Greetings! I am writing this column the day after the conclusion of our 2012 conference in Newport Beach, CA. At the outset, I want to thank everyone who participated in the conference. We experienced some challenges this year ranging from our keynote speaker being unable to attend due to a serious car accident that all but shut down Interstate 5, to our host hotel making a number of last minute changes on us that seriously impacted our use of its space. But everyone’s positive energy, understanding, and scholarly contributions helped to make for a successful conference in spite of the unexpected challenges we faced.

A total of 160 people participated in the 2012 Newport Beach conference. Our first poster session brought faculty and students together to talk about research over some yummy appetizers. Katy Irwin gave a moving and poignant tribute to her father, the late John Irwin, whom the WSC honored with the Founders Award this year. W.E.B. DuBois Award winner Delores Jones-Brown reminded us of the important role scholars can play by actively working to promote racial and ethnic equality in the justice system. And Michael Gottfredson, both a WSC Fellow and past recipient of the Paul Tappan Award, delivered a fascinating plenary presentation addressing the "More Police, Less Imprisonment" question.

The conference was supported this year by generous sponsors. I want to express our gratitude to our two Platinum Sponsors: Arizona State University and Simon Fraser University, and our five Gold Sponsors: California State University, Fullerton; California State University, Long Beach; San Diego State University; the University of California, Irvine; and the University of Missouri, St. Louis.

The WSC simply could not exist without their institutional support. Indeed, we would run a deficit but for their generosity. Accordingly, we are indebted to them not only for helping to make the conference the success that it was, but also for the WSC’s continued viability as an organization. So thank you to all of our institutional sponsors!

In the coming year, the WSC will be focusing on three priorities. First, under the capable leadership of Stuart Henry, Christine Curtis, and Karen Glover, Western Criminology Review will continue to improve. In the past year, the acceptance rate of our journal has hovered around 15%, making it highly selective. We expect WCR to transition to an online submission system this year either through an open source publishing software package that we will integrate into our website or through a move to having the journal produced by a professional journal publisher. Stay tuned for updates on that front! (cont’d on next page)
Second, we are currently exploring forming an institutional partnership with the University of California Press. I will report back to the membership in the fall newsletter with an update on this exciting possibility. Third, we have some big plans for our 40th anniversary conference next year. The conference will take place in February 2013 at the Berkeley Doubletree Hotel. The Board is already hard at work planning some special panels and events. Please see the call for participation later in this edition of *The Western Criminologist* for more details about presenting at the conference. We hope you will choose to share your scholarly thoughts with us!

I want to extend a warm welcome to our new Board members: Ryan Fischer (CSU Long Beach), Victor Rios (UC Santa Barbara), Erich Schellhammer (Royal Roads), Sam Vickovic (Arizona State), and Jill Rosenbaum (CSU Fullerton). Jill, a former WSC President, has graciously agreed to spend one year on the Board as an Executive Counselor-at-Large to help plan special events for our 40th Anniversary meeting next February. As these people join our Board, we bid a grateful farewell to Christine Gardiner (CSU Fullerton) and Charles Katz (Arizona State) who have completed three years of dedicated service on the Board. Thankfully, our outgoing President, Mary Maguire (CSU Sacramento) will remain on the Board for one more year, helping guide us with the knowledge she has accumulated since she first joined the Board in 2006. We are very fortunate to have Becky Nash (Simon Fraser), our former student representative, returning as a special assistant to the Board. I also want to welcome back Dina Perrone (CSU Long Beach) and Jennie Singer (CSU Sacramento), both of whom have graciously agreed to spend a second year as Executive Counselors-at-Large. And, I am thrilled to announce that we have a new Secretary-Treasurer: Vanessa Burrows (CSU Long Beach). We thank Vanessa for her willingness to serve in this most important of capacities and we again thank Andrea Schoepfer (CSU San Bernardino) for her years of service in this role until a new Secretary-Treasurer was appointed! Last, but not least, we are very grateful to have Yvette Farmer (CSU Sacramento) returning as the Editor of our newsletter, *The Western Criminologist*.

Most if not all readers know that the WSC is special organization. We are intimate group of highly collegial people who come together annually not only to exchange ideas, but also to enjoy each other’s company. I am honored to be serving as the WSC President this year. I look forward to working with our incredibly dedicated Board members and to your own active participation in our Society!
there is way too much imprisonment at a time when the crime rate is historically low.

According to Gottfredson, the research literature demonstrates that the criminal justice system doesn’t deter crime—imprisonment doesn’t reduce crime. Still, there has been an increase in police and a decrease in the crime rate. Although the public accepts this relationship, Gottfredson claims that it does not reflect a deterrent effect. Instead, the relationship can be explained using Control Theory.

Gottfredson examined the hypothesis that prison populations can be reduced if we hire more police. He claims that focused policing (e.g., hot spots) can impact the local crime rate. He discussed the new ‘Dirty Harry’ effect that occurs when a policeman is at an offender’s elbow—this practice can dissuade the most persistent offender. The general idea is that if an agency puts enough cops in an area, people are less likely to commit crime. Focused or intensive policing is not without its problems, however. According to Gottfredson, this type of policing results in more arrests and more incarceration. So, this practice may not be the solution to reducing imprisonment.

There has also been a decline in social problems such as alcohol-impaired driving, teen pregnancy, and school dropout rates. According to Gottfredson, this reflects evidence of an increase in self-control. As an individual strengthens his or her bonds to society, that person yields some liberties to create safety, peace, and stability. In other words, with stronger bonds to society, the individual is less inclined to engage in deviant or criminal activities.

Gottfredson claims that there is evidence to support early childhood intervention as a means to strengthen bonds and reduce the crime rate. For example, good parenting and programs that increase one’s self-control can reduce delinquency rates. Some people believe that the public won’t tolerate a prevention-focused strategy, but Gottfredson doesn’t believe that idea is true. He believes the public will accept such a strategy, especially since it can save money that would otherwise be spent on the criminal justice system.
RUN FOR ELECTION TO THE WSC EXECUTIVE BOARD

Each year, the Western Society of Criminology elects two or three Executive Counselors to serve three-year terms. And, each year, the WSC also elects one person to serve three consecutive years in the offices of Vice President, President, and Immediate Past President, respectively.

Board Members:

- form the policies of the WSC;
- determine the date, location, and general program of the Annual Meeting;
- ratify the budget for the WSC;
- review the accounts and disbursements of the WSC;
- act on resolutions submitted by the Resolution Committee;
- coordinate a book exhibit to raise scholarship funds for students each year;
- select editors for our journal, the Western Criminology Review; and
- select award recipients from the slate of people nominated by the general membership of the Society.

We hope that you will choose to get more involved with the WSC by running for election to the Board! Nominations, including self-nominations, are welcome. Please contact Dr. Marie Griffin, Chairperson of the Nominations Committee, for more information.

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AWARDS NOMINATION ANNOUNCEMENT

Nominations are sought for the following awards bestowed by the Western Society of Criminology:

- **Paul Tappan Award** for outstanding contribution to the field of Criminology.
- **Joseph D. Lohman Award** for outstanding service contributions to the Western Society of Criminology.
- **June Morrison – Tom Gitchoff Founders Award** for significant improvement of the quality of justice.
- **W.E.B. DuBois Award** for significant contributions to the field of racial and ethnic issues in Criminology.
- **Fellows Award** conferred upon individuals generally associated with the Western region who have made important contributions to the field of Criminology.

Nominees do not need to be WSC members.

Nomination letters and supporting materials should be sent to Dr. Kim Richman, via e-mail to kdrichman@usfca.edu. Nominations must be received by 5:00 p.m. PST on August 1, 2012.

FOR STUDENTS

**June Morrison Scholarship Fund**: The June Morrison Scholarship provides supplemental funds ($250-$300) to support student member participation at the annual conference. A maximum of two awards will be made to students attending the annual meeting of the WSC. To be eligible for the June Morrison Award, students must present a paper at the annual conference. Conference registration and membership dues must be paid prior to the scholarship being selected. To complete your application, a faculty sponsor must provide a brief (no more than one page) emailed statement of recommendation for your award. Your emailed application letter (no more than one page) should include the following:

1) full contact information: name, address, phone number, and email;

2) the name of your school, department, and whether you are a graduate or undergraduate student;
3) a brief statement indicating that you are applying for the travel award and how conference attendance will be valuable to you, including how it will relate to future career plans;

4) title and abstract for your proposed paper presentation.

Applications and faculty recommendations should be sent via email to Dr. Kim Richman (kdrichman@usfca.edu) and must be received by 5:00 p.m. PST on November 1, 2012.

- Miki Vohryzek-Bolden (MVB) Student Paper Competition: Any student currently enrolled full- or part-time in an academic program at either the undergraduate or graduate level is eligible to submit a paper to the Student Paper Competition sponsored by WSC. Papers co-authored by faculty will not be considered. All entries must be related to criminology or criminal justice. Appropriate types of papers include but are not limited to policy analyses, original research, literature reviews, position papers, theoretical papers, and commentaries. Papers must not exceed 30 pages (all inclusive – text, references, tables, notes, etc.). Papers exceeding this limit will not be considered. Papers must be double-spaced, 12pt font, one inch margins, and conform to a standard format for the organization of papers and citation. Students selected for this award will be recognized at the conference and will receive a cash award ($125 for first place and $75 for second place) and registration reimbursement. Additionally, if the award recipient desires, the best paper will be submitted for review to the Western Criminological Review. Papers should be sent via email to Dr. Kim Richman (kdrichman@usfca.edu) and must be received by 5:00 p.m. PST on December 1, 2012.

AN INVITATION TO SHARE YOUR THOUGHTS AND WORDS…

The scholarly exchange of ideas and experiences that takes place between academics and professionals in Criminology and Criminal Justice enriches all of us. If you feel strongly about a certain topic, would be willing to write about it, and believe that others would enjoy reading it, please consider sending me an article that I can publish in the newsletter. Your thoughts and words may inspire another person and should be sent to Yvette Farmer at drfarmer@csus.edu.

COME JOIN US!
WESTERN SOCIETY OF CRIMINOLOGY
40TH ANNUAL CONFERENCE
BERKELEY, CA – FEBRUARY 7-9, 2013

Mark your calendar!

Hotel: DoubleTree Berkeley Marina
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Berkeley, CA  92660
1-800-441-1414

Rate: $159 +tax/night

Mention Western Society of Criminology Annual Conference to receive group rate*; rate is good for 3 days pre- and post-conference.

*Rates are subject to availability.

The Call for Papers appears in this issue, but you may also want to visit our website (www.westerncriminology.org) for additional information.

Submission Deadline for Abstracts is:
October 1, 2012

We look forward to seeing you in Berkeley!
Miki Vohryzek-Bolden

In 2008, the Pew Center on the States’ Public Safety Performance Project reported that more than one in every 100 adults in America is in jail or prison. The report states that for all the money spent on corrections today, there has not been a clear and convincing return for public safety. More states are reassessing their reliance on prisons for lower-level offenders and finding strategies that hold offenders accountable without being so fiscally prohibitive for the taxpayers.

California, like many other states, is experiencing fiscal constraints that have forced our lawmakers to reconsider its correctional investment in light of what we know: imprisonment has reached counterproductive levels, particularly in the case of low-level drug offenses and other non-violent crimes; criminal justice policies that rely primarily on building and operating more prisons are not sustainable and will not result in improved public safety; and correctional costs are simply too high and the benefits way too low.

Assembly Bill 109 [Chapter 15, Statutes of 2011], The 2011 Realignment Legislation Addressing Public Safety, was signed by Governor Jerry Brown and became effective on October 1, 2011. The legislation has numerous elements but in essence it ‘realigned’ state and local government responsibilities for persons convicted of certain non-serious, non-violent, and non-registerable felonies. The law also put a lowered cap on the sentences for certain crimes and mandated that sentences for many felonies now be served in county jail rather than state prison.

The stated goal of this legislation was to reduce prison crowding, comply with federal court orders, reduce state corrections costs, and improve public safety by providing proven and relevant programming to felons in their communities. As acknowledged in the realignment bills themselves and reported by the California Legislative Analyst Office, the Legislature has additional work to do to develop the financial architecture of the 2011 realignment, determine the appropriate level of financial and programmatic flexibility to provide counties, and create the right fiscal incentives and accountability mechanisms.

Why does realignment work? Available data suggest that programs are more effectively controlled by local government if the program is closely related to other local government programs, program innovation and experimentation are desired, and responsiveness to local needs and priorities is important. In addition, placing full control over program governance and financing to a single level of government reduces fragmentation of government programs and focuses accountability for program outcomes.

The implementation phase of this effort is absolutely critical. Each county created an Executive Committee with its local Community Corrections Partnership with mandated representatives that were directed to develop a plan that employed evidence-based correctional sanctions and programming and encompassed a range of custodial and non-custodial responses to criminal or non-compliant activity. AB 109 gave counties almost complete discretion about how to spend the money and provide services to these realigned populations.

There is not space here to provide an overview of what the counties are doing at this time. I am personally very concerned that many counties did not have the time and/or expertise to conduct an assessment of the various factors that might influence the selection of program options [e.g., current jail population, risk and needs assessments, crime rate, existing programs]. One expects variability in approaches due to these factors, but the state needs to be assured that the selection of programmatic options by the county representatives is responsive to the intent of the legislation.

In summary, AB 109 represents one of the most dramatic shifts in criminal justice policy that we have seen in California in decades. Now it rests with the counties to tackle the many thorny issues inherent in this legislation. As noted earlier, implementation is one key aspect but another critical issue is the collection and analysis of relevant data to document the impact of this program. I have conducted numerous evaluations over the past twenty years and recognize how challenging this will be for the counties to ensure that the data are relevant and complete. Too often, there are so many limitations in the data that it is extremely difficult to make informed and conclusive statements about the actual impact of the program on public safety. My hope is that all the relevant stakeholders recognize the importance of this policy shift to the future of California and its citizens and agree to participate in ways that will ensure the success of this realignment in the long term.
In United States v. Jones (Jan. 23, 2012), the U.S. Supreme Court unanimously held that attaching a GPS device to a vehicle and then using that device to monitor the vehicle’s movements constitutes a search under the Fourth Amendment. As such, police need a warrant before they may lawfully install a GPS tracking device. At first blush, the case may seem like a victory for privacy rights. But upon closer analysis of the Court’s rationale, Jones is, at best, a very narrow decision and might actually herald a retreat from the Fourth Amendment privacy rights that have prevailed since 1967.

Following English tort law, the U.S. Supreme Court originally adopted a trespass-based approach to the Fourth Amendment by examining whether law enforcement physically intruded into a constitutionally protected area. Thus, in Olmstead v. United States (1928), the Court held that wiretapping was not covered by the Fourth Amendment because there had been no physical invasion of the defendant’s premises—the wiretap had not been installed on the defendant’s property. Similarly, in Goldman v. United States (1942), the court found no search or seizure under the Fourth Amendment when police placed a listening device against a wall in an office that adjoined the defendant’s office, again relying on the lack of a physical intrusion. But this approach was abandoned by the Court in Katz v. United States (1967). In Katz, FBI agents had attached an electronic listening and recording device to the outside of a public telephone booth to overhear telephone conversations. They used this device to record the defendant obtaining gambling-related information and placing illegal bets.

In a major reversal of its prior physical invasion of property rights line of analysis, the Katz Court held that the FBI’s actions violated the Fourth Amendment because the use of a recording device violated the defendant’s reasonable expectation of privacy in his phone conversations. Since then, Katz has been understood to govern Fourth Amendment privacy rights using a nontrespass-based privacy inquiry in which a person seeking the Fourth Amendment’s protection must have demonstrated an actual (subjective) expectation of privacy that society is prepared to recognize as objectively reasonable. Thus, judges and scholars alike have interpreted Katz as having overruled Olmstead. Indeed, the U.S. Supreme Court itself has told us so repeatedly! Consider that in 2010 alone, the Court cited Olmstead for historical purposes in two cases and they used the exact words, “overruled by Katz….” They did so in a criminal case, City of Ontario, Cal. v. Quon (2010), and in a civil one, Citizens United v. Federal Election Com’n (2010). In fact, in the Citizen’s United decision, the majority cited Katz alongside Brown v. Board of Education (1954) as examples of cases in which the Court overruled its own precedent in spite of the principle of stare decisis. Accordingly, many were surprised to learn that a Fourth Amendment claim would be adjudicated in 2012 using a property rights approach rather than Katz’s reasonable expectation of privacy framework.

Justice Scalia wrote the majority decision, joined by Justices Roberts, Thomas, and Sotomayor. Justice Alito wrote a concurring opinion, joined by Justices Ginsburg, Breyer, and Kagan, in which he strongly criticized the majority’s resurrection of Olmstead. He argued that Katz’s privacy framework should have been applied. However, Alito clearly would have upheld the installation and monitoring of the GPS device, at least in the short-term. Alito’s concurrence freely acknowledges that technology may reduce expectations of privacy and, therefore, diminish the protections of the Fourth Amendment. Only Justice Sotomayor’s separate concurring opinion embraced the notion that the use of GPS technology to monitor someone’s movement would be constitutionally suspect under the Fourth Amendment in the absence of a physical trespass to property. But none of the other members of the Court joined in her decision, leaving us to continue to wonder about the scope of the Fourth Amendment as it applies to tracking technology. Thus, the Court failed to address a pressing need for law enforcement who must continue to wonder whether GPS monitoring without a physical trespass (such as when employing real-time, cell-phone tracking) is constitutionally permissible. Instead, the Court opted for a very narrow decision. Jones only applies when someone enjoys a property right, but lacks a reasonable expectation of privacy. Such cases will be quite rare. In fact, the majority in Jones seemingly anticipated the situation in which Jones would most likely make a difference—namely a property owner’s open lands—and attempted to foreclose the case’s application to such a circumstance by writing, “Quite simply, an open field, unlike the curtilage of a home, is not one of those protected areas enumerated in the Fourth Amendment.”

Like a character in a George Romero zombie movie, it seems that Olmstead has come back to life more 45 years after we thought it was dead. Whether Olmstead’s new life represents a very narrow expansion of privacy rights or the privacy-rights equivalent of a zombie apocalypse remains to be seen. I, for one, I am seriously hoping for the former and not the latter.
CALL FOR PARTICIPATION
WESTERN SOCIETY OF CRIMINOLOGY
40TH ANNUAL CONFERENCE
FEBRUARY 7-9, 2012 • BERKELEY, CA

✈ Please note that the deadline to submit abstracts is October 1, 2012 ✈

PANEL TOPICS

• COURTS AND JUDICIAL PROCESSES (INCLUDING SENTENCING)
• CORRECTIONS
• CRIME ANALYSIS (INCLUDING GEOGRAPHY & CRIME AND SOCIAL NETWORKS & CRIME)
• CRIMINOLOGICAL THEORY
• CYBERCRIME
• DRUGS/SUBSTANCE ABUSE & CRIME
• GENDER, SEXUALITY, & CRIME
• JUVENILE JUSTICE
• LEGAL ISSUES IN CRIMINAL JUSTICE (CRIMINAL LAW & CRIMINAL PROCEDURE)
• ORGANIZED CRIME & GANGS
• SEX CRIMES
• TEACHING (PEDAGOGY & ASSESSMENT IN JUSTICE EDUCATION)
• TERRORISM
• WHITE COLLAR CRIME

The Abstract Submission System will be online by July 1st. To access it:

From our Home Page, navigate to the Conference page and then click the link in the table which says Present: “Press here to be taken to our online Abstract Submission System.” Again, please note that such a link will not be available until after July 1st.

In deciding the most appropriate topic area for your abstract, think about the main focus of your paper and how it might fit within a panel organized around a larger topical theme. For example, if your paper examines both race and juvenile issues, think about whether you would like to be placed on a panel with other papers discussing race issues or other papers dealing with juvenile issues and then submit it to the topic area in which you think it fits best.

All presenters are asked to submit an abstract of 1,100 characters or fewer to only one of the panel topics listed above (on or before October 1, 2012). In addition to the abstract, please include the name, mailing address, email address, and phone number for all authors on the submission for the participant directory. Note that all presenters must pre-register for the conference by January 4, 2013.

All proposals must be electronically submitted through the WSC's online Abstract Submission System
The fifth annual Critical Criminology and Justice Studies Mini-Conference will be held in Berkeley, CA on February 7, 2013—the first day of the 40th Annual Conference of the Western Society of Criminology. The call for papers for the CCJS meeting will be announced in summer 2012. Please note that, as in previous years, this will be a separate submission process from that of Annual Conference of the Western Society of Criminology. Contact Dr. Karen S. Glover at kglover@csusm.edu to be added to the mailing list for the CCJS Call for Participation.

This summer, the Western Criminology Review will publish a special issue of the papers presented at the third annual CCJS Mini-Conference in Vancouver, BC. A call for papers for a third special edition of the Western Criminology Review will be issued in the coming weeks. Individuals who presented papers in Newport Beach are encouraged to submit their work to the co-editors—Professor Christine Curtis, Dr. Karen S. Glover, and Dr. Stuart Henry. (Submissions are accepted at EditorWCR@gmail.com)

The Western Criminology Review is the official journal of the Western Society of Criminology, and we invite all presenters to submit their research to the journal. Published three times a year, WCR is an on-line, peer-reviewed outlet for scholarly research in all matters important to criminology and criminal justice. The journal is intended to reflect local (Western), national, and international concerns. The following are titles from a recent issue of WCR, Volume 12, No. 3 November 2011:

College Student Victims and Reporting Crime to the Police: The Influence of Collective Efficacy, by Timothy C. Hart and Violet Colavito

Public Perceptions of School Resource Officer (SRO) Programs, by Brad A. Myrstol

Blame the Media? The Influence of Primary News Source, Frequency of Usage, and Perceived Media Credibility on Punitive Attitudes, by Courtney A. Waid-Lindberg, Rhonda R. Dobbs, and Tara O’Connor Shelley

Examining the Intersection of Self-control, Peer Association and Neutralization in Explaining Digital Piracy, by Catherine D. Marcum, George E. Higgins, Scott E. Wolfe, and Melissa L. Ricketts

Early Adult Outcomes of Male Arrest Trajectories: Propensity versus Causation Effects, by Margit Wiesner, Deborah M. Capaldi, and Hyoun K. Kim

The Influence of Nondiagnostic Information and Victim Stereotypes on Perceptions of Guilt, by Daniel M. Rempala and Andrew L. Geers

Rush to Judgment: Prisoners’ Views of Juvenile Justice, by Frank Butler

Structural Shifts in Select Determinants of Crime with a Focus on Rural and Urban Differences, by Steven C. Deller and Melissa W. Deller

Manuscripts are submitted electronically, and all correspondence is conducted online to speed up the review process. Due to the advantages of being an online journal, there are no page, color, or appendix restrictions; therefore, authors can include hypertext links and images at their discretion. Our evaluation process of submitted papers involves a brief internal consideration by editorial staff, followed by a blind assessment by at least two external reviewers. Replies and Comments to previously published articles are encouraged. All submissions should be formatted according to the journal’s guidelines for manuscripts, which can be found on the WCR website at http://wcr.sonoma.edu. Persons interested in submitting their work to the WCR should send inquiries to co-editors Stuart Henry and Christine Curtis, San Diego State University and Karen Glover, California State University, San Marcos. Send all new submissions via e-mail as an attachment to EditorWCR@gmail.com.
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