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Defining Stalking: The Influence of Legal Factors, Extralegal Factors, and Particular Actions on Judgments of College Students

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Abstract: *Although research demonstrates that college students are at great risk for stalking occurrences (Fisher, Cullen, and Turner 2002), little scholarship exists on how students define stalking. In the current study, a 2 (offender/target gender: male offender/female target, female offender/male target) x 4 (relationship: stranger, casual acquaintance, ex-intimate, hook-up) x 2 (respondent gender: female, male) factorial design survey was administered to 527 college students to determine whether these extralegal factors influence the ascription of a stalking label. Logistic regression results revealed that respondent gender and offender/target gender did not statistically influence the application of a crime label. However, cases involving strangers and acquaintances were significantly more likely to be envisioned as stalking than cases between ex-intimates, partly because behaviors by the latter could be excused as attempts at closure or reconciliation. Student narratives further revealed that students often envisioned information gathering, following, or showing up unannounced as indications of stalking. Results also suggested that students do not feel victim fear is necessary for a case to be deemed stalking, a legal requirement set forth by many states. Implications of these findings and directions for future research will be discussed.*

Keywords: stalking, perceptions, gender, prior relationship, law, campus crime

Researchers have recently begun examining perceptions of stalking, but studies are limited in number, and many have been conducted in locations outside the United States (Dennison and Thomson 2000; 2002; Sheridan et al. 2003; Sheridan and Davies 2001a). In addition, results have yielded findings that are not always consistent, possibly because perceptions were measured using different samples of respondents (college students, the general public, victims) and different definitions of stalking. In general, studies have revealed that prior relationship (Dennison and Thomson 2000; 2002; Kinkade, Burns, and Fuentes 2005; Phillips et al. 2004; Sheridan et al. 2003), particular actions (Sheridan et al. 2003), the presence of threats, and the absence of victim fear play a role in the determination of stalking cases (Dennison and Thomson 2002). The current research adds to this literature by incorporating a qualitative component within the traditional fixed format of surveys, allowing for a deeper investigation into the meaning behind perceptions. The narratives also allow for the researcher to simultaneously examine the impact of multiple factors

(legal and extralegal) on college students' judgments of stalking.

In the current study, a 2 (offender/target gender: male offender / female target, female offender / male target) x 4 (relationship: stranger, casual acquaintance, ex-intimate, hook-up) x 2 (respondent gender: female, male) factorial design survey was administered to 527 college students to determine whether these extralegal factors statistically influence the ascription of a stalking label. Using open-ended responses, this study then explored why gender or prior relationship might impact perceptions. Second, this study investigated whether select actions permeate students' descriptions of stalking. Third, this research examined whether college students' interpretations of stalking adhere to the legal requirements set forth in legislation. Last, this research explored whether one commonsense definition of stalking exists among college students.

Investigating these questions could help identify any student misconceptions with the law and/or risk that warrant clarification. If college students do not see select

actions by certain types of offenders as stalking, it could inhibit the reporting of genuine stalking cases to criminal justice authorities, thereby decreasing the chances for victim assistance. Further, if college students do not know what stalking is, they cannot be deterred from committing stalking acts. It is important that research measure student understanding of stalking in order to design effective prevention and intervention programs for this at-risk population.

LITERATURE REVIEW

State jurisdictions in the United States disagree on the definition of stalking. However, many states have amended legislation based on standards set forth in the Model Anti-stalking Code developed by the National Institute of Justice in 1993 (U.S. Department of Justice 2002). The Model Code requires that stalking include a purposeful course of conduct directed at a particular person, one that would cause a reasonable person to fear bodily injury or death to himself or herself or to an immediate family member (National Criminal Justice Association 1996). As a result, stalking demands an examination into the repeated behavior and intent of the offender and the fear or distress encountered by the victim. While the level of fear and distress experienced by the victim can vary by state, most states require some reaction on the part of the victim (U.S. Department of Justice 2002).

Clearly, stalking is an extraordinary crime because it requires repetition of behavior, not just a single act. Second, stalking is not a crime unless the victim is aware of it and reports it, and even if reported, a victim's emotions determine victimization. Given the complexities of legal stalking definitions, it is possible that college students do not have a clear definition of what stalking is. It is also impractical to assume "that there exists anything remotely resembling one 'people' who can be said to see legally relevant matters in even remotely similar ways" (Haney 1997: 310). Perceptions of stalking could be so varied that a widely accepted definition of stalking may be impossible.

Particular Actions

A few scholars have claimed that an acceptable definition of stalking could be created using perceptions of stalking-like behaviors (Sheridan, Davies, and Boon 2001). For instance, in their sample of 348 female trade union members in England and Wales, all of whom were asked to indicate which behaviors from a list of 42 were stalking, Sheridan et al. (2001) found that women identified acts commonly featured in the media (following, telephoning, photographing) as stalking. Also included were unpredictable threatening behaviors (causing property damage, making threatening phone calls, death/suicide

threats) and attachment behaviors (refusing to accept that a relationship is over, sending bizarre items, uninvited regular visits). Nonstalking behaviors included acts that parallel normal courtship (telephoning after one meeting, talking about the target to mutual friends) and overbearing/verbally obscene actions (asking the target out more than once, engaging an acquaintance in inappropriate intimate dialogue).

Similar patterns were discovered when surveying male respondents a year later (Sheridan, Gillett, and Davies 2002), signifying that men and women in England and Wales report similar perceptions of stalking. It is important to note that in England and Wales, behaviors do not need to invoke victim fear to qualify as criminal stalking. Thus, stalking may be more difficult for men and women to identify in the United States, where legislation is more complicated.

Extralegal Factors

The literature on stalking perceptions has begun to look at other factors, besides specific intrusive behaviors themselves that could affect public sentiment. For instance, Sheridan et al. (2003) found that gender had no impact on the extent to which British college students judged cases of stalking. Scenarios could depict male and female victims, and respondents would see the case as stalking. Similar findings were reported in other studies of U.S. college students (Kinkade et al. 2005; Phillips et al. 2004).

Gender of the participant responding to scenarios may significantly influence perceptions. Although Phillips et al. (2004) found participant gender did not have a direct association on perceptions in their first study, their second study revealed that females were significantly more likely than males to rate the vignette as indicative of stalking. Yanowitz (2006) also found that approach or surveillance behaviors were more likely defined as stalking by female college students. Further, Dennison and Thomson (2002) found that females in Australia were more likely to identify vignettes as stalking and to perceive that the accused intended to cause the victim fear, indicating that males and females may not define and understand stalking behavior in exactly the same way.

Several studies have also examined the influence of prior relationship on perceptions of stalking, yielding varied results. Kinkade et al. (2005) found that prior relationship between the victim and offender was insignificant in college students' determination of whether a scenario was seen as stalking. Similar findings were revealed in a study of Australian community members (Dennison and Thomson 2000). However, a year later, Dennison and Thomson (2002) found that when persistence levels were low, fewer community members classified behaviors as stalking in stranger and acquaintance cases. On the other hand, other research has revealed that college students were more likely to consider

incidents stalking when no prior relationship existed between the perpetrator and target (Phillips et al. 2004). Likewise, Sheridan et al. (2003) found that college students in the United Kingdom were more likely to ascribe stalking when the perpetrator was an acquaintance or stranger, rather than an ex-partner.

Legal Factors

Although the majority of studies to date examine the impact of extralegal factors on stalking perceptions, Dennison and Thomson (2000; 2002) assessed the extent to which legal factors impact the ascription of a stalking label. In their first Australian study, the vignettes manipulated intent to cause harm/fear (present or absent) and consequences to the victim (extreme fear, moderate fear, no fear). Results revealed that consequences to the victim and intent were not relevant to the public definition of stalking. In fact, "even when there was no explicit evidence of intent to cause harm or fear to the target, and even when the target did not in fact experience any fear or harm, but rather an invasion of privacy, the behavior was still perceived as stalking" (Dennison and Thomson 2000: 166).

In their second study, Dennison and Thomson (2002) manipulated the degree of persistence in the vignette (low or moderate), along with intent and victim consequence. This study found that cases were more likely seen as stalking when explicit evidence of intent was present and when there was a greater degree of persistence illustrated. Interestingly, if intent was conveyed, this was sufficient to perceive the behavior as stalking, regardless of persistence. Like their previous study, greater level of victim fear did not increase the ascription of a stalking label by the public.

Findings by Sheridan and Davies (2001a) provide additional evidence that victim fear may not be a key feature of stalking among the general public. In their study, 88 college students from the United Kingdom were provided 20 transcripts of actual intrusive acts experienced by females and asked to indicate which ones represented stalking cases. Most participants were asked to judge the situation using one of three possible anti-stalking laws provided them (England, United States, Australia), while others relied solely on personal opinion. Results revealed that college student perceptions of stalking most closely match laws in England that do not require the presence of intent or victim fear. Although responses from English participants are more likely to reflect legislation in England than other countries, another study comparing legally defined and self-defined stalking victims in the U.S. revealed that fear of harm is not perceived as a relevant component of stalking victimization (Tjaden, Thoennes, and Allison 2000). Many participants in the study defined themselves as stalking victims, yet they failed to meet the fear standards required by law.

PRESENT STUDY

The present study used both quantitative and narrative analysis to explore college student definitions of stalking. Stalking often begins as obsessive relational intrusion (ORI) by individuals who desire an intimate relationship (Spitzberg and Cupach 2007). According to legal codes, once the repeated intrusions to privacy are perceived as threatening to the victim, the behavior qualifies as criminal stalking. The current study portrayed an offender in the early stages of pursuit of an intimate relationship with the victim (repeated phone calls and messages, followed by a single threat) to uncover whether students could identify the presence of stalking during these early stages of courting, when ORI behaviors transform to stalking. By providing a scenario which depicted circumstances which includes less extreme examples of stalking behaviors, this study created the opportunity for a deeper investigation into what constitutes a stalking incident. Through the use of qualitative data, this study seeks to develop a better understanding of why an incident qualifies, or fails to qualify, as criminal stalking. Based on previous scholarship, five hypotheses were proposed.

H1 (Respondent Gender): Female participants will more likely judge situations as stalking than male participants.

H2 (Extralegal Case Factors): Prior relationship between the victim and offender will influence student definitions of stalking, but offender/target gender will not.

H3 (Particular Actions): Particular actions/behaviors engaged in by pursuers will influence college student definitions of stalking.

H4 (Legal Case Factors): Persistence in pursuit and the existence of threats will have a greater influence on student definitions of stalking than victim fear.

H5 (Universal Definition): Respondents will report varying definitions of stalking.

METHODOLOGY

Data Collection and Sample

A 2 (offender/target gender: male offender/female target, female offender/male target) x 4 (relationship: stranger, casual acquaintance, ex-intimate, hook-up) x 2 (respondent gender: female, male) mixed factor design survey was administered in undergraduate classrooms during regularly scheduled courses. Selection of classrooms was not random; it was based solely on permission from the instructor. Ten classes in total were surveyed from courses in health and exercise science, sociology, African American studies, political science,

leadership, civil engineering, philosophy, art, and dance. Once in the classroom, students were told that the survey was about unwanted pursuit behavior (rather than stalking), so as to not taint their responses to the question asking them whether the vignette constituted stalking. Completion of the survey was voluntary and no incentives were offered to students. While there was no systematic information collected on response rate, very few students declined to participate in the study once learning about the survey.

Each participant read one of the eight possible scenarios and then answered a series of questions asking them what they think about the case. To limit the chances of confounding offender/target gender with respondent gender (respondents could more closely identify with targets of the same gender), participants were assigned to the condition irrespective of their gender. To ensure that each classroom responded to each of the eight possible scenarios, the surveys were specially ordered prior to administration (every ninth student in each row restarted the pattern of possible scenarios). Half of the respondents read a scenario with a man stalking a woman, and half read a scenario with a woman stalking a man. One quarter of respondents read a scenario that involved strangers, one quarter read a scenario that involved ex-intimates, one quarter read a scenario that involved casual acquaintances, and one quarter read a scenario that involved “hook-up” partners.

Five hundred and thirty students from a large, east coast university responded to the scenarios. Three of the surveys were unusable given missing data, creating a final sample size of 527 students. Participant demographics indicate that 55% of the sample was female and 45% was male. The large majority of students were Caucasian (84%). Six percent were African American, 4% were Asian, 3% were Latino, 2% were mixed race, 1% were “other,” and less than 1% were American Indian. With respect to age, 98% of students were 18 to 26 years old (48% were 18 or 19 years old, 40% were 20 or 21 years old, and 12% were 22 years of age and older). No significant demographic differences (gender, race, age) existed between the sample group and the general student population. Also, unlike other studies that often survey large introductory freshman social science courses, this study incorporated a greater variety of students. Thirty-three percent were freshman, 34% were sophomores, 17% were juniors, 14% were seniors, and 2% were graduate students. Academically, 22% majored in the social sciences, 19% in arts and humanities, 18% in engineering, 13% in business, 12% in health science, 6% in natural/mathematical sciences, 4% in education, 3% in human services and public policy, 1% in agriculture, and 2% were still undecided.

Materials

Scenarios. All eight scenarios showcased an offender’s initial attempts at courtship. Nonetheless, each scenario met the legal requirements of stalking for most states. Considering the most prevalent forms of stalking behavior today, the *persistent intrusion* in the scenario consisted of a pattern of unwanted telephone calls and messages (Baum et al. 2009; Blaauw et al. 2002; Fisher et al. 2002; Mullen et al. 1999; Pathe and Mullen 1997). Drawing from Dennison and Thomson (2000; 2002), the explicit *threat* was captured by claiming the victim received a telephone message on his or her answering machine stating, “If you don’t give me a chance then there will be trouble. You will be sorry.” *Victim fear* was portrayed by the concluding remark indicating the victim was frightened and the next day had a dead bolt lock installed by the landlord.

The elements of persistent intrusion, explicit threat, and victim fear were constant across all scenarios. The beginning of each scenario was manipulated to examine the impact of gender and prior relationship. Gender included cases in which men pursued women or women pursued men. The prior relationship between the victim and offender included the three standard categories of strangers, casual acquaintances, and ex-intimates. Yet, because casual sex is a dominant form of heterosexual interaction on college campuses (Bogle 2007), this study also included the relationship category of “hooking up.”

A pilot study was completed prior to dissemination of the survey to determine if interpretational issues existed. After minor adjustments, in the hook-up scenario, the offender and victim met at a bar where they flirted on the dance floor and eventually went out to the parking lot and had sex. In the stranger scenario, the offender saw the victim at a bar and obtained the victim’s name from a credit card receipt left on the table. In the acquaintance scenario, the offender and victim had a class together; they ran into each other in a bar and talked for 10 minutes about the class. In each of these situations, the next day, after finding the victim’s contact information within the campus directory, the offender engaged in the pursuit behavior. With the ex-intimate scenario, the offender and victim met at a bar, and the next day the offender obtained the victim’s contact information from the campus directory and called to ask for a date. The date went well and the two dated for a year. Right after the break-up, the offender engaged in the stalking behavior (see Appendix A for complete scenarios).

Variables. The independent variables in this study included the prior relationship and gender of the offender and target described in the scenario, as well as the gender of the respondent. Prior relationship included stranger, casual acquaintance, hook-up, and ex-intimate cases. For the current analysis, the dummy variable of ex-intimate was left out of the model as the comparison category.

Offender/target gender incorporated scenarios with men pursuing women and women pursuing men. Respondent gender included male participants and female participants. Considering that the race/ethnicity of the individuals responding to scenarios could also impact perceptions, this variable was included as a control variable (white/nonwhite).

The dependent variable in the model was the ascription of a stalking label. Respondents were asked whether they believed the scenario they read constituted stalking (yes or no). They were then asked to explain in their own words why this was or was not a stalking case. No triggers, prompts, or clues were provided to participants to ensure responses were clear reflections of what college students feel is stalking.

Analysis

This study utilized a mixed-method design by adding an open-ended question to the traditional fixed-format questions of factorial survey designs. Given the dependent variable was dichotomous, quantitative findings were calculated using logistic regression procedures. To get a deeper understanding of the quantitative findings, narrative responses to the open-ended question were coded to examine the impact gender and prior relationship have on perceptions. General open-coding procedures were also used to identify any key themes that arose in the lay

description of stalking, such as particular offender actions. The researcher also gauged the extent to which the three general criteria of stalking (unwanted repeated pursuit, threats, and victim fear) were mentioned in written responses. Given narrative analysis is not as objective as logistic regression, numerical counts (per theme) are available in Appendix B.

RESULTS

Descriptive results indicate that the majority of participants (74%) viewed the scenarios they read as stalking. Findings from the logistic regression model (see Table 1) further revealed that gender of the respondent was not significant in the application of a stalking label. Female participants were no more likely to judge situations as stalking than male participants. Offender/target gender was also not significant in the application of a stalking label. College students in this sample perceived situations as stalking regardless of target or offender gender. Prior relationship between the target and offender, on the other hand, was pertinent in the application of a stalking label. Cases with strangers and acquaintances were significantly more likely to be viewed as stalking than cases with ex-intimates. Using respondent narratives, the section that follows will clarify why prior relationship influences perceptions of stalking.

Table 1. Logistic Regression Results Predicting the Definition of Stalking

Variable	β	<i>SE</i>	<i>Exp(B)</i>	<i>p</i>
Male pursuing female	0.01	.21	1.01	.97
Stranger	-1.86	.37	0.16	<.01
Acquaintance	-0.78	.28	0.46	.01
Hook-up	-0.45	.27	0.64	.09
Respondent is male	0.07	.21	1.07	.74
Respondent is white	-0.32	.28	0.73	.25
Constant	-0.20	.32	0.82	.55
χ^2	34.69*			
<i>NOTES:</i> The data were collected in 2006 from one large east coast University. <i>N</i> = 499. For interpretation purposes, the dependent variable is coded 1 if respondents labeled the scenario as not stalking and 0 for stalking.				
* < .01.				

The Impact of Prior Relationship

The words provided by respondents imparted some insight as to why stranger cases were significantly more indicative of stalking than ex-intimate cases. One reason was that college students make excuses for ex-intimate offenders, which deflects the application of a crime label on their actions. For 12 of the 130 respondents who read the ex-intimate scenario, ex-intimates were not perceived as engaging in stalking; they were seen as frustrated over the end of a long-term relationship and in need of proper closure.

(H48) Female. It is a primary level of stalking, the kid just may be upset and want closure.

(H02) Male. Justin is just frustrated over the end of a long relationship. A few messages on a machine, while annoying perhaps, do not harm anyone and he will more than likely move on and stop calling shortly.

(D58) Female. I think they're messages from a girl you've dated for a year and just broke up [which] is hardly stalking, she just needs more closure.

(H36) Male. This is not stalking at this stage because they were both recently a couple and it's only natural that he feels that way.

If they were not seeking closure, some respondents believed pursuers were attempting to win their ex-partner back (N=6).

(D43) Female. Stalking includes constantly following, calling and threatening another person in a way that is not acceptable. What she is partaking in is just an act to get someone back.

(D31) Female. No, she isn't stalking him yet. Right now she is just trying to find out if they can hang out with empty threats. She isn't following him.

(D11) Female. She's a girl trying to get her boyfriend back by desperate means; She isn't to the point of stalking him yet.

Apparently, the motivation of ex-intimate offenders was not perceived as predatory. Instead, offenders were either recovering from the loss of intimacy or attempting to reestablish it. Given intent to cause harm was lacking, culpability of the offender was lowered and actions were not perceived as serious enough to warrant a label of stalking.

A second explanation for the significance of prior relationship stems from the fear of the unknown (Sampson 1987). Participant narratives indicated that stalking involved actions imparted by offenders the victim had never met. This was most evident in stranger scenarios (N=16), yet a few participants responding to the acquaintance (N=2) and hook-up (N=3) scenarios mentioned that the greater relational distance between the victim and offender

impacted their perceptions of stalking.

(B45) Male. Stalking consists of a person you don't know being crazy like getting your information (like name, address) off a credit card.

(F64) Female. He is going out of his way to find information about a person he has never spoken to.

(F36) Male. He found out information about a stranger and began trying to talk to her.

(F33) Male. He had no actual contact with her where she expressed any interest in him, yet he continued to pursue her.

(B29) Female. It does [constitute stalking] because she hadn't even spoke to him and took multiple steps to get in touch with him and when rejected she kept bothering him.

Existing studies have found that individuals typically view stranger cases as the most serious, partly because these offenders can perpetrate random acts of violence on everyday innocent individuals (Sampson 1987; Scott 2003). If stranger cases are viewed as more of a concern, then it logically follows that college students would more likely view situations with strangers as crimes.

The Impact of Particular Actions

Although a number of individuals perceived stalking to be a characteristic of types of people (strangers), a large majority of students in this sample believed stalking to be a characteristic of particular actions or behaviors.

Information gathering. One hundred sixty-five respondents mentioned that the scenario they read constituted stalking because the offender invaded privacy by looking up someone's information without their consent. This is evidenced in the excerpts below.

(A28) Male. John did not give his information, so to find out John's information for a personal reason without John's knowing, Trish was stalking.

(C30) Male. It constitutes as stalking because she obtained his phone number and address without his permission.

(F04) Female. As a female, I would be worried about my safety. I think his methods of getting her name, phone number, and address were very secretive and stalkerish. He's also constantly calling her.

(D65) Female. Just because she calls alot - no. It's not like she has searched him out. The way she found out his information before they were together was somewhat stalkerish.

An offender who goes out of their way to uncover a victim's phone number and address on the Internet is

viewed as a stalker. These are very “secretive” actions performed in the shadows without victim comprehension and knowledge. As is evident within the statement by Respondent D65, even in cases in which the victim and offender had dated a year, the initial gathering of information online was “stalkerish.”

It is now apparent that another potential reason why stranger cases were seen as stalking to a greater extent than other relationship categories is that, in the stranger scenario, the offender gathered more information on the victim. The stranger offender did not just look up the target’s phone number and address on the Internet, but he or she also uncovered the victim’s name by examining a credit card receipt left behind on a bar table. Several respondents noted that obtaining a name from a receipt, then looking them up online, provides considerable evidence of stalking.

(F05) Female. First of all, Kyle found her receipt and then followed up by finding her name and number and persistently called her after she refused him. STALKER!

(B04) Gender Unknown. It’s stalking because she did police work to get his name and called many times.

(F25) Male. I think that since he got her number off a credit card receipt that it’s stalking. He should have gotten it himself by talking to her.

(F54) Female. It is stalking. He doesn’t know her and instead of doing what normal people do - like go up and ask her name and talk to her, he resorted to deviant, dishonest behavior violating her privacy.

(F23) Female. I think Kyle’s actions constitute stalking because he violated Monica’s right to privacy by looking at her bill and obtaining her information without her consent. He also continued to call her once she had asked him not to.

It was believed that stalkers use investigative means to track down the person they are attracted to, not non-stalkers. The actions taken by the offender in the scenario were unacceptable because students felt people should gather information on an individual with whom they are interested from talking directly with them, not going behind their backs and invading their privacy.

Physical pursuit: following and uninvited visits. One hundred and thirty-six participants in this study perceived that the scenario they read failed to meet the requirements of a stalking label. Just over a third of those students (N=52) believed it could not qualify as stalking because the offender never engaged in a course of conduct that included physical pursuit.

(C58) Male. She may have called several times but I see stalking as physical attachment.

(B57) Female. I think stalking is more of a physical presence concept, watching behaviors very closely. This is only voice contact.

(H08) Male. He’s not physically going to her, he is informing her, its more harassment.

(D10) Male. No, NOT YET, if she continues and takes physical action, then it is stalking.

(D03) Male. Stalking is more a physical action. Actually being there.

As Respondent D03 indicated, the crime of stalking entails a physical presence by the offender. Interestingly, repeated verbal contact, threats, and victim fear were not enough to convince these respondents that the crime of stalking had occurred. Instead, two specific forms of physical pursuit needed to transpire between the victim and offender to sway their attitudes. The first type of pursuit mentioned by respondents as an indicator of stalking was following the victim (N=26).

(A65) Female. She hasn’t physically met him and talked to him, just left phone calls. She’s not following everywhere he notices yet: NOT stalking.

(G44) Male. Stalking means that your shadowing someone with the intent of keeping them from knowing what you’re doing. Calling someone let’s them know what you’re doing.

(A49) Female. [It’s not stalking]. She’s not following him around watching every move. Has only called him.

(E13) Female. It is borderline [stalking]; however, so far it is just a few phone calls, not following her around or hunting her down at other locations.

(G29) Male. He is close to it [stalking], when he starts following her then it will be.

Showing up uninvited was also envisioned by some respondents as a clear indication of stalking (N=5).

(C22) Female. I think it would be if she begins to show up wherever he is. As of now the only thing abnormal is the threat.

(D54) Female. No, Stephanie is close to crossing the line, but all she has done so far is call Justin. If she begins to show up where he is, then it would be stalking.

Furthermore, this conception of uninvited visits as stalking was often specific to a particular location. For 10 other students who felt the scenario did not constitute stalking, they believed stalking takes place when the offender visits the victim’s home or domicile.

(F65) Male. I think it does [constitute stalking], but it isn't the best word. He is pursuing her, but when I think of stalking I think like sitting outside her house for hours.

(E36) Male. No, [this isn't stalking] because it was just a couple calls and he did not, yet, go to her house.

(A43) Female. She hasn't even been to his apartment yet so I don't consider it stalking.

(H30) Male. A person can't be forced to talk on the phone. It would be stalking if he repeatedly came to her house or confronted her in person.

(H21) Male. No, [it's not stalking] but if he starts hanging around her apartment and calling more than yes.

Evidently, some college students envision stalking to be much like the hunting and tracking of prey, where targets of pursuit must consistently watch over their shoulder for the next visible move by the hunter.

The Impact of Legal Factors

By law, stalking occurs when unwanted repetitive actions and threats are waged against a fearful victim. Narratives revealed that student perceptions match this criterion in some ways. For one, many students believed that unwanted repeated pursuit was integral to defining stalking (N=246).

(F57) Male. Anytime you make multiple attempts to contact a person against their will, it seems as if that would be stalking.

(E18) Female. When someone pursues someone who is not interested many times then that should be considered stalking.

(H23) Female. [It is stalking]. He won't stop calling and he won't take "no" for an answer.

(D41) Female. Any unnecessary and unwanted contact is technically considered stalking.

As Respondent H23 and others in this survey proclaimed, stalking existed when an offender was persistent and would not "take no for an answer." Unfortunately, unwanted repeated pursuit in and of itself is not stalking. Stalking also entails threats and reasonable fear.

A large number of respondents did mention that the scenario constituted stalking because the offender made a threat on the answering machine (N=126). For some, the threat in the scenario upgraded the case to stalking.

(G09) Male. Yes, [it is stalking] because of the threat posed in the last message. If that did not occur I think the first initial calls were innocent attempts to get a date.

(G33) Female. The situation was just creepy and a little overbearing until he left that final message. He crossed the line.

(C65) Female. It does [constitute stalking] because of the threat. If not for the threat, it would have been okay.

(B23) Male. It wasn't stalking until she left a threatening voicemail.

(A32) Male. I felt that it wouldn't be considered stalking until the final message with a threat attached was sent. Once that was sent it was more than trying to get a date.

According to some, the case was not criminal until the threat. One reason for this is that the unwanted pursuit prior to the threat may be acceptable attempts at getting a date. Thus, the romantic imagery of passionate pursuit complicates the matter of stalking. Further, like unwanted repeated pursuit, a threat by itself is not stalking.

Students often mentioned that the compilation of two or all three of the following factors constituted stalking: information gathering, persistence in pursuit, and the delivery of threats.

(F12) Female. He found out her name, found out her phone number, called her a lot of times, and threatened her. She didn't invite any of it to happen. I think that's stalking on his part.

(G57) Male. Going out of your way to get a phone number and calling repeatedly is definitely stalking.

(A31) Female. She found his phone number/address without John's permission and then harassed him, this qualifies as stalking in my opinion.

(A58) Female. OK she went so far as to find him in the directory and calling him. Then she kept on calling and calling. After the first rejection most girls get the hint but she insisted that he go out with her or else. The threat just tipped me off that she does have stalker tendencies.

(H41) Male. He won't stop contacting her. He made threats. Plus, he got her number from the student directory- Shady.

Absent in these definitions was victim fear. Only 7 respondents classified the scenario as stalking because the victim felt nervous or scared. Similar to Australia, definitions of stalking in the U.S. were not dependent on consequences to the victim. Instead, it was a "catch-all term, describing a wide variety of events rather than conduct that is calculated to cause fear or harm. The actions of persistent and unwanted contact such as following, telephoning, or watching may be enough to illicit perceptions of stalking...in the absence of fear or harm experienced" (Dennison and Thomson 2000: 168). College

students in the current study did take unwanted repeated pursuit and actions like following, uninvited visits, or information gathering seriously. For many, these behaviors constituted stalking, not because the offender invoked fear in the victim, but rather the offender violated the victim's privacy.

DISCUSSION

Some researchers characterize stalking as the "elusive crime" (Sheridan and Davies 2001b). While stalking can be hard to understand, after viewing a variety of scenarios, college students in this study identified what they felt constituted stalking. Counter to expectations, there was no significant difference in the perceptions of male and female participants (H1). As expected, there was no one collective definition of what it meant to stalk another individual (H5). Definitions varied considerably; yet as anticipated, extralegal factors (H2), particular actions (H3), and legal factors (H4) all played some role in student definitions of stalking.

Parallel with previous research (Kinkade et al. 2005; Phillips et al. 2004), findings from this study indicated that the extralegal factor of offender/target gender had no effect on the application of a stalking label. For college students, a case involving a pursued man would be seen as stalking to the same extent as a case involving a pursued woman. However, students viewed stranger and acquaintance cases as more indicative of stalking than ex-intimate cases. Existing literature has noted that college students envision cases as stalking when the offender was unknown (Phillips et al. 2004; Sheridan et al. 2003), yet the current study reveals the meaning behind perceptions. Stranger cases were labeled as stalking because pursuit by ex-intimates was excused as courtship or attempts at closure. This quandary lies at the heart of policing stalking. It is difficult to prove intent because pursuit appears similar to innocent, normal practices for establishing, advancing, or ending relationships (Emerson, Ferris, and Brooks-Gardner 1998).

Other students noted that stalking occurred when the pursuer engaged in particular actions, notably physical pursuits, such as following or showing up uninvited to private locations frequented by the victim. As was seen in two studies of perceptions in England and Wales (Sheridan et al. 2001; Sheridan et al. 2002) and in another study of stalking victims in the U.S. (Tjaden et al. 2000), the crime of stalking encompasses attachment/approach behaviors commonly exhibited in the media. These behaviors display the stalker's obsession with the target and the need to have information about the target to guide potential future contacts (Spitzberg 2002a).

Information gathering was another action often envisioned as stalking by students in this sample, supporting results found in Kinkade et al.'s (2005) study of college students from the southwest. Many students in the current study mentioned that gathering data on an

individual without their knowledge and/or invading their privacy was stalking, even absent threats or fear to the victim. This concern over privacy could explain why some students felt uninvited visitation to the target's home constituted stalking. If the offender visits the target's home uninvited, especially on multiple occasions, privacy is no longer guaranteed; and the home, often considered a "private" space, may no longer serve as a safe haven away from public space.

With respect to legal factors, a substantial number of college students viewed unwanted, repeated pursuit as an indicator of stalking. However, for some students, this factor ascribed stalking even when threats and victim fear were not present. Although threats did matter to a significant number of respondents, privacy violations and unwanted pestering were more influential to the application of a stalking label. Fear being felt by the victim was the most inconsequential factor to the labeling of stalking.

As a result, college students, who are frequent victims in stalking events (Fisher et al. 2002), classify stalking in ways that do not parallel legal definitions. It is critical that students be made aware of the law in efforts to encourage more stalking victims to report. The scenarios in the current study met the legal requirements of stalking, yet some students did not see the case as stalking, largely because the case was not physical in nature. The implication of this is that college students would not report similar cases to authorities and receive assistance before stalking progressively worsens. College students need to recognize that stalking is not always a crime of physical violence. Instead, it is often a form of psychological terrorism in which manipulation and the constant potential for violence traumatizes victims (Hall 1998).

It also appears that college students would be less likely to report behaviors by ex-intimates to police. Although it is easy to envision pursuit by ex-intimates as campaigns of love and adoration, stalking is usually about loss of power and control. Further, excuses waged for ex-intimate stalkers only reduces offender culpability and creates a false sense of security (Reiman 1998), ultimately leaving students vulnerable to grave encounters from ex-intimates that necessitate police intervention (Spitzberg 2002b).

Furthermore, these findings suggest that offender deterrence may be obstructed by ignorance of the law. College students, who might be potential offenders, cannot be deterred from committing acts if they are unaware of the criminality of the action. They too might assume that stalking requires physical encounters between the victim and offender or it involves interactions between strangers. As a consequence, college administrators should consider the creation of a for-credit course aimed at educating students on stalking (Buhi, Clayton, Hepler-Surrency 2008). This course could be integrated as part of the freshman experience curriculum or in the very least, be incorporated into a new-student orientation session, which

could educate college students on the legal definition of stalking and provide resources and tools to help them identify whether someone is a victim of stalking.

The findings from this study also have implications for future studies examining the prevalence of stalking in the general population. Given that college students (and researchers) apply varying definitions to the crime of stalking, it is no surprise that estimates of stalking range considerably from one study to another (Fisher et al. 2002; Fremouw, Westrup, and Pennypacker 1997). The current research confirms that many individuals do not consider fear an important component in the definition of stalking (Tjaden et al. 2000). As a consequence, any research that allows for the self application of a stalking label will likely inflate the extent of stalking in the population. To capture a more accurate account of stalking in the population, one that reflects legal codes, a more stringent definition of stalking should be used by researchers. It would be best to create a standard operationalized definition that would allow for across-study comparisons.

While this study generated findings that could assist college administrators and future research, the analysis and data have limitations. For one, this study was comprised of a convenience sample of college students from one university in the north east. Although student samples of convenience are frequently used for attitudinal research (Payne and Chappell 2008), perceptions from this sample cannot be generalized to perceptions of all college students or the general public. However, given that the demographic characteristics of the sample in this study are analogous to the characteristics of the larger population at the university, it is not impractical to assume that similar views are held by other college students at this university and possibly other universities in the region with comparable demographics. Also, the findings from this research parallel other quantitative studies examining college student perceptions of stalking in other locations (Kinkade et al. 2005; Phillips et al. 2004; Sheridan et al. 2003), increasing confidence in the generalizability of the results.

Second, the current study asked students to define what stalking was, not what they felt should be criminal. Future research should examine the perceived illegality and control of stalking to better understand the degree of undesirability attributable to stalking and to explore the popularity of law and government responsiveness (Stylianou 2003). Third, this study did not control for prior personal or vicarious victimization within the sample, which could influence the results. Individuals who have been victimized in the past or those who know someone who has been victimized may be more educated on the legal definition of stalking or they may be more emotionally driven to see stalking in ambiguous scenarios.

Lastly, it appears that many college students in this sample place high value on their personal space, so much that violations to it could be stalking. However, the offender in this study went to an online campus directory to

get information on the target. It would be of interest to explore whether or not information gathering on the Internet is a problem for students if they put the information to be collected out there themselves on popular social networking sites, such as Facebook, Twitter, and MySpace. The accessibility of these sites has changed interpersonal relationships. Communication is global, and the chances for privacy invasions and stalking have increased. In a time of such rapidly changing interaction, researchers need to conduct studies that remain culturally relevant, to not only better assist future victims and practitioners, but to guide lawmakers in drafting legislation that meets contemporary concerns.

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Appendix A: Sample Stalking Scenarios

This appendix includes four of the eight stalking scenarios (for stranger relationship, casual acquaintance relationship, casual sex partner relationship, and ex-intimate relationship). The other four scenarios consisted of these same vignettes, with the genders reversed.

Stranger Relationship

Monica noticed Kyle at a bar near campus where she worked. She was instantly attracted to Kyle, but the bar was so busy she didn't get a chance to talk to him. When Kyle left the bar, Monica got his name from his credit card receipt that was left on the table. The next day, Monica obtained Kyle's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing someone he didn't know. Over the next week, Kyle found three messages on his answering machine from Monica, the final one indicating "if you don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened Kyle and the next day he asked his landlord to install a dead bolt lock.

don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened Troy and the next day he asked his landlord to install a dead bolt lock.

Hook-up Relationship

Trish noticed John at a bar near campus. She was instantly attracted to him and she spent about an hour flirting with him on the dance floor. After dancing, the two went out to the parking lot and had sex in John's car. The next day, Trish obtained John's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing her. Over the next week, John found three messages on his answering machine from Trish, the final one indicating "if you don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened John and the next day he asked his landlord to install a dead bolt lock.

Casual Acquaintance Relationship

Carrie and Troy met in a history class. Carrie had been instantly attracted to him. One night, Carrie saw Troy at a local bar near campus. She went up to him and they chatted about the previous weeks lecture for roughly 10 minutes until Troy told her he had to leave. The next day, Carrie obtained Troy's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing her. Over the next week, Troy found three messages on his answering machine from Carrie, the final one indicating "if you

Ex-Intimate Relationship

Stephanie noticed Justin at a bar near campus. She was instantly attracted to him and the two spent the whole night talking. The next day, Stephanie obtained Justin's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. The date went very well and the two ended up dating seriously for over a year. Justin then ended the relationship. The day after the break-up,

Stephanie called Justin and asked him to join her for dinner at their favorite restaurant. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing her again. Over the next week, Justin found three messages on his answering

machine from Stephanie, the final one indicating "if you don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened Justin and the next day he asked his landlord to install a deadbolt lock.

Appendix B. Themes and Counts from Respondent Narratives					
THEMES	NUMBER OF RESPONDENTS AFFIRMING THEMES (by scenario)				
	Stranger (N = 129)	Acquaintance (N = 132)	Hook-up (N = 130)	Ex-intimate (N = 130)	Total* (N = 521)
<u>Extralegal Factors</u>					
Stalking is a crime by offenders not well known to the victim.	16	2	3	0	21
Excuses are made for ex-intimate stalkers.					
New breakup for offender/desire for closure	0	0	0	12	12
Offender misses and wants to win ex back	0	0	0	6	6
<u>Legal Factors</u>					
Unwanted repeated pursuit by the offender	68	55	63	60	246
A threat made by the offender	45	23	34	24	126
Fear to victim	1	1	2	3	7
<u>Particular Actions</u>					
Information gathering without consent/invading privacy	77	47	34	7	165
Stalking involves physical pursuit ^a	0	3	4	4	11
Following	3	7	7	9	26
Uninvited visits/ approaches	1	1	1	2	5
Visits to home ^b	1	3	4	2	10
<p>* Not all themes will be out of the total number of respondents given vignettes varied by prior relationship. For instance, only 130 students responded to vignettes with ex-intimate victims, so the 18 affirmations regarding excuses granted ex-intimate offenders stemmed from 130, not 521, respondents.</p> <p>a – 136 respondents felt the scenario was not stalking. Of these students, 52 felt stalking needed to involve physical pursuit; 11 mentioned physical pursuit generally, without clarifying what types of behaviors. Those who mentioned specific types of pursuit are listed below. These are separate from the values noted for physical pursuit more generally.</p> <p>b – These values pertain to respondents who specifically mention visits to the home. They are separate from the values for respondents who note visits/approaches more generally.</p>					



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An Analysis of the Mediating Effects of Social Relations and Controls on Neighborhood Crime Victimization

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Abstract: *Recent tests of systemic social disorganization theory focus on specifying types of informal and formal controls and their ability to mediate the impact of negative structural conditions on neighborhood crime rates. However, a majority of these studies use measures that confound the quality of the relationships needed to develop both informal and formal control with the willingness to exercise these controls. We contribute to this body of literature by making a distinction between the quality of relationships that facilitate the ability to use controls (e.g., social cohesion and police-citizen relations) and the willingness to exercise informal and formal control. Specifically, we test the hypothesis that social cohesion, informal control, police-citizen relations, and formal control differentially mediate the impact that neighborhood structural characteristics have on interpersonal violence and specific types of property crime victimization. Further, we argue that the effects of informal control will be stronger than the effects of formal control, and that the impact of social cohesion and police-citizen relations will be partially mediated by their influence on the exercise of these controls. The results of our hierarchical generalized linear models show that social cohesion, informal control, police-citizen relations, and formal control differentially mediate the impact of neighborhood structural conditions on violent crime and property crime victimization. Our results suggest that strategies needed to prevent violent crime are different than those needed to prevent property crime.*

Keywords: social disorganization, collective efficacy, informal control, formal control, crime, victimization

INTRODUCTION

Since the early 1980s, social disorganization theory has experienced a revitalization in the academic literature. Much of the recent research focuses on extending systemic social disorganization theory by attempting to specify the factors that mediate the impact negative social structural characteristics (e.g., poverty, racial/ethnic heterogeneity, residential mobility) have on neighborhood crime. Most of these studies test the mediating effects of social cohesion, relational ties, attachments, or networks (e.g., Bellair 1997; Lowenkamp, Cullen, and Pratt 2003; Markowitz et al. 2001; Sampson and Groves 1989; Warner and Rountree 1997). More recent research has turned to specifying the sources of informal and/or formal controls (Renauer 2007; Silver and Miller 2004; Triplett, Gainey, and Sun 2003; Wells et al. 2006) and assessing the impact that informal and formal controls have on mediating structural

conditions on neighborhood crime rates (Clear et al. 2003; Goudriaan, Wittebrood, and Nieuwbeerta 2006; Sampson, Raudenbush, and Earls 1997; Triplett, Sun, and Gainey 2005; Velez 2001).

Although a growing body of literature has focused on specifying types of informal and formal control and their ability to mediate the impact of negative structural conditions, many of these studies have created measures that focus on either the ability or the willingness of residents to enact control (Triplett et al. 2005). Furthermore, it has been argued that some studies use measures that confound the quality of the relationships that foster the ability to use social controls with the willingness to exercise them (Kubrin and Weitzer 2003; Lowenkamp et al. 2003; Rhineberger-Dunn and Carlson 2009; Triplett et al. 2005). Similarly, a variety of policing-related variables have been used to measure formal control, albeit

most confound the issue of relationships between police and neighborhood residents with the exercise of formal control itself (Rhineberger-Dunn and Carlson 2009).

The basic tenets of systemic social disorganization theory suggest that relational variables and control variables should differentially mediate the effects of structural conditions on neighborhood crime rates (Bursik and Grasmick 1993). Relational variables provide for the ability of neighborhood residents to intervene, while control variables reflect their willingness to intervene. Residents will be less willing to intervene if they do not have strong relationships (e.g., cohesion) with each other (Triplett et al. 2005). Furthermore, the effects of informal control should be stronger than the effects of formal control. In neighborhoods where residents are willing to intervene, there should be less reliance on formal control mechanisms, as residents themselves are able to prevent crime from occurring. When residents intervene, it sends a message to other neighborhood residents that serious crime will not be tolerated. This should in turn lead those who want to engage in criminal behavior to take their activities elsewhere if they want to be successful. Lastly, the impact of relational variables should be partially mediated by their influence on the exercise of controls, as relational variables provide for the means to exercise controls. Few studies, however, have addressed these issues.

Our study seeks to build on systemic social disorganization theory by making a distinction between the quality of relationships that facilitate the ability to use controls (e.g., social cohesion and police-citizen relationships) and the willingness to exercise informal and formal control. Specifically, we test the hypothesis that social cohesion, informal control, police-citizen relations, and formal control differentially mediate the impact of structural conditions on neighborhood crime victimization. Further, we argue that the effects of informal control will be stronger than the effects of formal control and that the impact of social cohesion and police-citizen relations will be partially mediated through their influence on the exercise of these controls. In other words, the effect of the social relational variables will be indirect via informal and formal control. We use hierarchical generalized linear modeling to examine the independent effects that social cohesion, informal control, police-citizen relations, and formal control have in mediating the impact of neighborhood structural characteristics on interpersonal violence and specific types of property crime victimization.

THEORETICAL BACKGROUND

Shaw and McKay (1942) developed the original social disorganization theory of crime, emphasizing the effects that local social structural characteristics, such as ethnic heterogeneity and concentrated economic disadvantage, have on crime rates through their negative impact on

community dynamics and the ability of a community to regulate itself through the use of informal social controls. Social disorganization theory virtually disappeared from the literature until Kornhauser (1978) addressed the criticisms previously leveled against Shaw and McKay's theory by differentiating the structural and cultural models contained within the original theory, and scholars began integrating Kasarda and Janowitz's (1974) systemic model of community attachment with the structural model of social disorganization.

Kasarda and Janowitz (1974) outlined key components of community dynamics that have since been incorporated into social disorganization models. Specifically, Kasarda and Janowitz's (1974) systemic model of community attachment viewed the local community as a "complex system of friendship and kinship networks and formal and informal associational ties rooted in family life and on-going socialization processes" (Kasarda and Janowitz 1974:329). While their objective was not to develop a theory of crime or explain differences in crime rates across communities, their work had a significant impact on the development of social disorganization theory. During the 1980s and 1990s, a wide variety of studies extended the social disorganization model by specifying the systemic factors that mediate the impact negative social structural characteristics have on neighborhood crime – e.g., social cohesion, ties, attachment, and networks (Bellair 1997; Lowenkamp et al. 2003; Markowitz et al. 2001; Sampson and Groves 1989; Warner and Rountree 1997).

More recent systemic social disorganization research has focused on either specifying factors that influence the level of informal and formal control in a neighborhood (Renauer 2007; Silver and Miller 2004; Triplett et al. 2003; Wells et al. 2006) or on assessing the impact informal and formal control have on mediating the effects of structural conditions on neighborhood crime rates (Clear et al. 2003; Goudriaan et al. 2006; Sampson et al. 1997; Triplett et al. 2005; Velez 2001). The vast majority of the literature on informal control has relied on Sampson et al.'s (1997) concept of collective efficacy, while the majority of research on formal control has focused on a variety of police-related measures, with the most common being satisfaction with police. We turn first to a discussion of informal control.

Informal Control

Shaw and McKay (1942) incorporated the intervening concept of informal control in their seminal work on social disorganization theory. They narrowly defined informal control as related to the supervision and control of teenage peer groups (Shaw and McKay 1942).

Subsequent tests of social disorganization research appear to have integrated three distinct conceptions of informal control. The first follows Shaw and McKay

(1942), with informal control being measured by variables related to unsupervised peer groups (Bellair 2000; Coulton et al. 1999; Lowenkamp, et al. 2003; Sampson and Groves 1989; Sun, Triplett, and Gainey 2004; Veysey and Messner 1999).

The second conception of informal control consists of using measures of social cohesion as indicative of informal control, rather than testing distinct measures of informal control (Bellair 1997; Freudenburg 1986; Markowitz et al. 2001). These studies predict that the higher the level of social cohesion, the more likely it is that informal controls will be used in the neighborhood by residents, thereby decreasing crime.

The majority of the literature, however, has relied on the relatively new conception of informal control that has been added to the systemic social disorganization literature. Specifically, a great number of studies (Bernasco and Block 2009; Feinberg 2006; Kirk 2008; Martin 2002; Morenoff, Sampson, and Raudenbush 2001; Reisig and Cancino 2003; Sampson and Raudenbush 1999; Zhang, Messner, and Liu 2007) have adopted Sampson et al.'s (1997) concept of collective efficacy, that combines measures of social cohesion and informal control into a single index.

Sampson et al. (1997:918) defined collective efficacy as "social cohesion among neighbors combined with their willingness to intervene on behalf of the common good." Essentially, collective efficacy occurs when neighborhood residents have high quality relationships with each other that in turn increases their willingness to use informal controls to prevent crime. Residents' ability to develop collective efficacy differs across neighborhoods, resulting in variations in neighborhood crime rates. Collective efficacy mediates the impact of negative structural conditions on crime, such that the greater the degree of collective efficacy, the lower the crime rate in the neighborhood.

Sampson et al. (1997) used data from the community survey of the Project on Human Development in Chicago Neighborhoods (PHDCN; Earls 1999) collected in 1994-1995, and measures of neighborhood structural characteristics from the 1990 Census to test the hypothesis that collective efficacy mediates the impact of structural conditions on neighborhood crime rates. Sampson et al. (1997) began their analysis with two distinct variables, one for social cohesion/trust and one for informal control. However, these variables were highly correlated ($r=0.80$). Sampson and his colleagues concluded that these variables tapped the same latent construct and combined them, creating the new variable of collective efficacy. As expected, they found that collective efficacy was lower in neighborhoods with high crime victimization and higher in those with lower crime victimization. They concluded that collective efficacy mediates the impact of structural conditions on neighborhood crime victimization.

Formal Control

The concept of formal control has been inconsistently defined and used in tests of systemic social disorganization theory. It was first conceptualized as neighborhood residents' ability to secure resources (e.g., police) from outside the neighborhood that facilitate the prevention of crime (Bursik and Grasmick 1993). It has also been conceptualized in terms of official criminal justice responses to crime, such as the removal of offenders through arrest and incarceration (Rose and Clear 1998) or "practices of the authorities to maintain order and enforce legal and regulatory codes" (Kubrin and Weitzer 2003:382).

The most common operationalization of formal control in the extant social disorganization literature relies on a broad interpretation of Bursik and Grasmick's (1993) definition. These studies use a composite measure of formal control, with variables measuring residents' perceptions of government and police institutions in their neighborhood. Some measures include local government response to neighborhood issues, satisfaction with police, quality of police services, and police-citizen collaborations (for examples see Renauer 2007; Silver and Miller 2004; Velez 2001).

Silver and Miller (2004) incorporated variables that measure formal control in their attempt to delineate factors influencing neighborhood levels of informal control. Specifically, they included a variable that measures residents' satisfaction with police. Using survey data from the Project on Human Development in Chicago Neighborhoods (PHDCN), Silver and Miller (2004) constructed their police satisfaction concept using Sampson and Jeglum Bartusch's (1998) definition and measurement of the concept. As such, they measured police satisfaction using five variables (with a five-point Likert scale from strongly agree to strongly disagree): the police in this neighborhood are responsive to local issues; the police are doing a good job in dealing with problems that really concern people in this neighborhood; the police are not doing a good job in preventing crime in this neighborhood (reverse coded); the police do a good job in responding to people after they have been victims of crime; and the police are not able to maintain order on the streets and sidewalks in the neighborhood (reverse coded).

Silver and Miller (2004) found that satisfaction with police had a direct, positive, statistically significant impact on informal control, where the higher the satisfaction with police, the higher the level of informal control. Similarly, they also found that satisfaction with police mediates the impact of negative structural conditions on informal control. Disadvantaged neighborhoods had higher levels of informal control if they also had higher levels of satisfaction with police.

Untangling Collective Efficacy and Formal Control

Rhineberger-Dunn and Carlson (2009) argued that both Sampson et al.'s (1997) collective efficacy concept and Silver and Miller's (2004) police satisfaction concept conflate the quality of relationships necessary to develop the ability to utilize informal and formal controls with the exercise of those controls. Specifically, they argued that Sampson et al.'s (1997) collective efficacy concept conflates perceptions of social cohesion and informal control, while Silver and Miller's (2004) police satisfaction concept conflates perceptions of formal control (maintaining order and preventing crime) and police-citizen relations (how well the police respond to problems that are important to people in the neighborhood and to local issues about which residents have concern).

Rhineberger-Dunn and Carlson (2009) conducted two separate confirmatory factor analyses, one of the ten items in the Project on Human Development in Chicago Neighborhoods (PHDCN; Earls 1999) data set used by Sampson et al. (1997) to measure their unidimensional concept of collective efficacy, and another of the five items used by Silver and Miller (2004) to construct their measure of police satisfaction. The results of their confirmatory factor analyses showed that the one-factor model of collective efficacy fit poorly (AGFI=.738, RMSEA=.145), while their final two-factor model fit well (AGFI=.995, RMSEA=.020) in support of their theoretical argument. Similarly, the one-factor police satisfaction model fit poorly (AGFI=.806, RMSEA=.189) compared with their final two-factor model (AGFI=.997, RMSEA=.021) as expected (see Appendix A for all fit measures and factor loadings).

Using hierarchical linear modeling (HLM), the researchers found that neighborhood structural variables differentially impacted perceptions of social cohesion, informal control, police-citizen relations, and formal control. They also found that perceptions of both social cohesion and police-citizen relations mediated the impact of neighborhood structural conditions on perceptions of informal and formal control, respectively. Rhineberger-Dunn and Carlson concluded that if these variables – social cohesion and informal control (i.e., collective efficacy) and police-citizen relations and police effectiveness (i.e., police satisfaction) – are differentially impacted by neighborhood conditions, they may also differentially mediate the impact of these conditions on neighborhood crime victimization.

It is apparent from our review of the more recent systemic social disorganization literature that few studies have provided distinct measures of the quality of relationships (e.g., social cohesion and police satisfaction) needed to foster the ability to use informal and formal controls with the willingness to exercise these controls. Further, few studies have attempted to simultaneously include measures of the quality of relationships and both informal and formal control measures. Those that do tend

to test the effects formal control has on the level of informal control in the neighborhood, rather than its ability to differentially mediate the impact of negative structural conditions on neighborhood crime rates.

The purpose of our study is to build on systemic social disorganization theory by making a distinction between the quality of relationships that facilitate the ability to use controls (e.g., social cohesion and police-citizen relationships) and the willingness to exercise informal and formal control. We test the hypothesis that social cohesion, informal control, police-citizen relations, and formal control differentially mediate the impact of structural conditions on neighborhood crime victimization. We further argue that the effects of informal control will be stronger than the effects of formal control, and that the impact of social cohesion and police-citizen relations will be partially mediated by their influence on the exercise of these controls; in other words, the effect of the social relational variables will be indirect via informal and formal control. We test these relationships using hierarchical generalized linear modeling. We turn now to a discussion of the data and measurement of our variables.

DATA AND MEASURES

To test the differential effects perceptions of social cohesion, informal control, police-citizen relations, and formal control have on various types of crime victimization, we use data from the Project on Human Development in Chicago Neighborhoods described earlier (also see Earls 1999). For this survey, 847 census tracts in Chicago were combined to create 343 neighborhood clusters that were constructed to be representative of neighborhoods. Each cluster represents approximately 8,000 people (Sampson et al. 1997). Face-to-face interviews were conducted with 8,782 residents in their homes from the 343 neighborhood clusters included in the study. In addition to basic demographic characteristics (age, race, sex, marital status, mobility, years of residency in the neighborhood, and socioeconomic status), these interviews yielded data on residents' perceptions, attitudes, and participation in their communities (e.g., cohesion among neighbors, participation in local institutions, neighborhood violence, crime victimization). Information on treatment of missing data is given below.

Neighborhood Structural Variables

Neighborhood structural variables were measured using some of the 1990 census measures used in the original Sampson et al. (1997) study.¹ We included four neighborhood structural variables: economic disadvantage, racial heterogeneity, ethnic heterogeneity, and residential stability (see Table 1 for descriptive statistics and Appendix B for bivariate correlations). Our measure of

economic disadvantage is based on the factor score derived from a principal components analysis of three 1990 census variables – the percentage unemployed, percentage receiving public assistance, and percentage of the population living below the poverty line.²

Much of the social disorganization literature emphasizes that racial-ethnic *heterogeneity* is expected to undermine the degree of social cohesion, as well as the exercise of informal control of crime within neighborhoods. Accordingly, we based our measures on indexes of diversity. We measured racial and ethnic heterogeneity separately to ascertain the differential impacts of these forms of heterogeneity on perceptions of social cohesion, informal control, police-citizen relations, and formal control. Following Sampson and Groves' (1989) work, indexes of diversity were computed for three census variables: percentage Black, percentage Hispanic, and percentage foreign born using the following formula: $D = 1 - \sum p_i^2$, where p_i is the proportion in group i . The index of diversity measures the chance that two individuals drawn at random from the neighborhood will come from different racial or ethnic groups. Thus, the first index measured the chance that two randomly-selected individuals would come from different race groups (Black versus not Black), the second the chance that two individuals would come from different ethnic groups (Latino versus not Latino), and the third the chance that two individuals would come from different national origins (foreign born versus not foreign born). Each index takes on a value of 0 when all individuals in the neighborhood come from the same group, and a value of 0.50 when 50 percent fall in each group (i.e., maximum heterogeneity). The Black/not Black index of diversity measures racial heterogeneity, while the factor score derived from the principal components analysis of the Latino/not Latino and foreign born/not foreign born indexes of diversity taps ethnic heterogeneity.

Finally, we follow Sampson and colleagues in using the percentage owner-occupied households and percentage living in the same house as five years prior to the 1990 Census to measure residential stability. Our measure is the factor score derived from a principal components analysis of these two census variables.

Citizen-Level Variables

These individual-level control variables are age (in years), sex (1 if male), Black (1 if Black, 0 for all others), Latino (1 if Latino, 0 for all others), family income (15 categories), education (years of education), three dummy variables for marital status (never married, separated/divorced, and widowed; for all three variables, the reference category is married/domestic partner), number of years lived in the neighborhood (in years), home ownership (1 if own), and mobility (number of times

moved in the past five years). See Table 1 for the descriptive statistics of these variables.

Intervening Relations and Control Variables

As discussed above, in our previous research (Rhineberger-Dunn and Carlson 2009), we conducted a confirmatory factor analysis of the ten items in the PHDCN data set that Sampson et al. (1997) used to measure their unidimensional concept of collective efficacy. The results of the confirmatory factor analysis were used to construct weighted factor scores for each of the intervening variables. Social cohesion was measured by four related questions that asked residents how willing people in the neighborhood were to help their neighbors, how strongly they believed the neighborhood was close-knit, their neighbors could be trusted, and if the people in their neighborhood generally did not get along with each other (five-point Likert scales ranging from strongly agree to strongly disagree, last item with reversed polarity). Informal social control was measured by four questions that asked residents how likely they believed their neighbors could be counted on to intervene in such situations as children hanging out on the street while skipping school, children engaged in acts of graffiti, children being disrespectful, and a fight in front of their house (five-point Likert scales ranging from strongly agree to strongly disagree).

Similarly, in our confirmatory factor analysis of police satisfaction, we included the five items used by Silver and Miller (2004). The results of this analysis were used to construct weighted factor scores for the intervening variables. Police-citizen relations was measured by two items that indicate the extent to which neighborhood residents agreed that the police are responsive to local issues and doing a good job responding to problems that concern people in the neighborhood (five-point Likert scales ranging from strongly agree to strongly disagree). Formal control was measured by two items measuring the extent to which citizens feel the police are not doing a good job preventing crime in the neighborhood and are not able to maintain order in the neighborhood (five-point Likert scales ranging from strongly agree to strongly disagree, both items with reversed polarity).

Dependent Variables

We use four types of crime victimization as the dependent variables in our models. Crime victimization is measured by respondents' reports of whether or not anyone in their household had been a victim of interpersonal violence (mugging, fight, or sexual assault), burglary, larceny theft, and/or vandalism within the six months prior to the survey.³ Understanding the differential effects that social cohesion, informal control, police-citizen relations, and formal control have in mediating the

impact that neighborhood structural characteristics have on interpersonal violence and specific types of property crime victimization may lead to better crime control policy initiatives. If a particular type of crime is more affected by social cohesion (closeness and trust with other neighborhood residents), while another is impacted by informal control (a willingness of neighbors to act toward common goals such as controlling neighborhood crime), then preventing each type of crime will require different

strategies. For example, neighborhood block parties may be useful for developing recognition and friendship among residents, while neighborhood watch programs might be more effective at increasing informal social control. Therefore, examining the separate effects of these mediating variables on each of these types of crime is necessary to develop better, more effective policies and strategies for reducing and preventing crime in urban neighborhoods.

Table 1. Descriptive Statistics for Neighborhood-level and Citizen-level Variables

Variable	Mean	Standard Deviation	Minimum	Maximum
Neighborhood-level				
Economic disadvantage	.000	1.000	-1.180	4.327
Residential stability	.000	1.000	-2.068	2.326
Ethnic heterogeneity	.000	1.000	-1.235	1.752
Racial heterogeneity	.104	.138	.000	.500
Social cohesion	-.371	.175	-.747	.300
Police-citizen relations	-.423	.174	-.973	.162
Informal control	-.189	.210	-.913	.551
Formal control	-.246	.152	-.665	.140
Citizen-level				
Age	42.698	16.828	17	100
Years of education	12.374	3.068	1	17
Male (=1)	.408	.492	0	1
Black (=1)	.400	.491	0	1
Latino (=1)	.250	.433	0	1
Family income	5.830	3.516	1	15
Separated/divorced (=1)	.163	.370	0	1
Widowed (=1)	.098	.298	0	1
Never married (=1)	.315	.464	0	1
Years in neighborhood	12.261	13.190	0	91
Homeowner (=1)	.455	.498	0	1
Moves past 5 years	.945	1.389	0	11
Violent crime victimization	.051	.220	0	1
Burglary victimization	.035	.184	0	1
Larceny victimization	.126	.332	0	1
Vandalism victimization	.149	.356	0	1

Missing Data

Many variables in the PHDCN data set contained missing data. Use of listwise deletion of missing data would have resulted in a loss of over two-thirds of the cases in our hierarchical crime victimization models and over 40 percent of the cases in our level-1 models. Due to differences in levels of measurement and amounts of missing data, we adopted two strategies for dealing with the missing data in our analyses in the present study.⁴

First, to impute the missing values of the level-1 socio-demographic variables, we used SAS PROC MI with

the BY option (random seed 1962), which allowed us to impute values within neighborhoods in order to preserve the distribution of within neighborhood composition, following the procedures detailed by Allison (2002:27-41). SAS PROC MI uses the multivariate data augmentation algorithm detailed in Schafer (1997:181-192). The imputation model included only the socio-demographic citizen-level variables. While some authors (Allison 2002; Schafer and Graham 2002) make a strong argument for using all variables to be analyzed in the imputation model, including the continuous dependent variable(s), they are

silent as to whether dichotomous dependent variables (as the ones here) should be included, as well as ordered categorical variables (as are the collective efficacy and police satisfaction items). Accordingly, we limited our imputation model to the socio-demographic variables.

Second, the crime victimization dependent variables contain very few missing cases (less than one percent). Schafer (1997:1) suggests that when five percent or fewer of the cases are missing, listwise deletion of missing cases “may be a perfectly reasonable solution to the missing-data problem.” Following this advice, we used listwise deletion of cases that had missing values on the crime victimization variables.

Hierarchical Generalized Linear Models

We used logistic regression in our crime victimization models because the crime victimization items are dichotomous variables. Dichotomous dependent variables violate the assumptions of normality and linearity that underlie hierarchical linear modeling. Bernoulli models with overdispersion were estimated using PQL estimation. We report the results for population average models with robust standard errors.⁵ The level-1, individual-level model controls for response bias and neighborhood composition using the 12 socio-demographic variables. These level-1 models take the following form:

$$\eta_{ij} = \beta_{0j} + \sum_{p=1}^{12} \beta_{pj} X_{pij} + r_{ij},$$

where η_{ij} is the log odds of crime victimization, β_{0j} is the model intercept, X_{pij} is socio-demographic characteristic p for person i in neighborhood j , β_{pj} 's are partial logistic regression coefficients, and r_{ij} is the random individual effect.

The level-2, neighborhood-level model predicts the neighborhood log odds of crime victimization using neighborhood structural characteristics and relations and control variables. These models have the following form:

$$\beta_{0j} = \gamma_{p0} + \sum_{s=1}^{S_p} \gamma_{ps} W_{sj} + u_{pj},$$

where β_{0j} is the log odds of neighborhood crime victimization adjusted for level-one variables, γ_{p0} is the model intercept, W_{sj} is neighborhood structural characteristic s for neighborhood j , γ_{ps} 's are partial logistic regression coefficients, and u_{pj} is the level-2 random effect.

For each dependent variable, the first model estimated was the unconditional means model as described above to

obtain the variance partition coefficient (i.e., the ICC for generalized linear models with overdispersion) using the latent variable approach in Browne et al. (2005:604). Then, the next model estimated included the level-1 predictors. The third model added the neighborhood structural characteristics to obtain the total effects of these variables on crime victimization. The fourth model examined the mediating effects of perceptions of social cohesion and police-citizen relations. The fifth model examined the mediating effects of perceived informal and formal control.

The final model included the mediating effects of all intervening variables. Some tests of social disorganization have encountered excessively high levels of multicollinearity among neighborhood structural characteristic measures (e.g., Snell 2001). In addition, Sampson et al. (1997) found that social cohesion and informal control were highly correlated once aggregated to the neighborhood level. As Appendix B shows, our measures of social cohesion and informal control are highly correlated ($r = .839$), as are police-citizen relations and formal control ($r = .855$), although as our confirmatory factor analysis indicates, these are distinct variables. The only model where multicollinearity poses a potential problem is the one containing all of the intervening variables, where tolerance statistics for the intervening variables ranged from .226 to .289 and variance inflation factors from 3.460 to 4.427. However, the numerical solution is stable and our null findings are not due to inflated standard errors, thus giving us confidence in the veracity of our results.⁶

FINDINGS

Table 2 presents the results of our hierarchical generalized linear models of violent crime victimization. The unconditional means model⁷ shows that 37.4 percent of the overall variation in this type of victimization is between neighborhoods ($p = .000$). The first model (individual-level model) in Table 2 displays the effects of neighborhood composition on neighborhood violent crime victimization. Being Black increases the odds of violent crime victimization by 40.5%, being Latino increases the odds by 29.2%, being separated/divorced increases the odds by 33.0%, while being a homeowner decreases the odds of violent crime victimization by 20.5%. In addition, increases in income and age significantly reduce the chances of violent crime victimization. Differences in neighborhood composition explain 30.4% of the variation in violent crime victimization between neighborhoods.

Table 2. HGLM Models of Violent Crime Victimization: Logit Coefficients, (Standard Error Estimates), and Odds Ratios

	Model 1	Model 2	Model 3	Model 4	Model 5
Intercept	-2.032 (.350)** .131	-2.252 (.357)** .105	-3.295 (.400)** .037	-2.841 (.381)** .058	-3.134 (.392)** .044
Neighborhood Level (n=343)					
Economic disadvantage	---	.303 (.067)** 1.354	.119 (.072)* 1.126	.119 (.071)* 1.127	.107 (.072) 1.113
Racial heterogeneity	---	-.966 (.407)** .381	-1.064 (.407)** .345	-1.082 (.406)** .339	-1.110 (.422)** .329
Ethnic heterogeneity	---	.331 (.081)** 1.393	.258 (.085)** 1.294	.257 (.083)** 1.293	.254 (.084)** 1.290
Residential stability	---	.001 (.069) 1.001	.060 (.069) 1.062	.081 (.070) 1.084	.081 (.070) 1.085
Social cohesion	---	---	-1.473 (.372)** .229	---	-.908 (.462)* .403
Police-citizen relations	---	---	-1.013 (.346)** .363	---	-.390 (.651) .677
Informal control	---	---	---	-1.296 (.327)** .274	-.711 (.380)* .491
Formal control	---	---	---	-1.079 (.428)** .340	-.663 (.764) .515
Citizen Level (n=8,562)					
Years in neighborhood	.004 (.004) 1.004	.003 (.004) 1.003	.003 (.004) 1.003	.003 (.004) 1.003	.003 (.004) 1.003
Black	.340 (.132)** 1.405	.410 (.145)** 1.507	.368 (.148)** 1.444	.356 (.146)** 1.428	.357 (.148)** 1.429
Moves past 5 years	.044 (.036) 1.045	.046 (.036) 1.047	.044 (.037) 1.045	.047 (.036) 1.048	.046 (.037) 1.047
Family income	-.052 (.019)** .950	-.037 (.020)* .963	-.035 (.020)* .965	-.034 (.020) .966	-.034 (.020)* .966
Age	-.014 (.004)** .987	-.012 (.004)** .988	-.012 (.004)** .988	-.012 (.004)** .988	-.012 (.004)** .988
Years education	-.026 (.018) .974	-.016 (.018) .984	-.012 (.019) .988	-.012 (.018) .988	-.012 (.018) .988
Never married	-.023 (.123) .977	-.025 (.125) .976	-.017 (.127) .983	-.014 (.126) .986	-.014 (.127) .986
Separated/divorced	.285 (.131)* 1.330	.282 (.133)* 1.326	.282 (.135)* 1.326	.278 (.134)* 1.321	.280 (.135)* 1.323
Widowed	-.301 (.214) .740	-.282 (.218) .754	.273 (.226) .761	-.278 (.224) .757	-.276 (.225) .759
Male	.013 (.091) 1.013	.013 (.092) 1.013	.013 (.095) 1.013	.006 (.094) 1.007	.010 (.095) 1.010
Latino	.256 (.150)* 1.292	.139 (.155) 1.149	.062 (.159) 1.064	.047 (.160) 1.048	.046 (.160) 1.047
Homeowner	-.230 (.112)* .795	-.157 (.115) .855	-.178 (.118) .837	-.171 (.117) .843	-.176 (.118) .838
Neighborhood Variance Explained:					
Citizen-level variables	30.4%	30.4%	30.4%	30.4%	30.4%
Neighborhood-level variables	--	9.6%	29.3%	26.5%	28.8%
Total explained	30.4%	40.0%	59.7%	56.9%	59.2%

* $p \leq .05$; ** $p \leq .01$ (one-tailed tests)

Model 2 reveals that both economic disadvantage and ethnic heterogeneity are positively and significantly related to violent crime victimization, while racial heterogeneity has a statistically significant dampening effect on violent crime victimization. Model 3 shows that when the social cohesion and police-citizen relations perception variables are added to the model, they are both statistically significant, in a negative direction, and the effect of economic disadvantage on violent crime victimization decreases by more than half. We see similar results in Model 4 when perceptions of informal control and formal control are added to the model. Both perceived informal control and formal control have dampening effects on violent crime victimization, and the effect of economic disadvantage substantially decreases.

Lastly, when all four intervening variables are added to the model (Model 5), social cohesion and informal control are significantly and negatively related to the neighborhood structural variables, while perceived police-citizen relations and formal control are no longer statistically significant. Additionally, economic disadvantage drops to nonsignificance. This indicates that social cohesion and informal control mediate the impact of structural characteristics on violent crime victimization. Even in neighborhoods characterized by high levels of economic disadvantage, violence may be lower if residents perceive social cohesion in their neighborhood to be high and that residents are willing to intervene to prevent crime and delinquency. This model explains 59.2% of the variation in violent crime victimization across neighborhoods.

Turning to burglary victimization (see Table 3), the unconditional means model shows that 34.1% of the variation in burglary victimization exists between neighborhoods ($p = .000$). Model 1 (individual-level model) indicates that three citizen-level variables significantly influence burglary victimization. Being Latino increases the chances of burglary victimization by 62.2%, while the number of moves significantly increases and age decreases the odds of this type of victimization. Differences in neighborhood composition explain 35.4% of the variation in burglary victimization across neighborhoods.

The remaining models in Table 3 show that the results for burglary victimization differ substantially from those discussed for violent crime victimization. In the second

model, economic disadvantage and ethnic heterogeneity are positively and significantly related to burglary victimization, while residential stability significantly decreases such victimization, and racial heterogeneity is nonsignificant. The third model reveals that when the social cohesion and police-citizen relations perception variables are added to the model, residential stability is the only neighborhood structural characteristic to significantly affect burglary victimization. Economic disadvantage and ethnic heterogeneity drop to nonsignificance. When the informal control and formal control variables are added to the model (Model 4), the pattern of significant structural variables changes, with racial heterogeneity now having a statistically significant and negative impact on burglary victimization. Residential stability retains its negative, statistically significant relationship with this type of victimization. Additionally, perceptions of formal control decrease the probability of burglary victimization, while informal control has no significant effect.

Lastly, in Model 5, when all four intervening variables are added to the model, two structural variables statistically and negatively impact burglary victimization. Both racial heterogeneity and residential stability decrease burglary victimization. When all four intervening variables are added to the model, police-citizen relations drops to nonsignificance, while formal control retains its negative, statistically significant impact on burglary victimization. Burglary victimization is lower in neighborhoods that are more racially diverse, have more stable populations, and where residents indicate the police are doing a good job of maintaining order and preventing crime in the neighborhood. This model explains 59.9% of the variation in burglary victimization across neighborhoods.

The full-model (Model 5) results for burglary victimization contrast significantly with the full-model results for violent victimization. While racial heterogeneity is significantly related to both violent crime and burglary victimization, ethnic heterogeneity is only significantly related to violent crime victimization. More importantly, social cohesion and informal control mediate the impact of structural characteristics on violent crime victimization, but do not do so for burglary victimization. In contrast, formal control mediates the impact of structural characteristics on burglary victimization, but not violent crime victimization.

Table 3. HGLM Models of Burglary Victimization: Logit Coefficients, (Standard Error Estimates), and Odds Ratios

	Model 1	Model 2	Model 3	Model 4	Model 5
Intercept	-3.135 (.365)** .044	-3.354 (.375)** .035	-3.960 (.430)** .019	-3.805 (.400)** .022	-3.840 (.429)** .021
Neighborhood Level (n=343)					
Economic disadvantage	---	.251 (.083)** 1.285	.116 (.104) 1.123	.107 (.101) 1.113	.106 (.105) 1.112
Racial heterogeneity	---	-.688 (.441) .502	-.661 (.437) .516	-.774 (.444)* .461	-.767 (.436)* .464
Ethnic heterogeneity	---	.198 (.086)* 1.219	.131 (.091) 1.140	.122 (.092) 1.129	.120 (.091) 1.128
Residential stability	---	-.214 (.088)** .807	-.198 (.088)* .821	-.185 (.090)* .831	-.186 (.090)* .830
Social cohesion	---	---	-.364 (.442) .695	---	-.078 (.511) .925
Police-citizen relations	---	---	-1.042 (.405)** .353	---	-.087 (.670) .917
Informal control	---	---	---	-.368 (.435) .692	-.310 (.478) .734
Formal control	---	---	---	-1.363 (.490)** .256	-1.281 (.769)* .278
Citizen Level (n=8,562)					
Years in neighborhood	-.003 (.005) .997	-.004 (.005) .996	-.003 (.005) .997	-.003 (.005) .997	-.003 (.005) .997
Black	.129 (.143) 1.138	.143 (.175) 1.153	.122 (.180) 1.130	.097 (.177) 1.102	.096 (.177) 1.101
Moves past 5 years	.080 (.040)* 1.084	.075 (.040)* 1.077	.074 (.041)* 1.077	.076 (.041)* 1.079	.076 (.041)* 1.078
Family income	-.005 (.026) .995	.012 (.026) 1.012	.013 (.027) 1.013	.015 (.026) 1.015	.015 (.026) 1.015
Age	-.007 (.005)* .993	-.007 (.005) .993	-.007 (.005) .993	-.006 (.005) .994	-.006 (.005) .994
Years education	-.020 (.022) .980	-.014 (.023) .986	-.012 (.023) .988	-.010 (.023) .990	-.010 (.023) .990
Never married	.207 (.141) 1.230	.188 (.143) 1.207	.185 (.147) 1.203	.190 (.146) 1.209	.190 (.145) 1.209
Separated/divorced	.232 (.170) 1.261	.224 (.171) 1.251	.213 (.176) 1.238	.214 (.175) 1.238	.215 (.174) 1.240
Widowed	.195 (.237) 1.215	.212 (.243) 1.236	.212 (.249) 1.236	.211 (.247) 1.235	.212 (.246) 1.236
Male	-.092 (.114) .912	-.103 (.116) .902	-.108 (.119) .897	-.114 (.119) .893	-.113 (.118) .893
Latino	.483 (.148)** 1.622	.373 (.151)** 1.451	.333 (.160)* 1.396	.311 (.160)* 1.365	.309 (.159)* 1.362
Homeowner	.145 (.151) 1.156	.292 (.157)* 1.340	.280 (.161)* 1.323	.283 (.159)* 1.327	.282 (.159)* 1.326
Neighborhood Variance Explained:					
Citizen-level variables	35.4%	35.4%	35.4%	35.4%	35.4%
Neighborhood-level variables	--	10.0%	29.4%	27.8%	24.5%
Total explained	35.4%	45.4%	64.8%	63.2%	59.9%
* $p \leq .05$; ** $p \leq .01$ (one-tailed tests)					

Table 4 presents the results of our hierarchical linear models for larceny victimization. The unconditional means model indicates that 20.7% of the variation in larceny victimization is between neighborhoods ($p = .000$). Model 1 (individual-level model) in Table 4 indicates that four

variables have significant effects on the odds of larceny victimization. Being a homeowner increases the odds of larceny crime victimization by 62.2% and being Latino increases these odds by 27.4%. Moreover, the number of moves in the past five years significantly increases the

Table 4. HGLM Models of Larceny Victimization: Logit Coefficients, (Standard Error Estimates), and Odds Ratios

	Model 1	Model 2	Model 3	Model 4	Model 5
Intercept	-1.669 (.228)** .188	-1.996 (.235)** .136	-2.429 (.266)** .088	-2.405 (.247)** .090	-2.203 (.274)** .110
Neighborhood Level (n=343)					
Economic disadvantage	---	.346 (.059)** 1.414	.230 (.064)** 1.259	.201 (.062)** 1.223	.208 (.063)** 1.231
Racial heterogeneity	---	-.005 (.280) .995	.093 (.294) 1.097	-.049 (.293) .952	-.035 (.298) .966
Ethnic heterogeneity	---	.369 (.061)** 1.446	.311 (.062)** 1.364	.294 (.061)** 1.341	.297 (.061)** 1.345
Residential stability	---	-.009 (.050) .991	-.015 (.054) .985	.009 (.053) 1.009	.007 (.053) 1.007
Social cohesion	---	---	.108 (.286) 1.115	---	.700 (.368)* 2.015
Police-citizen relations	---	---	-1.092 (.288)** .335	---	.212 (.518) 1.236
Informal control	---	---	---	-.248 (.239) .781	-.698 (.317)* .497
Formal control	---	---	---	-1.401 (.318)** .246	-1.652 (.564)** .192
Citizen Level (n=8,562)					
Years in neighborhood	.003 (.003) 1.003	.003 (.003) 1.003	.003 (.003) 1.003	.003 (.003) 1.003	.003 (.003) 1.003
Black	.092 (.088) 1.096	.156 (.108) 1.169	.135 (.107) 1.145	.105 (.107) 1.110	.105 (.107) 1.111
Moves past 5 years	.068 (.024)** 1.070	.068 (.024)** 1.070	.068 (.024)** 1.070	.069 (.024)** 1.072	.070 (.024)** 1.073
Family income	.016 (.012) 1.016	.032 (.012)** 1.032	.033 (.013)** 1.033	.035 (.013)** 1.036	.035 (.013)** 1.035
Age	-.016 (.003)** .984	-.015 (.003)** .985	-.015 (.003)** .985	-.015 (.003)** .985	-.015 (.003)** .985
Years education	-.007 (.014) .993	.001 (.013) 1.001	.002 (.013) 1.002	.003 (.013) 1.003	.003 (.013) 1.003
Never married	-.131 (.082) .877	-.134 (.082) .875	-.136 (.082)* .873	-.134 (.083) .875	-.133 (.083) .876
Separated/divorced	.154 (.097) 1.167	.138 (.098) 1.148	.134 (.098) 1.143	.133 (.098) 1.142	.133 (.098) 1.142
Widowed	.018 (.150) 1.018	.035 (.154) 1.036	.034 (.154) 1.034	.032 (.155) 1.033	.032 (.154) 1.033
Male	-.034 (.069) .966	-.047 (.070) .954	-.052 (.070) .950	-.056 (.071) .946	-.058 (.071) .944
Latino	.242 (.093)** 1.274	.097 (.092) 1.102	.063 (.093) 1.065	.035 (.092) 1.035	.036 (.092) 1.037
Homeowner	.484 (.077)** 1.622	.568 (.080)** 1.766	.564 (.081)** 1.758	.564 (.080)** 1.758	.569 (.081)** 1.766
Neighborhood Variance Explained:					
Citizen-level variables	0%	0%	0%	0%	0%
Neighborhood-level variables	--	35.3%	38.7%	44.0%	43.8%
Total explained	0%	35.3%	38.7%	44.0%	43.8%

* $p \leq .05$; ** $p \leq .01$ (one-tailed tests)

probability of larceny victimization while age decreases the odds of this type of victimization. This model explains none (0.00%) of the variation in larceny victimization between neighborhoods.

Model 2 reveals that two neighborhood structural variables are significantly related to larceny victimization. Both economic disadvantage and ethnic heterogeneity significantly increase the probability of larceny victimization. Turning to the third model in Table 4, we see that these two neighborhood structural variables continue to exert a positive, significant impact on larceny victimization, yet their effects are reduced once social cohesion and police-citizen relations are added to the model. Additionally, police-citizen relations has a negative, statistically significant impact on larceny victimization. When informal control and formal control are entered as mediating variables (Model 4), formal control is statistically significant and has a negative effect on larceny victimization. Economic disadvantage and ethnic heterogeneity retain their positive, statistically significant effects but have less impact on this type of victimization.

Lastly, Model 5 shows that perceptions of both informal and formal control have a negative and statistically significant relationship with larceny victimization. Interestingly, social cohesion has an unexpected positive, statistically significant relationship with larceny victimization. Cohesive neighborhoods may have a significant overlapping of family, friend, and criminal networks, resulting in a tolerance for minor types of crime such as larceny (Patillo 1998). Although residents trust their neighbors because they are family and friends, some of these individuals are criminal, which may unwittingly make them targets of petty crime. Economic disadvantage and ethnic heterogeneity retain their positive, statistically significant impact on larceny victimization, while police-citizen relations drops to nonsignificance. This model explains 43.8% of the variation in larceny victimization across neighborhoods.

The results for larceny victimization are more similar to violent crime victimization than to burglary victimization. As with violent crime victimization, ethnic heterogeneity is significantly related to larceny victimization. Additionally, as with violent crime victimization, social cohesion and informal control mediate the impact of structural characteristics on larceny crime victimization. Finally, as with burglary victimization, formal control significantly mediates the impact of structural characteristics on larceny victimization.

The unconditional means model for vandalism victimization shows that 17.4% of the total variation exists

across neighborhoods ($p = .000$). Model 1 (individual-level model) in Table 5 indicates that five variables have a significant impact on the odds of vandalism victimization. Being Latino increases the odds of vandalism victimization by 36.8%, while being widowed decreases the odds by 19.7%, and never being married decreases the odds by 17.7%. In addition, increases in family income and number of moves in the past five years increase the odds of vandalism victimization. Differences in neighborhood composition explain 27.4% of the variation in vandalism victimization across neighborhoods.

Model 2 shows that both economic disadvantage and ethnic heterogeneity have a positive and statistically significant impact on vandalism victimization. However, when the social cohesion and police-citizen relations variables are added (Model 3), ethnic heterogeneity is the only structural variable that remains significant. This model also reveals that while police-citizen relations has a negative, statistically significant impact on vandalism victimization, social cohesion is not significantly related to this type of victimization.

The fourth model in Table 5 reveals that both informal control and formal control are statistically significant and that both decrease vandalism victimization. Ethnic heterogeneity remains the only statistically significant structural variable. When all four intervening variables are added to the model (Model 5), only informal control and formal control are significant, and both are negatively related to vandalism victimization. Ethnic heterogeneity is the only statistically significant structural variable. These results indicate that both informal control and formal control mediate the impact of negative structural conditions on vandalism victimization. As was the case with burglary and larceny victimization, neither social cohesion nor police-citizen relations significantly affect vandalism victimization, and police-citizen relations drops to nonsignificance when informal control and formal control are added to the model. This model explains 57.3% of the variation in vandalism victimization across neighborhoods.

The results for vandalism victimization are more similar to larceny victimization than violent crime victimization and are strikingly different from burglary victimization. Similar to larceny and violent crime victimization, ethnic heterogeneity is significantly related to vandalism victimization. Additionally, both informal and formal control significantly mediate the impact of structural characteristics on vandalism victimization, as they do for larceny victimization. However, there are no similar significant relationships between larceny and burglary.

Table 5. HGLM Models of Vandalism Victimization: Logit Coefficients, (Standard Error Estimates), and Odds Ratios

	Model 1	Model 2	Model 3	Model 4	Model 5
Intercept	-1.517 (.222)** .219	-1.690 (.232)** .184	-2.167 (.258)** .115	-2.068 (.241)** .126	-1.964 (.269)** .140
Neighborhood Level (n=343)					
Economic disadvantage	---	.182 (.047)** 1.200	.060 (.058) 1.061	.042 (.057) 1.043	.040 (.058) 1.041
Racial heterogeneity	---	-.329 (.229) .719	-.248 (.237) .780	-.367 (.232) .693	-.320 (.251) .726
Ethnic heterogeneity	---	.219 (.051)** 1.245	.160 (.054)** 1.173	.150 (.054)** 1.161	.148 (.054)** 1.160
Residential stability	---	-.076 (.050) .926	-.074 (.049) .929	-.047 (.048) .954	-.053 (.048) .948
Social cohesion	---	---	-.073 (.299) .930	---	.548 (.400) 1.729
Police-citizen relations	---	---	-1.023 (.309)** .359	---	-.125 (.500) .882
Informal control	---	---	---	-.447 (.259)* .639	-.749 (.345)* .473
Formal control	---	---	---	-1.086 (.314)** .338	-1.037 (.528)* .354
Citizen Level (n=8,562)					
Years in neighborhood	.004 (.003) 1.004	.004 (.003) 1.004	.004 (.003) 1.004	.004 (.003) 1.004	.004 (.003) 1.004
Black	-.136 (.077)* .873	-.067 (.092) .935	-.091 (.090) .913	-.117 (.090) .890	-.112 (.090) .894
Moves past 5 years	.059 (.023)** 1.060	.056 (.023)** 1.057	.056 (.023)** 1.057	.057 (.023)** 1.059	.058 (.023)** 1.059
Family income	.033 (.014)* 1.034	.044 (.014)** 1.045	.045 (.014)** 1.046	.047 (.014)** 1.048	.047 (.014)** 1.048
Age	-.017 (.003)** .983	-.017 (.003)** .984	-.017 (.003)** .983	-.017 (.003)** .984	-.017 (.003)** .984
Years education	.014 (.011) 1.015	.019 (.011)* 1.019	.021 (.011)* 1.021	.022 (.011)* 1.022	.022 (.011)* 1.022
Never married	-.195 (.077)** .823	-.198 (.077)** .821	-.198 (.076)** .820	-.195 (.076)** .823	-.195 (.077)** .823
Separated/divorced	.063 (.094) 1.065	.054 (.095) 1.056	.051 (.095) 1.052	.050 (.095) 1.052	.049 (.095) 1.050
Widowed	-.219 (.142) .803	-.206 (.144) .814	-.208 (.144) .812	-.210 (.144) .810	-.211 (.145) .810
Male	.011 (.062) 1.011	.000 (.062) 1.000	-.003 (.062) .997	-.007 (.063) .993	-.007 (.063) .993
Latino	.313 (.089)** 1.368	.212 (.091)** 1.237	.175 (.090)* 1.192	.156 (.089)* 1.169	.159 (.089)* 1.172
Homeowner	.053 (.075) 1.055	.128 (.079) 1.136	.122 (.079) 1.130	.123 (.079) 1.130	.126 (.079) 1.134
Neighborhood Variance Explained:					
Citizen-level variables	27.4%	27.4%	27.4%	27.4%	27.4%
Neighborhood-level variables	--	15.6%	22.2%	27.5%	29.9%
Total explained	27.4%	43.0%	49.6%	54.9%	57.3%

* $p \leq .05$; ** $p \leq .01$ (one-tailed tests)

DISCUSSION

Theoretical and Research Implications

The HLM results provide ample evidence to support our theoretical claim of the importance of distinguishing between the relationships that provide for the ability of neighborhood residents to use controls and the willingness to exercise these controls. Specifically, we found that social cohesion, informal control, police-citizen relations, and formal control differentially mediate the effects of neighborhood structural variables. Economic disadvantage has a direct impact on burglary and vandalism victimization. However, when the intervening variables are added to the model, it becomes nonsignificant. Similarly, economic disadvantage has a direct impact on violent crime victimization, but its effect becomes smaller when the intervening variables are added and drops to nonsignificance when all four intervening variables are in the final model. Additionally, the effect of residential stability on burglary drops substantially when these variables are entered into the model.

The pattern of results involving our separate racial and ethnic heterogeneity variables has direct implications for systemic social disorganization theory. Ethnic heterogeneity clearly impacts both the intervening and the crime victimization variables differently than racial heterogeneity. Ethnic heterogeneity has a direct, statistically significant, and positive impact on all victimization variables except burglary victimization. Racial heterogeneity, however, has a statistically significant, negative impact on only two variables – violent victimization and burglary victimization. However, it does not have a statistically significant impact on the odds of burglary victimization until after the mediating variables have been added to the model.

The fact that racial heterogeneity has a negative impact and that it does not influence all four types of crime victimization contradicts Shaw and McKay's assertion that racial diversity increases crime in the neighborhood. Our results suggest that the more racially diverse the neighborhood, the lower the violent crime victimization and that neighborhoods with higher racial diversity will have lower odds of burglary victimization holding constant levels of social cohesion, police-citizen relations, informal control, and formal control. Rather, our results support Sampson and Wilson's (1995) assertion that crime is lower in neighborhoods where there is more contact among groups of different races and less social isolation (i.e., residents have more contact with mainstream social networks and positive role models). In racially heterogeneous neighborhoods, residents are exposed to mainstream cultural constructions of violence and its appropriate/inappropriate use, which should lead to lower odds of serious crimes such as violence and burglary. These results suggest the need for future research to

include distinct measures of racial and ethnic heterogeneity in order to assess their differential impact on crime victimization.

Our results do not support our argument that the effects of informal control will be stronger than the effects of formal control. Informal control has a stronger impact than formal control on violent crime victimization. However, for all three types of property crime victimization, formal control has a stronger effect than informal control. Our results may be explained in part by a hybrid form of control that reflects the interdependency of informal and formal control, or what Carr (2003) identifies as the "new parochialism." With this type of control, residents do not directly intervene to prevent crime in the neighborhood. Rather, they intervene indirectly by mobilizing mechanisms of formal control by calling the police or other outside agencies to deal with the problem (e.g., petitioning the liquor commission to deny the renewal of a local bar's liquor license) (Carr 2003). Applied to our study findings, neighborhood residents may be more willing to call the police when they see a burglary, vandalism, or larceny in progress, perhaps out of fear of encountering an unknown offender or because they believe the police are better equipped to handle these crimes. Residents may be more likely to personally intervene in violent crime, perhaps because they are more likely to know the victim and/or offender, and may therefore be less willing to see those offenders arrested. In any case, our results suggest significantly different policy implications for the control of violent and property crime.

Our results do, however, support our argument that the impact of social cohesion and police-citizen relations are partially mediated by their influence on the exercise of informal and formal controls, respectively. Social cohesion is significant for violent crime and larceny victimization. While social cohesion does have a direct effect on violent crime victimization, its effects are partially mediated by its impact on informal control. Police-citizen relations has a significant impact on all four types of victimization when it is alone in the model with the neighborhood structural variables (see model 3 in each table). However, in every case it drops to nonsignificance in the full model. For burglary, the effect of police-citizen relations is partially mediated by its influence on formal control. For both larceny and vandalism, the effect of police-citizen relations is completely mediated by its influence on both informal and formal control. These results suggest that future research should consider including distinct measures of social cohesion, informal control, police-citizen relations, and formal control as intervening variables in the systemic social disorganization model.

Policy Implications

Our results also have important implications for crime policies aimed at reducing and preventing neighborhood-

level crime victimization. The pattern of intervening effects related to violent crime victimization differs substantially from the three types of property crime victimization. Social cohesion is significant in the final model (Model 5) for violent crime victimization and the final model for larceny victimization, while formal control is significant in every final model except violent crime victimization. These results suggest different approaches are needed for the prevention and reduction of violent crimes compared to property crimes. First, programs or activities designed to increase neighborhood residents' perceptions of trust, helping behaviors, close ties, and how well they get along with their fellow neighbors may reduce violent victimization but would not likely decrease the occurrence of property crime. Residents who are personally connected to each other should be less willing to use violence to settle disputes. Second, these results suggest that residents' perception of law enforcement's ability to prevent crime and maintain order is important for reducing property crime but would likely have little impact on violent crime. Altering police activity in the neighborhood – for example, directed “hot spot” policing resulting in more arrests and increasing patrol routines for police visibility in areas with higher vandalism, burglary and/or larceny sites – may increase the probability of preventing and capturing neighborhood property offenders.

Our results clearly suggest that in order to reduce and prevent property crime victimization, community endeavors are needed that increase people's perceptions of the police as being able to do a good job at preventing crime and maintaining order in the neighborhood. However, our results also indicate some differential policy strategies are needed to reduce each type of property crime victimization. For example, reducing economic disadvantage may play a role in the reduction of larceny but do little to reduce burglary and vandalism victimization. Further, activities aimed at increasing informal control, where neighbors are willing to intervene to prevent crime and delinquency in the neighborhood, may reduce larceny and vandalism victimization (as well as violent crime victimization) but is unlikely to impact burglary victimization. Additionally, activities aimed at increasing residents' trust and ties to each other may help reduce larceny victimization but is unlikely to matter for the reduction of burglary and vandalism victimization.

Limitations

A significant limitation of this study concerns the measurement of the variables. As a secondary analysis of the PHDCN data, our study suffers the significant limitation of measuring residents' *perceptions* of social cohesion, informal control, police-citizen relations, and formal control, rather than the actual presence of these conditions in the neighborhood. For example formal control is generally considered to be a measure of police

activity (e.g., patrols, arrests, etc.). We measure formal control as residents' perceptions of the ability of the police to prevent crime and maintain order in the neighborhood, rather than using official statistics of police activity. Future studies should include more direct measures of formal control.

Similarly, our indicator of informal control measures activity that *could* result in the use of informal social control, rather than actual measures of informal control. We measure informal control using survey items that refer to neighborhood residents' perceived willingness of themselves and others to utilize informal social control. While problematic, the extant literature has provided a precedent for use of such measures. For example, Sampson et al.'s (1997) concept of collective efficacy measures only the “willingness to intervene,” not the action of the intervention itself. Future studies should include items specifically designed to tap the use of, rather than the perception of, informal control.

Further, our presentation of the results may be interpreted as assuming causal ordering of the variables. However, our use of cross-sectional data prohibits us from distinguishing the causal ordering of the relations variables and control variables. We cannot determine if social cohesion mediates the impact of neighborhood conditions on informal control and police-citizen relations mediates the impact of neighborhood conditions on formal control. These variables may have a reciprocal relationship, or the relationship may be in the opposite direction from the one we hypothesized. Future studies will benefit from a longitudinal design so that the causal ordering of the intervening variables may be assessed.

A final shortcoming that may limit the generalizability of our results is that the data come from the city of Chicago. The findings from our study need to be replicated using data from other cities and towns of varying size to ascertain whether the processes found in Chicago can be generalized. For example, do cities of more moderate size (e.g., 100,000 or 500,000 compared to Chicago's population of nearly 3 million) experience similar differential effects of social cohesion, informal control, police-citizen relations, and formal control on crime victimization? Does the racial and ethnic diversity of Chicago differentially impact the development and use of social cohesion, informal controls, police-citizen relations, and formal control? Do more homogenous cities (e.g., Des Moines, Iowa, Springfield, Missouri, or Fort Collins, Colorado) experience similar effects of negative neighborhood structural characteristics on the development of these relational and control variables, and do these effects differentially impact various types of victimization? These questions need to be addressed in future research using the systemic social disorganization model.

Endnotes

¹ We thank Robert Sampson for providing the ten census measures he and his colleagues used in the factor analysis in their original article (Sampson et al. 1997).

² This differs from the measure of concentrated disadvantage used by Sampson and his colleagues in that it excludes the percentage African American and percentage female-headed households from the composite measure. We use this measure because we believe it taps the elements that are most amenable to policy interventions to reduce and prevent crime. However, when we did use Sampson et al.'s measure, the results did not differ from those presented here.

³ Unfortunately, the measure of interpersonal violence victimization in the PHDCN data set confounds violent crimes with an instrumental motive (i.e., mugging) with violent crimes that have an expressive motive (i.e., fight, sexual assault). As noted earlier, we expect differences in how perceptions of social cohesion, informal control, police-citizen relations, and formal control will impact crimes with instrumental motives versus crimes with expressive motives. Confounding of the two types of violence needs to be kept in mind when interpreting our results.

⁴ In our earlier confirmatory factor analysis research we used Bayesian multiple imputation with non-numeric data (Arbuckle 2006).

⁵ The hierarchical generalized linear two-level models were estimated using HLM 6.06 (Raudenbush et al. 2004).

⁶ We conducted collinearity diagnostics to ascertain whether nonsignificant results in the models containing all social relations and control variables (i.e., Model 5 in Tables 2-5) were due to excessive multicollinearity. The results of our diagnostics show that our results are numerically stable with condition indexes well below the suggested 30 (Belsley, Kuh, and Welsch 1980; Belsley 1991:74). While several of the variance inflation factors (VIFs) in the full models exceeded the 2.5 criterion suggested by Allison (1999:141), inspection of the results in Tables 2-5 reveals that lack of statistical significance is due to the drop in effect size across models rather than inflated standard error estimates. As a final check, we reran Models 2-5 in Tables 2-5 with grand mean centering of the level-2 predictors. Without exception, the direction and statistical significance level of all effects are identical, and the magnitude of the effects is very similar. In sum, the results of our collinearity diagnostics demonstrate that we can have confidence in the veracity of our HGLM results presented in Tables 2-5. The results of these supplemental analyses are available upon request.

⁷ The results of all unconditional means models are not shown.

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Appendix A. Variable Names, Descriptions, Factor Loadings, Cronbach's α Coefficients, and Confirmatory Factor Measures of Fit

Variable Names	Variable Descriptions
<i>Neighborhood Structural Variables¹:</i>	
Economic Disadvantage	Factor score from a principal component analysis with % unemployed (.974) ² , % receiving public assistance (.984), and % living on incomes below the official poverty level (.963); $\alpha=.944$.
Racial Heterogeneity	Index of diversity ($D = 1 - \sum p_i^2$) for the proportion white versus proportion not white.
Ethnic Heterogeneity	Factor score from a principal component analysis of the indexes of diversity for foreign born versus not foreign born (.938) and Latino versus not Latino (.938); $\alpha=.864$.
Residential Stability	Factor score from a principal component analysis with % owner occupied households (.895) and % living in the same house as in 1985 (.895); $\alpha=.669$.
<i>Social Cohesion and Informal Control Variables:</i>	
Social Cohesion	Factor score from the dimension of a confirmatory factor analysis with four items from the PHDCN (five-point Likert scales): This is a close-knit neighborhood (.734); People willing to help neighbors (.840); People don't get along (.578); People in neighborhood can be trusted (.712); $\alpha=.794$.
Informal Control	Factor score from the dimension of a confirmatory factor analysis with four items from the PHDCN survey (five-point Likert items ranging from very unlikely to very likely): Do something kids skip school (.864); do something kids deface building (.819); Scold child for disrespect (.743); Break up a fight in front of house (.691); $\alpha=.841$. Fit indices for the final confirmatory factor analysis model of social cohesion and informal control: $\chi^2=38.805$; AGFI=.995; CFI=.999; RMSEA=.020; BIC=292.837; $r=.666$.
Police-Citizen Relations	Factor score from the dimension of a confirmatory factor analysis with two items from the PHDCN survey (five-point Likert scale from strongly agree to strongly disagree): Police are responsive to local issues (.818); Police do a good job with problems that concern people (.967); $\alpha=.869$.
Formal Control	Factor scores from the dimension of a confirmatory factor analysis with two items from the PHDCN survey (five-point Likert scale from strongly agree to strongly disagree): Police not doing good job preventing crime (.779); Police not able to maintain order in streets (.645); $\alpha=.663$. Fit indices for the final confirmatory factor analysis model of police-citizen relations and formal control: $\chi^2=5.858$; AGFI=.997; CFI=1.00; RMSEA=.021; BIC=87.511; $r=.595$.

¹All structural variables are derived from the 1990 U.S. Census.²Factor loading from principal components analysis.

Appendix B. *Neighborhood-level Correlations*

Variables	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1. Economic disadvantage	1.000							
2. Residential stability	-.239**	1.000						
3. Ethnic heterogeneity	-.421**	-.347**	1.000					
4. Racial heterogeneity	-.022	-.388**	.241**	1.000				
5. Social cohesion	-.421**	.382**	-.083	-.135*	1.000			
6. Police-citizen relations	-.526**	.234**	.011	-.009	.584**	1.000		
7. Informal control	-.470**	.411**	-.075	-.131*	.839**	.636**	1.000	
8. Formal control	-.506**	.280**	-.028	-.112*	.545**	.855**	.587**	1.000

* $p < .05$, ** $p < .01$ (two-tailed tests); $n = 343$.



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Normal Homicides, Normal Defendants: Finding Leniency in Oklahoma's Murder Conviction Machinery

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Abstract: Data derived from Oklahoma Criminal Offender Records, Oklahoma Criminal Court of Appeals, and newspapers of record (1973-2008) were analyzed along with interviews of key criminal court officers, assessing the normal crimes concept (Sudnow 1965) and common-sense considerations in homicide case dispositions (Garfinkel 1956). Statistical analyses of charging patterns in murder cases in Oklahoma ($n = 2,629$) demonstrate that defendants' legal representation, both public and private, dispose of large numbers of cases as normal homicides and that specific predictor variables exist that influence the decision to treat a given homicide as normal.

Keywords: social disorganization, collective efficacy, informal control, formal control, crime, victimization

Introduction and Literature Review

This paper utilizes the concept of *normal crimes* developed by Sudnow (1965) to determine the extent to which this notion explains the manner in which death penalty cases are disposed in Oklahoma. Historically, in excess of 71% of homicide cases in Oklahoma are disposed of via plea negotiations that alter charging and reduce sentences. Thus, it is clear that a functional and enduring structure is in place that selects less offensive cases. It is not surprising, therefore, that the late ethnomethodologist, David Sudnow, in his classic paper "Normal Crimes: Sociological Features of the Penal Code in a Public Defender Office" (Sudnow 1965), analyzed a broad range of criminal offenses, finding that public defenders and prosecutors worked in a coordinated and complimentary fashion, in many cases coupling charge reductions with guilty pleas, all toward quick disposal and avoiding trial.

In a similar study of jury deliberations, Garfinkel (1956) found that panel members, in the face of opposing views on a given defendant's guilt, formed what he called "common-sense considerations that anyone could see," in arriving at the necessary unity in their verdict (Garfinkel 1956: 240-241). Sudnow's work looked at the interactions of supposed adversaries that were, in reality, cooperative relationships vital to the smooth operation of a criminal court. Sudnow (1965) documented opposing counsel's considerations of the "typical manner in which the offenses are committed, the social characteristics of the persons who regularly commit them, the features of settings in which

they occur, and the types of victims often involved" as key organizing concepts in understanding and explaining the normality of a given homicide (Sudnow 1965: 256).

Normal crimes are the result of criminal justice actors creating a sense of structure through their interpretations of circumstances surrounding criminal behaviors and legal procedures. Out of these concepts Sudnow constructed the idea of *normal crimes*: an array of offenses, whose typical features (e.g., manner of occurrence, personal characteristics of the persons who commit them) both defense and prosecution agreed merited mutually beneficial legal compacts, thus dispensing with trials. Garfinkel (1967) observed jurors working across what could have been significant disagreements, using a body of common-sense knowledge and a range of procedures and considerations that permitted the finding of unanimous verdicts. Garfinkel (1956) found that jurors worked through a number of challenging distinctions (e.g. "fact versus opinion," "what the evidence shows and it says to each of us," "what was reasonable doubt") in arriving at unified decisions (Garfinkel 1956: 241). In reference to homicides in particular, Garfinkel (1949) found very early in the history of the death penalty research that courts formed norms, what he termed *local knowledges*, shaped by the racial discourse in a specific social landscape and that these imposed guidelines on the responses to certain crimes and treatment of defendants.

Both studies examined emerging and functional patterns of agreement within *common sense-making*

procedures that any ordinary members of society would understand and use. Sudnow (1965) and Garfinkel (1967) sought out organized patterns of interaction, institutionalized treatment of circumstances, and constructions of order in the everyday business of the courts. It is within these existing interactional constructions that the “usual and ordinary” sharply contrast with the abnormal and unusual, that the unwritten rules of normality become dominant, and that stock interpretations produce what appear to be, and are subsequently treated as, objective reality. Both Sudnow (1965) and Garfinkel (1967), in very different settings, outlined how seemingly disparate interests actually work together to achieve a mutually acceptable and essentially efficient conclusion of the respective business.

These ideas of norm formation in the operation of justice are applicable in Oklahoma’s circumstances as an execution state. Although Oklahoma is second only to Texas in total number of executions since 1976 and maintains the highest death sentence rate in the post-*Furman* period (1972-present), a majority of homicide prosecutions in Oklahoma never advance to trial. Of those intentional homicides (by statute 1st and 2nd degree murders), 61% conclude in plea-bargaining, where charge reductions and/or sentence decreases are the norm (Oklahoma State Bureau of Investigation). Clearly, if prosecutors and defense attorneys in Oklahoma were not disposed to make such concessions, the state’s criminal courts would be overwhelmed. It bears asking, how do opposing attorneys, in what appears to be a highly adversarial system, come to such vital and frequent agreements on a weighty issue such as homicide? How are *normal* cases selected for plea bargains, and how are the requisite reductions in charge and sentence arrived at? In essence, what constitutes a *normal homicide* and a *normal defendant*, or how does the *normalization* process operate, and what comprises leniency within Oklahoma’s murder conviction machinery?

The literature associated with plea agreements and bargaining has not addressed homicides in a manner commensurate with property and lesser violent crimes. The standard texts on plea agreements (Fisher 2003; Heumann 1981; Vogel 2007) mention the incidence of guilty pleadings in exchange for “life sentences” (which almost never result in a criminal spending the rest of his/her life in prison), but understandably amalgamate homicide with rape, robbery, and felonious assault in their discussions, treating prosecution/defense dialogue as an opportunistic conference without guidelines or governance, either by design or default. The only serious discussions of plea agreements in homicide cases come from a comparative systems approach in Nasheri (1998) and a victim’s right perspective in McCoy (1993). That being said, neither Nasheri (1998) nor McCoy (1993) put forth the idea of a structure of normalcy negotiated between prosecution and

defense, which this research seeks to distinguish and clarify.

Data Description, Methodology, and Theory

Data were collected from a multitude of sources, from the Oklahoma Offender Database (OOD) for the years 1973-2008, Oklahoma Indigent Defense System records, circuit court annual reports, and crime reporting collected from 44 local newspapers covering cases charged as “capital” and “second degree” homicides. This period spanned the first 35 years of Oklahoma’s current, post-*Furman* use of capital sentencing law with 7,662 reported homicides in the state. Complete case information, amounted to 34.3% (n = 2,629) of that total. Offender information data systems, appellate documents, individual circuit reports, and newspaper accounts carried a wealth of information (e.g. name, department of corrections number, age, ethnicity, years of education completed, criminal record, and eligibility for parole if applicable) and circumstances of the crime (newspapers usually carried a narrative description of the events, method, and weapon used; victim information such as age, ethnicity, possible relation to the offender). Oklahoma Attorney General’s Office and Oklahoma Criminal Court of Appeals records included statutory aggravators (following a 1981 revision of the capital punishment statute), legal representation of the defendant, and accompanying facts of the crimes, including victim particulars. In that logistic regression requires complete case information, a large portion (approximately 65%) of the original data set had to be excluded.

The data set conformed to the guiding assumptions related to binary logistic regression: (1) The data set contains more than the minimum of 25 cases per independent variable (Tabachnick and Fidell 1996); (2) Logistic regression relies on a *goodness-of-fit* test to assess the fit of the model to the data (Tabachnick and Fidell 1996), as the -2 Log likelihood, Cox & Snell R², and Nagelkerke R²; (3) Multicollinearity in the predictor variables was checked by a preliminary linear regression and is not present; and (4) Case outliers have been eliminated via the Mahalanobis distance Chi-square test for outlying cases.¹ The logic of binary logistic regression relies upon probabilities or odds (a ratio of probability) that a given event or condition will occur divided by the probability that such an event or condition will not occur. The effect of each independent or predictor variable/s on a dichotomous outcome is/are represented by an odds ratio, an *expected beta*, (*ExpB*), that is converted into an increase or decrease in the probability of one outcome of the dependent or response variable.

Employing *binary logistic regression* techniques on a variety of categorical *predictor variables* on a single binary *response variable* is a *logit model*. The design follows the categorical parameters emphasized in Agresti (2002), where analyses seek significant *categorical predictor variables*

that demonstrate increased or decreased likelihoods that a given attribute of a crime and/or a defendant would/would not realize treatment as a *normal homicide* or *normal defendant*. These predictors act on the *criterion variable*, in this case a categorical variable of *normalcy* (Cleary and Angel 1984; Morgan and Teachman 1988; Tate 1992).

With Sudnow (1965) for theoretical guidance, *normal homicides* were assumed to have one specific attribute: less harsh sentencing. In Oklahoma's legal environment, a plea bargain, a *normal homicide* would theoretically receive a relatively light sentence (Oklahoma State Bureau of Investigation), i.e., 17.29 years or 208 months, defined for our purposes as at least one standard deviation (8.81 years or 106 months) under the average numbers of years (26.1 years or roughly 312 months) for murder in the second degree; or one "Life" sentence with the possibility of parole beginning 15 years or 160 months hence. Offenders receiving in excess of 17.29 years or 208 months of incarceration for murders in the second degree, or those who elect to go to trial on charges of capital homicide, which entails prosecutor's requests for the death penalty and result in either a death sentence or life without the possibility of parole (LWOP), are considered outside the "normal" designation. These categories were designated as dichotomous conditions of a dummy variable NORMDUM of the *response* or *dependent variable*.

Using Sudnow's (1965) findings, it was possible to theoretically extract the typical features of a *normal homicide* and *normal defendant*, as well as hypothesize elements of the cases considered *normal*, i.e., most highly predictive variables (race of offender and victim, combinations of victim-offender races, typical relationships of victim to offender, weapon used) in explaining the interactions of prosecutors and defense attorneys in attaining a reasonable compromise.

Inverting the premise that "the selection of homicide defendants for death is the cumulative result of a series of decisions and evaluations" by state's attorneys and juries (Radelet and Pierce 1985: 617), examinations of defendants and circumstances of their offenses were done in order to understand those factors having reasonable predictive power in the construction of a *normal homicide*, a crime that meets the norms in its details (e.g., weapon employed, victim selection, overall race, age, and social congruency of assailant and assailed) and accordingly, could be disposed of without seemingly undue investigation, court time, or public notice.

Normal Procedures in the Normal Homicide

Oklahoma's homicide prosecutions are similar to most criminal courts in the U.S. in that prosecutors provide details of the crime in the original complaint, with the most prominent facts brought forward at arraignment, bail hearings, and any evidentiary proceedings. Pre-trial conferences between prosecution and defense counsels

work to establish the normality of the crime, where offenders "receive their due" to the satisfaction of prosecutors and the defense receive incentives to surrender a plea of guilty (Sudnow 1965: 264). If an agreement is reached regarding the "normal" nature of a given crime, defense will accordingly stipulate its client's guilt, while agreeing, or disagreeing, with specifications of the charges, with the expressed goal of arriving at a plea agreement and a satisfactory sentencing recommendation. In many cases, the admission of guilt is not necessarily an important bargaining point, whereas the specifications of a given crime and the resulting sentencing memo, signed by the prosecutor and returned to the court, are the most serious points of contention between prosecution and defense, in that these directly affect the eligibility and circumstances (evidence of remorse, future dangerousness, possibility of recidivism) in the eventual parole of a given offender. The *normal crime* emerges as one with origins and motives as one between familiars, involving young, male offenders and victims of the same race, usually motivated by passion/vengeance, done with a firearm, and experiencing little media exposure. To establish a *normal homicide* and *normal offender*, prosecutors and defense counsels labor to link the act of murder with the *normal* category of homicide. It was generally accepted in nearly every case that this relationship precluded the possibility that the defendant might not be guilty, that the victim might have been a party to his/her own death, or that the homicide was justifiable, all conditions that would have mitigated the seriousness of the crime or closed any prosecution.

The decisions to normalize cases (or not) are completed very early in the process as one urban police force has stated, "Homicides are broken down into the following categories in Oklahoma City: gang-related, domestic, robbery, self-defense, officer-involved, argument, child abuse, accidental, other and unknown, which are typically unsolved" (McCool 2008). In that both prosecutors and public defenders have limited resources to devote to heavy caseloads, the impetus for employing serious hours of investigation, research, and strategy-making must come from someplace other than the fact that a homicide has been committed. The streamlining of the litigation process with the changes in the capital punishment statute in 1981 seemed to have no affect on the normalizing process.

The emphasis on the normality of a given case, as it fits cases already decided and conforms to conditions already determined, strongly implies that defense attorney and prosecutor know beforehand the conditions under which they will request/grant a plea bargain, in common sense situations whose features are largely taken for granted. At the same time, prosecutors are aware of the priorities of their colleagues across the aisle.

Sudnow's observation that, "To put on a fight is a disconcerting task for persons who regularly work together as a team" (Sudnow 1965: 275). The agreed-upon

circumstances usually entail a homicide where a young person, more often than not in Oklahoma City or Tulsa, an African-American male, has killed another young African-American male, where offender and victim know each other or share a situation where circumstances connect them in some way (e.g., gang rivalry, personal jealousy, revenge for a past wrong). In doing so, the defendant has committed a personal crime, commonly without endangering the lives of others, and usually does not have a lengthy or serious criminal record. As a rule, such cases do not appear prominently in the leading media outlets of record in the two counties (Oklahoma and Tulsa) that encompass 78% of the state's homicides over the period examined. In these "low-visibility" cases, prosecuting attorneys feel no pressure to request a death penalty and tend to process murder cases with minimum resources (Paternoster 1983). Defense attorneys and prosecutors, having agreed on the types of cases and the character of defendants on whom they would be willing to compromise, essentially program the process of bargaining in the incidence of what can be a *normal homicide*. Again, Garfinkel expressed the crux of the issue saying that the "outcome comes before the decision" (Garfinkel 1967: 114). In the final assessment, prosecutors were responsible to the public if a given case realized subsequent publicity, expressed by Garfinkel's idea that the "decision maker's task of justifying a course of action" (Garfinkel 1967:114) was a factor that all prosecutors took to heart.

Based on theoretical statements emerging from Sudnow (1965), the *normal defendant* appeared in the case of Oklahoma to be:

- male offenders
- non-white
- most often African-American
- no serious criminal history

while *normal homicides* had characteristics akin to:

- crimes assailing other young, non-white men
- weapon most likely involved was a firearm
- offender linked to or was very similar in social, economic, or some personal circumstances to the victim.

Table 1 includes all the predictor variables as they coded in the logit. Similarly, more current empirical studies of executions identified other predictor variables that could be tested. Widely accepted empirical studies in Maryland found that "state's attorneys were approximately twice as likely to file a notification to seek a death sentence and not withdraw that notification when the homicide victim was white rather than black" (State of Maryland 2000); as well as a later report that found "blacks who kill blacks and homicides involving 'other' combinations of offender's and victim's race are significantly less likely to have a death notification 'stick' than homicides involving black

offenders and white victims" (State of Maryland 2000: 37). Applying the inverse and considering the racial variety in Oklahoma (e.g. African-Americans, Latino/s, Asians, and Native Americans), the data set should exhibit crimes involving non-white offenders and victims in Oklahoma receiving more leniency, i.e., charges of 2nd degree homicide or charges of 1st degree homicide with a waiver of death penalties including the possibility of parole.

The Response Variable

The dependent variable works on the presence or absence of *lenient treatment* (i.e., 17.29 years or 208 months or less) versus negotiated sentences of more than 17.29 years or 208 months defined as *harsh treatment*, as well as sentences of life without parole (LWOP) or death at trial.

Predictor Variables as Hypotheses

Hypothesis #1: Non-white offenders will exceed statistical expectations in lenient treatment when victims are non-white.

Hypothesis #2: In an analysis across all ethnic categories (white, African-American, Latino/a, Native American, and Asian), offenders and victims with the same race/ethnicity are more likely to attain *lenient treatment*.

Hypothesis #3: Offenders with previous felony convictions are less likely to receive *lenient treatment*. At least one previous felony conviction will reduce the probability of one being defined as *normal defendants*.

Hypothesis #4: Cases that receive significant pre-trial publicity are less likely to receive leniency and will not be treated as *normal homicides*.

Hypothesis #5: Cases involving firearms are more likely to receive leniency and be treated as *normal homicides*.

Hypothesis #6: Defendants with public defenders are more likely to realize *normal* classification.

Results and Conclusions

Hypothesis #1: It was hypothesized that non-white offenders would exceed statistical expectations in lenient treatment when victims are non-white. Only black offenders assailing black victims demonstrated a clear indication. The analysis revealed black on white homicides realize a 96% reduction in the probability of a *normal* classification (*ExpB* of .042 with a .000 sig.; n = 302).

Hypothesis #2: In an analysis across all ethnic categories (White, African-American, Latino/a, Native American, and Asian), offenders and victims with the same race/ethnicity are more likely to attain *lenient treatment*. Only black on black (BLK/BLK) homicides realized a 30% increase in the probability of a *normal* classification (*ExpB*

Table 1. Codings and Descriptions for Predictor Variables

Coding	Variable Description
<i>Offender Characteristics</i>	
OLESS22	Offender 21 years of age at the time of the offense = 1; < 21 = 0
ONONWHITE	Offender non-white = 1; Offender white = 0
OPRIORS	Offender has prior felony conviction/s = 1; no felony convictions = 0
OYBLKPriors	Offender black male w/ prior conviction/s = 1; no OYBLKPriors = 0
OYNWPriors	Offender other non-white w/ prior convictions = 1; no OYNWPriors = 0
<i>Victim Characteristics</i>	
VLESS22	Victim > 21 years of age = 1; < 21 = 0
VSEXFML	Victim sex female = 1; male = 0
VSEXML	Victim sex male = 1; female = 0
VWHITE	Victim white = 1; non-white = 0
VNONWHITE	Victim non-white male = 1; female = 0
<i>Offender/Victim Ethnicity & Proximity</i>	
BLK/BLK	Black Offender-Black Victim = 1; everything else = 0
BLK/ONW	Black Offender-Other nonwhite Victim = 1; everything else = 0
BLK/WHT	Black Offender-White Victim = 1; everything else = 0
ONW/BLK	Other nonwhite Offender- Black Victim = 1; everything else = 0
ONW/WHT	Other nonwhite Offender- White Victim = 1; everything else = 0
ONW/ONW	Other nonwhite Offender- Other nonwhite Victim = 1; everything else = 0
WHT/BLK	White Offender -Black Victim = 1; everything else = 0
WHT/ONW	White Offender-Other nonwhite Victim = 1; everything else = 0
WHT/WHT	White Offender-White Victim = 1; everything else = 0
STRANGER	Stranger = 1; familiar to victim = 0
<i>Offender/Victim Sex</i>	
OM/VFM	Male Offender-Female Victim = 1; everything else = 0
OM/OM	Male Offender-Male Victim = 1; everything else = 0
OFM/VFM	Female Offender-Female Victim = 1; everything else = 0
OFM/VM	Female Offender-Male Victim = 1; everything else = 0
<i>Weapons, Publicity, and Offender Representation</i>	
GUN	Gun = 1; everything else = 0
KNIFE	Knife = 1; everything else = 0
PERSONAL	Personal Assault (hands/fists) = 1; everything else = 0
BLUNT	Blunt Instrument = 1; everything else = 0
OTHER	Other (poison, bomb, automobile) = 1; everything else = 0
PUBDEFDUM	Public Defender = 1; everything else = 0
MEDIADUM	High Media Profile = 1; everything else = 0

of 1.302 with a .064 sig.; $n = 279$). In all other pairings (OTH/OTH and WHT/WHT), no indications of *normalcy* were revealed.

Hypothesis #3: The alternative hypothesis was accepted in that offenders with previous felony convictions are less likely to receive *lenient treatment*. Existence of a previous felony conviction will reduce the probability of *lenient treatment* by 34% (*ExpB* of .664 with a .001 sig.; $n = 918$). OPRIORS, or offender prior felony convictions, are the strongest predictor of harsh treatment across the entire data set.

Hypothesis #4: Cases that receive significant pre-trial publicity are less likely to be treated as *normal homicides*, indicated by a 94% reduction in the probability of a *normal* classification (*ExpB* of .061 with a .008 sig.; $n = 2,196$).

Hypothesis #5: Based on these analyses, we must accept the *null hypothesis* in that firearms are positively associated with *normalcy*. Lenient treatment, *normalcy*, is linked to the general weapon category of “other,” composed in large part of vehicular homicides and use of poison. There is a 63% increase in the probability of a *normal* classification (*ExpB* of 1.631 with a .072 sig.; $n = 124$). However, it is clear that homicides involving knives seem to preclude *normalcy*, having grisly crime scene photos that are characteristic of such a weapon, impressing on prosecutors the need for a harsher sentence. The use of a knife as a murder weapon realizes a 36% reduction in the probability of a *normal* classification (*ExpB* of .640 with a .049 sig.; $n = 298$).

Conclusions

As Skolnick (1966) found, defense attorneys often attempt to diminish offenders’ identities in favor of a broad social justice explanation for their client’s behavior and in the same fashion prosecutors often attempt to minimize the personal elements of a defendant’s character in exchange for a moniker (e.g., “the pro” or “the strangler”). In the same fashion Goffman (1961) pointed out that hospital personnel erased names and patients become their disease, developing *master status* of “the amputation,” or “the cancer.” Offenders in particular, undeserving as it were of an individual identity, were referred to as “the gang shooting” or “the domestic killing” occupying a spot on the court docket in a given week. These identities, and their associated charges and sentences, were negotiated, usually without undue perspiration, by respective counsels, with a settlement that legally confirmed the *normalness* of the crime and criminal as well. For non-white offenders, leniency was systematically related to the non-white condition of their victims. Non-white offenders realized harsher treatments when their victims were white, and our analysis shows that assailing white victims precipitated

harsher punishments. Analysis of the data set indicated that non-whites’ crimes would be more likely to be *normalized* if their victims were also non-white. What has become common currency, that prior felony convictions posed a significant obstacle to leniency, were substantiated by the analysis. Overall, one of the strongest predictors of a *normal homicide* was a similarity of offender to victim in personal and social senses, and it is clear that homicides across race/ethnic divisions offend the racial etiquette of those communities, while same-race homicides were more likely to be treated as *normal*.

It is also clear that homicides involving firearms were more likely to be considered *normal*. The data set bore out this assumption, which at first glance seems counterintuitive, but might be explained by the availability of graphic crime scene photos of knife killings that leave large blood pools and mutilated body parts for a jury to see. Such photos imply gross brutality compared with what might seem less brutal crimes involving firearms or poison.

Bargaining pleas and sentences, apparently for both defense counsels and prosecutors, supported the idea that justice would be possible only if a small percentage of cases charged out actually went to trial. It was clear that defense counsels and prosecutors had to have substantial faith in the fairness of the system that their day-to-day practices produced, setting up what Garfinkel (1967) called *incorrigible propositions*, i.e., a continued belief in the face of objective contradictions. Empirical findings herein demonstrate that races of victims and offenders, the relationship of assailant to victim, and the presence of any prior felony conviction were key elements in the determination of leniency/harshness.

The data set confirmed the categories and types of crimes that afford negotiation, that is men of color accused of assailing other men of color, realized the highest probability of obtaining leniency and exercised significant power of choice in whether they would be offered a plea bargain or go to trial. The chances of receiving harsher penalties, a life sentence without the possibility of parole or death, were further decreased if the offender had no prior felony convictions.

In conclusion, the concepts of *normal defendant* and *normal homicide* are empirically verifiable in the case of Oklahoma, operating within a particular legal culture and social conditions that structure decision-making and trial outcomes for the most serious of crimes, homicide.

Endnotes

¹ The -2 Log likelihood (142.12), Cox & Snell R^2 (0.320), and Nagelkerke R^2 (0.473) were within acceptable ranges. Classification table indicates that predicted and observed values overlap (correct predictions) in 82.6% (cut value = 0.5).

Table 2. Probability of an Offender/Homicide, NORMDUM (n=2,629); Model Sig.= .002

Predictor Variable	B	S.E.	Wald	df	Sig	Exp (B)	+/- % Probability	n
<i>Offender Characteristics</i>								
OLESS22	.107	.149	.514	1	.473	1.113	+11%	348
ONONWHITE	-.260	.383	0.050	1	.823	.918	-8%	832
OPRIORS	-.409	.121	11.51	1	.001	.664	-34%	918
OYBLKPriors	-.626	.438	2.040	1	.153	.535	-47%	76
OYNWPriors	.556	.369	2.227	1	.131	1.744	+74%	54
<i>Victim Characteristics</i>								
VLESS22	-.177	.170	1.080	1	.299	.838	-16%	516
VSEXFML	-1.297	1.048	1.531	1	.216	.273	-73%	664
VSEXML	-.182	.080	5.189	1	.023	.834	-17%	1285
VWHITE	-1.430	.547	6.827	1	.009	.239	-76%	1304
VNONWHITE	1.514	.548	7.636	1	.006	4.543	+354%	633
<i>Offender/Victim Ethnicity & Proximity</i>								
BLK/BLK	.263	.569	.214	1	.064	1.301	+30%	279
BLK/ONW	-.204	.727	.758	1	.779	.816	-18%	30
BLK/WHT	-3.167	.877	13.121	1	.000	.042	-96%	302
ONW/BLK	-.476	.793	.360	1	.548	.621	-38%	19
ONW/WHT	-1.554	.813	3.652	1	.056	.211	-79%	93
ONW/ONW	-.375	.570	.433	1	.510	.687	-31%	109
WHT/BLK	.143	.607	.055	1	.814	1.154	+15%	137
WHT/ONW	-.107	.605	.031	1	.860	.899	-11%	91
WHT/WHT	.094	.248	.144	1	.705	1.099	+1%	896
STRANGER	-2.247	.996	7.062	1	.006	.446	-55%	2267
<i>Offender/Victim Sex</i>								
OM/VFM	-.227	1.021	.050	1	.824	.923	-8%	608
OM/OM	-1.714	1.164	2.167	1	.141	.118	-88%	1189
OFM/VFM	.223	1.077	.043	1	.836	1.250	+25%	59
OFM/VM	-2.135	1.238	2.976	1	.085	.836	-16%	95
<i>Weapons, Publicity, & Offender Representation</i>								
GUN	.014	.147	.009	1	.923	1.014	+17%	1179
KNIFE	-.446	.226	3.891	1	.049	.640	-36%	298
PERSONAL	.033	.240	.019	1	.889	1.034	+3%	241
BLUNT	.228	.312	.534	1	.465	1.256	+26%	107
OTHER	.489	.272	3.230	1	.072	1.631	+63%	124
PUBDEFDUM	.841	.102	1.933	1	.016	2.454	+145	2629
MEDIADUM	-2.711	.822	5.673	1	.008	.061	-94%	2196
CONSTANT	.946	1.380	.469	1	.002			2629

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Reciprocal Effects of Family Disruption and Crime: A Panel Study of Canadian Municipalities

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Abstract: *Using data of Canadian municipalities in 1996 and 2001, this study examined the reciprocal relationships between divorce, single-parenthood, and crime in both time-lag and simultaneous models. In the time-lag model, the reciprocal effects between percent single-parent families and crime were found to be positive and strong, whereas divorce and crime had negative and weaker reciprocal effects. In the simultaneous model, the reciprocal relationship between crime and single-parenthood remained strong, whereas crime had a unidirectional negative effect on divorce. Altogether, these results have revealed three important findings: the relationship between divorce and crime is negative; divorce and single-parenthood have different and opposite relationships with crime; and crime is an important causal factor of these family variables. Therefore, it is important to differentiate the relationships of divorce and single-parenthood with crime. More importantly, the traditional perspective of crime as just an outcome of family disruption may be inadequate, and one should take into consideration the reciprocal effects.*

Keywords: social disorganization, family disruption, crime, reciprocal effects

In a recent study of social disorganization precursors and crime published in the *Western Criminology Review*, Wong (2007) reported that poverty had significant effects on marriage, divorce, and single-parenthood. Also, poverty was found to have a considerable indirect effect on crime through divorce and single-parenthood. These findings validated the role of family disruption in the explanation of crime. Yet, there are still questions as to whether the relationship between family disruption and crime may in fact be reciprocal. To correctly estimate the effect of family disruption on crime, one may need to take the reciprocal effect into consideration.

The present study examines the reciprocal relationship between crime and family disruption at the municipal level. In this study, the theoretical model poses crime, divorce, and single-parenthood as the outcomes of antecedent structural precursors including poverty, ethnic heterogeneity, and mobility (Shaw and McKay 1942). More importantly, it examines the reciprocal effects between crime and the family variables. The study uses a two-wave panel of 500 Canadian municipalities and examines the reciprocal effects in a simultaneous model as well as a time-lag model. Results from the study differentiate the effect of the family on crime from the

effect of crime on the family and provide a more precise and balanced perspective on the role the family plays in crime prevention.

EXPLANATIONS OF THE RECIPROCAL EFFECTS

Sampson (1987a) proposes that the relationship between violent crime and family disruption may be reciprocal. Family disruption weakens the community's formal and informal social control of crime. Crime, in turn, causes the incarceration of males and reduces the availability of marriageable males. Here, a second explanation is added to explain the effect of crime on family disruption. It suggests that the fear of crime causes the exodus of middle-class families and leaves the community with a higher proportion of poor, single-parent and non-traditional families.

The Effect of Family Disruption on Crime

Sampson (1987a) notes that at the community level, family and marital disruption may affect crime and

delinquency for three reasons. First, individuals from unstable families or single-parent families tend to have higher rates of involvement in crime and delinquency. Second, a substantial number of disrupted families in the community may reduce participation in and support for formal organizations and eventually weaken the community's formal social control mechanism. Third, disrupted families are less able to contribute to the community's informal social control mechanism with respect to watching out for strangers, watching over properties in the neighborhood, supervising youths, and intervening in local disturbances. Sampson and Groves (1989) add that family disruption also causes sparse local friendship networks. Furthermore, family disruption may cause resource depletion and perceived powerlessness, thus contributing to the weakening of collective efficacy in the community (Sampson, Raudenbush, and Earls 1997).

The Effect of Crime on Family Disruption

Two explanations of the effect of crime on family disruption, the "fear of crime" explanation and the "incarceration of male offenders" explanation, are discussed here. High crime rates and the fear of crime in the community may deter new residents from moving in and cause a corresponding exodus of families who can afford to move out (Kubrin and Weitzer 2003; Liska and Warner 1991; Skogan 1986; South and Messner 2000). Consequently, the proportion of middle-class, traditional and two-parent families decreases, and the proportion of poor, non-traditional and single-parent families increases. At the community level, the effect of crime on the proportion of disrupted families is thus explained by the fear of crime, the abated socioeconomic status of the area, and the subsequent migration pattern.

Crime may lead to the incarceration of offenders, especially male offenders, thus causing the coerced mobility of men and fathers and reducing the number of eligible domestic partners (Clear et al. 2003; Lynch and Sabol 2004; Meares 2004; Rose and Clear 1998; Sampson 1987a; Sampson and Laub 1992; South and Messner 2000). The incarceration of offenders who are also parents or providers for the family may also weaken family cohesion and reduce family financial resources (Clear et al. 2003; Hagan and Dinovitzer 1999; Hallett 2002; Kubrin and Weitzer 2003). As a result, it becomes more difficult for some of the members in the community to maintain existing domestic unions or form new ones. These negative effects of incarceration explain the aggravating effects of crime on the family.

Family Disruption, Single-Parenthood and Divorce

While Sampson (1987a) pioneered the study of family disruption as an explanation of crime, he has not provided a clear definition of the concept. Nonetheless, based on

Sampson's (1987a) and Shihadeh and Steffensmeier's (1994) theoretical discussions, one may derive the general notion that family disruption involves critical changes in the family structure and circumstances that have the potential of weakening its social control functions. In addition to divorce and single-parenthood, the list of disruptive changes and circumstances may include, but is not limited to, nonmarriage, early marriage, early childbearing, nonmarital birth, separation, foster parenting, parental absenteeism, widowhood, and death (see, for example, McLanahan and Bumpass 1988; Messner and Sampson 1991).

As much as Sampson considers both female-headship and divorce indicators of family disruption (see, Sampson 1987a; Sampson and Groves 1989), these variables are representative of different aspects of family disruption. Single-parenthood involves the formation or restructuring of the parent-child relationship, particularly involving minor children, whereas divorce involves the legal dissolution of the spousal relationship, which may or may not involve children. For example, in Canada, only about 35% of the divorces in 2003 involved dependent children (Human Resources and Skills Development Canada 2010). Also, studies have found a strong association between socioeconomic disadvantage and single-parenthood (see, for example, Browning, Feinberg, and Dietz 2004; Hannon and DeFronzo 1998; Kubrin and Wadsworth 2003; Sampson et al. 1997), whereas there is some evidence that divorce is positively associated with women's employment status (Boyle et al. 2008; Greenstein 1990; South 2001). Therefore, it is reasonable to expect that compared to divorce, single-parenthood has a stronger effect on crime.

Regarding the effect of crime on family disruption, since the "fear of crime" explanation focuses on the out-migration of middle class families and the relative immobility of poor and single-parent families, one may expect that crime has a stronger effect on single-parenthood than it does on divorce.

RESEARCH ON THE RECIPROCAL EFFECTS

Research on the Effect of Family Disruption on Crime

Based on data from the British Crime Survey in 1982, Sampson and Groves (1989) measured family disruption as a combined index of marital separation, divorce, and single-parenthood, and they found that family disruption increased the rates of robbery, stranger violence, burglary, auto-theft, and theft/vandalism. In a replication of the aforementioned study, Veysey and Messner (1999) confirmed that family disruption had a positive effect on crime. In another replication, Lowenkamp, Cullen, and Pratt (2003) reported the finding of an effect comparable to that reported by Sampson and Groves (1989). The

proposed effect of family disruption on crime and delinquency also claimed support from a number of other studies (Frye and Wilt 2001; Weisheit and Wells 2005; Wells and Weisheit 2004).

Research on the Effect of Single-Parenthood on Crime

A number of studies have reported statistical positive effects of single-parenthood on homicide rates. Sampson observed that percent two-parent households reduced homicide offending for blacks (Sampson 1986), and the percentage of black households headed by women had a positive effect on black juvenile homicide rate (Sampson 1987a). Supportive findings have also been reported in studies of black and white murder rates (Messner and Sampson 1991), black juvenile homicide (Shihadeh and Steffensmeier 1994), white homicide rates (Parker and Johns 2002), and American Indian homicide (Lanier and Huff-Corzine 2006). Regarding gender-specific homicide rates, a few studies found causal links between female-headship and uxoricide victimization (Wilson, Daly, and Wright 1993), female and male homicide rates (Schwartz 2006a; Schwartz 2006b; Steffensmeier and Haynie 2000) and male homicide offending (Lee and Stevenson 2006).

The proposed effect of single-parenthood has also been observed in studies of other types of crime. In various studies, Robert Sampson reported positive effects of female-headship on personal theft and violent victimizations (Sampson 1985), single-adult households on burglary victimization (Sampson 1987b) and black female-headship on both juvenile and adult robbery rates (Sampson 1987a). Also reported was a negative effect of percent two-parent households on robbery offending (Sampson 1986). A fair number of studies have established the expected causal links between single- or female-headship and burglary (Andresen 2006; Smith and Jarjoura 1989), robbery (Messner and Sampson 1991; Shihadeh and Steffensmeier 1994), youth crime and violence (Osgood and Chambers 2000; Ouimet 2000), and various other measures of crime (Freisthler 2004; Krivo and Peterson 1996; Rice and Smith 2002; Schulenberg, Jacob, and Carrington 2007; Wong 2007).

Research on the Effect of Divorce on Crime

Several studies have reported a statistical positive effect of divorce on crime. Sampson (1986) reported positive effects of the divorce rate on the robbery and homicide rates. A number of other studies also reported positive effects of the divorce rate on various measures of homicide, including the homicide rate (Koski 1996, Matthews, Maume, and Miller 2001; Phillips 2006; Rosenfeld, Messner, and Baumer 2001), justifiable homicide (MacDonald and Parker 2001), white homicide (Parker and Johns 2002), adult and juvenile homicide (Lee and Bartkowski 2004; MacDonald and Gover 2005), male

homicide offending (Lee and Stevenson 2006), and serial homicide (DeFronzo et al. 2007). With respect to divorce and other types of crime, supportive findings were reported for robbery and assault (Sun, Triplett, and Gainey 2004) and drug arrests (Parker and Maggard 2005). On the other hand, a few studies did not find the proposed effect of divorce on crime (Kubrin 2003; Lee and Ousey 2005; Messner, Baumer, and Rosenfeld 2004; Rosenfeld, Baumer, and Messner 2007; Schwartz 2006b; Wong 2007).

Based on the above review, one may reasonably conclude that while a majority of the studies have found a positive effect of divorce rate on crime, there are a number of studies reporting nonsignificant effects. To that extent, the effect of divorce on crime may not be as strong and stable as that of single-parenthood.

Research on the Effect of Crime on Family Disruption

Existing research on the effects of crime on family disruption has been rather inadequate in providing direct supportive evidence. In his examination of the reciprocal effects between black female-headship and a combined measure of black homicide and robbery, Sampson (1987a) found that the effect of violence on family disruption was statistically not significant at the .05 level. Similarly, Shihadeh and Steffensmeier (1994) found that the effect of violence, a composite measure based on adult and juvenile homicide and robbery, on family disruption was statistically not significant.

Given the shortage of existing studies, we have to rely much on related studies that may at least indirectly shed some light on the subject. There have been a number of studies suggesting that delinquency causes poor parenting (Reitz et al. 2006; Stewart et al. 2002), weakens parental attachment, parental supervision and school attachment (Patchin et al. 2006; Thornberry 1987; Thornberry et al. 1991), and increases family risks (Beaver and Wright 2007). Here, we may regard these studies as some support of the notion that crime and delinquency is potentially a source of strain on the family.

In support of the fear of crime argument, studies have found a connection between fear of victimization and robbery and stranger assault (Bellair 2000) and a connection between neighborhood disorder and crime perception (McCrea et al. 2005; Ross and Jang 2000). In addition, a number of studies have found the proposed connection between collective efficacy and a number of crime and disorders including violent crime (Sampson and Raudenbush 1999), property crime (Cancino 2005), and perceived crime (Duncan et al. 2003; Saegert and Winkel 2004).

On the other hand, contrary to the fear of crime perspective, some studies have found evidence that crime may actually help to strengthen the solidarity of the community, thus supporting instead a classic Durkheimian

perspective of crime and societal response (Durkheim 1966). Studies have shown that crime strengthened community organization (Skogan 1989), attachment and involvement of the residents (Taylor 1996), social activism (Messner et al. 2004), and neighborhood's efforts in crime prevention (Pattavina, Byrne, and Garcia 2006). These results suggest that crime may not necessarily compromise the collective well-being of the community.

Quite contrary to the incarceration argument, some studies found that incarceration reduced crime (Sampson 1986) and that incarceration did not affect family structure (Phillips et al. 2006). These findings cast doubts on the argument that incarceration is harmful to the community or causes family disruption.

Based on the above review, it is reasonable to conclude that crime probably has some effect on family disruption. Yet, the effect is likely weak, and the proposed causal links through the fear of crime and incarceration have only limited empirical support.

The Effects of Social Disorganization Precursors on Family Disruption and Crime

Building on social disorganization theory (Shaw and McKay 1942), the theoretical model here posits that poverty, mobility, and heterogeneity increase the likelihood of divorce, single-parenthood, and crime (see also, Wong 2007). A concentration of low income and unemployed males may reduce the number of marriageable males and increase the likelihood of family disruption (Sampson 1987a; Wilson 1987). A number of research studies have found considerable associations between various measures of poverty and family disruption (Breault and Kposowa 1987; Figueira-McDonough 1995; Hewitt, Baxter, and Western 2005; Messner and Sampson 1991; Shihadeh and Steffensmeier 1994; Stokes and Chevan 1996; Wong 2007). Regarding the effect of poverty on crime, poverty depletes the community's resources, reduces its capacity to meet its members' basic needs, and reduces its ability to monitor and control criminal activities, thus eventually causing crime and delinquency to increase (Bachman 1991; Hannon and DeFronzo 1998; Krivo and Peterson 1996; Lee and Stevenson 2006; MacDonald and Gover 2005; Matthews et al. 2001; Nieuwbeerta et al. 2008; Oh 2005; Parker and Johns 2002; Peterson, Krivo, and Harris 2000; Sampson and Groves 1989; Strom 2007; Wilson 1987).

A high degree of population mobility may adversely affect the stability of friendship and kinship ties (Sampson 1987c) and the formation and maintenance of marital and conjugal relationships (see, for example, Glenn and Shelton 1985; Jacobsen and Levin 1997; Myers 2000; Shelton 1987; South and Lloyd 1995; Trovato 1986; Wong 2007). Mobility may contribute to divorce or separation (Finnäs 1997; Glenn and Shelton 1985; Shelton 1987;

South and Lloyd 1995; Trovato 1986; Wong 2007) and single-parenthood (Tolnay and Crowder 1999). Also, mobility may cause crime by increasing instability, straining resources to deal with the settlement of new members, and weakening social networks in the community (Clear et al. 2003; Hannon and DeFronzo 1998; Hartnagel 1997; Haynie and Armstrong 2006; Kubrin 2003; Lanier and Huff-Corzine 2006; Lee and Martinez 2001; Osgood and Chambers 2000; Peterson et al. 2000; Renauer et al. 2006; Sampson et al. 1997; Schulenberg et al. 2007; Sun et al. 2004; Weisheit and Wells 2005; Welsh, Stokes, and Greene 2000; Wong 2007).

Heterogeneity, combined with a certain degree of segregation or fragmentation between the different groups, may deplete social capital, reduce political participation, and weaken the ability of the community to organize itself (Costa and Kahn 2003; Rotolo 2000). The community is thus less able to provide supports and services to the family. Also, different beliefs, values, ideas, and practices regarding marriage and the family (McLoyd et al. 2000) may weaken the community's consensus. Studies have found associations between racial or ethnic minority groups and female-headship (Sampson 1987a; Shihadeh and Steffensmeier 1994; Stokes and Chevan 1996) and divorce (Breault and Kposowa 1987). Also, differences in cultural backgrounds, language barriers, and inter-ethnic tension and conflict may cause weaker social networks, less supervision of youths, weaker social control, and eventually more crime and delinquency (Flippen 2001; Green, Strolovitch, and Wong 1998; Hansmann and Quigley 1982; Hirschfield and Bowers 1997; Sampson et al. 1997; Schulenberg et al. 2007; Smith and Jarjoura 1988; Strom 2007; Sun et al. 2004; Veysey and Messner 1999; Walsh and Taylor 2007; Weisheit and Wells 2005; Wong 2007).

The Theoretical Model

In short, based on the above review of theory and research, the theoretical model proposes that poverty, mobility, and heterogeneity have positive effects on divorce, single-parenthood, and crime. It further proposes that divorce, single-parenthood, and crime have reciprocal effects on one another. Population size, population density, and sex ratio (Guttentag and Secord 1983; Messner and Sampson 1991) are incorporated in the model as statistical control variables. In the analysis, a time-lag model is used to ascertain chronologically the cause and effect relationships, and the reciprocal effects are examined in both the time-lag model and a proposed simultaneous model.

METHODOLOGY

The Data

The present study combined municipal crime rates from the Canadian Uniform Crime Report (UCR) (Canadian Center for Justice Statistics 2002a) and selected data from the 2001 Census and the 1996 bi-Census. Data from 500 Canadian municipalities were available for analysis, with a total of 1.94 million reported Criminal Code offenses in 1996 and 1.92 million offenses in 2001, representing 73% and 80% of all reported offenses in the respective years (for the corresponding UCR statistics, see Canadian Center for Justice Statistics 2002b).

The Variables

Information on the crime rates was compiled from Statistics Canada's electronic data files and an annual publication, entitled *Crime and Police Resources in Canadian Municipalities*, based on data collected from the Police Administration Annual Survey and the UCR Survey (see, for example, CCJS 2002a). Three aggregated rates, violent, property, and total crime rates, based on the number of incidents reported to the police per 100,000 population, were used in this study. The total crime rate included violent, property, and other Criminal Code offenses, including mischief, disturbing the peace, bail violation, counterfeiting currency, offensive weapons, arson, prostitution, and other offenses excluding traffic offenses (Savoie 2002). Based on municipal-level data, the total crime rate showed a decline from an average of 9,942 offenses per 100,000 population in 1996 to 9,017 offenses in 2001 (see Table 1).

The municipal average total crime rate in 2001 appeared substantially higher than the national average of 7,747 offences per 100,000 population (Savoie 2002) probably due to the higher rates in smaller municipalities.¹ To determine the sample's representativeness, I calculated the total crime rate weighted by the municipal population size and yielded an average of 8,044 offenses per 100,000, compared to 7,747 for the nation ($t = 1.85$, n.s.; weighted statistics not shown in tables). The sample proportion of violent crime was 12.3%, similar to a national proportion of 12.8% (see Savoie 2002) ($t = -.33$, $df = 499$, n.s.). The sample proportion of property crime was 55.6%, not statistically significantly different from a national proportion of 52.2% (see Savoie 2002) ($t = 1.52$, $df = 499$, n.s.). Based on these comparisons, one may conclude that the present sample was reasonably representative of the nation.

Population size was based on the census enumeration of the number of persons in the municipality. The average population size of the municipalities in 1996 was approximately 40,936 (see Table 1). Population density in

1996 was about 647 persons per square kilometer. Both population size and population density were transformed by a logarithmic function to deal with data skew and outliers.

Low income was measured as the percentage of low-income families in the municipality (Matthews et al. 2001; Osgood and Chambers 2000; Warner and Pierce 1993). The definition of low income was based on Statistics Canada's low-income cut-offs (see Paquet 2002; Statistics Canada 2003). In 1996, the average percentage of low-income families for the municipalities was 14.05% (see Table 1), somewhat lower than but not significantly different from the national rate of 16.28% in 1996 (Statistics Canada 2009a; $t = -1.35$, $df = 499$, n.s.).

Mobility was measured as the percentage of "movers" or persons one year of age or older in the municipality who had lived at a different address one year earlier. The average percentage of movers in the municipalities in 1996 was close to 16.62% (see Table 1), compared to a national proportion of 15.46% (see Statistics Canada 2009b). While a number of studies used a five-year time frame (see for example, Kubrin 2003; Lanier and Huff-Corzine 2006; Schwartz 2006a), I elected to limit the mobility measure to a one-year time frame for two reasons. First, the five-year measure included a fair proportion of persons who had not moved since up to five years, thus representing a few years of stability instead of mobility. Second, one-year mobility correlated more strongly with crime ($r_{4,9} = .57$; see Table 2) than did five-year mobility ($r = .43$; not shown in tables). Moreover, the partial correlation between five-year mobility and crime became negative (partial $r = -.10$) after controlling for one-year mobility. In contrast, the partial correlation between one-year mobility and crime remained strong (partial $r = .42$), even after controlling for five-year mobility (results for the partial correlations not shown in tables).

Ethnic heterogeneity was a composite variable based on multiple categories of ethnic identity (Statistics Canada 2003). The data used here were collected from Statistics Canada's E-Stat tables of population profiles (Statistics Canada 2009c).² Blau's (1977) index was used here to measure the degree of ethnic heterogeneity (see also Hirschfield and Bowers 1997; Osgood and Chambers 2000; Sampson and Groves 1989; Smith and Jarjoura 1989; Sun et al. 2004; Veysey and Messner 1999; Warner and Pierce 1993; Weisheit and Wells 2005; Wong 2007). The index was constructed as $(1 - \sum p_i^2)$, with p_i representing the proportion of an ethnic group relative to the population.³ Here, the heterogeneity index had a value of 0.55 in 1996.

Sex ratio was measured here as the number of males per 100 females, both aged between 15 and 54. The age criterion was imposed to increase the relevance to related variables including divorce, percent single-parent families, and crime (see Messner and Sampson 1991; Rolison 1992; South and Lloyd 1995; Trent and South 1989). In 1996,

Table 1. Basic Statistics of the Variables (*N* = 500).

Variable	Mean	S.D.
1996		
Population Size	40,936.00	144,258.98
Log. Population Size	9.32	1.39
Population Density	647.23 / sq. km.	671.32
Log. Population Density	5.96	1.21
%Low Income Families	14.05%	5.37
Population Mobility	16.62%	4.99
Ethnic Heterogeneity	.55	.10
Sex Ratio	98.85 males / 100 females	5.98
%Divorced (DVR1)	7.42%	2.21
%Single-Parent Families (SPF1)	14.40%	4.47
Total Crime Rate (TCR1)	9,942.28 / 100,000	5,463.28
Violent Crime Rate (VCR1)	1,090.26 / 100,000	916.68
Property Crime Rate (PCR1)	5,153.77 / 100,000	2,552.61
2001		
%Divorced (DVR2)	8.05%	2.38
%Single-Parent Families (SPF2)	15.39%	4.07
Total Crime Rate (TCR2)	9,016.78 / 100,000	5,507.83
Violent Crime Rate (VCR2)	1,099.38 / 100,000	888.54
Property Crime Rate (PCR2)	4,094.27 / 100,000	2,014.35

the sex ratio for the sample was 98.85 (see Table 1), close to the ratio of 99.26 for the nation (Statistics Canada 2009d).

Percent population divorced referred to the percentage of persons aged 15 or over identified as divorced in the current year. The average percentage of divorced population for the municipalities increased from 7.42% in 1996 to 8.05% in 2001 (Table 1), quite comparable to the national proportions of 7.19% and 7.64% in the respective years (Statistics Canada 2009d, 2009e). The average percentage of single-parent families also increased over the years from 14.40% in 1996 to 15.39% in 2001 (Table 1), thus resembling the national proportions of 14.51% and 15.66% in the respective years (Statistics Canada 2009d, 2009e).

Based on the comparisons between the present sample and the national data in terms of the crime rates, percent low income families, mobility, the sex ratio, divorce rate, and percent single-parent families, one may conclude that the present sample was reasonably representative of the Canadian population in the aforementioned characteristics.

Analytical Models and Statistical Methods

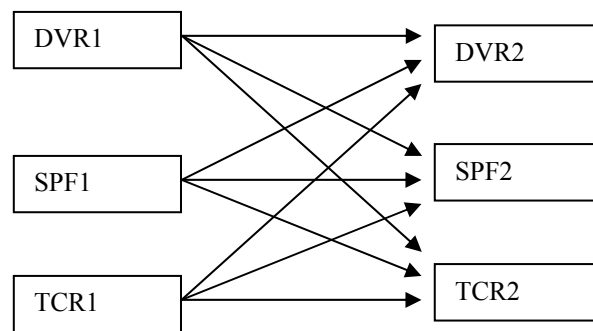
In the present study, a time-lag causal model and a simultaneous reciprocal model were used to estimate the effects of the major variables (for discussions of the reciprocal model, see Sampson 1987a; Shihadeh and Steffensmeier 1994). In the time-lag causal model, each of the endogenous variables in Time 2 including divorce,

single-parenthood, and crime was regressed on their counterparts in Time 1 plus the three social disorganization variables, sex ratio, and the two population variables in Time 1 (see Figure 1a). For example, Time 2 divorce was regressed on Time 1 divorce, single-parenthood, and the total crime rate, plus the social disorganization and statistical control variables (see column 3a in Table 3). Given that the causal paths were all recursive, estimates were obtainable by the multiple-regression method using

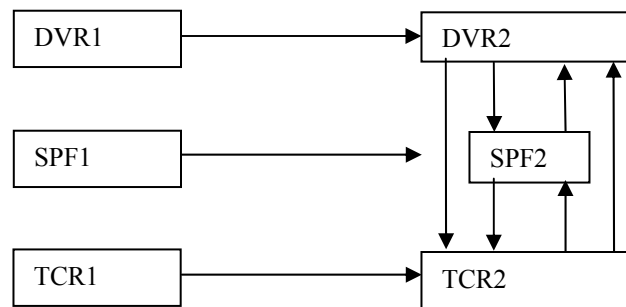
the ordinary least squares (Allison 1999). Three regression equations were used for the causal relationships involving the total crime rate (see columns 3a to 3c in Table 3). Similarly, the violent and property crime rates each also required three regression equations (see columns 3d to 3i in Table 3). The time-lag model estimated the effects of the family variables and the crime rates on each other across time.

Figure 1. Time-Lag and Simultaneous Models.

(a) Time-Lag Model with the Total Crime Rate



(b) Simultaneous Model with the Total Crime Rate



Note: All endogenous variables are also regressed on the three social disorganization precursors, sex ratio, and the two population variables. Inter-correlations are included for the exogenous variables. The residuals of the endogenous variables are assumed to be independent of each other.

In the simultaneous reciprocal model, each of the endogenous variables in Time 2 including divorce, single-parenthood, and crime was regressed on the other endogenous variables and its counterpart in Time 1, plus the three social disorganization variables, sex ratio, and the two population variables in Time 1 (see Figure 1b). For example, Time 2 divorce was regressed on single-

parenthood and the total crime rate in Time 2, while controlling for divorce and the social disorganization and statistical control variables in Time 1 (see column 4a in Table 4). Structural equation modeling (SEM) with the maximum likelihood estimation (MLE) was used to estimate the simultaneous reciprocal effects (Hayduk 1987; Jöreskog 1979). A SEM software, AMOS (version

4.0), was used for the computation (Arbuckle and Wothke 1999). Three simultaneous structural equations specified the causal relationships involving the total crime rate (see columns 4a to 4c in Table 4). Also specified in the model were the inter-correlations between the exogenous variables. The residual terms associated with the endogenous variables were assumed to be independent of each other. A similar SEM approach was used for the violent and property crime rates (see columns 4d to 4i in Table 4). The simultaneous model estimated the reciprocal effects between the family variables and the crime rates in Time 2, while controlling for the effects of the variables in Time 1.

RESULTS

The bivariate correlations of the variables are presented in Table 2. Strong correlations were observed between low income and percent single-parent families (i.e., $r_{3,8} = .72$ and $r_{3,13} = .68$). These high correlations would call for the examination of possible collinearity-related problems in subsequent analyses. Regarding the correlations between the family variables and crime, divorce had weak correlations with total and violent crime (i.e., $r_{7,9} = .06$ and $r_{7,10} = -.05$ in 1996; and, $r_{12,14}$ and $r_{12,15}$ were both $-.07$ in 2001) and weak to moderate correlations with property crime (i.e., $r_{7,11} = .23$ and $r_{12,16} = .09$ in 1996

and 2001, respectively). In comparison, the correlations between percent single-parent families and the crime rates were much higher (i.e., $r_{8,9}$, $r_{8,10}$ and $r_{8,11}$ were between .30 and .38 in 1996; and $r_{13,14}$, $r_{13,15}$ and $r_{13,16}$ were between .42 and .45 in 2001). Thus, with respect to their associations with crime, divorce and percent single-parent families behaved quite differently. These correlations supported the need to differentiate their relationships with crime.

The correlations between sex ratio and the family and crime variables were mostly negative, with the largest coefficients observed between sex ratio and percent single-parent families ($r_{6,8} = -.30$ in 1996; see Table 2). These correlations suggested that, in municipalities where men outnumbered women, there were lower rates of divorce, single-parent families, and crime. The negative correlations with crime were quite unexpected ($r_{6,9} = -.09$, $r_{6,10} = -.02$ and $r_{6,11} = -.14$). To clarify the rather unexpected association, possibly caused by the indirect effect of sex ratio on crime through percent single-parent families (see Guttentag and Secord 1983; Messner and Sampson 1991), I estimated the partial correlations between sex ratio and the crime rates in 1996, controlling for percent single-parent families. Indeed, the subsequent observed partial correlations became near zero or positive (partial r 's were .02, .08 and $-.03$ with total, violent, and property crime, respectively; results not shown in tables).

Table 2. *Correlations of Variables (N = 500).*

Variable	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
(1) Log. Population Size	.30	.24	.07	.31	-.17	.33	.25	.01	-.11	.23	.26	.20	-.09	-.15	.15
(2) Log. Population Density		.22	.21	.14	-.34	.19	.25	.11	-.09	.25	.13	.19	.09	-.03	.23
(3) % Low Income Families			.18	-.11	-.25	.39	.72	.23	.22	.26	.35	.68	.20	.22	.26
(4) Mobility				.30	.06	.15	.25	.57	.40	.57	.07	.30	.58	.48	.59
(5) Ethnic Heterogeneity					.03	-.13	-.09	.38	.28	.41	-.19	-.06	.38	.31	.42
(6) Sex Ratio						-.07	-.30	-.09	-.02	-.14	-.07	-.25	-.05	.01	-.11
(7) % Divorced (DVR1)							.51	.06	-.05	.23	.95	.41	-.01	-.04	.17
(8) % Single-Parent Fam. (SPF1)								.37	.30	.38	.47	.81	.33	.34	.36
(9) Total Crime Rate (TCR1)									.80	.87	-.02	.42	.84	.73	.78
(10) Violent Crime Rate (VCR1)										.55	-.11	.39	.76	.78	.57
(11) Property Crime Rate (PCR1)											.15	.39	.69	.52	.82
(12) % Divorced (DVR2)												.41	-.07	-.07	.09
(13) % Single-Parent Fam. (SPF2)													.43	.45	.42
(14) Total Crime Rate (TCR2)														.90	.87
(15) Violent Crime Rate (VCR2)															.67
(16) Property Crime Rate (PCR2)															

Time-Lag Effects

The regressions of the dependent variables in Time 2, including the divorce rate (DVR2), percent single-parent families (SPF2), the total crime rate (TCR2), the violent crime rate (VCR2), and the property crime rate (PCR2) on the predictors in Time 1 are presented in Table 3. Population size and density showed some negative effects on the divorce rate ($\hat{\beta}_{12,1(3a)} = -.06$ and $\hat{\beta}_{12,2(3a)} = -.03$; see column 3a in Table 3). Mobility also had a negative effect on divorce ($\hat{\beta}_{12,4(3d)} = -.04$; see column 3d). These effects suggest that favorable economic conditions associated with the larger, booming, and potentially more resourceful municipalities may somewhat reduce divorce. Percent single-parent families in Time 1 had a positive effect on Time 2 divorce ($\hat{\beta}_{12,8(3a)} = .05$).⁴ On the other hand, the total and violent crime rates in Time 1 had unexpected

negative effects on Time 2 divorce rate ($\hat{\beta}_{12,9(3a)} = -.06$ and $\hat{\beta}_{12,10(3d)} = -.06$), suggesting that crime may actually reduce family dissolution.⁵

The regression of Time 2 percent single-parent families on the various Time 1 predictors identified several statistically significant effects (see Table 3). Percent low income, mobility, and the total crime rate in Time 1 had positive effects on Time 2 percent single-parent families ($\hat{\beta}_{13,3(3b)} = .20$, $\hat{\beta}_{13,4(3e)} = .08$ and $\hat{\beta}_{13,9(3b)} = .15$, respectively).⁶ On the other hand, ethnic heterogeneity had a negative effect on single-parenthood ($\hat{\beta}_{13,5(3b)} = -.06$), perhaps reflecting the more traditional perspective of certain ethnic minorities, especially immigrant groups, towards marriage and the family. Also quite unexpectedly, the effect of percent divorced population on single-parenthood was almost zero ($\hat{\beta}_{13,7(3b)} = .01$).⁷

Table 3. Time-Lag Effects of the Variables (N = 500).

Regressor	3a	3b	3c	3d	3e	3f	3g	3h	3i
	(12) DVR2	(13) SPF2	(14) TCR2	(12) DVR2	(13) SPF2	(15) VCR2	(12) DVR2	(13) SPF2	(16) PCR2
(1) Log. Population Size	-.06***	.03	-.16***	-.06***	.04	-.18***	-.05**	-.00	-.08**
(2) Log. Population Density	-.03*	-.04	-.01	-.04**	-.02	-.02	-.03	-.06	.02
(3) % Low Income Families	-.03	.20***	.02	-.03	.18***	-.01	-.03	.20***	.04
(4) Mobility	-.03	.06	.15***	-.04*	.08**	.17***	-.04*	.09**	.16***
(5) Ethnic Heterogeneity	-.01	-.06*	.14***	-.01	-.06*	.17***	-.02	-.03	.14***
(6) Sex Ratio	-.02	-.02	.01	-.01	-.03	.04	-.02	-.03	-.01
(7) % Divorced (DVR1)	.97***	.01	-.07*	.96***	.02	-.07*	.97***	-.01	-.02
(8) % Single-Parent Fam. (SPF1)	.05*	.59***	.13**	.05*	.58***	.24***	.04	.63***	.08
(9) Total Crime Rate (TCR1)	-.06**	.15***	.66***	---	---	---	---	---	---
(10) Violent Crime Rate (VCR1)	---	---	---	-.06***	.16***	.57***	---	---	---
(11) Property Crime Rate (PCR1)	---	---	---	---	---	---	-.03	.07*	.65***
R ²	.91	.70	.75	.91	.71	.69	.91	.70	.71

Note: Only standardized coefficients are presented.

* $p < .05$; ** $p < .01$; *** $p < .001$.

The regressions of divorce and single-parenthood revealed that these family variables related to the predictors in quite different manners. For example, population size and density reduced divorce whereas ethnic heterogeneity reduced percent single-parent families. Low income, crime, and mobility increased percent single-parent families but not divorce. Therefore, while single-parenthood was a product of certain unfavorable social and economic conditions, divorce was less susceptible to those same conditions.

Consistent with social disorganization theory, the

regressions of Time 2 crime rates showed that mobility, ethnic heterogeneity, and percent single-parent families contributed to a higher total crime rate ($\hat{\beta}_{14,4(3c)} = .15$, $\hat{\beta}_{14,5(3c)} = .14$ and $\hat{\beta}_{14,8(3c)} = .13$, respectively). In addition, the effect of single-parenthood was more pronounced for violent crime than property crime ($\hat{\beta}_{15,8(3f)} = .24$ compared to $\hat{\beta}_{16,8(3i)} = .08$).

The observed effect of Time 1 divorce on Time 2 total crime rate was negative and statistically significant ($\hat{\beta}_{14,7(3c)} = -.07$). While it was predicted that divorce, as a

measure of family disruption, should contribute to an increase in crime, the observed effect suggested an outcome quite opposite to the prediction. Even more intriguing is the observed negative effect of divorce on the violent crime rate ($\hat{\beta}_{15,7(3f)} = -.07$). This finding calls for the need to rethink whether family disruption such as divorce should necessarily be representative of structural disorganization in the community.⁸

The family variables and crime had significant time-lag reciprocal effects on one another. A closer examination revealed that the reciprocal effects involving divorce were negative and weak (with $\hat{\beta}_{12,9(3a)} = -.06$ and $\hat{\beta}_{14,7(3c)} = -.07$ involving TCR). On the other hand, the reciprocal effects involving percent single-parent families were positive and stronger (with $\hat{\beta}_{13,9(3b)} = .15$ and $\hat{\beta}_{14,8(3c)} = .13$ involving TCR).

Thus far, the results involving the time-lag reciprocal effects pointed to at least two tentative conclusions. First, given the statistically significant reciprocal effects, one may conclude that previous studies that did not control for the reciprocal effects might have overestimated the effect

of the family variables on crime. Second, the results showed that divorce and single-parenthood had very different effects on crime. Therefore, studies that did not differentiate their effects accordingly might have overlooked the quite probable crime reduction effect of divorce as opposed to the crime causing effect of single-parenthood. By combining divorce and single-parenthood in a composite measure of family disruption, those studies found only a weak effect of family disruption on crime (see for example, Sampson 1987a; Shihadeh and Steffensmeier 1994) and failed to capture the separate and different effects.

Simultaneous Reciprocal Effects

A simultaneous model using SEM was used here to estimate the reciprocal effects among divorce, percent single-parent families, and crime in Time 2 (see Table 4). The observed reciprocal effects between percent single-parent families and the crime rates in Time 2 were statistically significant. Percent single-parent families had

Table 4. Simultaneous Effects of the Variables ($N = 500$).

Regressor	4a	4b	4c	4d	4e	4f	4g	4h	4i
	(12) DVR2	(13) SPF2	(14) TCR2	(12) DVR2	(13) SPF2	(15) VCR2	(12) DVR2	(13) SPF2	(16) PCR2
(1) Log. Population Size	-.07***	.05	-.16***	-.06***	.05	-.19***	-.05**	.00	-.09**
(2) Log. Population Density	-.03	-.04	-.01	-.03*	-.03	-.01	-.02	-.06*	.02
(3) % Low Income Families	-.07***	.20***	.03	-.07***	.19***	.02	-.07***	.19***	.03
(4) Mobility	-.05**	.04	.14***	-.06***	.07*	.16***	-.06***	.08*	.15***
(5) Ethnic Heterogeneity	-.00	-.08*	.14***	-.01	-.07*	.18***	-.01	-.04	.15***
(6) Sex Ratio	-.01	-.03	.01	-.01	-.04	.02	-.01	-.03	-.01
(7) % Divorced (DVR1)	.97***	---	---	.96***	---	---	.96***	---	---
(8) % Single-Parent Fam. (SPF1)	---	.57***	---	---	.57***	---	---	.62***	---
(9) Total Crime Rate (TCR1)	---	---	.66***	---	---	---	---	---	---
(10) Violent Crime Rate (VCR1)	---	---	---	---	---	.58***	---	---	---
(11) Property Crime Rate (PCR1)	---	---	---	---	---	---	---	---	.64***
(12) % Divorced (DVR2)	---	.03	-.04	---	.03	-.01	---	.00	-.01
(13) % Single-Parent Fam. (SPF2)	.13***	---	.11*	.12***	---	.18***	.11***	---	.11*
(14) Total Crime Rate (TCR2)	-.07***	.18***	---	---	---	---	---	---	---
(15) Violent Crime Rate (VCR2)	---	---	---	-.05**	.17***	---	---	---	---
(16) Property Crime Rate (PCR2)	---	---	---	---	---	---	-.04*	.10*	---
R^2	.92	.72	.76	.91	.73	.70	.91	.70	.72

Note: Only standardized coefficients are presented.

* $p < .05$; ** $p < .01$; *** $p < .001$.

positive effects on the total, violent, and property crime rates ($\beta_{14,13(4c)} = .11$, $\beta_{15,13(4f)} = .18$ and $\beta_{16,13(4i)} = .11$, respectively; see columns 4c, 4f, and 4i in Table 4), and it was affected by all three crime rates in return ($\beta_{13,14(4b)} = .18$, $\beta_{13,15(4e)} = .17$ and $\beta_{13,16(4h)} = .10$). However, none of the effects of Time 2 divorce on the crime rates or percent single-parent families were statistically significant. Nonetheless, Time 2 crime rates showed small but significant negative effects on divorce ($\beta_{12,14(4a)} = -.07$, $\beta_{12,15(4d)} = -.05$ and $\beta_{12,16(4g)} = -.04$). Also, Time 2 percent single-parent families had a significant effect on divorce ($\beta_{12,13(4a)} = .13$).⁹ These observed coefficients suggest that while percent single-parent families and crime reinforced one another, they had quite different relationships with divorce.

A Sketch of the Causal Paths

Extracted from the results from Tables 3 and 4, Figure 2 provided a clearer view of the reciprocal effects among the three variables in question. In the time-lag model, the effects of percent single-parent families and crime on each other across time were considerably strong and positive, whereas those between divorce and crime were relatively weak and negative (see Figures 2a and 2b). In the simultaneous model, reciprocal effects were observed only between single-parenthood and crime, and both crime and single-parenthood each had a unidirectional effect on divorce (see Figures 2d to 2f). Also, the effect of the total crime rate on percent single-parent families was stronger than the reciprocal effect (see Figure 2d). Together, the causal paths suggest that crime and percent single-parenthood acted as causal factors, and divorce was the outcome variable. The relationship between crime and single-parenthood was reciprocal and positive, whereas that between crime and divorce was mostly unidirectional and negative. All causal paths considered, the effects of crime on the family variables were stronger than the effects of these family variables on crime.

DISCUSSION

Results from the present study have demonstrated the importance of family and crime in the study of community structure and organization. This study has shown that structural characteristics including population size, low income, mobility, and ethnic heterogeneity have considerable effects on family and crime. Also, while divorce and single-parenthood affect crime, crime has feedback effects on them. More intriguingly, the feedback effects are stronger.

Generally speaking, a criminal act is a temporal and short-lived event whereas divorce and single-parenthood are events that extend over a period of time. It is rather intriguing that crime actually has rather strong effects on

the two family variables. Perhaps at the community level, criminal events are quite prevalent. According to the 2004 Canadian General Social Survey, with questions related to just three violent offenses, four household offenses, and theft of personal property, approximately 1 in 3 Canadian households and 28% of Canadians aged 15 and over had been reportedly victimized at least once within the last year (Gannon and Mihorean 2005). Therefore, the prevalence of criminal victimization and the impact of the more serious offenses may explain crime's influence on the community and the family.

While both divorce and single-parenthood are indicators of family disruption, they have very different relationships with crime. As I suggested in the theoretical discussion, divorce was expected to have a weaker relationship with crime than single-parenthood with crime, but there was no anticipation that the relationship between divorce and crime would be negative. Thus, the observed negative relationship is somewhat of an anomaly. Methodologically speaking, granted that single-parenthood has a positive relationship and divorce a negative relationship with crime, it is important to differentiate the relationships. Otherwise, simply combining them into a single measure of family disruption may produce a much weaker correlation with crime and thus confound the relationships of the variables in question.

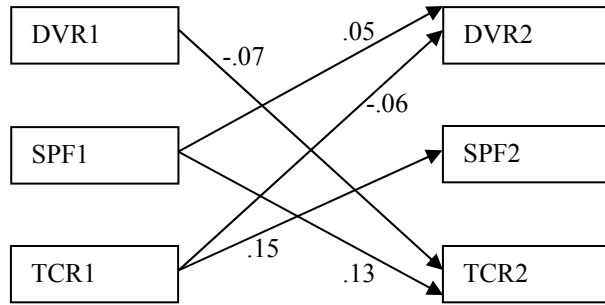
The relatively small, but still significant, negative relationship between divorce and crime deserves further discussion. The negative effect of divorce on violence supports the notion that perhaps marital dissolution is a solution to some marital problems including interpersonal conflict. To be sure, while divorce has many negative consequences, it also has some positive outcomes in terms of positive self-concepts in women (Baum, Rahav, and Sharon 2005), gender equality (Yodanis 2005), divorcees' friendship contacts (Kalmijn and van Groenou 2005), women's employment (Hou and Omwanda 1997), and maturity and growth in children (Sever, Guttman, and Lazar 2007). The finding reported here simply reflects the diverse consequences of divorce.

The observed negative effect of crime on divorce is consistent with the Durkheimian perspective of the integrative function of crime (Durkheim 1966). That is, through crime and the punishment for it, society develops moral consensus of right and wrong, thus resulting in greater unity or integration. Using Durkheim's argument, one may speculate that a heightened sense of integration in the community also positively affects integration at the familial level. In addition, one may further argue that the fear of crime reinforces a sense of interdependency and discourages separation or divorce among couples. However, the explanations offered here are merely speculative, and further research is needed to understand the intricate relationship between crime and divorce.

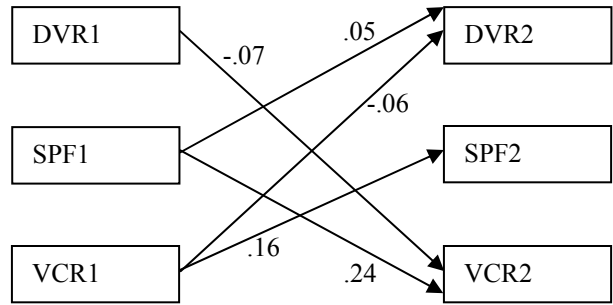
Of course, one may question why the proposed integrative effect of crime on divorce does not seem to

Figure 2. Time-Lag and Simultaneous Models of the Reciprocal Effects of Divorce, Single-Parent Families, and Crime.

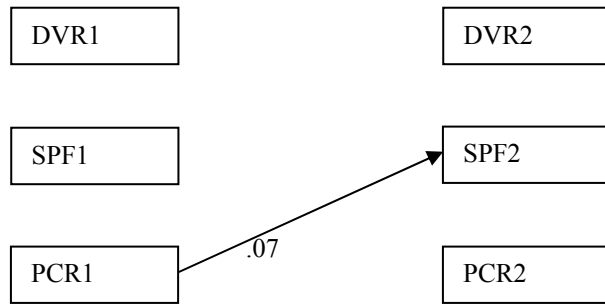
(a) Time-Lag Model with the Total Crime Rate



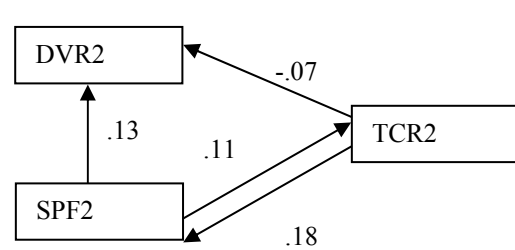
(b) Time-Lag Model with the Violent Crime Rate



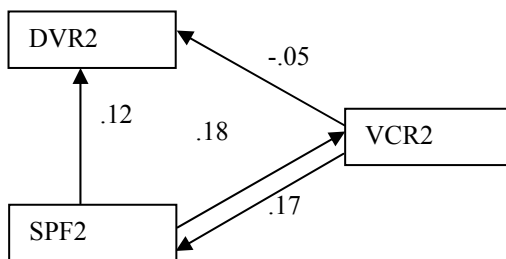
(c) Time-Lag Model with the Property Crime Rate



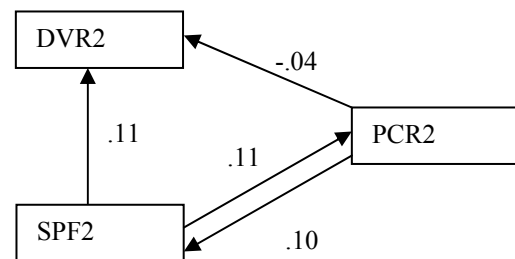
(d) Simultaneous Model with the Total Crime Rate



(e) Simultaneous Model with the Violent Crime Rate



(f) Simultaneous Model with the Property Crime Rate



Note: Coefficients in Figures (a), (b), and (c) are extracted from Table 3; coefficients in Figures (d), (e) and (f) from Table 4. Only statistically significant coefficients are presented (i.e., $p < .05$).

apply to single-parenthood. Perhaps one may speculate that the fear of crime deters individuals in the community from venturing out of their comfort zone, thus increasing

the tendency for them to stay with their existing families while reducing the bold attempts to form new ones. Therefore, crime may reduce divorce but increase single-

parenthood. Granted that this explanation may be far from being definitive or satisfactory and certainly does not preclude other possible explanations, it points to the specific direction for future research in terms of the fear of crime explanation and the integrative function of crime.

While the results are somewhat supportive of the “fear of crime” explanation, they do not provide much support to the “incarceration of male offenders” explanation. The observed nonsignificant effects of sex ratio suggest that it may not affect family disruption or crime. Of course, one should by no means reject the incarceration explanation based on just the absence of significant effects. It is possible that the limited variability in the sex ratio ($sd = 5.98$, see Table 1) might have been a factor. Also, sex ratio alone is not a direct measure of male incarceration or marriageability. To investigate marriageability in a more precise manner, perhaps one should also take into consideration related factors including employment status, education, income, and availability ratio (see for example, Messner and Sampson 1991; South and Lloyd 1992; Wilson 1987). Therefore, more research is still needed before the viability of the incarceration explanation can be ascertained.

The traditional social disorganization perspective sees crime as an outcome. If one may suppose that divorce and single-parenthood represent certain aspects of social disorganization, then results from this study have shown that crime is an important cause of disorganization. Following this argument, future research may also examine the potential reciprocal effects between crime and the disorganization precursors including poverty, mobility and heterogeneity.

In term of crime prevention, the finding of the reciprocal effects is particularly important. Conventional wisdom may suggest that crime is a symptom or outcome of the underlying social problems including, but not limited to, poverty, unemployment, low education, inequality, racial relations, discrimination, and family disruption, just to name a few. Therefore, to reduce crime, one should identify the underlying problems and deal with them first. In contrast, the finding here suggests that crime is potentially a cause as well as an outcome of those other problems. In other words, crime is not merely a symptom or outcome. It is a problem in its own right that merits a more direct approach. Perhaps it is important to tackle crime head-on as much as it is to deal with its underlying problems. At any rate, much research is still needed to advance our understanding of the relationship between crime and its related problems.

The present study has a number of limitations. There are limitations in terms of the spatial dimension. Some municipalities in populous provinces such as Ontario and Quebec are adjacent to or in the same geographical cluster of other municipalities. Therefore, there may be potential spatial lag effects and spatial autocorrelations that have not been considered in the analysis (e.g., the effects of the

crime rates of adjacent municipalities on each other; see, for example, Andresen 2006; Gruenewald et al. 2006). On the other hand, municipalities in less populous provinces such as Saskatchewan and Manitoba tend to be sparsely distributed and relatively far from other municipalities in the sample. Perhaps future research may investigate the extent to which the spatial distribution of the municipalities affects the crime rates and related factors.

There are also limitations in terms of the time dimension. Due to the decennial cycles of the Census and bi-Census, there is a five-year lag between the two data points in 1996 and 2001. The lag is rather artificial and largely dictated by data availability.¹⁰ Nonetheless, the variables do show a high level of stability over the five-year period (see Table 2). Also, a fair number of the estimated time-lag effects are similar to the simultaneous effects in strength (see Tables 3 and 4 and Figure 2). To that extent, the five-year lag has some analytical significance in terms of demonstrating the mid- to long-term effects of the predictors. When possible, future research may compare the various lengths of time lag between data points and determine the short- and long-term effects.

There are a number of other important issues related to the time dimension that have not been addressed in the present study. For example, like the trajectories of individual behavior (see Thornberry 1987), perhaps communities also have trajectories of development. Given that there are reciprocal effects between family disorganization and crime, it is quite possible that communities with unfavorable social conditions may move towards a path of increasing disorganization. Thus, it is important to study the development and change of the community over time in terms of using more dynamic modeling (Kubrin and Weitzer 2003). In addition, the community has its ecological contexts in different time periods or eras (Sampson and Morenoff 1997). Future research may address the changing ecological contexts of the community as well as the general conditions or mediating factors common to the different eras.

Endnotes

¹ A reviewer raised the possibility that the observed higher crime rates in small municipalities could be due to outliers and overestimation (see, for example, Osgood 2000). I reexamined the correlations between population size and the crime rates in 2001 for municipalities with population size 100,000 or more ($N = 40$). The correlations were .02, -.15 and -.20 for the violent, property, and total crime rates, respectively. A report by the Canadian Center for Justice Statistics (2002) showed that in 2001, Census Metropolitan Areas (CMAs) with population 500,000 or more had an average total crime rate of 7,626 per 100,000, compared to 8,054 for smaller CMAs. These results agreed with the observed pattern of higher crime rates in smaller

municipalities. Also, outliers in the crime rates had been identified and excluded from the analysis.

² In 1996, the Census profile of municipalities contained 100 published ethnic categories, with three response types for each category (i.e., total-, single- and multiple-responses). The heterogeneity index here was constructed based on the total and multiple-responses.

³ The index has a minimum value of 0 when 100 percent of the population belongs to the same ethnic groups (i.e., $p_i = 1.0$). The maximum value of the index approaches 1.0 when each ethnic group in the population accounts for only a very small proportion of the population. For example, if four ethnic groups are equal in number and each represents 25% of the population, the index has a value of 0.75. It means that there is a 75% chance that two randomly selected individuals in the population will be members of different ethnic categories.

⁴ At the family or individual level, studies have reported some effects of parental marital status on the children's marital status and dissolution (Hanson and Tuch 1984; Musick and Mare 2006). Other studies have reported that premarital characteristics such as cohabitation (Phillips and Sweeney 2005; South, Trent, and Shen 2001) and having a child before marriage (Clarkwest 2006; Greenstein 1990; Lehrer 1988; Lehrer and Chiswick 1993) contribute to the individual's subsequent marital dissolution. At the neighborhood or community level, it is reasonable to expect that a high level of single-parent families may contribute to community social disorganization which, in turn, increases the subsequent risk of marital dissolution in the community. Perhaps these reasons may explain the positive effect of Time 1 percent single-parent families on Time 2 divorce.

⁵ Given the high R^2 s of models 3a, 3d, and 3g (see Table 3), a reviewer had some concern about multicollinearity. Therefore, in the regression analysis, I examined the variance inflation factors (VIFs). Only three variables, low income, percent single-parent families, and the total crime rate, had VIFs higher than 2.0. Their VIFs in Model 3a were 2.14, 2.90 and 2.02, respectively, suggesting that collinearity had increased the corresponding standard errors by between 1.42 and 1.70 times (Fox 1991). Thus, one may conclude that collinearity did not present too serious of a problem. Also, I have taken several measures to verify and validate the R^2 statistics. First, high R^2 s are quite common in studies of divorce rates involving prior levels of divorce. For example, in his time-series study of divorce rate in the United States, South (1985: 36) reported an R^2 of .994 (see also Hellerstein and Morrill 2010; Nunley and Zietz 2010). Second, I checked and repeated the analyses and produced the same results. Third, much of the high R^2 was due to the high correlation between Time 1 and Time 2 divorce ($r = .95$, see Table 2). I sent the data to Statistics Canada where the correlation

was verified and confirmed. Fourth, Canadian provincial-level data and U.S. state-level data also lent support to the high correlation between the divorce rates across time (see CDC 2010; Statistics Canada 2008).

⁶ Similar to the VIF analysis reported earlier (see the preceding endnote), the VIFs were 2.13 for low income and 2.90 for percent single-parent families, thus suggesting that collinearity was not a serious problem.

⁷ The finding was rather counter-intuitive, especially given the fact that the observed correlation between divorce (Time 1) and percent single-parent families (Time 2) was $r_{7,13} = .41$ (see Table 2). To further investigate the relationship, I estimated the partial correlation between them, controlling for percent single-parent families in Time 1. Indeed, the partial correlation was reduced to -.01 (partial correlation not shown in tables). From these results, one may conclude that the effect of divorce on single-parent families over time was not evident, once the level of prior single-parent families was taken into consideration.

⁸ To ascertain the finding, I re-analyzed the data using more basic techniques. Divorce, percent single-parent families, and the total crime rate in 1996 were each dichotomized into "high" and "low" categories. Then I compared the means of divorce and the total crime rate in 2001 across the respective categories. In municipalities with low percentages of single-parent families, the 2001 total crime rate was 8,009 for the 1996 low-divorce group ($N = 171$) and only 6,218 for the high-divorce group ($N = 79$) ($t = 3.26$, $p < .001$). In municipalities with high percentages of single-parent families, the total crime rate was 12,423 for the low-divorce group ($N = 75$) and only 9,805 for the high divorce group ($N = 175$) ($t = 3.09$, $p < .001$). These comparisons showed that high divorce rates predicted low crime rates. In terms of the reciprocal effect, in municipalities with high percentages of single-parent families, the 2001 percent divorced population was 9.71% for the 1996 low-crime group ($N = 99$) and 8.69% for the high-crime group ($N = 151$) ($t = 3.66$, $p < .001$), thus suggesting that high crime rates predicted low divorce rates.

⁹ Again, to ascertain this finding, I compared the subsample means, and the results were supportive of the finding. Percent single-parent families and the total crime rate in 2001 were each dichotomized into the "high" and "low" categories. In municipalities with high percentages of single-parent families, the mean percentage of divorced population was higher at 9.68% for the low-crime group ($N = 89$), compared to 8.47% for the high-crime group ($N = 161$) ($t = 4.36$, $p < .001$).

¹⁰ With respect to the time lag between data points, different studies employed various lengths. For example, Sampson and Raudenbush (1999) had a two-year lag in

their study of crime victimization. In his study of neighborhood collective efficacy, Browning (2002) used 1990 census data mixed with 1965-1995 homicide data and survey data in 1994-5 and 1995-7. In their analysis of juvenile homicide, Lee and Bartkowski (2004) included the time-lag effect between 1980 and 1990.

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Not In My Name: An Investigation of Victims' Family Clemency Movements and Court Appointed Closure

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Abstract: *Purpose: The goals of this project are 1) to document the patterns of opposition to the death penalty promoted by victims' families following the ascendancy of the retribution and closure arguments in support of capital punishment, and 2) to assess the scope and primacy of newspaper coverage of death penalty cases with anti-capital punishment covictims. Methods: Content analysis of nationwide newspaper reports on capital offense trials from 1992-2009 is used to assess patterns of victim resistance to the death penalty over time, the reasons given for support or resistance to the death penalty, and the scope and primacy of the newspaper coverage of the capital case. Results: The analysis reveals a significant increase in covictim clemency movements across the study time period. Further, articles representing pro-death penalty covictims received both significantly higher primacy of media coverage in section and page number and word count than did their anti-death penalty counterparts. Lastly, a qualitative assessment of covictims' statements reveals several reasons for co-victim support or resistance to the death penalty. Conclusions: Covictim opposition to the death penalty in reaction to the ascendancy of retribution and closure justifications for capital punishment must be integrated into ongoing debates about the death penalty.*

Keywords: covictims, death penalty, clemency, closure

INTRODUCTION

Criminologists have documented that the traditional justifications for capital punishment are not verified by research (Bailey and Peterson 1997; Christie 1977; Ehrlich 1975; Radelet and Akers 1996; Radelet and Borg 2000), and the public is becoming increasingly aware that there is little deterrent, incapacitative, or cost savings impact with the death penalty (Gallup 2009; Gross 1998; Jones 2006; Sandys and McGarrell, 1994). Rather than abandoning support for capital punishment, however, the public has shifted the reasons for support away from the traditional justifications to retribution and victim closure. As Bandes (2008) points out, with this shift in justification in support of capital punishment, emotional catharsis for the covictims has become the goal of the criminal justice system (Bandes 2008). The onus of capital punishment, therefore, is increasingly placed on the victims' family. The primary aim of the current study is to document the reactions of covictims in response to the shifting public

sentiments shown through newspaper coverage of death penalty cases. The second goal of the current study is to investigate the scope and primacy of media coverage of death penalty cases in which the covictims express opposition to capital punishment. Lastly, the third goal is to examine the contextual factors governing covictim attitudes and opinions.

Public Perception and Media

Public opinion is defined as "a collection of views regarding an issue that affect many" (Hoffman et al. 2007:292), and the process by which the media and public opinion interact is multifaceted and reciprocal (Kudlac 2007). Research has found that the way in which the media influences individual opinion is a multi-level and universally constant process (Crespi 1997; Hoffman et al. 2007; Price and Roberts 1987). Succinctly put, information disseminated through media outlets (i.e. newspapers) becomes integrated with old information as public

sentiment evolves. At the individual level, new information which coincides with the individuals' established opinion becomes incorporated with older cognitions (Price and Roberts 1987). This process illustrates that the individual controls which new information to incorporate into their views and which information to reject.

To examine this process further, Crespi (1997, as cited by Hoffman et al. 2007) found public opinion occurs through "interactions among predispositions and perceptions on the external world at the intrapersonal level... the collective opinions that emerge from communicating these individual opinions through discussion and the media...and the legitimization, or enactment, of these opinions" (4). Hoffman et al. (2007) found that with the early stages of this process, opinion development, individuals typically lack issue-specific knowledge. Therefore, individuals will rely on predispositions which relate to the topic at hand. Although one single person may not regard a particular issue as being particularly important, that person may see it as important to other people. This perception of others creates a collective issue. Hoffman et al. (2007) found that media coverage does not necessarily serve to change the opinion of individuals, but it may serve to cause the individual to reassess their views. Following these lines, individuals who pay greater attention to publicized information are more likely to have more highly developed opinions on the issue.

While newspaper articles often represent trends in the public opinion, they are certainly not without a certain level of bias (Schiff 1997). Schiff (1997) found that less than 2 percent of cities in the United States have competing newspapers. This lack of competition can give an undue amount of power to the publisher. The researcher also found that media outlets (including newspapers) tend to serve as social gatekeepers by focusing on specific social-policy issues while disseminating common messages that reflect the beliefs of the publisher. Schiff (1997) concluded that the owners of media outlets tend to influence newspaper content with both upper-class interest and dominant ideologies. This bias affects the current study as it highlights the natural proclivity newspapers may have to represent popular opinion, in this case the pro-death penalty covictims. Newspaper articles expose the interpersonal intricacies of the death penalty process while outlining long-term patterns of reporting. Changes in the content and representation of these articles can be documented and interpreted for a more complete understanding of capital punishment, as newspaper articles reflect trends in the public perception of the death penalty system in the United States (Gallup and Newport 1991).

There are, however, some limitations concerned with relying on newspapers for framing public opinion. Newspapers have seen a decline over the last twenty years in readership (Shin 2005). This is due, in part, to access to

online newspapers and twenty-four hour newscasts on television and other media outlets (Shin 2005). Even with this decline in popularity, research has found that physical newspapers are still more effective than other forms of media outlets in increasing public awareness on political issues and gauging public opinion (de Waal and Schoenbach 2008).

Media Coverage of the Death Penalty and Media Bias

Kudlac (2007) found that in relation to death penalty cases, media coverage gauges public opinion because media stories inherently evolve with public opinion. This relationship is reciprocal. The media influences public perception, and public opinion also influences media. Newspapers determine what death penalty cases are deemed worthy only through public sentiment. Indeed, death penalty cases are only covered when they are considered to be of public interest. However, the understanding of public interest can be problematic. Kudlac (2007) found that in the past, explanations for the coverage of particular death penalty cases over others was relegated to four primary reasons: novelty of executions after reinstatement; claims of innocence by the defendants; flaws in the execution, and the position of power in society. However, these claims have proven to be ineffective in explaining why media coverage persists over some cases and not others. These "traditional" ideas leave much to be desired as they simply do not explain the patterns of media coverage in most death penalty cases (Kudlac 2007).

According to Kudlac (2007), the notion of novelty after reinstatement of the death penalty after 1976 is simply much too dated to be used to explain any patterns of coverage. Additionally, many defendants make claims of innocence and receive no media attention. In stark contrast, many individuals who profess guilt do receive media attention. No research has successfully shown a link between professed innocence and media coverage of capital punishment cases (Kudlac 2007). The idea that flaws in the execution may explain media coverage neglects the fact that most cases receive higher levels of coverage prior to the execution. The final traditional justification, that of social power, is incongruous with the capital punishment system in the United States. Individuals with high levels of social power (i.e. politicians, the extremely wealthy, celebrities) are rarely pursued under capital indictment. Just how can media coverage of some death penalty cases over others be considered and explained? Overall, coverage is determined by either a) traditional media criteria, b) acknowledged gender, race and class factors, and c) public sentiment, which is completely dynamic (Kudlac 2007:30).

In a similar vein, Rosen (2003) asserts that prosecutors spend more time in both preparation and trying of capital punishment cases. This can be attributed to the

belief that “murders...are not treated...as run of the mill cases” (Rosen 2003:84). This finding suggests death penalty eligible cases are somewhat unique as they are not nearly as common as other forms of court cases, which deal with lesser crimes such as robbery, and therefore garner more attention (Rosen 2003). When combined with Kudlac’s (2007) finding, it becomes apparent that death penalty eligible cases which present one of the three primary draws of coverage (traditional media criteria, gender/race/class factors, or public sentiment) and prosecutors who recognize the increase in public attention to the case will find coverage in the media. Through these explanations of coverage, it becomes understandable that only those death penalty cases which present public interest are covered by the media while other capital punishment trials are completely overlooked.

Justifications for the Death Penalty

Most Americans support capital punishment for the most heinous crimes. Recent national polls indicated that between 63 and 65 percent of the American population currently support the use of the death penalty (Newport 2009; Langer 2010). These findings were consistent with other national polls conducted from 1999-2009 that showed American support for capital punishment held constant between 63 and 70 percent every year within the last decade (Newport 2009). Following a significant increase in support for capital punishment from the 1950s, when approximately half of the American public supported capital punishment, to the 1980s, when approximately 75 percent of the public was in favor of the death penalty (Ellsworth and Gross 1994), public support for capital punishment has remained high and steady (Saad 2008; Newport 2009; Radelet and Borg 2000). Recent trends in death penalty abolishment in New Jersey (New Jersey Death Penalty Study Commission 2007) and New Mexico (Chasey 2009), however, may indicate that public support for the death penalty is, at some level, decreasing. Although, the majority of Americans continue to support the use of capital punishment (Newport 2009; Langer 2010).

Arguments in support of the death penalty have evolved in the United States following the reintroduction of capital punishment in 1976 (Radelet and Borg 2000). The general public continues to support the death penalty even though the population is largely aware that the traditional justifications of deterrence, incapacitation, reduction of bias, safeguards against innocence, and cost savings for capital punishment do not hold true; rather, they support the death penalty on the grounds of promoting victim closure (Bandes 2008). Emerging research finds this is due to the value-expressive nature of death penalty support (Vollum and Buffington-Vollum 2010). Vollum and Buffington-Vollum (2010) found that when support for the death penalty is based on value-expressive ideas, as

opposed to instrumental justifications, then support is much less likely to decline regardless of empirical facts about the flaws of the capital punishment system.

BACKGROUND

Trends in Public Opinion and Knowledge of Capital Punishment

The general public’s belief that the death penalty has served as a deterrent to crime was a notion that gained prevalence in the early 1970s (Ehrlich 1975). Decades of research, however, has shown that the death penalty is no more effective in deterring crime than long-term imprisonment (Bailey and Peterson 1997; Radelet and Akers 1996). The public also appears to support this sentiment as shown in a Gallup poll conducted in 2006; only 34 percent of Americans polled believed that the death penalty deterred crime (Gross 1998). This is a 12 percent drop from a similar poll done in 1997, a 19 percent drop from one done in 1991, and a 37 percent drop from polling performed in 1985 (Gross 1998; Gallup and Newport 1991).

Additionally, many studies have found that support for the death penalty drops dramatically when the general public is given information about alternative sentencing options, primarily the option of life in prison without the opportunity for parole (Sandys and McGarrell 1994). To further outline this sentiment, Gross (1998) reported that a national poll conducted in 1991 revealed that only 19 percent of people who supported the death penalty believed that incapacitation was the best reason to continue its use, and by 2003, only 2 percent of respondents in a similar poll reported that they supported the death penalty because it would guarantee that the offender would not have the opportunity to commit a crime again (Jones 2006).

Most Americans also realize the death penalty is applied unfairly according to race and class and that innocent people will occasionally receive the death penalty (Gallup 2009). The public has also become aware that a system which employs the death penalty typically costs much more than a system that offers life in prison without parole as an alternative (Radelet and Borg 2000). Overall, public polling research has clearly established that the public is aware the traditional justifications for the use of the death penalty are no longer applicable. Rather than abandoning support for the death penalty, however, the American public has shifted their arguments in favor of capital punishment away from the traditional justifications of public safety and cost savings and toward a more victim-oriented set of arguments in favor of capital punishment. Contemporary public support for capital punishment currently relies on the notions of retribution, justice, and closure.

Retribution, Justice, and Closure.

The notion that justice requires the use of the death penalty is the most pervasive argument in favor of capital punishment in society today. In a 2003 national poll, 51 percent of respondents cited retribution in the form of "justice" or "eye for an eye" as the main reason they support the death penalty (Jones 2006). Furthermore, supporters of the death penalty are likely to cite execution as the ultimate justice. The ideology driving retribution arguments is that the most heinous murderers should be executed because they deserve it (van den Haag 1997). If families are *owed* retribution by the courts, justice then takes the form of closure. Supporting this logic, a 2010 national poll found that 60 percent of respondents who indicated that they supported the death penalty cited the belief that it gives satisfaction and closure to the victims' family as the primary reason for support (Langer 2010).

Victims' family members, referred to as covictims, believe they should experience closure, and the prosecution within the court systems believe they can produce it through capital punishment (Kanwar 2002; Bandes 2008). The term "covictim" outlines the precarious position that victims' family members occupy in the criminal justice system. Literally, they are the "co" victim of the case, as the outcome of the case will greatly influence their emotional well-being. Closure, within the legal system, is used to refer to an emotional catharsis, or an "...emotional state of peace, relief, a sense of justice, or the ability to move on" (Bandes 2008:4). With this definition, it can be deduced that closure is reached by individuals through different means. Depending on how closure is understood to operate, Bandes (2008) stated that, "...[closure] might require a chance to give public testimony, an opportunity to meet with the accused, a more expeditious trial, a sentence of death, or an execution" (1). This list is hardly exhaustive, even though closure has become an outcome that victims' families now expect to receive and a state of being that the new paradigm of thought behind the justice system believes it can provide (Bandes 2008). There appears to be a contradiction inherent in court-generated closure, as court systems rely on rational, detached, uniform, and unemotional sentencing practices and are thus ill-equipped to provide emotional satisfaction that is highly contextual and individualized. Court-sanctioned closure, therefore, appears to contradict the rational stance that forms the basis for the contemporary legal system.

An additional problem with the term closure within the legal discourse is that closure has traditionally been used without drawing the distinction between the "therapeutic, spiritual or family contexts and the legal context, or between the private realm and the public realm" (Bandes 2008:12). While the courts define closure as an emotional catharsis, covictims tend to view closure as "the moving on with one's life in the wake of the

tragedy one has experienced at the hands of the murderer" (Vollum and Longmire 2007:614). Vollum and Longmire (2007) outlined the disjuncture between how the courts perceive closure and how the covictims perceive closure, but this does not imply that covictims believe closure can be "given" as a result of a court case or a death penalty; rather, it shows that covictims do not associate an emotional catharsis with a court trial. In fact, most covictims do not believe that an execution provides true emotional satisfaction (Vollum and Longmire 2007:615).

In contemporary society, the terms "closure" and "emotional satisfaction" are often used interchangeably. The conceptual blurring of closure and emotional catharsis has manifested itself in the contemporary public opinions regarding closure and to the current disjunction outlined by Bandes (2008). The leaders of the court system recognize closure as an emotional status of well-being that it can provide through the capital punishment system, but this is not the reality for most covictims (Kanwar 2002). Christie (1977) concluded that covictim's voices are obscured by death penalty process and covictims are often victimized through the capital punishment trials and proceedings. However, death penalty supporters continue to support capital punishment as a presumed path to closure through retribution, even though this path can actually serves to halt the grieving process and inhibit healing in many instances as supported by current research (Kanwar 2002; Vollum and Longmire 2007; Bandes 2008).

An additional complication to covictim closure promoted through capital punishment is that death sentences only comprise approximately 1 percent of all sentences for homicides (Bedau 1992). This fact also can be interpreted to mean that for approximately 99 percent of all homicides, death is not considered appropriate justice from the standpoint of the law. If the death penalty is popularly touted as the ultimate justice under the idea of retribution and the jury does not recommend a death sentence, this could signify to the victim's family that the death of their family member did not warrant use of the ultimate justice. The courts may use the words "justice" and "closure" for the victim's family as a means of justifying the continued use of capital punishment, but in practice only a small fraction of covictims are granted the opportunity to benefit from the notion of court-appointed closure.

Wood (2003) found that the shift to the victim-centered goals of closure is also harmful to defendants. The author asserts that by focusing on closure and healing for the victim, the basic assumption that the defendant is innocent until proven guilty is contradicted. Moreover, Wood (2003) concluded that this therapeutic goal also imbues the idea that the defendant's worth as a human being is neglected when their execution is viewed as a vessel of therapeutic healing for the covictim.

Contemporary Research on Covictim Closure

In a recent content analysis on covictims, Vollum and Longmire (2007) found that only 2.5 percent of covictims stated that the execution of the offender actually gave them true closure.¹ In their 2008 annual report, the Murder Victims' Families for Human Rights organization stated that, "More and more victims' families are challenging the common assumption that the death penalty offers closure" (1). Furthermore, the Death Penalty Information Center (2008) stated, "Victims' families are increasingly dissatisfied with what the death penalty offers them" (6). Indeed, the idea that executing an individual would end the suffering caused by the death of another individual can be a contradiction for some families. To believe that an execution is the only way to bring closure overlooks the nature of the debate surrounding the death penalty. If the family of the murdered victim stands firmly against the death penalty, then executing the offender would most assuredly not bring any peaceful closure to the family. Sheffer and Cushing (2006) concluded that the process of the death penalty often overlooks the victims' families, which results in the victim's family becoming the victim of the court. This can also apply to covictims who may ideologically support the death penalty but do not want to be put through the lengthy appeals processes and would prefer the finality of a life term sentence.

In an essay on crime and victimization, Wood (2005) reported that the legal discourse in America concerned with crime and punishment invariably deals strict punishment because of what the state "owes" to particular victims. The ideology behind the punishment essentially authorizes a particular sentence from the state to be issued in the name of the covictims. The current death penalty system that operates under the ideology of retribution and closure can take the responsibility of the outcome off the state and places it onto the covictims in some cases. Wood (2006) concluded that this discourse "winds up punishing too many victims in the process" (15).

The New Jersey Death Penalty Study Commission (2007) stated in their findings that "the non-finality of death penalty appeals hurts victims, drains resources and creates a false sense of justice. Replacing the death penalty with life without parole would be a certain punishment, not subject to the lengthy delays of capital cases; it would incapacitate the offenders; and it would provide finality for victims' families" (67). Concluding that the death penalty is a painful, unnecessarily drawn out process that adversely affects the victims' family without a positive societal effect on crime, New Jersey abolished the death penalty in 2007. The New Jersey Death Penalty Study Commissions' findings show that the notion of retribution and closure for the victim's family is not the actual result in some cases. The court proceedings, testimonials, impact statements, and numerous appeals can serve to keep the painful memories of a lost loved one in the forefront of the family

members' minds and can make closure elusive.

Gail Chasey (2009), a state representative who worked toward the abolishment of the death penalty in New Mexico, mirrored similar findings based upon the research conducted by the New Mexico capital punishment inquest committee.

Families devastated by the murder of their own loved ones described the cruel impact of the death penalty on them. Far from providing closure or comfort, death penalty trials and constitutionally guaranteed appeals re-open the wounds for many families. Their hearts simply break again and again when all attention focuses on the defendants and their fate, rather than on honoring the memory of those they lost (Chasey 2009:1)

With these findings in mind, New Mexico abolished the death penalty on July 1, 2009. Representative Chasey outlined nearly identical findings to the New Jersey Death Penalty Commission. Murder victims' families cannot achieve closure through the "constitutionally guaranteed appeals..." and instead can become victimized by the legal proceedings of the courts.

In cases like these, the courts put the psychological burden of the death sentence onto the victim's family without regard to the family's stance on the death penalty. If the family does not wish for the death sentence to be sought and the courts pursue it regardless, this can create extreme turmoil in the life of the family members.² This problem is clearly illustrated by Kerry Kennedy, whose father was murdered in 1968, in a foreword to Gray and Stanley's (1989) report on the role of victims' families in the death penalty process:

I was eight years old when my father was murdered. It is almost impossible to describe the pain of losing a parent to a senseless murder.... But even as a child one thing was clear to me: I didn't want the killer, in turn, to be killed. I remember lying in bed and praying, 'Please, God. Please don't take his life, too.' I saw nothing that could be accomplished in the loss of one life being answered with the loss of another. And I knew, far too vividly, the anguish that would spread through another family—another set of parents, children, brothers, and sisters thrown into grief (1).

When a state believes the legal system is carrying out a death sentence on behalf of the victim, while ignoring the wishes of the victim's family, the sentence is not being carried out for them. Instead, the state may be transferring the responsibility for executing the offender onto the victim's family. In addition to the added stress, feelings of powerlessness, and internal moral struggle the families may experience, sentencing offenders to death inevitably prolongs the proceedings. The average inmate is on death

row 12.75 years before execution (Florida Department of Corrections 2009), during which time the inmate can continue to protest the sentence both publicly and politically, which for some obscures the ability of the family members of murdered loved-ones to obtain closure.

THE CURRENT STUDY

Susan Bandes (2008) stated that the term closure, while completely fluid with an ever-changing interpretational definition relative to the user, "...has changed the way we talk about the rationale for capital punishment, has changed the shape of the legal system..." (2). The current research was conducted to explore the trends in victims' family clemency movements following the general public's embracement of the notion that the death penalty provides closure for victims' families.³ Given the public's continued support of capital punishment on the grounds of retribution, justice, and closure (Jones 2006) and the corresponding shift in onus of responsibility for the death of an offender from the state to covictim (Kanwar 2002; Bandes 2008), an increase in covictim opposition to execution of their offender is expected to be shown in newspaper reports of capital trials. Also, reflecting the dominant ideology that the death penalty should be maintained at all costs, it is expected that capital cases which include covictim opposition will receive less prominent media coverage than cases which include covictim support.

METHODS

Data Collection

To assess trends in covictim opposition to capital punishment and the scope and primacy of media coverage of capital cases, data were drawn from newspaper articles in the United States from 1992 to 2009 that covered death penalty cases. Newspaper articles were collected through the Lexis-Nexis Academic Universe search engine.⁴ Key words were used to search within the time frame of 1992-2009. This time period was used because the term "closure" is a recent concept used by the court system. Articles prior to 1992 did not operationally use closure as justification for the death penalty. As discussed by Susan Bandes (2008), closure was relatively unknown and hardly ever used within the justice system prior to the 1990s. Frank Zimring (2003) found that the word closure was never used in conjunction with the death penalty at all until 1989. Furthermore, the terms "closure" and the "death penalty" were only used once together in 1989. The year 1992 marked the first available newspaper article that met the conceptual criterion for this research.

The sample was drawn by searching for the terms "closure, murder victims' family," "victims' family," "family," "closure," "capital punishment," and "death penalty" in varying combinations within capital crime articles within the United States. All editorials and opinion pieces (i.e. those articles not referencing a particular case)

Table 1. Search Criterion

Search Terms and Keywords	Article Yield
murder victims' family/death penalty/closure	91
capital punishment/victim's family	150
murder victims' family/capital punishment	87
death penalty/murder victims' family	92
capital punishment /family /closure	58

were excluded. Lastly, all duplicate articles were removed. The final sample included one hundred and nineteen articles. This resulting sample represents news articles published between 1992 and 2009, written on a specific death penalty-eligible court case, that include statements by, or on the behalf of, victims' family members in regards to their view on the death penalty.

With 3,891 total death penalty cases between 1992 and 2009, a sample size of 119 may not appear to be representative. Table 2 shows the number of articles collected per year. Current research on the death penalty

and media coverage, however, has found that the vast majority of cases are never covered (Kudlac 2007). Additionally, newspapers have a tendency to report on issues that are of public interest (Schiff 1997) and therefore only cover some stories (Hoffman et al. 2007). Death penalty cases may receive coverage only when the story presents a position that appeals to a particular audience. Thus, the sample may only include the more popular death penalty cases that received some level of national attention, namely serial killers, mass murderers/terrorists, and racialized or gender-specific

Table 2. *Death Penalty Articles by Year*

Year	Articles	Year	Articles
2009	11	2000	14
2008	8	1999	12
2007	7	1998	3
2006	4	1997	3
2005	4	1996	9
2004	5	1995	2
2003	7	1994	5
2002	8	1993	6
2001	5	1992	5

murders (Kudlac 2007). Furthermore, the main criteria for this study, the position of the victim's family on the idea of closure, appears to be lacking in most news coverage on the death penalty, which the results of the search certainly appear to support.

The components under consideration in the current study were the victim's family stance on the death penalty, closure being used as justification for the death penalty by the courts or legal advice to the family, the year in which the trial occurred, and the outcome of the trial and appeals. These variables were combined to draw a more complete picture of the discourse on capital punishment and to document patterns of victims' family clemency movements in the United States, as well as the scope and primacy of media coverage of such cases.

The consideration of the death penalty in each case was important for the research to maintain conceptual coherency. Each crime committed was a capital offense that made the accused offender death penalty-eligible. In addition, each offender had received a conviction of guilty or was in the process of appealing a guilty verdict, thus maintaining the death penalty-eligible status. If a case was found where the offender was not eligible for a death sentence, the article was not used.

Closure was operationally defined as the term "closure" being used to express finality in regards to the victim's family. The family's stance on the death penalty was determined by their statements, or the statement of their legal counsel, concerning their beliefs in the death penalty against the offender of the crime. If an execution date or outcome of a trial was not included within the article, the convicted criminal's name was referenced

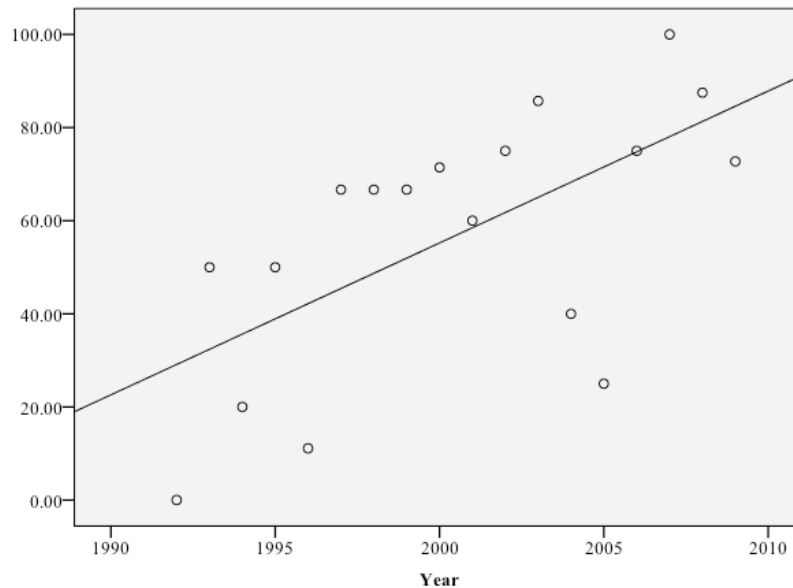
within a national database of United States' long term imprisonment, death row, or executed criminals (Death Penalty Information 2009a). The word count, section, and page number of each article were also recorded for analysis.

FINDINGS

Shifting Covictim Sentiments

The current assessment of covictim resistance to capital punishment begins by examining the trend in news articles presenting the anti-death penalty views as a percentage of total death penalty articles that present any covictim perspectives between 1992 and 2009. As shown in Figure 1, the percentage of death penalty articles expressing covictim resistance varies substantially from year to year. To account for this variation and establish the linear trend in covictim resistance to capital punishment over this time period, a linear interpolation line was added to the scatterplot. The regression line clearly shows that covictim resistance to the death penalty expressed in news articles has steadily increased from 1992 to 2009. The slope of the line from the simple linear regression predicting the degree of covictim opposition to the death penalty, shown in Table 3, suggests that covictim opposition expressed through newspaper outlets has increased an average of 3.262 percent on average each year following the ascendancy of retribution and closure as popular justifications for capital punishment in the U.S.

Figure 1: Percentage of News Articles with Anti-Death Penalty Covictims, 1992-2009



Although it is clear that the proportion of newspaper articles containing reference to covictim opposition to the death penalty has increased over the past two decades, the patterns of closure are not as clear. In only 6.7 percent of the news reports during the time period investigated do the covictims state that the death penalty had brought, or would bring, closure. Given the small percentage of cases in which covictims report closure, firm conclusions as to the patterns of covictim closure cannot be made, but the data shown in Table 3 indicate a decline in this sentiment, albeit a small and statistically insignificant decline. Interestingly, however, 24.5 percent of all cases collected contained the term closure used by the court system or court actors as a means to justify the use of the death

penalty. Again, the percentage of news reports referencing the term closure from the court system showed a slight, non-significant, decline over the study period. Overall, newspaper data assessing coverage of death penalty cases revealed a significant rise in covictim opposition to the execution of their specific offenders and a corresponding low percentage and slightly decreasing pattern of covictim beliefs that the death penalty brings closure. The newspaper data also shows that the court systems have continued to use closure as a means of justifying capital punishment at a much higher rate than covictims verify and without recognizing the increase in covictims who oppose the death penalty.

Table 3. Simple Linear Regressions Predicting Co-Victim and Court Outcomes (Dependent Variables) by Year (Independent Variable)

	Co-Victim Opposition		Co-Victim Mention of Closure		Court Mention of Closure	
	B	Std. Error	B	Std. Error	B	Std. Error
Year	3.262*	1.014	-0.271	0.443	-0.622	1.035
F =	10.343*		0.373		0.361	
R ² =	0.393		0.023		0.022	

Note: Dependent variables measured as percentage of articles per year in whole numbers.

*p < .05.

Media Coverage of Covictim Clemency Movements

Reflecting the predominant ideology in support of the death penalty among the American public, it is possible that the degree and scope of newspaper coverage varies by the covictims' stance on the execution of their offender. First, the scope of media coverage on death penalty cases is assessed. The data reveals that the average word count of the articles where the victim's family was identified as anti-death penalty was 634 words. On the contrary, the average word count for articles where the victim's family was identified as pro-death penalty was 813 words. An independent sample t-test revealed that the word count difference was statistically significant, suggesting that death penalty cases with pro-death penalty covictims received significantly more words per article than cases in which the covictims express opposition to the death penalty. This difference in average word count between pro-death penalty covictims and anti-death penalty covictims may also be significant because the size of the article may convey importance to readers; articles which take up more space because they are longer may be indicative of a more important story.

Next, the primacy of newspaper coverage associated with the covictims' perspectives on capital punishment was investigated. Of the articles collected, 98 articles contained a page number. As shown in Table 4, of the 98 articles that included a page number, 36 percent featured pro-death penalty covictims, and 61 percent featured anti-death penalty covictims. Of the total number of articles collected with covictims identified as pro-death penalty, 61 percent were featured in section A, with a large percentage (40 percent) of all articles identified as pro-death penalty featured on page A1. Comparatively, only 31 percent of all articles collected with covictims identified as anti-death penalty were featured in section A, with a significantly smaller percent (19 percent) of all articles featuring anti-death penalty covictims listed on page A1. A similar pattern is evidenced in subsequent newspaper sections, with less primacy given to death penalty cases with anti-capital punishment covictims. The degree of independence in the primacy of newspaper coverage of capital cases in which the covictims expressed views on capital punishment is assessed using a chi-squared test. The results show a significant degree of dependence between

Table 4. Primacy of Newspaper Coverage by Death Penalty Sentiment

	Section A	Section B	Section C or Other	Totals
Pro-death penalty covictims	22	4	10	36
Anti-death penalty covictims	19	20	22	61
Totals	41	24	32	97
Note: $\chi^2 = 9.59$ (2 df), $p < .05$				

the views expressed by covictims and the section in which the article is published, suggesting that cases with anti-capital punishment covictims receive significantly less newspaper exposure than would be expected from the sample proportions alone.

Taken together, the data reveal that covictim opposition to capital punishment has increased following the rise of retribution and closure justification for the death penalty, while media coverage of this covictim opposition to capital punishment has been significantly lower in both scope and primacy during the same period. Although no firm conclusions can be drawn from the current data, given the bias inherent in media portrayals, the implications highlight the general public's belief that murder victims' family members require retribution in order to obtain closure coincide with, and may contribute to, media coverage of death penalty cases.

Contextual Factors Associated with Death Penalty Support or Opposition Among Covictims

The trend of the media coverage on the death penalty as reflected by the newspaper reports, however, is only part of the research story. For a more complete assessment of complexities involved in covictim perspectives on capital punishment, the content of the articles in the sample were also analyzed. A grounded theory approach was used to categorize the patterns of pro-death and anti-death penalty covictim perspectives (Corbin and Strauss 1990). This approach led to the creation of five distinct categorical covictim positions presented in the newspaper articles, allowing for a more complete picture of covictim sentiments to be explored and analyzed.

Interestingly, the investigation of the data reveals that opposition to the death penalty does not depend on the personal opinions on the death penalty among covictims.

Many covictims who were identified as pro-death penalty did not associate closure with a death sentence. While topically this may appear to be a contradiction, to ideologically support capital punishment and not associate closure with an execution, many covictim death penalty supporters actually attempt to avoid the death penalty process completely. The number of victims' families who believe the death penalty does bring closure represents the extreme minority of opinion, as this stance on capital punishment has seemingly lost its appeal since the early 1990s (Chasey 2009). The five ideological positions revealed through the grounded theory assessment of the articles are as follows:

1. The victim's family does not support state-endorsed executions and does not believe a "circle of killing" will bring closure.
2. The victim's family is against using the death penalty for personal or religious reasons and therefore does not believe closure can be obtained by capital punishment.
3. The victim's family is pro capital punishment but does not want to go through numerous years of trials and appeals and therefore requests a plea bargain.
4. The victim's family is for the death penalty but does not believe it brings closure.
5. The victim's family is for the death penalty and believes it brings closure.

These categories were developed as a result of examining trends of covictim belief associated with the notion of closure through capital punishment cases. Consistent with most classification schemes of human behavior, emotions, and cognition, it is important to note that these categories are not mutually exclusive. Emotions and closure associated with capital punishment are very subjective, and therefore it is possible for one case to fit multiple contextual categories. For example, a covictim that identifies religion as the main reason they resist the death penalty is also likely to discredit the notion that an execution brings closure (Burbach 1999). As highlighted in the cases below, what is clear is that overwhelmingly the newspaper reflects that the death penalty is not what most covictims desire. Rather, many court systems, judges, lawyers, and juries insist that the death penalty is what the victim's family *should* want.

Does not support state-endorsed executions and does not believe it brings closure. When asked about the sentencing for her husband's murderer, Ginger Masters stated, "I've been told [by the prosecuting attorney] that since I don't want the death penalty, that I don't love my husband enough." Additionally, when she initially met the prosecuting attorney, he told her, "I don't represent your family, or David [her husband]. I represent the state of Missouri" (Kaplan 2009). This exchange illustrates the problem that covictims experience when the courts hold a

uniform standard when issuing sentences. Because individuals have different opinions on the death penalty due to a myriad of reasons including political, personal, or religious beliefs, the courts' uniform stance is unable to address the subjective nature of emotions and supply the proper response. In line with arguments made by Kanwar (2002), a prosecuting attorney must represent the victim's family at least as much as they represent the state. When they do not, as in the Masters case, prosecutors create a disjunction between the state's interests and what the victim's family believes is necessary to obtain closure.

If the paradigm of thought within the legal system takes the stance that it owes closure in the form of the death penalty to victims, regardless of the subjective nature of closure and the grieving process, they may be victimizing the family members at the expense of their emotional well-being. Other covictim's statements also illustrate this problem. Andrea Virgil stated that,

Our system tries to tell murder victims' family members that once they get to the courtroom or the execution chamber that they will experience closure and that everything will be OK. But this is not necessarily true. It certainly wasn't for me....My kids learned that another killing, even if it is by the state, doesn't help and that it does not bring my husband, Carlos...back (Terrell 2005).

These two cases illustrate the contradiction that is presented by the court system that operates under the ideology that executing offenders will end the suffering caused by the death of the victim and the consistent findings that state-sanctioned death does not, in most cases, bring closure to individuals who have lost relatives to homicide (Vollum and Longmire 2007). There is nothing automatic about closure; instead, closure must occur within the process of healing. This process is an extremely individualized procedure which cannot be held to uniform standards within the court system as outlined by Bandes (2008). Virgil certainly illustrates this idea by her statement that closure does not necessarily come from the courts and that closure did not result from the court process for her. What works for one family may not work in the same way for the next.

Further examinations of the statements by covictims also illustrate the problem in believing that the state-sanctioned execution of the convicted offender will necessarily make amends for the death of a family member, if not true closure. Illustrating this, Leslie Mosher stated "I never got the chance to say this at the trial, but when he murdered my father, he took away something that we can never get back...I believed in [capital punishment] before my father was murdered" (Poole 2000). Through this, it becomes evident that many individuals may support the use of the death penalty until they are confronted with it. The belief in court-given closure may only be

comforting to citizens who have not had to face the murder of a family member. While the unfortunate killing of an individual is a terrible experience for victims' families, the state-sanctioned killing of the offender does not inherently create justice, retribution, or give closure.

Ruth Classen Andrews, who lost her mother, stated that, "When you execute somebody, they're gone, they don't suffer anymore. The ones who suffer are their family members. I think we really are punishing the wrong people" (Mumford 2003). In this case, not only did the death penalty fail to bring true closure to victims' family members, but it also served to victimize the family of the offender. If the convicted is executed, the justice system will effectively create another set of covictims on the side of the offender. Each family, on both sides of the law, will lose a member.

Another example of this contradiction between the goals of the courts and wishes of the covictims is clearly illustrated by the case against Rick Langley. The covictim, Lorilei Guillory, wanted to testify against the death penalty in order to ask for leniency for the convicted murderer. However, the Assistant District Attorney's office filed an injunction against allowing her testimony, stating that allowing Guillory to testify would be in violation of a higher court ruling that prohibits family members from asking for mercy for the defendants. The judge in this case, Al Gray, who is also opposed to the death penalty and stated that, "It is inconceivable to me that it [her statement] not be allowed." He added, "I never thought of it [victim's mercy statement] being prohibited. She just happens to have a different view than the state. You can bet if she said she wanted the death penalty, the state would be all over it and would allow her to testify" (Lupo 2003). Clearly, this shows the juxtaposition that victims' families often face when their beliefs are not in accord with the beliefs of the court. Perhaps more importantly, this shows that even within the legal system, there are individuals who recognize the disparities created by the unequal structure of the capital punishment system.

Fortunately, some court cases recognized the precarious position in which many families found themselves and applied sentencing in conjunction with the beliefs of the family members. In one example, the district attorney stated of one case, "It was a cause that certainly warranted the death penalty, but the family of the victim showed incredible compassion and asked us not to pursue it." He also stated, "They wanted some closure and the death penalty route may have taken years and years...it was their generosity [which led to a plea bargain avoiding a death sentence]" (Hunt 2002). Through this, we see that the courts systems have the ability to recognize the fact that the death penalty process inhibits the ability for closure to be obtained due to an unnecessarily drawn out process involving lengthy appeals.

In some cases, the victim's family was undecided about the use of the death penalty but expressed feelings of

doubt over the implications of state-sanctioned killing. One covictim stated that it would leave the defendant's two sons fatherless in a similar fashion that her own children had been left fatherless by the offender (Hunt 2002). She recognized that executions often create victims in multiple families. Leslie Armstrong, whose daughter was murdered, stated that, "Seeing him [the offender] die would not bring Joie back. This is the right thing to do." The plea agreement, which sentenced Cary Stayner to five consecutive life terms, was endorsed by Mrs. Armstrong because it would spare her and her son the emotional stress and lengthy trial process. In terms of closure, Brady Schwartz, the victim's brother, stated, "There will never be closure to the pain we feel." Leslie Armstrong stated this concerning the death penalty process, "As I learned more and more about the justice system in this country, and about the appeal process, I realized that the death sentence is only the beginning of a lengthy process, one that would only serve to re-open wounds" (May 2000).

Against death sentencing due to religion. Religion can also be a motivating factor in clemency movements. Wilmer Tjossem, a practicing Quaker, testified against the death penalty for the murderer of her father. In a statement, she said,

"Quaker teaching calls for members to strive toward a nonviolent world. Following that principle, most Quakers have opposed war and any other violent solution to social problems. It follows then, doesn't it, that the deliberate taking of a human life should be wrong. For the state, the government, to deliberately take a human life gives sanction to killing people...It just has us terribly upset. We don't know where to turn. We do not want Randy to be killed on our behalf, or in Janet's name. That will not bring us any comfort at all. If Randy is executed, it will spread a whole lot of misery amongst some very innocent people – Randy's family, Janet's family, Vicky's family" (Burbach 1999).

Another article outlined similar sentiments when a covictim who had lost their daughter to homicide stated, "It [the death penalty] goes against God, and God said 'though shalt not kill'" (Sayre 2002). A different covictim, who had also lost her daughter, fought against the imposition of the death penalty for similar religious reasons. She stated, "I just wish that God would save his [the murderer's] soul...I don't want him down there in hell" (Bates 1999).

It is becoming increasingly evident that more people in the United States are becoming aware of the problems within the capital punishment system, and these can conflict with religious beliefs. The murder of a family member, followed by the state-sanctioned killing of the offender can have a rippling effect that will change the quality of life for many people. To simply consider the death sentence as an end-all form of closure overlooks the

multidimensional nature of the familial system and religious foundations for many in contemporary American society.

Pro capital punishment but against the death penalty.

Some death penalty clemency requests by covictims are made not because the covictims are ideologically opposed to capital punishment but because they are against the lengthy trials and appeals processes. Within this research framework, there were a number of these cases in which the victim's family believed that the offender deserved to die, but were against the use of death penalty for these reasons, thereby encouraging a plea bargain in order to avoid going through the inordinate amount of time that death sentencing trials often bring. Although the average is 12.75 years between sentencing and execution, the process can continue for more than 30 years (Death Penalty Information Center 2009a). In many cases, the victims' family members preferred the finality of a long term prison sentence to the death penalty even though they wanted the offender to die (Darby 1993).

On behalf of the Ohler family, Assistant District Attorney Charles Ballay of Plaquemines Parish stated that, "The issue of accepting a plea for life rather than having a trial for death was discussed with the victim's family and they decided life in prison would be acceptable and appropriate. It gives some closure to the family now, rather than much later...if Scholz had been convicted at trial and received a death sentence, an appeals process would have taken years" (Cannizaro 2000). This recognition that the death penalty process can be a cruel way in which to deny family members the ability to grieve by re-opening healing wounds because of the appeals process shows that the current legal system has the ability to victimize family members when pushing for a death sentence without regard to the family's opinion. Fortunately, in this case, the courts listened to the family's request. Interestingly, the term closure is used here as a means in which to justify a life sentence as opposed to the death penalty. Also important to note is that the district attorney insinuates that closure is still obtainable through the death penalty even though it is a lengthy process.

There were other cases in which the court systems decided not to seek the death penalty because of the covictim's wishes on the sentencing. In a case against Kendall Francois, the District Attorney William Grady announced that he would seek the death penalty because "the case warranted it." However, after meeting with the victim's family, Grady decided to forgo the death penalty because the "...victims' families...wanted closure and a guarantee that Francois would die in prison" (Associated Press 2000). In another case, the Swain family agreed to a plea bargain for life sentencing instead of the death penalty, "...to ensure they didn't have to go through another trial in appeals court and to give closure to a case that haunted them for years," stated their lawyer, Mr. Johnson. This statement illustrates the idea that the death penalty process

very well may be designed in a way that does not allow true closure to be obtained (Jackson 2003). Again, the use of the term closure has the implied connotation that closure can be obtained through a death penalty but that a sentence of life in prison would bring closure more quickly. If closure can be obtained from life in prison, then one must wonder why the United States employs the use of the death penalty at all.

In a case against Anthony Brown, members of the victim's family asked the courts to pursue a life sentence instead of a death penalty. Although the courts were preparing for a capital trial, they agreed on behalf of the family. Keith D'Anna, a son of one of the victims, stated that it was better to take the certainty of a life sentence than to deal with the ongoing appeals process and uncertainty of the death penalty. He stated, "We want him to die, because the ultimate justice would be his death." But he cited the many years of painful appeals as a reason to forgo the death sentencing (Darby 1993).

Want death penalty, unsure if closure can be obtained.

Some covictims identified themselves as favorable to the use of the death penalty but expressed doubts about their ability to receive closure. A man who lost his son stated, "I don't know if there is going to be closure because the loss of my son is still going to be there...It has to end, and it has to end somewhere...[but] it wouldn't bring my son back" (Jones 1996). In a separate case, one covictim expressed similar feelings when she stated, "We're hoping for closure on this but how can you forget it? It's been very painful..." (Kataoka and Churchill 1995). Another covictim stated that while he would never receive closure, he supported the death penalty because it may make the world a little safer (Gutowski 2001). Although these covictims supported the use of the death penalty, they did not believe that the use of capital punishment inherently allowed for closure to be given to them through a court sentence.

Other covictims expressed their anger with the death penalty process, outlining the juxtaposition between supporting the death penalty and their uneasiness and doubt in not receiving closure or peace. A mother who had lost her son stated, "Seventeen years is way too long to wait for justice. And without justice there is no closure" (Tisch 2008). Similar to the other findings, justice is believed to be received through the death penalty, but the time it would take for "justice" to be served inhibited the ability for closure to be obtained. In another case, a covictim was asked if the execution would bring closure to them, to which the covictim replied that he was unsure if it would: "It ends it all, but it doesn't bring back the dads we loved" (Jennings 2000).

Want the death penalty, believe it brings closure. The small minority of opinion was found in victims' families that believed the death penalty brought closure. Important to note is that within these cases, closure was not always cited as the end all state of emotional well-being. In other

words, although a small percent of covictims believed they received closure, they did not consistently believe closure necessarily represented a definitive end or an emotional catharsis to their loss.

To illustrate, in the case against Eric Oxley, the victims' son stated, "This is not going to be over for us for a very, very, long time...we'll never recover from this. This brings some closure, but it does not bring back my mom..." (Associated Press 1999). "Never" being able to recover from the murder of a family member would seem to imply that true closure could not be received from an execution, although the covictim stated that a certain degree of [some] closure was obtained. In addition to revealing the contextual nature of closure, this passage also outlines the subjective nature in which closure can be obtained.

In a small amount of cases, covictims believed the execution (or a death sentence) actually brought both relief and closure. After the execution of Darrell Keith Rich, the brother of a victim stated that, "My family can finally gain closure...and my sister can finally rest in peace" (Jones 2000). In this instance, closure appears to take the form of peace. In the case against Ralph LeRoy Menzies, the victims' son stated that he could "have no closure...until this man [Menzies] is dead" (Broughton 2004). In this instance, closure is believed to be received as the result of death. These cases essentially encapsulate the entirety of the cases in which the covictims wanted the death penalty and believed it brought closure. Indeed, the predominate number of cases in which the covictim was for the death penalty and believed it brought closure also contained statements that contradict the notion of closure as a definitive end to a difficult time as illustrated by the article described above.

DISCUSSION AND CONCLUSIONS

Criminologists have shown that former justifications and support for the continued use of capital punishment are not supported by research (Bailey and Peterson, 1997; Christie 1977; Ehrlich 1975; Radelet and Akers 1996; Radelet and Borg 2000), and the public is aware of this (Gallup 2009; Gross 1998; Jones 2006; Sandys and McGarrell 1994). Replacing the traditional justifications for the continued use of the death penalty are the ideas of retribution and victim closure. As Bandes (2008) outlines, with this change in justification, emotional catharsis for the victims' family members has become the goal of the capital punishment system. This has resulted in the onus of capital punishment being placed on the victim's family.

While newspaper coverage certainly shows trends in public opinion and sentiment, concrete conclusions cannot be drawn from the current study due to the tendency of media outlets to represent upper-class interests and dominant ideologies (Schiff 1997). Newspaper stories may only cover capital punishment cases when the most

popular opinion is represented or when the story is of particular public interest. As Kudlac (2007) outlines, stories of public interest are usually concerned with terrorists, serial killers, mass murderers, or racial and gender-issued cases (Kudlac 2007). The true nature of public opinion is hard to separate from the nature of media outlets because they work reciprocally (Hoffman et al. 2007), but changes in the content and representation of these articles can aid in the interpretation of trends in public opinion, because newspaper articles reflect trends in public sentiment (Gallup and Newport 1991; Hoffman et al. 2007).

The results show a significant increase in covictim opposition to capital punishment in the nearly two decades following the ascendancy of retribution and closure as the primary justification offered for the death penalty. The growing covictim opposition to the execution of the offenders in their individual cases highlights the resistance of victims' families to accepting the responsibility for the state-sanctioned death of the offenders, specifically, and to the notion that the court can provide closure, more generally. The second main finding in the current study is that newspaper representations of capital cases in which the covictims support the execution of the offender receive significantly more words per article as well as significantly greater exposure within the newspapers than cases in which the covictims are against the execution. The broader scope and primacy of newspaper coverage given to the minority of cases in which the victims' families argue publicly in favor of execution suggests that the news media is reflecting and/or promoting the pro-capital punishment public sentiment still pervasive in society today. As stated above, firm conclusions cannot be drawn from the current study given the imprecise and often subjective nature of the newspaper data analyzed, but the findings do signal that covictims are increasingly opposed to capital punishment and do not believe the imposition of death brings closure.

The victim clemency movement elucidates many of the underlying problems with the current framework of capital sentencing. Of particular importance is that the uniform legal system is ill-equipped to manage the subjective experiences covictims have within capital punishment cases. Closure is a dynamic and subjective concept, and the covictim statements in the news data assessed in the current study clearly express reservations about the criminal justice system's ability to provide closure. Even more distressing is the fact that covictims are occasionally removed entirely from the court processes because of their opposition to capital punishment. Without considering the victim's family members, the courts cannot issue a sentence *in their name*. Instead, a sentence in the form of the death penalty, when applied uniformly, serves only to victimize the family. While some research does find that victim impact statements have the potential to sway the minds of the jurors and judges (Platania and

Berman 2006), most research concludes that victim impact statements have no discernable effect on sentence outcomes (Davis and Smith 1994a; Douglas, Laster, and Inglis 1994; Erez and Roeger 1995). Other research concludes that victim impact statements have little effect on sentencing outcomes and only provide the victim's family member with a feeling that they may be involved in the process and that this only causes the victim to become effectively silenced (Erez and Roeger 1995). The court system displays only the facade of victim inclusion (Erez and Roeger 1995).

There is nothing automatic about receiving "closure" from a capital offense and losing a family member. Capital offense trials can add to this tribulation. They continue for many years and can have a seemingly endless number of appeals, which causes many family members to associate the death penalty with an uncertainty in the ultimate outcome (Kanwar 2002; May 2000; Murder Victims' Families for Human Rights 2009). Because of this, even individuals who are "pro-death" are willing to accept a plea bargain in order to escape the unnecessarily drawn out court and legal processes that a death sentencing brings (Darby 2003; Cannizaro 2000; Jackson 2003).

The contemporary system that employs the death sentence is one that uses dated and broken logic. The current research showed a clearly defined trend of continued increases in clemency requests by covictims, but the media has obscured these clemency movements, possibly as a means of protecting the notion that closure is obtainable through a death sentence. However, research has clearly shown that most families do not receive closure through the imposition of the death penalty (Bandes 2008; Vollum and Longmire 2007; Kanwar 2002). Although the reasons for clemency requests are highly individualized, the outcome remains the same; the newspaper coverage highlights that more covictims are seeking alternatives to the lengthy death penalty process and more covictims are realizing that closure is not received as a result of the death penalty.

While many of the quotes featured in this research outlined the subjective and illusive nature of closure, Dianna Hoyt, who lost her child to murder, perhaps outlines this best when she stated, "You miss your children. To think of how she died, and how she suffered, there's no closure to that" (Wallsten 1996). While this passage does not imply whether Dianna is for or against the death penalty, what is clear is that closure cannot be simply handed to her by the court system at the conclusion of a sentencing.

Ultimately, the current research suggests that the experiences and perspectives offered by covictims in capital cases must be acknowledged in the ongoing contemporary discourse on capital punishment among the public, policy makers and criminal justice professionals. The American public continues to support capital punishment for the most atrocious crimes, mainly on the

basis of promoting closure to victims' families through retribution, but the evolving victim clemency movements and the prior research on covictim closure through capital punishment both suggest that the contemporary justifications for the death penalty do not accord with the lived experiences of covictims. Future research should further investigate the rise of the victim clemency movements with more detailed data that is independent of the subjective and often biased news media. Further, as the criminal justice system operates as a separate entity, detached from human emotion, future research should also investigate the feasibility of better including family members of murder victims in the court processes. This inclusion may better allow for covictims to determine the extent to which they believe they should be included in the court proceedings. As Arrigo and Williams (2003) outline, victim impact statements given during the sentencing phase of capital trials, the only court process in which covictims have the opportunity to participate (with the exception of witnesses in some situations), are an essential first step in integrating victims' families into court decisions (Long 1995) but do not sufficiently liberate covictims from anger, bitterness, and resentment (see also Erez and Roeger 1995b). The contemporary criminal justice system must be updated to transform victims' families from noncontributing outsiders (Davis and Smith 1994b) to active participants within the current capital punishment paradigm. As long as the legal system is structured in a way that overlooks the needs of the family, then true closure will continue to be elusive, and innocent people will be victimized at the hands of "justice."

Endnotes

¹ Vollum and Longmire (2007) also found that in 72.3 percent of the cases sampled, closure and healing were themes in victims' family member statements at the time of the execution. Additionally, 40.9 percent of the respondents indicated that the execution provided some form of healing; however, the researchers only found four cases (2.5 percent of the sample) in which the victims' family believed the execution brought "actual closure" (Vollum and Longmire 2007:606).

² There does exist some research on victim impact statements and the influence on jurors and sentencing; however, conclusions are mixed and incomplete. Platania and Berman (2006) found that jurors can be influenced by victim impact statements, but it is a complicated interaction. In their study, Platania and Berman (2006) found that victims who displayed hostile statements often left jurors with an anti-defendant bias. After the victim impact statement in these cases, jurors were more likely to become insensitive to trial evidence in favor of the defendant and were more likely to call for punitive punishment. Conversely, victim impact statements which

were sad in nature often lead to pro-defendant sentiment among the jurors and decreased punitiveness.

Other research concludes that victim impact statements have little effect on sentencing outcomes and only provide the victim's family member with a feeling that they may be involved in the process, and this only causes the victim to become effectively silenced (Erez and Roeger 1995). The court system has displayed only the facade of victim inclusion (Erez and Roeger 1995).

³ The authors would like to address the use of the term "movement." In the case of this article, the word "movement" refers to both a social movement concerned with the use of the death penalty and notions of victims' family members experience of closure, while also referring to a movement of perspective outlining that the paradigm of justification for the death penalty which currently rests on the basis of closure is changing.

⁴ Unfortunately, the search engine utilized did not allow for an assessment of newspaper venue or circuit decisions. Future research should address those components in order to provide a more comprehensive understanding of newspaper circulation and public opinion concerning the use of the term "closure."

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