cases that have set the standard for when the use of force is determined to be excessive in a court of law. This paper closes with some recommendations for agencies to explore to aid in limiting the ways and amount of force in which an officer can apply.

A Decade of Drug Courts: Treating the Casualties of the War on Drugs

Lance Hignite, Sam Houston State University

Since their inception in 1989, drug courts have expanded to nearly 400 jurisdictions across the United States. This year alone President Clinton has allocated over 27 million for the planning, implementation, enhancement and/or tracking of the progress of drug courts. This paper examines the drug court as a means of restorative justice, reviews past research on drug courts and explores the future of the courts. Particular attention will be given to the expansion and evaluation of drug courts in the southwest during the past ten years. Furthermore, the author will discuss the planning, implementation and evaluation of the newly developed Montgomery County (TX) drug court.

Lamar v. Coffield (1977): The Racial Integration of Texas' Penal Facilities

Chad Trulson, Sam Houston State University

In 1968, the United States Supreme Court held in *Lee v. Washington* that racial segregation in correctional facilities was prohibited with the exception of "particularized circumstances" in which the security of the institution was threatened because of racial tension. Because of this vague ruling, individual state correctional departments have been left to interpret this meaning without rigorous

oversight from the Supreme Court. The present paper is a discussion of the 22 year history of litigation spawned by attempts to racially integrate Texas' penal facilities.

PANEL # 11

Mental Health Care of Inmates: A Look into the Texas Prison System

Donna Vandiver, Sam Houston State University

Texas prisons serve the second largest number of inmates in the United States and that number increases each year. As the number of prisoners expands, so does the number of mentally ill prisoners. This paper examines the growth of mentally ill offenders in Texas and provides an cursory assessment of services and programs that are available to mentally ill prisoners while in prison and upon release. The advantages as well as some of the problems with these programs are discussed in terms of correctional policy and program efficacy.

Managing Elderly Offenders in Correctional Settings

Chad Trulson, Sam Houston State University

As populations continue to soar in our nation's correctional institutions there is an ever-pressing need to sort and classify, aggregate, and manage large homogenous groups of offenders. These aggregated groups comprise factions of specialized offenders including but not limited to the persistent and violent, mentally ill, and sex offenders. Among these groups are elderly offenders. Often relegated as the "forgotten minority," elderly offenders are surfacing as a unique challenge for correctional managers in the prison environment (Goetting 1983: 303). The present paper is a discussion of the growing population of elderly offenders and the unique management considerations they demand within the correctional institution.

An Empirical Examination of Jail Suicides in Texas: Who, What, Where, When and Why?

Patti Ross Salinas, J.D., Sam Houston State University

The rate of suicides committed in Texas' county jails is on the rise. This follows nearly a decade of declining rates. This research examines various factors including demographics of the suicides, populations, use of alcohol, prior offenses, use of suicide screening forms and other factors in an attempt to isolate any differences that exist among these factors for the years 1993 to 1998. Our findings reveal that there are not significant differences among the years examined. Recommendations for practitioners and future research are made.