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# JOURNAL

## Challenging the Russian Mafia Mystique

by James O. Finckenauer and Elin Waring

## The Changing Federal Role in Indian Country

by Kim Baca

## Gambling in the United States

by Charles Wellford

and

### At-A-Glance

#### ■ Gang Prevention Program Evaluated

by Finn-Aage Esbensen

#### ■ How Battered Women Cope

by Mary Ann Dutton

#### ■ Police Dissatisfaction With Defense and Control Tactics

by Robert J. Kaminski and Jeffrey A. Martin

#### ■ Using Sales Taxes to Combat Drug Use

by Peter Finn, et al.





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MEET THE CHALLENGE OF  
CRIME AND JUSTICE

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## Director's Message

This issue of the *NIJ Journal* discusses three diverse topics—Russian organized crime, the Federal role in Indian Country justice, and pathological gambling. In the cover story, Distinguished Professor James O. Finckenauer and Elin Waring report the findings of a 4-year investigation into the operations of the Russian mafia in the United States. The investigation was conducted by a consortium of law enforcement organizations in New York, New Jersey, and Pennsylvania. Their research describes the historical context and the types of crime in which Russian criminals in the United States have been implicated. It also compares Russian organized crime to the Sicilian mafia.

Unlike other population groups living in the United States, American Indians are experiencing increases in serious crime and victimization rates. Kim Baca explains how the Federal Government is rethinking its approach to crime and justice in Indian Country and discusses the impact of programs already in place. One key aspect of the Justice Department's efforts to improve conditions has been the combined funding of Federal agencies, but the article explores a more significant component—the encouragement of a government-to-government relationship that better appreciates tribal leaders' decisionmaking roles.

In this issue's third article, Charles Wellford points out that between one-half and two-thirds of the 1.8 million pathological gamblers in the United States today have committed some type of crime, such as theft, embezzlement, domestic violence, or child abuse and neglect, to feed their money-dependent habit. Because the last major study of gambling was conducted almost 25 years ago, Congress mandated a new study to look at the current state of gambling in the United States, emerging trends, and any relationships to crime trends. Wellford's article discusses this study and its findings, which were published by the National Research Council in the book-length report, *Pathological Gambling: A Critical Review*.

The three features this month have little in common with one another. Instead, they illustrate the breadth of the issues and the variety of challenges that face criminal justice professionals. The articles also demonstrate the *NIJ Journal's* commitment to publish stories that explore the changing face of crime and justice.

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### Pathological Gambling in the United States

About one-half to two-thirds of the 1.8 million pathological gamblers in the United States have committed a crime to obtain gambling money. Because pathological gambling has been linked to thefts, embezzlement, domestic violence, and child abuse and neglect, a congressionally-mandated study was conducted to look at the current state of gambling and emerging trends. See "When It's No Longer a Game: Pathological Gambling in the United States," page 14. Photo source: Tom Broad.

### The Changing Federal Role in Indian Country

In spite of the nationwide decrease in crime, American Indians living on or near reservations are experiencing dramatically increased serious crime and victimization rates. As a result, the Federal government is altering its approach to Indian Country justice by encouraging tribal efforts to fight crime using traditional methods of social control. See "The Changing Federal Role in Indian Country," page 8. Photo source: Kenny Blackbird.

# Challenging the Russian Mafia Mystique

by James O. Finckenauer and Elin Waring



## about the author

James O. Finckenauer is the Director of NIJ's International Center. He is on leave from his position as Distinguished Professor of Criminal Justice at Rutgers, the State University of New Jersey. Elin Waring is an Associate Professor of Sociology at Lehman College and the Graduate Center of the City University of New York. Finckenauer and Waring coauthored *Russian Mafia in America* (Northeastern University Press, 1998).

The tall man with dark hair and eyes sweeps out of a Lincoln Navigator wearing a long, black leather coat, an impeccably tailored suit, and a scar that everyone knows not to mention. He runs his organization with an iron fist and demands absolute loyalty from his "family." His English has only a slight Russian accent, and he has influential friends in the U.S. Congress, courts, and law enforcement—friends over whom he has considerable influence. This godfather stereotype is often the perception that Americans have about criminals who have arrived here from the former Soviet Union and the so-called "Russian Mafia." It is almost entirely inaccurate.

Following the collapse of the Soviet Union in 1991, movies and television shows featured depictions of criminals from the former Soviet Union as the newest type of "romantic" gangster, and newspapers and magazines published chilling articles about "Russian godfathers."<sup>1</sup> Although a few serious works have begun to appear, such as *Russian Organized Crime: The New Threat?* edited by Phil Williams and *Red Mafiya* by Robert I. Friedman, what is known is still more anecdotal than empirical in nature.

It was in response to this absence of solid information that a consortium

of law enforcement organizations in New York, New Jersey, and Pennsylvania created the Tri-State Joint Soviet-Emigre Organized Crime Project (TSP) in 1992. (See "Studying Russian Crime and Criminals," page 4.) Drawing on information collected by TSP and several other research initiatives, the research reported here describes the historical context, the types of crime in which Russian criminals in the United States have been implicated, the extent to which these activities fit definitions and understandings of organized crime, and most importantly, whether what is seen is mafia-like. (See "Defining Organized Crime," page 5.) For purposes of simplicity, all persons in question will be referred to as Russians.

### Historical Context of Russian Crime

The use of bribery, black markets, and other schemes to survive in Soviet society is well documented.<sup>2</sup> This connive-to-survive attitude is borne out of the shared Soviet

heritage, including the state-run, centrally planned Soviet command economy, which resulted in shortages and, therefore, widespread bribery and thievery.

For instance, theft of state property or use of it for personal profit was not viewed as wrong. This belief stemmed from the centuries old distinction between stealing from a peasant, which would be considered wrong, and stealing from the czar and nobility, which was not regarded as wrong. This belief carried over into the Soviet period, with the state taking the role occupied by aristocrats.

In this atmosphere, three tiers of organized crime developed in the Soviet Union. The first tier was high-level government and party bureaucrats; the second was shadow economy operators who produced goods off the books; and the third was professional criminals, including the vory v zakone (thieves in law). The roots of the vory v zakone are usually traced to the Soviet prison system, and most notably to the Stalinist gulags. They are distinguished by being completely committed to a life of crime. They follow only their own rules and laws and reject any involvement with or obligation to the legitimate world.

These tiers were, in part, the result of an economy where the government could not provide people with the basic necessities, and the elite and loyal Communist Party members were lavishly rewarded. Many moral compromises were made and distinctions between right and wrong were blurred so average Soviet citizens could feed and clothe their families. Due to the unpredictability of the economy, informal

Many moral compromises were made and distinctions between right and wrong were blurred so average Soviet citizens could feed and clothe their families. Due to the unpredictability of the economy, informal practices, such as bartering and deal making, became the means that Soviets used to get what they needed and to do what they wanted.

## Studying Russian Crime and Criminals

The study of organized crime is a difficult and often risky undertaking. Many of the methods commonly employed in criminological research, such as survey research and self-report studies, are either inappropriate or not applicable. Thus, the opportunity presented to Finckenauer and Waring to affiliate with the Tri-State Joint Soviet-Emigre Organized Crime Project (TSP) provided unprecedented access to a wide range of information and sources. In return for unrestricted access,<sup>1</sup> the researchers agreed not to compromise the investigative techniques employed nor to disclose any information pertinent to active criminal cases.

The agencies in the consortium were the New York State Organized Crime Task Force, the New York State Commission of Investigation, the Pennsylvania Crime Commission, and the New Jersey State Commission of Investigation. The consortium's directive was "to identify the nature and extent of Russian-emigre crime within the tri-State region... in order to assist law enforcement in its ongoing effort to combat the threat of organized crime."<sup>2</sup>

This joint intelligence, investigative, and prosecutorial effort set about to accomplish three goals—to identify the participants, to describe their criminal activities, and to analyze the markets in which the criminal activities occur.

TSP generated considerable source material, and the authors pursued a cooperative agreement with TSP as the primary data source. The project provided data on the types of offending by Russians who had come to the attention of the participating agencies. The information came in seven forms—indictments, newspaper and magazine articles, telephone records, general undercover observation reports, surveillance reports, confidential informant interviews, and various other reports—and included 404 separate documents in a variety of formats and lengths. Although each of the seven source types had deficiencies, the sources complemented one another and provided information that was more reliable and valid than any other single source.

In addition to the information garnered from TSP, research was conducted through several other research initiatives to collect a large

quantity of written materials, including a mailed questionnaire and in-depth interviews with a variety of individuals, including:

- Writers and journalists who had studied and written about Soviet organized crime.
- Residents and businesspersons in Brighton Beach, Brooklyn, which is alleged to be the center of Russian criminal activities in the United States.
- Key community figures in the large emigre communities in Brighton Beach and Philadelphia.
- Law enforcement professionals (both in the United States and the former U.S.S.R.).

1. The authors had complete access to investigative reports, memos, information from other agencies, and other investigative materials collected by TSP. However, they did not have access to grand jury transcripts, the identities of confidential informants, and other similar materials.
2. The Tri-State Joint Soviet-Emigre Organized Crime Project, *An Analysis of Russian-Emigre Crime in the Tri-State Region*, New York: New York State Commission of Investigation, 1996: 33.

practices, such as bartering and deal making, became the means that Soviets used to get what they needed and to do what they wanted. The children learned from watching their parents deal with the shadow economy or black market: You had to manipulate the system or you and your family would suffer.

Taking advantage of shortages, an illegal second, or shadow, economy began to work alongside the official economy. This economy was made up of the activities deemed necessary by factory managers, farm directors, and others in similar positions to exceed their production quotas and produce profits and

income outside official channels. The shadow economy also was a means for citizens to obtain legal goods in an illegal manner.

The black market, a second aspect of the illegal economy, was used to obtain illegal items, including Western products as well as stolen goods, drugs, and bootleg liquor and cigarettes. This market was comprised of work activities carried out for private gain, such as carpentry, plumbing, and electrical work that was officially unauthorized. Instead of being curtailed by the collapse of the Soviet Union, evidence indicates that black market activity actually has increased. The

amount of money exchanging hands is greater, and the number of items on the black market is more extensive—it now includes antiques, stolen cars, precious metals, and advanced weapons, including nuclear weapons materials.

### Russian Crime in the United States

It isn't surprising that criminals who emigrated from the former Soviet Union would commit crime based on their past experiences. In fact, one could easily imagine that some who left the Soviet Union simply continued their old ways and saw

## Defining Organized Crime

Three assumptions helped shape the basis of this research into Russian crime. The first is that a criminal organization can be usefully examined both in terms of its structure and the activities in which it engages; second, that a criminal organization is not synonymous with organized crime; and third, that the nature and extent of harm caused is an essential dimension for characterizing a criminal organization.

Organized crime is typically defined by three characteristics: criminal monopoly, violence, and corruption. Although other forms of criminal organization may involve one or two of these activities, true organized crime is unique because all three are essential, each one reinforcing the other two.

A monopoly (total control of a market) is gained through the threat and use of violence and the corruption of

the legal and political systems. This violence may have both a specific instrumental purpose (creation and maintenance of criminal monopolies) and a more general intent (creation of an atmosphere ripe with fear and intimidation). Not only does this facilitate the establishment of market control, it eventually controls the community and undermines the legal system because local residents will not report crimes or serve on juries.

As with violence, corruption is instrumental in providing organized crime with insurance against arrest, prosecution, and conviction for crimes. Corruption also facilitates monopoly control by enlisting the authorities in the elimination of criminal competitors. The integrity of the legal and political systems is harmed as law enforcement becomes distorted and the rule of law is subverted. The ultimate harm,

however, is to citizens, who lose respect for the legitimacy of the legal and political systems and who, as a result, fail to support what they believe are corrupted processes.

Of the types of harm traditionally associated with the operation of organized crime, the one most clearly evident in the Tri-State Joint Soviet-Emigre Organized Crime Project data was violence. Russian criminals in the tri-State region use violence to intimidate the public, potential competitors, and persons viewed as disloyal. There is, however, no indication that Russians have established any criminal monopolies in the United States. Rather, their offenses take place in a variety of areas and do not represent total domination of any market. Russian criminals also do not appear, at this point, to be using systematic corruption to protect their enterprises in the United States.

anything having to do with the government as “fit for the taking.” This may mean that it could be expected for some, if not many, such emigres to have few reservations about defrauding the government and government programs and mounting various scams and schemes against bureaucracies.

In fact, fraud is the most common type of crime among Russian criminals in the United States, according to the TSP investigation. Fuel tax evasion cases are the largest and best-known type of fraud carried out by these individuals. The criminals take advantage of the ways that various States and the Federal Government collect taxes on motor fuel.

Russians also commit other sophisticated types of fraud that blend legal and illegal operations, as often happened in the former Soviet Union. This blend maximizes the

impact of the illegal activity and makes it harder to detect. For example, in the early 1990’s a Pennsylvania automobile insurance ring staged automobile accidents that resulted in more than \$1 million in phony claims. This scheme, which illegally used people in the legitimate economy, was led by the owner of a medical clinic and at least one doctor employed at the clinic.

Other fraud involves confidence schemes in which the victims are often members of the Russian community, which varies from the old belief that it was all right to steal from the government but not from citizens. For example, an emigre may purchase a ticket to Russia for his mother from a Russian travel agency, but because the agency is a criminal front, a ticket is never received. Other operations organized by Russian offenders have included making counterfeit credit cards, checks, Immigration and

Naturalization Service documents, passports, and other documents.

In addition to the fraud and counterfeiting allegations, Russians are involved in drug and drug paraphernalia markets, including the importation and street-level sale of drugs. Evidence indicates that Russians have cooperated with other ethnic groups, such as Colombian drug cartels. In addition, the former Republics of the Soviet Union serve as transshipment points for importation of drugs into the United States.<sup>3</sup> Smuggling has involved more than drugs and drug-related items; smuggled products include aluminum, weapons, and currency, among others.

Russian criminals in the tri-State region have shown a willingness and capacity to use violence, including murder, extortion, and assaults. Additional information was found on this topic when another data



Vyacheslav Ivankov, who some consider the godfather of the Russian mafia in the United States, was arrested by the FBI in 1995 for extortion. He was sentenced to 9 1/2 years in prison.

source was used to complement the information garnered from TSP—interviews with residents in Brighton Beach, Brooklyn, the oldest and most prominent Russian community in the United States. A transplanted Russian, who is now a teacher in Brighton Beach, gave a detailed description of this trend toward the use of violence in the criminal arena.

Russian murderers are being ordered and brought from Russia to complete a specific task of killing someone. The mafia shows them who to kill and that is the end of it. It is planned and organized pretty well. However, I don't think that Russians occupy any of the higher positions in the criminal structure.

Since 1981, investigators have reported at least 65 murders and attempted murders in the tri-State area involving Russians that have indications of organized crime involvement.<sup>4</sup> These murders do not appear to be either systematic or designed to protect a criminal enterprise, but instead are motivated mainly by greed or personal vendettas.

## Organized Crime vs. Crime That Is Organized: Whither the Russian Mafia

The notion of mafia is associated most often with Sicily and southern Italy. The Sicilian Mafia is said to be a way of life that is particularly Sicilian, with a code based on Sicilian traditions and customs. The notions of honor, respect, and omerta (code of silence) are critical to defining the mafia. The so-called Russian Mafia, however, is not associated with honor and respect and should not be confused with the real thing.

The label Russian Mafia offers a convenient hook for understanding, but at the same time sensationalizes matters so as to peak interest. The use of the term Russian Mafia may actually create a self-fulfilling prophecy in which people—whether Russian emigres, members of the general public, law enforcement officials, or journalists—map their images of mafia onto the crimes that occur in Brighton Beach and elsewhere. A criminal group gains stature when it is called “mafia,” which only heightens its power.

Regardless, some law enforcement authorities and journalists have described Russian criminals operating in the United States as being structured in the manner of the mafia or La Cosa Nostra (the U.S.-based version). For example, when Vyacheslav Ivankov, nicknamed “Yaponchik” or “Little Japanese,” was arrested in June 1995, he was labeled the “capo di tutti capos” (boss of all bosses) of Russian crime in the United States.<sup>5</sup> Officials viewed Ivankov's arrest as proof of Russian organized crime in the United States. His known association with the Solntsevskaya gang, the largest gang in the former Soviet Union, strengthened the idea that he was the leader of a group similar to La Costra Nosa.<sup>6</sup> Ivankov is believed to be one of the Russian vory, and perhaps even among the top leadership group.<sup>7</sup>

Other authorities believe that Russian crime networks and organizational structures in this country do not look anything like La Cosa Nostra.<sup>8</sup> According to this viewpoint, criminals from the former Soviet Union operate mostly as individual specialists instead of with the hierarchical structure traditionally associated with continuing criminal enterprises. Because they operate in this manner, the groups are variable and occasionally come together to commit a crime. This point of view suggests that the Russian crime groups are not rigidly authoritarian and that the people involved do not answer to anybody in particular. When these groups do work together, it is in a market-like manner, choosing others to work with purely because of the expected financial return on their collaboration.

But neither view is entirely correct. Data indicate that the individuals identified by law enforcement as involved in or suspected of criminal activities are part of large, ongoing networks of criminals. Although



analyses found no evidence of a complex hierarchy or set of hierarchies, they did find ad hoc teams that come together for specific criminal ventures, forming opportunistic partnerships. In these groups, organizational structure is created on an as-needed basis to enable the co-offenders to carry out particular crimes. They often create flexible, project-oriented structures similar to some licit organizations.

Many legitimate organizations have moved to decrease the amount and degree of hierarchy and to increase the reliance on strategic partnerships and task groups and on third-party service providers.<sup>9</sup> This style of organization seems to be effective for both licit and illicit enterprises. These forms of organization also are similar to those seen among Russian offenders in the tri-State area.

What is not found is evidence of mafia-like structures or activities. Ironically, Russian criminals have adopted the structure of many legitimate organizations, which is becoming more horizontal rather than vertical in nature.

Of the tools used by sophisticated criminal organizations—monopoly, violence, and corruption—violence is the only one that is seen as typical of Russian criminals. The evidence does not indicate monopolization of criminal markets or a systematic use of corruption.

The prevailing structure of Russian organized crime in the United States is characterized by people who knew each other in the former Soviet Union, or who knew people in common, and who collaborate for a specific criminal event. Although their backgrounds vary, they are most likely professional and entrepreneurial criminals. Russian criminals in the United States associate mainly with each other, although their loyalty does not seem to be based on shared ethnicity or culture.

## For More Information

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- Friedman, Robert I., *Red Mafiya*, New York: Little, Brown and Company, 2000.
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The flexible structure of U.S.-based Russian organized crime can be attributed to a number of forces. Of primary importance, this structure is a continuation of the patterns and practices that were so common in the former Soviet Union. Second, this loose, flexible structure is well-suited to the types of crime in which these criminals are involved. Crimes such as fraud and confidence schemes and certain violent crimes are particularly suited to this type of structure because they require teamwork, flexibility, and the ability to imitate the operation of a legitimate actor or organization. But because Russian crime and the nature of Russian criminal organizations in this country are evolving, this picture also could change.

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## Notes

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Photo source: Kenny Blackbird

# The Changing Federal Role in Indian Country

*by Kim Baca*



## about the author

Kim Baca is a reporter for a news wire service and a former researcher and policy analyst with the Office of Indian Affairs for the State of New Mexico. She is Navajo and Santa Clara Pueblo and can be reached at 803-748-7342 or [kjbaca@yahoo.com](mailto:kjbaca@yahoo.com).

**B**efore contact with Europeans, Native American communities were largely governed by strong, traditional social structures.

“In ancestral times, people were limited to certain behaviors and all those unwritten rules were well enforced,” explained Hayes A. Lewis, a Zuni Pueblo, New Mexico, tribal member who works with anti-substance abuse and antiviolence programs on the reservation.

“Back then, you didn’t want to embarrass your family or yourself. Our parents used to tell us, ‘If you bring any shame to you, you’re just not shaming yourself, you are shaming your family,’” he added.

The waning of traditional Indian culture and social controls and the introduction and dominance of Western culture have contributed to a public safety crisis in Indian Country today.

While Americans elsewhere are enjoying decreasing crime rates, self-reported data from crime victims indicate that the 1.4 million American Indians living in the U.S. are victims of violent crime at more than twice the rate of all U.S. residents.<sup>1</sup> At the same time, the number of law enforcement officers who patrol the more than 56 million

acres of tribal lands in the lower 48 States lags far behind the per capita officer ratio in non-Indian communities.

The public safety crisis in Indian Country has prompted the Federal Government to rethink its approach to crime and justice on Indian lands.

### Rethinking Ways to Support Traditional Customs

The Department of Justice launched the Indian Country Justice Initiative (ICJI) in 1995 to streamline the Justice Department’s support for Indian Country. Two tribes were invited to participate in the pilot effort—the Laguna Pueblo in New Mexico and the Northern Cheyenne tribe in Montana.

According to Carol Lujan, the former director of American Indian Studies at Arizona State University who evaluated the initiative, the program “advocated innovative approaches to justice that provided for strengthening traditional mechanisms of social control.”<sup>2</sup>

For example, Laguna Pueblo, which consists of six villages, created a project to assign nonviolent offenders to work on various projects with leaders within their villages.

Another program, the Mayordomo Project, emphasized collaboration between the traditional justice practices and the contemporary judicial system. Through the project, which derives its name from the Spanish word for elder, the villages elected mayordomos—village elders and spiritual leaders—to handle some disputes, encourage traditional approaches, and oversee the care of the land, including the mending of fences and maintenance of roads and ditches.

The project also fostered mentoring between elders and youth to help young people rediscover their community’s traditional and cultural social order.

The programs have been successful overall, but there is always room for improvement. Even though American Indians had more say on how to tailor projects to their specific needs, they expressed concerns about lack of understanding on the part of the Federal Government. Federal officials had similar complaints. Both sides, however, said the initiative expressed a new way to acknowledge the sovereign status of tribes.

### Finding a New Way Through Interagency Collaboration

To continue to improve the relationship between the Federal Government and tribal Nations, the Departments of Justice and Interior

“In ancestral times, people were limited to certain behaviors and all those unwritten rules were well enforced,” explained Hayes A. Lewis, a Zuni Pueblo, New Mexico, tribal member who works with antisubstance abuse and antiviolence programs on the reservation.

## The CIRCLE Project

In 1997, the Northern Cheyenne tribe noticed a rash of burglaries in its isolated community near Billings, Montana. It wasn't non-tribal members committing the crimes. It was Native community children hooked on methamphetamine. The tribe also was seeing more violent activity.

"We had a youth murdered and stabbed 60 to 80 times," recalled Kim Dahle, Northern Cheyenne tribal member and coordinator of the tribe's Community Justice Program, "and we didn't have full law enforcement."

Tribal officials, concerned about safety in their community, applied for the first collaborative grants available under the 1995 Indian Country Justice Law Enforcement Initiative. This initiative, created by the U.S. Department of Justice, was a comprehensive and innovative program to improve criminal justice and strengthen the working relationship between tribes and the Federal Government.

The program's biggest advantage was that it focused on the rising crime rates in Indian Country through a multiagency strategy involving many DOJ offices and programs committed to reducing child abuse and substance abuse and improving law enforcement. These efforts evolved into the Comprehensive Indian Resources for Community and Law Enforcement (CIRCLE) project.

The CIRCLE project is a 3-year Federal effort that seeks to find effective ways to address public safety in Indian Country. The project promotes the exchange of ideas and experiences and fosters coordination among the tribes for more efficient use of resources.

Perhaps most importantly, it focuses on the development and implementation of a comprehensive strategic plan as well as streamlines DOJ resources so that tribes can apply for grants through a single application.

CIRCLE's guiding principles are based on an understanding that: (1) the most effective solutions to the problems faced by tribal communities are likely to come from within the communities themselves, rather than being imposed by the Federal Government, and (2) the problems to be addressed require a comprehensive approach that incorporates coordinated and multidisciplinary efforts.

DOJ's funding partners and their commitments are as follows:

- The Office of Community Oriented Policing Services (COPS) is providing fully trained and equipped officers.
- The Corrections Program Office is supporting construction of detention facilities.
- The Bureau of Justice Assistance is combining technical assistance and funding for enhancement of tribal courts.
- The Office of Juvenile Justice and Delinquency Prevention is funding activities to enhance the tribal juvenile justice system and address gangs and substance abuse.
- The Office for Victims of Crime is funding activities related to child abuse.
- The Violence Against Women Office is supporting activities to address violence against native women. (See "Protecting Indian Women From Domestic Violence" by Eileen Luna, *NIJ Journal*, January 2001, page 28.)

- The Office of the Comptroller within the Office of Justice Programs is providing assistance in supporting financial enhancement activities.

Northern Cheyenne, Pueblo of Zuni, and Oglala Sioux are the three Indian communities that are pilot grantees.

Northern Cheyenne, which began receiving Federal funds in 1995 as part of the Indian Country Justice Law Enforcement Initiative, has seen significant changes in the community. Dahle said the tribe's first juvenile probation officer was hired, more cops were hired, and more youth programs were established at the Boys and Girls Club. The tribe also has tried to integrate traditional activities as an alternative to drugs with the creation of a youth drum group.

"We knew what the issues were, and we had tried to work on them for years. And then the opportunity came up to strengthen our programs," Dahle said. "It's been a lot of work, but we've been successful. We've been able to put a lot more resources into the community."

At Pine Ridge, South Dakota, the Oglala Sioux tribe has seen a reduction in gang activity and domestic violence since the CIRCLE project was initiated, according to Bart Mardanian, former Oglala CIRCLE program coordinator. Prior to the CIRCLE funding, there were few repercussions for either juvenile delinquents or domestic violence offenders. Courts were understaffed and manually operated. Only 40 officers patrolled the reservation's 54 small communities.

But Mardanian said many of the problems have decreased since 1999, when the first round of funding was received. He says the tribe also has returned to its roots in trying to rehabilitate offenders through the Court-Appointed Special Advocate (CASA) program.

“There is a resurgence of people across the reservation to get back to the traditional way of life,” he said. “Many times, the children who are facing challenges are encouraged to attend various religious ceremonies to help them cope with their problems.”

Mardanian said gang activity has risen over the last 6 years with the influence of television on reservation youth trying to mimic urban life.

“We are caught up in a quandary of who we are as a people—whether we should go back to the old ways or adopt new ways. We’re going to have to find an equilibrium,” he said.

NIJ is now evaluating CIRCLE through a grant to the Project on American Indian Economic Development at Harvard University.

The evaluation will focus on the development, implementation, and outcomes of CIRCLE.

An evaluation team member affiliated with a local college will be available at each site for the duration of the evaluation to provide feedback to both the sites and the CIRCLE project’s evaluation subcommittees. Project sites will be asked to comment on how this participatory evaluation should be put into operation for the project as a whole.

joined tribal leaders in forming an executive committee to more thoroughly analyze crime and justice problems on tribal lands. The committee’s key findings included:

- Serious and violent crime, such as child sexual and physical abuse, was rising significantly in Indian Country, in sharp contrast to national trends.
- Law enforcement in Indian Country often failed to meet basic public safety needs.
- The single most glaring problem was the lack of adequate resources.<sup>3</sup>

Following up on the executive committee recommendations, the Attorney General and Secretary of the Interior recommended that spending be increased to address the public safety crisis by providing resources for tribal justice systems. The DOI-DOJ collaboration became known as the Indian Country Law Enforcement Improvements Initiative.

Another collaborative funding initiative involving a number of DOJ offices became known as the Comprehensive Indian Resources for Community and Law Enforce-

Table 1: Congressional Appropriations			
Indian Country Law Enforcement Improvements Initiative			
	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001
Tribal correctional facilities	\$34 million	\$34 million	\$34 million
COPS Tribal Resources Grant Program	\$40 million	\$40 million	\$40 million
Tribal courts	\$5 million	\$5 million	\$8 million
Tribal youth	\$10 million	\$12.5 million	\$12.5 million
FBI	50 positions (30 agents and 20 support staff)		
U.S. Attorneys			\$5 million for 60 positions, including 33 attorneys
Bureau of Justice Statistics (tribal criminal justice statistics)			\$2 million
Alcohol and crime demonstration grants			\$5 million

ment (CIRCLE) project. (See “The CIRCLE Project.”)

In fiscal year 1999, Congress appropriated and DOJ dispersed \$89 million in grants to more than 120 tribes throughout Alaska and the lower 48 States for the following activities:

- Police staffing, training, and equipment (\$40 million).

- Tribal correctional facilities (\$34 million).
- Juvenile justice programs (\$10 million).
- Tribal courts (\$5 million).

Other programs and offices within DOJ were awarded grants to improve victim services for women and children and to establish tribal drug courts.<sup>4</sup>

## Tribal Sovereignty and the Department of Justice

In 1994, an executive memorandum was issued on government-to-government relations with Native American tribes. The memorandum reaffirmed the Federal Government's unique legal relationship with tribes under treaties signed more than 100 years ago.

The United States recognizes the sovereign status of Indian tribes as "domestic dependent nations," based on *Cherokee Nation v. Georgia*, 30 U.S. (5 Pet.) 1, 17 (1831). Also, in early treaties, the United States pledged to "protect" and ensure the "welfare" of Indian tribes, therefore establishing one of the bases for the Federal trust responsibility.

Based on this early case law, all branches of the Federal Government were directed to

consult with all Indian tribal governments before taking actions that would affect those tribes. DOJ, like some other Federal agencies, took the directive a step further and committed itself to assisting Indian tribal governments in strengthening their justice systems.

After the executive memorandum was issued, Federal officials sponsored a historic Listening Conference in New Mexico in 1994, where tribal leaders expressed their concerns about safety on the reservation while reaffirming the importance of sovereignty between the U.S. Government and Indian nations.

Acknowledgment of sovereignty, however, isn't an easily understood

issue, as many American Indians relayed.

"It's been hard sometimes to make them realize that we are a sovereign nation and that we are capable of running our own successful programs," said Kim Dahle, Community Justice Program coordinator for the Northern Cheyenne tribe in Montana. She said one of the main problems is that Federal officials don't know the culture or justice issues on the more than 500 sovereign nations in the United States. Federal officials said they have heard these complaints and are trying to learn. They want to give American Indian communities the tools and resources they need to improve safety and justice.

While an important aspect of the Department's efforts has been the combined funding of Federal agencies to support tribes, the most significant component is the Initiative's encouragement of a government-to-government relationship that better appreciates tribal leaders' decisionmaking role.

"We were trying to avoid the mistakes of the past by saying, 'This is the right way to do it,'" said Philip Baridon, a senior policy analyst in DOJ's Criminal Division. "In a way, we are trying to conceptualize the government-to-government relationship that the law recognizes but hasn't always practiced." (See "Tribal Sovereignty and the Department of Justice.")

### Collaborative Funding Maximizes Resources

The collaborative Federal funding from DOJ offices and the streamlined grant-making process will help tribes pull together resources to develop even better planning efforts and treatments for some of their most ailing social problems.

For example, according to Hayes Lewis, the Pueblo of Zuni substance abuse and antiviolenace programs administrator, the Pueblo in north-eastern New Mexico used the funding from several agencies to hire four more law enforcement officers, buy equipment, provide training (especially in community policing), streamline the court system, and develop a youth leadership program.

But while the Department of Justice is off to a good start by streamlining

the way it awards CIRCLE grants, some Indian program administrators say some Federal employees still have no understanding of American Indian culture. Indian program administrators also complain of high turnover among Federal program directors. However, Federal employees have the same complaint about high turnover among tribal administrators.

Other questions or concerns on the part of some Federal personnel and congressional lawmakers include the rising economic power of various tribes as a result of casino gambling. Of the 561 federally recognized tribes, 195 operate some type of gambling operation, totaling 309 gaming locations in 28 States. But only about 5 percent make a sizable income for the tribe's operations, according to the National Indian

Gaming Commission.<sup>5</sup> Twenty-two tribal operations account for 56 percent of the revenue.

“What we are looking to do is make this initiative more than a temporary fix,” said Todd Araujo, deputy director of the Office of Tribal Justice. “We are seeking permanent funding to provide tribes a base for infrastructure. For example, tribes that receive money from the COPS program will get funding for 3 years, after which the tribe is obligated to pick up the tab. The problem is that most tribes will not significantly improve their economic status in 3 years, nor will the need for police disappear in that time period.”

“The Department of Justice’s primary involvement in Indian Country prior to this initiative was to investigate and prosecute crimes,” said Araujo. “This recent shift in policy seeks to empower tribes to combat crime at the local level by enhancing programs designed to better their own justice systems, just as the Department does with State and local government.”

NCJ 187713

## For More Information

- Visit the Office of Tribal Justice, U.S. Department of Justice, at <http://www.usdoj.gov/otj>.
- Attorney General Policy Directive, “Department of Justice Policy on Indian Sovereignty and Government-to-Government Relations With Indian Tribes,” Office of the Attorney General, June 1, 1995. Available on the Web site of the U.S. Department of Justice, Office of Tribal Justice, November 24, 2000, <http://www.usdoj.gov/otj/sovtrb.htm>.
- Wakeling, Stewart, Miriam Jorgensen, and Susan Michaelson, “Policing on American Indian Reservations,” *NIJ Journal*, January 2001: 2 (NCJ 186185).

## Notes

1. Greenfield, Lawrence A., and Steven Smith, “American Indians and Crime,” U.S. Department of Justice, Bureau of Justice Statistics, Washington, DC, February 1999 (NCJ 173386).
2. Lujan, Carol Chiago, James Riding In, and Rebecca Tsosie, “Justice in Indian Country: A Process Evaluation of the U.S. Department of Justice Indian Country Justice Initiative,” Final Report, Executive Summary, April 1998: 7 (NCJ 181048).
3. The executive committee’s report and a list of members can be found in “Report of the Executive

Committee for Indian Country Law Enforcement Improvements: Final Report to the Attorney General and Secretary of the Interior,” October 1997. Available on the Web site of the U.S. Department of Justice, Office of Tribal Justice, November 24, 2000, <http://www.usdoj.gov/otj/icredact.htm>.

4. For example, funds were awarded by the Office for Victims of Crime under the Children’s Justice Act for Native American Communities and Victim Assistance in Indian Country, by the Violence Against Women Office under the Violence Against Indian Women Discretionary Grant program, and by the Drug Court Program Office under the Tribal Drug Courts Program.
5. Kyle Nayback, Director of Congressional and Public Affairs, telephone interview, August 2000. See also National Indian Gaming Commission, Indian Gaming Facts, at <http://www.indiangaming.org/library/index.html> (October 31, 2000). Note: Pueblo of Zuni and Northern Cheyenne do not have casino gambling. Oglala Sioux has a limited gaming operation.

“The Department of Justice’s primary involvement in Indian Country prior to this initiative was to investigate and prosecute crimes,” said Araujo.

“This recent shift in policy seeks to empower tribes to combat crime at the local level by enhancing programs designed to better their own justice systems, just as the Department does with State and local government.”

# When It's No Longer A Game: *Pathological Gambling in the United States*

by Charles Wellford





Even the most determined opponents of gambling cannot dispute its popularity. Anyone who succumbs to the temptation to play the lottery when the jackpot rises into the millions can attest to it. Anyone who resists the temptation to join a long ticket queue that promises fabulous, instant wealth can attest to it. Hard facts confirm gambling's pervasiveness as well as its broad appeal. It is now legal in all but 3 States, and 37 States have lotteries. More than 8 in 10 adults say they have played casino games, bet on the races on and off the track, bought lottery tickets, or in some other way engaged in recreational gambling. In a single recent year, Americans collectively wagered more than half a trillion dollars.

### editor's note

This article summarizes a book-length report, *Pathological Gambling: A Critical Review*, by the Committee on the Social and Economic Impact of Pathological Gambling, National Research Council (Washington, D.C.: National Academy Press, 1999), National Academy of Sciences (NAS). The summary is published with permission of NAS. The full report is available from the National Academy Press and is online at its Web site: <http://www.nap.edu>. Readers who wish to consult the author's citations to the research literature will find them in the full report.

### about the author

Charles Wellford, professor of criminology and criminal justice at the University of Maryland, is director of its Maryland Justice Analysis Center. He chairs the National Research Council's (NRC's) Committee on Law and Justice and has served as chair of the NRC's Committee on the Social and Economic Impact of Pathological Gambling, which produced the report on which this article is based. He can be reached at 301-405-4701 or [cwellford@crim.umd.edu](mailto:cwellford@crim.umd.edu).

The wider availability of gambling in the past two decades, the introduction of new forms of gambling, the rise in the number of people who play games of chance, and the increasing amount of money they are wagering have raised concerns about gambling's social and economic effects. One focus of concern is "pathological" gambling—the inability to resist the impulse to gamble. Identified as a psychiatric disorder, pathological gambling can have a number of harmful consequences for the compulsive gambler and his or her family. The justice system enters the picture when destructive behavior becomes criminal behavior.

Concern about the effects of gambling has been voiced at the highest levels of government, prompting the U.S. Congress to order a comprehensive study. Included in the study was an assessment of pathological gambling. (For details of the mandate, see "Why Study Pathological Gambling?" page 16.) The assessment covered the nature and extent

of the problem; its effects on individuals, families, and communities; treatment approaches and their effectiveness; and ways to improve the understanding of pathological gambling. The study found considerable gaps in what is known, concluding that pathological gambling requires further study.

### Rapid Expansion of Legalized Gambling

When Americans gamble, they are observing a time-honored tradition. In this country, gambling predates the republic. Opponents have at times succeeded in banning or otherwise stigmatizing it, but even after protracted periods of interdiction, recreational or social gambling always revived, most notably with relegalization in Nevada in the 1930's.

The current era of legalized, socially acceptable gambling (or "gaming," as the industry terms it) dates from the 1960's, when the first State lottery was established. The advent of State lotteries marked a major policy shift—away from mere tolerance on the part of government and toward active sponsorship and aggressive marketing.

State sponsorship reflected a lifting of social and moral barriers and initiated an expansion of gambling that continues today. No doubt it lent added legitimacy to gambling. It did not mean that all opposition ceased. Many State legislatures, for example, oppose casinos and State-sanctioned sports betting. Still, the growth of legalized gambling

One focus of concern is "pathological" gambling—the inability to resist the impulse to gamble. Identified as a psychiatric disorder, pathological gambling can have a number of harmful consequences for the compulsive gambler and his or her family.

## Why Study Pathological Gambling?

The study of pathological gambling was conducted in response to a congressional mandate. Rapid expansion of gambling and new forms of gambling prompted Congress in 1996 to order a comprehensive study of its social and economic effects. Congress recognized that State, local, and Native American tribal governments were instituting gambling as a way to create jobs and generate revenue and that new forms such as Internet gambling could affect interstate and international matters that come under Federal jurisdiction. The most recent Federal Government study of gambling was conducted almost 25 years ago, so the jurisdictions that established gambling had no recent information about the impact of these new developments.

One of the missions of the National Gambling Impact Study Commission (NGISC), the body established to conduct the study, was to assess the effects of pathological or problem

gambling.<sup>1</sup> Congress stipulated that NGISC contract with the National Research Council for assistance in studying pathological gambling. In response, the Council established the Committee on the Social and Economic Impact of Pathological Gambling, whose mission was to identify and analyze the full range of research on the nature of pathological and problem gambling, highlighting key issues and data sources that might provide evidence of prevalence and effects.

The Commission reports, including the report on pathological gambling, are available on its Web site at <http://www.ngisc.gov>.

1. In addition to pathological gambling, the Commission examined Federal, State, local, and tribal government policies on gambling; the relationship between gambling and crime; the impact of gambling on individuals, families, businesses, and the economy; the extent to which gambling generates government revenue; and interstate and international effects of electronic gambling.

continues apace. The Indian Gaming Regulatory Act, passed in 1988, allows Indian tribes to operate any form of gambling that is legal in the State where the tribe lives. New forms of gambling are emerging, most notably those based on advanced electronic technologies (Internet-based gambling, for example).

### Benefits of Gambling

If the opponents of gambling cannot dispute its popularity, they would also be hard-pressed to dispute its benefits. The States earn revenue from taxes on commercial gambling enterprises and from the proceeds of government-sponsored

gambling. In fact, State budgets have become increasingly dependent on these revenues. Economically depressed communities in which gambling is offered appear to have benefitted from it.

If a gambling enterprise is operating in a community, that can mean more jobs and higher incomes, enhanced opportunities for tourism- and recreation-based business, and higher property values. Indian communities in particular have benefitted socially and economically from gambling enterprises. Unquestionably, gambling produces numerous economic benefits, although there is not enough information available to calculate the amount or to

determine with any accuracy whether they exceed the costs of gambling, including those associated with problem and pathological gambling.

### When Does Gambling Become Pathological?

If gambling has benefits, it also has costs. Pathological gambling, with its adverse effects for individuals, families, and communities, is one of them. Most adults who gamble view it solely as entertainment, and they wager only small amounts of money. Pathological gambling is different. Someone with this problem is unable to control the urge to gamble, and that inability may grow progressively worse. The condition has been defined by the psychiatric profession as a mental health disorder. (More details of the definition are in "A Mental Health Problem.")

About 1.5 percent of adults in this country have been pathological gamblers at some point in their lives. In a given year, 0.9 percent of adults in this country (1.8 million) are pathological gamblers. There are differences by gender and age, with men more likely than women to be pathological gamblers, and adolescents more likely than adults.

In the currently expanding gambling environment, it might seem likely that the number or proportion of pathological gamblers would increase. Although public health and policy officials are concerned about that possibility, studies thus far offer no certain answers.

### Links to Crime

Pathological gamblers engage in various forms of destructive behavior. They may amass large debts, damage their relationships with

## A Mental Health Problem

Pathological gambling is a mental health disorder. The condition is difficult to define, but the American Psychiatric Association (APA), an authority on mental problems, developed criteria that can be used to diagnose it. APA first classified pathological gambling as a definitive diagnosis in 1980, including it among impulse-control disorders.<sup>1</sup>

The condition can be described as a disorder characterized by continuous or periodic loss of control

of one's gambling behavior, a preoccupation with gambling and obtaining money with which to gamble, irrational thinking, and a continuation of this behavior despite adverse consequences. The inability to resist the compulsion to gamble can produce undesirable outcomes ranging from borrowing excessive amounts of money from family or friends, to losing time from work, to being arrested for offenses committed to support the gambling habit.

The APA criteria appear to have worked well for clinicians who treat the disorder, but because they are based only on populations who seek treatment, they cannot be used to define the nature and causes of pathological gambling or to estimate prevalence.

1. See the APA's *Diagnostic and Statistical Manual of Mental Disorders* (DSM). Pathological gambling also was included in the 1994 edition, DSM-IV.

family members and friends, and even kill themselves. They also may commit crimes, including theft, embezzlement, domestic violence, and child abuse and neglect. Precise tallies of these social costs of pathological gambling are needed, but again, the current state of knowledge makes it impossible to identify the extent to which legalized gambling affects crime rates. (For an examination of crime in several communities where this form of gambling has been introduced, see "Casino Gambling: Burden or Boon?" page 18.)

Pathological gambling can co-occur with such problems as substance abuse. Substance abusers admitted to treatment programs are three to six times more likely than the general population to be problem gamblers. A study of people seeking treatment for cocaine abuse revealed that those who had gambling problems were more likely than those who did not to have additional drug problems, such as overdosing or using opiates.

Heavy use of alcohol is linked to multiple gambling problems and increased spending on gambling, and

pathological gambling increases with the number of illicit substances used.

The link to crime is often a byproduct of the financial losses incurred. Pathological gamblers may spend inordinate amounts of money on their addiction, tapping into family savings or borrowing money. As these sources are depleted and debts pile up, they may resort to crime to obtain money.

Attempts have been made to estimate the proportion of pathological gamblers who commit crimes such as fraud, theft, embezzlement, forgery, and blackmail, but the results vary widely. As many as one-half to two-thirds of pathological gamblers may have committed a crime to obtain gambling money. Evidence also suggests that a sizable proportion of pathological gamblers have criminal charges pending as a result of illegal activity to fund their habit.

### More Questions Than Answers

Much of what is known about pathological gambling is limited in scientific value. The extent and

causes of pathological gambling are not well understood. Neither is it possible to determine whether the number of pathological gamblers is rising. Nor is there enough information to state with certainty whether particularly vulnerable populations—the elderly and people who are economically disadvantaged—tend disproportionately to be pathological gamblers. Although there is no doubt that gambling creates certain economic benefits for communities, these too are difficult to measure precisely, as are the social costs of gambling. Problem gambling is linked to crime, but exactly how legalized gambling affects local and national crime rates is unknown.

This information deficit means that the assessment of pathological gambling is greatly influenced by a relatively small number of newer, better studies. Notably, information about the onset and progression of the disorder is beginning to come to light. It reveals, for example, that the earlier someone starts to gamble, the more likely he or she is to become a pathological gambler and that pathological gamblers are more likely than other gamblers to have

## Casino Gambling: Burden or Boon?

The research described below was conducted independently of the study of pathological gambling. It is based on *Effects of Casino Gambling on Crime and Quality of Life in New Casino Jurisdictions*, by B. Grant Stitt, Mark Nichols, and David Giacompassi, November 29, 2000, draft report of grant 98-IJ-CX-0037, submitted to NIJ.

Proposals to establish casino gambling often have generated rancorous debate among community residents, with proponents touting the anticipated economic benefits and opponents predicting inevitable social problems. Residents' perceptions are important, because the establishment or continued existence of a gambling enterprise can depend on them. Nevertheless, though these opinions are forcefully expressed, they have not been based on hard data, because studies of many key questions about the effects of gambling have been incomplete or nonexistent. A recent NIJ-sponsored study, which examined crime data as well as residents' opinions, showed that perceptions of gambling's effects on crime can be at odds with more objective measures.

The study covered seven communities where casino gambling (on riverboats or barges) had been introduced in the past 10 years: Alton and Peoria/East Peoria, Illinois; Sioux City, Iowa; St. Joseph, St. Louis, and St. Louis County, Missouri; and Biloxi, Mississippi. Community leaders and residents were asked their views of the impact on crime, and more objective sources of information in the form of crime data also were examined.

Community residents and community leaders were divided in their views, with residents believing casinos increased crime and community leaders seeing little effect and believing casinos enhanced the quality of life and benefitted the economy. Perhaps not surprisingly, communities most heavily dependent economically on gambling were the ones that embraced it most warmly.

Perceptions did not reflect reality. There is no single "casino effect" on crime. The impact of the casinos varied from community to community. Three communities experienced a significant increase in several types of crime, while the opposite was true in three others.

One other saw no change in the vast majority of crimes. The mixed results suggest that certain factors may be operating in some communities and not others. One factor might be tourism. Biloxi, with its nine casinos drawing tens of thousands of visitors annually, saw the largest increase in crime of all the communities studied.

Interviews with the police chiefs of these communities revealed that law enforcement agencies need to prepare to make changes in their operations when a casino comes to town, because crime patterns may change and crimes once unknown to the community may appear. Several chiefs stressed that preparedness is the key to avoiding problems. For example, the department might want to develop communications with other casino communities and cultivate a good working relationship with casino security staff. Where citizens' perceptions of increased crime do not square with reality, the police will want to make doubly sure that accurate information about crime rates is widely reported so as to alleviate unfounded fears. Where crime has increased, the police will want to find additional resources.

parents who were pathological gamblers.

The origins and nature of pathological gambling and the changes taking place in it over time could be better understood through long-term studies and cross-sectional studies (which examine a population at a specific point in time). One way to obtain this kind of information would be to include

measures of pathological gambling in the annual surveys conducted by the Centers for Disease Control and Prevention and the National Institutes of Health.

The effects of pathological gambling (debt, for example) could be added to other long-term studies of health or mental health. Prevention and treatment of pathological gambling need to be aggressively pursued. For

that to happen, a great deal more light needs to be shed on the subject by filling in the many information gaps identified in the assessment. In short, pathological gambling is a problem significant enough to warrant more sustained, comprehensive, and scientific research than now exists.

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# At-A-Glance: Recent Research Findings

## Gang Prevention Program Evaluated

*NIJ Research in Progress Seminar, "The National Evaluation of the Gang Resistance Education and Training (G.R.E.A.T.) Program," Finn-Aage Esbensen, grant number 94-IJ-CX-0058, available on videotape from NCJRS (NCJ 185668).*

In a longitudinal evaluation of a gang prevention program, researchers found something surprising: no significant differences between participants and nonparticipants after 2 years, but important differences in attitudes after 4 years. Program participants also reported lower levels of gang membership, self-reported delinquency, and victimization, although these differences were not statistically significant.

The evaluation involved the Gang Resistance Education and Training (G.R.E.A.T.) program curriculum,

which was developed in 1991 and is now taught in all 50 States and overseas. More than 1.5 million students have gone through the program. The evaluation involved 6 sites and 3,000 students and was supported by NIJ in cooperation with the Bureau of Alcohol, Tobacco, and Firearms.

Trained uniformed officers lead G.R.E.A.T. students through a curriculum based on a cognitive approach that is designed to produce attitudinal and behavioral changes. Students are taught how to set positive goals, resist negative pressures, resolve conflicts, and understand how gangs impact the quality of their lives.

### Possible Explanation for the Unusual Findings

The researchers suggested two inter-related possibilities for the apparent 4-year lagged effect: (1) young adolescents are often ambiguous about exhibiting socially accepted attitudes

and behaviors, and (2) the Nation's schools are structured in such a way that children move from smaller, more nurturing elementary schools to progressively larger and more diversified middle and high schools. As young people move into a wider world, they also struggle to attain greater maturity and understanding about themselves. As a result, the authors speculated that too many factors may have obfuscated the 2-year situation to adequately discern the effects of the prevention experience. Early experiences with the program may not be manifested until the youths are older.

### Evaluation Results Spur Program Enhancements

When the 2-year findings were released, G.R.E.A.T.'s national policy board<sup>1</sup> asked a group of experts to review and assess the curriculum. The board's willingness to subject the program to a critical review demonstrated the high level of commitment to the mission. The review led to a more skill-based and interactive curriculum that is being piloted in spring 2001.

For more information, contact Finn-Aage Esbensen, University of Nebraska at Omaha, 402-472-6383, esbensen@unlserve.unl.edu.

Also see Finn-Aage Esbensen and Wayne Osgood, 1997. Research in Brief. *National Evaluation of*

## How to Get At-A-Glance Materials

Materials are available at:

- NIJ's Web site at <http://www.ojp.usdoj.gov/nij>, or
- NCJRS, puborder@ncjrs.org, 1-800-851-3420, P.O. Box 6000, Rockville, MD 20849-6000.

The summaries in this section are based on the following:

**Research in Progress Seminars.** At these seminars, scholars discuss their ongoing research and preliminary findings with an audience of researchers and criminal justice professionals. Sixty-minute VHS videotapes of the Research in Progress seminars are available from the National Criminal Justice Reference Service (NCJRS) at 1-800-851-3420. Videotaped seminars are \$19 (\$24 in Canada and other countries).

**NIJ Final Reports.** These final submissions from NIJ grantees typically are available from NCJRS through interlibrary loan. In some cases, photocopies may be obtained for a fee. For information about these reports and possible fees, contact NCJRS.

**NIJ Publications.** Some of the information here is summarized from recent NIJ publications, which are available from the NIJ Web site or by contacting NCJRS. Refer to the documents' accession (ACN) or NCJ numbers.

1. Members of the G.R.E.A.T. board, which shares responsibility for and oversight of the programs, are the Bureau of Alcohol, Tobacco and Firearms; the Federal Law Enforcement Training Center; and representatives from five local-level law enforcement agencies (Phoenix, Arizona; Portland, Oregon; Philadelphia, Pennsylvania; La Crosse, Wisconsin; and Orange County, Florida).

G.R.E.A.T., Washington, DC: U.S. Department of Justice. NCJ 167264, which discusses the methodology of the cross-sectional portion of the G.R.E.A.T. evaluation in more detail. It also discusses findings from the process evaluation, which were found overall to be favorable. Detailed findings from the longitudinal portion of the study are in *Responding to Gangs: Evaluation and Research*, forthcoming in fall 2001 from NIJ.

## How Battered Women Cope

*NIJ Research in Progress Seminar, "An Ecological Model of Battered Women's Experience Over Time," Mary Ann Dutton, grant number 98-WT-VX-0023, available on videotape from NCJRS (NCJ 186728).*

Almost half of the women in a study on domestic violence said that the abusive episode that triggered their current involvement in the courts or shelter was severe. This finding emphasizes the importance of placing individual episodes of violence in the context and history of the relationship.

The ongoing study of battered women's experiences over time has a sample of 406 women who came into contact with researchers at three sites—a battered women's shelter, a specialized domestic violence criminal court, and a civil protection order court. The study was designed to uncover patterns over time, understand how women assess risks, and learn more about the strategies women use for dealing with violence and abuse.

Although the sample was predominantly African American, it represents a diverse range of women in terms of age, income, relationship status, living arrangement, and number of children.

Table 1: Helpfulness of Commonly Used Domestic Violence Prevention Strategies

Strategy	Percentage of Women Who Used the Strategy	Percentage of Women Who Rated the Strategy "Helpful"
Talked to abuser	90%	24%
Ended the relationship	87	43
Called police	85	58
Refused to comply with abuser	86	41
Fought back	81	34
Slept separately	80	39
Left home	79	51
Filed for protection order	72	53
Kept things quiet in household	70	40
Tried not to cry	69	36
Talked to family and friends	69	58

In the first of several waves of interviews, participants reported a wide range of strategies for dealing with violence. The most common strategy—talking with the abuser—was also the least helpful in terms of reducing the violence and abuse. Just over half of the women found that calling the police, another common strategy, was helpful. Table 1 lists the strategies and shows the percentages of women who used each strategy and found them helpful.

Most women who obtained protection orders rated them useful in reducing the violence and abuse, but most women continued to have contact with their abuser, probably because custody of children was involved.

Women reported significantly less overall violence and abuse between the time they entered the study and 3 months later. However, the abuse—especially stalking—continued for a significant number of women. Additional follow-up data will be analyzed to evaluate the reduction in violence and abuse over time.

Mary Ann Dutton presented preliminary findings at a Research in Progress Seminar held at NIJ. She collaborated on the study with Lisa A. Goodman of Boston College; Dorothy Lessing, Esq., of the House of Ruth; and Jane C. Murphy, Esq., of the University of Baltimore Law School.

For more information, contact Mary Ann Dutton, Department of Psychiatry, Georgetown University Medical Center, 202-687-1997, mad27@georgetown.edu.

## Police Dissatisfaction With Defense and Control Tactics

*Journal article "An Analysis of Police Officer Satisfaction With Defense and Control Tactics," Robert J. Kaminski and Jeffrey A. Martin, Policing: An International Journal of Police Strategies & Management 23(2) (2000): 132-53.*

Unknowingly, some police agencies may adopt unarmed defense and control tactics that are of questionable utility for safely and efficiently subduing resistive and combative

suspects. This occurs in part because policing in the United States is highly diverse and decentralized, and although this can lead to innovations, it can also lead to communication problems and duplication of efforts—especially in the area of defense and control. In addition, no national standards are in place regarding the amount of training officers should receive, the methods of instruction, or the techniques proven most successful.

Robert J. Kaminski and Jeffrey A. Martin have recently published findings from their analysis of survey responses from approximately 600 officers to learn:

- What they think about the training they received.
- Officers' experiences in using the tactics during street encounters.
- Officers' interest in alternative techniques and training methods.

### Lessons Learned and Suggested Improvements

Approximately 60 percent of the officers in the survey said the defense and control tactics training they had received from their departments was "not at all" or "only a little" effective on resistive subjects. Yet only about a fourth of the officers wanted to spend more time learning defense and control tactics from their department.

Such high levels of dissatisfaction suggest that in-service training methods need to be reexamined and redeveloped, at least in those agencies experiencing similar levels of dissatisfaction among their officers.

The survey responses provide some hints for improving in-service training. Officers expressed:

- High levels of interest in in-service training in wrestling,

## Police Dissatisfaction Survey Methods

The survey took place over a 2-week period in June 1998. It included 65 questions designed to collect information about officer characteristics (age, sex, fitness levels, length of service, and victimization experience), types of defense and control tactics training received, opinions about the effectiveness of various defense and control methods, whether more or less training should be provided, and level of interest in alternative defense and control methods.

takedowns, punching, kicking, defense against multiple assailants, defense against pepper spray, and gun retention techniques.

- Moderate levels of interest in pressure point controls, baton controls, and firearms training.
- Relatively little interest in verbal tactics, locks and holds, training with pepper spray, and baton strikes.

Interestingly, more than half of the respondents indicated they had studied wrestling, boxing, or martial arts outside of the department, and virtually all reported that these methods were helpful during arrest or self-defense situations. These officers' responses may be overly optimistic because they self-selected their training. However, it cannot be overlooked that the officers' responses may indicate a need for agencies to increase in-service training time in areas of high interest to officers as a way to improve technique effectiveness.

### Implications for Policy

The survey indicates that police administrators may lack objective information as to whether or not their officers are being taught the most efficient physical methods for safely subduing resistive and combative suspects. If certain techniques or training methods are not effective, officers, suspects, and innocent bystanders may be at risk for unnecessary injury.

Continual and substantial improvements have no doubt been made in instructional methods and in the selection of defense and control tactics over the last several decades. Nevertheless, well-designed research and evaluation efforts can help determine which tactics and training methods will produce the desired results in the most efficient and cost-effective manner.

Future research can address such questions as: How much initial training should be provided to recruits? How frequently should in-service training occur? What level of technique complexity is optimal? Which specific techniques work best for defense and control?

For more information, contact Robert J. Kaminski, Social Science Analyst, NIJ, 202-616-9135, [kaminski@ojp.usdoj.gov](mailto:kaminski@ojp.usdoj.gov).

## Using Sales Taxes to Combat Drug Use

*Final report submitted to NIJ, Jackson County, Missouri, COMMunity Backed Anti-Drug Tax (COMBAT) Evaluation, by Peter Finn, et al., grant number 96-IJ-CX-0091. Available from NCJRS (NCJ 182439).*

Twice, the voters of Jackson County, Missouri (Kansas City), have voted to increase their county sales tax by one-quarter of 1 percent to fund prevention, treatment, and law enforcement initiatives to fight substance abuse.

Voters approved the funding effort, called COMMunity Backed Anti-Drug Tax (COMBAT), in 1989 for 7 years and again in 1995 for another 7 years.

The tax has generated between \$14 to \$18 million each year. Both the unique funding mechanism and the ambitious goals of the COMBAT effort have received considerable attention outside of Jackson County.

## Has It Worked?

The program underwent only limited evaluation early in its history. In 1996, NIJ and the Kauffman Foundation joined forces to solicit a full evaluation. Abt Associates won that procurement and began work in the fall of 1996. The highlights of the findings include the following:

**Did COMBAT lead to increased jailing of dangerous offenders?** Taken as a whole, the number of arrests of serious drug offenders has increased substantially. The arrest rate has been comparable to or higher than the rate found in other jurisdictions—a rate that has been sustained over the entire COMBAT period. In Missouri, Jackson County has made large contributions to the State prison population, as well as contributing to keeping the county jail operating at over-capacity levels.

**Did COMBAT increase the treatment of nonviolent offenders who want to get off drugs?** COMBAT appears to have increased the amount of treatment available. Program funding made treatment available for an estimated 4,500 individuals in 1997. Data limitations prevented estimating the increased treatment slots for other years.

**Did COMBAT increase the prevention of drug experimentation among youth?** COMBAT increased the number of prevention initiatives in Jackson County, and the study

estimated that these prevention initiatives reached several thousand young people. However, the evaluation could not determine whether COMBAT reduced drug experimentation or how many individuals COMBAT-funded prevention initiatives served over the life of the program. Trends in school-based surveys of drug use among 12th graders suggest no significant changes during COMBAT years. Local trends in drug use are similar to those found nationwide.

**Did COMBAT support innovative programming that might not otherwise have been funded?** COMBAT initiated, coordinated, or funded a number of significant innovative initiatives. Perhaps the most innovative aspect of COMBAT is the scope of its programming. Among the significant initiatives were a multimillion dollar Grant Match Program that attracts an estimated \$4 for each \$1 in COMBAT matching funds, Community Action Networks (CAN's) that link neighborhood organizations and police officers to solve local crime problems, job preparation and placement services for substance abusers in treatment through the Full Employment Council, and landlord-related initiatives for dealing with substance-abusing and drug-trafficking tenants.

**Did COMBAT enhance communication and collaborative action among organizations, programs, and jurisdictions?** COMBAT promoted considerable collaboration among a wide range of organizations, programs, and jurisdictions. The program's overall philosophy and approach is one of collaboration among prevention providers, the treatment community, and the criminal justice system.

**Did COMBAT promote economic development activities?** The study could not estimate the exact

number of jobs COMBAT may have helped generate. However, it appears that a very modest increase in job opportunities occurred because of COMBAT's contribution to making the community safer and less disorderly than in the past.

**Is there community support for COMBAT and its program?** Every 7 years, the voters of Jackson County must reapprove the anti-drug tax. Generating community support is essential if COMBAT is to survive. Although most COMBAT participants and observers believe that most residents are not familiar with the program, a random digit-dialing survey of Missouri telephone exchanges in 1998 found that 45 percent of Jackson County residents were aware of COMBAT and, of those, 64 percent were satisfied with COMBAT's performance.

## Policy Implications

While in its infancy COMBAT looked similar to other community partnership efforts or localized law enforcement efforts, it has evolved and started to become institutionalized as a large-scale, comprehensive public health approach to dealing with drug abuse and all of the problems that arise from drug abuse. The level of integration of both public health and strong law enforcement components is unusual.

COMBAT is also unique in that it represents both a stable presence in the community through funding a standing group of providers and programs over the years, as well as a dynamic component that supports new programming ideas as they arise.

Jurisdictions that are contemplating replication of COMBAT should consider incorporating three key operational themes:

- A holistic approach to combating substance abuse.



- Evolution, not revolution, in promoting change.
- Accountability among participating agencies and organizations.

Other jurisdictions can replicate COMBAT, and, indeed, Little Rock, Arkansas, already has. Other jurisdictions are most likely to be successful in replicating COMBAT if they:

- Secure strong, top-level political leadership for the program.
- Make law enforcement a major component of the program.
- Give the program a public health focus.
- Find an exceptionally talented, experienced, and dedicated program administrator.

- Make sure there is a strong foundation of accessible treatment programs.
- Earmark the tax money exclusively for fighting substance abuse.
- Plan in advance how the money will be used.
- Assign staff full-time to monitor prevention and treatment provider performance.
- Find ways to make participants feel they “own” the initiatives.

Finally, other communities should allocate funds for evaluating the program and begin the evaluation from the start. COMBAT itself did not commission or arrange for a comprehensive evaluation when it first began. The lack of written pro-

gram objectives and activities and the lack of complete, reliable, and pertinent data limited the value of most of the subsequent evaluations that were conducted. Only by beginning the evaluation when the program starts is it possible to collect the kinds of valid baseline and historical data that may not be accessible easily or at all later on.

Additionally, if COMBAT had set up an evaluation at the start, all parties that were to receive COMBAT funding would have been put on notice from the outset that they would be held accountable for achieving their goals.

For more information, contact Peter Finn, Abt Associates, 55 Wheeler Street, Cambridge, MA 02138, 617-349-2739.

## New & Noteworthy

### Study of Crimes Against College Women

*The Sexual Victimization of College Women*, a report supported by NIJ and the Bureau of Justice Statistics (BJS), reports that about 3 percent of college women experience a completed or attempted rape during a typical college year.

Authors Bonnie S. Fisher, Francis T. Cullen, and Michael G. Turner estimate that more than 350 rapes a year could occur at a college with 10,000 female students—a finding with serious policy implications for college administrators. The report, which offers a comprehensive look into the prevalence and nature of sexual assault occurring at American colleges, also states that about 13 percent of college women are stalked each year.

#### Online Database

College administrators, potential students, parents, and others interested in tracking crime on campus can search an online database that contains reported criminal offenses for more than 6,000 colleges and universities in the United States. The database was developed by the Department of Education’s Office of Postsecondary Education as a result of the 1998 Congressional amendments to the Higher Education Act of 1965. The database can be searched by city, geographic region, instructional program, name of institution, number of students enrolled, State or outlying area, and type of institution.

Visit the database at <http://www.ope.ed.gov/security/Search.asp>.

In about half of the incidents categorized by the researchers as completed rapes, the women did not consider the occurrence to be a rape for a number of reasons, such as embarrassment, not clearly understanding the legal definition of rape, or not wanting to define someone they knew as a rapist. The study asked a number of questions to determine what happened during incidents reported by survey

respondents and whether force or coercion was used. Completed rape was defined as “unwanted completed penetration by force or threat of force.”

The study also included a comparison component sponsored by BJS that used methodology similar to that of the National Crime Victimization Survey, and the two components used different questioning methodologies to screen for

incidents of rape. The differences in estimated levels of sexual assault associated with the methodological differences will help researchers design better and more accurate surveys in the future.

Copies of *Sexual Victimization of College Women* (NCJ 182369), grant numbers 95-WT-NX-0001 and 97-MU-MU-0011, are available online at <http://www.ojp.usdoj.gov/nij> or by calling NCJRS at 1-800-851-3420.

## Domestic Violence in the Courts

An overview of current court practices in domestic violence cases is the focus of Susan Keilitz' new book, *Specialization of Domestic Violence Case Management in the Courts: A National Survey*. In the NIJ-sponsored study, Keilitz found that only half of all courts specializing in domestic violence cases require any judicial training, approximately one-third require

training specific to domestic violence, and less than 10 percent of courts exclusively assigned to domestic abuse require any related training.

The study also found that in most courts:

- Systems are not in place for monitoring batterer compliance.
- Case screening and coordination are not standard.
- Basic information gathering tools are not utilized.
- Domestic violence victims are not given information critical to their decision making.
- Few courts offer all the available services to victims, including legal assistance for economic support or civil issues.

The study, which includes the responses of 103 courts representing 22 States, offers data gathered through a written questionnaire, telephone interviews, and a panel discussion with 27 professionals.

The 103 courts were chosen because they operated a special service, process, or structure related to domestic violence.

In addition to the survey's findings, the book includes an extensive appendix outlining each individual court's responses. The questions cover several topics, including court jurisdictions, monitoring of batterer compliance, intake services, and general court services. A copy of the survey sent out to the identified courts also is included.

To obtain copies of *Specialization of Domestic Violence Case Management in the Courts: A National Survey*, grant number 98-WT-VX-0002, contact Pam Petrakis, National Center for State Courts, [ppetrakis@ncsc.din.us](mailto:ppetrakis@ncsc.din.us), 757-259-1822, fax: 757-564-2081. A shipping and handling charge of \$5 applies. It also is available from NCJRS (NCJ 186192).

## New Book Plots the Effects of Crime Mapping

Technology is revolutionizing the criminal justice system, and a new book looks at how crime mapping and geographic information systems are changing the face of justice practice and research.

*Atlas of Crime: Mapping the Criminal Landscape*, edited by Linda S. Turnbull, Elaine Hallisey Hendrix, and Borden D. Dent, uses mapping to look at "hot spots" and crime trends (both current and historic) in the United States. Among other topics, *Atlas of Crime* delves into crimes of personal violence, property crime, and the criminal justice system.

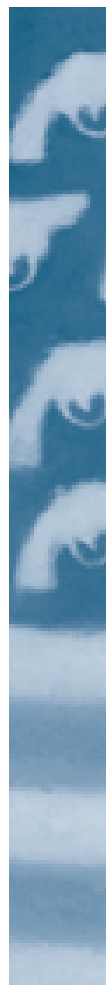
Crime mapping, which provides a visual display of where crimes are occurring and what types of crime are most prevalent in these areas, is



becoming more widespread. Police departments are using this process to fight crime by placing officers in the identified “trouble spots” and developing new approaches based on the crime mapping data.

In chapters dealing with violent crime, notable scholars discuss the geographic and time-based variations in homicide, sexual assault, and robbery in various U.S. locations and explore why these variations exist. For robbery, the authors also describe the victims and perpetrators, focusing on New York City in particular.

The section on property crime includes both traditional (burglary and motor vehicle theft) and “new” crimes (environmental and computer crimes). Although only 4 percent of all American residences are burglarized each year, this chapter includes several levels of locational analysis and investigates the factors related to these burglaries. Other sections provide information on the direction and distance a stolen car might travel following a theft and explain the phenomenon of environmental crime, which includes both moral and criminal crimes that affect the global community. The

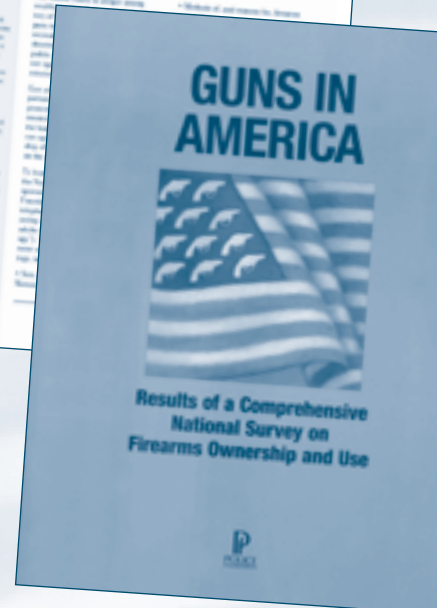


## Guns In America

The definitive research about gun ownership in the United States was conducted by Philip J. Cook and Jens Ludwig under NIJ grant number 93-IJ-CX-0017. The study, published in 1997, focused on four central issues: (1) the size, composition, and ownership of America’s gun stock; (2) how and why firearms are acquired; (3) gun storage and carrying; and (4) the defensive use of firearms against criminal attackers.

NIJ published a 12-page Research in Brief of the national survey entitled *Guns in America: National Survey on Private Ownership and Use of Firearms* (NCJ 165476). NIJ’s report is available at <http://www.ncjrs.org/pdffiles/165476.pdf> or by calling NCJRS at 1-800-851-3420.

The Police Foundation published a 94-page book entitled *Guns in America: Results of a Comprehensive National Survey on Firearms Ownership and Use*, which can be purchased on their Web site at <http://www.policefoundation.org>. There is a charge of \$15.00.

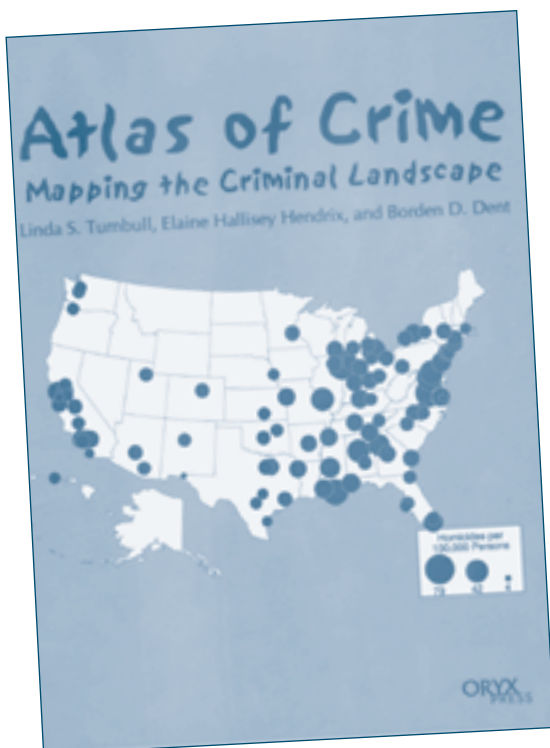


authors also discuss the difficulty in solving computer-based crimes (identity theft, software piracy, and data alteration, for example) and explain how geography can be used to solve these problems.

*Atlas of Crime* takes a general look at crime mapping in the criminal justice system. Experts examine several examples of its use, including the geographic distribution of State and local law enforcement officers killed in the line of duty (both feloniously and accidentally); the use of crime scene sketches to help officers rebuild or reconstruct crime scenes; the operation of community policing on a local level

through a case study of Lima, Ohio; and the geographic evolution of one of today’s most controversial criminal justice issues—capital punishment.

For more information about the book or to order a copy, visit the Oryx Press Web site at <http://www.oryxpress.com>. For more information about crime mapping and the use of geographic information systems in the criminal justice field, revisit Thomas Rich’s “Mapping the Path to Problem Solving,” *NIJ Journal*, October 1999, <http://www.ojp.usdoj.gov/nij/journals> (NCJ 179444), or visit OJP’s Crime Mapping Research Center’s Web site at <http://www.ojp.usdoj.gov/cmrc> and the Crime Mapping and Analysis Program at <http://www.nlectc.org/cmrap>.



## Events

### VAWA's Impact Subject of Joint Workshop



To begin assessing the impact of programs funded through the Violence Against Women Act (VAWA), NIJ, the Bureau of Justice Statistics, and the Violence Against Women Office brought together researchers, practitioners, and Federal and State government officials to discuss how to define and measure the impact.

Opening discussions focused on how to define VAWA impacts. Attendees proposed using the term “victim well-being” rather than “victim safety” because “well-being” broadens one’s perspective. They also noted that adverse and differential impacts with regard to race, ethnicity, and social class need to be considered both for victims and offenders. Other suggestions included focusing on community-level interventions and responding with more than punitive approaches.

Attendees also suggested using or augmenting major measures of violence against women: The geographic codes in the National Crime Victimization Survey could be used to examine communities with and without VAWA funding, paying special attention to the subpopulations not captured in the Survey. A clearinghouse of instruments could be developed, enabling researchers to gather more consistent data and allowing better future impact evaluations. Measures could go beyond criminal justice outcomes (e.g., arrest, prosecution, convictions, and recidivism) and include social justice measures such as equality in service provision, economic autonomy, tribal sovereignty, respect for victims, and fair treatment of all perpetrators who go through the criminal justice system.

Some of the issues raised during the workshop have been addressed by the Violence Against Women Act of 2000 (VAWA II), including differential impacts targeting underserved populations (elderly persons, immigrants, and people in same-sex relationships). VAWA II includes a reauthorization of the original VAWA legislation, amendments to further protect abused immigrant spouses, and strengthened full-faith and credit provisions to support enforcement of protection orders across jurisdictional boundaries.

For more information about the Violence Against Women Act and NIJ’s Violence Against Women Office, visit <http://www.ojp.usdoj.gov/vawo>. For more information about the workshop, contact Angela Moore Parmley, Social Science Analyst, Violence and Victimization Division, NIJ, at [parmleya@ojp.usdoj.gov](mailto:parmleya@ojp.usdoj.gov).

### Drug Policy Technologies Focus of ONDCP Symposium

“Counterdrug Research and Development: Technologies for the Next Decade” is the theme of this year’s Office of National Drug Control Policy (ONDCP) International Technology Symposium. The conference, sponsored by ONDCP’s Counterdrug Technology Assessment Center, will take place June 25–28, in San Diego, California.

Designed to promote the exchange of information and foster discussion, the symposium will cover two main topics—demand reduction and supply reduction.

The demand reduction sessions will focus on the development and facilitation of methodologies that address

substance abuse, dependence, and addiction. This includes related neurological imaging and chemical assay technologies, genetics, and methods to detect use and treat addictions.

The supply reduction discussions will cover new technological approaches to disrupting all phases of drug operations and increasing agencies’ capabilities. This includes several types of sensors (i.e., nuclear, acoustic, and biological) to monitor and detect the growth, processing, shipment, and distribution of illegal drugs, and the identification of drug-associated currency. Non-intrusive cargo inspection also will be discussed.

In addition, a special session is planned on unmanned aerial vehicles, airships, and balloons as cost-effective surveillance sensor platforms, and two plenary sessions are scheduled dealing with drug detection equipment standards and the legal implications and ramifications of new surveillance and detection technology.

For more information about the symposium or to register online, visit <http://www.reg4.com/pdg/main.asp> or call 1-800-377-4734.

### Perspectives on Crime and Justice Lecture Series

Every year, NIJ invites scholars to Washington, D.C., for the Perspectives on Crime and Justice lecture series. The lectures are designed to present provocative points of view to policymakers and practitioners.

In February, Alfred Blumstein, a well-known criminologist from Carnegie Mellon University and director of the National Consortium on Violence Research, discussed factors contributing to the falling violence rate in the United States and concepts to consider in the future.



The March lecture featured Laurence Steinberg of Temple University, director of the John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. He spoke on juvenile psychopathy.

### **Blumstein's Lecture on Declining Violence**

A dramatic rise in crime was recorded in the United States during the 1980's, but it has been steadily decreasing since its peak in 1993. Blumstein discussed the violent crime trends of the past few years by looking at variables such as offender age, weapon use, and drug markets.

During the crime peak years, Blumstein found, younger offenders were arrested twice as often for homicide compared to 1985, when the rise started. Starting in 1985, a major dichotomy occurred between young people under 20 years of age and the 25 and older group, marking considerable shifts in violent crime for just the younger group, with a steady and continuing decline for the older ones.

Blumstein reported that an increase in gun use by young people was largely responsible for this crime boom. By 1993, juvenile offenders were committing homicide using handguns more than four times as often as in 1985, with no comparable change in weaponry other than handguns. Because the dynamics of teenage fights accelerate dramatically when a handgun is used, the homicide rate for that age group increased dramatically. The rate of gun use and young people's homicide peaked in 1993 and was largely restored to 1985 levels by the end of the 1990's.

He also pointed to the crack epidemic of the 1980's as a key factor contributing to the increased violent crime rate. Crack made cocaine more affordable and available, and sellers were needed to serve the rapid growth in demand. Young African Americans who saw only limited economic opportunities in the

legitimate economy were recruited both to meet the growing demand and to replace the older sellers who were sent to prison in large numbers. Until the late 1980's, the drug arrest rate for white and nonwhite juveniles was roughly comparable, but between 1989 and 1992, nonwhite juveniles' drug arrest rate zoomed to four times that of whites. Handguns became necessary protection for these young sellers, but because young people are so tightly networked, there was a widespread diffusion of handguns to their peers, including those not involved with drugs. As a result, handguns became a much more common instrument for dispute resolution.

**Why is crime falling?** Two explanations are generally cited for the decrease in crime—fewer total young adults and higher incarceration rates. Blumstein was quick to point out, however, that the demographic shift was more significant in the crime drop of the early 1980's as the baby boom generation aged out of the prime crime age bracket. He also pointed out that the late 1980's marked a period in which incarceration and crime went up, leaving us with the highest incarceration rate in the industrialized world. This precludes the simplistic claim many have made that the 1990's crime drop was caused only by the growth of incarceration. He reported estimates by both William Spelman and Richard Rosenfeld that about 25 percent of the 1990's crime drop was attributable to incarceration.

**Looking ahead.** The crime rate cannot continue to decrease at the current rate, and there are already indications that the decline is beginning to level off—especially in the big cities. Potential threats for the future include new drug markets involving weapon use that might create a situation similar to the crack epidemic of the 1980's. Blumstein pointed out that an economic downturn and increased unemployment could also increase the incentive

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to engage in criminal activity. Demographic changes, which are now increasing the population in the high-risk age ranges but only slowly at about 1 percent per year, could also adversely affect the violence rate. He also emphasized the importance of building the research program to reach a much fuller understanding of the mutually supporting—or opposing—contributions of our various efforts to control crime.

### **Steinberg's Lecture on Psychopathic Juveniles**

The characterization of the juvenile offender as a psychopath is a trend that concerns Laurence Steinberg. Although no hard data are available to validate this perceived increase, Steinberg feels that there are many reasons to sound a note of caution about the potential overuse of juvenile psychopathy as a diagnostic label.

Psychopathy, a personality disorder defined by a combination of antisocial behavior and emotional detachment, is generally assessed through the Psychopathy Checklist (PCL); a slightly revised version called the PCL Youth Version is being used with adolescents. PCL scores are based on interview responses and official records, and they are often used to predict future behavior—adults who score over 29 on the test are four times more likely to commit a future violent crime.

The construct of psychopathy is questionable when applied to juveniles, however. Psychopaths are probably more likely to be viewed as incorrigible, less likely to receive rehabilitation, and more likely to be transferred to the adult criminal justice system when branded with the disorder. The stability of psychopathy measures over the course of adolescence or between adolescence and adulthood is unknown, though, and few data have been gathered on the predictive utility of the diagnosis when applied to juveniles.

Steinberg expressed concern that juvenile psychopathy assessments are being used to make decisions to transfer youths into the adult system, making false-positives especially worrisome. Steinberg believes the trend is due to four factors: a problem, a crisis, a theory, and a diagnostic tool.

**The problem.** One of the problems facing practitioners in the juvenile justice system is differentiating between serious offenders who are likely to reoffend and those who are not—and wanting to protect communities without exposing low-risk juveniles to adult sanctions. If differentiating these juveniles were possible, far better decisions could be made regarding transfers to the adult system and the decertification of juveniles charged as adults.

**The crisis.** Today's sense of urgency over the need to identify psychopaths has its origins in the now infamously wrong prediction about the coming wave of superpredators. Although views have softened on the inevitability of an epidemic of juvenile violence, the legacy of the superpredator lives on today in the label of the juvenile psychopath.

**The theory.** Although warnings about superpredators were not based on reality or precise evidence, Steinberg said that the translation of the rhetoric into policy and practice necessitated two other ingredients: a saleable theory about the condition's origin and a diagnostic test to identify offenders. In recent years, psychopathy has been attributed to low serotonin levels, low autonomic reactivity, unusual patterns of physiological arousal, and prefrontal cortical dysfunction. It also has become increasingly common at professional meetings to see "pictures" of criminal brains; whether this is informative or simply high-tech phrenology remains controversial.

**The diagnostic tool.** The widespread use of the PCL in work with adults has led many to believe that the instrument is appropriate for use with juveniles. Translating a test from one age group to another is far from worry-free, however. Until certain fundamental questions about the use of the PCL are answered through systematic scientific research, Steinberg stated that it should not be used in forensic practice.

**Future of the use of the psychopathy diagnosis with juveniles.** Three important questions must be answered before using juvenile psychopathy assessments in sentencing, transfer, and decertification decisions:

- Do measures of psychopathy mean the same thing when used

in adolescent and adult populations?

- Are scores on measures of psychopathy derived during adolescence correlated to those derived during adulthood?
- Do scores on measures of psychopathology derived during adolescence predict future antisocial behavior and violence?

Although research is attempting to answer these questions, the only answer available now is, "We don't know." Steinberg feels that the use of psychopathy assessments to make important decisions about juvenile offenders is premature, and if the answer to any of these three questions is "no," the use of psychopathy assessments to make important decisions about juvenile offenders is bad practice, and perhaps even unethical.

Before relying on assessments of psychopathy to determine serious juvenile offender dispositions, longitudinal research must be conducted. Steinberg added, "Psychopathy is, by definition, not something that individuals grow out of. Adolescence, by definition, is."

## The Lecture Series

Two other Perspectives lectures occurred in 2001. Summaries will appear in the next issue of the *NIJ Journal*.

- Carl Bell, Community Mental Health Council and Foundation, "Violence Prevention 101," April 20, 2001.
- Margaret Berger, Brooklyn Law School, "The Impact of DNA Testing on the Field of Forensics," May 9, 2001.

To obtain copies of the collected papers from previous lectures, visit NIJ's Web site at <http://www.ojp.usdoj.gov/nij/pubs-sum/184245.htm>.

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The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

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