COMMON LAW CRIME SEVERITY AFTER RELEASE FROM PRISON

by

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A Dissertation submitted to the Graduate Faculty in Sociology
in partial fulfillment of the requirements for the degree of
Doctor of Philosophy,
The City University of New York.

1978

This manuscript has been read and accepted for the Graduate Faculty in Sociology in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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date

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Abstract

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This study examines the experiences of 432 men released from Maryland state correctional facilities between 1971 and 1973, in an attempt to determine the social and economic forces underlying criminal behavior after release from prison. The data used in this study were obtained from individual prison records and through personal interviews conducted prior to the participants' release from prison and each month during the 12-month follow-up period. Official court records serve as the source of re-arrest information.

The report is divided into three major parts. Part I contains a summary of the major contemporary theoretical perspectives on criminal behavior, the research questions to be addressed, and a brief description of the data used in the analysis. The findings of the study are presented in Parts II and III. Part II focuses on the individual's social, economic and criminal history prior to release from prison, and Part III on lifestyle and economic activity after release. Topics addressed in the pre-release chapters include the individual's education and initial encounter with the criminal justice system, as well as employment and incarceration history. The post-release analysis focuses on social and economic conditions associated with criminal activity after release.

The findings indicate that neither the individual's social, economic and criminal history, nor his living arrangement and type of associations after release are of importance in predicting criminal recidivism, once the nature and form of economic activity after release is taken into account. Two independent economic systems were found to be operative in the urban ghettos to which the men in this study returned: the legitimate economic system, which offered little more than low paying, generally undesirable and unstable employment; and the illegitimate, underground economy, characterized by such activities as selling drugs and stolen goods, and other marginal, income producing activities. While the existence of an illegitimate opportunity structure has been known for some time, it has generally been thought that participation in this structure worked solely to increase criminal activity. This is, in a sense, true since the majority of activities within the underground economy are illegal. But the findings of this research indicate that the relationship between criminal activity and the underground economic system may not be as straightforward as once thought. Contrary to expectations, participation in the underground economy was found to operate in much the same way as involvement in the legitimate economic system: participation in either the legitimate or the illegitimate opportunity structure worked to limit re-arrest during the first year after release. The two economic opportunity structures, combined with the individual's ability to meet basic economic needs like paying rent, account for about 33% of the variation in re-arrest during the first year after release.

ACKNOWLEDGEMENTS

I wish to express my appreciation to each of the members of my committee, Professors Caplovitz, Borgatta, Winick and Lavin, each of whom played a significant role in my professional development. I also wish to thank Dr. Kenneth Lenihan, who was responsible for collecting the data used in this study, for his kind permission to use the data and for his support throughout the process. My gratitude is also due to Nancy Fernandez, who was responsible for the typing and editing of the manuscript, and to Michael Sucher, who assisted in the computer programming. And, finally, my largest debt is acknowledged to my family, Eva, David and Diane, without whose support this document would never have been completed. Each of these persons added considerable to the quality of this work, and their help is ~~most~~ gratefully acknowledged.

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PART I

THE BACKGROUND OF THIS STUDY

INTRODUCTION

Since Comte's call for a separate science of society, a gradual development of systematic thought concerned with the relationship between social order and disorder, between social control and individual freedom, and between conformity and deviance has been recorded. Following work in this area, this dissertation is a study of the social processes that give rise to criminal behavior, specifically focusing on the correlates of criminal recidivism.

The Rising Crime Rate

Although a central theoretical interest of sociologists since the inception of the profession as a distinct discipline, the study of crime and criminal behavior has only recently been afforded a high priority on the public policy level. Understandably, concern has risen with the rate of known criminal activity, which has been rising rapidly in American society. In 1960, 161 violent crimes (murder, manslaughter, assault, robbery and rape) were reported for every 100,000 persons in the population, compared to 461 in 1974. A similar increase has also occurred in the number of property crimes. In 1974, the combined rate of burglaries and thefts reached an all time high of 4,389 crimes per 100,000 persons in the population, compared to 1,726 in 1960.[1]

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[1] U.S. Bureau of the Census, Statistical Abstract of the United States: 1976 (97th edition). (Washington, D.C., 1976), p. 153.

During this time there has also been a dramatic increase in societal resources directed at controlling crime. While property crime was increasing 254%, and violent crime 286%, total governmental law enforcement ecpenditures increased from 3.5 billions in 1960 to almost 15 billions in 1974.[2] When the rate of inflation is taken into account, this represents more than a threefold increase in real law enforcement expenditures. The rate of reported crime and the allocation of societal resources aimed at combating criminal activity have been rising at almost identical rates.[3]

Public concern about crime in the society has also increased markedly in recent years. Almost 85% of those polled in 13 major cities in 1975 thought that crime in the United States was increasing, up from 46% in 1967.[4] At the same time, individuals in the society have become increasingly concerned with their personal safety in the neighborhoods where they live. In 1965, 34% of those questioned reported that they were afraid to walk in their neighborhoods at night, compared to 45% in 1974.[5] Additionally, 33% reported that there are places in the city

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[2]Ibid., p. 164.

[3]Although it is clear that a strong positive correlation exists between the increase in the rate of known criminal activity and the increase in the societal resources utilized to control crime in the society, the causal ordering of these variables is not clear. It is not possible to determine with the information available if the increase in reported crime is due to increased governmental expenditures, which have the effect of uncovering previously unknown criminal activity, or to a real increase in criminal activity. For a detailed discussion of this controversy, see H. E. Pepinsky, "The growth of crime in the United States," Annals of the American Academy of Political and Social Science, 423 (January, 1976), pp. 22-30.

[4]Michael J. Hindeland, Sourcebook of Criminal Justice Statistics, 1976 (Washington, D.C.: U.S. Department of Justice, Law Enforcement Assistance Administration 1977), p. 300.

[5]Ibid., p. 305.

where they live that they would like to go but are afraid because of fear of crime.[6] Substantial evidence exists that the increasing awareness of criminal activity and the fear that such behavior evokes, holds true across major social sub-groups such as age, sex, education and income.[7]

This sharp increase in the rate of known criminal activity, as well as increased concern on the part of the nation's citizens and ever-increasing governmental expenditures, has created a demand for understanding the social forces that give rise to criminal activity. Crime has become a major political issue and consequently much pressure has been placed on the police, courts and correctional agencies to reduce the crime rate.

The Response of the Criminal Justice System

The response to this situation on the part of the criminal justice system is difficult to evaluate. This is in part due to the fact that the relationship between the police, courts and various state and federal correctional agencies is amorphous. The major segments of the criminal justice system are structurally independent, and no general consensus exists between them as to the nature of specific objectives and the means of achieving them, a minimal requirement before sustained progress can be expected. One publicly available piece of information that addresses the overall response of the criminal justice system is changes in the proportion of funds allocated to each of the three major segments. While the majority of public attention has been focused on

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[6] Ibid., p. 306. [7] Ibid., p. 307.

the work of the police, changes in monetary expenditures during the last 15 years indicate that the overall response of the criminal justice system to the increasing crime rate has been an increase in the proportion of total law enforcement funds allocated to correctional agencies. In 1960, 21.5% of total law enforcement funds were spent by correctional agencies, and by 1974 this figure had risen to 24.9%.[8] Since allocations to police departments have remained relatively stable during this period (about 60%), the increase in allocation to corrections has come at the expense of the judicial system. In 1960, 17.8% of total law enforcement dollars went to the courts, and by 1974 this figure had dropped to only 12.9%.

In addition to the problems in the administration of justice that these figures imply, the question arises as to the way in which correctional agencies are making use of the relative increase in resources gained during the past 15 years. Little of this increase in allocation can be attributed to an increase in the number of persons sent to prison. Despite rising arrest and conviction rates, the prison population increased only slightly, from 189,735 in 1960 to 195,844 in 1974.[9] The only available indication of major change within correctional agencies during the last 15 years is a significant increase in the number of programs aimed at the rehabilitation of the offender. The majority of prisons in the United States have expanded their rehabilitative efforts and now offer individual and group counseling, educational and vocational training programs and job placement, as well as alcohol

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[8] Information cited in this paragraph from U.S. Bureau of the Census, op. cit., p. 164.

[9] Ibid., p. 171.

and other drug treatment programs.[10] Such efforts underline the implicit policy of correctional agencies in the United States, namely, the return of the individual to a productive life in the society. Although there is some movement in policy circles away from the philosophy of rehabilitation[11] and toward viewing incarceration merely as a means of isolating and punishing offenders, the predominant philosophy of corrections today is rehabilitation.

The Response of the Social Sciences

Given the expanded role of corrections in the fight against criminal activity, coupled with the focus on rehabilitation, one would expect to find a rather well defined literature developed during the last 15 years upon which to base the present research effort. This is not the case, however. Although considerable time and money have been spent in attempts to understand the rehabilitative process, surprisingly little has been learned, and some rather basic information is disputed. Perhaps the most poignant example of this situation is the disagreement concerning the actual rate of recidivism in the United States: no systematic effort has been made to determine what proportion of persons released from prison continue to engage in criminal activity. Although the overall rate of recidivism is generally thought to be between sixty and seventy percent,[12] recent evidence suggests that the true rate of

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[10] Hindeland, op. cit., p. 276.

[11] See Robert Martinson, "What works?--Questions and answers about prison reform," The Public Interest (Spring, 1974), pp. 22-54.

[12] S. T. Reid, Crime and Criminology (Hinsdale, Ill.: The Dryden Press, 1976), p. 688.

return to criminal activity on the part of released offenders is much lower, perhaps even as low as 23%.[13]

While the actual rate of recidivism is unknown, considerable evidence has accumulated concerning the effectiveness of specific rehabilitative efforts. This evidence, however, is largely negative: no form of treatment, either during or after release from prison, has been shown to have significant impact on criminal activity. In a review of 231 experimental studies on the treatment of criminals, Lipton, Martinson and Wilkes concluded that: "With few exceptions, the rehabilitative efforts that have been reported thus far have no appreciable effect on recidivism."[14] Both Hood[15] and Bailey[16] came to similar

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[13] In a preliminary analysis of over 7,000 recidivism rates collected from various state, federal and private agencies throughout the country, Martinson amd Wilkes report that the overall rate of recidivism is about 23.3%. The authors note that this figure includes data from a diverse group of studies, employing every conceivable type of research design. When study design and other relevant variables are held constant, the average varies somewhat (33.8% for experimental studies vs. 22.4% for non-experimental designs, for example). But irrespective of the control variables utilized, the recidivism rate approaches 70% only about two times in one hundred. See Robert Martinson and Judith Wilkes, "Knowledge in the criminal justice system: A preliminary report" (New York: Center for Knowledge in Criminal Justice Planning, 1976), pp. 28-30. It should also be noted that the rate reported by Martinson and Wilkes is much closer to the one third estimate that Daniel Glaser made over a decade ago that apparently went virtually unnoticed by researchers and policymakers concerned with the effectiveness of rehabilitative efforts. See Daniel Glaser, The Effectiveness of a Prison and Parole System (New York, Bobbs-Merrill Co., 1964), p. 15.

[14] Douglas Lipton, Robert Martinson and Judith Wilkes, The Effectiveness of Correctional Treatment (New York: Praeger Publishers, 1975), p. 25.

[15] Robert Hood, "Research on the effectiveness of punishments and treatments," in Criminal Justice, ed. Leon Radzinowicz and Marvin Wolfgang, 3 vols. (New York: Basic Books, 1971), vol. 3: The Criminal in Confinement, pp. 159-82.

[16] Walter C. Bailey, "Correctional outcome: An evaluation of 100 reports," in Radzinowicz and Wolfgang, op. cit., p. 190.

conclusions: the evidence supporting the efficacy of correctional treatment programs is slight, inconsistent, and of questionable reliability. And Wilkins observed that: "The major achievement of research in the field of . . . (correctional) treatment has been negative, and has resulted in the undermining of nearly all current methodology concerning the effectiveness of treatment in any form."[17]

Although the vast majority of work in the area of criminal recidivism has been evaluative in nature, the available predictive studies of recidivism which focus on individual processes report a few relatively consistent findings. Criminal behavior after release has been shown to be related to the structure and characteristics of the family of origin, such as the presence or absence of parents, interaction between parents and siblings, and the socio-economic position of the family; to ascribed characteristics such as age, sex and ethnicity; and to the individual's education and employment history.[18] In

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[17]Leslie T. Wilkins, The Evaluation of Penal Measures (New York: Random House, 1960), p. 78.

[18]The following studies are representative of work on recidivism in the last 30 years: Hulsey Cason and M. J. Pescer, "A comparative study of recidivists and non-recidivists among psychopathic offenders," The Journal of Criminal Law and Criminology 37 (1946-47), pp. 236-38; Ralph Metzner and Gunther Weil, "Predicting recidivism: Base rates for the Massachusetts Correctional Institution Concord," Journal of Criminal Law, Criminology and Police Science 54 (September 1963), pp. 307-16; Nathan Mandel, et al., "Recidivism studied and defined," The Journal of Criminal Law, Criminology and Police Science 56 (March 1965), pp. 59-66; Francis J. Carney, "Predicting recidivism in a medium security correctional institution," The Journal of Criminal Law, Criminology and Police Science 58 (September 1967), pp. 338-48; C. Blacklerm, "Primary recidivism in adult men: Differences between men on first and second sentences," The British Journal of Criminology 7 (April 1968), pp. 130-69; M. Buikhuisen and H. Hoekstra, "Factors related to recidivism," The British Journal of Criminology 14 (January 1974), pp. 63-69. The work cited above is not intended as a definitive statement of past research findings. Such a statement could only be supported by the analysis and presentation of statistical data that address relevant

addition, a few recent efforts have focused on various psychological traits and individual attitudes in attempting to predict recidivistic behavior.[19]

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study issues aimed at the development and verification of empirical generalizations, the first step in theory construction. For example, such an analysis might report that 70% of the studies that took "X" into account, reported a significant relationship with "Y." Continued refinements of research efforts might lead to a further specification of the strength of such relationships, i.e., the average correlation of "X" on "Y" is .ZZ. Such an effort is clearly a study in and of itself. Unfortunately, such advances in empirical analysis, along with their implications for social theory, await future modifications in the nature of work in the profession.

[19]See, for example, Barry S. Brown, "The impact of imprisonment on selected attitudes of recidivists and first offenders," Journal of Clinical Psychology 26 (4, 1970), pp. 435-438.

The Need for Multivariate Explanations

Two major criticisms of these studies are warranted: first, the majority are atheoretical in nature. Most lack a firm foundation in the theoretical structure of crime and other forms of deviance, and in many cases, observations appear to be no more than collections of unrelated pieces of data. Recidivism is but one instance of criminal behavior, yet little attempt has been made to link recidivism to the major theories of why individuals engage in criminal activity.

The second criticism is related to the first. The majority of past researches in this area have employed bivariate statistical techniques which, although important for descriptive purposes, limit the theoretical potential of the analysis because they do not allow for the simultaneous examination of the effects of a large number of variables. It is only by the examination of the independent effect a particular experience on recidivism that parsimonious theoretical development can be advanced.

The overall response of the social sciences in understanding criminal recidivism can be equated to the response of the Criminal Justice System in lowering the crime rate: many attempts have been made, but few substantive results have been documented. And the situation is not likely to improve until an adequate base of empirical knowledge is developed upon which general theory and effective social policy can be based. This dissertation, a detailed examination of the experiences of a group of men released from Maryland State prison in the City of Baltimore during their first year after release,

is a first step in that direction. The data to be analyzed are a product of the continuing search for effective treatment programs. The experimental program for which the data were originally collected was designed to test the effectiveness of a post-release treatment program similar to unemployment insurance compensation on the propensity of individuals to commit economically motivated crimes after release. An evaluation of this program will be presented, but unlike the majority of evaluations in this area, the program evaluation will be made within the context of other major social forces of potential importance in understanding why individuals engage in criminal activity, as well as various experiences after release from prison. By developing a comprehensive, multivariate explanation of criminal behavior after release, movement can be made away from the essentially negative or descriptive findings of the past, and a positive step can be taken in developing an empirically based theory of criminality and criminal recidivism from which effective social policy can be derived.

The Strategy of This Study

The need for an adequate theory of criminal behavior from which an understanding of criminal recidivism can be derived leads to an evaluation of the state of theoretical development in the social sciences in general, and criminality and deviance in particular. A brief description of the major contemporary theoretical approaches to understanding criminal behavior is presented in Chapter 1, along with the general theoretical model to be employed in the selection and organization of observations. A specification of the research questions to be addressed is then presented, followed by a brief description of

the data used in this study. Chapter 2, a discussion of the development and verification of the measure of recidivism used in this study, follows.

Chapter 3 contains an evaluation of the Financial Assistance program. Chapters 4 and 5 focus on the effect of the individual's experience prior to release from prison; and Chapters 6 and 7 focus on various aspects of the individual's social and economic behavior after release from prison. In Chapter 8 recommendations for future research are presented, as well as a discussion of the immediate policy implications of the findings.

CHAPTER 1

CONTEMPORARY THEORETICAL PERSPECTIVES ON CRIME AND DEVIANCE

An Overview

A review of the major theoretical perspectives that attempt to describe the etiology of crime and criminal behavior on the individual level reveals two major types of models: those which focus on individual characteristics and propensities, and those that center on the structure of society and social interaction. Theories centered on the individual can be subdivided into those dealing with biological traits and tendencies and those focusing on personality characteristics such as aggressiveness or intelligence. Theories centered on the structure of society and social interaction, the primary concern of this dissertation, can be divided into those focusing on the properties of social organization and those attempting to explain criminal behavior through the process of learning in face to face interaction. A review of major sociological models which attempt to explain crime and other forms of deviance is presented below. No attempt has been made to deal with the technical problems of these perspectives, but rather the emphasis is on providing the reader with sufficient documentation to show the major ways in which social thinkers have conceptualized the causes of criminal behavior and to make clear the basis for interpretation made throughout the present analysis.

Structural Forces Underlying Criminal Behavior

The Theory of Anomie

In Social Theory and Social Structure, Robert Merton sets forth his social and cultural explanation of deviant behavior, centered on the concept of anomie.[1] While derived from earlier work of Emile Durkheim,[2] Merton's contribution is both more general in significance and more specific in application. Durkheim's formulation that a situation of normlessness may arise due to a breakdown in regulatory norms was incorporated into a statement of general principle: "Social structures exert a definite pressure upon certain persons in the society to engage in nonconforming rather than conforming behavior."[3] Like Durkheim, Merton views crime and other forms of deviance as a "normal" response of individuals to particular social circumstances. According to this theory, explanations of crime must focus not on the individual, but on the social order.

In elaborating the process of anomie and deviant behavior, Merton develops the distinction between cultural goals and the institutional means available to achieve these goals. The cultural structure is defined as "that organized set of normative values governing behavior . . . common to members of a designated society."[4] The social structure

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[1]Robert K. Merton, Social Theory and Social Structure (New York: The Free Press, 1968).

[2]Emile Durkheim, The Division of Labor in Society, George Simpson, trans. (New York: The Free Press, 1947); Suicide, John N. Spaulding and George Simpson, trans. (New York: The Free Press, 1951).

[3]Merton, p. 186.

[4]Ibid., p. 187.

consists of institutionalized norms which define and regulate acceptable means of reaching these goals. Merton points out that cultural goals and institutionalized norms do not bear a consistent relationship with one another, noting that "the cultural emphasis placed upon certain goals varies independently of the degree of emphasis upon institutionalized means."[5] Many culturally approved success goals, such as the accumulation of wealth, property and knowledge, may clash with the ability of persons in the society to achieve them through institutionally approved behavior.

This focus on the lack of congruence between cultural goals and institutionalized means is the major force from which anomie arises. Anomie is "conceived as a breakdown in the cultural structure, occurring particularly when there is acute disjunction between cultural norms and goals and the socially structured capacities of members of the group to achieve them."[6] The lack of integration of cultural values and social structure, one disallowing what the other encourages, can lead to a breakdown of norms and the development of the situation of normlessness which Merton calls anomie.

Merton assumed that the strain toward anomie would be differentially distributed in a society and that different modes of adaptation to this structurally produced strain would be concentrated in certain levels of the social strata. Exactly how the rates of crime and other forms of deviant behavior are distributed will depend on the degree of assimilation of cultural goals by the various social strata and the accessibility of socially approved means of achieving them.

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[5] Ibid., p. 188. [6] Ibid.

Not all persons who accept the major goals of the culture and who are blocked from the approved means of achieving them become deviant. Merton recognized this limitation, pointing out that "the theory holds that those located in places in the social structure which are particularly exposed to such stresses are more likely than others to exhibit deviant behavior."[7] Merton summarized the relationship between anomie and deviant behavior in this manner:

1. Exposure to the cultural goal and norms regulating behavior oriented toward this goal;

2. Acceptance of the goal or norm as moral mandates and internalized values;

3. Relative accessibility to the goal: life chances in the opportunity structure;

4. The degree of discrepancy between the accepted goal and its accessibility;

5. The degree of anomie;

6. The rates of deviant behavior of the various types set out in the typology of modes of adaptation.[8]

In his writings, Merton confined his analysis to societies like the United States, where cultural goals are often stressed without equal emphasis on the means to obtain them. American culture is characterized by a great emphasis being placed on the accumulation of property and wealth, often without an equal emphasis on legitimate ways to move toward this goal: "The culture may be such as to lead individuals to center their emotional convictions upon the complex of culturally

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[7]Ibid., p. 189. [8]Ibid., p. 229.

acclaimed ends, with far less emotional support for prescribed methods of reaching out for these ends . . . . In this context, the sole significant question becomes, 'Which of the available procedures is most efficient in netting the culturally approved value?'"[9]

Merton also recognized that it is not only the success goals and the differential opportunity structure in the society that explains the occurrence of deviant behavior. A more rigid class structure such as a caste system, for example, might prevent access to the opportunity structure to an even greater extent without resulting in deviance. It is the cultural goals, differential access to institutionalized means, and a set of egalitarian beliefs in American society which stress the equality of opportunity for economic and social ascent for all members of the society that proves to be the necessary catalyst.

The discussion thus far has dealt with the general nature and genesis of deviant behavior. This brings us to the most important part of Merton's theory for the study of crime: the ways in which a person can adapt to a situation where legitimate means to approved goals are unavailable.

Individual Adaptations to the Strain Toward Anomie

In his analysis, Merton develpos five major forms of response to existing social conditions that are available to persons in a society. One is conformity; the others are what he considers the deviant adaptations of ritualism, rebellion, innovation, and retreatism. None of these adaptations is consciously selected by the individual,

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[9]Ibid., p. 200.

but arises from the particular forces inherent in the individual's position in the social structure and can thus be assumed to incorporate a large degree of spontaneity. Merton classified the five major deviant adaptations into two major types,[10] nonconforming and aberrant behavior, on the basis of the relationship of the behavior to the social structure and the consequences of the behavior for the social system. Merton pointed out that nonconformity is considerably different from aberrant behavior such as crime and delinquency: the nonconformist often tries to change the norms and may appeal to a higher morality, an appeal that is often acknowledged as legitimate; the aberrate merely wishes to escape the sanctioning forces of the society and can be said to deviate for his own purposes. The nonconformist draws his basic assumptions and goals from values central to the society, while the aberrate engages in behavior that involves private, self-centered interests of an anti-social nature.

It should be noted that not all forms of adaptation result in crime or any other form of deviant behavior. Some individuals can and do conform even though they do not have access to culturally approved and defined goals. Others engage in ritualistic behaviors, scaling down the cultural goals of the society to the point where they are accessible.

Two major types of adaptation to the strain toward anomie are important in understanding the importance of Merton's theory for theory of crime and criminality; they are retreatism and innovation. Retreatists

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[10]This classification was not part of Merton's original theory of anomie. In later writings, Merton developed a special distinction between nonconforming behavior found in rebellious adaptations and other forms of "deviant" adaptations. See Robert K. Merton, "Social Problems and Sociological Theory," in Robert K. Merton and Robert A. Nisbet, Contemporary Social Problems (New York: Harcourt, Brace and World, 1961), p. 727.

form the bulk of those who engage in what is commonly referred to as "victimless crime." Their pattern consists of "substantial abandoning of both the once-esteemed cultural goals of success and of institutionalized practice directed toward these goals."[11] Retreatism can be said to be the basis for some of the activities of "psychotics, autists, pariahs, outcasts, vagrants, tramps, chronic drunkards and drug addicts."[12]

The other major form of adaptation, innovation, is at the center of the importance of Merton's theory for the study of common law crime. Innovation is defined as the development of socially disapproved departures from institutionalized means designed to achieve some culturally approved goal. Merton maintains that unlawful behavior such as crime and delinquency appears to be most common in the lower socio-economic strata[13] and that this is "a 'normal' response to a situation where the cultural emphasis upon pecuniary success has been absorbed, but where there is little access to conventional and legitimate means for becoming successful."[14] The resulting pressures tend to cause a reduction of efforts to seek and use legitimate means and in an increase in the use of often more expedient illegitimate means to achieve desired goals.

Although a number of extensions and modifications have been made in this theory, most notably those of Parsons,[15] Dubin,[16] and

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[11]Merton, p. 208. [12]Ibid., p. 209.

[13]Recently this particular aspect of Merton's theory has come under attack. See M. Garrett and J. F. Short, "Social class and delinquency: Predictions and outcomes of police-juvenile encounters," Social Problems 22 (1975), pp. 368-83.

[14]Merton, p. 195.

[15]See Talcott Parsons, The Social System (New York: The Free Press, 1951); Talcott Parsons and Edward A. Shils, eds., Toward a General Theory of Action (Cambridge: Harvard University Press, 1951);

Cohen,[17] the major modification of Merton's theory was the addition of the concept of illegitimate means and opportunity structures made by Richard Cloward.[18] Cloward points out that, in addition to legitimate or sanctioned means to success goals of the society, different social strata also provide varying opportunities for the acquisition of deviant roles in the illegitimate opportunity structure. Cloward notes that two things are implied by the term "means," irrespective of the legitimacy of behavior. "First, that there are appropriate learning environments for the acquisition of the values and skills associated with the performance of a particular role; that the individual has opportunities to discharge the role once he has been prepared. The term subsumes, therefore, both learning structures and opportunity structures."[19]

In collaboration with Lloyd Ohlin, Cloward further extended this addition to Merton's theory, focusing on the subcultures of delinquent youth, and thus providing the link between Merton's formulation of anomie and the differential association theory developed primarily through the efforts of Edwin Sutherland, which will be addressed shortly. Cloward and Ohlin view the disparity between what lower-class youth are

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and Charles P. Loomis and Lana K. Loomis, "Talcott Parsons' Social Theory," in Modern Social Theories (Princeton: D. VanNorstrand Co., 1961).

[16]Robert Dubin, "Deviant behavior and social structure: Continuities in social theory," American Sociological Review 24 (April 1959), pp. 147-64.

[17]Albert K. Cohen, "The study of social disorganization and deviant behavior," in Robert K. Merton et al., eds., Sociology Today (New York: Basic Books, 1959).

[18]Richard A. Cloward, "Illegitimate means, anomie, and deviant behavior," American Sociological Review 24 (April 1959), pp. 164-76.

[19]Ibid., p. 168.

led to want and what is actually available to them as the source of problems of adjustment.

> Adolescents who form delinquent subcultures, we suggest, have internalized an emphasis upon conventional goals. Faced with limitations on legitimate avenues of access to these goals, and unable to revise their aspirations downward, they experience intense frustrations; the exploration of nonconformist alternatives may be the result.(20)

The authors argue that whether or not this condition leads to crime will depend upon the extent to which illegitimate means of goal attainment are available.

Like all major ideas of science, Merton's theory of anomie has created as much intellectual dissent as adherence. Bordua has criticized the theory for being largely culture-bound and restricted to the situation of ethnic and minority gruops living in urban areas;[21] and Sutherland has pointed out that the theory barely recognizes the extensive violation of ethical and legal norms in the general adult population among all social classes.[22]

One of the primary criticisms of Merton's theory is set forth by Cohen, who argues that not enough attention is paid to the process of interaction between persons in primary groups which may produce a deviant act.[23] Cohen argues that delinquent gang behavior is a product of group

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[20]Richard A. Cloward and Lloyd E. Ohlin, Delinquency and Opportunity: A Theory of Delinquent Gangs (New York: The Free Press, 1960), p. 86.

[21]David J. Bordua, "Delinquent sub-cultures: Sociological interpretations of gang delinquency," The Annals, 338 (November 1961), pp. 252-55; and "Some comments on theories of group delinquency," Sociological Inquiry 32 (Spring 1962), pp. 224-32.

[22]Edwin H. Sutherland, Principles of Criminology, 4th edition (New York: J. B. Lippincott Co., 1947), p. 192.

[23]Albert K. Cohen, Delinquent Boys: The Culture of the Gang (New

solutions to the needs and frustrations of living in the lower class of a society dominated by middle class values such as ambition, self-reliance, good manners, deferred gratification, opposition to violence, and respect for property. According to Cohen, lower class boys resent these values, largely because they are not relevant to their world. Gangs are a natural consequence of boys from this class being drawn together by common problems and hostilities. Thus the sub-culture which is formed by their interaction represents behavioral opposition to middle class values.

Differential Association and Identification

Critiques and extensions of Merton's theory have led to general agreement among scholars that while the structural conditions in a society play a major role in understanding the etiology of criminal behavior, they do not adequately explain the process by which situations conducive to crime are translated into action on the part of individuals in society. A set of theories emerged from attempts to fill this gap, all sharing the same basic assumption that criminal behavior is learned in much the same way as is non-criminal behavior. The processes involved in learning any behavioral pattern are essentially the same, the content and direction of the learning differing relative to the various constituents and pressures that individuals experience in their environment. Just as Merton's theory formed the basis for theoretical analysis of the relationship between societal structures and crime, Edwin H. Sutherland's theory of differential association has become the

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York: The Free Press, 1955). Cohen's theory is critiqued by John I. Kitsuse and David C. Dietrich, "Delinquent boys: A critique," American Sociological Review 24 (April 1959), pp. 208-15.

most widely recognized theory focusing on the consequences of the development of value patterns that differ from those of the dominant society.

Building upon the foundations set forth by George Mead[24] and Herbert Blumer,[25] Sutherland's theory of differential association emphasizes the learning process that takes place as individuals interact in society, a process largely ignored by Merton. Although Sutherland did not rule out the importance of structural conditions in the genesis of criminal activity, he focused primarily on the interaction process involved in learning any behavioral pattern, criminal as well as non-criminal. The central assumption of Sutherland's theory is that individuals learn criminal behavior in much the same way as they learn conventional behavioral patterns: "Criminal behavior is human behavior and must be explained within the same general framework as used to explain other forms of human behavior."[26]

Within this general framework, Sutherland views criminal behavior as a product of an individual's associations over time. Underlying this assumption is Sutherland's contention that values, norms, motivations, rationalizations and techniques of behavior, both favorable and unfavorable to violation of the law, are learned by individuals in association with others. Specific situations are then defined as favorable or unfavorable to criminal behavior depending upon a complex individual-situational matrix involving inclinations and abilities learned in group

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[24]George Mead, On Social Psychology (Chicago: University of Chicago Press, 1964); and Mind, Self and Society (Chicago: University of Chicago Press, 1962).

[25]Herbert Blumer, "Collective behavior," in Alfred M. Lee, ed., Principles of Sociology (New York: Barnes and Noble, 1951).

[26]Sutherland, p. 5.

interaction. Thus a person who has learned patterns of criminal behavior will be more likely to engage in criminal activity when the opportunity presents itself if exposure to criminal definitions has taken place over a long period of time, early in life, and with greater intensity and frequency than exposure to non-criminal definitions.

Sutherland's theory of differential association is presented in propositional form in the following set of statements:

> 1. Criminal behavior is learned. Negatively, this means that criminal behavior is not inherited, as such; also, the person who is not already trained in crime does not invent criminal behavior, just as a person does not make mechanical inventions unless he has had training in mechanics.
>
> 2. Criminal behavior is learned in interaction with other persons in a process of communication. This communication is verbal in many respects but includes also 'the communication of gestures.'
>
> 3. The principal part of the learning of criminal behavior occurs within intimate personal groups. Negatively, this means that the impersonal agencies of communication, such as movies and newspapers, play a relatively unimportant part in the genesis of criminal behavior.
>
> 4. When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple; (b) the specific direction of motives, drives, rationalizations, and attitudes.
>
> 5. The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable. In some societies an individual is surrounded by persons who invariably define the legal codes as rules to be observed, while in others he is surrounded by persons whose definitions are favorable to the violation of the legal codes. . . .
>
> 6. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law. This is the principle of differential association. It refers to both criminal and anticriminal associations and has to do with counteracting forces. When persons become criminal, they do so because of contacts with criminal patterns and also because of isolation from anticriminal patterns. Any person inevitably assimilates the surrounding culture unless other patterns are in conflict. . . .

7. Differential associations may vary in frequency, duration, priority, and intensity. This means that associations with criminal behavior and also associations with anticriminal behavior vary in those respects. 'Frequency' and 'duration' as modalities of associations are obvious and need no explanation. 'Priority' is assumed to be important in the sense that lawful behavior developed in early childhood may persist throughout life, and also that delinquent behavior developed in early childhood may persist throughout life. This tendency, however, has not been adequately demonstrated, and priority seems to be important principally through its selective influence. 'Intensity' is not precisely defined, but it has to do with such things as the prestige of the source of a criminal or anticriminal pattern and with emotional reactions related to the associations. In a precise description of the criminal behavior of a person, these modalities would be rated in quantitative form and a mathematical ratio be reached. A formula in this sense has not been developed, and the development of such a formula would be extremely difficult.

8. The process of learning criminal behavior by association with criminal and anticriminal patterns involves all the mechanisms that are involved in any other learning. Negatively, this means that the learning of criminal behavior is not restricted to the process of imitation. A person who is seduced, for instance, learns criminal behavior by association, but this process would not ordinarily be described as imitation.

9. While criminal behavior is an expression of general needs and values, it is not explained by those general needs and values, since noncriminal behavior is an expression of the same needs and values. Thieves generally steal in order to secure money, but likewise honest laborers work in order to secure money. The attempts by many scholars to explain crimnal behavior by general drives and values, such as the happiness principle, striving for social status, the money motive, or frustration, have been, and must continue to be, futile, since they explain lawful behavior as completely as they explain criminal behavior. They are similar to respiration, which is necessary for any behavior, but which does not differentiate criminal for noncriminal behavior.(27)

Sutherland viewed differential association as the process by which subcultures whose basic premises and assumptions are at odds with the predominant culture's are formed and developed. The "excess of definitions favorable to criminal behavior" represent the overall effect of frequent and intense association that produces more norms favorable to crime than opposed to it.

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[27] Ibid., pp. 6-7.

Two major modifications to Sutherland's theory have developed and gained general acceptance: the differential identification extension proposed by Daniel Glaser,[28] and the adaptation of the theory to conform with modern learning theory developed by Clarence Jeffrey.[29] Glaser's theory can be stated briefly: "A person pursues criminal behavior to the extent that he identifies himself with real or imaginary persons from whose perspective his criminal behavior seems acceptable."[30] Glaser's argument permits the incorporation of influences on human behavior that fall outside immediate social realities. This further specification of Sutherland's theory also led to useful contributions by reference group theorists such as Turner and Shibutani, who have further specified the relationship between individual behavior and the social groups to which the individual is oriented.

The critical role of learning theory in Sutherland's formulations is clear: the theory of differential association regards the process of learning criminal behavior as the same as learning other forms of behavior. Recognizing the relevance of the theory to the learning process, Jeffrey attempted to place the concepts of differential association and identification within the general framework of operant conditioning, in which the criminal act is viewed as a product of environmental conditions or stimuli. The propensity to engage in criminal behavior can be either strengthened or weakened, dependent

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[28]Daniel Glaser, "Criminality theories and behavioral images," American Journal of Sociology, 56 (March 1956), pp. 433-44.

[29]Clarence R. Jeffrey, "Criminal behavior and learning theory," Journal of Criminal Law, Criminology and Police Science 56 (3, 1965), pp. 294-300.

[30]Glaser, "Criminality theories and behavioral images," p. 434.

upon the quality of the environmental response (both physical and social) to the behavior. The reinforcing quality of the stimuli differs between actors, depending on the conditioning history of each. Some persons receive considerable positive reinforcement for their behavior, while others do not; some persons are punished for criminal acts they commit, while others are not, and each of these historical facts plays a part in determining the individual's response in any given situation.

The Effect of Societal Reaction: Labeling and Deterrence Theories

The most recent intellectual trend in the study of crime and deviance is the focus by contemporary students away from the deviant act itself and toward the social reactions generated by the deviance.[31] This change of focus has generated a concern for specifying the role that social groups and formal agents of social control play in generating deviance. The problem has been approached in two major ways. Studies have been directed at the consequences for individuals directly involved in doing something about deviance,[32] while others have tried to establish the consequences for the individuals or groups that are the objects of such efforts.[33] Despite these diverse approaches to the issue, two

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[31] J. P. Gibbs, "Conceptions of deviant behavior: The old and the new," Pacific Sociological Review 9 (Spring 1966), pp. 9-14.

[32] See, for example, Abraham S. Blumberg, Criminal Justice (Chicago: Chicago Quadrangle Books, 1967); H. L. Ross, "Law, science and accidents: The British Road Safety Act of 1967," The Journal of Legal Studies 2 (January 1973), pp. 1-78; and Jerome J. Skolnick, Justice Without Trial: Law Enforcement in Democratic Society (New York: Wiley, 1966).

[33] See, for example, H. Taylor Buckner, Deviance, Reality and

dominant intellectual trends have emerged. The first that will be addressed is the labeling approach, as elaborated in the work of Lemert[34] and Becker,[35] among others. Within this perspective, major importance in the creation of deviance is assigned to reactions by a social audience to certain behaviors defined as unacceptable. The second major perspective that will be addressed is the societal reaction or control perspective, whose adherents posit that "people can be made to conform to rules if the probability of sanction for nonconformity is severe enough to outweigh the advantages of the deviant act and is certain and swift enough to be meaningful."[36]

The Labeling Perspective

The labeling perspective focuses on societal reactions to the behavior of others, because such reactions are thought to relate to the continued occurrence of acts socially defined as unacceptable. This perspective stresses the importance of negative social sanctions as they are viewed as pressuring the individual to engage in further deviant action. No attempt is made to explain why individuals initially engage in certain actions which have been defined as criminal or deviant.

Change (New York: Random House, Inc., 1971); Edwin M. Lemert, "The concept of secondary deviation," in Edwin M. Lemert, ed., Human Deviance, Social Problems and Social Control (Englewood Cliffs, N.J.: Prentice-Hall, 1967); and R. D. Schwartz and J. H. Skolnick, "Two studies of legal stigma," Social Problems 10 (Fall, 1962), pp. 133-42.

[34]Edwin M. Lemert, Human Deviance, Social Problems, and Social Control (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1967).

[35]Howard S. Becker, Outsiders: Studies in the Sociology of Deviance (New York: The Free Press, 1963).

[36]Charles R. Tittle, "Deterrence or labeling?" Social Forces 53 (March 1975), pp. 399-410.

Rather, an emphasis is placed on the development of a "criminal careers" model in which criminal behavior is the outcome of a process during which varying stages of initiation, acceptance and commitment to a criminal role occur. Labeling theorists center their analyses on the reaction of others to an individual or act that is perceived by the evaluators in a negative way, thus shifting attention from individual actors and their actions to the dynamics of defining persons or behaviors as deviant, along with the behavioral consequences of such definitions.

Although the labeling perspective developed from the contributions of many authors,[37] Edwin Lemert[38] and Howard Becker[39] are generally acknowledged to be among the major contemporary spokesmen for the perspective. Becker defines the process of labeling in the following manner:

> Social groups create deviance by making the rules whose infractions constitute deviance, and by applying those rules to particular people and labeling them outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender.' The deviant is one to whom that label has successfully applied.(40)

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[37]See Walter C. Gove, ed., The Labeling of Deviance: Evaluating a Perspective (New York: John Wiley & Sons, 1975), pp. 3-4, for a complete list of authors instrumental in the development of the perspective.

[38]Edwin M. Lemert, Social Pathology (New York: McGraw-Hill, 1951); Human Deviance, Social Problems and Social Control; "Beyond Mead: the societal reactions to deviance," Social Problems, 21 (April 1974), pp. 457-68.

[39]Howard S. Becker, ed., Outsiders: Studies in the Sociology of Deviance (New York: The Free Press, 1963); "Whose side are we on?" Social Problems, 14 (Winter, 1967), pp. 239-47; "Labeling theory reconsidered," in Howard S. Becker, ed., op. cit.

[40]Becker, op. cit., p. 22.

Within this perspective deviance is viewed as situational, contingent upon particular social circumstances. The differential formulation and application of normative rules is thought to be influenced by income, ethnicity, occupation, sex and age status of both actors and evaluators in the society.

While Becker focuses his attention exclusively on the societal reaction component of crime and deviance, Lemert provides the most comprehensive statement of the labeling process as a whole. He differentiates between "primary deviance," which he views as arising from a variety of social, cultural, psychological and physiological sources, and "secondary deviance," or socially defined responses actors make to the facts of their social circumstances. According to Lemert, such circumstances influence definitions that have implications for the individual's subsequent social status and psychic structure. Within this framework, labeling is seen as the process that transforms one conception of self into another. Thus, the child who cannot conform to the mandates of school discipline will be forced to reformulate his self concept when his behavior is labeled "disruptive" or "delinquent" by formal or informal agents or social control. Thus, the notion that deviance has two distinct parts: the initial behavior, the etiology of which the labeling perspective does not address and which Lemert views as instances of "risk taking," representing tentative flirtations with criminal behavior patterns; and the reassessment of the individual's concept of self which becomes necessary once negative reaction to such behavior begins to take place. Individuals engaging in behavior defined as "unacceptable" must react to their own behavioral aberrations and fix them in consistent social and psychological patterns. Those

who are commonly referred to as "criminals" are those persons who have developed a consistent pattern of unacceptable behavior which in turn works to maintain the labeling process. Lemert has written that the sequence of interaction leading to secondary deviation is as follows:

> . . . (1) primary deviation; (2) social penalties and further primary deviation; (3) stronger penalties and rejections; (4) further deviation perhaps with resentments beginning to focus upon those doing the penalizing; (5) crisis reached in tolerance quotient, expressed in formal action by the community stigmatizing the deviant; (6) strengthening of the deviant conduct pattern as a reaction to the stigmatizing and penalties; (7) ultimate acceptance of the deviant social status and efforts at adjustment on the basis of the associated role.(41)

Labeling adherents view deviance as a property conferred upon certain forms of behavior that is judged by an audience to be dangerous, embarrassing or irritating enough so that special sanctions should be brought to bear against those who exhibit it. Deviance is conceived of of a social process during which an audience interprets behavior as "deviant," defines persons exhibiting such behavior as "abnormal," and responds to such persons in like manner. The individual at the receiving end of this process is assigned the status of criminal, or some other general deviant classification depending upon the particular behavior involved, whereafter he is exposed to the reactions and experiences of social audiences and their agents considered appropriate for the occupant of that status.

The Deterrence and Control Perspective

The effect of societal reaction on the continued occurrence of socially unacceptable behavior forms the basis for major theoretical

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[41]Lemert, pp. 70-71.

disagreement in the profession, the labeling proponents arguing that negative social reactions form the basis for further instances of unacceptable behavior, and the deterrence and control theorists suggesting that negative social reaction works to control criminal behavior by negatively reinforcing such activities. Two implicit notions underlie the theory of negative social reaction as deterrence: 1) a traditional conception of criminal law as an extension of a general consensus among societal members that certain forms of behavior are particularly crucial to the interests of all members of the society; and 2) that it is appropriate to bring to bear the authority of the state against those who violate the norms controlling such behaviors. Labeling theorists question these assumptions and view the criminal justice system as an expression of the differential power distribution among conflicting groups in the society. The bonds of society are seen as being derived from conflict among these groups, rather than from a general consensus among group members. Quinney, for example, believes that persons and behaviors become "criminal" when they are so defined by formal agents of criminal law.[42] Crime is thus "created" by the formulation and

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[42]Richard Quinney, "Crime control in capitalist societies: Critical philosophy of legal order," Issues in Criminology 8 (Spring 1973), pp. 75-99. Among American sociologists Quinney is the leading advocate for a critical theory of conflict. For other representative works employing a social control-political conflict perspective, see Karl Marx, Selected Writings in Sociology and Social Philosophy, ed. T. B. Bottomore and M. Rubel (London: Watts, 1956); R. Dahrendorf, "Toward a theory of social conflict," Journal of Conflict Resolution 11 (1958), pp. 417-32; Lemert, Human Deviance, Social Problems and Social Control; A. Turk, Criminality and the Legal Order (Chicago: Rand-McNally, 1969); and Richard Quinney, Crime and Justice in Society (Boston: Little, Brown, 1974). The notion of the origins of social control addressed within this perspective focuses on macro-level information such as the form of economic exchange system operative in a particular culture and the resulting power distribution within the society. While these issues are important areas of concern, they address etiological considerations far removed from the individual and are thus deemed inappropriate for inclusion in this discussion.

application of criminal definitions, and not through individual behavior.

Based on the assumption of societal consensus and the resulting legitimacy of state authority, control theorists have adapted the basic assumption of the modern theory of operant conditioning popularized by B. F. Skinner:[43] individuals tend to seek pleasure and avoid pain. Within this framework, the application of social sanctions is thought to reduce future rule breaking on the part of the offending person. Having been exposed to punishment, the individual is thought to be more sensitive to the possibility of more or increased punishment and in order to avoid further discomfort will tend to avoid behavior which might evoke negative reactions. Control theorists tend to think that "people can be made to conform to rules if the probability of sanction for non-conformity is severe enough to outweigh the advantages of the deviant act, and is certain and swift enough to be meaningful."[44]

The deterrence perspective is perhaps most clearly specified by economic theorists concerned with criminal activity, most notably Gary Becker. Applying the general economic theory to criminal activity, Becker writes:

> The [deterrence] approach . . . assumes that a person commits an offense if the expected utility to him exceeds the utility he could get by using his time and other resources at other activities. Some persons become 'criminals,' therefore, not because their basic motivation differs from that of other persons, but because their benefits and costs differ. . . . This approach implies that there is a function relating the number of offenses by any person to his probability of conviction, to his punishment if convicted, and to other variables, such as the income available to him in legal and other

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[43] B. F. Skinner, Beyond Freedom and Dignity (New York: Alfred A. Knopf, 1971).

[44] Tittle, op. cit., p. 401.

> illegal activities, the frequency of . . . arrests, and his willingness to commit an illegal act.(45)

Such a conception of societal forces clearly conflicts with the effects of negative societal reaction posited by the labeling theorists, who maintain that punishment causes the offender to be pushed into further criminal actions, thus further closing off non-deviant roles and options and activating a transformation of self-image.

The major differences between the labeling and deterrence theories lies in their theoretical predictions relative to the effects of formal and informal social sanctions on the continuance of deviant behavior. Although this controversy is far from being solved, Charles Tittle[46] has developed a specification of issues that ought to be addressed in attempting to resolve the question of whether negative social reactions inhibit or enhance the occurrence of deviant behavior. Tittle writes that the study of differences in reaction effect should center on: the type and intrinsic character of the norm or law being violated; the type of sanctions applied, such as variation between imprisonment and less stringent forms of social rejection; the types of behavior, particularly differences between violent and non-violent behaviors; the perceptions of the effect of potential sanctions and possible reactions on the part of both actor and audience; and the nature and size of the community in which the act occurs.

Whether sanctions deter or help create deviance is a fundamental theoretical and policy issue, at the core of sociological concerns

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[45]Gary Becker, "Crime and punishment: An economic approach," Journal of Political Economy 42 (1974), pp. 89-109.

[46]Tittle, pp. 406-07.

about the nature of society and the foundations of social order, as well as of practical concerns about the efficacy of sanctions such as imprisonment. Clearcut resolution may not be possible. Indeed, it may be that sanctions have both effects, making the theoretical task a specification of the conditions under which each outcome tends to occur. Such empirically based efforts may result in a merging of these perspectives, essential if progress is to be made in developing the foundations of a theory of crime and deviant behavior that incorporates societal reactions as a component.

The Theoretical Perspective of This Research

The review of the major perspectives focusing on the etiology of crime and deviance presented above reveals considerable variation between the major theoretical models relative to their central points of emphasis. Merton's theory of anomie focuses on the consequences of the structure of society; Sutherland's differential association theory centers on the development of alternate value systems that conflict with the predominant society's values; and the labeling and deterrence approaches look to the nature of societal reaction in attempting to explain crime and other forms of deviant behavior. Despite numerous empirical researches aimed at the verification of each of these theories, little sustained progress has been made in arriving at a general consensus with respect to the direction in which present theoretical efforts ought to be directed.

One of the major reasons for the present lack of theoretical direction lies in the arbitrary separation of the major perspectives into intellectual "camps," each with particular professional interests, and each viewing their set of ideas as competing with the other's. The theoretical perspective of this dissertation, recognizing the present descriptive level of social theory that has been adequately noted elsewhere,[47] is formulated around the notion that ideas worth advancing must be placed alongside those considered less worthy of retention, and, through careful observation and analysis, those to be eliminated, those to be retained and those to be merged with one another should be determined. Such a perspective requires the assumption that the major

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[47] See Merton, esp. pp. 46-55.

theoretical formulations set forth above should not be treated separately, but viewed as different abstractions of the same phenomenon from different perspectives. Each model emphasizes a particular path toward understanding, and each formulates a somewhat different interpretation of similar events. Each sensitizes the observer to a particular aspect of social reality while ignoring or masking others. None is exhaustive or exclusive, none is appropriate for handling all the realities one is likely to encounter in studying crime and deviant behavior, and all are appropriate for some.

Given these assumptions and the present state of theorizing in the social sciences generally, it is clear that an eclectic approach to the research process is necessary: one can reasonably assume that various aspects of social structure and the development of subcultures at odds with predominant values, as well as the general reaction of society to unacceptable behavior, all contribute to varying degrees and under varying circumstances to the occurrence of criminal behavior. To rule out the possibility of effect being derived from any of these major possibilities is to blind the potential for discovery. With this in mind, specific aspects of the major paradigms will be examined within the structure of this dissertation. Through the use of multivariant statistical procedures, an attempt will be made to estimate the overall <u>independent</u> effect of each explanatory model. If we are to move toward the most parsimonious theoretical solution required for scientific progress, the critical question confronting theorists is: to what extent do indicators of each major theoretical perspective <u>explain</u>, that is to say, <u>predict</u>, the occurrence of criminal behavior? By addressing this question, one can not only determine if certain

aspects of the general explanations of crime are important in predicting criminal behavior, but it will also be possible to determine if the observed effects of model "A" hold true when certain critical aspects of model "B", also shown to be true, are held constant. In this way, clear progress can be made toward the synthesis of relevant models, or the elimination of explanations found to be inconsistent with empirical evidence.

Research Questions to be Addressed

Based on the general theoretical perspective described above, the analysis of criminal activity after release from prison will focus on two major sources of explanation: experience encountered prior to an individual's last incarceration, and the individual's social and economic experience after release from prison. The major topics to be considered within these major analytic phases of the study are described below.

The Effect of Experiences Prior to Incarceration

While social experience is temporal, changing in relation to other events and over time, the effect of certain forms of experience on future behavior continues long after the actual experience has ended. In Chapters 3 and 4 of this dissertation, the effect of experience prior to the individual's most recent incarceration on criminal activity after release will be considered. The topics to be addressed include the ascribed characteristics of age and ethnicity as well as characteristics of the family of origin; educational and vocational training; initial encounter with the criminal justice system; general social development, primarily focusing on employment history and work-related training and

experience; and, finally, the individual's criminal history, including the effect of the most recent prison experience on criminal behavior after release.

The Post-Release Experience

If past experience and events can be thought to play a significant role in the behavioral patterns of individuals, present social and economic circumstances can be said to play an even greater role. In Chapters 6 and 7, criminal behavior after release will be analyzed in terms of the individual's lifestyle and economic situation after release from prison. Specific topics to be addressed include: the individual's living arrangement; friendship patterns, including the extent to which the individual was in contact with others who have been incarcerated; the extent of alcohol and other drug use; and, finally, the ex-offender's economic experience, focusing on the major forms of legitimate and illegitimate economic opportunity available, and how each affects criminal behavior after release from prison.

The Data[48]

The data used in this study were originally collected as part of an experiment designed to study the effect of a financial assistance program on recidivism for crimes of theft.[49] The available data were obtained from four major sources: the participant's prison record; a pre-release interview, conducted a few days before the individual was released from prison; thirteen post-release interviews (twelve monthly interviews plus an initial interview usually conducted a few days after the individual was released from confinement); and, finally, a search of district court records in the state of Maryland and the cities of Washington, D.C. and Wilmington, Delaware, which provided data on the arrests, convictions, and sentences of the participants during their first year after release.

In evaluating the quality of the sample relative to population parameters (see Appendix A) we found that individuals in the sample were quite similar to persons incarcerated in Maryland state prisons and somewhat different from persons incarcerated in state prisons nationwide in terms of key social characteristics. Considering the problem of generalizability in its most restrictive sense, care should be taken in

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[48] A complete description and evaluation of the sample is contained in Appendix A. Questionnaires are available from the author for a period of two years from the date of publication.

[49] The data described in this section were collected for the Manpower Administration, U.S. Department of Labor, Research Contract No. 82-11-71-45, under the direction of Dr. Kenneth Lenihan. The project was housed at the Bureau of Social Science Research, Inc., Washington, D.C. The author is indebted to Dr. Lenihan for his permission to use the data and for his detailed description of the sampling procedures and methods of data collection.

generalizing sample findings outside the city of Baltimore. However, given the similarity of Baltimore and other major metropolitan areas in terms of the type and rate of criminal activity, statistically stable findings ($p = .05$) reported in this study should have relevance for understanding processes related to criminal behavior in all urban settings.

CHAPTER 2

MEASURING THE SEVERITY OF CRIMINAL RECIDIVISM[1]

Introduction

At the foundation of any scientific investigation is an accurate definition of the phenomenon under consideration. Operationalizing "criminal behavior,"[2] however, is not a problem that is easily solved, and one that has severely limited research in this area. No generally agreed upon measure of criminal behavior exists, and despite the volume of research devoted to the topic, the situation with respect to criminal recividism is no better. Recidivism has been measured in terms of parole violation, arrest, reconviction and return to prison, as well as more ambiguous criteria such as "successful therapeutic adjustment" and "social skill development."[3] With few exceptions,[4] researchers have

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[1]This discussion focuses on the development and use of statistical techniques for measuring the seriousness of criminal behavior. The philosophical question of whether or not it is necessary, useful, or even possible to develop such a measure will not be addressed.

[2]Throughout this discussion "criminal activity" will refer to the common law crimes of murder, assault, rape, robbery, burglary, larceny and theft. These crimes form the basis of the legal structure and are defined as criminal by the vast majority of human societies (Holmes, 1963). Culture-specific crimes that posit no direct threat to life or property such as income tax evasion, price fixing, and other "white collar" crimes are not considered.

[3]Douglas Lipton, Robert Martinson, and Judith Wilkes, The Effectiveness of Correctional Treatment (New York: Praeger, 1975).

[4]For important exceptions to this practice see: F. Nye and James Short, "Scaling delinquent behavior," American Sociological Review

treated criminal, as well as other forms of anti-social behavior as an individual attribute--criminal vs. non-criminal, recidivist vs. non-recidivist--and have relied primarily on legal sanctions as the basis for these definitions. In recent years, however, the validity of dichotomous measures has been correctly criticized:[5] the treatment of any behavioral pattern as an all or none attribute often distorts the realities one is attempting to reflect, and greatly attenuates the explanatory potential of the independent variables under consideration.[6]

In addition to the conceptual problems inherent in the various measures of recidivism that have been used in the past, there is also the problem of the reliability of the information involved, since numerous studies have reported considerable variation between official records of events and what individuals report about their own behavior. Under the present conditions of observational anarchy, the accumulation and comparison of information from past researches is extremely difficult, and sustained theoretical progress severely hampered, if not totally impaired.

Given this situation, considerable attention has been focused on the measurement of criminal activity used in the present study. This chapter sets forth a rationale for measuring the seriousness of criminal

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22 (June 1957), pp. 326-31; M. L. Erickson and L. T. Empey, "Court records, undetected delinquency and decision making," Journal of Criminal Law, Criminology and Police Science 54 (1963), pp. 456-69; and James Short and F. Strodbeck, Group Processes and Gang Delinquency (Chicago: University of Chicago Press, 1965).

[5]L. T. Empey and S. G. Lubeck, Explaining Delinquency: Construction, Test, and Reformulation of a Sociological Theory (Lexington, Mass.: Heath-Lexington Books, 1971).

[6]See Jum C. Nunnally, Psychometric Theory (New York: McGraw-Hill, 1967) for a complete discussion of problems encountered with dichotomous measures.

activity, a dimension of criminal behavior important in legal theory and practice as well as in social research. The conceptual basis for the measure will be presented first, followed by a presentation of the technique used in the construction of the scale and an estimate of the validity of the measure within the context of the data presently under consideration.

Conceptual Basis

In constructing the present measure of crime seriousness a number of important assumptions have been made. The seriousness of a crime is viewed as a function of the way individuals in society evaluate the behavior, and not as an intrinsic property of the behavior itself. To the extent that this assumption is true, then the definition of crime severity can be viewed as a normative evaluation. We are thus able to compare the severity of acts such as assault and robbery by taking into account the collective judgment of individuals in society, rather than by assuming that one behavior is inherently more serious than the other. Although such a definition allows for the fluctuation of societal evaluation, a comparison between crimes in terms of their seriousness can be made at any given point in time.

If such a normative evaluation is to be of general theoretical value, however, a society must demonstrate a general consensus about what constitutes serious criminal behavior and what does not. If a society does not exhibit a shared definition about which crimes are more or less serious, we can conclude that no general norms governing potentially harmful behavior are operative. Under these conditions the legal definition of criminal severity would be more highly correlated

with the definition of particular social sub-groups who control the legal structure than with the collective judgment of individuals in society. No general threat of criminal behavior to the society would be implied, and individual perception of what constitutes serious criminal behavior would vary dependent upon such characteristics as income, age, ethnicity, and sex.

On the other hand, if it is true that a general consensus about the seriousness of criminal acts does exist, we can infer that the legal definition of crime and crime seriousness accurately reflects societal consensus about what constitutes socially harmful behavior to the extent that the legal structure is representative of the society of which it is a part. In addition, we can infer that the study of criminal behavior is a viable strategy for understanding the emergence of the norms governing all social behavior, in that the correlates of criminal severity will serve as clues to the processes inherent in the genesis of normative definitions and behavior.

Previous Research

Two important empirical questions thus emerge: first, is there a general consensus about what constitutes serious criminal behavior, or do individual perceptions of crime seriousness vary across income, sex, ethnic and other major social subgroupings? Secondly, if a consensus does exist, how are the major forms of criminal activity ranked in terms of their seriousness?

Sellin and Wolfgang[7] are known for their pioneering work in attempting to answer these questions. The index developed by these

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[7] T. Sellin and M. E. Wolfgang, The Measurement of Delinquency (New York: John Wiley & Sons, 1964).

researchers measures the frequency and seriousness of various criminal and delinquent behaviors.[8] The measure was based on interviews with about 800 university students, police officers, and juvenile court judges who were asked to rate the seriousness of 141 violations of the law. Sellin and Wolfgang report that a pervasive social agreement about what was serious criminal behavior and what was not serious appeared to emerge: the raters tended to evaluate the seriousness of criminal acts in similar ways, without significant differences between the major groups of respondents.

Although Sellin and Wolfgang present convincing evidence to support their argument for a general consensus with respect to crime seriousness, their results have not gone unchallenged. Rose,[9] for example, questions the generalizability of their findings, pointing out that no attempt was made to gather data on a more representative sample of individuals, and that the methods Sellin and Wolfgang used to test between-group consensus may have led to an overestimation of the true level of agreement.

Nevertheless, several replications support the work of Sellin and Wolfgang. Normandeau[10] reports comparable agreement among 250 French Canadian students and between his sample and those studied by

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[8]The methods used by Sellin and Wolfgang were borrowed from the field of psychophysics, particularly the work of S. S. Stevens. The theory and assumptions underlying the formulation of their index and the techniques used to develop it have been carefully set forth by the authors and thus are mentioned only briefly here.

[9]G. N. Rose, "Concerning the measurement of delinquency," The British Journal of Criminology 6 (October 1966), pp. 414-18.

[10]A. Normandeau, "The measurement of delinquency in Montreal," The Journal of Criminal Law, Criminology and Police Science 57 (June 1966), pp. 172-77.

Sellin and Wolfgang. Akman, Normandeau and Turner[11] found similar agreement among 2,745 Canadian university students, judges, police, and white collar workers. Additionally, evidence reported by Velez-Diaz and Megargee,[12] Lesieur and Lehman,[13] and Chilton and DeAmicis[14] is similarly supportive.

Rossi et al.[15] argue that the results of all these studies are vulnerable on grounds that no consistent method of ascertaining agreement among sub-groups and between samples was used. In attempting to correct these, as well as other deficiencies of earlier studies, Rossi conducted a sample survey of the adult population of the City of Baltimore in the fall of 1972. Using a block-quota sampling design, 200 persons were selected and interviewed. Respondents were asked to place each of eighty IBM cards, each containing a brief description of an offense, into a box containing nine slots, each corresponding to a level of crime seriousness.[16] The findings reported in this study are

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[11]D. D. Akman, A. Normandeau and S. Turner, "The measurement of delinquency in Canada," The Journal of Criminal Law, Criminology and Police Science 58 (September 1967), pp. 330-37.

[12]A. Velez-Diaz and E. I. Megargee, "An investigation of differences in value judgments between youthful offenders and non-white offenders in Puerto Rico," Journal of Criminal Law, Criminology and Police Science 61 (December 1970), pp. 549-53.

[13]Henry R. Lesieur and Peter Lehman, "Remeasuring delinquency: A replication and critique," British Journal of Criminology 13 (January 1975), pp. 69-80.

[14]Roland Chilton and Jan DeAmicis, "Overcriminalization and the measurement of consensus," Sociology and Social Research 59 (July 1975), pp. 318-29.

[15]Peter H. Rossi, Emily Waite, Christine Rose, and Richard Berk, "The seriousness of crimes: Normative structure and individual differences," American Sociological Review 39 (April 1974), pp. 224-37.

[16]Rossi reports that "the actual wording of the question eliciting ratings was as follows: 'Criminal law covers a very large

particularly important for the present research in that the data were collected in the same city during the same time period as this study and because of the rigor with which the consensus hypothesis was tested.

The Rossi findings, which form the basis for measuring crime ssverity in this study, generally support the Sellin and Wolfgang contention that a strong consensus exists between various social sub-groups relative to the assessment of the seriousness of specific criminal behaviors. Utilizing a model based on the concept of test/re-test reliability, Rossi asked what minimum standards might be set to determine if stability exists between certain major social sub-groups relative to the way in which criminal acts are defined as serious or not serious. The author argues convincingly that the correlation between the seriousness scores of one sub-group and another should be at least as high as one might expect from the correlation between alternate test forms. That is, the correlation between the categories of various sub-groups should meet the requirements of a reliable test, ordinarily thought to be in the vicinity of .70 or higher.[17]

Rossi reports that the correlations between the major categories of sex, race, and education (each dichotomized) meet this reliability

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number of different kinds of crimes. Some are considered to be very serious acts and others are not so serious. We are interested in your opinions about how serious you think different crimes are. We have made up descriptions of different kinds of crimes [interviewer hands card to respondent]. Please put the card in the slot labelled number 9 if you think this crime is among the most serious crimes. Put the card in slot number 1 if you think that the crime described on the card is among the least serious. If the crime described on the card fits somewhere in between the most serious and the least serious, put it in a slot between 9 and 1 depending on how serious the crime is in your opinion.'" (Rossi, 1974, p. 226.)

[17]Nunnally, op. cit., p. 63.

requirement. The correlation between blacks and whites is .89, between men and women, .94, and between those with less than high school education and those with high school education or better, .89.

Further refining the analysis, Rossi developed another matrix of sub-group correlations based on the cross-classification of these three variables. Although the number of persons who contributed to any given correlation is quite small due to the small sample size, the inter-group correlations average .75, with the lowest .61 (poorly educated white women with poorly educated black men)[18] and the highest .93 (better educated white men with better educated white women). All told, the level of consensus between these diverse social sub-groups reported by Rossi is impressive, if not conclusive.

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[18]Poorly educated black men exhibited the least agreement with the total sample. The authors report that inspection of the residuals of the total sample means on the average seriousness scores of this group suggests that the points of disagreement center around certain crimes against the person, particularly those in which the offender and the victim are known to one another. For example, "beating up acquaintance" is regarded as much less serious by black males with less than high school education, compared to the total sample. It is interesting to note that poorly educated black men comprise a majority of subjects in the present study.

Scale Construction

Assuming an acceptable level of consensus with respect to societal evaluation of the severity of criminal activity, it remains to determine the relative ordering of criminal behavior in terms of the seriousness weights assigned to various criminal acts. Rossi approached this problem using the linear regression model. Each criminal act to which individuals in the sample responded was first classified into one of eleven major crime categories that were developed, six of which have relevance for the present study. Crimes against the person resulting in death such as murder and manslaughter were placed into one category, as were other crimes against the person such as assault, rape and other sex crimes. Property crimes were classified into one of two types: those involving personal injury or the threat of personal injury and not classified in one of the two categories of crime against the person (i.e., robbery); and those property crimes not involving personal injury or the threat of personal injury (theft, larceny). Victimless crimes such as homosexuality and illegal drug use comprised the fifth relevant category, and crimes against order such as loitering and disorderly conduct the sixth. Using each of these classifications as dummy variables, a multiple regression equation was computed, in which the mean crime seriousness score for each respondent was the dependent variable. As Rossi notes, the unstandardized regression coefficients in this case have a specific meaning: they represent the estimated increment in the mean seriousness rating produced by a crime with the characteristics of that particular category. The increase is interpreted in relation to crimes that have none of the characteristics represented by various crime categories in

the equation.[19] In this way, each crime category can be ordered in terms of the extent to which individuals in the sample viewed that particular set of criminal acts as serious.

The order of crime seriousness produced by this method roughly corresponds to a common sense ordering of the behaviors in question. According to this ordering, individuals tend to perceive threats against the physical well-being of societal members as the more serious offenses. Property crimes are viewed as somewhat less serious, and crimes not directly affecting life or property are perceived as the least serious of offenses.

The data presented in Table 2.1 show the relevant portion of Rossi's seriousness ordering in terms of the recidivism re-arrest[20] data presently under consideration. Within one year after their release from prison 53% of the individuals in the sample had been re-arrested. Of these, 44% were arrested for a serious crime against the person and an additional 29% for property crimes not involving the use or threatened use of physical force.

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[19] Crimes such as "not paying parking fines" which the researchers were unable to classify in one of the major categories served as the base upon which the regression coefficients were computed. The authors report that the multiple R for this equation was .824, a figure that indicates that about 68% of the variation in average crime seriousness ratings is accounted for by these eleven characteristics.

[20] Arrest charges are used in this study because they are thought to reflect the behavior of the individual more accurately than other measures such as conviction, which, in addition to the behavior itself, also reflects various processes within the criminal justice system such as plea bargaining. To be sure, the arrest charge is not a perfect measure, reflecting police behavior as well as the behavior of the individual arrested. It is, however, the most accurate reflection of the individual's behavior presently available.

Table 2.1

The Severity of Criminal Recidivism:
Re-Arrest Rate for the Baltimore Sample

Rossi's Severity Order[21]	Most Serious Arrest Charge During First Year After Release
6. Crimes Against the Person I (murder, manslaughter)	1.0%
5. Crimes Against the Person II (assault, rape, other sex crimes)	11.6
4. Crimes Against the Person III (crimes involving personal injury or the threat of personal injury not classified in (6) or (5) above, i.e., robbery)	9.5
3. Property Crimes I (property crimes involving no personal injury or threat or personal injury)	17.4
2. Victimless Crimes (contempt, homosexuality, etc.)	5.1
1. Crimes Against the Order (disorderly conduct, loitering, etc.)	8.8
0. Not Re-Arrested	46.8

N = 432

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[21]The ordering presented here excludes the following crime classifications not relevant for the present research: drug selling, crimes against the police, subversion, and white collar crimes. In addition, the data were not refined enough to make the distinction that Rossi developed between property crimes involving less than $25. and those involving $25. or more.

Validating the Crime Severity Scale[22]

Up to this point a theoretical framework for measuring crime severity has been presented, along with evidence supporting the use of a normative definition of crime seriousness as a viable strategy for judging the severity of criminal behavior. Although there is an inherent reliability in such a measure, attributable to the use of the collective judgment of a large number of people, the validity of the scale has yet to be determined. Validity estimates are usually developed by observing the relationship between the scale under consideration and some logically or theoretically linked phenomenon. In this particular instance the method of scale validation arises from the underlying characteristics of the phenomenon under consideration. Implicit in the notion of crime severity is the extent of social harm caused by the criminal act in question: how much social, economic and psychological damage can be attributed to the behavior? If the scale adequately reflects the severity of the criminal act a strong positive correlation would exist between crime severity and the extent of damage to societal members. The most direct measure of harm caused by a criminal act would involve the collection of data on the losses suffered by crime victims. A determination of the relationship between the extent of damage incurred and the severity

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[22]Validity is an elusive concept, and care must be taken in choosing the proper test for validating any measure. The choice of a test of predictive validity arises from the nature of the data as well as the subject matter under consideration. The issue of content validity was adequately addressed by Rossi in constructing the instrument used to develop the scale. And because we are limiting our discussion to criminal behavior, and not attempting to interpret the behavior as an indication of the "criminality" of individual offenders, the more complex issue of construct validity does not arise.

of the crime could then be made, with a high positive correlation between the two variables serving to validate the scale.

Unfortunately, such a direct measure of social harm is not available. The best available measure of the damage caused by a particular criminal act is the official societal reaction to the behavior in the form of the prison sentence imposed by the criminal court. Such an indirect measure of the extent of social harm has a number of difficulties, however, because numerous factors other than the crime itself are taken into account during the sentencing process. To be sure, crime severity is a major factor in determining the length of the prison sentence imposed, as shown in various documents developed to assist judges in sentencing convicted offenders. Guides for Sentencing, for example, a publication of the National Council on Crime and Delinquency, contains a chapter that outlines various factors a judge should consider when sentencing an individual to prison, and violent crime against the person is cited as one of the major justifications for longer sentences.[23] In addition, the American Law Institute's Model Penal Code notes that:

> The Court shall deal with a person who has been convicted of a crime without imposing sentence of imprisonment unless . . .
> 1. The defendant's criminal conduct caused or threatened serious harm;
> 2. The defendant understood that his criminal conduct would cause or threaten serious harm; and
> 3. A lesser sentence would depreciate the seriousness of the defendant's crime.[24] [italics added]

If crime severity was the only factor considered by the court in imposing prison sentences, one would expect to find a strong correlation

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[23] Guides for Sentencing (New York: National Council on Crime and Delinquency, 1968), pp. 33-34.

[24] This material abstracted from Model Penal Code (New York: American Law Institute, 1962), Section 7.01.

between the severity of the crime and the length of the prison sentence if the crime severity scale was an accurate one. Our data, however, show only a moderate correlation (.38) between crime severity after release from prison and length of prison sentence imposed, indicating that either the measure is less than adequate, or that factors other than the severity of the crime itself are considered during sentencing procedure.

An analysis of a number of volumes devoted to the sentencing process shows that while crime severity is a major factor in determining the length of the prison sentence, it is but one of a large set of factors that are considered. Among the other factors cited in the Model Penal Code are the extent to which the individual is considered dangerous or mentally abnormal, as well as his previous criminal record.[25] Guides for Sentencing also suggests that judges should consider unusual circumstances surrounding the criminal act: the age of the individual at first arrest; marital status; family background and relationships; general social adjustment such as educational attainment and employment history; and participation in religious or other social group activities.[26] Such seemingly unrelated factors as whether or not the individual admits his guilt when guilt is obvious and whether or not imprisonment would cause the individual or his dependents excessive hardship are also cited as factors that ought to be considered when a judge imposes sentence.[27] A report of the Twentieth Century Fund's Task Force on Criminal Sentencing, Fair and Certain Punish-

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[25] Model Penal Code, Section 7.03.

[26] Guides for Sentencing, pp. 33-37.

[27] Guides for Sentencing, p. 38.

ment,[28] notes the effects of plea bargaining, the quality of the legal counsel, the personality characteristics of the judge, as well as the individual's courtroom behavior among the factors other than crime severity that influence the length of the prison sentence imposed.

Because of the large number of criminal justice system variables that intervene between the severity of the crime and the length of the prison sentence imposed, the moderate correlation observed between these variables in the present data is to be expected. While not the best estimate of the validity of the scale, it is of sufficient magnitude to justify confidence in the validity of the crime severity measure presently under consideration.

In addition, it should be noted that crime severity is, for all practical purposes, very similar to other possible measures of recidivism. The data presented in Table 2.2 show the relationship between four possible measures of recidivism using official arrest data. Crime severity is almost identical to re-arrest for any crime (r = .85) and is very similar to crime specific definitions such as recidivism for crimes of theft (r = .58) and re-arrest for crimes of violence (r = .60). Because of the high correlation between these measures, any model developed for crime severity is also relevant for each of these alternate definitions.

While crime severity has been chosen as the focus of this analysis because of its stronger conceptual and theoretical basis outlined above, we should also point out that the ultimate test of validity for any measure lies in its usefulness in understanding the

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[28] Twentieth Century Fund's Task Force on Criminal Sentencing, Fair and Certain Punishment (New York: McGraw-Hill, 1976), esp. pp. 44-45.

Table 2.2

Relationship Between Alternate Measures of Recidivism

		Pearson r			
		X_1	X_2	X_3	X_4
X_1	Crime severity (0-6)	-	.85	.58	.60
X_2	Re-arrest for any crime (0-1)		-	.56	.45
X_3	Re-arrest for crimes of theft (0-1)			-	-.12
X_4	Re-arrest for crimes of violence (0-1)				-

All correlations significant beyond .05.

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nature of the processes it purports to explain. The remaining chapters of this dissertation, devoted to an analysis of the correlates of crime severity after release from prison, serve as adequate testimony for the use of crime severity in the analysis of criminal recidivism.

CHAPTER 3

THE EFFECTS OF FINANCIAL ASSISTANCE ON CRIME SEVERITY AFTER RELEASE[1]

As noted earlier, the original purpose for collecting the data used in this study was to determine the effects of a financial assistance program on recidivism for crimes of theft. A number of studies, most notably those of Weicher[2] and Brenner,[3] had given support to the contention that a large proportion of the property crimes committed in this country are economically motivated: one reason that people steal is because they are in need. This information combined with the behavioral theories of B. F. Skinner[4] to produce the hypothesis that crimes of theft could be substantially reduced by providing a stipend similar to unemployment insurance to released prisoners. An experimental program designed to test this hypothesis was conceived by Dr. Howard Rosen, Research Director, Manpower Administration, U.S. Department of Labor. Half of the men in this study were assigned to

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[1]The program also included an employment assistance service which was ineffective in either lowering the recidivism rate or in producing higher employment rates among the participants. Hence it has been eliminated from consideration.

[2]Hohn C. Weicher, "The effect of income on delinquency," American Sociological Review 35 (1970), pp. 249-56.

[3]Harvey M. Brenner, Time Series Analysis of Relationships Between Selected Economic and Social Indicators (Springfield, Va.: National Technical Information Service, 1971).

[4]B. F. Skinner, Beyond Freedom and Dignity (New York: Knopf, 1971).

an experimental group and received financial assistance; the other half received no financial assistance, although they were interviewed each month during the first year after release from prison.

While the program was designed specifically to limit recidivism for crimes of theft, it is important for general analytic purposes to determine if the program had any effect on crime severity, as social intervention programs often have unforeseen effects on the lives of participants; if such an effect exists it will have to be taken into account in developing a general model of crime severity based on this data.

As the data in Table 3.1 show, however, financial assistance had no effect on crime severity ($r = -.03$). We should point out that this finding pertains only to crime severity or re-arrest generally, and not to recidivism for crimes of theft. The program was shown to be effective in limiting crimes of theft generally and was especially effective in limiting property crimes not involving violence (category 3: theft, burglary and larceny).[5] Although these reductions in property crime rates are small, even a small reduction in property crime on a national basis amounts to an enormous savings in societal resources. Mallar has shown that $4. in resources was saved for every dollar expended during the operation of the program. And if the benefits of the program are projected over time, the ratio of goods and services created to those used by the program was greater than 50 to 1.[6]

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[5]See Kenneth J. Lenihan, When Money Counts: An Experimental Study of Providing Financial Aid and Job Placement Services to Released Prisoners (Washington, D.C.: Bureau of Social Research, Inc., 1976), pp. 26-30 for a more detailed description of the effect of the program on crimes of theft.

[6]Charles Mallar, "A Comparative Evaluation of the Benefits and

Table 3.1

Relationship Between Crime Severity After Release and Participation in the Financial Assistance Program

	Crime Severity	Did Not Receive Financial Assistance	Received Financial Assistance
0.	Not Re-Arrested	43.1%	50.5%
1.	Crime Against Order	10.2	7.4
2.	Victimless Crime	4.2	6.0
3.	Property I	22.2	12.0
4.	Person and Property	9.7	9.3
5.	Person II	10.2	13.0
6.	Person I	.5	1.4
		(216)	(216)

$\chi^2 = 10.57$

$p = .10$

Pearson $r = -.03$ (n.s.)

But, since the program had no effect on crime severity we need not take it into consideration in developing a general model of recidivism. The reader is now invited to turn to the first part of our analysis, which focuses on the effect of individual experience prior to release from prison.

Costs from the LIFE Program," unpublished manuscript prepared for the American Bar Association Transitional Aid Project for Ex-Offenders under Grant No. 21-11-75-19 from the Employment and Training Administration of the U.S. Department of Labor.

PART II

PRE-RELEASE EXPERIENCE

CHAPTER 4

THE EFFECT OF EARLY CHILDHOOD AND ADOLESCENT EXPERIENCE ON THE SEVERITY OF CRIMINAL RECIDIVISM

Introduction

At the foundation of sociological analysis is the assumption that individuals occupy a complex set of statuses and roles that work in concert to mold behavioral patterns. The essence of social analysis is a determination of the status or set of statuses that most parsimoniously account for the particular phenomenon under consideration. While most statuses and roles are temporal, changing in relation to other events and over time, the effect of certain forms of experience on future behavior continues long after the actual experience has ended. In this part of the dissertation, the effect of experiences that occurred prior to the individual's last incarceration on the severity of criminal activity after release from prison will be considered. The topics addressed include individual age and race; characteristics of the family of origin; educational and vocational training; initial encounter with the criminal justice system; general social development, focusing primarily on employment history and work related training and experience; and, finally, the individual's criminal history, including the effect of the most recent prison experience on criminal behavior after release.

Section I

Age and Characteristics of the Family of Origin

Age

Time produces major social status distinctions among individuals that have major effect on their behavioral patterns. An individual's age can be viewed as a major factor in determining the organization of the microprocesses that form the structure of individual association as well as an indication of change in particular historical developments that alter both the macro-structural forms of society and the micro-level structures that together determine behavioral patterns. Considerable evidence exists in support of the importance of both levels of the time dimension in understanding why people engage in criminal behavior. On the macro-level, a wide variety of statistics, collected across a wide geographic area, show a consistently higher rate of crime among younger persons than among older persons. After a thorough examination of the literature in this area, Sutherland and Creesey conclude that the "age of maximum criminality" occurs during or shortly after adolescence, and that this age varies by type of offense, sex, place and time. But for all crimes and for each specific offense, the rate of criminal activity decreases between the age of maximum criminality and the end of life. Recent research on criminal recidivism on the individual level supports the effect of age as an independent determinant of criminal behavior.[2]

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[1]Edwin H. Sutherland and Donald Creesey, Criminology, 9th edition (New York: Lippincott, 1974), p. 156.

[2]See Jan S. Palmer, An Economic Analysis of Sentencing and Recidivism in the Michigan Criminal Justice System (Ph.D. thesis, Michigan State University, 1974); and Willy Rice, Recidivism: A Multivariate Explanation (Ph.D. thesis, University of North Carolina, 1975).

The men in this study are between 18 and 45 years of age, with the average 24.6. At the time of their release from prison, 14% were 18 or 19 years old, 49% were between 20 and 24; 19% were between 25 and 29; and 17% were over 30 years of age. Repeated observations support the assumption that younger men will be more likely to engage in criminal activity, and the present data, presented in Table 4.1, add support for this relationship with respect to criminal recidivism: the younger men in the sample are significantly more likely to be re-arrested for more severe crimes after release from prison than are the older men ($r = -.21$).

Although this finding is a common one, the interpretation of this relationship is no easy task. Two major problems exist: first, on the individual level, the descriptive ambiguity of the relationship should be noted: age, in and of itself, has a multitude of potential meanings that are masked when viewed solely as a function of time. In reality, age is a measure of other unmeasured characteristics such as social and psychological development. Secondly, age, as a measure of time, has an alternate interpretation that focuses on the macro-process level. On this level of analysis age can be interpreted as an indication of change over time in the structural processes of the society that influence the rate of

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Table 4.1

Relationship Between Severity of Criminal Behavior After Release from Prison and Individual Age

	Pearson r	$\bar{X}$	s.d.
Subject's Age at Release	-.21*	24.6	6.1

*Significant at the .01 level.

criminal activity. Since the data used in this study deal only with individual processes, our attention will focus on the interpretation of age as a function of individual processes, but this alternate interpretation should be kept in mind. In Chapter 5, which deals in part with the effect of employment history and job training on crime severity, the meaning of age as it relates to criminal behavior will be more fully addressed. For the time being, age will be retained in the analysis as a surrogate measure for undefined social or developmental processes.

Characteristics of the Family of Origin

A large proportion of the research on the causes of crime has been concerned with the relationship between crime and various characteristics of the family of origin. Sutherland and Creesey have pointed out that the homes in which delinquent children are raised are often characterized by one or more other members of the family engaging in illegal behavior, the absence of one or both parents, and economic problems such as unemployment and chronic poverty.[3] The data collected in this study on this important sphere of influence is rather sparse. Nonetheless, it will be possible to address a number of questions related to the effects of family structure, economic conditions and exposure to criminal activity on the part of other family members on criminal behavior after release from prison.

The families that the men in this study grew up in reflect the pattern common to families in the lower class black urban ghettos of America. Eighty-six percent of the men in the study are black, and although most were born and raised in Baltimore (69%), the majority of

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[3]Sutherland and Creesey, 1974, p. 197.

their parents moved to Baltimore primarily from rural areas of the South. Sixty-nine percent of their mothers and 74% of their fathers were born outside the city of Baltimore. Like many rural blacks who migrated to northern urban areas seeking social and economic betterment, the parents of the men in this study found neither. Instead, they were confronted with major problems that were undoubtedly exacerbated by a large number of children in the family, chronic poverty and criminal activity among members of the family.

The pattern of the broken home began to develop shortly after the birth of the men in our study. By 5 years of age 59% were living with both parents and by the time they were 15 this figure had dropped to only 38%. At the time of their initial interview, only 29% of the men reported that their parents were still living together.

The numerous problems inherent in the single or no parent family could only be exacerbated by a large number of children to care for, and the families of the men in this study were very large. Fully 31% of the men reported 7 or more siblings in the family in which they were raised.

Chronic economic instability also plagued the families of these men. Thirty-five percent reported that their family was on welfare while they were growing up. And along with the problems of the large, single-parent household and economic dependence on the state, the family was often faced with criminal activity among its members. Forty percent of the men reported that at least one family member other than themselves (most often a brother) had been sent to prison. In addition, 22% reported a drug problem in the family, usually related to heroin use.

The family life of the men in this study can be accurately characterized in the words of an individual who grew up in a family in a similar situation in Washington, D.C.:

> A few of the kids in my neighborhood had fathers at home, but most had broken families just like myself. The father was either in jail or just not there . . . that's how it was. . . . Somebody was always doing something in each family. If it wasn't the adults . . . then it was the son or daughter. . . . Hustling was their thing: numbers running, bootlegging, selling narcotics, selling stolen goods, prostitution. There's so many things that go on--it's a whole system that operates inside itself.[4]

The potential negative effects of such an environment on the developing child are clear. The absence of a working adult role model and the association with other family members who are engaging in illegal activities has been shown to negatively affect numerous aspects of the child's life, including the probability of engaging in criminal activity.[5] But do any of these characteristics have any long term effect on the individual? Could such an environment produce enough of a negative effect on the individual to affect the severity of their criminal activity after release from prison? The data presented in Table 4.2 show that for the men in this study these characteristics are of minimal importance in understanding the severity of criminal behavior after release from prison. Overall, few stable correlations exist between crime severity after release and characteristics of the family. Despite the large volume of

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[4]Abstracted from John Allen, Assault with a Deadly Weapon: The Autobiography of a Street Criminal, edited by Dianne Kelly and Phillip Heymann, Pantheon Books, 1977, p. 38.

[5]See especially R. J. Chilton and G. E. Markle, "Family disruption and delinquent conduct: Multiple measures and effect of sub-classification," American Sociological Review 37 (1972), pp. 93-99; and E. Jaffe, "Family anomie and delinquency," British Journal of Criminology 9 (1969), pp. 376-88.

Table 4.2

Relationship Between Severity of Criminal Recidivism
And Various Characteristics of the Family of Origin

Family Characteristic	Pearson r	$\bar{X}$	s.d.
Father's Place of Birth (0 = rural, 1 = urban)	-.03	.32	.47
Mother's Place of Birth (0 = rural, 1 = urban)	-.05	.26	.44
Subject's Place of Birth (0 = rural, 1 = urban)	.05	.68	.46
Ethnicity (0 = white; 1 = black)	.04	.87	.33
Parents Living Together at Age:			
Five	.03	.59	.49
Ten	.04	.50	.50
Fifteen (0 = no; 1 = yes)	.01	.38	.49
Number of Male Siblings (exact number)	.13*	2.65	1.93
Family Member Ever in Prison (0 = no; 1 = yes)	.10*	.40	.49
Family Ever on Welfare (0 = no; 1 = yes)	.10*	.35	.48

*Significant at the .05 level.

research on the relationship between the "broken home" and criminal activity,[6] we find no evidence in this data that family structure has a direct

[6]L. Robins and S. Hill, "Assessing the contributions of family structure, class, and peer groups to juvenile delinquency," Journal of Criminal Law, Criminology and Police Science 57 (1966), pp. 325-34;

effect on criminal behavior after release from prison.[7] The data show that for each developmental time period available (5, 10 and 15 years of age), no relationship exists between the structure of the family of origin and the severity of criminal behavior after release from prison. And despite past evidence supporting a relationship between criminal activity and patterns of rural-urban migration, no such relationship exists in the present data.[8]

Of particular interest is the absence of a relationship between ethnic origin and crime severity after release. Numerous studies have reported that blacks are more likely to be arrested, indicted, convicted and incarcerated than are whites who have committes the same offenses.[9]

T. Monahan, "Family status and the delinquent child," Social Forces 35 (1957), pp. 250-58. For a critique of the research on family characteristics and criminal behavior see F. I. Nye, Family Relationships and Delinquent Behavior (New York: Wiley, 1957); and, most recently, Michael Hennessy et al., "Broken homes and middle class delinquency," Criminology 15 (February 1978), pp. 505-25.

[7]The absence of a relationship here should not be taken as indication that no relationship exists between family structure and criminal activity in general. All of the men in this study have committed at least one crime, most more than one. These data show that there are some major differences in the study of recidivism and criminal activity generally and that a theory of recidivism would most likely be subsumed within a more general theory of criminal behavior.

[8]See Larry H. Long, "Poverty status and receipt of welfare among migrants and nonmigrants in large cities," American Sociological Review 39 (1974), pp. 46-56; Stanley E. Masters, Black-White Income Differentials (New York: Academic Press, 1975); and Leonard Savitz, Delinquency and Migration (Philadelphia: Commission on Human Relations, 1962).

[9]See T. Sellin, Culture, Conflict and Crime (New York: Social Science Research Council, 1938), Bulletin 41, pp. 17-32; S. Axelrod, "Negro and white institutionalized delinquents," American Journal of Sociology 57 (1952), pp. 569-74; R. M. Terry, "The screening of juvenile offenders," Journal of Criminal Law, Criminology and Police Science 58 (1967), pp. 173-81; M. Wolfgang and B. Cohen, Crime and Race: Conceptions and Misconceptions (New York: Institute of Human Relations Press, American Jewish Committee, 1970), among others.

While it is probably true that the transgressions of lower class persons are more visible than the illegal behavior of white middle class persons,[10] it is also true that many crimes committed by blacks, especially those committed by blacks against other blacks, receive no official attention from the police. One study found that of those cases which involve crimes within the black culture, the guilty individual is often acquitted because the conduct resulting in the arrest is considered "normal" to the sub-culture of the defendant by the judge or juries involved.[11]

This practice of overlooking or redefining some crimes as "normal" behavior most likely offsets the biases shown to operate in other ways that inflate the actual crime rate for blacks as compared to whites. It seems reasonable, therefore, to assume that the severity of criminal activity after release will be higher for blacks than whites. Most recently, Hindeland[12] presented strong evidence in support of such an interpretation. But despite such evidence the blacks in the present study are only slightly more likely than the whites to be re-arrested after release from prison ($r = .04$). It is possible that the theoretical model of criminal recidivism, representing a special form of criminal activity, differs from that of criminal behavior generally in terms of the effect of ethnic characteristics. But given the special characteristics of the sample under consideration, such an interpretation should await further research. But as far as the data presently under consideration are

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[10] W. J. Chambliss (ed.), Crime and the Legal Process (New York: McGraw-Hill, 1969), p. 11.

[11] Donald Newman, Conviction: The Determination of Guilt or Innocence Without Trial (Boston: Little, Brown, 1966), p. 181.

[12] Michael J. Hindeland, "Race and involvement in crimes," American Sociological Review 43 (February 1978), pp. 93-109.

concerned, individual racial characteristics are not important in predicting crime severity after release from prison.

In fact, only three of the available characteristics of the family of origin were found to be related to crime severity. Criminal activity after release is more likely among those with a larger number of brothers ($r = .13$); those whose family had been on welfare while they were growing up ($r = .10$); and those from families in which at least one other member had been sent to prison ($r = .10$).[13] In all, these relationships are quite small and of minimal importance in understanding criminal activity among released prisoners.

But the critical question with respect to these relationships is one that will be repeated throughout this analysis: to what extent do each of these characteristics add to our understanding of crime severity, independent of information already available? By observing the amount of variation that each predictor adds to our understanding of recidivism and how each affects the predictive value of variables previously found to be important, progress can be made in formulating the most parsimonious model of criminal recidivism. In this particular instance the the predictive value of the individual's age alone is compared to the predictive value of age together with those characteristics of the family of origin found to have small but stable relationships with crime severity after release. There are a number of methods for portraying this information, but regression analysis is the most general.

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[13] These characteristics are related to one another, but not to the extent that they can be viewed as a single factor. But those who reported a large number of brothers were more likely to have been on welfare while growing up ($r = .19$) and to have reported that at least one other member of their family had been sent to prison during this time ($r = .26$).

The result of this analysis, a step-wise regression equation, is presented in Table 4.2. These data show that when age is controlled for, neither the family having been on welfare nor other family members having been to prison add significantly to the predictive power of the equation. The number of brothers in the family is just below the standard significance level (.05), and given the relationship between these characteristics of the family noted earlier, it is likely that if the variance absorbed by family poverty and criminal behavior in the family were eliminated, the number of brothers would prove to be a stable predictor of recidivism, irrespective of age. The final equation for this section, presented in Table 4.3, conforms to this expectation: with the individual's age accounted for, the number of brothers in the family of origin remains a stable predictor of crime severity after release from prison. But the relationship, although statistically stable, is quite small, accounting for slightly over 1% of the variation in crime severity after release.

As was the case with age, this finding does not lend itself to unambiguous interpretation. The level of measurement is crude: the meaning of "number of brothers" relative to patterns of interaction or association is unclear and can only be speculated upon. In this respect, two possible areas of interpretation might be explored in future research. The first focuses on the relationship of the individual to other male children in the family. We know that those with a large number of brothers are more likely to have come into contact with patterns of criminal behavior during this period of their lives ($r = .26$), and it may be that the number of brothers simply increases the chances of coming into contact with criminal behavior and attitudes, which has long

Table 4.3

Regression Equation: Severity of Criminal Behavior After Release from Prison on Age and Various Characteristics of the Family of Origin

Variable	Beta	F Ratio
Subject's Age	-.19	16.31*
Family on Welfare	.04	.82
Family Member Ever in Prison	.04	.73
Number of Male Siblings in the Family	.09	3.29

Multiple R = .24

R^2 = .06

F Ratio = 6.79*

*Significant at the .05 level.

Table 4.4

Regression Equation: Severity of Criminal Behavior After Release from Prison on Age and Number of Male Siblings

Variable	Beta	F Ratio
Subject's Age	-.20	18.36*
Number of Male Siblings in the Family	.12	6.04*

Multiple R = .24

R^2 = .06

F Ratio = 13.45*

*Significant at the .05 level.

term effect on the individual's own behavior, even after having been incarcerated for crimes of their own.

An alternative explanation that should also be explored focuses on economic and emotional deprivation. Those parents with a large number of children to care for may have neither sufficient time nor the emotional resources to develop close positive relationships with their children, which may have long-term consequences on the individual's ability to function in the larger society.

Such interpretations are highly speculative, however, and there is a need for further evidence before any strong conclusions can be drawn. If this finding remains important throughout our analysis, more attention will focus on this area in future research endeavors.

Section II

Adolescent Development: Education and Juvenile Criminal History

If adolescence is commonly a turbulent period for most persons growing up in America, it was especially so for the men in this study. Their early childhood, marked by chronic poverty, broken families and illegal behavior among family members, was followed by an adolescence characterized by an absence of the training and education necessary for survival in an increasingly complex technological society. Only a few actually finished high school (8%), and a few more (6%) eventually passed high school equivalency exams. One of the major roadblocks to the education of these men was their involvement in criminal activity: 55% were arrested as juveniles; 52% were convicted of a crime during this period; and 45% were incarcerated. In the section that follows, various aspects of the individual's education and juvenile court experience are analyzed relative to the effect of these experiences on criminal behavior after release from prison.

Education

Statistics from a wide variety of sources suggest a strong relationship between the level of formal education and the degree of criminality. Data on the characteristics of persons in state and federal prisons for the 1970 census show that the medium number of years of formal education for the prison population is 8.6 years, compared to 11.6 years for the general population.[14] The President's Commission on Law Enforcement

[14] U.S. Bureau of the Census, Census of Population: Inmates of Institutions, 1970 (Washington, D.C., 1974).

and the Administration of Justice[15] reported similar data indicating that 83% of correctional facility inmates had not completed high school. Similarly, Kauraceus[16] and Cervantes[17] reported that delinquents are usually retarded in all aspects of academic work and rarely perform well in school. Cervantes reports that the incidence of juvenile delinquency among the 30% to 40% of American children who drop out of schools is about ten times that of those who do not drop out. Kauraceus reported that all the delinquents he studied had repeated at least one grade, and that most of them did not go beyond junior high school.

Cross-cultural data also suggest a strong relationship between formal education and criminal activity. Griffen's[18] study showed that the crime rate per 100,000 for the population 16 years of age and older was 242 for those with no schooling, 369 for those with elementary school only, 252 for those with a high school education, and 66 for those with more than a high school education. In Ghana, 25% of the delinquents studied had never attended school, and 52% had four years of schooling or less, compared to a control group of non-delinquents, only 1% of whom had as little as four years of schooling.[19]

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[15]President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: Corrections (Washington, D.C., 1967).

[16]W. C. Kauraceus, Juvenile Delinquency and the School (New York: World Book Co., 1945).

[17]L. F. Cervantes, The Drop Out (Ann Arbor: University of Michigan Press, 1965).

[18]P. J. Griffen, "Rates of crime and delinquency," in W. T. McGrath (ed.), Crime and Its Treatment in Canada (Toronto: MacMillan, 1965).

[19]S. K. Weinburg, "Juvenile delinquency in Ghana: A comparative analysis of delinquents and non-delinquents," Journal of Law, Criminology and Police Science 55 (1964), pp. 471-81.

The formal education of the men in this study was very limited. The majority (60%) never even entered high school, and while 28% managed to enter high school, they dropped out in the 10th or 11th year. Only 8% completed high school, and only half of the graduates received regular academic diplomas. About 43% of the men received some vocational training before leaving school, but, of these, only about one third were able to find employment as a result of that training. And those who did find employment can hardly be considered better off: only 45% of those who found employment as a result of vocational training in high school were able to keep the job for more than a year.

If education can be viewed as one of the major forces in socializing individuals to mainstream society, it was clear even at this point in their lives that the individuals in this study would experience considerable difficulty in gaining access to rewards of the dominant culture. But it should be recognized that the residents of black urban ghettos in the United States face two major and often opposing cultural forces that work to shape the quality and character of their lives: that of the dominant society, molding the behavioral patterns of individuals to the form best suited to the social and economic needs of its institutions; and that of the lower class black sub-culture, with values and norms often at odds with mainstream society and with a system of unique rewards that, like those of the dominant society, work to elicit conformity. Although we have no direct information about the extent of involvement in this sub-culture on the part of the men in this study during their adolescence, we do know that 28% left school because all their friends had dropped out of school, an indication of involvement in a peer group more highly involved in the black culture than in the dominant culture

of the society.[20] For the men in this study such involvement was one of the factors that worked to limit formal education (r = -.24). But aside from this direct influence, the larger effect of bi-cultural involvement, and specifically its effect on criminal behavior is largely unknown. Such a situation could produce acceptance of one culture and rejection of the other, but it could also produce a situation of bi-cultural coexistence, with each culture contributing somewhat separately to general behavioral patterns, the dominance of one or the other arising only in particular situational contexts.

The most direct route to coping with such a cultural and configuration and thus avoiding patterns of criminal or other forms of deviant behavior, may be the rather difficult task of learning expectations in both cultures. Although the level of measurement is crude, the data in this study lend some support to such a hypothesis. Both the extent of formal education and the extent of their involvement in the black sub-culture during adolescence is negatively related to crime severity after release from prison (r = -.10 and -.12, respectively). Those least likely to become recidivists are those who, during their adolescence, were able to cope in a positive way with both cultural forces in their lives. This may be an indication that such adjustment ability has long term effects on individual behavior far into adulthood. Regression data presented in Table 4.5 show that this relationship holds true, even when age and the number of brothers in the family of origin are taken into account. These four variables taken together account for about 8% of

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[20]The other reasons given for leaving school were as follows: 24% arrested; 15% to find employment; 12% expelled; and 8% for family reasons. The remainder left for a variety of other reasons.

the total variation in crime severity after release from prison. If this notion of the need for urban ghetto residents to learn to cope early with the bi-cultural forces affecting their lives holds throughout this analysis, it should become one of the major foci of further study in this area.

Table 4.5

Regression of Family Background, Age and Educational Experience on Crime Severity After Release from Prison

Variable	Beta	F Ratio
Individual's Age	-.19	16.47*
Number of Brothers	.10	4.75*
Years of Education	-.12	6.23*
Dropped School to "Follow the Crowd"	-.13	7.37*

Multiple R = .29

R^2 = .08

F Ratio = 9.59*

*Significant at the .05 level.

Juvenile Criminal History

A related experience during adolescence of potential importance in understanding criminal recidivism is the individual's encounter with the criminal justice system. In addition to the normal cultural forces that work to shape human behavior, many of the men in this study were

exposed to conscious efforts on the part of the dominant society to control their behavior during adolescence. It has commonly been assumed that to the extent that past behavior is predictive of future behavior, the individual with a juvenile record is more likely to continue to engage in criminal activity than those without a juvenile criminal history.[21] As Dunham and Knauer[22] pointed out some time ago, however, little empirical work has focused on this relationship, and there is no substantial evidence linking juvenile crime to continued engagement in criminal activity.

Data exist in this study to address this issue with respect to criminal recidivism, as trouble with law enforcement officials came early in the lives of many of the men who participated in this study. Fifty-five percent were arrested as juveniles, 17% before their 13th birthday. The average age at first arrest was under 16 (15.7). Those who were arrested as juveniles tended to be arrested more than once: one third of those arrested during this time had two or more arrests. Of course, arrest did not always lead to conviction (r = .88), but over 52% were convicted of at least one crime as a juvenile. And although conviction did not always mean incarceration (r = .80), about 45% of the men in this study were incarcerated as juveniles. The average age at first incarceration for the entire sample is just under 17 (16.8). For

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[21] See M. R. Chatwin and H. W. Dunham, "The juvenile court and its relationship to adult criminality," in C. A. Bersani (ed.), Crime and Delinquency: A Reader (Toronto: Collier-MacMillan, 1970), pp. 416-23; S. Glueck and E. Glueck, Predicting Delinquency and Crime (Cambridge, Mass.: Harvard University Press, 1959).

[22] H. Warren Dunham and Mary E. Knauer, "The juvenile court in its relationship to adult criminality," Social Forces 32 (May 1959), pp. 290-96.

those first convicted as juveniles, the average length of their first incarceration is less than those first convicted as adults. Those first convicted as juveniles were incarcerated for an average of 10.25 months, while those first convicted as adults were incarcerated for an average of 14.25 months.

Aside from the potential effect of these factors on later criminal activity, early engagement in criminal behavior and early processing by the criminal justice system did affect other important areas of the individual's life during adolescence. For the men in this study early arrest and incarceration means an end to their formal education ($r = -.41$). And while it might be argued that early intervention by juvenile authorities might serve to limit future arrest and incarceration, this was not the case. In fact, the exact opposite was true: the earlier the individual was arrested, the larger the number of incarcerations he was likely to experience ($r = .50$).

As far as the direct effect of these experiences on crime severity after release from prison is concerned, however, it can only be described as negligible. Although the younger the individual was when he first served a sentence and the total number of juvenile incarcerations both form positive relationships with crime severity after release from prison ($r = .11$ and $.12$, respectively),[23] when the effect of these factors independent of education, sub-cultural involvement, and age is observed in the regression presented in Table 4.6, we find that their effect does not add substantially to our understanding of recidivism. The beta

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[23]Of all the aspects of juvenile crime history mentioned above, these two factors are the only ones that form a significant relationship with crime severity after release.

coefficients show that once prior factors are controlled for, the correlation between juvenile crime and recidivism drops below statistical stability.

It should be pointed out that these findings are relevant only for individuals who eventually come to be incarcerated as adults, and therefore do not directly address the question of the effect of juvenile crime involvement or processing by the juvenile justice system on continued criminal behavior in general. Such an analysis would require the study of individuals both with and without juvenile and adult criminal records. But we can say that for the men in this study, juvenile criminal history is not important in understanding crime severity after release from prison, and these items are dropped from further consideration.

Table 4.6

Regression Equation: Crime Severity on Age, Number of Brothers, Education, Sub-Cultural Involvement, and Initial Encounter with the Criminal Justice System

Variable	Beta	F Ratio
Individual's Age	-.19	14.72*
Number of Brothers in the Family of Origin	.10	4.70*
Formal Education	-.12	5.13*
Adolescent Sub-Cultural Involvement	-.14	8.25*
Age First Served Sentence	.05	.74
Number of Juvenile Incarcerations	.09	3.14

Multiple R = .30

R^2 = .09

F Ratio = 6.94*

*Significant at the .05 level.

CHAPTER 5

SOCIAL DEVELOPMENT: THE EFFECT OF EMPLOYMENT HISTORY AND INCARCERATION ON CRIME SEVERITY AFTER RELEASE FROM PRISON[1]

Section I

Employment Stability

Given the poverty-stricken backgrounds of these men, their low education level, and their history of criminal activity, it is not surprising that, as a group, their social development as adults was severely hampered. Employment stability posed one of the major problems. About 5% of the men never held a full-time job, and 42% reported that they were never able to keep the same job for more than a year. Only 10% held one job for over five years. Salary levels of the jobs held the longest were very low and may, to some extent, account for the lack of longevity experienced in even the most stable jobs. Almost

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[1] In initial analysis of various aspects of social development, marital status and work experience were both found to have a moderate negative relationship with crime severity ($r = -.22$ and $-.21$, respectively). Marital status was also found to be positively related to work experience ($r = .38$), and in initial regressions these variables competed for the same variance. That is, the effect of controlling for both resulted in neither having any significant relationship with crime severity. When this is the case, one of the predictors must be chosen to represent the underlying dimension under consideration. Given the much clearer theoretical and policy implications of work and work related experience, the decision was made to focus on these experiences with the understanding that general social development is the underlying dimension under consideration.

three fourths (73%) earned less than $100 a week on the job they held the longest, and only 15% earned over $150 per week.

A constant fluctuation in employment status is also shown by the fact that despite dismal employment histories, only 16% ever collected unemployment insurance. This indicates that they were never able to hold a job long enough to qualify, or that the jobs they were able to obtain were not covered by the insurance.

Stability of employment was, to a limited extent, enhanced by union membership ($r = .38$) and trade work experience ($r = .26$). Thirty-nine percent belonged to a union at one time prior to their most recent incarceration, the majority reporting trade union membership. About half had at least some trade work experience prior to their last incarceration, but, of these, only 38% were involved in trade work for more than two years.

The most stable jobs held by most of the men were semi-skilled craft positions or unskilled labor, which together account for 41% of the jobs held the longest. The rest of the men held occupations such as waiter, vendor and general garage mechanic. A few held professional or semi-professional jobs, but these accounted for less than 10% of the jobs held the longest.

The majority (51%) reported that they received training for the job they held the longest "on the job." But about 20% reported that they had learned the skills for this job while in prison. The rest had learned limited occupational skills from a variety of sources, including various government sponsored training programs.

Just prior to the arrest that led to their most recent incarceration, 47% were unemployed, and, of these, over 25% had been unemployed for more than a year.

Table 5.1

Factor Analysis of Employment History Items
(Quartimax Rotation)

Variable description	Factor 1	Factor 2	Factor 3
Longest on one job	.77	.06	.06
Salary for longest job	.60	.13	.03
Union membership	.52	.30	.22
Received unemployment	.43	.04	.17
Trade work experience	.31	.41	.09
Occupational training certificates (number)	.14	.03	.40

N = 432

The Structure of Employment History

The factor analytic data presented in Table 5.1 are further indication of the unstable nature of employment for the men in this study. Factor one is defined primarily by the longest the individual has been able to retain a job, the best available measure of employment stability.[2] Although the salary received for this job is strongly related to this factor, the strength of the factor loading indicates that even for those employed for a relatively stable period of time, the salary associated with the job often remained at a low level. As noted earlier, union membership is also associated with employment stability,

[2]Various attempts were made to construct a reliable measure from these items but in no case did the reliability coefficient (alpha) rise above .65. In addition, the use of a single item is, in this particular instance, more easily interpretable for both theoretical and policy purposes.

as is trade work experience and the number of occupational training certificates, but both to a considerably lesser extent.

Trade work experience and union membership form a weak second factor, and the number of occupational training certificates absorbs most of the variance accounted for in factor three, although union membership and receiving unemployment insurance are slightly related to this experience also.

These data show conclusively that the employment picture for the men in this study prior to their most recent incarceration was extremely unstable. When work could be found it was unusually low level work of short duration and low pay. Stable, legitimate opportunity was, for all practical purposes, non-existent.

Unemployment and Crime

The role of such economic deprivation as a factor underlying criminal activity has received a great deal of theoretical attention, and an increasing number of empirical efforts have been directed at refuting or validating derivable hypotheses. Despite divergent reasoning, such major perspectives as anomie theory, the conflict perspective, and neoclassical utility theory set forth by modern social economists, all posit that economic deprivation leads to criminal activity.[3]

Despite general theoretical agreement, the research findings that address the relationship between employment stability and crime have been somewhat erratic. Earlier studies found either an inconsistent

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[3]The reader is directed to Chapter 1 for a complete discussion of these theoretical positions as well as a reasonably complete list of references.

relationship or no significant relationship. Nevertheless, Glaser and Rice[4] suggest that the failure to find a direct relationship between unemployment and crime is an artifact of combining data on juveniles and adults. When information on these two sub-populations is separated, they found that for adults there was a positive relationship between unemployment and crime, whereas for juveniles an inverse relationship existed. Fleisher's[5] analysis added further strength and specificity to Glaser and Rice's findings. But the relationship is, at present, by no means clear. Phillips, for example, found only limited evidence in support of the relationship;[6] more recently, Danziger and Wheeler[7] and Spector[8] found no evidence to support a positive relationship between unemployment and criminal activity.

The inconsistent findings in the literature with respect to this relationship can be attributed to two major sources: one is that the majority of studies concerned with the effect of unemployment on criminal activity have focused not on individual unemployment, but on the relationship between rates of unemployment and crime in various

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[4]Daniel Glaser and Kent Rice, "Crime, age and unemployment," American Sociological Review 24 (October 1959), pp. 679-86.

[5]Belton M. Fleisher, "The effect of unemployment on juvenile delinquency," Journal of Political Economy 71 (December 1963), pp. 543-53.

[6]Llad Phillips, "Crime, youth and the labor market," Journal of Political Economy 80 (May/June 1972), pp. 491-504.

[7]Sheldon Danziger and David Wheeler, "The economic of crime: Punishment or income redistribution," Review of Social Economy (forthcoming).

[8]Paul E. Spencer, "Population density and unemployment: The effects of the incidence of crime in the American city," Criminology 12 (February 1975), pp. 399-440.

populations or geographic areas. Although such studies have relevance for some general policy issues, they do not address the effect of being unemployed on individual behavior or processes.

The second source of inconsistency in the literature can be attributed to the official definition of unemployment used by the majority of these studies. The Department of Labor's Bureau of Labor Statistics classifies individuals as unemployed if they are not working, able to work and looking for work.[9] This third criterion limits the definition of the unemployed to those who have not given up the hope of finding a job. By doing so, those individuals who are not either working, going to school, keeping house or disabled, and who are not looking for work, are excluded from the ranks of the unemployed. The men in this study are among this group of idle persons in America:[10] the chronically unemployed who have experienced a continued absence of economic opportunity, who have no place in the occupational structure of the society, and who have given up hope of ever finding one.

It is reasonable to assume that the personal economic fluctuations brought about by such a marginal existence create major social and economic pressures to produce income and that this pressure is one of the factors influencing criminal activity. The absence of legitimate economic opportunity as evidenced by a history of highly unstable

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[9] U.S. Department of Labor, Bureau of Labor Statistics, "Estimating unemployment in state and local areas," Report 432 (Washington, D.C.: U.S. Government Printing Office, 1974).

[10] Dr. Kenneth Lenihan should be credited with this insightful interpretation of official statistics. It should also be noted that the absolute number of idle persons in the society is growing rapidly, and that this increase (and not an increase in "unemployment") may be, in part, responsible for the rapid increase in criminal activity in recent years.

employment may create a foundation of economic desperation which will result in a higher rate of re-arrest among those who have less work experience than among those with greater work experience. The data in the present study, as well as other recent research on individual processes in this area,[11] lend support to this theory. Those who had the least amount of work stability prior to their last incarceration were most likely to return to criminal activity after release from prison ($r = -.21$).[12]

Aside from the rather obvious policy implication, this finding is of particular interest theoretically since it addresses the issue of whether or not age is to be interpreted directly as a function of individual maturation processes, or indirectly as a function of the accumulation of social experience. If age is to be interpreted as a process of individual maturation, then when the effect of age is held constant, the relationship between crime severity and work experience should be eliminated. On the other hand, however, if age is interpreted as a measure of various social processes, then when the effect of such processes is taken into account, the direct effect of age will be eliminated. By comparing the effect of age on crime severity without controlling for work experience with the effect of age when work

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[11] See Marvin D. Krohn, "Inequality, unemployment and crime: A cross-national analysis," Sociological Quarterly 17 (Summer 1976), pp. 303-13 and Kenneth L. Avio, "Recidivism and the economic model of crime," Economic Inquiry 13 (Summer 1975), pp. 450-56.

[12] The other aspects of work history noted earlier in this chapter are also negatively related to crime severity. The variance attributable to each, however, is not independent of work experience, and when entered into the same equation they compete for the same variation. Thus the decision to use only the length of time the individual was able to hold a job to represent this aspect of social development.

Table 5.2

Regression Equation: Crime Severity After Release from Prison on Selected Social Background and Development Items

Variable	Beta	F Ratio
Individual's age	-.14	7.37*
Number of brothers in family of origin	.10	4.71*
Years of education	-.10	3.84*
Dropped school to "follow the crowd" (sub-culture socialization)	-.12	6.61*
Length of longest held employment (months)	-.11	4.64*

Multiple R = .30

R^2 = .09

F Ratio = 8.67*

*Significant at .05.

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experience is controlled, we will be able to determine if age is explainable through various social processes such as the accumulation of work experience.

The regression data in Table 5.2 lend partial support for an interpretation of age as a function of social development. The relationship between age and crime severity without controlling for work experience is -.19 (beta).[13] Once work experience is accounted for, however, the relationship between age and crime severity is reduced

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[13]See Table 4.6, p. 82.

(beta = -.14). Work experience does not, however, eliminate the effect of age. In fact, once age is taken into account, the zero-order correlation between work experience and crime severity is also reduced (r = -.21; beta = -.11). This means that age and work experience share the variation previously attributed to age alone. While a portion of the effect of age is explained by employment stability, the individual's age, in and of itself, still has a significant effect on crime severity after release from prison. It is possible, of course, that the remaining effect of age is attributable to other social processes for which data are not presently available and which future research should seek to discover. This important issue will again be addressed in Chapter 7, which focuses on the individual's economic experience after release from prison.

Presently, the inclusion of work experience, together with the other variables that have been shown to have significant independent impact on crime severity, brings the total variation in crime severity explained by the equation to about 9%. In order to add to our understanding of the social processes affecting crime after release from prison, we now turn to the individual's adult criminal history, including the most recent incarceration and resources at release.

Section II

Adult Criminal History

Arrest, conviction and incarceration frequently interrupted the lives of the men in this study. The average number of arrests before their most recent incarceration was almost 5, and 20% had been arrested 8 or more times. Forty-eight percent reported that the longest period of time they had experienced without being arrested was less than 12 months, and only 22% said that they had experienced a period of two or more years without an arrest. Of course, arrest did not always lead to conviction ($r = .67$), nor did conviction necessarily mean incarceration ($r = .90$). But incarceration was quite common. Only 23% had been incarcerated only once (after which they became participants in this study), and while the average number of incarcerations was 2.5, over 35% had been incarcerated 4 or more times as adults. Before the incarceration that ended with participation in this study, the average length of incarceration was 44.6 months.

The type of criminal activity for which the individuals had been arrested runs the gamut of low level street crimes, but the largest number of arrests was for crimes of theft, particularly robbery and burglary ($\bar{X} = 2.05$) and larceny ($\bar{X} = 1.75$). But crimes of violence were also quite common, with the average number of arrests for murder and assault being 1.79.

The Structure of Adult Criminal History

It was anticipated that these aspects of the individual's adult criminal record would provide a coherent picture of the extent to which criminal behavior and various processing by the criminal justice

system have permeated the lives of the individuals in this study. If such a coherent structure exists, a viable argument could be made for the construction of an index of adult "criminality" that might be useful in understanding crime severity after release from prison. In attempting to determine if such a structure exists in the present data, a factor analysis of the type and severity[14] of past criminal activity, along with various indicators of the extent of processing by the criminal justice system, was performed. The results of this analysis are presented in Table 5.3.

Contrary to expectations, no coherent structure exists within the data to substantiate the general concept of "criminality." Factor one is defined primarily by those items that reflect the extent of the individual's processing by various components of the criminal justice system: the number of arrests, convictions and incarcerations, and, to a much lesser extent, the total amount of time the individual has been incarcerated.[15] But this explains more about the regularities of the criminal justice system than about the structure of criminal behavior. We know that once an individual is arrested and thereby enters the criminal justice system, certain systematic events are likely to take place, including trial and conviction, and, depending on the way in which the court interprets the individual's behavior, the length of

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[14] In constructing measures of the severity of past criminal activity the same procedure was used as that described in Chapter 2 of this report.

[15] The issue of the relationship between crime severity and the response of the criminal justice system is discussed at length in Chapter 3. It should also be noted that the relatively high loading of the severity of Crime 4 on this factor is an artifact of the absolute number of arrests.

Table 5.3

A Factor Analysis of Adult Criminal History Items
(Quartimax Rotation)

Variable Description	Factor 1	Factor 2	Factor 3	Factor 4	Factor 5	Factor 6	Factor 7	Factor 8
Number of adult arrests	.73	.17	.02	.23	.03	.12	.07	.26
Number of adult convictions	.93	.10	.06	.04	.02	.11	.02	.03
Number of adult incarcerations	.92	.01	.14	.05	.02	.08	.09	.10
Total time in prison before most recent incarceration	.33	.03	.58	.06	.06	.04	.12	.09
Severity of past criminal activity:								
Crime 1	.01	.10	.02	.19	.43	.10	.21	.06
Crime 2	.02	.02	.04	.04	.05	.03	.43	.01
Crime 3	.21	.00	.05	.58	.01	.07	.08	.06
Crime 4	.41	.11	.04	.27	.14	.08	.06	.47
Type of criminal activity:								
Violence	.13	.62	.15	.17	.10	.01	.20	.05
Robbery/burglary	.02	.08	.58	.13	.01	.16	.09	.08
Theft	.15	.02	.21	.03	.12	.01	.05	.04
Disorder	.11	.64	.01	.10	.11	.02	.09	.00
Drugs	.00	.08	.02	.07	.09	.15	.02	.01

N = 432

incarceration.[16] But all this tells us little about the structure of criminal behavior, especially in light of the fact that neither the type of criminal behavior nor the severity of past criminal activity is related to processing by the system.

The number of violent crimes (murder, assault and disorderly conduct) are somewhat related (Factor 2), and we also learn in Factor 3 that those arrested for robbery and burglary are most likely to have spent longer time in prison. But, again, this is an artifact of the way the criminal justice system responds to various criminal acts and not a function of the behavior itself. The remaining factors evidence the fact that the severity of criminal acts is independent and in no way reflects the common sense notion of "criminality."

Aside from the regularities of processing within the criminal justice system, which is more useful for policy purposes in its most specific form, no grounds for index construction exist in these data, and each element of the individual's adult criminal history should be viewed as a separate and distinct event.

Given this information, it was thought unlikely that the individual's past criminal behavior would be helpful in understanding criminal activity after release from prison, and the correlations presented in Table 5.4 confirm this expectation: neither the type nor the severity of past criminal activity is related to crime severity after release from prison. The extent of processing by the criminal justice system is of some help in understanding recidivism, however. The data show that, although the absolute number of arrests, convictions and

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[16] See Chapter 2 for a discussion of the various criteria, other than crime severity, that judges take into account when imposing sentence.

Table 5.4

Relationship Between Crime Severity After Release And Selected Criminal Background Characteristics

Variable description	Pearson r	$\bar{X}$	s.d.
No. of adult arrests	-.03	4.81	2.15
No. of adult convictions	-.09	2.89	1.82
No. of adult incarcerations	-.08	2.47	1.72
Total months served prior to most recent incarceration	.14*	44.65	26.93
Type of criminal activity:			
No. of arrests for crimes of violence	.05	1.79	2.19
No. of arrests for robbery or burglary	.08	2.05	2.17
No. of arrests for theft (includes auto theft)	.04	1.75	2.08
No. of arrests for disorderly	.03	1.05	1.65
No. of drug related arrests	-.07	.08	.32
Severity of past criminal activity:			
Crime 1	-.02	3.45	1.36
Crime 2	-.07	3.21	1.56
Crime 3	.03	2.68	1.79
Crime 4	-.01	2.02	1.91

*Significant at .05.

incarcerations are not related to re-arrest, the total amount of time the individual has been incarcerated does limit successful readjustment to society. Those who have been incarcerated the longest are more likely to be re-arrested for a severe crime after their release from prison than those who have spent less time in prison ($r = .14$).

This finding is of particular interest in that it sheds light on one of the major issues in the field of criminal justice today, that of the incapacitative vs. the deterrent effect of incarceration. Considerable attention in the literature has been devoted to this topic, but there has been little movement toward resolution,[17] and the possible

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[17]This is partially due to the same problem found in the literature on unemployment and crime: often researchers using macro-level data attempt to support generalizations concerning individual behavior with such information. Although such generalizations are not necessarily false, they cannot be supported by the data. It is not possible, for example, for a researcher who observes a positive relationship between the average length of incarceration in a particular state and successful readjustment to the society after prison to conclude that those individuals who have the longest sentences are the least likely to become recidivists. It may be, as those familiar with the ecological fallacy well know, that individuals who receive short sentences in states where the average sentence is the greatest are the most likely to be successful after release from prison. Neither interpretation is necessarily true. But it is true that generalizations to individual behavior cannot be supported by macro-level data. A good introduction to this literature can be gained from the following material: Andrew Hopkins, "Imprisonment and recidivism: A quasi-experimental study," Journal of Research on Crime and Delinquency 13 (January 1976), pp. 13-32; David Greenberg, "The incapacitative effect of imprisonment: Some estimates," Law Society Review 9 (Summer 1975), pp. 541-80; Maynard L. Erickson and Jack Gibbs, "Specific versus general properties of legal punishments and deterrence," Social Science Quarterly (Winter 1975), pp. 390-97; William C. Bailey, J. David Martin, and Louis N. Gray, "Crime and deterrence: A correlational analysis," Journal of Research on Crime and Delinquency 11 (July 1974), pp. 124-243; A. R. Harris, "Imprisonment and the expected value of criminal choice: A specification and test of aspects of the labeling perspective," American Sociological Review 40 (February 1975), pp. 71-87; Donald Clemmer, "Observations on imprisonment as a source of criminality," Journal of Criminal Law and Criminology 41 (1959), pp. 311-19; Charles W. Thomas, "Prisonization and its consequences: An examination of socialization in a coercive setting," paper presented at the Annual Meeting of the American Sociological Association, August 1976.

effects of incarceration on the continued occurrence of criminal behavior is the basis of strong disagreement among both researchers and policymakers alike. The proponents of the labeling perspective argue that lengthy incarceration only serves to further incapacitate already severely handicapped individuals by removing them from the processes of society. The deterrence and control theorists suggest that negative social reaction in the form of incarceration works to limit criminal behavior by negatively reinforcing such activities.[18] The relationship reported here between the total length of time incarcerated and crime severity after release from prison lends limited support to the notion that time in prison serves to incapacitate the individual and may be one of the facts underlying further criminal behavior. This relationship is not a simple one, however. The complexity is underscored by the data presented in Table 5.5, which shows the relationship between age, work experience and total time incarcerated. We find that the individual's age serves two opposing functions: on the one hand age, as a function of time, serves to increase the chances for stable employment ($r = .45$); and on the other hand, increasing age also serves to increase the amount of time the individual is likely to have been incarcerated ($r = .33$), which, in turn, limits the chances for stable employment ($r = -.19$). It appears that, over time, a vicious cycle of incarceration and unstable employment work to limit the chances of successful readjustment to society.

Because of the interdependent nature of these variables, a critical question becomes the extent to which each can be viewed as

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[18]The reader is directed to Chapter 1 for a complete discussion of this important issue.

Table 5.5

Relationship Between Age, Work Experience and Length Of Incarceration Prior to Most Recent Incarceration

	(Pearson r)		
	Age	Work Experience	Prison Time
Age	--	.45	.33
Work Experience		--	-.19
Prison Time			--

*All relationships significant beyond .01.

Table 5.6

Regression Equation: Crime Severity After Release on Background Work Experience and Total Length of Time Incarcerated

Variable Description	Beta	F Ratio
Individual's age	-.21	12.89*
No. of brothers in family of origin	-.01	2.13
Years of education	-.10	4.29*
Sub-culture socialization	-.13	7.26*
Work experience	-.06	1.26
Total time incarcerated prior to most recent incarceration	.14	6.25*

Multiple R = .33

R^2 = .11

F Ratio = 8.36*

*Significant at .05.

an important factor in understanding crime severity after release. Does the amount of time in prison, like work experience, serve to further explain the effect of age on propensity to engage in criminal behavior? Or will the effect of incarceration be eliminated once the individual's social development in the form of work experience is taken into account? The regression data presented in Table 5.6 address this important issue.

These data indicate that once the total time the individual has been incarcerated is taken into account, the direct effect of work experience is eliminated, and the variance in crime severity previously attributed to work experience and age is accounted for by age alone. In addition, controlling for the total time incarcerated prior to the most recent incarceration eliminates the small predictive power previously attributed to the number of brothers in the family of origin.

Two comments are important at this juncture: while substantive interpretation must await the remaining portions of this analysis, the absence of social development implicit in each of the independent predictors presently in the equation should be recognized: youth, a long history of incarceration, and an absence of education and knowledge of the black sub-culture each have an underlying component of social and cultural deprivation and each contribute independently to crime severity after release from prison.

It should also be noted that care must be taken in interpreting the effect of incarceration observed here until the effect of the most recent prison sentence is discussed. As Harris's work has shown,[19] the

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[19]Harris, p. 81. This author also identifies a number of differences between blacks and whites in terms of the effect of incarceration that we are unable to address given the nature of the present sample, but these deserve attention in the future.

effect of incarceration on continued criminal activity may not have a simple linear function, and it is of interest to see how the effect of the most recent prison experience compares with the effect of the total time incarcerated. It may be that lengthy incarceration serves only to further deprive already severely handicapped individuals. But it may also be that while the overall effect of incarceration is detrimental in the long run in that it limits social development, specific punishment may have some deterrent effect, at least for short periods of time. It is to this topic that we presently turn our attention.

Section III

The Most Recent Incarceration

Unfortunately, very little information on the prison experience of the men in this study is available.[20] We do know that at the time of their entry into the project the average length of incarceration was over 34 months. The type of criminal activity for which the individual was sentenced is rather diverse but for the most part is concentrated among the more serious crimes. Less than 10% had been incarcerated for crimes against the order or victimless crimes; 29% were imprisoned for robbery and 38% for other less serious types of property offenses. About 20% had been sentenced for crimes of violence other than murder, such as rape and assault, and less than 4% had been incarcerated for murder or manslaughter.

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[20] This is partly due to the fact that the prison experience has not proven useful in predicting recidivism in the past. We should point out, however, that far too little is known about the structure of behavior behind prison walls, and future efforts should attempt to map out more specifically the dimensions of the prison experience. Introductory material to this important subject can be found in the following: Leon Radzinowicz and Marvin Wolfgang, eds., Crime and Justice, 3 vols. (New York: Basic Books, 1971), vol. 3: The Criminal in Confinement; R. M. Carter, D. Glaser and L. Wilkins, eds., Correctional Institutions (New York: Lippincott, 1971); M. Baum and S. Wheeler, "Becoming an inmate," in Controlling Delinquents, ed. S. Wheeler (New York: Wiley, 1968); R. Berk, "Organizational goals and inmate organization," American Journal of Sociology 71 (1966), pp. 522-34; D. Clemmer, The Prison Community (New York: Rinehart, 1958), first published 1940; G. M. Sykes, The Society of Captives (Princeton: Princeton University Press, 1958); P. C. Garabedian, "Social roles and processes in the prison community," Social Problems 11 (1963), pp. 139-52; C. Shrag, "Leadership among prison inmates," American Sociological Review 19 (1954), pp. 37-42; S. Wheeler, "Socialization in correctional communities," American Sociological Review 26 (1961), pp. 697-712; D. R. Creesey, ed., Prison: Studies in Institutional Organization (New York: Holt, Rinehart and Winston, 1961).

As one might suspect, those convicted of the more serious offenses were more likely to have been incarcerated for a longer period of time. The data in Table 5.7 show that, generally, the average length of incarceration increases with the severity of the crime ($r = .35$), although this is not true of crimes such as assault which often have mitigating circumstances that judges are likely to take into account when passing sentence.[21]

Despite the limited information available, we are able to address a critical question in the field of criminal justice: what is the effect of a particular sentence on the propensity to continue criminal activity after release from prison? While neither the type nor the severity of criminal behavior in the past is predictive of future behavior, we did find that the length of the most recent incarceration, unlike the total amount of time the individual spent in prison in the past, tends to limit criminal behavior, at least to a limited extent, during the first year after release from prison ($r = -.10$). Since those with the most prison time in the past are more likely to have been sentenced to a longer term for this most recent incarceration ($r = .36$), this finding is particularly surprising. It may be that while incarceration is, in the long run, detrimental to an individual's chances for successful adjustment to the society, there is, at least

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[21] These data point to a basic problem of measurement that affects most forms of crime analysis, including crime severity. The crude crime classifications presently available do not always reflect the complexities of the actual event. Individuals in the society, like the criminal courts, may evaluate the severity of criminal acts differently depending upon such factors as the circumstances in which the event took place and whether or not the victim and offender had a prior relationship. All crimes in the same category are simply not alike, and care should be taken in developing a classification scheme that more accurately reflects events as they exist.

Table 5.7

Mean Number of Months Incarcerated for Each Level of Crime Severity

Crime Severity (Present Incarceration)	$\bar{X}$ months	s.d.
1. Crimes against order	13.40	9.83
2. Victimless	20.03	15.71
3. Property I	21.23	16.66
4. Property II	56.63	23.31
5. Person I	27.03	23.24
6. Person II	67.27	16.46

N = 432

during the first year after release, a positive short run effect.

Such an interpretation is given additional support by the regression data in Table 5.8. With the other important factors controlled, the length of incarceration for the most recent prison sentence is negatively related to crime severity after release from prison. These data also show that while lengthy prison sentences may have a short-term deterrent effect, the incapacitative effect of a long time in prison outweighs the short-term deterrent effect by almost 2 to 1. Although the strength of these findings is not large enough to dissolve the controversy surrounding the issue of the effects of incarceration, it does provide some insights into the way in which time in prison affects individuals and provides the groundwork for

Table 5.8

Regression Equation: Crime Severity After Release From Prison on Background and Criminal History

Variable Description	Beta	F Ratio
Individual's age	-.25	26.34*
Years of education	-.09	3.85*
Sub-culture socialization ("followed the crowd")	-.14	8.18*
Total time incarcerated prior to last incarceration	.20	14.12*
Total time incarcerated most recent incarceration	-.12	5.46*

Multiple R = .32

R^2 = .11

F Ratio = 9.82*

*Significant at .05.

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theoretical synthesis: it appears that incarceration has both positive and negative effects on the propensity of individuals to continue to engage in crime after release from prison. Although in this particular study it appears that the short-term deterrent effect is outweighed by the long-term negative effects of removal from the society, additional research should develop this line of thought more fully.

Section IV

Resources at Release

The resources of the men in this study upon their release from prison can only be described as meager. The majority (65%) had very little money in savings, typically under $50. Only 12% reported savings in excess of $200, and a few (13%) reported savings in banks outside prison. Fully 35% had no property whatsoever, and the majority who reported that they owned property had only their personal clothing. A few owned furniture (10%) and a few more (16%) owned some other property, typically a car or stereo.

The limited contact that had been maintained with the world outside the prison was achieved largely through letter writing. Over 90% of the men had received letters from friends and relatives in the month just prior to their release, and more than 80% were planning on seeing friends and relatives after their release.

Fifty-eight percent reported that they had a job arranged after their release from prison. Some had the job arranged by a friend (40%), while the rest had relied on various employment agencies available to them. But having a job arranged was by no means a guarantee of employment after release. Of those who reported a job arrangement prior to their release, only 58% were actually working at the end of the first month after release. Those who reported that a friend had arranged a job for them had only a 50-50 chance of actually being employed, while those who reported contact with an employment agency did slightly better, with about 60% employed immediately following release.

As one might suspect, the limited resources available did little to affect criminal activity after release. Although having a job arranged and being on parole[22] are negatively related to crime severity after release ($r = -.15$ and $-.11$, respectively), when the other factors shows to affect crime severity are controlled, neither of these experiences are predictive of crime severity during the first year after release from prison.

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[22]Sixty-nine percent of the men in this study were released on parole.

Summary of the Effect of Pre-Release Experience

The background of the men in this study can be accurately characterized as socially and economically impoverished: limited education and work experience have combined with a history of juvenile and adult crime to severely limit social development. And the minimal resources at release are hardly sufficient to provide food and clothing for a week, let alone compensate for a lifetime of social and economic deprivation.

Overall, however, the experience prior to release from prison has been shown to be of minimal importance in understanding crime severity after release, with four variables accounting for only about 10% of the variation. If systematic differences exist between those re-arrested and those not re-arrested, they are likely to be found in the more immediate social environment. To proceed, we now turn to the social and economic experience of the ex-offender after release.

PART III

SOCIAL AND ECONOMIC EXPERIENCE AFTER RELEASE

INTRODUCTION

Part III focuses on the social and economic experience of the ex-offender after release from prison. But before focusing on these substantive issues it is important to make clear the method used to scale individual experience after release from prison. Unlike most longitudinal studies of the general population, the study of recidivism among released prisoners is complicated by the fact that the criterion variable, in this case, the most severe crime committed during the first year after release, may occur at any time during the period that the participants were followed: not everyone was re-arrested, and of those who were, re-arrest occurred at various times throughout the year.[1] If accurate causal inferences are to be made from such information it is necessary that each measure of experience during the period of study reflect only the period up to the time of re-arrest, if one occurred. Simple additive measures of experience or events during the year do not reflect the differential amount of time available to individuals to gain that experience. Accurate statistical representation of experience after release must reflect both the extent of the experience itself in an absolute sense, and the length of time available to gain that experience. The solution to this problem requires that the length of time prior to re-arrest be taken into account in scaling the extent of individual experience prior to re-arrest.

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[1] Fifty-three percent of the sample was re-arrested: 11.1% in the first quarter; 14.6% in the second quarter; 11.6% in the third quarter; and 16% in the fourth and final quarter.

The simplest solution to this problem within the framework of the general statistical model used in this study is the creation of proportion measures that reflect the absolute amount of a particular experience relative to the time available prior to re-arrest, if one occurred.[2] Employment after release, for example, is defined not as the absolute number of days or weeks working, but as the proportion of time prior to re-arrest that the individual was employed. Similar measures have been constructed for each event or experience encountered after release. In this way accurate statistical representation of the extent of the experience is achieved while taking into account the differential amount of time individuals had available to gain the experience prior to re-arrest. And since all computations are performed on information prior to re-arrest, a causal model can be approximated.[3]

In this way the effect of various social and economic forces of potential importance in understanding the causes of common law criminal activity can be clearly addressed. The remaining chapters of this dissertation are devoted to this end.

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[2]Of course, if no re-arrest occurred, the entire 12-month period was used.

[3]What is lost is the effect of the absolute amount of time. While it is clear that this is an important factor, the reality of the situation (i.e., individuals do have differential amounts of time available prior to re-arrest), makes the present choice of metric the best available.

Chapter 6

THE SOCIAL CONTEXT AFTER RELEASE: LIFESTYLE AND LIVING ARRANGEMENTS

Upon returning to society, the first order of priority for the released prisoner is finding a place to stay. Resources are limited, and finding a place to live is not an easy proposition: the stigma of prison is difficult to overcome, and even close family ties may have eroded. Just what the individual is able to manage in the way of a living situation is important as an indication of the social relationships and modes of behavior that he is likely to come into contact with after release. But the living situation is indicative of choice within a very limited range of possibilities that emerge from the social and criminal histories of the individuals as well as the general social environment, in this case the black urban ghetto.

The men in this study found four major types of living situations immediately after release from prison: most reported that they were living in some type of family situation, 36% with a full family and 43% with a partial family.[1] About 11% found shelter with friends or second

[1]The definition of "full family" includes those living with mother and father, and usually, but not always, brothers and sisters, and occasionally other relatives. The few men who were married when they were released (less than 5% of the sample) are also included in this category. "Partial family" refers to all other situations where the majority of persons living in the household are family members, but the configuration as a whole does not reflect the typical nuclear family.

degree relatives, and 10% reported that they were living alone.[2] Three of these four categories roughly correspond to the major types of lifestyle Hannerz found in his insightful study of the black community in Washington, D.C.[3] Those living in full families correspond to what the author called the "mainstreamers" in the ghetto. This group, whose cultural affiliation and values closely resemble that of the larger society, is primarily composed of working class people who are likely to be employed and who aspire to the social and economic betterment at the foundation of the American dream. Most of the participants in this study (56%) spent at least some of their time after release living in a full family.

Partial families closely resemble Hannerz's "street families," characterized by a much wider range of relationships among household members, often including second degree relatives and persons not related to any of the family members. Members of such households often engage

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[2]In order to make the present interpretation of this category clear, it should be noted that "alone" did not mean that the individual was living by himself. Since those who were living "alone" tended not to pay rent ($r = -.07$) and one would think that if they were living "alone" they would be more likely to be paying rent after release, it is clear that those persons who said they were living alone were referring not to the number of persons they were living with, but to the absence of social relations. Findings presented throughout this chapter tend to support this interpretation.

[3]Ulf Hannerz, Soulside: Inquiries into Ghetto Culture and Community (New York: Columbia University Press, 1968), esp. Chapter 2. The author's fourth major type of lifestyle in the ghetto is composed primarily of young persons whose chief goal in life is "going to parties" and "getting high." Although some of the men who were "living with friends" undoubtedly fall into this category, they are most likely the exception rather than the rule. In any case the amount of time individuals spent in this type of situation prior to arrest was small, averaging about 8.5%.

in prostitution, and drink and fight in public. The children of these generally large, female headed households receive little supervision, and what they do receive is often from sisters and grandmothers acting in place of the frequently absent mother and long since departed father. The relationships among family members are in the nature of temporary coalitions of persons who relate to the household in a variety of kinship, friendship and landlord-boarder patterns, and for whom the residence is expedient, even if only for a short period of time. In short, the street family represents the way of life that, because of its visibility, most closely conforms to an outsider's notion of all ghetto life. About 54% of the men in this study spent at least some of their time in such a living arrangement during the period they were followed.

Those living alone after release can be thought of as the "streetcorner men" described by Hannerz, and earlier by Leibow[4] and Whyte.[5] Some streetcorner men are members of street families, but others are unattached and live as boarders, have their own apartments, or just drift from place to place, staying with anyone willing to take them in.[6] For these men, most days are filled with the same faces, the same struggle for survival:

> The streetcorner men usually return day after day to the same hangout. There they talk and drink, play cards and shoot crap, or just do nothing. Some go home to eat, others

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[4]Elliot Liebow, Tally's Corner (Boston: Little, Brown, 1967).

[5]William Whyte, Street Corner Society, 2nd ed. (Chicago: University of Chicago Press, 1955).

[6]It is interesting to note that those "living alone" in this study are slightly less likely to pay rent during the time after their release ($r = -.07$).

> get something from the carry-out or the streetcorner grocer --some bread and cold cuts perhaps, things that they can eat while they are standing at the corner.[7]

Hannerz found that most of the streetcorner men he studied had at least a minor police record, involving offenses like assault; petty larceny such as shoplifting and purse snatching; or drinking and drunkenness in public. A few had committed major offenses, including robbery, burglary and aggravated assault. Although less common than either type of family situation, 34% of the men in this study spent at least some of their time living in such a situation.

In addition to living arrangements, two additional items of information are available to assist in characterizing the individual's general style of life after release: the degree of association with men met in prison and the extent of alcohol consumption.[8] During the time prior to re-arrest, most of the men reported seeing men that they had met in prison. Only 8% denied all such associations, and about 36% reported that they were seeing men they had met in prison over half the time they had available prior to re-arrest. Drinking was also a firmly imbedded pattern for these individuals: although only 7% reported drinking all or most of the time prior to arrest, 75% reported at least some alcohol consumption.

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[7] Hannerz, p. 54.

[8] For a discussion of the theoretical argument underlying differential association, the reader is directed to Chapter 1 of this report. For an introduction to the research on the relationship between crime and alcohol consumption the reader is referred to J. Tinklenberg, "Drugs and Crime: Literature Review," in Drug Use in America: Problems in Perspective, National Commission on Marijuana and Drug Use (Washington, D.C.: U.S. Government Printing Office, 1973), vol. 1: Patterns and Consequences of Drug Use, pp. 798-809.

While these major aspects of lifestyle serve to reflect a general social context in which certain modes of behavior prevail, it should be recognized that for the men in this study living arrangements and associations were quite fluid: individuals tended to move in and out these contexts rather freely. The data presented in Table 6.1 show that aside from the strong negative relationship between the proportion of time living in either a traditional or street family ($r = -.55$), the relationship between the extent of involvement in the other forms of living arrangements, while negative, is not very high. This is indication that except for movement between the partial and full family (which could conceivably take place only by marriage, divorce, or, less possibly, the reuniting of a family), the men in this study moved freely between the various types of living arrangements during the time they were studied. Even those who spent the majority of their time living in a traditional family were likely to report living alone or with friends at some point during the first year after release. Of course, this may be a function of the relatively short time of the follow-up. It may be that some time after the first year after release the individual is able to arrange a more stable living situation. But the available data clearly indicate the unstable nature of the living arrangements for the men in this study after their release from prison.

The correlation matrix in Table 6.1 also shows that the individual's living arrangement, as an element of lifestyle, also affected the nature and extent of association with men met in prison, as well as patterns of alcohol consumption. Of particular importance, we find that the streetcorner men, those living alone a greater part of their available time, were far more likely than any other group to report

Table 6.1

Relationship Among Various Aspects
Of Lifestyle After Release

Proportion of time		X_1	X_2	X_3	X_4	X_5	X_6
X_1	Living alone	--	-.02	-.21	-.23	.31	.43
X_2	Living with friends		--	-.23	-.26	.05	.03
X_3	Living with a partial family			--	-.55	.09	-.05
X_4	Living with a full family				--	.01	-.03
X_5	Seeing men from prison					--	.27
X_6	Drinking						--

that they were seeing men they had met in prison, and that they were drinking (r = .31 and .43, respectively). The mainstreamers, those highly involved in the traditional family pattern, tended to limit such involvement, although here the relationship, although negative, is rather small.

Within the general pattern of unstable living arrangements, two major modes of behavior begin to emerge: the traditional family lifestyle of the "mainstreamers," characterized by less association with other ex-offenders, and less alcohol consumption; and that of the "streetcorner man" who is much more likely to be drinking and associating with men met in prison after release. From the standpoint of traditional studies of crime, these two types of living arrangements, one representing a semblance of white, middle-class America, the other representing the almost stereotypical notion of life in the ghetto, can be viewed as counterposing lifestyles: the mainstreamers more likely to

develop patterns of association that will deter crime, while the men on the streetcorner are exposed to patterns of interaction and modes of behavior likely to lead to continued criminal behavior.

The data presented in Table 6.2 show the relationship between the various aspects of living arrangements described above and crime severity after release from prison. These findings are likely to be met with skepticism among those firmly entrenched in traditional explanations of common law crime in the black community. Although we find limited support for the commonly held notion that life in the traditional family tends to limit criminal activity ($r = -.12$), we also find that the proportion of time the individual was part of the street-corner society, far from being supportive of criminal activity, actually serves to reduce the chances of re-arrest ($r = -.30$).[9]

[9]The reader is reminded that the criterion measure in this study was developed from official arrest records. This fact has a number of implications that are addressed in the final chapter.

Table 6.2

Relationship Between Crime Severity and Various Aspects of Lifestyle After Release

Variable Description	Pearson r	$\bar{X}$	s.d.
Participation in streetcorner society: (proportion of time living "alone")	-.30*	.12	.24
Street families: proportion of time living with a partial family	.09*	.30	.37
Mainstreamers: proportion of time living in a traditional family	-.12*	.32	.38
Proportion of time associating with men met in prison	-.29*	.42	.28
Proportion of time drinking alcohol	-.22*	.27	.27

*Significant at .05.

The same is true of the time the individual reported associating with men from prison and the time spent in alcohol consumption after release: while traditional explanations of crime would predict that these experiences would work to increase the chances of criminal activity, we find that precisely the opposite is true and that the inhibiting effects of these experiences on continuing criminal behavior are considerably stronger that the effect of the traditional family.

The regression data presented in Table 6.3 show that the effect of these aspects of lifestyle are independent of the major background factors shown earlier to significantly affect the chances of re-arrest. With the exception of the effect of the individual's age, which is slightly lowered, the historical factors presented earlier remain stable predictors of crime severity after release. In addition, the major aspects of lifestyle, with the exception of alcohol consumption, become important determinants of crime severity. Together these variables explain about 25% of the variation in crime severity and lend strong support for a theory of crime and recidivism anchored in the individual's ability to cope with the two major social forces in his life: that of the black sub-culture and that of the dominant white society. The ability to cope with the bi-cultural forces that are a permanent feature of the black urban ghetto underlies the individual's chances of avoiding criminal behavior. Not only must the individual be able to cope with the immediate social setting, but he must also be able to come to grips with the forces of the dominant society. Such ability may be of vital importance for the men in this study, whose almost total lack of resources and economic stability make survival a day to day ordeal.

Of course, the web of social relations that form the fabric of daily existence is not alone in its potential to affect criminal activity after release. Survival implies not only social resources and a place to live, but also financial resources: ways must be found to produce real income. The following chapter of this report focuses on how economic need is related to the severity of criminal activity after release from prison.

Table 6.3

Regression Equation: Crime Severity After Release on Background and Lifestyle

Variable Description	Beta	F Ratio
Individual's age	-.18	14.73*
Years of education	-.10	3.87*
Dropped school to "follow the crowd"	-.14	10.87*
Total time incarcerated prior to last incarceration	.19	17.11*
Total time incarcerated, last offense	-.13	8.58*
Lifestyle		
Proportion of time:		
Living alone (streetcorner men)	-.19	13.11*
Living with a full family (mainstreamers)	-.14	9.79*
Associating with men met in prison	-.20	19.47*
In alcohol consumption	-.08	3.49

Multiple R = .49

R^2 = .25

F Ratio = 16.87*

*Significant at .05.

CHAPTER 7

EMPLOYMENT INSTABILITY AND ILLECITIMATE ECONOMIC OPPORTUNITY AFTER RELEASE

Like their living arrangements, the legitimate economic opportunity for men in this study after their release from prison was highly unstable. Hampered by a history of crime and unstable employment, only 36% were able to find full-time employment immediately after release. Those who were able to make arrangements for a job prior to their release were more likely to be employed ($r = .29$), but jobs that were arranged did not always materialize. Of those who did have jobs arranged, 47% were employed during the first month after release, compared to 20% of those who had no job arranged prior to their release from prison. And the employment picture for the sample as a whole did not improve very much during the course of the study. After six months 46% were employed and by the twelfth and final month of the follow-up, this figure had actually decreased to 43%. Those who had a job arranged prior to release continued to do better than those who did not. In the twelfth month, 51% of those who had a job arranged prior to release were employed full-time, compared to 32% of those who did not.

Finding and keeping a job was a week-to-week, month-to-month proposition for the men in this study and remained so throughout the year that they were followed. The highly unstable nature of the

ex-prisoner's employment is shown by the relatively low relationship between employment during the first month after release and each subsequent month. While there is a positive relationship between employment during the first month and employment during the second month after release ($r = .53$), this figure drops quickly during the time that the men were followed, so that by the 12th month the correlation between employment immediately after release and employment after one year is .13: only slightly higher than one would expect by chance alone. The figures for subsequent months are similar: no matter when during the year that the individual found employment, as time passed the chances of retaining the job decreased substantially.

In light of the unstable employment picture generally, it is not surprising that only 20% of the men in the sample were employed all or most of the follow-up period. Over 21% were unable to find any employment prior to being arrested, while the remaining men (59%) found intermittent employment.

Income levels after release reflect the general instability of employment. During the follow-up period the average monthly income for the sample was about $180. Yet, a large proportion of the men (42%) were able to satisfy basic economic needs such as paying rent all or most of the time. Of course, those without legitimate economic opportunity were far less likely to be able to pay rent ($r = -.55$). This must have placed severe strain on their immediate social relationships, and may be one of the underlying factors accounting for the unstable nature of living arrangements after release.

The individual's motivation to find legitimate employment was no doubt lessened by the nature of the work available: essentially low paying menial jobs with little or no chance for advancement.[1] Elliot Leibow, in his study of streetcorner men in Washington, D.C., pointed out that a crucial factor in the lack of individual commitment to work is the relatively low value the individual places on the job. However, Leibow also points out that:

> . . . the . . . man places no less value on the job than does the larger society. . . . He knows the social value of the job by the amount of money the employer is willing to pay him for doing it. In a real sense, every pay day, he counts in dollars and cents the value placed on the job by the society at large. . . . Neither the man who performs these jobs nor the society which requires him to perform them assesses the job as one 'worth doing and worth doing well.' . . . Both employer and employee are contemptuous of the job. The employee shows his contempt by his reluctance to accept it or keep it, the employer by paying less than is required to support a family . . . (a man) cannot draw from a job social values which other people do not put into it.[2]

Faced with the prospect of difficult, uninteresting, low paying and highly unstable employment, it is hardly surprising that the men in this study looked for alternate methods of insuring economic survival after their release from prison. Enough money had to be found to buy food and pay rent, and in the urban ghetto to which they returned, alternate economic opportunity in the form of illegitimate activity was indeed available.

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[1]Although a few men found professional, technical or trade work, and a few others enrolled in training courses of one variety of another, the majority of men who found employment did so as unskilled laborers, service workers, and operatives: work that provided little intrinsic value, low pay and little chance for long-term employment.

[2]Elliot Leibow, Tally's Corner (Boston: Little, Brown, 1967), pp. 57-59.

The Underground Economic System

The availability of alternate economic opportunity stems from what can be thought of as the underground economic system.[3] This multi-billion dollar economic system[4] includes all transactions not officially recognized as part of the economic system of the United States. Individuals operating in this system are usually subject to criminal prosecution, if not because the actual activities or transactions are themselves illegal, then because income derived from the activity is rarely reported to the Internal Revenue Service. Thus, while not reporting income derived from contracts or employment in otherwise legitimate activities is a part of the general framework of this system, the majority of wealth is generated and controlled by local entrepreneurs and by the forces of organized crime.[5] Sales from drugs, loan sharking, prostitution and gambling form the basis of this financial empire that is illegal, corrupt, untaxed and, for the most part, completely ignored by social scientists, despite the behavioral implications that the system has for the economically disadvantaged in the society.

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[3]Portions of this system are slowly coming to the attention of government officials and the general public. See "Government Ignores Underground Economy" in The Socioeconomic Newsletter 3 (May, 1978). For the most part, however, traditional economists are attempting to limit the definition to portions of the underground system they are apt to be most familiar with, such as unreported income and other "white collar" criminal activities. Although there is some allusion at the present time to "illegal activities," there is little mention of the major source of employment in the underground system, organized crime.

[4]Economists estimate that the underground system may account for more than 10% of the Gross National Product.

[5]For an introduction to this area, the reader is directed to Robert Kennedy, The Enemy Within (New York: Harper, 1960) and Francis A. Ianni, Black Mafia: Ethnic Succession in Organized Crime (New York: Simon and Schuster, 1974).

Like the legitimate economic system, the underground system has a well defined hierarchy, and the lifestyle of those who operate at the highest levels is more likely to resemble that of the legitimate corporate executive than the stereotypical gangster.[6] But like their position in the legitimate economic system the men in this study were at the bottom of the underground system's hierarchy: their primary opportunities were in activities such as selling drugs on the street and buying and selling stolen goods. Economic survival meant pulling together as many economic opportunities, legal and illegal, as possible. The experience of an individual who operated successfully at this level within the underground system is instructive:

> For a man, pimping is a good way of making money, but the safest and best way of all is numbers. The numbers business is the greatest business of all. In my opinion it's one of the biggest businesses that's in the United States today. . . .
> The highest people I know in the numbers business is the backers. I robbed one or two backers. The numbers backer, the boss, he take the money from all over the city from all the runners. . . . Then the boss got to turn in a certain amount to his boss, one of a few top men . . . who eventually end up with all the numbers money. . . . Nobody really know where it all end up--all anybody knows is that it's the mob.[7]

During the follow-up period, the men were asked about various activities other than employment that might produce income. Their answers to these questions reveal that the extent of involvement in an alternate economic system was substantial: 53% reported that they had received money from some type of illegal transaction at least part of the follow-up period. Twenty-eight percent reported that they were

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[6]For an interesting portrait of life at the top of the underground hierarchy see William Brashler, The Life and Death of Sam Giancana (New York: Random House, 1977).

[7]John Allen, Assault with a Deadly Weapon: The Autobiography of a Street Criminal (New York: Pantheon Books, 1977), pp. 105-06.

selling drugs at least some of the time; 30% bought and sold stolen goods; 37% received money from selling to pawn shops; 69% received money from their friends; and 39% reported that they received welfare payments at least part of the time they were followed after release.

Two conceptually distinct economic forces permeate the lives of released prisoners: one is the legitimate economic system, offering unstable, low paying and generally undesirable work; and the other is the illegitimate underground economic system, which aside from the possibility of arrest, provides better pay and working conditions, and, most importantly, a means of satisfying basic economic needs.

The existence of these two conceptually distinct economic systems gives rise to three important questions: first, what is the relationship between these two systems? Do the two systems really represent two distinct economic alternatives, or is all economic behavior, legitimate as well as illegitimate, better conceived as part of the same system of survival in the ghetto? Secondly, if two distinct systems do exist, how do individuals cope with this dual economic structure after release from prison? Does opportunity in one economy prevent or limit the development of opportunity in the other, or can individuals manage to operate in both systems successfully. And, third, what implications does participation in one or both systems have for crime severity after release from prison?

The Structure of Economic Activity

The factor analytic data presented in Table 7.1 addresses the first of these important questions. These data clearly show two distinct economic systems: the traditional economy, represented by Factor 2, is

Table 7.1

Factor Analysis of Post-Release Economic Experience of Released Prisoners (Quartimax Rotation)

Variable Description	Factor 1	Factor 2	Factor 3
Proportion of time prior to arrest:			
Employed full time	-.07	.91	-.08
Paying rent	-.23	.63	.27
Average monthly income	-.14	.86	-.11
Receiving cash from friends	.66	-.13	.03
Pawning and selling stolen goods	.94	-.04	.00
Illegal behavior	.84	-.08	-.11
Selling drugs	.96	.06	-.09
Receiving welfare	.84	.08	.23
Receiving stolen goods	.96	-.05	-0.6

composed primarily of legitimate employment, and for this particular sample, strongly related to the individual's reported income and the ability to pay rent;[8] and the underground economic system, characterized

[8]These data reveal that when asked about their total monthly income during the post-release interviews, the participants reported only income from legitimate sources. Assuming that both legitimate and illegitimate economic transactions produce income, one would be positively correlated with both forms of economic behavior. We find, however, that this is not the case. Average monthly income during the follow-up is related only to legitimate employment and is not divided between the two economic systems as it would be if all income had been reported. The individual's income is therefore not available for analysis in this study. When this information is combined with the cleaner policy interpretation of work force participation gained by using proportion of time employed to represent legitimate economic behavior, the decision not to combine these items is clearly justified.

by such activities as selling drugs; receiving, pawning and selling stolen goods; receiving welfare payments and cash from friends; and other forms of income-producing illegal activity. These data indicate that participation in the legitimate and underground economies is independent: individuals in this study found it possible to participate in both systems, although those who became highly involved in the underground system were less likely to find legitimate employment. This is shown by the fact that the factor loadings of those items that define the legitimate economic structure have moderate negative loadings on Factor 1, which defines the underground system, while those items that define underground economic behavior have negligible loadings on Factor 2, which define the legitimate economic structure. Thus, while those who obtained employment were able to supplement their low-paying jobs with illegitimate economic activity, the reverse was generally not true: those highly involved in the underground system did not find it necessary to look for legitimate employment.

For analytic purposes, an index of participation in the underground economic system was developed, based on the proportion of time the individual reported participation in those activities shown to form the structure of that economy.[9] A single item, the proportion of time

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[9]Although receiving cash from friends is only a peripheral part of the underground system it was included in the index because its inclusion did not substantially reduce the reliability of the measure. (Alpha = .92 with the item included; .94 with the item excluded.) Receiving welfare payments also presents a minor problem due to the qualitative difference between this form of economic transaction and the "street hustling" implied in the other items. The decision was made to exclude the item despite its high loading on this factor, although there is little doubt that obtaining welfare payments plays a role in the underground survival system. Future work in this area should be directed at developing better measures of this system which might be useful in determining the extent to which government support systems operate within the dual economic system in the ghetto.

Table 7.2

Relationship Between Participation in the Legitimate and Underground Economic Systems

Proportion of time working full time	Participation in the Underground System		
	Low	Medium	High
0	27%	18%	18%
1-25%	12	17	29
25-50%	15	23	24
50-75%	20	19	16
75-100%	25	22	12
N =	(146)	(133)	(153)

$\chi^2 = 30.56$

DF = 16

p = <.05

that the individual was legitimately employed, was chosen to represent participation in the legitimate economic system. The relationship between legitimate and underground economic system participation is presented in Table 7.2. These data graphically illustrate a small negative relationship between these two economic survival systems. The majority of individuals managed to operate within both economies and presumably earned a portion of their income from both. But participation in the underground system did tend to limit legitimate employment: only 12% of those highly involved in the underground system were employed all or most of the time during the follow-up, while 25% of those who had little or no participation in the underground system were employed full

time. It is clear that, for some, the underground system was the primary source of income; for others, it served to supplement wages earned through legitimate employment.

Economic Activity and Crime Severity

Consistent with much of the literature of crime and criminal recidivism, the data presented in Table 7.3 show a strong negative relationship between participation in the legitimate economic structure and crime severity after release from prison. Those who were able to find and hold a full-time job during the follow-up period were far less likely to engage in common law criminal behavior after release from prison than those who were unable to find employment ($r = -.40$). In addition, we also find that the individual's ability to pay rent, although positively related to legitimate economic activity ($r = .56$), is also an important factor in limiting crime severity after release. Those who were able to pay rent at least most of the time were

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Table 7.3

Relationship Between Crime Severity and Participation in the Legitimate and Underground Economic Systems

Variable Description	Pearson r	$\bar{X}$	s.d.
Participation in the legitimate economic system	-.40	.41	.34
Ability to pay rent	-.30	.58	.36
Participation in the underground economic system	-.29	.80	1.28

N = 432

*Significant at .05

considerably less likely to engage in criminal behavior than those who were unable to pay rent ($r = -.30$).

While such findings are not likely to be met with much surprise, the fact that participation in the essentially illegal underground economic system also limited re-arrest for common law criminal activity is likely to be met with skepticism. But, nonetheless, the data are clear: like those who found opportunity in the legitimate economic system, those who found economic opportunity in the underground system were substantially less likely to resort to common law crime ($r = -.29$). Since participation in these systems is relatively independent, it is clear that either legitimate or illegitimate economic opportunity served to limit crime severity, and those who were able to operate successfully in both economic systems and thus able to meet basic economic needs like paying rent, were least likely to engage in criminal activity after release from prison.

These findings are consistent with earlier findings that focused on the effect of living arrangements and associations on crime severity after release. Just as we found that integration in either a traditional mainstream setting or the streetcorner society served to limit criminal activity after release from prison, so, too, we find that it is economic activity per se, and not the form of economic activity, that works to limit common law crime severity. Such findings form a sound empirical basis for a theory of common law crime anchored in economic deprivation and social isolation that results from a lack of both mainstream and sub-culture economic opportunity.

Economic Activity and Social Relations

The set of social circumstances that form the fabric of day to day existence greatly influence the nature and form of economic activity that the individual is likely to develop and sustain. Neither legitimate nor illegitimate economic activity can be accurately conceived apart from the social relations that form the basis of individual participation, and since both social and economic factors have been shown to have important impact on crime severity, it is important to understand the relationship between these major aspects of the daily life.

The data presented in Table 7.4 show how the extent of participation in both forms of economic activity was affected by the major lifestyle indicators presented earlier. We find that the various types

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Table 7.4

Relationship Between Selected Aspects of Economic Activity and Lifestyle After Release from Prison

Proportion of time participating in:		X_1	X_2	X_3	X_4	X_5
X_1	Streetcorner society	-	-.23*	.32*	.01	.70*
X_2	Mainstream lifestyle		-	.00	.28*	-.19*
X_3	Associations with men met in prison			-	.14*	.50*
X_4	Legitimate economic system				-	-.14*
X_5	Underground economic system					-

*Significant at .05. N = 432

of living arrangements and associations go hand in hand with the nature and form of economic opportunity available to the individual. Those heavily involved in the streetcorner society, although not barred from legitimate opportunity (r = .01), were much more likely, as one might expect, to find opportunity in the underground economic system (r = .70). Those living in a traditional family, on the other hand, were more likely to participate in the legitimate economic opportunity structure (r = .28) and less likely to participate in the underground system (r = -.19).

Of special interest is the positive relationship between the extent of association with men met in prison and both forms of economic activity. Although those who reported associating with men met in prison were more likely to find opportunity in the underground economy (r = .50), association with such individuals also enhanced the ex-prisoners' chances for legitimate employment (r = .14). Although the effect of such association on legitimate opportunity is considerably less than it is on illegitimate activity, the fact that both forms of economic activity were enhanced means that these associations served as a primary source of information about available economic opportunity, acting as a kind of "clearing house" for both legitimate and illegitimate economic activities, both of which tended to limit common law crime after release from prison.

The Effect of Economic Opportunity

The findings presented thus far in this report address the three major theoretical models of crime and deviance under development in the social sciences. Earlier we presented evidence in support of both the

labeling and deterrence perspectives. Negative societal reaction in the form of incarceration has both long and short term effects that operate in opposite directions: incarceration has some immediate short term deterrent effect on criminal activity, but in the long run the overall effect of incarceration is to socially incapacitate the individual, thus furthering the conditions conducive to criminal activity. In Chapter 6 we reported that, independent of the effect of age, social background and length of time incarcerated, the individual's social circumstances, his living arrangements and associations after release were also important in understanding criminal behavior. Here, however, the evidence only partially supported the theory of differential association: while living in a traditional family structure, and the modes of interaction that such a situation implies, did tend to limit crime severity after release, we also found that the greater the involvement with the streetcorner society of the ghetto, the less likely the individual was to be re-arrested. The content of association, it seems, is less important than the extent of social integration in either the dominant culture or the sub-culture. Those persons able to integrate both major cultural forces were the least likely to be re-arrested.

The findings presented in this chapter address Merton's theory of anomie, as well as one of its major extensions, developed by Cloward and Ohlin, which deals with the illegitimate opportunity structure. As was the case with differential association theory, the evidence calls for an interpretation inconsistent with theoretical prediction. Although those who find opportunity within the traditional economic system are less likely to be re-arrested, so, too, are those who find opportunity in the illegitimate system. Although itself illegal, the subterranean

economy provides economic opportunity and thus serves to limit the more severe forms of common law crime found among those who can find no means, legitimate or illegitimate, to ensure economic survival.

At this point the critical question becomes one that has been posed throughout this analysis: to what extent do each of these explanations contribute independently to our understanding of crime severity after release from prison? Are social relations and societal reactions the key to understanding why people commit crime, or will the observed effect of these phenomena be explained once economic opportunity is taken into account? And what about the effect of age, education and sub-culture socialization? Do these factors add to our understanding of crime severity, irrespective of economic opportunity? Will one theoretical model dominate our explanation, or will each of the explanations outlined above contribute independently to our understanding of crime severity, and, if so, what proportion of the variation will each explain? The answers to these questions will provide sound empirical direction for theoretical development.

The regression model chosen for this analysis is an ideal statistical tool for sorting out the complex relationships observed thus far. By controlling on the extent of economic need, as well as the extent of individual participation in the two major economic systems, we will be able to determine the extent to which each of the important predictors of crime severity observed thus far remain viable independent explanations of criminal activity after release from prison.

The step-wise regression equation data presented in Table 7.5 shed light on this problem. The findings are clear and unambiguous: once the two major economic opportunity structures are taken into

Table 7.5

Step-Wise Regression Equation: Severity of Criminal Activity on Selected Aspects of Pre-Release Experiences and Social and Economic Factors After Release

	Step Number				
Variable Description	1	2	3	4	5
Individual age	-.25*	-.18*	-.08	-.07	-.06
Years of education	-.09*	-.10*	-.10*	-.09*	-.10*
Sub-culture socialization	-.14*	-.14*	-.11*	-.12*	-.12*
Total time incarcerated prior to last incarceration	.20*	.19*	.12*	.12*	.09
Total time incarcerated for last offense	-.12*	-.13*	-.09*	-.09*	-.07
Lifestyle					
Involvement in the streetcorner society ("living alone")		-.19*	-.25*	-.26*	-.09
Involvement in a traditional family structure		-.14*	-.07	-.07	-.07
Association with men met in prison after release		-.20*	-.17*	-.17*	-.07
Economic Involvement					
Participation in the legitimate economic structure			-.31*	-.24*	-.27*
Ability to pay rent				-.13*	-.18*
Participation in the underground economy					-.28*
R^2 =	.11	.25	.31	.32	.35

*Significant at .05.

N = 432

account, neither the individual's social background and history of incarceration, nor his social relations after release from prison are important determinants of crime severity. Step-wise inclusion of each economic factor reveals that participation in the underground system accounts for variation previously attributed to involvement in the streetcorner society, as well as part of the variation previously accounted for by association with men met in prison. When the extent of the individual's opportunity within the legitimate economic system is accounted for, the remaining variation accounted for by criminal associations disappears, along with most of the variation previously attributed to age and the amount of time incarcerated. The individual's ability to pay rent, as an indication of economic need, although absorbing some of the variation attributable to legitimate employment, adds substantially to our understanding of common law criminal activity. Irrespective of the individual's position within either the legitimate or illegitimate opportunity structure, those who were able to meet basic needs like paying rent were substantially less likely to be re-arrested than those unable to do so.

The Underlying Dimensions of the Direct Predictors[10]

Two major interpretative dimensions underlie the five factors presented in Table 7.6 that explain about 34% of the variation in crime

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[10]This interpretation is based on the assumption that official re-arrest records represent an unbiased estimate of the behavior of individuals after release from prison. This may or may not be a good assumption. Too little work has been done in this area to know for sure. If this assumption is not valid the theoretical implications of these findings would be lost (after all, we are trying to develop theories of human behavior, not police accounts of human behavior). The findings themselves, however, would remain valid. A critic, for example, might

Table 7.6

Final Regression Equation: Crime Severity on Selected Background and Economic Experience After Release

Variable Description	Beta	F Ratio
Years of education	-.10	5.92*
Sub-culture socialization	-.13	10.17*
Participation in the legitimate economic system	-.32	44.55**
Participation in the underground economic system	-.39	91.00*
Ability to pay rent	-.22	20.60*

Multiple R = .58

R^2 = .33

F Ratio = 42.89

*Significant at .05.

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argue that official arrest records do not represent the actual extent of criminal activity, but simply account for the behavior of those persons unfortunate enough to be caught by the police. This may be the case. But even if such a conservative position with respect to official re-arrest data were to be taken, the major findings and the general interpretation of them made here would stand: Instead of "criminal behavior" as the focus of interpretation, the emphasis would simply be changed to "known criminal behavior," with a concomitant change in emphasis from the underlying dimension of "economic desperation" to "social incompetence." We might have cynically argued that known criminal behavior is most likely to occur among those who are so socially incompetent that they are unable to pay rent or find any form of economic opportunity: police tend to catch the totally incompetent criminal. While this may be the case, for purposes of this dissertation the most theoretically viable interpretation has been chosen. The reader is cautioned, however, to keep this alternate explanation in mind.

severity: one is the notion of economic desperation, akin to Merton's concept of anomie; the other is the individual's ability to integrate the bifurcated social and economic structure that confronts individuals in America's urban ghettos. Basic economic need experienced by all members of society lies at the heart of this process and is the point of departure for interpreting these data. Underlying this interpretation is the assumption that considerable social and biological pressure will be brought to bear upon individuals who are unable to secure basic economic necessities. As these pressures increase, increased economic opportunity is sought. The form of such opportunity is essentially irrelevant to the propensity of the individual to engage in common law criminal activity: either legitimate or illegitimate activities generate income capable of satisfying basic social and biological needs and thus serve to limit crime severity. Common law crime tends to occur when the pressure to produce income mounts and the individual is unable to find either legitimate or illegitimate economic opportunity. Lacking the social integration necessary for economic viability, the individual is forced into a desperate, isolated situation. It is these conditions, economic need coupled with an absence of any form of economic opportunity, that create the sufficient conditions for common law crime to occur.

The two background variables that provide additional explanation of crime severity, years of education and sub-culture socialization, tend to support this interpretation, although together they account for less than 3% of the variation accounted for in crime severity. But the evidence is clear: the chances of criminal recidivism occurring are greatest among individuals who during adolescence were unable to cope

with the bi-cultural forces in the ghetto and who are confronted with a complete absence of economic opportunity after release from prison.

Thus we have found that the most parsimonious explanation of common law crime severity after release from prison lies in the nature and extent of economic opportunity available to the released prisoner. For a discussion of the theoretical and policy implications of these findings, we now turn to the final chapter of this report.

CHAPTER 8

IMPLICATIONS FOR SOCIAL THEORY, PUBLIC POLICY AND FUTURE RESEARCH

Section I

Theoretical Implications

The findings presented in this report lend support to theoretical efforts in the area of crime and criminal recidivism that focus on processes related to individual position in the economic hierarchy, but with some major modifications in their present form.[1] The data indicate that once the individual's position within existing economic opportunity structures is taken into account, the direct effects of general indicators of labeling, deterrence and differential association theories dissipate. If movement is to be made toward the most parsimonious theory, the primary direction of thought concerned with understanding common law criminal behavior on the individual level should be directed at conceptualization of the dimension and effects of economic opportunity structures in the society.

This is not to say that the theories of differential association, labeling or deterrence are false or without merit. In fact, in earlier chapters of this report each of these theories was shown to have

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[1] The reader is directed to Chapter 1 for a complete discussion of Merton's theory of anomie, together with its extension, the illegitimate opportunity structure proposed by Cloward and Ohlin.

some descriptive value. The important distinction being drawn here is between descriptively correct statements and theoretically important propositions. For example, while it is true that incarceration, the most severe form of societal labeling, tends to occur concomitantly with continued criminal behavior, this does not necessarily mean that incarceration per se is a causal influence, nor is a "labeling" process necessarily taking place. A concurrence of events is a necessary, but not a sufficient condition for causal inference. Many potentially relevant phenomena exist concurrently with criminal behavior, any one or number of which could be causal agents. Before efforts are made to elaborate such processes as "labeling" or "differential association," it is first necessary to determine by careful, systematic, controlled observation which of the major possible factors contribute to an independent way to the phenomena under consideration. In this study, two major economic opportunity structures combined with economic need to provide the most parsimonious explanation of crime severity after release. Once these conditions are taken into account, the individual's social and criminal history, as well as relations in the immediate social environment, do not provide additional explanation of the processes leading to criminal behavior.

Of course, replication of these observations is essential before any final conclusions about the ultimate direction of social theory in this area can be drawn. But it is important that future research continue the process of systematically testing the relative predictive value of the major theoretical explanations, and in this way movement can be made toward the development of viable theoretical propositions.

While the findings reported in this study support continued work on the processes related to individual position within the major opportunity structures, they also call for modification in the way we think about the relationship between these structures and criminal behavior in general. The major theoretical perspectives that focus on the effect of differential economic opportunity on criminal behavior predict that individuals who accept societal goals and who lack access to the institutionalized means available to achieve those goals will tend to develop opportunities in illegitimate opportunity structures that develop over time to provide for basic economic necessities. Such a perspective implies that individuals participate in either legitimate or illegitimate opportunity structures. We found, however, that this is not the case. Individuals can, and in fact do, participate in both legitimate and illegitimate economic behavior at the same time, one tending to have little or no effect on the other.

These data call for movement away from the notion of a clear distinction between the behavioral influences of the dominant society and those of various sub-cultures. Dominant economic forces cannot be viewed as separate and distinct from the social and economic values, goals and norms of the sub-culture. Individuals subject to both forces attempt to synthesize the two so that, taken together, economic survival is assured. It appears from these data that individuals in the major sub-cultures in the society do not make a choice between conflicting opportunity structures, but rather are forced to deal with both economic forces in order to secure basic life necessities. The most successful individuals are those able to synthesize both legitimate and illegitimate economic endeavors.

Apart from clarifying the nature of participation in both legitimate and illegitimate economic opportunity structures, the findings presented in this study also address the fundamental question of the effect of such participation on criminal behavior. In addition to the refuted implication that differential opportunity structures exist in isolation, current structural theories of criminal behavior predict that criminal activity is a function of participation in illegitimate opportunity structures. This is, in part, true. Participants in the underground economy are, by definition, engaging in illegal behavior, and in this way illegitimate opportunities can be viewed as a major factor accounting for a large proportion of the overall crime rate. But a major difference exists between the essentially economic transactions of the illegitimate opportunity structure and common law criminal behavior such as assault, robbery and murder. To be sure, both are harmful to the society. But illegal economic transactions rarely represent direct and immediate danger to societal members, whereas common law criminal activity does pose direct, immediate harm to the society. While this distinction has not gone unnoticed, it has been commonly assumed that common law criminal behavior was simply a more severe form of illegal behavior, all of which stemmed from activity within the illegitimate opportunity structure. Criminal behavior has been conceptualized on a continuum, with less harmful economic transactions on one end and more severe forms of common law crime on the other. The data in this study indicate that such a continuum does not exist. In fact, the illegitimate opportunity structure is very much similar to the legitimate opportunity structure in terms of its effect on common law crime: the greater the involvement in the underground

economy the less chance that the individual will engage in common law criminal activity. Economic deviance limits the more severe forms of criminal behavior by providing the structure necessary for individuals to secure basic life necessities. When the individual is able to cope with both opportunity structures (one representing the dominant society, the other the sub-culture), common law crime is unlikely to occur.

The illegitimate opportunity structure can thus be viewed as having two diametrically opposed functions. On the one hand, because of its essentially illegal nature, the deviant economic system increases the level of criminal activity in the society. But, on the other hand, deviant economic activity, because of its function in securing basic economic necessities for the participants, actually limits involvement in common law criminal activity.

The implications of this research are quite complex, and more work should be undertaken to replicate these findings before arriving at any final conclusions. The present effort has, however, provided support for continued development of theory related to differential access to opportunity structures as well as the basis for expansion and modification in current thought concerned with the relationship between economic opportunity and crime.

Section II

Implications for Public Policy

The findings presented in this study indicate that common law criminal recidivism could be substantially reduced by developing legitimate economic opportunity for released prisoners. But the answer is not simply to provide jobs or money. The findings presented in this report have shown that the process of criminal recidivism is a complex one: no simple solutions to the problem of crime in the society exist. One of the major issues that must be addressed in the development of economic opportunity for released prisoners is the inevitable competition between legitimate employment and illegitimate economic opportunity. Any program failing to take into account opportunity within the underground economic system is doomed to failure. For a federal jobs program to be effective, the jobs offered to released prisoners would have to be more attractive than the entrepreneurial activities available in the underground system. Exactly what minimal standards of pay, security and promotion possibilities legitimate jobs would have to meet in order to attract the released prisoner is an empirical question that awaits future research efforts. But it is clear that if the general goal of lowering the rate of crime is to be achieved, opportunities that exist within the underground system cannot be ignored.

Even without precise estimates of the benefits necessary to compete with the underground economic system, it is clear that the development of employment opportunities for released prisoners would be a costly endeavor. Whether or not such a program would be cost effective depends primarily on the nature of the employment and the effectiveness

of the program in limiting further criminal activity on the part of the participants. The data in this study indicate that over 10% of the variation in crime severity is accounted for by employment alone, and an additional 5% by the individual's ability to pay rent, which is largely determined by employment. There is little doubt that increasing employment would have substantial impact on the rate of recidivism for all forms of common law criminal activity. A 15% reduction in the rate of recidivism would result in substantial savings in property alone, to say nothing of the incalculable savings in human suffering that would also accrue.

Such benefits alone may justify the development of a federal employment program for released prisoners. But in order to make such a program politically viable, it is essential that thought be given to ways in which productive public or private employment can be created for released offenders. The feasibility of providing incentives to private industry to hire, train, and employ released prisoners should be studied in order to determine the effectiveness of such a program, as well as the minimal level of support necessary to insure that adequate training for productive jobs would be provided. A government operated program should also be explored. But irrespective of the ultimate decision in this regard, it is essential that the employment be linked, directly or indirectly, with results that produce long term benefits to the society, and do not merely provide temporary cosmetic relief to the unemployment rate of released prisoners.

In order to accomplish this, attention should focus on those endeavors that in the long run will provide real benefits to the society, but which are largely ignored by private industry because of

the enormous costs in the short run. There is hardly a shortage of such needs in the United States today. The rebuilding of our nation's rail transportation system is a good example. Minimal training would be required for most of the jobs needed to accomplish the work, most of which could be done on the job. Long term economic benefits in the form of fast, reliable national rail transportation would accrue, and the short term gains in limiting criminal recidivism, as well as helping to reconstruct the lives of released offenders, are more than adequate to offset the cost.

The rebuilding of the housing in America's inner cities is another example of the type of capital investment that in the long run would provide enormous benefit to the society as a whole but which is presently being neglected because of the short run costs involved. Construction jobs in a federal jobs program designed for released prisoners could be the foundation of a long term effort to rebuild our financially beleaguered cities. Clearly, there is no shortage of work to be done--work that would be of enormous benefit to the society. And the immediate effect that such a program would have in lowering the rate of recidivism more than justifies its development.

But such a program cannot be developed in isolation, and initial program development should be done in concert with cooperative state corrections departments. Simply placing released prisoners in federally sponsored jobs after release from prison would be a difficult, if not impossible, task. Although initial program development could begin immediately, the long term development and success of a federal jobs program requires substantial modification in the present philosophy of state corrections departments nationwide. A large proportion of the

problem lies with the history of the individual offenders themselves: long periods of unproductive incarceration and unstable work histories limit the employability of the majority of released prisoners. Work habits are poor; routine work requirements are difficult to establish and often hampered by the individual's life situation generally. Part of the solution to this problem lies in providing sufficient pay and incentives to insure that the jobs offered through the program are more attractive than the illegitimate economic opportunity available in America's urban ghettos. But this, in and of itself, is not sufficient. In the long run, state correctional systems should be encouraged to develop productive work situations for offenders while they are still in prison. This means providing productive work and sufficient work incentives so that individuals convicted of crime will begin, perhaps for the first time in their lives, to learn to be productive members of society. If socially productive work were developed and offenders received compensation directly commensurate with their productivity, not only would the individual begin to learn essential work skills, but such a program could also be the mechanism through which the individual earns his way back to society by literally "paying" for his crime. Courts could order that victims of crime be compensated directly by the offender. A portion of such earnings could also be directed to support the offender's family. Of course, given the present organization of the criminal justice system in the United States, such a national corrections program can only be envisioned in the distant future. But movement in this direction can and should begin immediately if we are to make progress in the fight against crime.

We have addressed only a few of the major policy issues at hand. Once a commitment is made to a federal jobs program for released prisoners, the difficult task of developing and administering the program would have to be addressed.

Presently, it is essential that a clearer understanding of the problems and potential of such a program be developed. This could be accomplished by implementing the program on a small scale in a single cooperative state, preferably where the need is greatest. Adequate administrative controls would have to be developed, evaluated, revised and reevaluated, if a successful demonstration program is to be developed. Financial assistance might be a part of such a program, serving as an incentive for continued program participation, or as a supplement to income earned in the private sector. By first developing the program on a very limited scale and closely monitoring the results, a greater understanding of the administrative problems that the program would encounter, as well as the potential the program would have in reducing recidivism, could be developed. In three to five years, adequate justification for a strong legislative program on the state and federal level could be developed.

The initial cost associated with such a program would undoubtedly be high. But if properly implemented with productive employment and adequate administrative controls, the long run gains of employing persons released from prison would far outweigh the short run costs. And while the initial costs of such a program would be high, so, too, is the cost of crime to our society. It becomes a matter of how we choose to pay the price.

Section III

Implications for Future Research

Recommendations for future research fall into two broad categories: research efforts designed to test the efficacy of the policy recommendations presented above, and general research efforts necessary for continued development of theory in the area of crime and criminal recidivism. Immediate policy research should be directed at determining the cost/benefit ratio of providing employment for released prisoners. If employment accounts for about 10% of the variation in crime severity after release from prison, what would be the benefit of providing employment for released prisoners relative to the cost of implementing such a program? The present data could serve as an adequate basis for the analysis. Assuming that such a study would provide adequate justification for a federal jobs and training program for released prisoners, a feasibility study of such a program should be implemented. As noted earlier, the development and implementation of the program would have to involve at least one state corrections agency. In addition to developing an administrative model appropriate to the program, research and development should also be directed at determining the long and short term effects of various forms of the program on continued criminal behavior after release. An attempt should also be made to determine what minimal standards of pay and other work incentives, including financial assistance, are necessary to compete with opportunities that exist in the underground economic system.

In addition to these immediate policy research recommendations, continued research should also be directed at the development of an

understanding of the general relationship between employment and crime. Central to the development of such knowledge is improvement in the measurement techniques used to scale individuals relative to the phenomenon under consideration. Future work should be directed at the development of reliable, unidimensional measures of the phenomena we wish to understand. A good place to begin is the definition of crime and criminal behavior itself. This does not mean that we should engage in a philosophical debate as to the nature of criminal activity as it relates to the social and economic foundations of society. Such work is important but premature. At this time our efforts should be directed at more practical concerns, such as a better understanding of the relationship between official government records of criminal activity and self-reports of criminal behavior by released prisoners themselves. Despite the volume of research devoted to this topic, no clear-cut findings have emerged. In addition to this, an even more fundamental problem of metric exists: at present, the major crime categories in use do not adequately reflect the variety of common law criminal behavior known to exist empirically. A wide variety of behaviors exist within such categories as "assault," "murder," and "robbery." By studying precisely what happened in particular situations defined as "criminal," progress can be made in the development of unambiguous categories of criminal behavior, important for research on crime severity as well as development of more crime-specific analyses.

By studying the relationship between official records and self-reports of criminal activity, as well as by developing more specific categories of criminal behavior, progress can be made in the development of understanding in this area.

Of course, criminal behavior is not the only area in need of better measures. The general problem of measurement cuts across all areas of social science and across all areas of behavior potentially important in understanding criminal activity. It is vital that future efforts focus considerable attention on the development of reliable measures of all phenomena under consideration. The general method used in this study, as well as the model of criminal recidivism that emerged from this analysis, provide an adequate basis for the selection and development of observations necessary for continued progress in the development of theory of criminal behavior.

APPENDIX

EXPERIMENTAL DESIGN, SAMPLING PROCEDURES AND METHODS OF DATA COLLECTION

As noted earlier, the data to be analyzed in this dissertation were originally collected to study the effects of a financial assistance program on recidivism for crimes of theft.[1] A number of studies[2] had led officials at the U.S. Department of Labor to believe that a large proportion of property crimes are economically motivated. That is, one important factor influencing property crimes is an inability on the part of newly released prisoners to earn enough money to cover their basic needs. It was reasoned that if the burden of need were mitigated, the motivation for the criminal behavior would be lessened and perhaps eliminated.

An experimental program designed to test this hypothesis was conceived by Dr. Howard Rosen, Research Director of the Manpower

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[1]The data described in this appendix were collected for the Manpower Administration, U.S. Department of Labor, research contract No. 82-11-71-45, under the direction of Dr. Kenneth Lenihan. The project was housed at the Bureau of Social Science Research, Inc., Washington, D.C. The author is indebted to Dr. Lenihan for his permission to use the data and for his detailed description of the sampling procedures and data collection methods.

[2]Daniel Glaser, "Crime, age and employment," American Sociological Review 24 (October, 1959), pp. 679-86; Daniel Glaser, Eugene Semans and Charles Dean, Money Against Crime: A Survey of Economic Assistance to Released Prisoners (Chicago: John Howard Association, 1961); George Pownall, Employment Problems of Released Prisoners (A Report of the Manpower Administration, U.S. Department of Labor, 1969).

Administration at the U.S. Department of Labor. In the following sections, the sampling procedures and methods of data collection, as well as the experimental design developed for the research, will be described.

Selection, Recruitment and Randomization

The Selection Criteria

The criteria used for selecting subjects for the project were designed to maximize the proportion of high risk offenders included in the sample, thus increasing the chances of producing a measurable effect among experimental participants. With this in mind the researchers eliminated:

1. Women
2. First offenders
3. Persons who had never committed a property crime (i.e., robbery, burglary, or larceny)
4. Persons over 45 years of age
5. Anyone who had been on a work-release program
6. Anyone who had over $400 in savings at the time of release[3] and
7. Anyone with a history of alcoholism or heroin addiction[4]

The limitations that these criteria place on the generalizability of the findings are addressed below.

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[3] Criteria 5 and 6 proved to be virtually synonymous.

[4] Those with drug problems were eliminated from the pool of potential subjects because the researchers did not believe that the experimental program was appropriate for attempting to reduce crimes of theft committed by persons with a drug habit to support. In addition, the researchers were sensitive to possible public criticism that the project was supporting the habits of these individuals, and strong adverse public reaction might have destroyed the efficacy of the project.

The Recruitment Process

Subjects were recruited from a list of individuals due for release from prison obtained from the Maryland State Department of Corrections. This list did not include persons released on court order or those who had a warrant or other legal detainer against them. During the two years that subjects were recruited (October 1, 1971, to July 15, 1973), the records of over 3,000 inmates were screened, and 432 men (13%) were selected for the study.

Both correctional records and personal interviews were used in the screening process. If, based on the above criteria, an individual was deemed eligible, an interview was arranged while the individual was still in prison in order to determine final eligibility status.

Before beginning the pre-release interview, the interviewers were instructed to identify themselves as working for a private research organization on a project sponsored by the Federal Government. The interviewers were instructed to emphasize that the research was not in any way connected with the Department of Corrections, the police, or the court. Each potential subject was asked if he would be willing to participate in the project, which would require being interviewed once a month during the first year after release from prison. Candidates were told that they would be paid five dollars for each interview, plus one dollar for transportation to the interview site. Potential subjects were not told about the possibility of receiving financial aid after their release at this time, thus ensuring that the stimulus for participating in the first post-release interview would be the same for all subjects regardless of the experimental group to which they were

assigned.[5]

If the individual declined to participate or did not meet all the eligibility requirements, he was dropped from the list of eligible persons. If all the eligibility requirements were met, and the individual agreed to participate, he was included in the research.

Randomization

Those individuals selected for the project were randomly assigned to one of the four experimental groups based on three characteristics assumed to be important factors influencing the potential for re-arrest: age, work experience, and marital status. This randomization procedure, known as the randomized block design, is especially useful when the effect of the treatment under consideration is likely to be small and the characteristics upon which the randomization is based are important factors affecting outcome. The cross-classification of these criteria yields 16 sub-samples.[6] Within each sub-sample the first group assignment was made randomly and each subsequent assignment systematically.

The Experimental Design

The experiment was designed to test the effects of both a financial assistance program and a job placement service on recidivism.

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[5]Only seven men who agreed to participate never reported for the first post-release interview: two in Group II, who were to receive financial aid; two in Group III, who were to receive a job placement service; and three in Group IV, who were to receive neither financial assistance nor job placement services. Two of the seven were contacted by the research team after their release and declined to participate. The remaining five men reported false addresses and were not located until they were re-arrested.

[6]Marital status and work experience were dichotomized: those presently married vs. all others, and those with one year or more of work experience vs. all others. Age was grouped into four categories: less than 21, 21-25, 25-30, and 31 and older.

Consequently, a four-group experimental design was utilized: Group I received both financial assistance and job placement; Group II received financial assistance but was not offered job placement; Group III was offered job placement but received no financial assistance; and Group IV received neither financial aid nor job placement. The precise nature of these programs is elaborated in Chapter 5, Section 1 of this report.

Project Administration

The participants were interviewed each month for one year after their release from prison. As an incentive for continued participation, those not receiving financial assistance were paid five dollars for each monthly interview, plus one dollar for transportation. Most of the men reported for their first post-release interview within two or three days after release from prison. If the participant did not keep his appointment, he would be telephoned or sent a telegram. If the individual did not respond to this reminder, an interviewer was assigned to find the individual and ask him to come to the research office to receive payment for the interview held while he was in prison. Until the subject arrived at the research office he was not told anything about financial assistance or job placement.

After the subject had been out of prison for one year, a thorough search of the court records was made to determine if the individual had been arrested during that time and, if so, what the outcome of the arrest had been.

Data Collection

The available data came from four major sources: 1) the subject's prison record; 2) a pre-release interview conducted a few days before

the individual was released from confinement; 3) thirteen post-release interviews (twelve monthly interviews plus an initial interview usually conducted a few days after the subject was released from prison); and 4) a search of the district court records in the state of Maryland and the cities of Washington, D.C. and Wilmington, Delaware, which provided data on the arrests, convictions, and sentences of the subjects during the first year after release.

The prison records contained some background information and a record of the individual's juvenile and adult criminal activity for which he was apprehended. The pre-release interview focused on family background, job training, education, and work experience. The post-release interviews focused on the individual's living arrangements and relationships with those close to him after his release from prison. Special attention was given to the ex-offender's work-related activities during the month prior to the interview. In addition, those subjects receiving financial aid were asked in detail about how they were spending the money received through the research program.

The final source of information, the District Court records of the State of Maryland, the District of Columbia, and the City of Wilmington, Delaware, provided data on the re-arrest, conviction, and sentencing of participants for a period of one year after their release from prison. If an individual had been arrested during the first year after release, the nature of the charge and the outcome of the arrest were determined.

An Evaluation of the Data

Two evaluations are important in assessing the quality and generalizability of findings reported in this study: 1) the extent to which criminal activity in Baltimore reflects the extent and type of criminal activity in other major urban areas in the United States; and 2) the extent to which the men selected for the study are representative of inmates in state prison in Baltimore. The following sections address these important issues.

Baltimore as a Research Site

When resource limitations dictate the selection of a single research site, it is important that the area selected for the study not differ substantially from other areas or units of interest. In terms of the present research, if criminal activity in Baltimore could be shown to differ substantially from crime reported in other major metropolitan areas, it would be difficult to sustain an argument supporting the selection of Baltimore as the research site, and the generalizability of the sample findings would be open to serious question. An analysis of reported criminal activity in Baltimore as compared to other major urban areas shows that this is not the case. The crime rate data presented in Table A.1 indicate that Baltimore is basically similar to major metropolitan areas in the United States as a whole, thus proving to be an adequate site for the project. While Baltimore's overall crime rate is over three times the rural crime rate, this figure is common among American cities generally. In 1975 there were 6,606 crimes reported per 100,000 persons in Baltimore, compared to 6,111 in other major urban areas. This difference in the overall crime

Table A.1

Crime Rate for Baltimore, All Major Metropolitan Areas, and Rural Areas in the United States, 1975

(Number of Crimes per 100,000 Inhabitants)[7]

Criminal Activity	Baltimore	Major SMSAs	Rural Areas
Murder, Manslaughter	14.8	10.6	8.1
Assault	422.2	254.9	123.7
Rape or Other Sex Crime	36.1	31.3	12.0
Robbery	492.1	284.0	23.5
Burglary	1,542.4	1,747.9	785.9
Larceny, Theft	3,474.8	3,195.6	941.6
Auto Theft	624.0	586.2	102.4
Total Violent Crime	965.2	580.8	167.3
Total Property Crime	5,641.2	5,529.7	1,829.9
Total Crime Index	6,606.4	6,110.5	1,997.2

[7]These distributions were developed from the Uniform Crime Report for the United States, 1975, Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C.: U.S. Government Printing Office, 1976, pp. 11 and 67. The rates were developed from "criminal activity known to the police," which refers to all confirmed complaints of crime received by law enforcement agencies from victims, police officers, or other sources. Whenever complaints of crime were determined through investigation to be false, they were eliminated from the count. "Violent crimes" are defined as murder, manslaughter, assault, rape or other sex crime, and robbery. Burglary, larceny/theft, and auto theft are defined as "property crimes." All variations reported are significant at the .05 level.

rate is primarily due to the substantially larger number of violent crimes reported in Baltimore compared to other major urban areas in the United States. The data also indicate that Baltimore has a slightly higher incidence of property crimes than the "average" American city, although this difference is not substantial (5,641 vs. 5,530 property crimes per 100,000 persons). Differences between the rates of the major types of property crimes are small, with Baltimore reporting slightly greater numbers of auto thefts and larcenies, and somewhat fewer burglaries than other major cities in the United States. While the property crime rate in Baltimore is almost identical with the national average for metropolitan areas, far more violent crimes are reported in Baltimore than in the major urban centers taken as a whole. In 1975 there were 965 violent crimes reported for every 100,000 persons in Baltimore, as compared to an average of 581 in the other major urban areas, a ratio of 1.67 to 1. The major difference between Baltimore and other cities relative to crimes of violence lies in the greater number of robberies and assaults. In 1975 there were 422 assaults per 100,000 persons in Baltimore, with other metropolitan areas reporting only 255 per 100,000 (1.65 to 1). The ratio is similar for the number of robberies, with Baltimore reporting 492 per 100,000 inhabitants, compared to an average of 284 in other major metropolitan areas across the country, a ratio of 1.73 to 1.

It could be argued that since the rate of violent crime in Baltimore is substantially higher than the average rate of violent crime in urban areas, a less violent city would have proven a more adequate research site. It should be kept in mind, however, that violent crime accounts for only about 10% of all reported crime and is

thus a minor factor in developing a general model of criminality and criminal recidivism. Additionally, all cities possess unique qualities, and no city can be described as the "typical" American city. In theory, a national probability sample of released prisoners would have produced the most generalizable findings, but ideal circumstances are rarely encountered in practice. Given the realistic considerations of time and money and the difficulty of receiving the cooperation of state correctional agencies, Baltimore served as a more than adequate site for the purposes of this study.

Generalizability of Sample Findings

In addition to choosing a representative research site, generalizability of sample findings is also affected by the extent to which the sample under consideration reflects the universe from which it was drawn, in this case persons incarcerated in Maryland state prisons. In order to make a simple evaluation of the quality of the sample, the distribution of five key characteristics of persons in the sample was compared with persons incarcerated in state prisons in Maryland and with male inmates of all state prisons in the United States. Overall, the sample compared favorably with available Maryland and national data. Despite the restrictive selection criteria described earlier, the distribution of persons in the sample compares favorably with the distribution of persons incarcerated in Maryland state prisons, and with national data in terms of the key criminal and social characteristics available for comparison (type of criminal activity, age, ethnicity, education and employment history). In terms of the type of criminal activity for which individuals were incarcerated, the sample

is almost identical with Maryland state prisoners in general and differs only slightly from the distribution of all inmates of state prisons in the U.S. Although there are some differences between the sample, Maryland state prisoners, and all U.S. state prisoners relative to available social characteristics, these differences do not jeopardize the generalizability of sample findings to urban areas in the United States.

Criminal Activity

A comparison of the most recent criminal activity of persons in the sample, in Maryland state prisons, and in all U.S. state prisons reveals little difference between the sample and Maryland state prisoners and only small differences between Maryland and all U.S. state prisoners generally. Although small differences occur between the sample and Maryland prisoners in any specific crime category, when the proportion of persons incarcerated for the major categories of criminal activity (i.e., crimes of violence vs. property crimes) are compared, there is no difference between the sample and Maryland state prisonsers and only a small difference between Maryland and U.S. state prisoners nationally.

The data in Table A.2 illustrate the distribution of persons in the sample, in Maryland prisons, and in all U.S. state prisons in terms of the individual's most recent offense. Slightly under 60% of both the sample and Maryland state prisoners were incarcerated for a crime of violence, as compared to 66% of all U.S. state prisoners. This difference is due primarily to the larger number of persons convicted of murder or manslaughter incarcerated nationally. The differences between the distribution of persons in specific crime categories are small and do not warrant substantive consideration.

Table A.2

A Comparison of the Major Conviction Charge for the Sample, Male Inmates in State Prison in the State of Maryland, and the Total U.S. Male State Prison Population[8]

(Percentage of Persons Incarcerated for Each Offense Category)

Conviction Charge	Sample	Maryland Male State Prison Inmates[9]	U.S. Male State Prison Inmates[10]
Murder/Manslaughter	3.6%	5.1%	22.3%
Assault	24.0	24.3	10.1
Rape/Sex Offenses	2.3	4.0	6.3
Robbery	29.4	24.0	27.8
Burglary	17.4	18.7	22.2
Larceny/Theft	14.6	16.1	9.2
Auto Theft	8.7	7.8	2.1
Total Violent Crime	59.3	59.7	66.5
Total Property Crime	40.7	40.3	33.5
N[11] =	(384)	(3,311)	(152,500)

[8]All data in this table are for male inmates only (females represent less than 5% of the state prison population). "Violent crime" refers to murder/manslaughter, assault, sex offenses and robbery; "property crime" refers to burglary, larceny/theft and auto theft.

[9]Maryland Division of Correction, Forty-Fifth Report, Fiscal 1973, Maryland State Division of Correction, Baltimore, 1973, 44-45.

[10]U.S. Criminal Justice Information and Statistics Service, Survey of Inmates of State Correctional Facilities in 1974. (Washington, D.C.: U.S. Government Printing Office, 1976), p. 28. N.B.: These data include rural areas.

[11]Forty-eight men (11%) in the sample were incarcerated for "other" crimes such as false pretense, disorderly conduct, and arson, as were 23% of the inmates in Maryland state prisons, and about 15% of all U.S. state prisoners. These persons are not included in the distributions presented above.

Age, Ethnicity, Education and Employment at Time of Arrest

The data in Table A.3 show the age, ethnic distributions, education and employment of persons in the sample, in state prison in Maryland, and in the total U.S. state prison population. Generally, the sample compares favorably with the age distribution of men incarcerated in Maryland, although the men in the sample are slightly younger than men incarcerated in Maryland generally. Fifty-six percent of those incarcerated in Maryland are under 25 years of age, compared to about 64% of those in the sample. Just as the sample is generally younger than Maryland inmates generally, so, too, are Maryland inmates generally younger than the U.S. state prison population. About 61% of all U.S. state prisoners are 25 years of age or older, as compared to 43% of Maryland state prison inmates.

The ethnic distribution for the sample, Maryland, and all U.S. state prisoners indicates that the sample is more heavily non-white than Maryland state prisoners generally and that Maryland prisoners tend to be more heavily non-white than the U.S. state prison population taken as a whole. Only about 12% of the sample is white, compared to 31% of persons incarcerated in Maryland, and 51% of all U.S. state prison inmates.

Although data on educational characteristics and employment at the time of arrest are not available on persons incarcerated in Maryland state correctional institutions, we are able to compare the sample with all U.S. state prison inmates in terms of these characteristics. The data in Table A.3 show that persons in the sample are less educated and also less likely to have been employed prior to their last arrest than U.S. state prisoners generally. About 86% of persons in the sample did

Table A.3

An Evaluation of Selected Characteristics of the Sample: A Comparison of Sample Data to Population Parameters[12]

Social Characteristic	Sample	Maryland State Prison Inmates[13]	All U.S. State Prison Inmates[14]
Age	(%)	(%)	(%)
18-19	14.4	16.1	7.5
20-24	49.1	39.9	30.8
25-29	19.2	20.9	23.8
30-45	17.3	23.1	37.9
	(432)	(3954)	(146,391)
Ethnicity			
White	12.3	31.1	51.2
Black	86.3	68.2	47.0
Other	1.4	.7	1.8
	(432)	(4285)	(190,800)
Education			
Less than H.S.	86.1	unavailable	62.8
H.S. Graduate or more or more	13.9		37.2
	(432)		(182,800)
Employment Prior to Last Arrest			
Employed during month prior to arrest (includes full-time and part-time employment)	53.2	unavailable	68.9
Not employed during month prior to last arrest	46.8		31.1
	(432)		(182,800)

[12]Age data for males 18-45 years of age only.

[13]Maryland Division of Correction, Forty-Fifth Report, Fiscal 1973, Maryland State Division of Correction, Baltimore, 1973, p. 6.

[14]U.S. Criminal Justice Information and Statistics Service, Survey of Inmates of State Correctional Facilities in 1974. (Washington, D.C.: U.S. Government Printing Office, 1976), p. 5.

not complete high school, compared to 63% of persons incarcerated in all U.S. state prisons. The individuals in the sample are also less likely to have been employed immediately prior to their last arrest, with only 53% reporting that they were employed when arrested, compared to 69% of all U.S. state prison inmates.

Conclusions

In evaluating the quality of the sample we have learned that in terms of the type of crime for which individuals were incarcerated, the sample compares favorably with data on both Maryland state inmates and state prison inmates nationwide. Relative to key social characteristics, however, we find that the Maryland state prison inmates differ substantially from all other state prison inmates viewed collectively and that the sample, limited to persons returning to the City of Baltimore, emphasizes these differences even further. Maryland state prisoners are substantially younger than state prisoners nationally, and, in turn, persons in the sample are somewhat younger than Maryland state inmates. In addition, Maryland inmates are more likely to be non-white than U.S. state prisoners generally, and the sample has an even greater proportion of non-whites (86%). This same trend is evident when the distribution of education and employment parameters among persons in the sample is compared to national data. We find those in the sample substantially less educated and less likely to have been employed at the time of their last arrest than U.S. state prisoners nationally. Although education and employment data are not available for inmates of Maryland prisons, it is likely that the sample again emphasizes the variation between men in state penal institutions in Maryland and national state prison inmate

data: those in the sample are less likely to have a high school diploma or to have been working prior to their last arrest than is true nationally, but more likely in both respects than persons in the sample.

The variation observed between Maryland and all U.S. state prison inmates can be attributed to the fact that Maryland inmates are primarily urban criminals,[15] while available national data includes all persons incarcerated in state prisons, including those from rural areas as well as predominantly white areas of the country. The differences between the sample and Maryland state prisoners can be attributed to the fact that sampling was limited to persons in state prisons returning to the City of Baltimore, as well as the other selection criteria outlined above.

Whenever subjects selected for observation in a study have not been chosen by random procedures from the population to which findings are to be generalized, it is possible that biases may produce the statistical results thought to be attributed to some endogenous variable. But despite the restrictive sampling criteria, persons in the sample are quite similar to those incarcerated in Maryland state prisons, and the differences that do exist can be reasonably attributed to the selection of Baltimore as the research site for the study. Although the restriction of sampling to the urban setting and the selection criteria for participants combined to produce a more homogeneous sample than would be preferred, individuals in the study have been shown to be quite similar to persons incarcerated in Maryland state prisons.

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[15] Maryland Division of Correction, Forty-Fifth Report, Fiscal 1973, Maryland State Division of Correction, Baltimore, 1973, p. 5.

Given this information, and considering the problem of generalizability in its most restrictive sense, care should be exercised in generalizing sample findings outside the City of Baltimore. However, given the similarity of Baltimore to other major metropolitan areas shown earlier, statistically stable findings[16] reported in this study should have relevance for understanding processes related to criminal activity in all urban settings.

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[16]Statistical stability is defined at the .05 level in this study.

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