



THE WESTERN CRIMINOLOGIST

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THE OFFICIAL NEWSLETTER OF THE WESTERN SOCIETY OF CRIMINOLOGY

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From the President

Sue Cote

California State University, Sacramento

As I reflect upon the six years I have been a member of this organization, I am touched by the memories of my interactions and experiences with so many of the dynamic and inspirational folks I have met along the path of my professional and scholarly development. I am also honored to serve the membership of the WSC and humbled by your faith in me to lead you as President for 2006-2007 year. Thank you! The WSC has given to me many opportunities and experiences that have not been matched by any other organization of which I am a member. This organization has provided me with a supportive group of colleagues with whom I can share my research and my teaching experiences. I look forward to continuing the spirit of the WSC as a welcoming intellectual and inspirational venue for professionals in the West who practice, teach, or conduct research in the fields of criminology, criminal justice, and social justice.

I would like to thank the Executive Board under the leadership of Gisela Bichler, now Immediate Past President and Stacy Mallicoat, Program Chair, and to all of the participants, for making our 2006 conference in Seattle a wonderful success. From my perspective, the conference demonstrated the uniqueness, hospitality, and professionalism that the WSC offers to participants year after year. These characteristics shine through in the diversity of participants' presentations and in the goals of the 2006-2007 Executive Board.

The Board continues to focus on increasing the geographic breadth of our membership. We have been doing some outreach with folks in other states which are not geographically represented in our membership. As President, I would like to see mailing and emailing efforts increased this year to get those brochures and other information out to folks with whom we have not connected. This may be a new task for our Membership and Publicity Committee members, Connie Ireland and John Vivian.

Student involvement has always been a wonderful hallmark of the WSC. This organization provides some monetary assistance to students through the June Morrison Scholarship Fund (application information is on our website). For the past couple of

years, we have not received many applications, so please encourage students to apply. The WSC also continues its tradition of the student paper competition. As of last year, the competition was renamed the Miki Vohryzek-Bolden (MVB) Student Paper Competition. The 2005-2006 Board made this decision as a way to honor Miki Vohryzek-Bolden for: 14 years of service to the WSC as former Editor of *The Western Criminologist*, being a strong advocate for student involvement, and her dedication to the writing process. This year, Connie Ireland and Hillary Potter will be responsible for reviewing papers that have been submitted and making award decisions.

The Site Selection Committee, Laurie Kubicek and Mary Maguire, has been very active this year with setting up hotel tours for potential conference sites. At the February meeting following the Seattle conference, the Board voted to hold the 2008 conference in Sacramento, California, which was also the location of our Spring meeting. The Board will hold its fall meeting in Boulder, Colorado in preparation of this location as the 2009 conference site.

There are other individuals working behind "the screens" to give the membership a superb conference in 2007. Adrienne Freng and Christine Famega are sharing Program Chair duties, which is a wonderful idea given the challenges of such an activity. With the Facilities and Local Arrangements Committee, Brenda Vogel has stepped up to the plate again and will likely hit another grand slam with her work on the meeting space, food, and equipment. Vice

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President John Vivian will be assisting Brenda this year with local arrangements in Arizona. Together, they will make a terrific team!

The Awards Committee, Stacy Mallicoat and Hillary Potter, will facilitate the WSC tradition of bestowing a number of different awards on individuals and/or organizations. Christine Curtis, who has done a superb job of organizing the Meet the Author sessions and the Book Exhibit, will exchange her Book Exhibit hat for one with the Nominations Committee. She is responsible for getting names and brief bios of people who may be interested in serving on the Board as an Executive Counselor. If you are interested in serving on the Board, please contact Chris for more information.

Bryan Kinney and Mary Maguire will be in charge of the Book Exhibit. They will be contacting and recruiting publishers to donate texts to our conference exhibit—proceeds from these book sales are deposited into the June Morrison Scholarship Fund. Michael Day continues to work as Secretary and Treasurer—he is an excellent WSC resource who would be happy to answer your questions should you give him a call or send him an e-mail. You may have already heard from Mike with respect to membership renewals and the Call for Papers. Other Board members include the two Editors of our online journal, the *Western Criminology Review*, namely Sharon Chamard and Andre Rosay. We are very proud of the quality of this publication and hope that you consider submitting your conference papers to this journal. Yvette Farmer serves as the Editor of our newsletter, *The Western Criminologist*, and invites you to contact her with pertinent information for our membership.

With the assistance of the Executive Board, I look forward to promoting what I deem to be the unique qualities of the WSC as I have discussed in this article: our membership diversity, the high quality and integrity of the work produced by our members, our accessibility and the support offered to individuals at all career stages, and our commitment to both knowledge, discourse, and social justice. Continue these traditions with me and plan to come to our 34th Annual Meeting in 2007. See you there!



From the Editor
Yvette Farmer

The WSC Executive Board members have been discussing the appropriate location of conference-related information. In the past, it has appeared in the newsletter and some of that type of information remains in this issue. The remarks from the keynote speaker at the most recent WSC conference in Seattle should be published in the next issue of the online journal—*Western Criminology Review*.

In an effort to see that the newsletter remains informative and continues to challenge its readers to critically evaluate important issues in criminology and criminal justice, you will see an article on lethal injection and an essay describing a prison visit. In *Miki's*

Reflections, you will also see some ideas that are sure to provoke important thoughts. If these pieces inspire you to share your thoughts in an upcoming issue of the newsletter, please let me know.

This is *our* newsletter and I would like to encourage all of the readers to take an active role in sharing important ideas and information with our membership. The deadline for receipt of materials will be August 1st. Ideas should be sent to Dr. Yvette Farmer, California State University, Sacramento, 6000 J Street, Sacramento, California 95815-6015. The telephone number is (916) 278-5062 or 278-6487 (msg).

I look forward to hearing your ideas, answering your questions, or addressing your concerns about the newsletter.



Miki's Reflections

Perhaps it is my age. Perhaps it is my recent retirement (aka career shift). Perhaps it is the fact that I read the Irish sporting pages (i.e., obituaries) everyday. What I do know is that too many people are getting serious illnesses and too many are dying young. This includes many of our family, friends, and colleagues in the criminal justice field. And too often, we forget to acknowledge and celebrate the achievements and accomplishments of our colleagues until it is too late.

In the early 1970s when I went to graduate school, there were not a lot of women pursuing doctorates in criminology. One of my classmates and dear friend was Linda Saltzman. She most recently worked at the Centers for Disease Control Division of Violence Prevention in Atlanta, Georgia. Her sudden and unexpected death in March 2005 at the age of 55 was tragic for her family, her friends, and the criminology community. As a colleague from CDC stated: "She connected research to policy and science to advocacy in ways that few people have ever done. She made so many of us more effective advocates for the women and children who need our help." Isn't that what we are all about in this field – making those connections that make others more effective change agents in their communities? What an incredible tribute to the lasting legacy of my friend Linda.

Perhaps Linda knew that she was highly regarded and respected in her professional community. Another friend Sherry and I believe she would have been blown away by the national and international response to her death. How wonderful to know that one's professional work and personal passion made such a difference in the lives of so many.

The Western Society of Criminology (WSC) has a number of awards that recognize individuals in the field for their various accomplishments. That is terrific and as a recipient of an award, I am most appreciative. I believe, however, that we need to do more, individually and collectively, to acknowledge our colleagues' achievements, big and small, and to let them know that they made a

difference in our lives.

The WSC Board should think about new ways to acknowledge its members. A column in the newsletter listing recent publications of its members is one way. Perhaps having our student members nominate one of their faculty for an ‘outstanding faculty mentor’ award. A committee would review the nominations and make a recommendation to the board. The ideas are only limited by our imagination.

Each of you should take a moment to think about the individuals who have influenced your career and make a call, send an email, or write a note. I still think about my thank you to my doctoral chair – a dinner with a Grand Marnier soufflé! I should have also written a thank you note. But I think he and his wife really enjoyed the soufflé.

Thank you for letting me continue to be part of the WSC. I value the friendships that I have developed over the years. My best to all of you during the coming academic year.



The following essay was written by Megan J. Gage who worked as student assistant for a research project examining prisons in California.

A Prison Visit

I walked into the yard and was floored. This was not like the other prisons. The women were walking in pairs around the yard, smiling jovially at us.

Seven other student assistants and I were involved in a research project that required conducting interviews of staff in the California state prisons. Sometimes, after meeting with prison employees, we were lucky enough to get a tour. Until now, we had visited only men’s facilities, which make up a majority of California’s 33 prisons.

Our tour guide made a point of conversing with each inmate we passed. He stopped a few and asked them to talk to us about their day. We entered a building where about 75 women were sitting and sewing, and our guide asked one of the women to lead us around the room. Eagerly she described her job there and explained that sewing had inspired her to enter the fashion industry once she completed her sentence. At the end of her speech, she informed us that this had been her first tour, and she asked how she had done. I was shocked; I could not believe she was not a plant, a pre-determined spokesperson for the success of rehabilitation. She spoke genuinely and meekly about her desire to do well in prison in order to be successful once she is released back into the community.

As we walked back into the yard, I was again stunned by the eager-to-please, sunny expressions on the faces of nearly every inmate in the prison. I did not know how to react. I was guarded, wary of the

cheerfulness around me. Most of my coworkers seemed to adapt right away to the friendly, ‘gee-whiz-aren’t-the-women-here-obedient’ atmosphere, but I hung back, confused, cautious. Not a week before, we had been on a tour of a men’s facility, obedient ourselves as we followed the strict instructions given ahead of time for acting appropriately in a prison: do not yell or call attention to yourself. Do not run. Do not wear brightly colored or revealing clothing. Do not talk to the inmates. Keep your I.D. in your pocket at all times. Bring your whistle. (Do not wear it around your neck, lest it be used to choke you.) Stay within the lines painted on the floor. Do not respond to the inmates’ cat-calls. Why were the rules relaxed now? Why did the women get smiles, hellos, conversation? Was I the only one uncomfortable with this blatant inequity? No one told me in advance that being buddies with the inmates would suddenly be appropriate and expected. In addition to being cautious, I was ashamed. Why could I not relax and treat these women as humans? Why did I feel the need to cling to that professional distance I had so carefully constructed visiting the men’s facilities?

It was because I had been tricked. Before the visits began, while swallowing instructions for prison protocol without question, I downed just as dutifully the assumption that the inmates we would see were so dangerous that their humanity couldn’t be acknowledged. My first prison tour was, not surprisingly, difficult—I had to deny vehemently any impulse to do more than nod cordially at the men. I wanted so desperately to smile, to chat, to find out what their hopes were, to hear about prison life. However, I knew we were there to gain insight about the system, so I looked straight ahead and suppressed the urge to run, to escape the palpable inhumanity.

At the women’s facility I was in an equally intolerable mental space, but this time I could not knuckle down and perform rehearsed reactions. I was seething. Why the inequity? Are the men really that much more violent than the women that they need to be treated like unpredictable animals? Statistically, men do commit more violent crimes than women. However, does that excuse their dehumanization? Shaking, I barely made it out of the facility and back into the van before I began crying. The distance I had so diligently created over the past weeks was gone in a snap, and it was suddenly clear to me that I had been quite content to ignore the personhood of thousands of men just because I had been told to. How can California ever expect to lower the rate of recidivism if an outsider like me, someone with no exposure to criminal justice as a discipline and no prior knowledge of the prisons, can be so quickly and seamlessly inducted into a system that ensures these men know they are so dangerous that those around them find treating them as humans to be a risk not worth taking?



Lethal Injection: A Humane Way to Die?

Laurie M. Kubicek, JD
Sacramento State University

As the debate over state sanctioned executions wears on, the focus around this debate seems to be changing. Death penalty abolitionists seemed to have won an enormous battle with *Furman v. Georgia* in 1972 when the United State Supreme Court declared Georgia's application of the death penalty unconstitutional. Immediately, state legislatures (including Georgia's) went back to the drawing board in an effort to remedy what the Court struck down from their sentencing schemes. In a matter of just four years Georgia had managed to change its statute and had another case before the High Court. In *Gregg v. Georgia* the new sentencing scheme required bifurcated trials — one for guilt and one for sentencing — and required the specific finding of “aggravating circumstances” by the jury. This new scheme led the Court to determine that Georgia had solved their constitutional problem. As a result, states across the country were able to reevaluate their death penalty statutes in light of *Gregg* and maintain the punishment of death as a constitutional criminal sanction.

In the over thirty years since *Gregg*, abolitionists have gone back to work in an effort to demonstrate that punishment by death is cruel and unusual, violating the Eight Amendment to the United States Constitution. Litigation over the years has resulted in the abandonment of specific methods of execution, such as electrocution, which was finally banned by the state of Georgia in 2000. Georgia was the last of the 38 states to impose the death penalty by electric chair. Across the country in the years since *Gregg* death row inmates have sought to overturn their sentences on the basis that the manner of execution in their respective state is cruel and unusual punishment in violation of the Eight Amendment. This is true in California, where execution is done by either lethal gas or lethal injection, depending upon the choice of the prisoner. California is the backdrop for one of the most interesting challenges to the death penalty in recent years. In *People v. Morales*, Michael Morales was convicted in Ventura County Superior Court of the 1981 rape and murder of a 17-year-old girl named Terri Winchell. Morales unsuccessfully appealed his conviction and began appealing his sentence as cruel and unusual under the Eighth Amendment.¹ Morales's argument is that during executions by lethal injection under the current method, prisoners may be conscious during the execution and experience extreme pain during the process of dying.

Consequently, Morales's case currently pending before the Federal District Court for the Northern District of California is of great significance to death penalty advocates on both sides of the issue. Judge Jeremy Fogel stayed Morales's execution indefinitely in light of the state's inability to comply with his order that licensed medical personnel administer the lethal injection to Morales. Judge Fogel's order required that licensed medical personnel administer the lethal dose of drugs directly into Morales's veins — rather than administering them intravenously through tubes coming from outside the execution chamber. This meant that prior protocol

of having prison medical personnel administer the lethal dose of drugs from outside the death chamber was unacceptable. Two anesthesiologists initially agreed to participate in the procedure, but withdrew at the last minute, leaving the state unable to move forward with the execution. Their withdrawal was on the basis that they could not participate directly in the execution and at the same time uphold their Hippocratic Oath. The state responded by presenting evidence that administering a sedative continuously during the entire execution would ensure unconsciousness and protect against the risk of unnecessary pain or suffering by the inmate. However, Judge Fogel rejected that argument and ordered a hearing to determine the constitutionality of the lethal injection method now being employed in California. That hearing is scheduled to take place in September of 2006. A series of other cases nationwide with very similar issues are currently making their way through the courts as well.

What comes next in the battle over the death penalty is difficult to foresee. The legal argument in the *Morales* case does not present an opportunity to abolish the death penalty altogether, much like *Furman* did in 1972, it presents an opportunity to ban the death penalty “as it stands now”. What history has taught about charting this course to abolish the death penalty is that it doesn't present a final end to the argument. Even if *Morales* is successful in his appeal and the method of lethal injection currently utilized across the country is deemed unconstitutional under the Eighth Amendment, the death penalty as a punishment is still constitutional. It seems almost certain that as medical science advances, a solution to the problems posed by the risk of consciousness or feeling of pain experienced when using the current method of lethal injection will be discovered. Some other more “humane” method of execution will likely present itself and leave death penalty opponents right back where they started. While the *Morales* case and others like it might be chipping away at the death penalty as part of American jurisprudence, the better course of action might arguably be more direct. Rather than attacking the method of execution, opponents should focus their attack on the state sanctioned execution of prisoners itself as cruel and unusual punishment.



An invitation to share your thoughts...

As a community of scholars in academia and various professional agencies, we undoubtedly have many thoughts that we could share with each other. Do you feel strongly about a certain topic? Would you be willing to write about it? Do you believe that others would enjoy reading it? If you answered ‘yes’ to these questions, please consider sending me an article that I can publish in this newsletter. Your thoughts may benefit all of us and should be sent to Yvette Farmer at drfarmer@csus.edu.



Thoughts from the Plenary Speaker:

D. Kim Rossmo

Kim Rossmo, Research Professor in the Department of Criminal Justice at Texas State University-San Marcos, presented information on criminal investigative failures that lead to unsolved crimes, unsuccessful prosecutions, and wrongful convictions. According to Rossmo, sensory inputs are limited—people have cognitive biases (e.g., tunnel vision) and memory limitations. Although there is a temptation to make intuitive decisions during an investigation, reasoning requires more effort and may produce better outcomes.

There are several biases in the evaluation of evidence including errors in thinking and organizational traps. The *Prosecutor's Fallacy* is one type of thinking error and refers to the idea that 'a good match means a person is guilty.' This isn't always true and it's important to consider alternative explanations. Organizational traps include *groupthink* where there is a reluctance to think critically and challenge dominant theory. This occurs when there is pressure to make important decisions in a highly cohesive group. The negative outcomes that result from this and other organizational traps include selective information gathering, examination of few alternatives, lack of critical assessment, and failure to develop contingency plans.

Rossmo offered a number of strategies to avoid investigative failures. They include: 1) training in the cause and prevention of investigative failures; 2) encouraging critical thinking and open inquiries; 3) listing assumptions held by investigators; 4) obtaining expert opinions and external reviews; and 5) debriefing after an investigative failure. Adopting these strategies should help: investigators solve more crimes; district attorneys successfully prosecute cases; and defendants avoid serving time in prison after being wrongfully convicted.



WSC Awards 2006

Recipient of the Western Society of Criminology Fellows Award 2005-2006:

Robert Crutchfield

Recipients of the Western Society of Criminology Awards 2005-2006:

The Paul Tappan Award- For Outstanding Contributions to the Field of Criminology – Michael Radelet

The Joseph D. Lohman Award- For Outstanding Service to the Western Society of Criminology – Cynthia Burke

The June Morrison-Tom Gitchoff Founders Award- For Significant Improvement in the Quality of Justice – Washington State Institute for Public Policy

President's Award- For Contributions to the Field of Criminology and Positive Influence on the Current President's Career – Paul Brantingham

W.E.B. DuBois Award- For Significant Contributions to the Field of Racial and Ethnic Issues in Criminology – Julius Debro



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WESTERN SOCIETY OF CRIMINOLOGY

34TH ANNUAL CONFERENCE

RADISSON FORT McDOWELL RESORT & CASINO

SCOTTSDALE, ARIZONA

FEBRUARY 15 - 18, 2007

We encourage you to mark your calendar for the 34th Annual Conference of the WSC. The theme of the conference is *The Social and Political Landscape of Crime and Justice*. The Program Chairs are: Dr. Christine Famega, Department of Criminal Justice, CSU San Bernardino, 5500 University Parkway, San Bernardino, CA 92407 and Dr. Adrienne Freng, Department of Criminal Justice, University of Wyoming, 1000 E. University, Dept. 3197, Laramie, WY 82071. Please contact Dr. Famega, Dr. Freng, or check out our website - www.sonoma.edu/cja/wsc/main/html for detailed information on the conference. We look forward to seeing you in the picturesque Southwest!

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