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Insights and Strategies for Confronting Violence: Conference Proceedings

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Summary

This volume collects 25 papers based on presentations at the 1982 Conference on Violence sponsored by the Justice Center at University of Alaska Anchorage, which was held October 11–13, 1982 in Anchorage. Part I, “Violent Behavior and Contributing Factors,” presents papers focusing on sexual abuse, police violence, and political violence. Additionally, firearms, alcohol, and the media are discussed as contributing factors to violence. Part II, “Control, Treatment and Prevention of Violence,” highlights traditional and alternative strategies for combating violence. In particular, research findings and models are presented that center on domestic violence, sexual abuse, violent juvenile and adult crime, crime against children, and the criminally insane. Part III, “Victims of Violence,” gives attention to traditional victim services as well as proposals for alternative programs for victims of violence. In addition, there is a discussion of people experiencing homelessness as victims of violence. Part IV, “Public Policy and Violence,” focuses on macrolevel issues of violence. The lead article presents a policy perspective in connection with violence in Northern Canada. Other issues addressed in the remaining articles are public policy and victims of violence, resource management and violence control, legal ramifications of censoring violence in the media, and use of research in combating violence.

Additional information

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**INSIGHTS AND STRATEGIES FOR CONFRONTING
VIOLENCE: CONFERENCE PROCEEDINGS**



**The Justice Center
School of Justice
University of Alaska, Anchorage**

**INSIGHTS AND STRATEGIES FOR CONFRONTING
VIOLENCE: CONFERENCE PROCEEDINGS**

Edited by

Knowlton Johnson
School of Justice
University of Alaska, Anchorage

June 1983

Proceedings of the 1982 Conference on Violence which was sponsored by the Justice Center, the research component of the School of Justice, University of Alaska, Anchorage.

FOREWORD

Introduction to the Conference

It is an American trait to be in love with statistics. As you notice, one of the headlines over the weekend was "Anchorage passes the 200,000 mark." Now that I'm involved in the municipal budget during this time of year, we're also awash with statistics on who does what to whom. One of the statistics that I think, in a very sad way, is one of our leading indicators is the level of violence in this community. I think the ripple effect of it, which I have seen in our own municipal services, is not just a matter of law enforcement, but is found throughout every agency in the municipality as we try to deal with not only the incidence of violence, but the effects of it throughout the municipality.

There's a lot of talk about quality of life in the community. Oftentimes that talk is about streams and grass and open places. Yet, when you get right down to it, I think there's no question but that the quality of life in the community is tied to the level of violence. That's the real agenda of this community. I think we can see it in reference to public officials who, in many ways, are legitimately reacting to the concerns of the citizens. What we need now, and indeed what we're looking to from this conference, is first, some leadership in terms of providing some of the answers, an understanding of causes, and perhaps from that formulating some strategies and tactics for prevention which is purely our most beneficial approach. Then, we are looking to this conference for some of the ways of highlighting the concerns of how we can deal with the victim. I can assure you, from the municipality's point of view, that we hold out great anticipation for some of the ideas you may formulate here and can pass on to us.

Tony Knowles Mayor of Anchorage

This conference is an enlightened approach -- bringing together all of the elements, the laws, policy, courts, the correctional institutions, law enforcement and prevention programs. For all these possible interventions and social controls on social systems in individuals, the Justice Center is seeking an understanding of the present conse-

quences of such intervention and controls, the likely future consequences of changes and the ethical considerations that are involved in making very difficult choices. It has a comparative view of other systems and how they are struggling as well.

It's understandable, then, that this center has developed this broad-based conference on violence. There are no departments of violence in higher education. There are no single member disciplines that concern themselves with violence. It's a broad-ranging problem. It is one of the kinds of problems and issues that the Justice Center can deal with in a meaningful and forceful way.

Violence is certainly a paramount social issue. We hear of violence in the family, violence in the neighborhood, in the city, between groups of different backgrounds. We hear violence in response to public issues. People have taken the method of indiscriminate violence to make political stands. The international scene is ridden with violence. Violence is not new. I'm sure it has a long and well-chronicled history, but there are great forces at work in the world now that, perhaps, are unique or if not unique, have reached new stages heretofore unknown. In a sense, the struggle with violence is now at an unprecedented, historical stage. We have global urbanization. We have rising populations. We have linked economic systems so that fluctuations in one result in fluctuations of the other. We have scarcity of resources. All of these major movements are at a stage and dimension that's new in the history of mankind. Most of them have lead to increased violence. Social controls in the smaller communities break down under the forces of urbanization and rising population.

The inability to control one's livelihood and economic system and scarcity of sources of the goods of life have also increased efforts in relation to violence and the control of violence. Therefore, our University and the Justice Center are struggling to understand and to gain control, in part, over some of the dimensions of one of the great social issues for mankind. We all expect to gain from your presences and your deliberations here at this conference. We hope that it will be a way that our university and the Justice Center can help realize the assistance we hope to make to Alaska in defining and dealing with major social problems.

John Brownell Vice Chancellor
University of Alaska, Anchorage

This conference grew out of research into violence which was sponsored by the Justice Center approximately 18 months ago. Our concern in undertaking that research was that in too many cases, violence was being addressed by emotional responses rather than by logical, factually based approaches. The results made it apparent that Alaskan justice officials felt a keen need for additional information related to the nature and control of violence.

In response to this finding, we began planning a Conference on Violence. We conducted a statewide survey to determine the specific problems those of you in the field would like to see addressed. The five themes in this conference emerged. These are: (1) Violent People; what kinds of people are violent and do violent people have unique characteristics? (2) Victims of Violence; how do people suffer as a consequence of violence and what can society do for those people? (3) Methods for Preventing and Controlling Violence; what is being done in other places or might be done to deal with violence? (4) Firearms Role in Violence; what are the facts concerning the contribution of firearms to violence and the effectiveness of firearms control laws? and (5) Research and Public Policy Concerning Violence; are present policies based on good, factual information, are they being evaluated in terms of their effectiveness and should these policies be continued or changed?

To address these themes, we have pulled together a cadre of people who were considered to be the leading experts in the field. They are the most knowledgeable people we could identify who are concerned with the areas of violence reflected in the themes. They are from Alaska, the lower 48 states and Canada. Each of these experts brings to this conference a wealth of knowledge, and the conference format is designed to permit information dissemination through the interaction among all who are attending. We hope that each of you will leave this event knowing more about ways to be more effective in dealing with violence in Alaska.

John Angell
Dean, School of Justice
University of Alaska, Anchorage

PREFACE

In Alaska there has been, in recent years, increasing attention focused on violence as a critical, multi-faceted problem. A House of Representatives Task Force has investigated the problem of violent crime in the state and has posed possible solutions. There has been a push for more legislation to combat domestic violence. Special state and municipal funds have been allocated to treat the violent offender and abuser, and to protect and care for the victim.

The statewide Conference on Violence held in October, 1982 was considered timely in that this event provided an arena for presenting up-to-date information on the control and prevention of violent behavior and a forum for people to meet others who deal with violence. This publication of the conference proceedings is yet another dissemination effort to provide recent information about issues of and strategies for confronting violence.

Twenty-five papers are included in the proceedings; 22 of these resulted from a request of conference speakers to prepare a written version of their presentations, and three were written especially for the publication. Part I, Violent Behavior and Contributing Factors, papers are presented that focus on sexual abuse, police violence, and political violence. Additionally, firearms, alcohol, and the media are discussed as contributing factors to violence. Part II, Control, Treatment and Prevention of Violence highlights traditional and alternative strategies for combating violence. In particular, research findings and models are presented that center on domestic violence, sexual abuse, violent juvenile and adult crime, crime against children and the criminally insane. Victims of Violence is the subject of Part III. Attention is given to traditional victim services as well as proposals for alternative programs. In addition, there is a discussion of skid row dwellers as victims of violence. Part IV, Public Policy and Violence focuses on macrolevel issues of violence. The lead article presents a policy perspective in connection with violence in Northern Canada. Other issues addressed in the remaining articles are public policy and victims of violence, resource management and violence control, legal ramifications of censoring violence and use of research in combating violence.

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Knowlton Johnson
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PSYCHOLOGICAL MAKEUP OF THE SEXUAL ABUSER

James F. Harper

In this paper will address only two forms of sexual abuse: (1) rape, including spousal rape; and (2) non-parental sexual molestation of children. Although from the point of view of current Alaska law, rapists, child molesters and incestuous parents are all prosecuted as sexual assaulters, the topic of incest itself is too broad for this brief presentation. The difference between a legal definition and a psycho-social concept deserves passing acknowledgment, however.¹

As noted, Alaska statutes classify sexual crimes by the nature of the act and the degree of harm done to the victim, and not according to any theoretical makeup of the perpetrator. In fact, sexual crimes in the first degree are classified in roughly the same assault and dangerousness category as murder and kidnapping "on the basis of their seriousness, according to the type of injury characteristically caused or risked by commission of the offense and the culpability of the offender." From a psychiatric/psychological viewpoint, the term "sex offender" serves no nosological purpose. That is, classification in a medical model depends more on stable characteristics of the disorder, or in this case, the person having the disorder. Social deviance is not in itself the basis for a mental disorder² (i.e., nosological category) and, in fact, rapists are not classified in the DSM-III although some would fit the criteria for an Antisocial Personality Disorder. The only major overlapping category between Alaska statutes and the DSM-III is that of pedophilia where the age of the victim binds the legally categorized sexual assaulter and medical pedophilic into a similar category. (Pedophilia itself falls under psychosexual disorders or paraphilias.) It is worth noting, however, that the DSM-III stipulates that the offender must be at least ten years older than the pre-pubertal child, that the sexual acts must be more than "isolated" ones and that classification may be made on the basis of the fantasy alone of engaging in sex with children (American Psychiatric Association, DSM-III). The law does not yet arrest someone based solely on his or her fantasies and one act of child sexual abuse is enough for arrest, conviction and jail. A repeated offense puts an offender in prison for 15 years if serious harm is done the victim. For the most part then, what is legally sexual

assault must be approached by psychologists without the familiar classification guides of mental health. Let me begin with the rapist in the context of historical research.

For the past three decades there has been an increasing interest in developing a classification system to categorize those who commit sexual crimes. In the late 1940's and early 50's a number of articles and books dealt with the psychology of the exhibitionist - the least dangerous of the sexual offenders (Taylor, 1947; Rickles, 1950; MaClay, 1952). And these studies continue into the present (McCreary, 1975; Moncrieff & Pearson, 1979; Forgac and Michaels, 1982). And since the 1950's, classification systems for sexual offenders including exposers, child molesters and rapists based on MMPI profiles (Panton, 1958) and other "actuarial" data have been combined, discarded and recombined (Persons & Marks, 1971; Gynther, Altman & Warbin, 1973; Buck & Graham, 1978; Edinger, 1979). The most often cited of these taxonomies is Charles Rader's "MMPI Profile Types of Exposers, Rapists, and Assaulters in a Court Services Population" (Rader, 1977), a study to which I shall return presently. Most recently, intelligence testing along with the California Psychological Inventory and MMPI scales have been used to study violence, including rape, types of criminals and prediction of future violence (Heilbrun, 1979; Heilbrun, 1982). The most widely known and respected studies of rapists alone, however, is A. Nicholas Groth's, Men Who Rape: The Psychology of the Offender (Groth, 1979), and it is on Groth's data and theory that I am primarily relying for the following remarks. I will nonetheless make reference to other contemporary scholarship which adds to Groth's views. I will also address the issue of rape in marriage.

Contemporary researchers do not see rape as a unitary phenomenon. That is, rapists are now most commonly classified psychologically by the motive (aim) for the rape and not as the legal system does by the crime itself. The law acknowledges degrees of severity to sexual assault depending on the harm done to the victim (primarily physical harm) and according to whether or not a weapon was used when committing the crime. Psychologists also take into account the nature and extent of the physical force, but see this force as psychodynamically meaningful for distinguishing among types of rapists, and the physical harm as suggestive of the rapist's fundamental stance towards women. Groth identified three types of rape: anger rape, power rape and sadistic rape. Four types of rapists are identified by the

researchers Cohen, Garofalo, Boucher and Seghorn (1971): aggressive-aim rapists, sexual-aim rapists, sex aggression fusion rapists and the impulse rapist (cited in Tollison & Adams, 1979). As the first three types of this latter classification system are incorporated within Groth's nosology, only the latter will be mentioned here before elaborating on Groth's view.

According to Cohen et al, the impulse rapist is one who rapes in a predatory way while committing another crime or simply because the opportunity is available. For example, while committing a burglary, the man discovers a woman at home and impulsively decides to rape her. In this type of rape, gratifying a "spontaneous" sexual impulse seems to be the dominant aim. Although probably the least statistically prevalent of the rapist types (except for sadistic rapists), it is also likely that the impulse rapist would fall more often into the diagnostic category of antisocial personality disorder than those fitting the anger, power and sadism criteria. That is, it is because of the unpredictability, unwillingness to delay gratification and absence of guilt or inhibitory anxiety that this "type" is usually in trouble with the law across the board rather than due solely to rape.

Whereas the impulse rapist's anger is more often directed towards authority, and society in general, the men described by Groth have their anger directed at women, and that anger can be expressed in its extreme form as sadistic violence. Groth also states, however, that sexuality is always a part of forcible rape and that power, sex and anger are present in each of these rapes (Groth, 1979). His taxonomy of rapists then is in part derived from the preponderance of the emotional motivation underlying the act.

The anger rapist is characterized by his use of physical brutality far in excess of that which would be needed to actually carry out the rape. Sexuality is secondary to the violent motives and is the vehicle through which feelings of rage are expressed (Groth, 1979). Groth states that "satisfaction and relief result from the discharge of anger rather than from sexual gratification" (Groth, 1979:15), and the origin of the anger itself may well have been in an unrelated situation in which the offender felt hurt, wronged or humiliated. The female victim is the tragic recipient for this displaced hostility and rage. "His intent. is to hurt and degrade his victim. His weapon is sex, and his

motive is revenge" (Groth, 1979:17). As Groth (1979) notes, because of the violent and impersonal nature of the assault, the goal of the victim is to survive this life-threatening attack.

Groth's second category is that of the power rape which comprises about 55% of reported rapes in which the aggressor is motivated by the desire to possess his victim sexually. That need arises because the offender feels fundamentally adequate, emotionally impotent and uncertain in his identity. Sexual conquest becomes a form of compensation for these deficits in which only as much force as necessary is used to satisfy his needs. Groth (1979) states that the fantasies of these men involve the conquest of an initially resistant woman who, when overpowered, becomes irresistibly drawn to her attacker desiring the sexual encounter. Often, this type rationalizes his offense afterwards by stating that the woman "wanted it" as much as he. Although Groth (1979) does not speculate on this fantasy, to this author it seems only a slightly milder version of the James Bond approach to female enemy agents who are unalterably compelled to defect once he has serviced them.

Unlike the impulse and anger rapist's spontaneous victimization, the rape of the power rapist is usually planned, and often he has a rather willing sexual partner available to him who is not his victim. Thus, his motive is not primarily a discharge of sexual energy, but rather "to capture, conquer, and control his victim" (Groth, 1979:28).

The final category of rapists established by Groth is those who rape motivated by sadistic feelings in a "deliberate, calculated, and preplanned" manner (Groth, 1979:45). The sadistic rape which presupposes the eroticization of power and anger is equivalent to the previously mentioned sex-aggression fusion rapists of Cohen et al (1971). The degradation of the victim is a key to understanding the motivation for this rape, and it usually entails bizarre, ritualized torture of a bound victim. As Groth (1979) notes, for some sadistic rapists the infliction of pain in itself provides gratification; others depend on the pain to maintain sexual arousal. Power and excitement then are bound in a vicious cycle which, in some cases, leads to the death of the victim, and if not to her death, frequently to permanent psychological damage. If one can consider such a statistic as "fortunate," Groth (1979) estimates that only five percent of all rapes are sadistically motivated.

To summarize Groth's views, he sees rape as motivated by several complex and intertwined motives serving compensatory and retaliatory purposes for the offender. Although compensation for feelings of sexual inadequacy is often a compelling force, the rapist usually feels contempt and anger towards women, and seeks to degrade, humiliate and control his victim. Sexuality is not the primary driving force behind rape then, but rather the "means through which conflicts surrounding issues of anger and power become discharged. Rape is always a combination of anger, power, and sexuality, and each of these components must be examined in evaluating the offender. . . ." (Groth, 1979:60-61).

In the latter portion of his book, Groth (1979) takes up the issue of marital rape, and attributes to it a more sexual basis than for the non-marital rape, although power and degradation also play a role, particularly the compensation for feelings of powerlessness through "sex on demand." Groth (1979) argues that the spousal rapist is not likely to rape outside the marriage and that at least part of the dynamics for the problem are due to the wife and "a family dysfunction." In Rape In Marriage, Diana Russell (1982) objects to Groth's view that the wife shares partial responsibility for being raped by her partner. Rather, she argues that wife rape results from the abusive power inherent in an unequal marriage, in which the husband views his wife as a piece of property whose duty it is to accommodate him sexually. For Russell (1982), the dynamics of spousal rape can be understood only by looking both at the psychological makeup of the offender and at the sociological, including the legal, conditions which have germinated and tolerated this form of mostly legal rape.

Russell (1982) estimates that, conservatively, 14% percent of American women who have been married have been raped by their husband or ex-husband. Russell (1982) notes that it is only recently that the "forcible penetration of the body of a woman," the usual legal definition of rape, has been extended to protect wives from unwanted intercourse, and that is still in a minority of states. In those states where such laws have been passed, 49% of the husbands so charged have been convicted, a significantly higher percentage than for non-marital rape.

As I noted earlier, Russell (1982) argues that wife rape arises in and is sustained by the patriarchal family - a family structure steeped in Judeo-Christian ethics and hol-

stered by Western law. The reasoning behind this conviction, and the sociological evidence to support it, is well documented in Brownmiller's (1975) Against Our Will and elsewhere in contemporary studies and court cases, and Russell (1982) does not rehash the thesis. Rather, she states, "[The] notion of wives as property is equally fundamental to an understanding of wife rape" (as it is to understanding extramarital rape) (p.3). The psychological extension of this patriarchal property principle is that the wife is also the husband's sexual property. And, in Russell's (1982) view, as males in our society have a general propensity towards sexual violence, then a wife-as-property cultural attitude and the willingness to take that property forcibly are inevitable without changes in the law, penalties, and over the long run, values.

As spousal rape is a very recent area of study, a more complete psychological profile than that provided by Russell (1982) is not yet available. It remains to be seen whether these men fall into a unitary category, or whether, like the rapists described by Cohen et al (1971), Groth (1979) and others, there will be different types. It is likely that, as a group, these men will display greater overall social conformity than the non-spousal rapists. A final word about this latter group will conclude this section of my talk and I will then say a few words about the pedophile and conclude.

Rapists, as a group, are violent and dangerous men, although as a group no more or less likely to re-offend than other perpetrators of violence (Holland, Nolt and Beckett, 1982). In a study mentioned earlier by Charles Rader (1977), he found that when compared with expositors and non-sexual assaulters, rapists were the most disturbed. Rader (1977) states they "appear to show more bizarre mentation, somatic concerns, depression, repression, denial, aggression, anger, hostility, acting out and suspiciousness. In comparison with the (non-sexual) assaulters, the rapists are likely to be more hostile, aggressive, and anxious. . ." (p. 65). My own experience in working with rapists, child molesters and incestuous fathers has led me to views similar to Rader's, most notably in the poor overall social adjustment of most rapists as well as in their initial ability to feel or express any concern for their victims. As such, they are difficult men to treat unless one deals with their total life adjustment which includes their willingness to victimize women.

In a study parallel to Rader's (1977), in which MMPI scales were used, it was found by Armentrout and Hauer (1978) that 'the rapists of adults are more hostile, resentful, and interpersonally alienated' (p. 330) than either men who rape children or all other types of sex offenders. The rapist was also found to be less socially intelligent. This finding probably does not conform to the general public's mental image of the child-molester (a socially less acceptable criminal than the rapist) who is seen as alienated (a loner), socially ignorant and degenerate with no concern for his victim(s). He is most often, at least in the popular imagination, homosexual, semi-retarded and crazy. None of these stereotypes is true, at least among the arrest population. What then are some real characteristics of pedophiles and into what categories do they fall? Although I will be citing somewhat from Groth's findings, they are confirmed elsewhere (Summit, 1982; Tollison and Adams, 1979).

Rather than being a 'dirty old man' who is a stranger to schoolyard and playground victims, the pedophile is usually a white male, about 35 years old or younger who knows his victim, at least casually (Groth, 1979; Tollison and Adams, 1979), and who molests her (the estimated ratio is two females to one male) in or near her home. Heterosexual child molesters habitually pick an 8- to 11-year-old victim; homosexuals, a 12- to 15-year-old boy. Some child molesters use both girls and boys. They are usually of average intelligence, not drug or alcohol addicted, married and hence have an age-appropriate available sexual partner. Pedophiles are classified by mental health professionals either (or both) by their motive or psychodynamic level of development.

In his book, Groth (1979) follows the same classification scheme for child molesters as he does for rapists: anger, power and sadism. However, in a separate article done with Ann Burgess et al (1978), he introduces the notion of the fixated vs. the regressed offender. I will return to these categories in a moment. Tollison and Adams (1979), citing a study done by Cohen, Seghorn and Calmas (1969), use the nosology of the (1) personally immature offender; (2) the regressed offender; and (3) the aggressive offender. As the first and second are close to Groth's et al (1978), I will mention here that the aggressive offender is one who fuses sex with aggression, and sometimes with violence. It is he who obviously presents the greatest danger to the child and who is in greatest need of incarceration with the least likelihood for successful treatment.

Ronald Summit (1982) has developed the concepts of the fixated vs. the regressed offender in a way that helps to explain both the psychological makeup and nature of the behavior of the two dominant categories of child molesters. Briefly: the fixated offender is one who is attracted to the immaturity of the child and who experiences emotional security in his life probably only when he is with a child. The fixated offender is dangerous only when he is not able to control his impulses. That is, pedophilia per se means only an attraction towards or love of children; when that love becomes sexualized and expressed as a behavior it victimizes the child and is, therefore, a crime. Lewis Carroll was a non-criminal pedophile whose Alice, in Alice in Wonderland, was Alice Liddel, a family friend (Summit, 1982). There is no evidence Carroll ever sexually approached or touched any of the little girls he loved, even when he painted them nude with the mother's permission. Carroll was a pedophile but not a sexual assaulter. Those fixated pedophiles who do sexually assault children seem to have the ability to foster relationships with children, gaining the child's trust, loyalty and dependence. Often he appears well adjusted to his community. And the fixated offender justifies his sexual behavior by rationalizing that children benefit from his sexual attention. Ironically, he sometimes feels he is rescuing them from their overly-protective parents (Summit, 1982). Clearly, the Alaska Prosecutor's Office, backed by a societal mandate, disagrees.

The fixated offender, by definition, is one who is stuck at a developmental level that inhibits mature sexual functioning with an age-appropriate mate. The regressed offender, on the other hand, presumably once functioned adequately with an adult partner. In the view of Groth (1979) and Summit (1980), the regressed offender turns to a child for sexual gratification only during a crisis "usually in response to a deterioration in adult relationships, and only then if there is an affectionate, obedient, trusting child available within his immediate circle of power. . . ." (Summit, 1982, L35).

Usually the regressed offender rationalizes his criminal behavior by regarding the child as older than she or he is and hence as an appropriate sexual partner. When asked how the offense began, this offender may vigorously assert that the child behaved seductively and was otherwise sexually active. However, this regressed offender is usually less

able to maintain his defensive posture than the fixated offender can his, and he is more genuinely remorseful and hence more amenable to treatment. Most often the incestuous father who molests his child one or two times falls within this category, as does the occasional offender, and neither would qualify as a pedophile in the DSM-III. Nonetheless, both are classified as sexual assaulters by the law and hence prosecuted without significant distinction except as the degree of physical and psychological harm done to the victim may differ. This final highlighting of the distinction between criminal and psychological classification systems brings me to my concluding remarks.

No single psychological or psychiatric nosological scheme yet exists for men who victimize either children or women or other men sexually. Within the legal systems of most states, there is even a greater blurring of characteristics with the offender categorized by the age of his victim and the extent of the assault, and not his psychological makeup. It would be unreasonable to expect any legislature or department of law to act as psychologists, however, and their primary concern must be to prosecute offenders and prevent victimization. It is probably very unfortunate, at least so far as families, victims and treatment programs are concerned, that the new Alaska statutes place incest (if it involves sexual penetration) and child victimization outside the family and rape into the lumpy category of sexual assault. It is equally unfortunate that spousal rape has not received greater legal clarification and support. The differences among the men, from a psychological viewpoint and hence from the perspective of treatment, far outweigh any common psycho-sexual characteristics they may share. And even within the criminal categories of incest, stranger and spousal rape, and child molestation, significant variation in the psychological makeup of the perpetrators exists, both in their motives and in their level of development. However, neither the motive, whether it be anger, power, control, sadistic impulses, sexual gratification or the hostile assertion of one's patriarchal "rights," nor the developmental level of the offender, whether immature, fixated or regressed, mitigates against the fact that an innocent person is victimized. The confrontation of the offender with the harm he has done to another is the first step towards incarceration, and for some, the beginning of treatment and change.

NOTES

1. It should be noted that some states have attempted to bridge the gap between legal and psychological concepts to aid in disposition and to permit legally sanctioned treatment. The State of Washington uses the term "Sexual Psychopath" and has a sexual psychopathy statute that specifies a variety of sexual crimes. California uses the psycho-legal term "Mentally Disordered Sex Offender" (MDSO) to cover those who commit a range of sexual crimes from lewd behavior to sexual assault. Following psychological and psychiatric evaluation, those found to fit these categories are sentenced to treatment followed by probation. A detailed description of the treatment programs may be found in Prescriptive Package: Treatment Programs for Sex Offenders, National Institute of Law Enforcement and Criminal Justice, 1978.

2. American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders (3rd ed.). Washington, D.C.: 1980.

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THE POLICE AND DEADLY FORCE

Raymond T. Galvin

Today, our responsibility is to discuss the police use of deadly force generally, and specifically, to report on a series of research studies that were funded by the National Institute of Justice over the past few years. Five projects were approved in the fall of 1979. One was awarded to the International Association of Chiefs of Police and that study has been completed. A second completed study was conducted by the University of California at Irvine. I served as the project's Field Research Coordinator. These two will be the focus of this presentation.

Another study, partially funded by NIJ, was conducted by the Law Enforcement Group of Chicago. It analyzed the police use of deadly force by the Chicago Police Department.

The two other studies have not reached the point where a final report is available. The Urban League was the grantee in one case and it was to look at the subject from the black perspective. The final grant of the original group was awarded to a national Hispanic group called La Raza. It focused on the problem in the Hispanic community.

Finally, LEAA provided an action grant to the NAACP to deal with certain aspects of the problem. We will not discuss this grant here today, because I do not have any data concerning the project.

One further introductory comment is necessary before we begin our detailed discussion of the IACP and Irvine studies. Deadly force, obviously, is not restricted to the use of firearms, but all of these studies focused primarily on that aspect of deadly force. Other police actions can be classified as the use of deadly force, the application of the choke hold, for example, but these studies exclusively emphasize the police employment of firearms. Also, some of the studies base their analysis on data related only to fatalities. Others have attempted to review all police shootings whether someone was struck or the potential target was missed completely.

The IACP's final report, A Balance of Forces, attempted to look at the police use of deadly force in the fifty-seven

largest cities of the United States. Since the majority of police homicides occur in these cities, it was believed that if they focused on these particular sites they would get a considerable amount of relevant information on current police practice and policy. They conducted a thorough questionnaire survey of the cities. In the IACP report, Kenneth Matulia stated:

The object of this study was to provide the police administrator with sufficient research data from which to:

- ° Identify factors of law enforcement that underlie and determine the frequency of use of deadly force by police officers.
- ° Gain an understanding of the interrelationships of these factors and their causal role in homicides by police officers.
- ° Develop "model" policy and procedure designed to reduce police homicides while preserving the officer's ability to fulfill his law enforcement duties and protect his own self from death or personal harm.

This study primarily addresses those justifiable homicides which may be preventable through the adoption of new policy, training, equipment, and operational techniques.

The IACP began its effort by looking at existing law. As those of you who have taken a look at this problem undoubtedly know, there is no national "standard of law" regarding the police use of deadly force. Indeed, there are at least three "distinct" standards in the fifty states. I gather there was a debate here in Alaska in regard to deadly force law a few years ago.

The three legal standards can be classified as:

1. Common Law
2. Modified Common Law
3. Model Penal Code

Under common law an officer is permitted to stop a fleeing felon by whatever means he determines to be necessary. They found twenty-three states used this category. These states had the highest mean justifiable homicide rates.

Twelve states had modified common law statutes. These states permit officers to use deadly force to apprehend fleeing felons who have allegedly committed "specified" offenses, usually those designated as "atrocious" or "dangerous." These states experienced the lowest mean justifiable homicide rates.

Seven states have adopted the elements of the Model Penal Code insofar as the use of deadly force is concerned. Under the Code, an officer is authorized to use deadly force when the felon in question has engaged in conduct which involves his use of deadly force or there is a substantial risk that the person to be apprehended will cause death or serious bodily harm if he is not taken into custody. Some officers have expressed serious reservations insofar as applying this last phrase to actual field situations. They ask, "What level of certainty is required in the determination of a substantial risk?"

The remaining eight states and the District of Columbia are governed in the police application of deadly force by court decisions rather than statute. In California, for example, the statutes defining the appropriate use of deadly force reflect common law guidelines, but California case law from the mid-1970's states that only atrocious or dangerous felons may be apprehended by employing deadly force and then only if there is no other way available.

Before terminating this portion of our discussion it should be noted that even though many states' statutes permit officers to follow the common law guidelines the vast majority of the major cities studied had policies which were more restrictive than the statutes. For example, one state had a common law based statute. The police chief of a major city in that state decided to restrict its police officers from using deadly force in burglary and auto theft situations. He asked the State Attorney General for an opinion as to the appropriateness of such a restriction and the A.G. replied that not only couldn't he resort to such a restriction, but it was mandatory that officers shoot at such felons if it was the only way to apprehend them. Needless to say, the A.G. opinion was only honored in the breach, but

it took several years before the state authorized such a restriction. The present policies generally, but not in all cases, are limiting shooting to cases of imminent danger to the officer, someone else, and to substantial risk of future danger. Often these restrictions are opposed by police officers, business groups, home owners, etc. Further, some civil liability problems have resulted, but generally the limits placed upon the officer's right to shoot in most cases is justified in the desire to preserve human life and maintain community peace.

The IACP's second major area of interest related to the extent and nature of justifiable homicide by police. They found that we do not have very good information as to the extent of the problem. Over the last ten years, the most often quoted figure has been that approximately three hundred justifiable homicides are committed by the police annually. The figure has remained approximately the same, but the only agency keeping national statistics is the Bureau of Vital Statistics and their major source of data is coroners' reports which fail to note the fact that the justifiable homicide was committed by a police officer. An analysis of police compiled incidents suggests that the figure is between three and six hundred cases per year. The IACP recommends that such information be reported more consistently on a nationwide scale, possibly by police, to the FBI.

The IACP also analyzed relevant statistical data to determine if there were correlations between police homicides and crime figures and found some significance. Those cities which had the greatest rates or numbers of justifiable police homicides had the largest general homicide rates, larger violent crime rates, robbery rates, and police officers murdered rates. There was a fairly significant correlation between the incidents of the police use of deadly force and the city's violent crime rate.

Insofar as the matter of race is concerned, blacks were considerably over-represented when one looks at the three hundred or so police homicides found in the surveyed cities. Fifty-nine and six-tenths percent of all individuals killed by the police were black. Blacks were, however, also over-represented: as victims of justifiable homicides by civilians; as persons arrested for robbery; as persons arrested for violent crimes; and, as persons arrested for weapons violations.

Finally, the IACP study offers a wide variety of policy guidelines as a result of its study.

First, the IACP urges the promulgation of deadly force policies. It suggests that deadly force be defined and that a departmental standard be established. Obviously, such a standard can be more restrictive than state law, but it cannot be in conflict with same. The policy should include comments on the value of human life and define defense of life and imminent danger.

The report also suggests the prohibition of a distinction between adults and juveniles insofar as the use of deadly force is concerned. While there are possible special cases the main factor to be considered is the imminent danger posed by the individual. Great care should be taken when innocent persons may be endangered. Neither should warning shots nor shots from or at a moving vehicle be fired. While there is room for debate in special circumstances, the IACP suggests that the application of deadly force in either situation is generally inappropriate.

A department should carefully control the type of weapons and ammunition used by its members both on and off duty. The carrying of off duty weapons is encouraged but not required. This issue is of considerable significance insofar as deadly force is concerned because studies in both New York and Chicago show almost thirty percent of police homicides occur off duty.

Many of these prohibitions are seriously questioned by line police officers. While there are limitations on their discretion, they also provide the field officer with guidelines and help them to understand departmental expectations. Care should be taken to bring officers into such policy discussions. They should not necessarily have the final say, but their opinions should be listened to and considered.

Finally, the IACP made a number of recommendations relating to administrative matters. It urges that a legal counsel be brought to the scene of an incident and that there be on-scene psychological services for police officers. The report also makes numerous recommendations concerning the investigation and review of all police shooting incidents. The importance of a thorough and open review of every incident cannot be overestimated.

Let us now turn our attention to the Irvine study. Under the direction of Dr. Arnold Binder and Dr. Peter Scharf, it focused upon participant interaction prior to, during, and immediately after shooting by a police officer. We were particularly interested in debriefing officers who had purposefully discharged their weapons at another human being whether the result was a miss, a wounding, or a fatality. We also wanted to ascertain what impact legal, philosophical, psychological, sociological, and administrative factors have upon the decision to fire.

To obtain the data required for our analysis, we decided to seek the cooperation of police departments in four medium to large cities. Further, we were looking to select cities representing as wide a geographic distribution as possible.

After reviewing crime, population, and police homicide statistics for all cities with a population of more than a quarter of a million, we contacted twenty-three cities' police chiefs. Fourteen departments showed sufficient interest in participating so the project staff scheduled a two- to three-day site visit to each. In each jurisdiction, we gathered background information on the department and the city, with particular attention being paid to those factors which directly related to the police use of deadly force. We also attempted to test the willingness of all levels of police personnel to participate in the research. The project design called for police personnel to serve as data collectors, interviewers, and, of course, interviewees. The field survey data were compiled and analyzed and will be part of the project's final report.

The four cities selected were Birmingham, Alabama; Miami, Florida; Newark, New Jersey; and Oakland, California. These jurisdictions fit our criteria well, and the officers and men of each department were more than cooperative. More than ninety percent of the available "shooters" in Oakland and eighty percent of those available in Miami agreed to be interviewed. The percentages of "shooters" interviewed in Birmingham and Newark were smaller, but this was due more to a difference in the procedures for selection of interviewees rather than any lack of cooperation. Such a high level of participation is remarkable under normal circumstances; but when you consider that Miami experienced a shattering riot during the period of data collection, Oakland found itself in the middle of a series of controversial police homicides which resulted in a great deal of political agitation and

eventually to the establishment of a Citizens Complaint Review Committee, and Birmingham's most recent mayoral electoral campaign was preoccupied at least partially with the fatal shooting of a young black woman by a police officer, the departments' support of the project was then outstanding. Chiefs Bill Myers of Birmingham, Ken Harms of Miami, George Hart of Oakland, and Director Hubert Williams of Newark particularly should be credited with at least a portion of the project's success.

Besides analyzing shooting incidents we collected data on the backgrounds of shooters. We also selected a group of non-shooters, individuals who were involved in what might have been called shooting situations and did not shoot. We compiled background data on these individuals and compared similar information on both groups. We attempted to determine if their presituation profiles were such that we could predict at selection as to who would be a shooter and who would not. We are sorry to report that the data suggested no way to identify during the selection process who will be a shooter and who would not. This is not to say that psychological testing, for instance, is not useful, but neither it nor background examination are going to provide the answer to this question. Backgrounds for both groups seem to be similar. Part of the problem, of course, is that shooting situations are rare. Oakland, for instance, only had forty-six incidents in three years. The department has approximately six hundred-fifty officers. We will discuss the value of analyzing post-hiring behavior later in this presentation.

Let's now discuss the Irvine report's recommendations.

First, departments should implement intensive training programs that emphasize their policies on the use of deadly force and the underlying legal and moral principles. More emphasis should be given to an understanding of the police officer's appropriate role. Police chiefs must carefully articulate the department's goals and standards and their commitment to those goals and standards.

Second, departments should develop operational rules to minimize "high risk" contacts with armed persons. Where time and tactical considerations allow, officers should be required to employ caution, i.e., take cover, call for supervisors and backup, etc. The political uproar caused by the Love case in Los Angeles might have been eliminated if

the officers had simply taken the available time, rather than forced a quick and fatal conclusion.

Third, police departments should develop training formats that avoid unrealistic conceptions of danger or threat for line officers. Unfortunately, some training programs are building paranoia. There is potential danger on the street; but it must be realistically and carefully presented to the officer so he does not overreact.

Fourth, departments in cities at risk should develop "community conflict" teams skilled in defusing police-community tensions, especially those following shootings by police that lead to death or serious injury. As the experiences of the late 1960's and the early 1970's showed, a police homicide can be the flashpoint that ignites serious community disorder. Two of our cities had similar experiences in the late 70's and in 1980. Whether the shooting is justified or not, a department must be prepared to take all steps necessary to prevent such an occurrence, or failing in that, to take such steps to bring the situation under control with dispatch and the least force necessary.

A relative community relations issue focuses on the question of the impact that the hiring of minority officers would have on police homicides. The often stated position is that the presence of minority officers will result in fewer minorities shot by the police. The implication of such a stance is, of course, that racism is behind at least some of the shootings. Without discussing the question of racism, the existent studies show that minority officers shoot at a slightly higher rate than white officers. There are, of course, many possible reasons for the slight difference. A New York study showed that black officers often shot when off duty. One reason for this might be that more black officers live in high crime areas. Also, there are only a limited number of minority officers on most police departments. Such limited numbers may show such calculations as rate determination.

Fifth, police departments should carefully monitor the shooting behavior of officers - a means of keeping records is not enough, an alerting or triggering mechanism should be built into the system. While our data do not clearly indicate that there is such an entity as the "shooting-prone" officer, the histories and attitudes of certain officers warrant sensitivity to the possibility of assigning an

officer on the basis that his interaction with a given set of circumstances produces an elevated probability of violence.

Sixth, police departments should require an interview with a psychologist for all officers who kill or wound seriously someone in a deadly force encounter. It is difficult to require an interview, but the potential for serious problems is so significant that officers should be, at least, required to go to the first session. It will be up to the psychologist to convince the officer to continue the interaction if, indeed, it is necessary.

Seventh, training programs in police departments should be expanded to provide full coverage of decision-making during armed confrontations. Simulations of realistic potential shooting situations must be designed and officers must continuously be exposed to them.

Eighth, considerable emphasis should be given to police training programs to cope with unarmed (though threatening) citizens and people who have weapons other than guns. Training should emphasize communications skills and the use of "less than lethal" weapons.

Ninth, departments should provide specific information to the public regarding policies, tactics, and rules for the use of deadly force and their actual implementation. The public ought to know what you are doing. Without knowledge the necessary trust cannot be developed.

Finally, and in some ways most importantly, all police departments must have policy statements in regard to deadly force to state a moral position and to guide the officers in appropriate behavior, but the specific form of the policy will, at least for the foreseeable future, vary from department to department. While almost everyone agrees that a police department should have a written policy outlining its position insofar as the use of deadly force is concerned, there is much less agreement as to what appropriate positions should be. Generally, the trend is to restrict the use of deadly force to situations involving imminent danger and the elimination of probable future danger. Both the IACP and Irvine studies document this. Legal trends seem to be following the same course. However, there is still room for debate and the research done to date merely proves that there is a trend and does not clearly prove the appropriate-

ness of one stance or another. No policy can completely deal with the great moral issues that are involved, nor can any policy guarantee safety to everybody. While it seems clear that in almost any community where police shooting is a noteworthy issue, a policy that allows shooting at any fleeing felon is not supportable; we believe that specific deadly force policy should be based on the value system of the relevant community rather than the value systems of people who happen to do research. That does not mean that the police should make the decision as to what a community needs. Such a vital topic must be the subject of extensive discussions and debate before the community's deadly force policy is adopted.

QUESTIONS AND ANSWERS

Question: Were the Irvine, IACP and Urban League studies funded at the same time as NOBLE?

Galvin: NOBLE was not funded by NIJ. I believe NOBLE had a limited participation in the action grant given to the NAACP by LEAA.

Question: NOBLE, know, had some preconceived idea that minorities were getting killed to a greater degree than was necessary. It's somewhat curious to me that the IACP and Irvine studies have been publicly released and the other two are not yet available. I am suspicious of that.

Galvin: There is a representative of NIJ here. She might be able to reply better than I can. To be fair, I understand that the Urban League's study has been delayed due to some difficulties relating to a loss of some of their original data. I simply do not know anything about the status of the La Raza report.

Question: You mentioned that most of the police departments that you studied had a policy that was more restrictive than their state law. I think that is very important. Are you familiar with any location where there has been a backlash within the community or the state because of the department's action?

Galvin: In Oakland in 1968, the department's policy followed state law which permitted the use of deadly force against any fleeing felon, common law. The chief, after

a series of police shootings of burglary suspects and a resulting community uproar, restricted the use of deadly force in burglary and auto theft cases. He stated that the department was shooting people who, if they were caught and sentenced, would at the most serve an average of eighteen months. He said that he did not want his men serving in such circumstances. A number of community groups, mostly businessmen and home owners, opposed the action. The majority of the community supported the decision. Police officers also generally opposed the action. The opposition groups said burglaries would go up. When they didn't, the furor died down, but there is to this day vocal opposition to any restriction. This scenario has occurred in a number of communities. However, in the vast majority of the communities the decision to restrict shooting stood and was accepted as fact.

Question: In the states and cities where departments have implemented restrictions that go beyond state law, have there been any studies which show any change in the number of police killings or injuries?

Galvin: cannot think of any specific references in this regard, but there does not seem to be any direct correlation. Remember you are dealing with a total of eighty-five to one hundred-ten police fatalities nationally a year. New York City has a restrictive policy and has a relatively high number of police deaths. Dallas' policy is relatively unrestrictive and it has a significant number of police deaths. The correlation probably is between the level of violent crime and police deaths rather than police deadly force policy and police deaths.

POLITICAL VIOLENCE

Andrea R.C. Helms

Defining Terrorism

A variety of definitions of terrorism has been proposed. The best discussion of these definitions may be found in a Rand publication by Brian M. Jenkins (Dec. 1980b). Perhaps the most useful is that offered by Russell, Bunker and Fuller, as well as Wolf: "The threatened or actual use of force or violence to attain a political goal through fear, coercion, or intimidation" (Alexander et al, 1979:4; Elliott and Gibson 1978:166).

Livingston stresses that the resort to terrorism is not necessarily rational to the external observer (1978:20). Thus, the terrorist(s) may choose a strategy or target which is objectively unrelated to the goal, or may seek objectives which are beyond the capacity of the system to grant, or may threaten mass destruction to attain a comparatively trivial purpose. However, the key to terrorism is that the perpetrator(s) engage in it for the purpose of achieving some predetermined and political goal. This definition thus excludes the bungling bank robber who afterwards discovers a political grievance for his behavior. But it does not exclude the Irish Republican Army's use of bank robbery to raise money for the "cause" (actually bank robbery is an insignificant source of funds for the two IRA organizations). The definition also excludes the use of assassination or other terroristic methods to achieve other goals, so that John Hinckley's attack on the President in order to impress an actress will not fall under our study, but the kidnapping and exploitation of Patricia Hearst by the Symbionese Liberation Army would.

So the goal must be political and it must be the reason for the terrorist act. Further, the act must involve the threat or use of force or violence. Here we paint with a broader brush: among the sorts of forceful or violent threats we contemplate are mass destruction by nuclear devices, or by biological/chemical agents dispersed by aerosol or by contaminating drinking water, the use of torture or murder against hostages, or the withholding of essential medications. "Force or violence" may take a number of forms, only some of which conform to conventional notions of force or violence.

The link between the "threatened or actual use of force or violence" and the "political goal" is "fear, coercion, or intimidation." These require that the terrorist(s), to be successful, must be granted credibility by the intended target - the governor, the president, or the mayor of the political system the terrorist is seeking to force to make the change. For new groups, this credibility can be established by claiming responsibility for anonymously enacted violence: the recent bombings of French synagogues is a good example of this, with previously unknown groups emerging to assert they had set off the bombs. However, it is a major and disturbing new tactic of certain international and transnational groups to cooperate with factions in various countries and to establish a new and often temporary identity for particular actions. So it is hard to decide whether one has a "new" group to deal with, or simply a code name for a single operation. The impression is given that there is a much larger number of violently disposed and disaffected groups than there really is.

However, while obviously the best way to establish credibility is to be credible - to prove that you are prepared to carry through with your threat - there are certain drawbacks to that tactic. When, for demonstration purposes, a terrorist or a group of terrorists must use a threat which they cannot afford to carry out, they tend to go for much higher stakes - calculating that the threat can have two payoffs. First, authorities are generally not willing to risk mass destruction or the life of a hostage in order to thwart a "political criminal." So a big threat may not have to be acted on. Second, one must remember that a terrorist action is a media event, and even in failure the terrorist has accomplished a large part of his purpose: to publicize his/her grievances. So even if he/she should die or be killed, the goal is advanced to the extent that the event is publicized. There is, therefore, not a great deal of constraint upon a committed terrorist which authorities can hope will work to their advantage. Hence, in a real sense, terrorists start with credibility "credit" that other extortionists have to create.

Ingraham (1979: esp. Ch.2) has spent a considerable amount of time examining the history of political crime in Europe. This is especially significant to the debate in Anglo-American legal systems, because the European Convention on Human Rights severely hampered the ability of the British to deal effectively with IRA terrorists. Under the

Convention, persons claiming political criminal status are entitled to special treatment upon conviction: they need not work with other ordinary prisoners, they cannot be required to wear prison uniforms instead of their own clothing, their food may be brought in from outside, and they cannot be housed with regular prisoners. Britain was required to accord IRA prisoners these privileges and did so for a number of years. This created serious problems: some IRA prisoners were given special treatment, other IRA members were not, depending upon the date of conviction; and persons convicted of committing similar crimes were given radically different treatment depending upon motive. Complicating the situation is the fact that a significant proportion of IRA prisoners had criminal careers which were not clearly "political" - Bobby Sands, for example.

Sands' death and that of the others from hunger strikes grew out of a British decision to withdraw the special treatment required under the European Court of Justice. And even here we can see the double payoff potential - the individual terrorist loses his/her life, but the goal is publicized and the target weakened thereby.

Who is The Terrorist?

There is some disagreement among writers about the personnel of terrorist movements. Generally, however, the typologies of terrorist organizations are similar.

The major types of groups grow out of their objectives. The basic typology is that proposed by Schultz (1978):

1. National liberation groups which seek ethnic, racial, cultural, or territorial goals, usually autonomy. Examples include the IRA, ETA (Basques), Popular Front for the Liberation of Palestine, and Quebec Liberation Front.
2. Social revolutionary groups which seek to precipitate the collapse of authoritative institutions in society. Most such groups at least espouse Marxist ideology (Elliott, 1978 78ff.). Examples include the Red Brigades, the IRA (old), and the SLA. Some of these groups fade almost imperceptibly into the next category.

3. Anarcho-violent (or Nihilist) groups which seek the revolutionary transformation of society through the use of random and "creative" violence. Historically these groups were Sorelian anarchists. Among examples are the Baader-Meinhof, the Weather Underground groups, and some elements of the IRA Provos.

Holland further proposes a fourth category (1980):

4. System terrorism, which is the use of system-supporting terror by private or non-official groups, usually against leftist "threats" like union organizers or clergy. The Brazilian Death Squads are a prime example.

Our chief concern in this paper is with the first three types and how they behave in seeking to impose their demands. We also are interested in which of these group-types may find an arena in Alaska and in measures which can be taken to prevent or contain terrorist activities.

Profile of the Terrorist

The typical terrorist, according to Russell and Miller (in Elliott, 1978:82-96) is generally young, between 22 and 25 years old. The Baader-Meinhof group was somewhat older, between 28 and 32. Leaders are almost always a good deal older, 40 - 50, and Carlos Marighella was 58 when he died.

While most terrorists are male, it is clear that historically female terrorists have been important, particularly in the anarcho-violent movements (Holland, 1980). Most authorities have indicated a perception that female terrorists seem to be more radical, uncompromising, and disposed to use violence and torture than their male companions. Ulricke Meinhof was unmistakably the "brains" behind Andreas Baader and, according to most evidence, the most fertile source of atrocious ideas in that organization. In most terrorist groups, however, women are the support staff.

Terrorists tend to be single, although they may form sexual liaisons. But more intense relationships increase the vulnerability of the group. Women are generally included as members for sexual and domestic reasons. It is less dangerous to have members involved emotionally and sexually within the group, but only when the women are sheltered. Marriage is discouraged and certainly frowned on

between men and women who are out "in the field."

Usually terrorists come from urban backgrounds and from middle and upper class families. They are often the children of professionals. Certainly most are more highly educated than the majority of members of the society. Their education is in the humanistic disciplines: law, sociology, economics, philosophy, medicine. Most were recruited through one of two important channels - by their mentors and professors in university or during incarceration by fellow prisoners.

The vast majority of terrorists, at least initially, are motivated by a revulsion against the injustices and inequities of their societies. Most come from backgrounds which provided them with nearly "everything" and they are consumed with personally-directed guilt at their luck contrasted with the suffering of others less fortunate. Most believe that Marxist forms of organization will lead to more just societies. At the same time, most terrorists come from among the more marginal of their cohorts - those who have least to lose by revolutionary change and those who may not succeed in the society into which they were born. Emotionally, terrorists perceive the world as divided into two groups: the ones who support the "revolution" and those who support the "system." There are no "innocents" in the lexicon of the terrorist, all are soldiers in this war. This explains how the terrorists can condemn a lobby full of Turks in Greece to death in order to protest the Israeli settlement policy on the West Bank. It also explains why we must take seriously the prospect that a small splinter group may some day use a nuclear threat against a major power.

Terrorist Methods and Events

Generally speaking terrorists use three tactics: extortion, guerrilla warfare, and killings to accomplish their purpose. Extortion can involve threats of mass destruction of a conventional type (like blowing up the plane and passengers) or using a nuclear device (the nightmare of major cities), and the taking, torture, and/or execution of hostages.

Guerrilla warfare as a tactic for terrorists is usually found where the rebels have a foreign sponsor and have access to weapons through foreign arms sales. Rural activity is rarely found among terrorist groups. The concept of

a foco requires that the warfare be based in urban areas (Elliott, 1978:3-4). Besides, only in an urban setting will the group be able to command the kind of media attention and cause a magnitude of disruption that would not be possible with a small group in the country (Jenkins 1971:7). Terrorists find cities congenial, not only because the urban context is familiar, but also because there they find a multiplicity of targets, both real (i.e., that is where the government is) and symbolic (e.g., the headquarters of foreign corporations and large masses of potential victims) (Fromkin in Elliott, 1978:19).

Killings tend to be of four types: mass, random group, selected groups, or individuals. Killings of prominent individuals (i.e., assassinations of major leaders of the system) and of symbolic persons (e.g., police officers, foreign soldiers, school teachers) are a common tactic of terrorists (Wolf in Elliott, 1978:168). Such killings may be of single individuals or of large groups. The latter case may be exemplified by the recent wave of terrorist bombings of synagogues in Europe. These actions may be undertaken by PFLP sympathizers or by neo-Nazi anti-Semites.

Shootings of police officers and the kidnap-murders of socially critical clergy in Latin and Central America are patterns in the interaction of terrorist groups types II and IV (Holland, 1980).

In addition, terrorists use kidnapping, thievery, and bank robbery to raise money to support their other activities (Fromkin in Elliott, 1978:19).

The purpose of terrorist actions may vary as does the type of group. A group may engage in terrorism in order to seek national autonomy for separatist minority. In this instance, it not only seeks to destroy both confidence in and efficacy of government, but will direct its activities against real and symbolic targets which represent the dominant government. Thus, ETA attacks the Spanish Guardia Civile, the IRA-provos hit British soldiers, and the Viet Cong targeted teachers and village leaders.

If the group seeks social revolution it will often strike randomly at targets which represent the oppressive social order. Baader-Meinhof made a practice of leaving bombs outside department stores. Both the Armed Proletariat (left) and Ordine Nuovo (right) murder police officials and

the Proletariat also blows up monuments and fountains.

Where the group's goal is to force an overreaction by government, it selects targets and tactics which will increase the probability that a large number of so-called "innocent bystanders" will suffer in the response. Thus, the SLA perished in a massive holocaust which caused many to question police tactics. Similarly, the nihilist Patients' Collective would pit a seeming gentle or at least small David against the Goliath of the state. (The Patients' Collective were therapy patients of a psychiatrist who persuaded them that they could be cured only by taking positive aggressive actions against the state whose oppression had made them ill.) The Weather Underground was purely and simply destructive: of property and of symbols of the state. This borders on nihilism.

Other motives underlying terrorist activity include the desire to destroy the existing social order, and the aim to accomplish a magically desired result. This last is often found in the actions of intermittently active groups such as those who protested the taking of Japanese farms to build an airport.

The kinds of terrorism which might be encountered in Alaska seem likely to be associated with protests against particular policies of the national government either in Alaska or abroad. There is no reason to assume that the Japanese Red Brigade could not do in Anchorage what it did at Lod Airport.

Whatever the motive, there are some constraints in the Alaskan environment which limit terrorist efficacy. First, any terrorist event is likely to take place in Anchorage, not in Juneau or Nome. Possibly in Fairbanks one might find a truly specialized terrorism - directed against the environment. But only Anchorage has the population, communication facilities, and targets of opportunity which attract terrorists. And these are present only marginally.

The kinds of terrorist actions which seem reasonably likely in Alaska would be kidnapping of corporate executives to extort money to finance operations elsewhere (like some European actions) or to force concessions from the company to "the poor." This latter is an extremely unlikely event: executives in Alaska are not so valuable to the companies (besides, all executives carry kidnap insurance), nor are

the needs of 'the poor' Alaskans so compelling. Ransom, however, is always useful to buy arms.

Mass destruction or the threat of such a thing may be more credible. Valdez could be a target, or the Yukon River bridge. Seizure of sources of pollution like PCB's could furnish a group with weapons with which extortion could be carried out. Obviously, in any city nuclear blackmail, however farfetched, is a possibility.

There are only two groups in Alaska which even remotely resemble groups which could become terrorists. The various organizations which discuss more or less loudly 'independence' for Alaska look superficially like separatist, nationalist groups in Canada or France or Spain. Both size and opportunity militate against these folks; probably also a willingness to become terrorists.

On the other hand, various Native groups have the earmarks of potential autonomy-seeking nationalities which might resort to terroristic methods. They are culturally distinctive, living uncomfortably in a white-dominated society where much of the deck is stacked against them. Two Native communities recently have shown a willingness to assert separateness, and evidences of ethnic and racial tension in Alaskan society are mounting, of which the social reaction to the subsistence issue is only the latest symptom and effect.

Against the emergence of a nationalist separatism are ranged a variety of factors - simple national assimilation and socialization, inter-tribal and ethnic rivalries, administrative and economic divisions which fragment and frustrate cooperation among Natives, not to mention the simple overwhelming predominance of whites in Alaskan society. But the most significant countering factor lies in the fact that the issues underlying a potential anti-white movement reside in rural Alaska while the foco must be in the cities - and that means Anchorage. Native terrorism as an organized activity is highly unlikely.

Controlling Terrorism in a Free Society

Historically, governments' responses to terrorist incidents were aimed at reestablishing control as quickly as possible. Generally, the government would move armies into territories occupied by guerrillas or national separatists,

crushing all in its path. Generally, demands for cultural autonomy were met with repression, as were moves to organize workers, or to seek civil liberties for peasants. Repression bred resentment and violence begat violence and uprisings and assassinations.

In more recent times, many governments have taken innovative measures to coordinate contingency planning, using improved intelligence and applying advanced technology to security questions. In addition they have developed clandestine counter terrorist groups, screening systems, and improved surveillance (Rosen and Frank in Livingston, 1978:23-24). Governments have also sought to respond more constructively to grievances through decentralization, devolution, and cooptation.

Wolf has listed a number of proposals for limiting and controlling terrorism. These are important backups for dealing with the threat of terrorism (in Elliott, 1978: 165-79).

First, there could be a Uniform Penal Code which would provide a single penalty range for the act wherever it occurred. In addition, most people urge adoption of the policy that anti-terrorist activity is normal police work, not an opportunity for a form of social engineering. In other words, there should be harsh penalties fairly applied; no special treatment of political criminals.

Second, many propose the introduction of a discretionary death penalty to be used to put pressure on terrorists. One could, for example, use the penalty as a counterweight to terrorists trying to obtain freedom for convicted compatriots.

A third possibility is to improve the operation and management of the courts, particularly providing more speedy trial of suspected terrorists and increased certainty of conviction by refining such internal procedural barriers as the exclusionary rule. If greater certainty were introduced, the courts and the political system would be less vulnerable to terrorist pressures.

A fourth option, and one which has great appeal, is to make the payment of ransom in kidnapping cases a separate criminal offense. The rationale is evident - to pay only encourages the kidnapers to escalate their demands. On the

other hand, it seems hard to punish people for doing what they can to save their loved ones.

Fifth, there could be a National Uniform Hostage Policy which would lie somewhere between a "no deal" and a "give in" position, which provides flexibility but which puts public limits on what is negotiable. Once the policy is in place it should be observed and the inevitable price accepted. That price will be the lives of some hostages until it becomes clear that the United States will deal only with the clearly defined parameters of the policy. A corollary of this policy is federal preemption. In cases of terrorist hostage-taking the policy would necessarily mean the federal government would take over.

Sixth, there could be special task forces established to deal with terrorist situations. These would include special units like the British Counterterrorist Assessment and Response Unit, which performs the functions of intelligence gathering and analysis, education and training both of the public and of the police, and responds to threats by providing local police agencies with experts in management, law enforcement, psychology, and public relations. Another important support system would be a computerized information system like the CIA's "Octopus" bank, which would track suspected and known terrorists and provide local authorities with information immediately when it was available.

Finally, there are the media. In a free society, official censorship is probably not desirable. However, a terrorist event is a media event, and when the media provide coverage and publicity to terrorists, they are contributing to the terrorists' aims. Educating the public to understand the implications of media coverage may generate social pressures on the media to modify their own policies.

I would argue that in cases where genuine threats to public order and security are present, official intervention to prevent such coverage may be necessary. However, the police chief who orders the barring of reporters and cameras from the scene will have to be prepared to defend his action in court. As Friedlander notes, "Part of the cost of protecting the public against terrorist violence is the reduction of individual rights in a free society" (in Alexander, 1979:134).

Certainly, the formal counter-terrorist proposals dis-

cussed above would carry at least two implications for Alaska. One: the centralizing force of those policies would inevitably reduce the autonomy of the states in dealing with criminal activities within their boundaries. Also, many of the proposals would impair the generally accepted rights of private citizens. The ransom law would punish those who paid ransoms, alongside those who did the kidnapping. The preemption of state authority by the federal government also imposes limits by preventing states from responding creatively to such threats as may occur.

On the other hand, the tendency of terrorists to organize cooperatively across national boundaries, to share personnel and training, as well as sanctuary, and perform proxy operations makes a national or even international counter-terrorist response necessary (Rosen and Frank in Livingston, 1978:23-24).

International efforts at controlling terrorism seem to be more successful when the focus is narrow and specific; e.g., the agreement among nations not to allow hijacked airliners to land. Part of the reason is that nations disagree among themselves about terrorism (Brown and Nanes in Alexander, 1979:55).

State options would include the decision to adopt the Uniform Laws on terrorism. These would replace state laws as those apply to terrorist activities. Another would be to increasingly professionalize the police — through higher standards, more specialized training, the creation of special units, better exchange of information among the states, and using their discretion to concentrate on terrorism and its prevention. In other studies, this author has argued that most of these actions would tend to be less effective as a means for prevention than to create a community-based system of crime control.

Ultimately, the goal of preventing terrorism may rest in a society in which we have (Livingston, 1978:XV):

1. designed an environment which minimizes the opportunities for terrorist activities;
2. created an environment which discourages the occurrence of terrorism;

3. developed a law enforcement system with the tactical skills to manage a terrorist event;
4. established criminal codes which intimidate potential terrorists and provide a juridical framework for appropriate punishment; and
5. set up a penal system with the capacity to appropriately administer post-judicial disposition of such cases.

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FIREARMS AND VIOLENT CRIME

Philip J. Cook

Interest in the role of firearms in crime has for the most part been generated by the ongoing public debate over gun control. This highly politicized context has not been conducive to dispassionate scholarly research on the subject, and indeed criminologists have largely ignored the etiological role of firearms in violent crime until quite recently. The traditional concerns of violent crime research have been the psychological and socioeconomic causes of violent behavior, which seem more fundamental than a concern with the 'technology' of violent crime. However, there is now substantial evidence that the types of weapons available in a potentially violent encounter can make a considerable difference with respect to the nature of the encounter and its ultimate outcome. Technology matters in violent crime, as in other human endeavors.

The main conclusions from this review can be briefly summarized. The type of weapon used in violent crime is in part determined by the nature of the victim; guns are most likely to be used against the least vulnerable victims in robbery and homicide. The type of weapon used in a violent crime influences the outcome of the crime; gun robberies, when compared with other types of robbery, are less likely to result in injury to the victim, and more likely to result in the victim's death; gun assaults are more likely to result in the victim's death than knife assaults, other things equal. A general increase in gun availability would probably have little effect on the overall robbery rate, including the rate of robbery murder, and possibly reduce the number of aggravated assaults. These and other predictions emerge from the empirical results presented here.

Distribution: The Vulnerability Pattern

People who attempt robbery or homicide are more likely to succeed with a gun than with other commonly used weapons. A gun is particularly valuable against victims who are physically strong, armed, or otherwise relatively invulnerable - the gun is 'the great equalizer.' The patterns of weapons used in criminal homicide and robbery demonstrate that perpetrators are most likely to use guns against victims who would have the best chance of defending themselves against

other weapons; that is, the likelihood of a gun being chosen by a robber or killer increases with the value of a gun in effecting a successful completion of the crime. These observations suggest that a program that is successful in reducing the rate of gun ownership by potential robbers or killers will change the relative distribution of these crimes among different types of victims. The evidence and implications of the vulnerability pattern in criminal homicide and robbery are discussed in the following sections.

Criminal Homicide

A decision to kill is easier and safer to implement with a gun than with other commonly available weapons - there is less danger of effective victim resistance during the attack, and the killing can be accomplished more quickly and impersonally, with less sustained effort than is usually required with a knife or blunt object. A gun has greatest value against relatively invulnerable victims, and the vulnerability of the victim appears to be an important factor in determining the probability that a gun will be used as the murder weapon.

The least vulnerable victims are those who are guarded or armed. All presidential assassinations in U.S. history were committed with a handgun or rifle. Almost all law enforcement officers who have been murdered in recent years were shot.

Physical size and strength are also components of vulnerability. In 1977, 68.5 percent of male homicide victims were shot, compared with only 51.0 percent of female homicide victims. The victims' age pattern of gun use also reflects the vulnerability pattern: about 70 percent of victims aged 20-44 are shot, but this fraction drops off rapidly for younger and older - that is, more vulnerable - victims.

Vulnerability is of course a relative matter. We would expect that the lethality of the murder weapons would be directly related to the difference in physical strength between the victim and killer, other things being equal. To investigate this hypothesis, one study (Cook, 1982) used FBI data coded from the supplemental homicide reports submitted for 1976 and 1977 by police departments in 50 large cities. These data include the demographic characteristics of the victim and, where known, the offender, as well as the murder

weapon, immediate circumstances, and apparent motive of the crime. The results calculated from these data tend to confirm the relative vulnerability hypothesis. First, women tend to use more lethal weapons to kill their spouses than do men: 97 percent of the women, but only 78 percent of the men, used a gun or knife. The gun fractions in spouse killings are 67 percent and 62 percent, respectively - not a large difference, but one that is notable, since women typically have less experience than men in handling guns and are less likely to think of any guns kept in the home as their personal property. It is also true that women who kill their "boyfriends" are more likely to use a gun than men who kill their "girlfriends."

Why are less vulnerable murder victims more likely to be shot than relatively vulnerable victims? A natural interpretation of this result is that intended victims who are physically strong or armed in some fashion are better able to defend themselves against homicidal assault than more vulnerable victims - unless the assailant uses a gun, the "great equalizer." The "vulnerability pattern" can then be explained as resulting from some combination of three mechanisms: (1) Homicidal attacks are more likely to fail against strong victims than weak ones, and the difference in the likelihood of failure is greater for nongun attacks than attacks with a gun. (2) The likelihood that an individual will act on a homicidal impulse depends in part on the perceived probability of success. The intended victim's ability to defend himself acts as a deterrent to would-be killers - but this deterrent is much weaker if the killer has a gun than otherwise. (3) In the case of a planned murder the killer will have the opportunity to equip himself with a tool that is adequate for the task. Against well-defended victims, the tool chosen will almost certainly be a gun, if one can be obtained without too much difficulty.

Each of these mechanisms is compatible with the prediction that a reduction in gun availability will cause a reduction in homicide, a reduction that will be concentrated on killings that involve a victim who is physically stronger than the killer.

Robbery

Robbery is defined as theft or attempted theft by means of force or the threat of violence. The robber's essential task is to overcome through intimidation or force the vic-

tim's natural tendency to resist parting with his valuables. A variety of techniques for accomplishing this task are used in robbery, including actual attack - as in "muggings" and "yokings" - and the threatening display of a weapon such as a gun, knife, or club. Whatever the means employed, the objective is to quickly gain the victim's compliance or to render him helpless, thereby preventing the victim from escaping, summoning help, or struggling. The amount of what could be called "power" - capability of generating lethal force - the robber needs to achieve these objectives with high probability depends on the characteristics of the robbery target - the victim - and in particular on the vulnerability of the target. The most vulnerable targets are people who are young, elderly, or otherwise physically weak or disabled - for example, by alcohol - who are alone and without ready means of escape. The least vulnerable targets are commercial places, especially where there are several customers and clerks and possibly even armed guards - a bank being one extreme example.

A gun is the most effective tool for enhancing the robber's power. Unlike other common weapons, a gun gives a robber the capacity to threaten deadly harm from a distance, thus allowing him to maintain a buffer zone between himself and the victim and to control several victims simultaneously. A gun serves to preempt any rational victim's inclination to flee or resist. Wesley Skogan (1978) documented the effectiveness of a gun in forestalling victim resistance in his analysis of a national sample of victim-reported robberies: only 8 percent of gun robbery victims resisted physically in non-commercial robberies, compared with about 15 percent of victims in noncommercial robberies involving other weapons. Other types of resistance - arguing, screaming, and fleeing - were also less common in gun robbery than in robbery involving other weapons.

It seems reasonable to assume that, from the robber's viewpoint, the value of employing a gun tends to be inversely related to the vulnerability of the target. A gun will cause a greater increase in the likelihood of success against well-defended targets. A strong-arm technique will be adequate against an elderly woman walking alone on the street - a gun would be redundant with such a victim - but a gun is virtually a requirement for successful bank robbery. Skogan provides evidence supporting this claim: he finds little relationship between robbery success rates and weapon type for personal robbery, but a very strong relationship

for commercial robbery. He reports that success rates in commercial robbery were 94 percent with a gun, 65 percent with a knife, and 48 percent with other weapons.

What is the causal process that produces these patterns in gun robbery? There are two plausible explanations, both compatible with the evidence presented in the preceding paragraphs: (1) robbers who aspire to well-defended, lucrative targets equip themselves with a gun in order to increase their chance of success; or (2) robbers who happen to have a gun are more tempted to rob lucrative, well-defended targets than robbers who lack this tool. In short, the question is whether the weapon is chosen to suit the task or, rather, the available weapon helps define the task. There is doubtless some truth in both explanations.

The first explanation suggests that the observed relationship between gun use and target choice is the result of differences between the kinds of people that rob lucrative targets and those who commit relatively petty street robberies - a difference reminiscent of John Conklin's (1972) distinction between "professionals" and "opportunists." Victim survey evidence does suggest that gun robbers as a group have more of the earmarks of professionalism than other armed robbers: besides the fact that they make bigger "scores," gun robbers are older, less likely to rob acquaintances, and less likely to work in large groups of three or more. The factors that determine a robber's choice of weapon have some tendency to persist: adult men arrested for gun robbery show a greater propensity to use guns in subsequent robberies than nongun arrestees.

It seems reasonable to hypothesize, then, that robbers who engage in planning and who seek out big scores will take pains to equip themselves with the appropriate weapon usually some type of firearm. The frequency with which other less professional robbers use guns, and hence the kinds of targets they choose, may be more sensitive to the extent to which such people have access to guns and are in the habit of carrying them, for whatever reason.

Conclusions

The preceding evidence demonstrates the existence of an important vulnerability pattern in weapon choice in homicide and robbery. Guns give assailants the power to succeed in killing or robbing relatively invulnerable victims who would

have a good chance of fending off attack with a less lethal weapon. If some potential killers were deprived of guns, the criminal homicide rate would be reduced. The reduction would be concentrated among the least vulnerable types of potential victims - law enforcement officers, people with bodyguards, husbands of homicidal women, youthful men and so forth. If robbers were deprived of guns, there would be a reduction in robberies against commercial places and other well-defended victims. In general, a reduction in gun availability would change the distribution of violent crimes, with greater concentration on vulnerable victims.

Seriousness: The Objective Dangerousness Pattern

The vulnerability pattern suggests that gun availability will in certain respects influence the distribution of robberies and homicides across different categories of victims. A second important dimension of the violent crime problem is seriousness. "Seriousness" in this discussion will be defined as the degree of injury to the victim. A violent or potentially violent confrontation, as in robbery, rape, or assault, can result in a range of possible outcomes, from no physical harm up to serious injury or death of the victim. The likelihood that the victim will be killed is influenced by the lethality of the weapon used by the perpetrator. The evidence on this "objective dangerousness" pattern is presented first for serious assaults, and subsequently for robbery.

Serious Assaults

The fraction of serious gun assaults that results in the victim's death is much higher than for assaults with other weapons. Richard Block, for example, found that of all aggravated assaults resulting in injury to the victim - and reported to the Chicago Police - 14 percent of the gun cases, but only 4 percent of the knife cases, resulted in the victim's death. In part, this difference is the result of differences between gun and knife attacks in intent and capability. An assailant who intends to kill his victim, and who has some chance to prepare, is more likely to equip himself with a gun than an assailant who merely intends to hurt his victim. Furthermore, an attack that is intended to kill is more likely to be successful if perpetrated with a gun than with a knife or other weapon - especially against victims who are capable of defending themselves. But differences in intent and capability are not the whole story.

Franklin Zimring (1967) has demonstrated that a large proportion of murders are similar to serious assaults in that the attacks are unsustained - the assailant does not administer the coup de grace, the blow that would ensure the death of his victim. Indeed, the victim was shot only once in about two-thirds of the gun homicides in Zimring's Chicago samples. The cases differ very little from serious assaults: for every death resulting from a single wound in the head or chest, Zimring found 1.8 victims with the same type of wound who did not die - victims who were clearly not saved by any differences in the gunman's intent or capability, but rather just by good luck with respect to the precise location of the wound.

Evidently some proportion of gun murders are not the result of a clear intent to kill; given that the majority of murders are the immediate result of altercations, often involving alcohol and rarely much thought, it seems unlikely that many killers have any clearly formulated "intent" at the time of their attack. The assailant's mental state is characterized by an impulse - to punish, avenge an insult, or stop a verbal or physical attack - backed by more or less cathexis. The immediate availability of a gun makes these circumstances more dangerous than would a less lethal weapon because an unsustained attack with a gun - a single shot - is more likely to kill than an unsustained attack with another weapon.

Zimring buttressed the conclusions from his first study, which compared knife and gun attacks, with a later study (1972) comparing large and small caliber gun attacks. Even after controlling for the number and location of wounds, he found that .38 caliber attacks were more than twice as likely to kill as .22 caliber attacks. It appears, then, that weapon dangerousness has a substantial independent impact on the death rate from serious assaults.

Conclusions from these observations can be briefly stated. The likelihood of death from a serious assault is determined, inter alia, by the assailant's intent and the lethality of the weapon he uses. The type of weapon is especially important when the intent is ambiguous. The fraction of homicides that can be viewed as deliberate - unambiguously intended - varies over time and space, but is probably fairly small as a rule.

Robbery

The principal role of a weapon in robbery is to aid the robber in coercing the victim - either by force or threat - to part with his valuables. If the threat is sufficiently convincing, physical force is not necessary. For this reason, it is hardly surprising that the use of force is closely related to the weapon type in robbery, being very common in unarmed robbery and rare in gun robbery. Gun robberies are less likely than other armed robberies to involve physical violence and furthermore are less likely to injure the victim. These patterns are compatible with the notion that violence plays an instrumental role in robbery - that it is employed when the robber believes it is needed to overcome or forestall victim resistance and that this need is less likely to arise when the robber uses a gun than otherwise.

There is evidence, however, that this "instrumental violence" pattern can account for only a fraction of the injuries and deaths that result from robbery. Three observations are relevant in this respect. First, over two-thirds of victims injured in noncommercial gun robberies do not resist in any way - even after the attack; similarly, a majority of victims killed in gun robberies do not resist the robber. Second, the likelihood that the victim will be injured in an armed robbery is much higher if the robbery is committed by a gang of three or more than otherwise; since victims are less likely to offer resistance to a group of three or four robbers than to a lone robber, this result is clearly incompatible with the "instrumental violence" hypothesis. Third, there is some evidence that robbers who injure their victims tend to be more violence prone than other robbers.

These findings are different aspects of an "excess violence" pattern. Much of the violence in robbery is not "necessary," in the sense of being an instrumental response to anticipated or actual resistance by the victim. Rather, it is motivated by objectives or impulses that have little to do with ensuring successful completion of the theft. In particular, the high incidence of violence in street robberies committed by larger groups - which typically have a low "take" - is best viewed as a form of recreation, and the gratuitous violence against the victim may be just part of the fun.

Given these findings, it is useful to attempt a distinction between "robbery with intent to injure or kill" and robbery without such intent, in which violence would only be used to overcome victim resistance. The latter form of robbery dominates the statistics - most victims are not in fact injured, and the likelihood of injury is less with guns than with other weapons. However, the more violent strain of robbery, involving an intent to injure, apparently accounts for a high percentage of the serious injuries and deaths that do occur in the robbery context.

Are gun robberies more dangerous than other armed robberies, in the sense of being more likely to result in the victim's death? Victims are killed in a higher fraction of gun robberies than others: based on victim surveys and homicide data in eight cities, one study estimated that there are 9.0 victim fatalities for every 1000 gun robberies. Furthermore, it appears that the type of weapon plays an independent role in determining the likelihood of robbery murder; the fraction of robberies resulting in the victim's death is closely related to the fraction of robberies that involve firearms. Thus the objective dangerousness pattern applies to robbery as well as assault, for reasons that remain a bit obscure.

Why does the presence of a loaded, authentic gun in robbery increase the probability of the victim's death? Studies of robbery murder in Atlanta and Dade County indicated that in at least half of the cases the killing was deliberate: for example, the victim was tied and then executed, or shot several times from close range. But insofar as intent could be ascertained from police reports, it appears that these intentional killings were not premeditated, but rather decided on during the course of the robbery. Perhaps the explanation for why these spontaneous decisions are more likely to occur when the robber is holding a gun is related to Marvin Wolfgang's (1958) suggestion: "The offender's physical repugnance to engaging in direct physical assault by cutting or stabbing his adversary, may mean that in the absence of a firearm no homicide occurs."

Coercion and Assault

Does the instrumental violence pattern in robbery have any parallel in assault? Some unknown fraction of assault cases are similar to robbery in that the assailant's objective is to coerce the victim's compliance the assailant

wants the victim to stop attacking him, physically or verbally, or stop dancing with his girlfriend, or get off his favorite barstool, or turn down the stereo. And, as in the case of robbery, the probability of physical attack in such cases may be less if the assailant has a gun than otherwise because the victim will be less inclined to ignore or resist a threat enforced by the display of a gun. It may also be true that the assailant would be more hesitant to use a gun than another weapon to make good his threat. If this reasoning is correct, then a general increase in gun availability may reduce the number of assault-related injuries. No direct evidence is available on this issue, however.

Incidence: The Substitution Pattern

The preceding evidence suggests that gun availability has a substantial effect on the distribution and seriousness of violent crime. The third dimension of the violent crime problem is incidence - the number of violent confrontations and attacks. For each of the crimes under consideration - assault, robbery, and homicide - a reduction in gun availability to criminals would presumably cause a reduction in the number of incidents involving guns. But for each crime there is a real possibility that the number of incidents involving weapons other than guns would increase as a result of the reduction in gun availability. If this weapon substitution does occur, the net effect of reduced gun availability on crime rates could be either positive or negative.

First, consider the crime of assault. In an environment in which a high percentage of the violence-prone people carry guns, it is possible that a sort of mutual deterrent is created, whereby a rational person would think twice before picking a fight. A protagonist that is foolish enough to start a fight in such an environment may be persuaded to back off if his intended victim pulls a gun. When physical attacks do occur, they are likely to be perpetrated with a gun and to be serious. This line of argument may explain why the Bartley-Fox Amendment in Massachusetts - an anticarrying law that was apparently quite effective - may have resulted in an increase in the rate of aggravated assaults: the gun assault rate went down substantially following implementation, but the nongun assault rate increased even more. A legal intervention that is successful in getting guns off the streets may encourage relatively harmless fights with fists and broken bottles. Definitive results in this area are hard to come by, in part due to the

difficulty in measuring the assault rate in a consistent manner over time or across jurisdictions.

Gun "availability" - the prevalence of gun ownership - is statistically unrelated to the overall robbery rate across large cities when other causal factors are taken into account (Cook, 1979). By way of illustration, the two cities with the highest robbery rates - Detroit and Boston - differed markedly in gun ownership. Boston was one of the lowest, and Detroit was above average. The same study demonstrated that the fraction of robberies committed with a gun is closely related to the density of gun ownership in the city. Apparently robbers tend to substitute guns for other weapons as guns become more readily available, but with little or no change in their rate of commission.

If guns were less widely available, the criminal homicide rate would fall. This prediction is justified by three distinct arguments developed in this article: (1) knives and clubs are not close substitutes for guns for implementing a decision to kill, especially when the intended victim is relatively invulnerable; (2) Zimring's "objective dangerousness" results demonstrated that a reduction in gun use in serious - but ambiguously motivated assaults will reduce the homicide rate; and (3) the fraction of robberies that result in the victim's death is closely related to the fraction of robberies involving guns.

Alternative Approaches To Regulating Guns

Needless to say, people evaluate the costs and benefits of gun ownership differently. Thus we have the example of a small Chicago suburb, Morton Grove, passing an ordinance banning handguns, and a small town in Georgia responding to the Morton Grove challenge by passing an ordinance requiring every household to own a gun. The city council in Kennesaw, Georgia, invited Morton Grove residents to send their guns down to Kennesaw.

These vast differences reflect more than a disagreement about the facts, of course. Field and Stream once editorialized against gun control advocates to this effect:

Truly we are in a dangerously Puritanical age when a few mollycoddlers, with good intentions, can try out their theories for the prevention of crime

at the expense of every honest red-blooded man in the land.

That was published in 1921, but much the same sentiment is alive and well today.

And there are people on the other side, the pro-control mollycoddlers, who return the favor by speculating about the true psychological meaning of the gun to the gun owner, using uncomplimentary Freudian sexual terms. But avoiding these slanderous attacks and counterattacks, it is possible to discuss means of control in dispassionate terms.

There are four basic approaches to reducing gun use in crime: special sentencing provisions for gun-using criminals, lace and manner ordinances, licensing systems, and broad efforts to reduce the number of guns in circulation. Each of these is discussed briefly here.

1. The first is to impose special mandatory sentences for gun use in violent crime. This has such broad support that it is hardly controversial. In particular, the National Rifle Association supports this approach, thereby, in effect, accepting the proposition that a criminal with a gun is more dangerous than a criminal with a knife.

A number of states have adopted legislation of this sort. For example, Michigan implemented a law in 1977 requiring a two-year mandatory minimum sentence for anyone convicted of committing a felony while in possession of a firearm, with no possibility of probation or parole. The objective is to convince some robbers and other violent criminals to switch from guns to other types of weapons.

A careful evaluation of this law for Detroit reported that it had no discernible effect on gun robbery or assault rates, but apparently did reduce the gun murder rate (Loftin and McDowell, 1981).

In any event, the appeal of this approach is that it does not infringe on the freedom of law-abiding gun owners at all, except perhaps to make them pay higher taxes to support all the additional prison time.

2. The second approach is to regulate the "place and manner" of gun carrying and gun use. There is a fine his-

torical tradition in such regulation. Even in Dodge City, cowboys were required to check their guns at the saloon door before commencing to drink. Almost every state and most municipalities currently have an ordinance on this subject. Most states ban the carrying of a concealed gun without a special license.

The view that underlies this approach is that it is legitimate to possess a gun for the protection of home or business, but that people should find some other way to protect themselves against attack when they go out in public.

The most famous place and manner ordinance is the Bartley-Fox Amendment, implemented in Massachusetts in 1975. It required a one-year mandatory minimum sentence for anyone convicted of carrying a gun illegally. The effects of this law have been extensively evaluated by social scientists. There is a consensus that it was extraordinarily effective in reducing gun crime, at least initially (Pierce and Bowers, 1981).

Notice that this type of law does impose some cost on law-abiding gun owners - not on their ability to buy and sell guns, but by restricting one of the possible uses of a gun. This may seem like a small price to pay if it is really successful in making a substantial dent in the violent crime problem. But some do not think that the price is worth paying.

3. The third approach is to regulate commerce in firearms in an attempt to prevent dangerous people from obtaining them. Federal law proscribes convicted felons, illegal aliens, and a number of other groups from buying or possessing a firearm. Twenty-three states, containing about sixty percent of the U.S. population, require a police check of a handgun buyer before the transfer takes place.

Is it possible to keep dangerous people from obtaining guns when most people are allowed to have them? There are 50 million handguns and 100 million longguns in circulation and 2 1/2 million new handguns being sold each year. Guns used in crime are very often stolen, or otherwise acquired outside of legal channels. There is real doubt about our de facto ability to deprive the violent few of guns while allowing an enormous volume of sales to others.

4. The fourth basic approach to reducing gun use in

crime is to reduce the number of guns in circulation. Washington, D.C. has taken the extreme step of banning residents from obtaining or transferring guns. California's Proposition 15 on the November, 1982 ballot would have limited the number of handguns in the state to the current level.

This strategy obviously imposes on the law abiding much more than the three other strategies. The costs are high, so the benefits must be high to justify it. Given current knowledge, it is difficult to judge the net value of such an approach. I am convinced that an effort to reduce the availability of "snubbies" highly concealable short-barreled handguns - would be worthwhile (Cook, 1981).

Conclusions

The type of weapon matters in violent crime, both in terms of its seriousness and its distribution. If robbers could be deprived of guns, the robbery murder rate would fall, the robbery injury rate would rise, and robberies would be redistributed to some extent from less to more vulnerable targets. The assaultive murder rate would decline, with the greatest reductions involving the least vulnerable victims. The overall assault rate might well increase. These predictions are based on common sense and a variety of empirical observations. None of this evidence is conclusive, but it is the best that is currently available.

There is not much evidence currently available on the relative effectiveness of the various gun control strategies in depriving criminals of guns. State and local governments have historically taken the lead in trying alternative approaches in this area, and there is no reason to expect a new federal initiative any time soon. State and local innovation is a potentially valuable source of information on the question of "What works?" in controlling guns.

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ALCOHOL AND VIOLENCE*

James Gorman

The association between alcohol and violence is one that has been well documented for both marital and criminal assaultive behaviors. This has been identified as being true for Alaska as evidenced in the Report of the House Task Force on Violent Crime (June 1981).

A dominant theme in the testimony was the relationship between violent crime and alcohol abuse. Police, prosecutors, judges, community leaders and victims testified that alcohol abuse and violent crime are inseparable. Statistics subsequently compiled by the Task Force supported the testimony. For example, a recent Judicial Council study showed that 47.7 percent of all violent offenders in Alaska were using alcohol at the time of their offense. And the problem is even more severe in rural Alaska, where 77.9 percent of all violent felonies are alcohol related.

A review of the literature illustrates a substantial correlation between alcohol and violence regarding incidence, severity and stimuli of acts of violence. Shupe (1954) has reported findings on 882 persons picked up during or immediately after the commission of a felony in Columbus, Ohio. Of the 30 persons arrested for murder, 25 (83 percent) had some trace of alcohol in their urine and 67 percent had a level of 0.10 percent and over (see Table 1). As Shupe points out, the fact that offenders who are under the influence of alcohol have a greater risk of being apprehended by the police than do sober offenders could bias the findings in the direction of too large an alcohol involvement. This should be remembered in interpreting the findings of all studies on alcohol use by crime offenders.

* Revised version of a draft article that appeared in the Appendices of the Annual Report prepared by the Office of Alcoholism and Drug Abuse, Department of Health and Social Services.

PERCENT OF PERSONS ARRESTED IN EACH CRIME CLASS
BY URINE ALCOHOL CONCENTRATION

Crime Class	Alcohol concentration (%)							
	# Cases	nil	.00-.09%	.10-.19%	.20-.29%	.30-.39%	.40% plus	Total .10-.40% plus
Rape	42	50%	5%	19%	21%	5%	0%	45%
Felonious assault	64	52%	5	9	20	13	2	43
Cutting	40	8	5	20	35	25	8	88
Concealed weapons	48	8	8	21	25	33	4	83
Other assaults	60	8	13	25	33	18	2	78
Murder	30	17	17	30	23	13	0	67
Shooting	33	18	3	27	33	18	0	79
Robbery	85	28	12	15	29	15	0	60
Burglary	181	29	7	24	24	14	2	64
Larceny	141	27	9	13	27	19	5	65
Auto theft	138	30	11	25	22	8	4	59
Forgery	20	40	0	20	20	20	0	60
Average total	882	27.3	8.4	20.2	25.8	15.6	2.6	

Further association between alcohol and violence was found by Ullman et al (1957) who, in studying 1,000 consecutive admissions to a prison in Massachusetts, found that those who had been arrested for drunkenness two or more times had 0.7 convictions for "pugnacious crimes per individual as compared to 0.4 convictions for other individuals." Another factor that should be noted is that "who is drinking" (Gerson, 1978) is measurably different for various types of alcohol related acts of violence. Most striking is the relatively even distribution (shown in Table 2): of the occurrences, in 35 percent (N=632) the offender alone had been drinking; in 29 percent (N=521), the victim; and in 36 percent (N=637) both has been drinking. There are noticeable differences between categories. It is the rare reported marital assault (13 percent) in which the victim alone had been drinking. About half of the remaining marital assaults occurred after both spouses had been drinking and about half after the offender alone had been drinking. In other assaults, a drinking victim appears to be the rule. In only one-fourth of the common assaults and assaults with injury was the offender the only one drinking.

TABLE 2

NUMBER OF OFFENDERS AND VICTIMS DRINKING PRIOR TO
ALCOHOL-RELATED VIOLENCE IN HAMILTON-WENTWORTH, ONTARIO 1974*

Alcohol-Related Violence	Offender ● Only	Victim Only	Both	Total
Common Assault (excluding marital assault, assault with injury, assault of peace officer	209	336	347	892
Marital assault	179	55	177	411
Assault with injury	33	62	53	148
Assault of peace officer	74	●	0	74
Threatening acts, marital	40	3	4	47
Sexual assault other than rape	15	5	10	30
Rape	6	9	14	29
Homicide	1	5	3	9
Threatening act, excluding homicide	75	46	29	150
Total	632	521	637	1790

* Gerson, 1978.

In a more specific study of alcohol and rape in Winnipeg (Johnson et al., 1978) data show that either victim or rapist or both were drinking prior to 72% of the rapes occurring from 1966 through 1975, and the presence of alcohol increased the likelihood that the victim would be injured prior to sexual intercourse. As shown in Table 3, there is a greater likelihood of force being used when alcohol is present than when alcohol is absent from the rape situation; the likelihood of force depended somewhat on who was drinking. The likelihood is weakest when alcohol has been used by the victim alone and strongest when both the offender and the victim have been drinking.

TABLE 3

RELATIONSHIP BETWEEN THE AMOUNT OF FORCE USED
BY THE RAPIST AND THE PRESENCE OF ALCOHOL
IN THE RAPE SITUATION, IN PERCENT

Index of Force ^a	Alcohol Present (N=157)				Alcohol Absent (N=60)
	Rapist Only	Victim Only	Both	Average for Rape Situation	
1	7.5%	0.0%	4.8%	5.1%	5.0%
2	11.3	25.0	32.1	24.2	13.3
3	17.0	30.0	13.1	16.6	13.3
4	50.9	15.0	36.9	38.9	36.7
5	13.2	30.0	13.3	15.3	31.7

^a The index, ordered from high levels of force (1) to no use of force (5), was computed by adding together the number of indicators of force present in each rape.

Given this relationship between the presence of alcohol and the use of force by the rapist, an association can be expected between the presence of alcohol and injury (other than the rape itself) to the victim. Of the 191 cases in which data on injury were available, 113 (59.2 percent) resulted in injury to the victim. Of the 137 rapes in which at least 1 party had been drinking, 85 of the rape victims were injured. Contrary to what might be expected, there was almost no relationship between the use of alcohol by the offender only and injury to the victim. The likelihood of injury was greater if both the victim and the offender had been drinking; of 74 such cases, 48 resulted in injury to the victim.

The indicators of physical force used prior to intercourse, and combined to form a scale ordered from most violent to least violent, were slapping, hitting, punching or kicking in the head; choking, strangling or smothering; forcible removal or tearing of clothing; and pushing, pulling, dragging, tripping or carrying. In addition, in a fairly large number of cases no force was used prior to the sexual contact, but the victim sustained injuries as a result of intercourse.

Since it is apparent that most use of alcohol does not result in rape, and since many rapes are not preceded by drinking, the relationship remains to be explained. Of the two types of explanations advanced, the first suggests that alcohol has pharmacological properties which produce aggression. The second type suggests that alcohol is associated with violence because of factors associated with the drinking situation. Evidence suggesting that such situational factors facilitate the correlation between violence and rape were found that showed 83 percent of the rapes classified as "spontaneous" involved alcohol while only 55 percent of the rapes classified as "planned" were preceded by drinking.

The association between severity of injury to victims and alcohol involvement in cases of assault and robbery was further determined by Bowden (1958). Victims who were hospitalized had used alcohol in 33 percent of the cases (N=73) and those who were only treated but sent home had used alcohol in 26 percent of the cases (N=152). Victims with light injuries had used alcohol in 16 percent (N=81), and those with no injuries had used alcohol in 9 percent of the cases (N=155). Wolfgang (1958) objectively categorized his data of the homicides he studied to conclude: "A striking feature of alcohol murders is the malevolence of the crime." Stark (1969) points out the "reckless brutality" of robberies committed after drinking, which often leads to severe bodily injuries.

Alcoholism and its effect on the family has been well recognized and publicized. Statistics are hard to come by and change all the time, but, according to most reliable estimates such as those made by the National Council on Alcoholism, alcohol problems are a major factor in over half the nation's divorces; up to 80 percent of all reported acts of domestic violence are alcohol or drug related. Alcohol is almost always involved in family violence. Moderate and problem drinkers are more frequently involved than light

drinkers and abstainers. Three patterns are often seen. In one pattern, the family seems to alternate between alcohol and aggression, drinking to avoid hitting, hitting perhaps to avoid drinking. In another family pattern, violence appears only when alcohol is imbibed. This style takes two forms: in Form A, the abuser form, the drinker has few drinks, and seems to feel licensed to hit. In Form B, the victim form, the drinker imbibes until he/she is in a helpless stupor and becomes the easy target for abuse. In the third pattern, the heavy drinker becomes so preoccupied with alcohol that family members are severely neglected and many family roles impaired. This pattern refers to an incipient form of violence - extreme passive aggression (Flanzer, 1981).

Society in general has tolerated family violence. What goes on in the family castle is private and sacrosanct. Our laws reflect it - our values of privacy protect it. So similar is it to the alcohol case that one might believe it is the same. It is not. They are overlapping diseases, overlapping societal problems and issues. But they differ in a number of ways as shown in the following chart.

CHART 1: INTERMESHEDED FACTORS

SHARED CHARACTERISTICS

Alcoholism and Family Violence

- Resolves Conflict
- Forces reaction
- Tolerated, learned
- Blocks feelings, intimacy
- Masks depression, pain
- Different baseline/limit
- Sexual stereotyping
- Economic frustration
- Rigid family patterns

DIFFERENT CHARACTERISTICS

Alcoholism

- Different locations
- Act affects others secondarily
- Building level of incidence
- Physical safety impaired

Family Violence

- Privacy of home
- Act affects other primarily and secondarily
- Quick, high level of incidence
- Physical safety impaired

In a study of violence, alcohol problems and other problems in disintegrating families," Byles (1978) summarized that "violence is more than twice as likely to occur in families with rather than without alcohol problems." The study examines the relationship between alcohol and violence in the domestic problems of 139 persons (130 women) appearing in a family court during May, June, July, 1974 in Hamilton, Ontario. Unlike the subjects of most other studies of violence, these subjects were more the victims than the offenders. None had been charged with any criminal offense. Data on four major problems affecting these families was collected. The problems were violence, incompatibility, alcohol problems and indebtedness. Of the 95 families using alcohol, in 37 one spouse was regularly or always intoxicated; in 21 one spouse was occasionally intoxicated; and in the rest, apparently, the spouses were social drinkers. Thus, 61 percent of the alcohol using families reported drinking to the point of intoxication.

TABLE 4

ALCOHOL PROBLEMS, INDEBTEDNESS, INCOMPATIBILITY AND THE PROBABILITY OF VIOLENCE (N=139)

PROBLEMS				VIOLENCE		
Alcohol	Indebtedness	Incompatibility		Present	Absent	Probability
*				21	6	.78
*	*			7	5	.58
*		*		10	3	.77
*	*	*		12	4	.75
			Sub-Totals:	50	18	.74
				9	14	.39
	*			1	8	.11
		*		6	16	.27
	*	*		6	11	.35
			Sub-Totals:	22	49	.31
			Totals:	72	67	.52

Table 4 shows combinations of four major problems, using "violence" as the dependent variable. Note that in every set of problems including alcohol problems the probability of violence was greater than in any set of problems excluding alcohol problems.

This study supports the concept of an association between alcohol problems and violence but finds that other problems such as indebtedness and marital incompatibility are independent of both. While violence can occur in the absence of alcohol problems, it is more than twice as likely to occur in marital situations in which alcohol use is a problem.

Information tends to support the assumption that the higher the probability of intoxication among all relevant individuals in a drinking and aggression situation, the higher the likelihood of escalation into violence. There are at least three ways in which alcohol use situations could enter into the frustration-aggression model and explain an increased probability of violent behavior (Pernanen, 1976):

- (A) One type of explanation would assume that the relationship between alcohol intake and aggression is a spurious one. This would be the case if there were a greater probability of frustrating stimuli in a significant number of alcohol use situations. Thus, the increased number of frustrating stimuli would be a conjunctive variable whose independent main effect would explain the increase in aggressive behavior.
- (B) If the aggression threshold is lowered in alcohol use situations, quantitatively less frustration is needed to elicit aggression. The lowering of the threshold could be due to, e.g., pharmacological effects of alcohol and/or the social definition of a significant number of alcohol use situations. This is a direct cause model using aggression threshold as an intervening variable, and connections with disinhibition models are obvious.
- (C) The perception of frustrating stimuli could be heightened not only due to quantitative changes in the aggression threshold or the number of frustrating stimuli; the perception of cues in alcohol use situations (partly due to pharmacological effects) could have changed qualitatively, so that cues that would not be

interpreted in any way negatively in a sober state may be so interpreted in an intoxicated state due to a change in the conceptual model applied to the environment.

Any combination of these three factors could be involved in explanations of subsets of violent behavior and violent crime. It should be noted that the frustration-aggression theory is not sufficient for explanation of all violence, whether in connection with alcohol use or not. Most experimental studies on aggression are based on this paradigm, and thus, experimental evidence and explanatory models of rationally planned aggression are hard to come by. There is another type of biasing factor of a more rational kind. Alcohol use may not only be a causal factor in aggression, sexual behavior, etc.; it can also, as almost anything related to human behavior can, be part of a means-end scheme. Carpenter and Armenti (1972) mention the planned consequences of alcohol use, that drinking for courage is not infrequent in assaultive crimes. This reasoning, however, assumes a direct causal effect of alcohol on aggressive behavior tendencies. Although "drinking for courage" may be a factor that inflates the association of alcohol with violent crime, it also assumes that alcohol effects are relevant in the causal accounting of the relationship.

Thus, if individuals with alcohol problems and others with violent behavior tendencies (and individuals exhibiting both) enter the same subculture, one can assume an association to occur also on the individual level. This may, among other factors, occur due to the behavior norms established in a subculture to accommodate the attributes of the members, or it may be a consequence of the greater number of frustrating stimuli encountered in such a negatively defined subculture.

Factors that can explain the higher prevalence of violent crime among alcoholic than among nonalcoholic groups were summarized by Kai Pernamen (1976) in his article "Alcohol and Crimes of Violence: Social Aspects of Alcoholism."

- (1) Alcoholics may have a greater risk of being apprehended by the police, both because of a greater risk of acute alcohol effects at any time and because of their status as alcoholics and recidivists, which generally makes

them better known to the police than nonalcoholics.

- (2) Due to the higher risk of acute use of alcohol at any time, alcoholics are at a higher risk of displaying violent behavior, whatever the appropriate causal models of a situational nature.
- (3) Prolonged excessive alcohol use may be connected with predispositional attributes that increase the probability of aggressive behavior in connection with acute alcohol use.
- (4) Prolonged excessive alcohol use may also give rise to predispositional changes in the individual, which outside of any alcohol use situation, increase the probability of violent behavior. An example is brain damage, especially of an epileptiform character.
- (5) Prolonged excessive alcohol use may be conjunctively connected with alcohol use patterns that also in non-alcoholics may give rise to states of the organism that increase the likelihood of aggressive behavior.
- (6) "Alcohol use" may indicate different variables for alcoholics and nonalcoholics, so that alcoholics (at least a certain subgroup of alcoholics) display alcohol use, such as use of drinks of high alcohol or congener content, that could show a comparatively strong relationship to violent behavior.
- (7) Prolonged excessive users of alcohol may, due to developmental or genetic factors, belong to a subpopulation that, through a common cause such as early childhood experiences or affective disorder, show a higher probability of antisocial behavior and among these, violent behavior.
- (8) A large proportion of excessive alcohol users are subjected to societal and interpersonal reactions. Some of these may force them into subcultures where violent behavior is condoned, expected, or technically necessary for functioning within the subculture, and in relating to the larger cultural matrix.

It has been suggested above that the greater frequency of acute alcohol use can explain part of the association between alcoholism and violent crime.

Certain policies can be followed and activities conducted that can have a positive impact on the alcohol/violence association. Continued support by the State Office of Alcoholism and Drug Abuse (SOADA) of education, prevention and treatment projects can have an effect that may ultimately result in a reduction of alcohol related violence in Alaska.

During the 1981 fall elections a reducing of situational opportunities was endorsed by voters (e.g., reducing open hours, local option) in several areas of the state. This action, plus other changing attitudes toward alcohol's role in the Alaska lifestyle, constitutes preventative effort. Service provided during treatment addresses the alcohol/violence association as the counselors for the 32 SOADA funded programs are given training on the subject during the counselor certification training.

It is the contention of SOADA that good alcohol prevention will reduce associated violence. A reduction in alcohol associated violent crime will have a direct impact on reducing the costlier expenses of the criminal justice system. Through implementation of the Management Information System, and conduction of a client follow-up study, the SOADA will be able to collect current data on alcohol/violence indicators of clients entering and those having already received treatment. As was stated earlier, some evidence of efforts already exists - shortened open hours and village local option - that demonstrates support of activities designed to reduce the negative impact of alcohol. The data collected through the M.I.S. and follow-up study should provide direction for continued preventative efforts by SOADA.

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THE EFFECTS OF MEDIA VIOLENCE

Douglas K. Barry

Before we can discuss the effects of media violence on behavior and whether it has a causal relationship with violent or aggressive behavior, we must first define exactly what we are referring to with the terms "violence" and "aggression." Both terms have many definitions now in use and here are a few. CBS defines violence as "the overt expression of physical force (with or without a weapon, against self or other) compelling action against one's will on pain of being hurt or killed, or actually hurting or killing" (Columbia Broadcasting System, 1977). The PTA is concerned with gratuitous violence, which they define as "violence to maintain interest, violence not necessary for plot development, glorified violence" (National PTA Action Center, 1976). Another definition is "physical acts or the threat of physical acts by humans designed to inflict physical injury to persons or damage to property, or an act involving the use of force, threats of force, or intent of force against others" (Clark and Blankenburg, 1972). Most of the definitions have the common thread of physical force, including hurting or killing. Most definitions of aggression equate it with behavior that is intended to harm another member of the same species (Scherer et al, 1978). Because these definitions include "intent," a certain amount of ambiguity is built into them because we must be able to observe not only the outward behavior, but the "mens rea," or state of mind, as well.

An observation offered in 1958 by J.P. Scott, a widely known scholar in this area, is still valid: "There is no physiological evidence of any spontaneous stimulation for fighting arising within the body, so apart from what happens in the external environment, there is no simple 'instinct for fighting' which must be satisfied. There is, however, an internal physiological mechanism which has only to be stimulated to produce fighting" (Berkowitz, 1975). Though aggression occurs when this mechanism is stimulated, the same exact mechanism is not involved in every instance of aggression. These mechanisms are buried deep in the regions wrapped around the brain stem, so each one of us has the neural capacity for violence (Berkowitz, 1975). Besides these physiological bases for aggression, other psychological influences are important such as frustration causing

aggression, aggression based upon an aroused emotional state, the presence of guns and other environmental cues (Berkowitz, 1975).

Aggression, like any other behavior, if reinforced will generally result in repetition of that behavior. This reinforcement may come in the forms of bolstering one's self-esteem if notions of manliness, vigor and power are involved; status within one's peer group; or encouragement of male children by parents not to be sissies. Aggression may also be reinforced by films and television where we see the 'good guys' reinforced for beating, shooting or maiming the 'bad guys' (Scherer et al, 1978).

Research on TV and Violence

We are all familiar with the isolated yet recurring incidents which have smacked of a link between televised or filmed violence and real-life occurrences of violence. Examples of these are the woman in Boston who was murdered by burning the night after a TV movie depicting the same (Scherer et al, 1978). Or the case of the popular college professor in Florida who was ritually executed employing some of the techniques unique to a currently running movie. Though these examples and others can hardly be called hard conclusive evidence, there were fifty-odd experiments conducted under lab conditions prior to the Report to the Surgeon General (1972) on the impact of televised violence.

These experiments are too numerous to cover in any detail, but to name just a few one must mention Bandura's famous Bobo doll experiment. This experiment attempts to prove that not only will observation of a behavior lead to cognitive representation of it in the mind of the observer, but also to the behavior being vicariously reinforced so as to ensure a tendency to repeat the behavior (Scherer et al, 1978). Children were shown an adult in person, a filmed adult and a filmed adult dressed up as a cartoon cat, all aggressing against a Bobo doll. The most effective model in terms of producing most imitative aggression was the filmed human model. Additionally, if the filmed model was shown to have been rewarded for his aggression rather than punished, there was a resultant increase in aggressive behavior.

Surgeon General's Report

The purpose of the Surgeon General's Report was to

establish scientifically, insofar as possible, whether violent programming contributed to antisocial behavior in viewers. There was a degree of controversy surrounding the selection of the members for this panel. This centered around the fact that the leading psychologist and experimenters in this area, namely Bandura, Berkowitz and Tannenbaum, were deemed unsuitable for participation in the study by the major networks. The people that were finally included were dubbed "the network five, the naive four and the scientific three" (Comstock, 1980). The objections by the scientific community to the panel composition were quieted only when the group's conclusions were found to support the positive relationship between violent programming and aggressive behavior.

In this study the issue of imitation vs. institution was addressed. Imitation was not researched because it is already well documented that imitation may follow observation. This does not necessarily result in performance though. This study showed that viewing violence may be imitated and even instigated under certain circumstances, but it cannot be concluded to have a uniformly adverse effect nor an adverse effect on the majority of children. Aggressive children were found to be more responsive to TV violence and a modest relationship was found to exist between viewing violence and subsequent aggressive behavior (Report to the Surgeon General, 1972). The experiments up to this point had shown a relationship in artificial or lab settings, but the report showed that everyday viewing of violence was associated with a greater degree of everyday aggressiveness.

It was also shown that greater viewing in earlier childhood resulted in a greater degree of aggressiveness ten years later as measured by peers evaluating fellow peers. The preference for violent programming by aggressive types was found far more weakly associated with aggressiveness than was exposure to violence. Taking into account the influence of possible third variables did not significantly reduce the relationship between exposure to violence and aggressiveness. Such third variables that were ruled out in terms of causal influences included school achievement, intelligence, socioeconomic status, race and sex. The discounting of these variables strongly reduced the possibility that factors other than the exposure to violence were at work (Comstock, 1980). So, the combination of laboratory evidence permitting a causal inference plus the influence in

everyday life strongly support the notion of a relationship between exposure and aggressiveness.

Post Surgeon General's Report

The aftermath of the Surgeon General's Report has been traced by a ten-year follow-up report issued by the U.S. Department of Health and Human Services. The cautious conclusions of the Surgeon General's Committee led to different interpretations of the research results and apparent indifference by most. But by 1975, Congress again became concerned with violence and obscenity. The FCC worked with the networks to establish "family viewing hours" but these were successfully challenged in court, although the networks continued them on an informal basis. However, all analyses agreed that the evening hours after nine p.m. contained more violence than other hours. Over the past ten years, though, the violence on children's weekend programs has surpassed that of prime time television.

In the last ten years, several important field studies have found that televised violence results in aggressive behavior. In 1978, CBS conducted a study (that they would probably just as soon forget about) in which teenage boys in London, according to self-report, were more likely to engage in "serious violence" after being exposed to television violence (Belson, 1978). In 1980, three- and four-year-old children were seen to have heightened aggressiveness after watching violence on television (Singer and Singer, 1980). And in 1978-80 two studies compared aggressiveness in children before and after their communities had television; both showed increases in aggressiveness (Williams, 1980). A positive relationship was also found for grade school children in Finland and Poland.

There are four processes which have been suggested as producing this relationship. They are observational learning, attitude change, physiological arousal and justification processes (U.S. Department of Health and Human Services, 1980).

The observational learning view holds that children learn to behave aggressively by viewing violence in the same way they learn other social skills from watching their parents, siblings, teachers and others (Bandura, 1977).

Attitude change may come about when the more television

children watch, the more accepting they are of aggressive behavior (Dominick and Greenberg, 1972). It has been shown that frequent viewers of television tend to be more suspicious and distrustful of others, and they also think there is more violence in the world than do those who watch infrequently. So the acceptance of aggression makes it more likely that the children themselves will be more aggressive (U.S. Department of Health and Human Services, 1980).

Processes involving physiological arousal are thought to have three possible consequences. One is desensitization, when a person repeatedly observing violent programs shows less arousal when looking at new violent programs (Zillman, 1971). Another possibility is that merely the increase of general arousal levels will boost aggressiveness (Tannenbaum, 1980). A third alternative suggests that people will seek an optimal level of arousal; that is, a person who is desensitized may act aggressively to raise his level of arousal (Kaplan and Singer, 1976).

In the process of justification, it is assumed that aggressive types will watch violent television because they can then justify their own behavior, if only to themselves (Gerbner et al, 1978).

In general, it appears that observational learning and attitude changes are the most likely explanations for television's effects on aggressive behavior.

Summary and Conclusions

In the average American household, the television set is normally on for seven hours a day. The average American child has viewed 15,000 hours of television by the time he is 16 years old. This is 4,000 hours more than time spent in school and only sleep engages more of their time (Liebert et al, 1973). It's important to note that they don't even start watching significantly until the age of three (Schramm et al, 1961). In one experiment a group was supposed to go without TV for one year. The first attrition occurred at three weeks, and by five months all were back to watching the tube. During this period without TV, the subjects were more likely to quarrel and be aggressive (damned if you do, damned if you don't!). Even though 76% of all parents highly favor TV for children, more of the child's attention is paid to aggressive programs than to pro-social programs. Eighty percent of the programs on TV contain violence and

60% of the major characters are involved in violence. Weekend shows had 97.7% violent content with incidents occurring at 25 per hour. This is five times as much as prime time. However, Saturday morning programming occupies only 13% of a child's total viewing time. It was shown in one study that the best predictor of violent behavior at age 19 is the amount of violence viewed at age eight (Eron and Huesman, 1980).

The fact is well established that some, if not most, behave more aggressively after viewing violence in the media. So can't it be argued that this alone is enough to warrant corrective measures?

Studies have shown that children's attitudes are changed if adults discuss the program with them. That parents can help their children to understand television and to use skills beyond those usually found at their stage of cognitive development has been shown through observation of nine families (Dominick and Greenberg, 1972). The Surgeon General's Report recommended that television be studied in the context of the home environment. So what common sense would probably already have told us, were we thinking about this issue in terms of our own children, is that we as parents must shoulder the responsibility of the task of solving this problem. We cannot rely on a system which must consider not only our rights as individuals to be free from this exposure to violence, but must also protect the rights of the media of free speech and "artistic expression."

The Surgeon General warned again just last week that we, as parents, should be more selective about who and what we bring into our living rooms. TV is an invention that lets people entertain you whom you would never allow into your home and with whom you would certainly never let your children stay home alone.

Recently in Anchorage, the School District approved a curriculum called "critical TV viewing" whose purpose is to help kids analyze how to form opinions about what is contained on TV. But like most worthwhile programs, its funding was eliminated.

We've got to talk back to our TV sets and that means talking back to our legislators and encouraging a restoration of funds for creation and implementation of more curriculum materials focusing on TV and its effects.

The pervasive images of violence have other consequences, too. Our diet of gore, both fiction and nonfiction, creates psychological scar tissue and tends to desensitize us to the suffering of others. The media shows the shots fly, the bleeding bodies fall and the survivors weep. But those who view all this are strangely remote and detached. It's as if we have become consumers of violence, savoring the vicarious shock, but denying the connection between the victims and real human values.

All violence becomes violence in the abstract. The farther away we get from the real life suffering and horror the easier it becomes to deny responsibility for controlling and preventing it.

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MEDIA, WOMEN, AND VIOLENCE: THE CONSEQUENCES OF OUR IMAGE

M. R. Katzke

This paper is intended to help close the currently incomplete loop between the popular media image of women in television and film, and the impact of this image on our society. So far, this relationship is a one way street because we are bombarded with images without means of response. By providing feedback or descriptive evaluation of dominant portrayals of women, this paper aims to help open options to individuals to reject or even change these images. Of necessity in a paper of this length, the treatment of media and its images has had to be fairly generalized and does not attempt to be a definitive study. Instead, I hope it will be a useful guide for discussions which go beyond classic prevention advice to seek out root causes of the escalating violence in our culture today. I will point out some dominant trends as well as the historical structures fostering them and in the process, suggest areas of research and response which may appeal to those interested in uncovering and evaluating the consequences of our current image in the media.

Probably no one doubts media's influence in our society today. Fashion trends are patterned after stars' apparel, jokes reflect television shows, and children mimic actions they see at the movies and on television. A recent survey indicates that the average American spends 1200 hours each year watching television, as compared to less than 400 hours reading all print media combined. More specific breakdowns include 27 hours per week for children and a staggering 56 hours per week for housewives. In addition to knowing that Americans watch a lot of TV, we also know that advertisers spend millions of dollars buying air time to reach you with their messages because their investment is returned many times over. Interesting correlations are now being researched which reveal that suicide rates increase immediately following the suicide of a major soap opera character in daytime drama. Twenty-six deaths from self-inflicted gun shot wounds to the head have been linked with recent viewings of the "Deer Hunter." The question is not whether the media has influence, but what kind of impact does this influence have on our society and what are we going to do about it?

Most of us would generally agree that the average red-blooded American girl grew up at the movies. This was the place where she found her ideas about love, marriage and her role as a woman. Much effort has gone into analyzing the negative influences these films have had on several generations of women. We are still searching in vain in the contemporary cinema for a new perception of women which assumes their capacities and value. The international and rapidly developing women's movement has influenced the cinema to be only slightly more self-conscious about its patronizing, sometimes hostile, portrayal of women.

For instance, a movie heroine could act on the same power and career drives as a man only if, at the climax of the story, they took second place to the love of a man. Otherwise, she forfeited her right to that love. In no more than one out of hundreds of movies was a woman allowed to sacrifice love for a career. The messages of the films showing women trying to emerge from these roles is that a woman may not really be passive, exploitable or a "feminine" creature, but she damn well better be if she expects to be happy. Although a woman may be ambitious, talented, and striving for a career, she is nothing without love. Yet, in real life, the stars did it all the time, either by choice or by default - the result of devoting so much time and energy to a career that marriages suffered and homes fell apart. We have been sold a bill of goods by the Hollywood film that has led us to expect love to be more beautiful and people to be better than they actually are.

The language of independent women may be reluctantly allowed, but the substance goes unaltered. If lip service provides a false anticipation of challenge of old values and images, the real business at hand is to refurbish the established view, now strengthened by token reference to "awareness." This sleight of hand is the method of co-optation. Cinema is an arena in which the process has been refined. The very image of the liberated, self-sufficient woman, when it is risked on screen, is presented unpalatably and deployed to reinforce old ways (e.g., futuristic films, career woman stories, and boogie man TV shows).

If this pattern were merely a function of Hollywood and the bankers who finance films in the United States (rather than reflecting society as a whole), it would be attributed to the huge business which filmmaking is in this country. Keeping in mind that the chief concern is profit, the com-

modity they have long offered has insulated or promoted set values and perceptions of character endorsing a definable status quo, often in the face of enlarged perceptions in the audience, which they hope to ignore, erode, or at least contain.

The star system as a whole depended on the fetishization of women. Much of the work done on the star system concentrates on the star as the focus for false and alienating dreams. The image of woman as passive raw material for the active gaze of man takes the argument a step further into the structure of representation. Film has traditionally depended on appealing to our voyeuristic active/passive mechanisms. Women, whose image has continually been stolen and used for this end, cannot view the decline of the traditional film form with anything more than sentimental regret.

After a brief flurry of films depicting strong and independent women in the 1940's when women were needed en masse in the work force, Hollywood reverted to prior form. The American cinema of the 1950's presented women again as dependent hysterics or as undulating sexual manikins, epitomized by Marilyn Monroe. As broad moral challenge and disaffection emerged in the country, film became less able to maintain a candy-cane world of domesticity (e.g., double beds). In the last 20 years of cinema, the same values were defended only in a different form. Before, women longed for marriage and a home in Hollywood films. The drama centered on how they achieved it or suffered in failure. Cinema shows us only one other side of the coin - the emptiness of sexual freedom outside the home (e.g., 'Looking for Mr. Goodbar').

Governing bourgeois ideas focus on the family as the primary social institution and defining women in relation to the nuclear family presided over by a strong patriarch. When a woman does venture out to discover a more authentic mode of being, she is "punished," either through violence occurring in social relations, or through feeling empty after momentous indulgences. As the sexually compliant and uninhibited women are clearly amoral, their punishment in sadistic violence takes on a quality of vengeance on behalf of home and hearth. When a woman ceases to be "pure" in films, that is, dependent and demure, she forfeits the protection granted domesticated women (e.g., rape of a prostitute or murder of a stripper). Behind the constant preoccupation with the notion that "good" women are spoiled

by rape lies the implication that women who are sexually free are fair game. Our society and its films enslave those they protect and mutilate those who escape their inhibiting norms.

This is the cultural and moral backdrop behind the pornography and sadism which provide the twin values of the top grossing films of today. From the doll house (unreal housewife in storybook situation) to the flesh auction (whore or evil temptress) seems to be a progress marketed frequently by powers with commercial interests in desperate attempts to preserve the sanctity of the nuclear family, a structure which allows men in power to flourish and women at home to seek fantasy escapes through the movies. The persistence of bourgeois values and institutions in film are preludes to the development of a liberated image of women. The alternative type of woman offered to us is careless and uncommitted, attracting men through a sleek and guileless exterior. The hero invariably chooses the safer woman, the one least likely to involve risk. The man feels uncomfortable if, instead of a doll of flesh and blood, he holds in his arms a conscious being who is sizing him up. A free woman is the contrary of a light woman.

Roles which reduce a woman to a thing that a man can do with as he pleases without worrying about what goes on in her mind and heart are prevalent in television as well. Feminists also complain that television portrays only the most traditional and outdated images of women, many of which are overtly sexist. This is an easy charge to support. For example, a recent study of evening dramatic type programs revealed that men outnumber women slightly in comedy, two to one in dramas, and by an overwhelming eight to one in drama/adventure series. What this means is that female characters are in subordinate roles in prime time television and are concentrated in morning game shows and afternoon soap operas where the structure of the program type inherently stereotypes them into situated roles symbolic of the housewife lifestyle. By contrast, men are portrayed in adventure series as cool, competent professionals with exciting and often mobile jobs which allow them prestige and to have close relationships with male peers as well.

Specifically, popular media has portrayed women as passive, wholesome and pretty. In the broadest terms, the "housewifely" image portrays women in highly constrained or situated roles. When a new situation is shown, such as in

top viewer rated "Three's Company," we are shown silly, bungling and sexual dingbats whose writers carefully formulate T&A ratios for each portion of each program. Even women playing roles of professionals in television and film stories are frequently prone to tears, nervous breakdowns, alcohol or other drug addiction, or anything else that detracts from their competency and increases their "femininity" (e.g., "Yes, Giorgio" or "First Monday in October").

Soap operas focus almost exclusively on the process of being victimized and what it feels like to be the victim. In general, the person doing the victimizing is male, usually a husband or boyfriend. Soaps have also raised voluntary suffering to new heights of popularity. Characters are repeatedly proving their goodness while at the same time being worried about someone else's welfare and by becoming victims in order that someone else be spared. Surely one of television's most sexist crimes is to encourage women to identify with the victim while at the same time, encouraging men to identify with the victor.

The mass media support the concept of vast strength for men coupled with incredible weakness for women. Television shows have men fighting, sustaining blows that would seriously injure a person in reality, while women, on the other hand die or end up in the hospital when struck. Years of this sort of conditioning has led us to the idea that we must either submit to anything a man forces upon us, or use some sort of feminine trick to get out of the situation. The James Bond character who "takes" his women against their will is another well-known stereotype. In the movies, this type of scene usually ends up in an intense and exciting love affair. The fears, the injuries and the trauma which accompany forced sexual encounters in reality are rarely portrayed in film.

If television commercials are to be believed, American women go into uncontrollable ecstasies at the sight and smell of tables and cabinets that have been lovingly caressed with long lasting satin-finish lemon scented spray-on furniture polish. Or they choose their hairstyle based entirely on a man's opinion rather than for ease, comfort, practicality or creativity. We have wives who are dying of embarrassment because some child noticed that their husbands have "ring around the collar." Why doesn't she just turn to him and say, "Darling, you should really pre-soak those shirts in Brand X before you wash them."? Many advertise-

ments are intended to make us feel inadequate - about our physical appearance, about our breath, our "wifely" duties, etc. Advertising, which inspires feelings of competitiveness and jealousy among women who are supposed to be living for the attention of men, also tends to give us unrealistic role models while, at the same time, stereotypes older women and, pathetically if not dangerously, links youths (I mean young girls) with sex.

These images harm us by forcing us to deal with a culture obsessed with youth and which relies totally on consumerism to remedy all problems. We have a value system which is surface oriented, and more importantly, reduces women to objects which in turn makes us vulnerable targets of violence.

So far, I have outlined what I consider to be dominant portrayals of women in media and how these are negative. Women are usually cast in supportive and stereotypical roles and when they are in an untraditional role, they forfeit love and society's protection or they give up their career and/or sexual freedom for home and hearth. Even futuristic films with stories of highly advanced technologies give only surface support to women by casting them as scientists or researchers and then taking it away by having her melt in a time of crisis or parade around the spaceship clad only in flowered panties. We've considered how women's images are used to satisfy voyeuristic needs, and we've seen what happens to women who abandon traditional roles for some type of alternative existence. . . . that is, if we are to believe today's media images.

Now that we have an overview of the problem and an idea of the history behind it, I will describe reasons why it continues and make some suggestions for strategies of change. First of all, we have to look at who is producing the programs and films we see. Judith S. Gelman of Women in Television News found that of 41,000 full-time employees in television broadcasting, only 24% were female. And of these, 89% are in dead end clerical jobs. Another way of looking at this is fewer than 10% of key decision makers in the production process are women. Media is the voice of our time and we (women) must learn the language. If the movies unconsciously or consciously define and reflect us, we must demand substance as well as impossible, foolish fantasy. We must teach society to recognize that this fear of women as whole, intellectual beings says no more for men than it does

for women, and begin to shape our stories to the strengths inherent in embracing an emotionally autonomous woman. We must stop celebrating violence through its explicit association of brutality with masculine prowess.

We cannot wait for our most potent popular culture inspiration to come around to us. It is time to stop considering the financing of women to be a high risk situation so that they can rise from the realm of directing an occasional television documentary into the real world of moviemaking. We need to utilize feminine resources to reinterpret the American dream. Media is a political tool as well as entertainment. For too long these have been regarded as two opposing poles with little common ground. Strategic use of media is essential in disseminating our ideas for social change.

A need exists for media criticism continuously responsive to new developments. This will probably invariably require the discovery and respect for non-sexist, violence-conscious film critics who also have high standards of technical expertise. We can look to them for guidance in where to spend our time and money.

Advertisers and major motion picture producers are motivated by one huge common denominator - dollars. Since 80-85% of household money is spent by women, we could effectively change trends in advertising by refusing to purchase products which depict us as weak, dim-witted, sexpots, etc., in their advertising. We can also write to sponsors of objectionable television shows and tell them we're not buying the products which are responsible for bringing them to us (e.g., local spot). Money talks and two can play at this game.

As concerns censorship laws and practices, I think we should seriously evaluate what we are censoring. Pleasant, simple lovemaking is actively discouraged in home viewing; instead we get shows like "Straw Dogs" and "Psycho" and similarly violent programs. We have censorship laws which prohibit "incitement of violence toward minority groups." Yet we allow media works which constitute clear cases of incitement to maltreat women, downgrade them to a lower status, regard them as mere sex objects, and elevate male machismo to a superior position. In fairness to more than half the population such incitements should be proscribed.

Then we hear cries from those touting the artistic rights of violence in programming. My contention is that "art" does not need explicit portrayal of violence, that such portrayal is counterproductive and even sidetracks viewer attention, and that realism is less gripping and artistic than use of poetic imagination. Anyway, I really have trouble with the argument that graphic violence is in most media for "artistic" reasons in this day and age of gratuitous sensationalism.

Hope is on the horizon. More women are learning media skills and maintaining their political ground in expression. Cable access is opening all kinds of possibilities for alternative programming. Home video markets? Who knows what the top selling videocassette of today's market is? Parents are getting more involved in their children's viewing selection process. . .

We can use media as a local organizing tool which could turn media stereotypes and male strength around to work against violent human interaction. We have the ideal opportunity here in Alaska and it's time we pull all of our diverse organizations with each little area of special concern and pool our efforts in this common cause of reducing and maybe even some day eliminating violence in our homes and in our state.

PART II

CONTROL, TREATMENT, AND PREVENTION OF VIOLENCE

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CRIMINAL JUSTICE AND VIOLENCE IN THE 1980's:

Police Standards Council Response - Jim Mayer

The Alaska Police Standards Council was originated by the 1972 legislature to be an active participant in the training programs for police officers in the state of Alaska. There are nine members to the Council, appointed by the Governor and set by the statute; four chief administrative officers or chiefs of police; four public members, two of which have to be from municipalities of less than 2500 population; and the Commissioner of Public Safety. It is not an advisory body; it's an active body with regulation-making authority and also the authority to revoke and deny police officer certificates.

The purpose of the Council is to set minimum standards for training and selection of every police officer in Alaska. We do this by the regulations which have been adopted over the years. We certify training courses, classes and programs to ensure that they meet minimum standards. We certify instructors who are properly trained in their area of expertise. Finally, we certify officers that meet the minimum standards of employment, and training set by statute.

We have four certified basic law enforcement providers in the state of Alaska. The Anchorage Community College, the Tanana Valley Community College, the Anchorage Police Department Academy, and the Public Safety Academy in Sitka.

The Police Standards Council is funded yearly by the legislature to provide what we call municipal police academies at the Public Safety Academy in Sitka. Each amounts to a minimum of 230 classroom hours of training for the entry level police officer. We do not fund trainees who attend any of the other academies. The academies at the community colleges are voluntary; they take any student from the street who is interested in that type of training.

Within the past year, the council certified a total of 77 hours in domestic violence training conducted by 13 separate police agencies which reached a total of 271 officers throughout the state. There is a required basic minimum of 4 hours of training during basic law enforcement

programs for entry level police officers. The purpose of the basic training is to provide the necessary skills to the entry level officers so he can perform his duty on the street.

We must, somewhere, define violence -- violence in the home or violence that takes place in the commission of other crimes on the street. There is no way to break down training programs into hours which are devoted to police response to violence in connection with those other crimes.

I think that is a very brief overview of the police standards program. I might say that the legislature has recognized the seriousness of violence throughout Alaska by appropriating, over the past few years, considerable funds to the Department of Public Safety and other organizations to provide training in domestic violence to all police officers in the state.

Public Defender - Dana Fabe

The Public Defender Agency is a state agency, the purpose of which is to provide legal representation to people charged with crimes if they can't afford to retain their own lawyer. We have nine offices statewide, from Barrow to Ketchikan.

Initially, I would like to make some observations on the factors which seem to contribute to violent crime, and I speak from the vantage point of a criminal defense attorney who deals with a high volume caseload. Then I will talk about some proposals for solutions to deal with the violence in this community.

Probably the clearest factor leading to violence, and the one which may have been emphasized already in this conference, is alcohol. The vast majority of our caseload of offenses involve alcohol, and I think that unless the alcohol question is dealt with, violence is going to continue.

The second thing is that in our office we are dealing with poor people charged with violent offenses. We have represented a lot of people who are frustrated and angry. They don't have job skills. A high percentage of our clients have reading disabilities. Many are not literate

and must have another prisoner write their letters for them. It's clear that many don't have basic reading and writing skills much less vocational skills. Because of their lack of skills, they're ineffective in their lives and this causes frustration and anger. When combined with alcohol, you have a walking bomb. I think that it's just a matter of time until an outbreak of violence occurs.

A third observation is that we have a very transient population up here. I think that sometimes when people's homes are elsewhere and their family and friends are elsewhere, the types of community norms which usually come into play, including not wanting your neighbor to know that you've done something wrong, aren't here as controls.

Finally, I think that violence clearly begets violence. Many of our clients charged now with crimes of violence have been victims of violence in the past. Sexually assaulted children have been repeating that pattern with their own children. Abused physically by their parents, they become abusive people.

In terms of possible solutions, the alcohol problem is the first one to combat. We have some very good treatment resources in our community and statewide; however, in many cases programs have waiting lists. They have limited bed space and therefore must limit numbers of people they can take. Furthermore, there is nothing available for charged persons who are in a pre-trial status. Persons who are charged with a crime wait for four or five months for their case to go to trial and yet they do not have anything in the way of treatment. The facilities do not have alcohol treatment, and often the residential alcohol treatment programs will not take someone who is waiting to go to court because they feel that that person may be removed from treatment later by the judge. The people who have just come into the system, but who may not have been convicted yet, would be a good target population for alcohol treatment. Finally, in the prisons, the resources for alcohol treatment are limited. Nor are there enough halfway houses and after-care programs for prisoners who are first venturing back out into the community. Alcohol treatment, halfway houses and counseling programs, such as the Male Awareness Program, are essential. For, until the anger and frustration from the problems of people being victimized in the past are dealt with, the problem is not going to be solved.

Social Services - John Pugh

The Division of Family and Youth Services has two primary focuses, child abuse and neglect and delinquency. We will be focusing today on the section that deals with delinquency which has two components: (1) probation and parole, and (2) the institutional program.

First, think it is very important to put the juvenile crime problem in perspective. There has been a lot of talk in the press last year in Anchorage about the increase in juvenile crime in Alaska and in the legislature about the fact that we need to change our juvenile laws in order to make them more strict for juveniles. In calendar year 1981, as reported by the Criminal Justice Planning Agency, there were 18,825 arrests in Alaska. Of those arrests, only 6,128 were juvenile arrests (32%). That is significantly lower than a lot of jurisdictions in the lower 48.

In addition to that, if you look at those arrests and break them down, a large proportion of those arrests are for crimes such as liquor violations, which is 1500 of them, and curfew (another 500), as well as larceny theft, which is 1700 of them. If you look at the large bulk of those 6,000 arrests, they are for fairly minor crimes.

In terms of violent crime, what we see is that in actual fact, we have about 100-125 arrests for violent crime of juveniles in Alaska. Of these arrests, there are approximately 60 arrests each year for unclassified and Class A felonies. In summary, only 32% of the crimes are committed by juveniles and of that 32%, a large portion are minor crimes.

One other factor to look at is the McLaughlin Center, which has been keeping statistics on the individuals who have been admitted since 1971. We have had 137 youths admitted for unclassified or Class A felonies. In that same period of time, we have had overall admissions of 975. Again, a significant portion of individuals admitted to McLaughlin were for less serious offenses.

There has been some increase in violent crime in the single incident situations which caused a lot of press which, certainly, brought out the questions of the juvenile justice system and whether it, in fact, can rehabilitate

violent juvenile offenders. I think that his question was before the legislators last year. There were three bills introduced. The most significant one was SB 685, the one by Senator Rodey and a couple of other senators, as well as HB 633 initiated by Chief Anderson. Neither of those bills passed, but it did certainly open the discussion concerning rehabilitation of older juvenile offenders, 16-, 17-year-olds. That question still is unanswered. I think that most of us who are in the field are beginning to lean in the direction that we certainly do not have the data to indicate that, within a three or four year period, rehabilitation can be effective for very serious juvenile offenders. I think that some of that data still needs to be gathered.

One of the things that I think we have to look at is ways in which we can control the violent juvenile. One way is to look at taking some of those individuals and moving them into the adult system. This would result in longer sentences in order to protect the society. This changes the focus from rehabilitation and protection of the community to protection of the community and then rehabilitation. We have to look at a number of factors. We have to look at what age are we willing to waive youth to the adult system. What crimes are significant enough that we would waive a youth into the adult system? What past delinquent history or other types of characteristics are we going to look at in terms of being able to waive those youth to the adult system? Where are they going to be treated or placed? Are they going to remain in the juvenile system until they reach the age of majority or are they actually going to be transferred to the adult system?

I think these are very important issues for us to deal with in the 80's in terms of solutions to violent crime committed by juveniles. Even though the problem is small, I think it has to be dealt with. Beyond that, though, I think it is important for us to look at other things other than just waiving youth. I think we have to increase our prevention efforts. We need more community education programs. We need more parenting training. We need youth alcohol and drug abuse programs, since there is a connection between alcohol use and the crime which is committed by youth. We need recreational alternatives for youth. We need better early intervention programs. We need to have good youth counseling programs that will be able to pick up on these youth and be able to divert them. We need, within our own system, to expand our present diversion units which are

becoming effective in the sense of keeping youth out of the system.

Finally, I think that we need to begin to evaluate the system. There is a lot of noise about the system not working. In fact, nobody has really proven that the system is not working. We have a small number of youth who are committing most of the crimes. It is not the case that we have a large number of youth who are untreatable. Study after study has shown that the majority of crime is committed by a small number. That goes for violent crimes as well as overall crimes.²

NOTES

1. Crime in Alaska 1981, Office of Justice Assistance, Department of Law, State of Alaska.

2. Wolfgang, Tracy, Figlio. Unpublished study submitted to National Institute of Juvenile Justice and Delinquency Prevention (to be published in the Spring of 1983).

CRIMINALIZING DOMESTIC VIOLENCE: A STUDY OF PROSECUTORIAL ACTION TAKEN IN ANCHORAGE, ALASKA

Knowlton W. Johnson
Serena Shores Partch
Mike Marsh

Violence in the family has always been with us. Dobash and Dobash (1979), Martin (1976) and Radbill (1974) are among those who have presented historical evidence that interpersonal violence such as wife beating and child abuse have been common throughout the ages. There is also a body of research which illustrates the critical nature of violence in domestic situations. For example, Gaguin (1977-78) reported results of a National Crime Survey that showed spousal assault as more likely to result in an injury, and more likely to require medical attention or hospitalization for its victims, than assaults by strangers. Moreover, it has been estimated that over one fourth of all murders in the United States are intrafamilial (Berk et al, 1980).

According to Gelles (1982), it would be fair to claim that, until recently (1970's), violence between family members has suffered from "selective inattention." In other words, domestic violence has been considered a private issue rather than a public problem, thereby receiving little attention. Star (1980) contends that the silence, which has traditionally surrounded the issue of family violence, can be attributed to lack of public awareness, general acceptance and denial of the intent of family members to do harm against significant others. Gelles (1982:202-203) used Star's analysis to posit another reason why the public has failed to recognize the extent and seriousness of domestic assault. He contends that "[T]he general acceptance of various types of family violence meant that it was not viewed as a criminal problem. Hence, violence was not labeled 'criminal,' no official records were kept, the public could nurture the myth that families were not violent

Lately, domestic violence has come out from the closet and from behind the closed door of the home. During the last decade, an increasing amount of knowledge has surfaced about the extent and nature of family violence or wife-beating (e.g., Straus et al, 1980 and Bowker, 1983). Social services have become more available for treatment of both

victims and abusers (e.g., Roy, 1977, 1982). Policymakers in many states have rewritten statutes to more fully address assault within the home (Center for Women's Policy Studies, 1979). Finally, the legal and criminal justice profession has begun to explore alternative ways to respond to violence in domestic situations (Bard, 1978; Fields, 1978; Conte and Berliner, 1981).

It is the response of the legal and criminal justice system to domestic violence which is the subject of this paper. In particular, we have focused our attention on Anchorage, Alaska as illustrative of an effort to move domestic violence into the legal system, i.e., criminalization of domestic violence. The investigation centered on three policy questions: (1) Who is involved in criminally defined domestic violence? (2) How are criminal domestic violent incidents best characterized? (3) What criminal action is taken in domestic violence cases and to what consequence? Answers to these questions will follow a discussion of the research setting, sampling strategy and data collection and analysis procedures. Policy implications are also highlighted.

Methods and Procedures

Research Setting

In studying the extent and nature to which domestic violence is being criminalized in Anchorage there are a number of governmental actions and activities which should be noted. At the state level, there is a Council on Domestic Violence and Sexual Assault that provides funding to domestic violence programs in Anchorage. Further, the State Office of Alcohol and Drug Abuse funds for city programs which provide services for alcohol and drug related violence cases. Key state legislation in the area of intra-family violence includes the civil legal action (Domestic Violence Act) which provides expanded civil remedies, e.g., restraining orders and police reporting requirements; and criminal legal action which provides for special bail conditions in domestic violence cases, e.g., the defendant may be required to attend counseling as a condition of bail release.

In regard to Municipality efforts to combat domestic violence, the city allocates funds to a number of programs that provide violence related services. In addition, the

Office of the Prosecutor initiates actions that are specific to intrafamily violence cases. There is a part-time volunteer victim-witness advocate to provide emotional support for victims of domestic violence. Further, there is a policy that provides prosecutors an opportunity to offer first time defendants a plea agreement involving probation and six months of anger-control counseling in the AWAIC Male Awareness program. The prosecutor's office also holds conferences in which the victim(s) is informed about the AWAIC shelter service, the AWAIC off-site rap group and the Domestic Violence Act civil restraining orders. In terms of interagency linkages, the prosecutor's office has established a working agreement with the AWAIC Male Awareness program which includes reserving slots each month for abusers who have been processed by the Municipal prosecutors. Prosecutors also use a number of alcoholism treatment programs as a condition for disposition.

Sampling Strategy

The focus of our study was on domestic criminal violence, acts of violence occurring in domestic situations which are handled by the criminal justice system. Previous studies of this type of violence have used varied sampling frames. In most domestic violence research, the study group has been confined to: child abuse including acts of physical or mental injury, sexual abuse, negligent treatment or maltreatment of a child; and/or wife abuse which includes physical injury, sexual abuse, marital rape and pornography (Gelles, 1980:205-207). A few studies have expanded the definition of domestic violence to include heterosexual "romantic or conjugal relationship prior to or at the time of, the incident" (Berk et al, 1980). According to Gelles (1980:208), however, there has been little attention given to domestic conflict involving persons in nonsexual relationships, e.g., elderly abuse, or violence between siblings.

In our study, we included in the sample group incidents that were handled by the Municipal Prosecutor's Office and involved persons in sexual and non-sexual relationships. This included cases involving persons who were married, divorced, or separated; persons related by blood or by marriage (e.g., sister or father-in-law); persons who shared a residence (e.g., common-law marriage, past or present "live-in" relationships); and relatives or friends of persons in any of the preceding relationships (e.g., mother of

defendant's former girlfriend).

Child abuse cases were not included in the study since they are usually handled noncriminally through the Department of Health and Social Services. Domestic violence cases involving juvenile defendants are handled by the court system and therefore were not included in the sample. Finally, state misdemeanor and felony cases concerning domestic violence processed through the District Attorney's Office were not part of the study.¹

Data Collection and Analysis

During March, April and May of 1983 three trained student research interns of the University of Alaska, Anchorage Justice program collected record data on 252 cases that came to the attention of the Municipal Prosecutor's Office in 1982. Cases classified as domestic violence were determined by reviewing the police report narrative that described the incident. Assault and battery related domestic violence cases are screened by the Prosecutor's Office in a routine manner; however, student interns reviewed all 1982 police reports filed with the Prosecutor's Office in an effort to determine instances of domestic violence not reported as a crime of Assault and Battery. Since copies of police reports involving domestic violence cases declined by the Prosecutor's Office are not retained over six months, this case information was provided by the Municipal Police department.

Data pertaining to 44 variables were collected on each case included in the sample. The type of information collected centered on the victim's and defendant's backgrounds, and the incident and prosecutorial action. Intercoder reliability was established by having each student recode 15 percent of another student's coded cases. All cases were recoded if a systematic error was detected on a given variable or if more than 3 % random error was uncovered. Additional coder and keypunching error checks were conducted by visual inspection and by preliminary computer analyses.

The policy questions of interest were answered by conducting univariate and bivariate analyses. Where appropriate, the response categories of the original variables were regrouped to provide more meaningful results. These results are discussed below.

Results

Victim and Defendant Characteristics

In studying the extent and nature of criminally defined domestic cases in Anchorage, we first examined the characteristics of the victims and defendants. Table 1 presents these results. The typical victim was a white female between the ages of 21 and 40; she was either still married or had never been married and was employed in 2 out of 3 cases. The typical defendant was a white male and was, on the average, slightly older than the victim. He was also usually married or had never been married and was employed in 2 out of 3 cases. While the typical victim and defendant were white, Blacks and Natives were overrepresented in both groups; according to Census (1980), only 5% of the Anchorage population is Black and 3% is Native (Eskimo and Aleut). Moreover, we found less elderly abuse being reported to the police than in previous studies that used noncriminal data sources such as women's shelters (e.g., Pagelow, 1981).

Results not reported in table form showed that most of the defendants accused of domestic abuse (93%) were male. We also found that in a majority of the cases the violence was intraracial; the most frequent deviation from this pattern was Black and Hispanic males accused by white females.

This study included more varied defendant-victim relationships than have been included in most previous studies of criminally defined domestic violence. We found various sexual and nonsexual relationships that were clearly domestic violence (Table 1). Interestingly, even though child abuse cases had been excluded from the study, we uncovered 10 cases concerning violence between parent and child which had been referred to the Prosecutor's Office as another type of crime (e.g., disorderly conduct).

Description of the Incident

It was assumed that more incidents of domestic violence would come to the attention of the police during the winter months when relationships are typically strained. Figure 1 reveals that no such pattern exists in Anchorage. The highest reporting months were in the winter (January) and in the spring (May). In contrast, February was one of the lowest reporting months along with June. Time of day of domestic violence incidents was as expected. The high

FIGURE 1
INCIDENT PROFILE OF
CRIMINALLY DEFINED DOMESTIC VIOLENCE

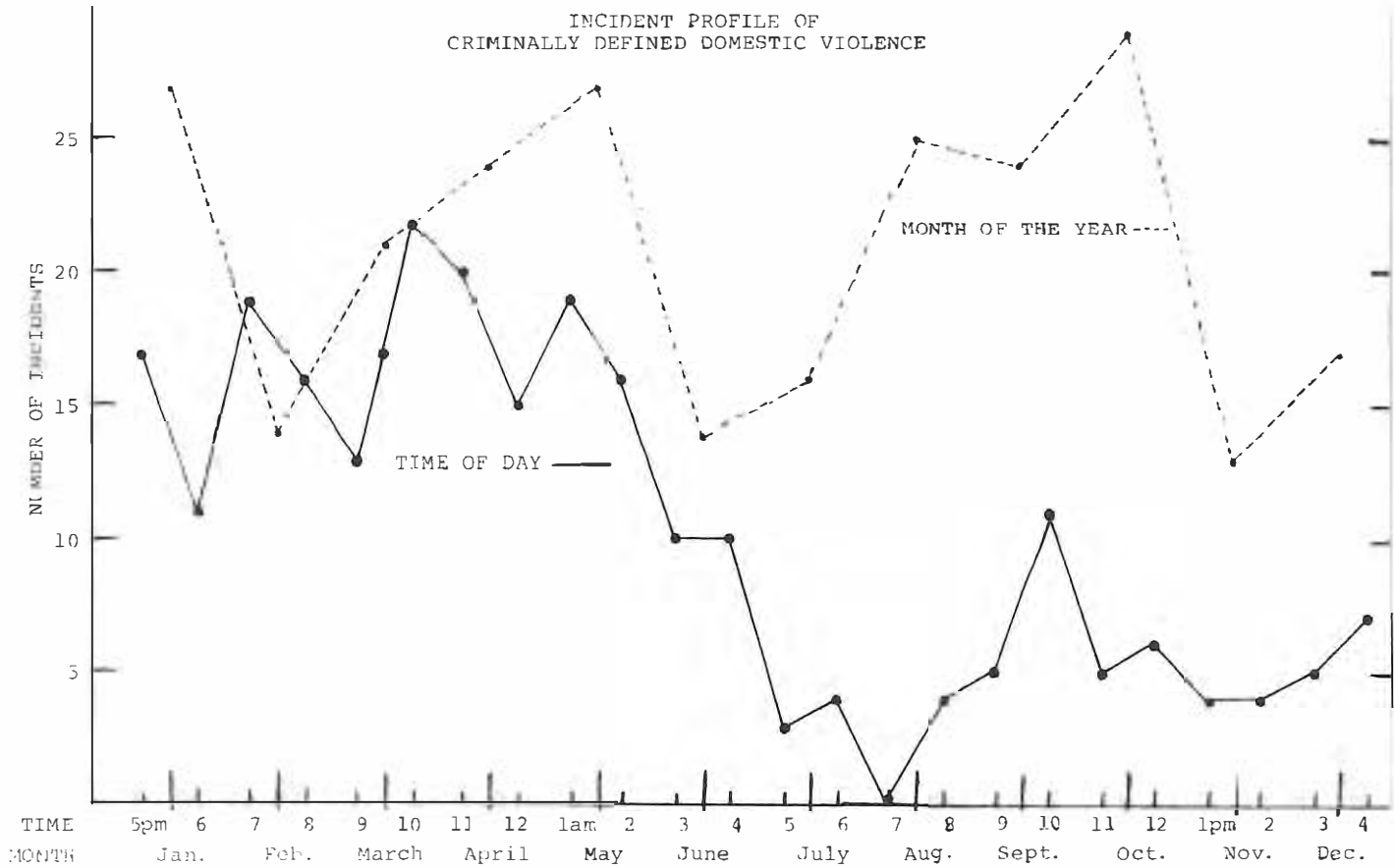


TABLE 1

PROFILE OF VICTIM AND DEFENDANTS OF
CRIMINALLY DEFINED DOMESTIC VIOLENCE CASES

Victim Characteristics			Defendant Characteristics		
Age:	No.	%	Age:	No.	%
11 - 17	11	5			
18 - 20	36	15	18 - 20	19	8
21 - 25	63	26	21 - 25	61	24
26 - 30	48	20	26 - 30	70	29
31 - 40	53	22	31 - 40	60	24
41 - 50	23	10	41 - 50	30	12
51 - 53	5	2	51 - 57	7	3
No Data	13	-	No Data	5	-
	252	100		252	100
Sex:	No.	%	Sex:	No.	%
Female	226	90	Female	26	10
Male	26	10	Male	226	90
	252	100		252	100
Race:	No.	%	Race:	No.	%
White	165	68	White	155	62
Black	32	13	Black	46	18
Native	36	15	Native	32	13
Oriental	1	0	Oriental	4	2
Hispanic	3	1	Hispanic	10	4
Amer. Indian	7	3	Amer. Indian	2	1
No Data	8	-	No Data	3	-
	252	100		252	100
Marital Status:	No.	%	Marital Status:	No.	%
Married	68	30	Married	77	34
Divorced	17	8	Divorced	16	7
Separated	23	10	Separated	24	10
Widowed	1	0	Widowed	1	0
Single	117	52	Single	111	48
No Data	26	-	No Data	23	-
	252	100		252	100
Employ. Status:	No.	%	Employ. Status:	No.	%
Unemployed	71	39	Unemployed	61	33
Employed	111	61	Employed	125	67
No Data	70	-	No Data	66	-
	252	100		252	100
Defendant's Relationship with Victim:			No.	%	
Spouse living together			57	23	
Not married but living together			36	14	
Divorced or separated			51	20	
Other relative by blood or marriage			7	3	
Parent-child			10	4	
Siblings			10	4	
Other non-live in relationship (e.g., boyfriend-girlfriend and their social network; babysitter; mother of defendant's former girlfriend)			79	32	
			252	100	

reporting hours begin around 5 p.m. and remain high until early morning, i.e., 2 a.m.

We had no precise measure of socioeconomic status of victims or defendants; however, location of incident provided a crude indicator. As expected, Table 2 shows a higher proportion of domestic violence incidents were reported to the police from the lower economic subcommunities of Anchorage than were reported from other subcommunities of the city (see Appendix for a boundary map). These lower economic areas include downtown and the Fairview area (20%), Spenard (19%), North Muldoon (13%), North Mountain View (11%), and South Mountain View (10%). In regard to the type of location in which incidents of domestic violence occur, 75% of the time the incident took place in the victim's and/or defendant's residence.

TABLE 2
LOCATION AND TYPE OF LOCATION OF
INCIDENCES OF CRIMINALLY DEFINED DOMESTIC VIOLENCE

<u>Location of Incident</u>	<u>No.</u>	<u>%</u>
Inlet View/Turnagain Area	2	1
Fairview/Downtown Area	50	20
Government Hill Area	3	1
North Mountain View Area	28	11
South Mountain View Area	25	10
North Muldoon Area	33	13
South Muldoon Area	4	2
Lake Otis Area	12	5
Spenard Area	48	19
Sand Lake Area	5	2
Campbell Lake/Klatt Area	6	2
Oceanview Area	11	4
Abbott Loop Area	3	1
O'Malley/Hillside Area	2	1
Eagle River/Chugiak Area	10	4
Rabbit Creek Area	4	2
Outside Anchorage	2	1
	<u>252</u>	<u>100</u>
<u>Type of Location of Incident</u>	<u>No.</u>	<u>%</u>
Victim/offender's residence	97	39
Victim's residence	70	28
Offender's residence	21	8
Victim/offender's automobile	9	3
Public establishment (restaurant, store), Bar	22	9
Other	32	13
No Data	1	-
	<u>252</u>	<u>100</u>

Previous studies of domestic violence have reported varied frequencies of alcohol and drug use during the incident (e.g., Gorman, 1983; Powers and Kutash, 1982). An inspection of Table 3 indicates that the percentage of alcohol and drug use in our study was not as high as expected. The police reported alcohol being used in 37% of the cases and drugs being used in 3% of the cases. It is possible that police-observed use represents alcohol and drug abuse, not use.

TABLE 3

NUMBER AND PERCENT OF CASES IN WHICH ALCOHOL OR DRUGS WERE PRESENT

Police Observed Alcohol Use	No.	%
None	156	63
Defendant	63	26
Victim	4	1
Victim and Defendant	24	10
No Data	5	-
	252	100

Police Observed Drug Use	No.	%
None	240	97
Defendant	7	3
Victim	0	0
Victim and Defendant	0	0
No Data	5	-
	252	100

Criminal Action Taken in Domestic Violence Cases

What criminal action was taken in domestic violence cases occurring in Anchorage and to what consequence? Table 4 presents the pre-prosecutorial action that was taken in the 252 cases that were referred to the Municipal Prosecutor's Office in 1982. The most common police action to criminalize domestic violence cases was to refer such cases to the Prosecutor's Office as crimes of assault and

battery (81% of the cases); however, 19% of the domestic violence cases were referred as less serious misdemeanors, e.g., disorderly conduct.

TABLE 4
PRE-PROSECUTORIAL ACTION TAKEN
IN CRIMINALLY DEFINED DOMESTIC VIOLENCE CASES

Extent of Crime Reported	No.	%
One charge	221	88
Two charges	20	8
Three or more charges	9	4
No Data	2	-
	<u>252</u>	<u>100</u>
Nature of Crime Reported	No.	%
Assault battery	203	81
Disorderly conduct	20	8
Trespass	14	6
Malicious destruction of property	5	2
	4	2
Other	6	2
	<u>252</u>	<u>100</u>
Prosecutorial Action	No.	%
Prosecution declined (no charge filed)	60	24
Charge filed	192	76
	<u>252</u>	<u>100</u>

Of the 252 cases referred to the prosecutor's office, 60 (24%) were declined. Cases are declined for two major reasons: victims are not willing to testify, or the evidence is insufficient to effectively prosecute. There are various reasons why victims are reluctant to testify. The major ones include fear of reprisal, embarrassment, desire for a quick end to the relationship, fear of losing the children, and "honeymoon" reprieve, i.e., defendant demonstrates care and affection the day following the incident. In regard to weak cases, the prosecution is continually confronted with problems associated with witnesses. Because domestic violence usually occurs in a private place, witnesses are frequently children or disinterested neighbors.

Moreover, victims frequently find it difficult to articulate the details of the incident exactly. Prosecutors also perceive that contemporary jurors are reluctant to intervene in people's private lives; therefore, domestic violence cases which are considered marginal in terms of evidence to present to the jury are often declined.

Although not reported in table form, we compared the declined and arraigned cases by victim, defendant and incident characteristics to check for prosecution biases in case selection. The only significant difference uncovered was that all of the domestic violence cases which were referred to the Prosecutor's Office as disorderly conduct were declined.

Table 5 displays what happened to the 192 domestic violence cases in which a criminal charge was actually filed by the prosecution. An inspection of action taken at arraignment shows that in 44% of the cases, the defendant plead not guilty while 37% entered a plea of guilty or no contest. The remaining cases involved deferred prosecution (which will be discussed later), continuance, failure to appear and motion to dismiss.

Regarding adjudication, court action entailed accepting the defendant's plea of guilty or no contest or a change of plea in 40% of the cases (75). In 30% of the cases (58), the case was dismissed on a motion by the prosecutor. Major reasons for dismissal were the same as for declining cases - victim decided not to testify or insufficient evidence to effectively prosecute. Only 5% of the cases (8) required trial by jury. In 5 of these cases the defendant was found guilty and in 3 cases the outcome was not guilty.

There are various types of dispositions that may be applied to domestic violence cases. In addition to the traditional options of suspended sentence, probation, fine or jail, the disposition can be in the form of a deferred prosecution or suspended imposition of sentence (SIS). Deferred prosecution is a decision to dismiss after a waiting period in which the defendant adhered to specified conditions, e.g., attend the Male Awareness Program. A SIS disposition involves a probation period followed by removal of the conviction at the end of the probation, provided he or she fulfills the probation conditions. Table 5 shows that in 41% of the cases the disposition was either a deferred prosecution (22%) or a suspended imposition of sentence (19%).

TABLE 5

**NUMBER AND PERCENT OF DEFENDANTS BY
TYPE OF OUTCOME AT THE ARRAIGNMENT,
ADJUDICATION AND DISPOSITION STAGES OF THE LEGAL PROCESS**

Arraignment	No.	%
Guilty Plea	22	12
No Contest	81	44
Not Guilty Plea	45	25
Other ¹	34	19
No Data	10	-
	192	100

¹ motion to dismiss, continuance, failure to appear, deferred prosecution.

Adjudication	No.	%
Bench trial	0	0
Plead guilty or no contest	75	40
Dismissed	58	30
Found guilty (jury trial)	5	3
Found not guilty (jury trial)	3	2
Other ¹	49	25
No Data	2	-
	192	100

¹ deferred prosecution.

Disposition	No.	%
Deferred prosecution	21	22
Suspended imposition of sentence (SIS)	19	19
Suspended sentence	12	12
Probation only	3	3
Probation and/or fine	14	14
Probation and/or jail	21	22
Probation, fine and jail	7	7
No Data or Pending	17	-
	115	100

The remaining 56% of the cases were some combination of probation, fine or jail. The remaining 56% of the cases were some combination of probation, fine or jail.

Table 6 describes the disposition conditions in concluded cases where a charge was filed, not dismissed or not resolved through a trial finding of not guilty. Only 10% of these cases resulted in dispositions with no conditions. The remaining 90% of the cases provided some form of additional protection and support for the victim or treatment of the offender. Specifically, the conditions and the percent of cases in which they were issued were: no similar violation (68%), no contact with the victim (27%), restitution (15%), anger-control counseling (45%), child abuse treatment (7%), alcohol treatment (23%), drug treatment (2%), and mental health treatment (3%). In most cases there was more than one special condition.

TABLE 6
NUMBER AND PERCENT OF CASES BY TYPE OF CONDITION
OF DISPOSITION (MULTIPLE CONDITIONS IN SOME CASES)
(N=105)

	No.	%
No conditions	10	10
No similar violation	71	68
No contact with victim	28	27
Restitution	16	15
Domestic violence, anger control counseling (Male Awareness Program)	47	45
Child abuse treatment	7	7
Alcohol treatment	24	23
Drug treatment	2	2
Mental health treatment	3	3

One of the most significant results of the study was that approximately one-half of the cases with dispositions also had anger-control counseling as a special condition. In addition, nearly one-quarter of offenders were required to participate in some form of alcohol treatment. Unfortunately, there are no data available on the impact of these and other special conditions.

Conclusions and Policy Implications

This study of criminally defined domestic violence in Anchorage, Alaska was intended to determine (1) who is involved in domestic criminal violence; (2) how are such incidents of violence characterized; (3) what criminal action is taken in domestic violence cases and to what consequence? These questions were answered by extracting data from 252 domestic violence cases that were reported to the Municipality of Anchorage Prosecutor's Office during 1982.

The results of this study show that steps have been taken in Anchorage to criminalize domestic violence concerning young and middle-aged adults who are involved in various types of personal relationships. Conversely, the data show that domestic violence involving children and elderly infrequently come to the attention of the prosecutor. In regard to specific criminal action taken in those cases that are reported to the Prosecutor's Office, the findings report a high number of declined and dismissed cases. On the positive side, the results reveal that of those cases that have been successfully prosecuted, action has been taken without great expense to the taxpayer, i.e., few jury trials. Moreover, the evidence shows that the Prosecutor's Office and the court emphasize not only traditional criminal sanctions, but also provide additional protection and support to the victim and treatment for the offender. These findings point to several policy implications.

Most apparent is that in order to reduce the number of declined and dismissed cases, the victim has to be willing to testify and the police have to file cases that include the essential ingredients for effective prosecution. In regard to victim cooperation, there are two options that may be considered: force the victim to participate in the legal process or provide the victim sufficient protection and support to gain volunteer cooperation. Currently the Prosecutor's Office evaluates the utility of seeking a court order forcing the victim to testify in serious abuse cases with contempt of court and subsequent jail as a penalty for non-compliance. There has been support for forced testimony among domestic violence experts who are familiar with the coercive pressure exerted by the offender and the need for treatment before the person advances to more serious forms of violence. Any contempt of court finding for refusal to

testify must, of course, take into consideration the witness's right to a fair hearing as well as the right to raise any self-incrimination claim.

The Prosecutor's Office is also attempting to provide victim support in the form of volunteer victim-witness advocates. While these efforts potentially may impact on voluntary victim involvement in the legal process, the probability of impact can be increased by creating a permanent position to function as a victim-witness advocate. Another option to stimulate victim cooperation voluntarily is to demonstrate, through the use of this study's findings, that the prosecutor's primary interest is to successfully treat the defendant for his behavior problem and to inform him that the community views his behavior as wrong.

In regard to strengthening the merits of domestic violence cases, two options are suggested. First, police officers on routine patrol need more direction in handling domestic violence cases. Often it is difficult to discriminate between incidents that need criminal action and those that should be handled in a noncriminal manner. Further, due to the difficulty of prosecuting domestic violence cases, police need to know what additional things to do which can enhance the merits of the case. As such, the police need specialized training that focuses on intervention in domestic violence situations and on collection of evidence and report preparation. Second, the Police Department should also consider creating a specialized unit to handle family crisis calls. A number of cities that are comparable in size to Anchorage have organized such units.

A probable latent effect of police training and specialization in the area of domestic violence may be that more incidents of domestic violence including child abuse and elderly abuse will surface. The Municipality, therefore, will be confronted with the need for additional personnel in the Police Department and Prosecutor's Office to handle the increased volume of cases.

Another policy implication of our study stems from the results regarding dispositions. The Municipal Prosecutor and court have emphasized combining traditional criminal justice dispositions and conditions for providing additional protection and support to the victim and treatment for the offender. Unfortunately, neither the Prosecutor's Office nor the court is designed to monitor the extent to which

these additional conditions are met. What is needed is a strong interface with another agency which is interested in monitoring domestic criminal violence cases. This interagency option could be designed to maximize supervision to ensure that conditions such as "no contact with the victim" and completion of treatment programs are met.

The final implication of our study concerns data storage and retrieval. It is apparent from our study that systematic data are needed for making decisions at the prosecutorial stage of the legal process. Such data should be easily retrievable and should be sufficiently detailed to assist in making decisions about individual cases and about management practices. It is recommended that the current record keeping system be examined with the intention of developing a management information system (MIS) which could be automated in the future. In designing the system it is important to interface with the State Department of Law's PROMIS which is a computerized information system for state district attorney cases. Attention given to information management potentially could highlight efforts not only to criminalize domestic violence in Anchorage, but also to reduce domestic violence.

NOTE

1. The Anchorage Police Department, which handles most domestic violence cases in Anchorage, referred nearly all of the cases to the Municipal Prosecutor's Office rather than to the State District Attorney's Office.

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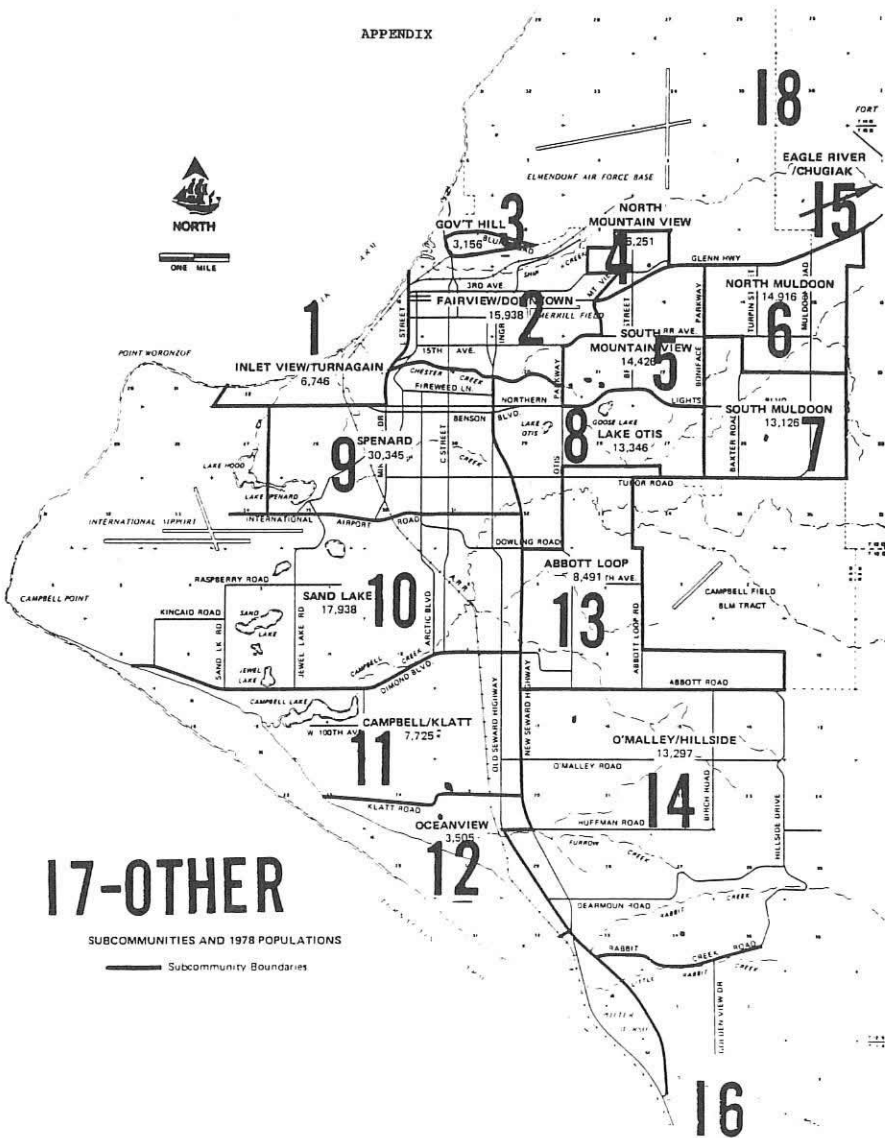
APPENDIX



NORTH



ONE MILE



17-OTHER

SUBCOMMUNITIES AND 1978 POPULATIONS

— Subcommunity Boundaries

PROSECUTING SEXUAL ABUSERS

Vic Krumm

The topic of discussion is prosecuting the sex offender. When we talk about the sex offender, we have to distinguish between the sexual assault of adults and the sexual abuse of children. We need to do that from an investigative standpoint, we need to do that from the prosecuting lawyer's standpoint, and ultimately, from the treatment standpoint when we get past the court system.

Frequently, people lump all sexual crimes together. This is a mistake, at least in my view. It is a mistake for a variety of reasons. There are similarities, certainly, between sexual abuse of children and sexual assault of adults. The motivation may not be sexual, but clearly the act itself is. The offenders are almost entirely men. The victim's experience, whether they are children or adults, is a trauma that is unique. We see this in rape victims or child abuse victims; we do not see these manifestations in other types of violent crimes.

There are also a number of dissimilarities. One of these is age, children versus adults. Also, children who are abused tend to be harmed very frequently by people that they know. It may be a family member, maybe a relative, or an acquaintance. An adult rape victim, on the other hand, is often abused by somebody that she does not know; or, if it is by somebody she does know, it does not occur over a long period of time.

With children, the sexual abuse is long-lasting. It's highly repetitive and may go on for years and years. When we began actively prosecuting across the country sexual abuse cases against children about five or six years ago, the victims that we saw were around 13 or 14 years old. Everybody thought that the reason we are seeing this is that the girls are getting into adolescence and they're becoming sexually attractive to their fathers. But, as more and more cases were prosecuted, the ages of the kids we saw kept coming down. Now we find that the sexual abuse cases we have involve kids 3 years old, 4 years old, or 5 years old, and we are beginning to learn, just by experience, that sexual abuse does begin at an early age. We did not recognize this 5 or 6 years ago. This is a new experience for the prosecutors across the country.

What is suggested is that the problem of child sexual abuse was much more prevalent than anybody had thought. Years ago, Freud was told about widespread incest by his female patients and he simply did not believe it. He developed the Oedipus Complex theory; it was adopted across the country. It may well be true in some instances. All I know is that because of the focus that he had, saying that people were fantasizing - women were fantasizing about becoming incest victims - we did not believe the evidence that we were hearing. We simply did not believe it. In the 70's that began to change. We began to believe people.

Another dissimilarity is that there is often force or the threat of force in the rape of an adult. That is much less frequent when you're talking about sexually abusing a child. There's no need to use force with a child. Besides that, children, because of the relationship that they share with the abuser, tend to be very trusting. They don't know any better. They are coerced a lot easier, so one does not see the same kind of behavior we see in adult rape incidents in terms of force or the threat of violence. That is not to say that all child abusers don't use force; that's not true. It is a fact, however, that many of them employ a "grooming" technique on children instead of force.

One of the other things that is really important, is that when you talk about children, you have a whole different set of social involvement than when you talk about adults. When you start talking about child abuse, you are bringing in the health and social services; you are bringing in social workers. You are going to get different perspectives. Whenever you deal with a child sexual abuse case in the state of Alaska, there is a possibility of criminal action having prosecutors on one side as well as a child aid proceeding with social workers going at the same time. When you get a social agency involved in addition to the police and the prosecutors, you are going to create institutional turmoil pretty frequently.

There is a need to distinguish, from the prosecutor viewpoint, what it is you are looking for. When you talk about children versus adults, you cannot lump everybody together. It is simply incorrect to say that all rapists are alike, or that all child abusers are alike. There's a tremendous spectrum of people out there, a wide spectrum of behavior out there. To simply lump all sex offenders

together is counterproductive because that viewpoint prevents an understanding of what one is dealing with.

One thing that is always a constant in a sex case, whether in a child sexual abuse case or a rape case, is that these are the hardest crimes to prosecute. They're the hardest crimes for a number of reasons. Sex cases are the most emotional trials of all. Anybody who thinks that you can simply walk in and present all the evidence, hasn't experienced the emotional turmoil that's inherent in a rape case. It affects everybody. We often think that the victim's the only person going through all this. That's not at all true. The prosecutor feels it. I think a lot of cases that get prosecuted, get prosecuted because of the commitment of the victim. I think that some cases that do not get prosecuted are because the prosecutor cannot stand the turmoil inside. Nobody wants to face up to what's going on. It is a very, very hard thing.

It's also hard on the defendant. Anybody who thinks that the defendant simply enjoys this doesn't understand defendants very well. Some defendants could care less. There are some who do not have any feelings for the society. There's nothing you can do about those people. There are a great amount of people who go through a tremendous amount of inner turmoil, and as the trial date gets closer, they get more humiliated, more embarrassed, more tense, more upset -- just like the victim. They're going through their own emotional crisis. All of those things need to be understood if one is going to be dealing effectively as a prosecutor.

We've only been keeping sexual assault statistics in Alaska for the past three years. We have a tremendous rape rate. In 1979 we had 157 cases of sexual crime reported. In 1981, we had 260. We had about a 65% increase in a two year period. In terms of our convictions, in 1979 there were 63 of them statewide. In 1981, 134 people were convicted. That's reflected by what we see in our jails today. The longest term facility that we have in the state is in Juneau, the Southeastern Regional Correctional Institute. Approximately 20% of the inmates down there are sex offenders. The numbers are constantly rising.

There are a number of issues that are being addressed in Alaska, that need to be addressed in Alaska, and, to some extent, are unique to Alaska. First, Alaska is the only state in the country that has statewide prosecution. Every

other state, because of population, has county prosecutors and a tiered structure of prosecutors. Alaska has statewide prosecution. That means that any prosecutor in the state of Alaska can go anywhere else and prosecute a state crime. It also means that we're responsible for tremendous areas to cover. There are approximately 75 prosecutors to cover the state of Alaska; about 25 are here in Anchorage. So, approximately one-third are right here in Anchorage. Two-thirds of them have to cover the entire state.

Because rape is the most difficult crime to prosecute, it's essential that we prosecutors get involved at the early stages. Let me explain why rape is difficult to prosecute, in addition to the emotional reason that I have given to you. First of all, rape is a crime that is filled with myth. Prosecutors and judges have been brought up in the myth that somehow the woman is asking for it, or that somehow she precipitated what happened. Or, that the children are so tantalizing to their fathers that the men cannot control themselves. You hear all these things. You say to yourself, "That is baloney!", but deep down, a lot of people believe it. Juries believe it. Judges believe it. Prosecutors believe it. Police and doctors believe it. People who should know better believe it.

To deal with a rape case properly, the whole criminal justice system has to work perfectly. That means that when somebody calls the police, that initial response is crucial. But, what happens when somebody calls from Akiak and the troopers happen to be in Bethel, and it is snowing and the trooper can't get there for a few days? You're going to lose critical evidence. You're not talking about somebody who has a medical facility available, so consequently you won't be getting lab tests. Your evidence is going to be contaminated. You're probably talking about somebody who doesn't even speak English. The initial policeman on the scene may or may not have training; even if he does have training, the question often is how much training that person has had. Out in the rural areas you also have communications problems.

We have police officers that are being trained throughout the state. To collect medical evidence, we're using health aides around the state to the extent that we can. Probably it is the rural areas around the state that suffering the most from rape. Barrow may have the highest reported rape rate of anyplace in the United States. Barrow

had probably 30 sexual assault jury trials last year and convicted virtually all of the defendants charged. They're convicting a tremendous portion of people who are up there.

The prosecution problems, sometimes, are in the urban areas where people are more skeptical because things are more anonymous. The urban juries tend to be more skeptical of the victims, which is kind of an irony, since more investigative and medical resources are available in those areas than in rural areas.

Let's talk about children for just a moment. Prosecutors traditionally look at prosecution in terms of cases; a case comes in, we process it, a case goes out - that's the end of it. Somewhere along the line the victim got lost. Today the victim is being slowly pulled back into the system. Any system that is developed has got to be integrated. That's one of the issues that has to be addressed, ultimately, by Alaska. When we're talking about children, we are going to be doing some things along those lines in the near future. We hope to have in place, within the next several weeks, a statewide protocol for child sexual abuse. If agreement is reached, it will be the first protocol of its kind in the country. The Department of Health and Social Services, the Department of Law, and the Alaska State Troopers are the lead agencies, and are seeking an agreement to implement policies that will integrate their resources on child sexual abuse.

When we talk about the need to get evidence for prosecution, one of the things that always comes up is medical evidence. We don't have a state crime lab in this state; consequently, we must send our evidence out to the FBI which has a waiting time of about 4 months right now.

One of the issues that has to be identified is offender treatment. There are a number of states that have taken a lead in offender treatment around the country. Offender treatment is extremely controversial. We have a statute in this state that went into effect about two weeks ago that says that anybody convicted of 1st degree sexual assault is going to go jail for eight years, no probation, no parole. That is a stringent law. From a prosecution viewpoint, that is just fine. But, incest is also defined as a 1st degree sexual. I want you to understand that the law on incest is the same as the law on any other sexual assault.

What we have seen over the last several years, from legislatures around the country, is a general toughening up of the attitude towards sex offenders. We certainly can see that in the prosecutions in this state. We had over two times as many people in jail in 1981 for sex offenses than we did in 1979. As the laws get tougher, you can expect to see more people going to jail. But, the issue of offender treatment is always going to be there. You can't avoid it. Whether you're for it or you're against it, you still have to address it.

HOW THE INSANITY ACQUITTAL RETARDS TREATMENT*

Robert A. Fein

Introduction

[T]he insanity defense touches on ultimate social values and beliefs. In its application to particular cases, it purports to draw a line between those who are morally responsible and those who are not, those who are blameworthy and those who are not, those who have free will and those who do not, those who should be punished and those who should not, and those who can be deterred and those who cannot (Stone, 1976, p. 218).

Few issues in forensic psychology and psychiatry have generated as much attention and controversy as has the insanity defense. Although used infrequently, and rarely successfully, the disavowal of responsibility and "blame-worthiness" in the defense of "not guilty by reason of insanity" (NGI) has provoked strong reaction from jurists, prosecutors, politicians, criminal justice and mental health professionals, and the public (Pasewark & Pasewark, 1982).

Central to the debates about the insanity defense are the concepts of free will and responsibility, since they relate to a key element of every crime, namely mens rea (intent). Wales (1976) summarizes the law's view of mens rea:

The defendant is assumed to be a rational being exercising free choice. Gradations of culpability are geared to the actor's awareness of his conduct, the circumstances in which he acts, and the consequences of his conduct, as well as to an evaluation of the objective conduct, circumstances, and consequences themselves (p. 690).

The Model Penal Code (1962 draft) states the principle that "a person is not guilty of an offense unless he acted purposely, knowingly, recklessly or negligently." The insanity defense acts as a means of preventing a defendant from asserting a complete mens rea defense and therefore being discharged from the court. It allows the judicial system to channel obviously bizarre defendants into the mental health

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system, thereby maintaining social control of these individuals (Monahan, 1973).

The most common criticism of the insanity defense, especially by the public, is that it permits violent men and women to avoid punishment. Researchers have found, however, that the defense is used infrequently and is rarely successful (Pasewark & Pasewark, 1982). Furthermore, others have argued that both the 'citizen' and the 'law' need the insanity defense (Monahan, 1973). In this view, the judicial system, in saying that some individuals are too mentally disordered to be held criminally responsible for their conduct, suggests by these exceptions that most individuals are capable of making free choices and being held accountable for their actions. Thus, having such a defense may promote responsible behavior in the general society.

Drawing on studies of theories of locus of control, cognitive dissonance, attribution, achievement motivation, personal causation, reactance, and perceived control, Monahan (1973) concluded that individuals who perceive themselves as free and responsible tend toward higher levels of awareness, initiative, achievement, independence, complexity, and other attributes valued by the society. Monahan noted, in defense of the insanity defense, that the psychological process of contrast aids people in understanding responsibility: "Citizens are exposed to the bizarre behavior of those labeled irresponsible through the ascription of insanity and contrast their own 'normal' behavior with that of the defendant" (p. 724). A trial is a "public morality play" (Morris, 1968:524), and one group's "exculpation from criminal responsibility" may "inculpate moral responsibility in the rest of us" (Monahan, 1973:721).

The defense of insanity also has been criticized for the harm that it allegedly does to a defendant. For example, some critics have argued that it provides "double stigmatization" (mental illness and criminality) for certain defendants (Stone, 1976:219). Szasz (1963) has argued that the indefinite commitment that follows a finding of NGI in many states is more punishment than treatment. German and Singer concluded, "No group of patients has been more deprived of treatment, discriminated against, or mistreated than persons acquitted of crimes on grounds of insanity" (1976:1074).

Finally, it should be noted that the defense of insanity has been criticized for making judges and juries too depen-

dent on psychiatric and psychological testimony which is seen as imprecise and unscientific (Morris, 1968). The development of this special issue of this journal attests to the fact that, indeed, assessments by forensic mental health professionals need to be more reliable and valid and that these professionals are making such improvements.

The general lack of emphasis placed by forensic mental health professionals on treatment issues related to NGI patients has been observed before. For example, Morris (1968) noted that "monomania" over the insanity defense has contributed to mental health professionals spending an inordinate amount of time on the guilt-determination process at the expense of time treating mentally disordered offenders. He has argued that abolishing the insanity defense might free clinical time for treatment.

This article examines the insanity defense from the perspective of how being labeled or found not guilty by reason of insanity affects clinical treatment. Before expanding on this theme, it will be helpful to review how the insanity acquittal affects the actual disposition of a defendant.

Routes to Rehabilitation

Determination of criminal responsibility (or lack thereof) has enormous implications for immediate and eventual disposition. On the face of it, a person who commits the same act may take either of two very different routes toward rehabilitation and eventual return to society, depending on the determination of criminal responsibility. For example, under Massachusetts law, a person found guilty of a major violent crime may be sentenced to a substantial term of incarceration in the state prison system, where treatment may be unavailable. The point will be made below that a guilty verdict may result in greater receptivity to treatment. Unfortunately, however, a guilty verdict makes it more difficult for a mentally disordered defendant to get treatment.

A man found NGI in Massachusetts of a major violent crime may be sent to the state's only security mental hospital, the Department of Corrections's Bridgewater State Hospital, for a forty-day evaluation period. (Under Massachusetts law, women may not be sent to Bridgewater State Hospital. Women found NGI for major crimes are sent to

Department of Mental Health facilities which are often unprepared to accept and deal with their treatment needs.) If the Commonwealth proves beyond a reasonable doubt that a man is currently mentally ill, that failure to hospitalize him would constitute a "likelihood of serious harm," and that he is not a fit subject for the Department of Mental Health and requires "strict security," then the court can commit him to Bridgewater State Hospital for a maximum of six months. At the end of the first commitment, for the man to remain in Bridgewater, there must be a new hearing on the issues of mental illness, "dangerousness," and need for strict security. If the Commonwealth again sustains its burden of proof, the Court can commit the patient for a maximum of one year. Additional commitments are also for a maximum of one year.

In my opinion, the "treatment" of mentally disordered persons who inflict serious physical injury or kill others requires a specific process. That is, the treatment of such a person must:

(1) alleviate any acute symptoms that interfere with the perception of reality;

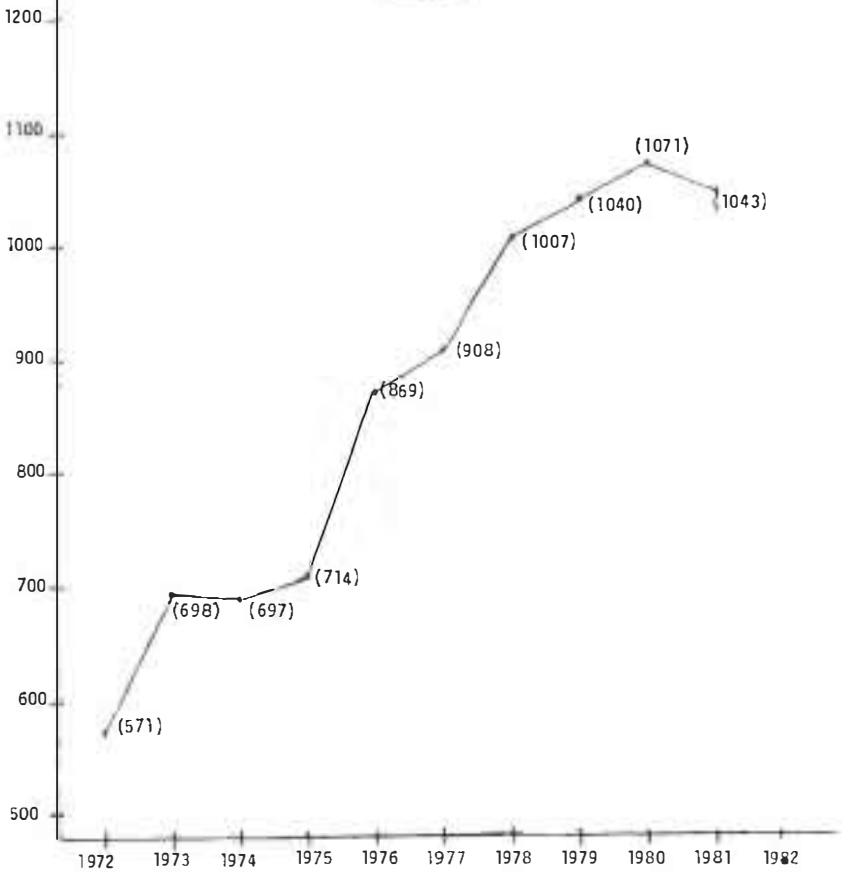
(2) encourage the offender to recognize that he or she was perceiving reality in a distorted fashion;

(3) aid him or her to grieve and feel appropriate sadness and guilt; and

(4) teach the offender how to deal with stressful events and perceptions in other than violent ways.

In six years of work in a maximum security psychiatric facility with men convicted of violent crimes and men found NGI, I have been impressed with how powerfully the legal determination of insanity retards the treatment of mentally disordered violent offenders. This paper departs from a point made by Livermore and Meehl (1967): "If the law is to promote responsibility, it must impose responsibility" (p. 849). The argument here is that if individuals found NGI are to "get better," they must accept emotional responsibility for actions committed during periods of gross mental disorder. Movement toward mental health involves an increasing awareness of personal responsibility, as exemplified by the third step of the treatment process outlined above. Acceptance of responsibility may bring with it the

GRAPH 1
BRIDGEWATER STATE HOSPITAL
TOTAL ADMISSIONS
1972-1982



valued personal attributes of initiative, independence, achievement, etc., that Monahan (1973) noted are correlated with perceived responsibility. In my view, a finding of NGI may retard acceptance of personal responsibility and therefore decrease an individual's capacity to participate in treatment. The judicial expression of blameworthiness may contribute positively to a mentally disturbed person's treatment and ultimate return to society.

Illustrative Cases

To illustrate the assertion that NGI determinations retard the treatment process, let us examine the experiences of the following two men judged not guilty by reason of insanity:

Case of H.B.

H.B. is a 40-year-old former Marine who was discharged from his job as a police officer for a series of violent outbursts. After a number of brief mental hospitalizations, he developed the idea that FBI agents had implanted electrodes in his head and were transmitting messages to him and monitoring his thoughts. These ideas persisted continuously for several years. Unwilling to utilize mental health services and bothered by voices, Mr. B. increased his intake of alcohol to dull his discomfort. One evening, apparently while drunk, he was ejected from a bar by a bouncer who then punched him. Mr. B. was ordered by his voices to take revenge. He moved away and went into "training" for a year, then came back and shot the bouncer. He was arrested and charged with murder. A year later H.B. was found not guilty by reason of insanity and committed to Bridgewater State Hospital.

At the hospital, Mr. B. took anti-psychotic medicine and stopped hearing voices. (He reported that the voices went away briefly after he was arrested but that the idea that the FBI was monitoring his thoughts remained.) Stabilized on anti-psychotic medicine, he reported that he now understood that he had experienced "delusional ideas" for a long time. To staff at the hospital, Mr. B. seemed guarded and withholding. While generally pleasant, he reported that he had "nothing to say" and spent many hours walking in the yard, often by himself. Mr. B. joined a therapy group but rarely spoke without being spoken to. He was not violent in the hospital.

Mr. B. was regularly approached by staff to talk about his thoughts. He reported that he was 'sorry' that he had killed the bouncer but that since he had been found 'not guilty,' it was 'all over.' Pressed, he would say, 'The judge said I was not guilty. I shouldn't be here. I am no longer sick.'

Mr. B., quietly but adamantly, has refused to engage in a program that permits him to explore his thoughts and feelings with others. At one point, he was granted his wish to stop taking medicine. Within several months he became acutely paranoid, psychotic, and fierce. He assaulted a correctional officer he had known and liked and was transferred to the security ward. During the six years of his hospitalization, staff have not seen Mr. B. show signs of grief, remorse, or guilt, other than his statement, 'I'm sorry. I shouldn't have killed that man. It was the wrong thing to do.'

Each year, for the three months leading up to his commitment hearing, Mr. B. argues that he should be released from the hospital. He says that he has behaved well and is no longer sick. After being recommitted as still mentally ill and needing hospitalization in strict security, Mr. B. complains how unfair it is to not know when he is getting out, particularly since "I have not committed a crime."

Case of A.L.

A.L., a nineteen-year-old man, was found not guilty by reason of mental illness after he attacked several strangers, including one person who, thinking that Mr. L. was in distress, tried to aid him. Although no one was killed, one man was left permanently disfigured by the attack. The patient is a quiet man from a close, extended family. His childhood and adolescence were described as unremarkable, except for his gradually withdrawing from emotional contact with others for about one year before the attacks. The morning of the assaults, Mr. L. reported, he had the distressing thought that his parents might want to kill him. He felt that his life might be in danger and that he might have to fight to protect himself.

Mr. L. was sent to the security psychiatric hospital immediately after being arraigned on charges stemming from his attacks against others. His family quickly gathered around him, visiting two and three times a day. With anti-

psychotic medication, Mr. L.'s acute symptoms of confusion and auditory hallucinations cleared. Several months later he was found NGI by a Superior Court judge and committed to the security hospital for an initial six month period.

It was important to Mr. L. and to his family that he behave well in the hospital. Mr. L. followed the instructions of correctional officers and was seen as extremely compliant. He expressed no particular feelings and stayed generally by himself. His family, despite considerable inconvenience, continued to visit him at least once a day. Mr. L. said that he had no idea why he had attacked his victims. He professed little interest in finding out why. His parents described their son's attacks upon others as "Al's accident." Parents and son agreed that he had been mentally ill at the time but said that he was better. They argued that he did not need to be in the security hospital.

At the end of the six-month commitment period, Mr. L. was interviewed prior to a court hearing. He said that he thought that he was no longer mentally ill, adding that he had not heard voices for over a month ("none since they adjusted my medication"). Asked how he felt about injuring other people, he replied, "The judge said I was not guilty. I'm sorry I did it but I think I've done enough time." Asked whether he had any problems, he said no, then added that he had wanted to go to another hospital. "They won't let me go home directly from here so I guess I have to go to another hospital first." Mr. L. said that he had attacked his victims because he felt "frustrated and aggravated." He said that in the future he would "keep busy and go to church" to prevent himself from having those feelings again.

After being recommitted by the Court, Mr. L. asked what he had to do to get out of the hospital next year. "I haven't gotten in any fights here," he said. "I think I've done my time."

The preceding two examples illustrate, from a clinical perspective, defects with the insanity plea and the current system of short, time-limited mental hospital commitments used in Massachusetts. Mentally disordered offenders who have injured or killed others generally are reluctant to re-experience and sort out the confusing thoughts and intense feelings they had before and during their violent acts. Understandably they may be concerned about losing control again. They often externalize their feelings. They keep

violent fantasies and behavior in check by focusing on the rules and controls in the environment ("If I hit somebody, they'll lock me up"). Usually, these offenders have little capacity to bear anxiety, sadness, and guilt, feelings likely to be aroused in a treatment process.

The judicial determination of insanity provides a convenient way for the offender to avoid thinking about his or her violent behavior and its meaning. Society, through the Court, says to the offender, "You were not responsible for your conduct." Something else must have been responsible: the "illness." Since the now-reified "illness" was almost certainly a dysphoric experience for the offender and since acute symptoms present when the violence was committed have probably disappeared months later when the offender goes to trial, there is little incentive for the mentally disordered offender to face his feelings and to take emotional responsibility for the way he twisted meaning and injured others. It is easier for these offenders to focus on daily behavior and conformity to the rules than to reexamine the painful past. At a time post-trial when they may be stabilized and relatively symptom-free, more available emotionally for relationships than previously, able to perceive reality accurately, there are powerful incentives for them to deny their past disordered thoughts and feelings and to focus instead on the next commitment hearing and "getting out."

In contrast to the above two cases, let us turn to a case of a convicted murderer currently in treatment.

Case of R.C.

R.C. is a twenty-eight-year-old man serving a long sentence for manslaughter. As a child he was physically abused by several older men. It seems likely that he was anally raped when he was about five years old. His parents divorced when he was young, with his father becoming a religious fundamentalist and subject to violent rages and irrational behavior, and his mother becoming alcoholic and consorting with many men. Mr. C. remembers being attracted to and afraid of his father. He recalls missing his mother when she stayed away on binges. At times when there was no food in the house, R. would steal. His mother would beat him severely for his "bad ways," then take the money he brought home and compliment him.

As a teenager, R. was described as "crazy" by his

friends. He was seen as fearless, and he would often physically attack people whom he did not like or from whom he stole. He regularly abused drugs and alcohol. He was arrested many times as a juvenile and sent to state training schools. He remembers thinking that he should and could tolerate "anything" without feeling afraid. R.C. injured others with his hands and with weapons and was injured, apparently without thinking very much about it.

At the age of seventeen, R.C. was convicted with several other young men of killing an older man. He was sentenced and became the youngest inmate in the state maximum security prison. There he built a reputation among inmates and correctional officers as a man undeterred by fear. Several years later he escaped on furlough, moved to another state, and killed an older woman who kept "getting in my face." He was convicted of murder and sent back to Massachusetts to continue serving his first sentence. There he continued his pattern of violent behavior, injuring correctional staff and inmates alike. He was placed in segregation where he remained for two years. After more than one year of 24-hour, seven-day-a-week lockup he became overtly paranoid and suicidal. After a number of suicide attempts and increasingly withdrawn behavior over months, he was transferred to Bridgewater State Hospital.

At the hospital, during thirty days of evaluation, Mr. C. was told by clinical staff that since he knew no one at the hospital, there was no reason for him to trust anyone. Staff evaluating him told him that they thought that his perceptions of reality often were not accurate, and that only he could make his determination of what was real and what was not. He was encouraged to check out reality for himself by talking to people, especially his idea that he had been sent to the hospital to be killed. A long-term treatment program involving milieu therapy and later individual and group therapy was proposed. Since Mr. C. reported that he heard voices calling to him when he was in his room alone at night, and since he reported symptoms suggestive of major depression, he was offered anti-psychotic and anti-depressant medication.

Mr. C. knew that he had many years to serve on his sentence, that discharge to a less secure hospital or to the community was not legally possible. Despite his fears that he might have been sent to the hospital to be killed, he decided to accept the offer of a treatment program.

In four years of treatment on a milieu in the 'minimum security' end of the security hospital, R.C. has acted violently only once: approximately one year after entering a treatment program he made a serious suicide attempt. Although his history is of repeated (and apparently unpredictable) assaults both in the community and in prison, there have been no instances of his being violent toward others in the hospital.

Individual treatment with Mr. C. first involved his being educated about psychotherapy. He was told that therapy was an opportunity to meet each week to sit and talk about his thoughts and feelings so that he might understand himself better and have more control over his life. The focus of therapy soon became Mr. C.'s learning to distinguish reality from his frightened fantasies. Specifically, Mr. C. was encouraged to talk about his fear that he would be killed in the hospital and to test his ideas against the reality of his daily experiences.

Gradually, R.C. began to ask why he had acted so violently so often. He started to see himself as a person who had been living in terror for years, frightened of becoming mentally and physically sick like his father. He began to imagine what his victims had felt when he assaulted them, and he became profoundly depressed. Mr. C. often said that he wished he had been killed and that he was convinced that he would never leave prison alive. He occasionally wondered out loud if it was possible to "make it up" for taking life. He was himself as someone who did not deserve to live and said he wished to be permitted to kill himself. He reported that voices would call him at night and tell him that it was "all over." As his therapist, I responded that ultimately he would have to make his own decision about suicide but that I did not think that it was fair for him to make such a decision when he was so depressed and did not have a clear view of life's possibilities.

Mr. C. continues in treatment, gradually learning to substitute words for actions, developing the patience to sit with the intense pain of his feelings, working to understand, and perhaps, in part, to forgive himself. Mr. C.'s 'treatment process,' in my opinion, will take years, with the outcome in doubt. Will R.C. finally take refuge in psychosis, choosing to deal with a reality he perceives as unbearable by immersing himself in his fantasies to the exclusion of reality? Will he kill himself? Will he become

a chronic alcoholic like his mother? Will he return to violent behavior? Will he gradually heal himself and learn nonviolent, nonpsychotic ways to cope with life?

I would argue that for Mr. C., being judged "responsible" for his violent behavior and sentenced to a long period of incarceration were preconditions for his engaging in a treatment program. Obviously, the guilty verdicts and sentences were not sufficient conditions for his becoming "treatable": age and experience doing "hard time" contributed to R.C.'s becoming deeply depressed and overtly psychotic and to his being able to participate in treatment. Nevertheless, his limited, fragile perception of personal responsibility, weakened by years of antisocial behavior, was reinforced by society's pronouncement of guilt for his violent actions, and this aided his ability to be receptive to treatment.

Contrast this case with the two cases presented before. For example, Mr. B. struggled against getting depressed. He fixedly conformed to the rules of the institution. He maintained a rigid world view and perseverated about not needing to be in the security hospital and about being kept "illegally." "They said I was sick then," he argued. "I'm not sick now." Mr. B. avoided talking about his violent thoughts and actions, saying "that's all behind me now." His plan was to follow the rules until the Court determined that he no longer needed "strict security," then go to a Department of Mental Health hospital and follow the rules of that facility until discharged.

Conclusions

As Monahan (1973) has argued, it may be that the insanity defense, by allowing exceptions to criminal responsibility, strengthens the notion that most individuals are accountable for their actions. In this way the insanity defense may serve to promote responsible behavior in the general population. However, the relationship between personal responsibility and greater awareness, initiative, achievement and independence, as asserted by Monahan (1973), is a two-way street. That is, failure to assign responsibility to a mentally disordered offender may lessen his/her initiative to make needed changes in his/her perceptions and functioning. In this way, the insanity acquittal may serve to retard the treatment of mentally disordered offenders.

It may be that the judicial determination of criminal responsibility is only a minor factor in aiding an offender to engage in a treatment process that results in his/her becoming more personally and socially responsible. After all, the treatment of mentally disordered offenders is difficult and complex. Personality variables, length of sentence or commitment, milieu of the prison or hospital, the extent of aftercare programs, and supervision ultimately may be proven to be major determinants of successful change and rehabilitation of mentally disordered violent offenders. Many such offenders who have killed or maimed others may not be "treatable" in the conventional sense in which mental health professionals treat individuals who are seen as mentally ill. Some mentally disordered offenders have been so damaged and disabled that they may never go through a mourning process that permits them to begin to rebuild their lives. These persons, in my experience, were so abused and injured as children that they lost the capacity to develop therapeutic relationships. Some mentally disordered offenders will never be able to leap from a fixed focus on the external environment to an emotional examination of their thoughts and actions and to eventual acceptance of personal responsibility. They are likely to need structured environments and careful supervision for many years if they are to avoid behaving violently again.

Nevertheless, it seems to me that the insanity verdict, with its implication that violent behavior is caused by "illness," not committed by people with thoughts and feelings, decreases the possibility that mentally disordered persons will be able to utilize treatment services. In this way, the NGI determination may work against the needs of the defendants labeled by the courts as "sick."

The foregoing argument has several implications. First, it suggests that in addition to attempting to improve the reliability and validity of psycholegal diagnoses and recommendations in NGI cases, mental health professionals need to pay greater attention to the effects that such assessments may have on the treatment of defendants. For example, further research is needed to either verify or reject the assertion that the insanity acquittal retards treatment. If confirmed, an argument can be made on clinical grounds for abolition or substantial modification of the insanity plea. Clearly clinical considerations may not be paramount in the social debate concerning the insanity defense. It may be, though, that it is in the long-term clinical interest of

mentally disordered offenders for the law to make the assumption that all non-brain-damaged adults are responsible for their behavior. Perhaps the "clinical interest" of the offender should be considered in weighing the costs and benefits of the insanity defense.

My assertion in this article has an even broader implication for forensic psychology and psychiatry: it is that in the enterprise of improving psycholegal assessments, diagnoses, and testimony we should include analysis of the possible effects of recommended findings and dispositions on the evaluated individual. In serving the judicial system and society, mental health experts might do well to do more than just develop the accurate assessment instruments that courts want; mental health professionals might aid the courts to recognize and articulate the clinical implications of judicial decision-making.

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WORKING WITH MEN WHO BATTER; WHERE DO WE GO FROM HERE?

Lance C. Egley

In the 1960's U.S. police forces experimented with counseling referrals for "domestic disturbances" (Bard, 1969). During 1977, following emergence of effective interventions by shelters for battered women, men who batter were noticed as an identifiable counseling population (Egley, 1981). Yet five years later counselors still have little understanding of battering as a process. Counselors draw careful distinctions between batterers and themselves; labeling men who have battered with personality characteristics which reinforce immutability of battering behavior and seeking causes in extraordinary events rather than the ordinary elements of daily life (Everett, 1982). Counselors prescribe preconceived treatments rather than defining, by observation and empirical testing, processes which lead toward battering and change processes leading away from battering. Although thousands of men who batter have now been counseled by specialized programs, only one meaningfully designed, statistically significant follow-up evaluation has been published (see Purdy and Nichel, 1982). How have counselors arrived at our current categorical views? What issues exist between counselors and how might process awareness resolve them? What process discoveries might help stop the battering many persons suffer today?

Brief History of Counseling Men Who Batter

Police interventions of the 1960's assumed spousal violence to be a couple's problem. By 1977, as women's shelters established their effectiveness helping women victims, men who batter became accessible to counseling separate from their partners in significant numbers. Shelters (themselves born in the early 1970's) began to consider counseling men who contacted shelters to seek their wife. Shelter work with victims had presented three obstacles. Most extensively, some women wanted the man with whom they had lived intimately to have an opportunity to change. Some women repeatedly returned to a violent relationship. Secondly, some shelters found themselves housing the second, or even third, woman abused by the same man (Purdy, 1982). Fifty-seven percent of sheltered victims reported the person who battered them also had battered in a previous relationship (Pagelow, 1980). Evidently, to reduce violence in society

as a whole men who use violence must either change or be expelled. Finally, men who batter would break down, literally crying for help, after losing their wife. When men tied up shelter phone lines or cried on the steps of shelters having public locations, these pleas were difficult to ignore. These simple observations provided a practical lesson: to substantially reduce violence in intimate relationship requires helping men, as well as women, to change.

Efforts to design counseling specifically for men who batter began with independent local efforts in Boston (EMERGE, 1981), Minneapolis (Egley, 1981) and Seattle-Tacoma (Ganley and Harris, 1978; Purdy and Nichel, 1982; Rosanoff, 1982). Once others learned such programs were feasible, more quickly sprang up. Instant experts appeared. Psychoanalysts and family therapists offered descriptions of men who batter, based on minimal contact. Behaviorists of every coloration hoped to develop (and of course test) a definitive counseling strategy. Counseling success was slower to come. Programs starting without any theory bogged down in service delivery sans learning (Egley, 1981). Programs holding rigidly to approaches established for other counseling populations soon pronounced men who batter hopeless (Cf. Family Services of St. Paul, MN or Group Health of Puget Sound, Seattle, WA). Despite problems, counseling continued. Several state legislatures (Alaska and Minnesota especially) appropriated funds to work with men along with appropriations to serve women victims. By 1980, 84 programs focused on men who batter were known in the United States (Center for Women Policy Studies, 1980a, b, and c). In 1981 more than 182 programs existed (EMERGE, 1981). Today Alaska alone has eight programs (Majoros, 1982). Acceptance of work with men has been highlighted by the Canadian government's opening of a National Clearing House on Domestic Violence, which included counseling men who batter as part of their mission (Center for Women's Policy Studies, 1982b).

This comes to a significant effort. Thousands of men have received counseling intended specifically for battering. AWAIC Male Awareness Project in Anchorage counseled 633 men during FY 82 alone (AWAIC Summary Statistic Letter, 1982). Whereas in 1980 one man was reached for every ten women served by shelters (Egley, 1981), in 1982 AWAIC served one man for every three women (AWAIC, 1982). Monies expended from state and private grants run into millions over the past five years. In FY 73 the State of Alaska was spending \$250,000 on programs for offenders in domestic

violence or sexual assault (Majoros, 1972). All efforts focused on service delivery, without confirming which counseling approaches lead to lasting change. Most evaluations have counted only participation. One result is that counselors now know more about intervention through shelters, the legal system and personal incentives than about effective treatment. Treatment strategies are disputed among counselors, where perhaps a synthesis may be more productive.

Approaches to Treatment

Seven treatment approaches predominate in counseling of battering (Table 1). Of those, psychoanalysis has provided little information based on experience. Psychoanalysis is important because it has been established so long as a discipline. Psychologists have borrowed labels from psychoanalysis in an attempt to separate men who batter from other people for further analysis. Family systems therapists have repeatedly met defeat trying to work with battering under their usual assumptions. Normative Change, Social Learning and Humanistic approaches nest neatly each within the next and may be seen as increasing refinement of approach. Consciousness raising, emphasizes gender role awareness over other aspects of the three approaches. The Batterer's Anonymous approach emphasizes similarity to all men of men who batter. It assiduously avoids labeling and is gradually developing a theory of change.

Psychoanalytic Approach

No psychoanalysts have focused on men who batter as a client population. Psychoanalytic counselors usually accept only voluntary clients and most acknowledge low initiation of counseling and high dropout rates for men who batter. Men have been called dependent on their spouse (for what?), lacking internal controls (on what behaviors?) (Cf. Ganley, 1981), using "primitive defense mechanisms of denial, projection and aggression" (Blackburn cited in Pagelow 1981:106) lacking ego strength (Wellins cited in Pagelow, 1981) and having a Jekyll-Hyde personality (Walker, 1979). I myself used similar language in my book, written less than two years ago, writing that "Men who repeatedly beat someone with whom they live in an intimate relationship have reduced emotional awareness, rigid traditional gender roles and subsume the identity of their spouse into their own," (Egley, 1981:4). Despite all these labels, treatment recommenda-

TABLE 1

COUNSELING APPROACHES CURRENTLY USED WITH MEN WHO BATTER

APPROACHES (Counselor Belief Systems)	INTERVENTION (Social Systems Connection)	TREATMENT (Individual Change Basis)	MODELITY	SAMPLE PROGRAMS	EVALUATION
Normative Change	1. Legal system	Confrontation of "Old Norms" Fear of consequences Repetition/insistence on "New Norms"	Men's Group Lecture	Wisc. Institute Crim. Justice Studies Milwaukee, WI	Moderate particip- rates No eval. available
Social Learning Theory	1. Legal system 2. Shelter system 3. Voluntary	Confrontation & fear of consequences 1. Time-out 2. Self-talk 3. Progressive relaxation 4. Assertiveness Trng 5. Role play & modeling of time-out and assertivness	Men's grp class	Domestic Abuse Project, MN AM Lakes Vets Hospital Tacoma, WA	High partici- pation No evaluation
Humanistic Psychology	1. Shelter 2. Legal system 3. Voluntary	All Social Learning Theory Treatment plus, Awareness identification/ Expressing of feelings Manging guilt Reducing fear of intimacy Using relaxation, modeling, Role plays and group process review	Men's Counseling Group Parallel & Separate Women's Counseling Group	AWAIC Male Awareness Proj. Anchorage, AK Way & Nickel Associates Olympia, WA	High partic. 59-80% stopped all physical violence & maintained one year after compl. counseling
Consciousness Raising	1. Shelter system 2. Voluntary	Role Awareness Exercises TimeOut Assertiveness Training Shared experiences of men	Men's Support Group	E.M.E.R.G.E. Boston, MA R.A.V.E.N. St. Louis, MO	Moderate partic. No evaluation
Family Systems	1. Voluntary 2. Legal mediations	Review and Alteration of Communication Patterns Re-negotiation of rela- ships contracts	Family or Couple Counseling	Some family services agencies N.Y.C. Citizens Dispute Settle- ment Center	Moderate partici- pation rates 4 time agrmt failure as with other
Batterer's Awareness	1. Voluntary 2. Indirect shelter system 3. Indirect legal system	Abbreviated AA style Practical experiences of other batterers Change strategies carried in Group Culture	Men's Common Problems Group	Abusers Changing Themselves Chicago, IL Batterers Anonymous Redlands, CA	Participation varies dep. on practical skills of local prog. (high in Chicago) No evaluation
Psychoanalytic Counseling	1. Voluntary	Non-directive Seeking child/hood "causes"	Individual Counseling	Psychiatrists Mental health services No identified programs focused on battering	Low initiation High drop out rates No evaluation

tions emerging from psychoanalysis are limited to listening and seeking childhood "causes." Although most men who batter experienced or witnessed family violence in their childhood (Straus, Gelles and Steinmetz, 1980; Purdy, 1982; Ganley, 1981), psychoanalysis offers no guidelines for effective treatment.

Family Systems Approach

Like psychoanalysis, the family systems approach was developed to counsel populations having problems other than spouse abuse. To the extent family therapists have tested their results, little appears to be accomplished. One program found that, after six months couples counseling, violence still continued (Carlstrom, 1980). The problem is intimidation. Mort Perlmutter tells the story best. "After a few months of family sessions everything seemed to be going fine. We were even discussing not using intimidation. At the start of the next session, the five-year-old boy whispered, 'Daddy has a gun.' 'What?' Mort asked loudly. 'Daddy has a gun!' the boy repeated. And, true enough, papa had a pistol in his pocket right there in the counseling session" (1982). When seen together couples often report no violence. Mediation has fared no better. Follow-up on Citizen's Dispute Settlement Centers showed mediations require four times as long to conduct and were broken four times as often as other disputes. People using mediation for battering were, not surprisingly, dissatisfied. (Response, 1982).

That "family violence" should escape effective counseling through family therapy is difficult for family systems theorists to accept. Lynn Hoffman (1981) includes one paragraph on violence in her book length overview of family therapy, basing it on an unpublished report. The failure of systems theory may rest on two assumptions. The first is that one begins working with the entire family. Although family systems therapists do separate families during therapy, beginning with a couple separated is a novel approach. The second assumption is that the family system is crucial, independent of other social systems. Shelter interventions have shown that victims can change their life when social response to them is altered. When social systems no longer support battering, victims can change their life. When victims change, many persons who use violence also become accessible to counseling.

Normative Approach

Conversations with men who batter reveal many men believe their violence justified. Dobash and Dobash (1979) document the history of normative acceptance of violence toward a wife. Perhaps if norms were changed men would stop their violence. Some applications were modeled on driver re-education courses. The Wisconsin Institute for Criminal Justice Studies uses a series of confrontation lectures inviting district attorneys, police and psychiatrists to testify to the destructiveness and criminal nature of spouse abuse (WICJS, 1980). Devotees expect change to occur by confronting norms supporting spouse abuse, focusing on fearful consequences and repetitious insistence on new norms. Men are viewed as intransigent and deliberately violent. Only the legal system is expected to promote change.

Social Learning

Social learning theory began to be applied at American Lakes Veterans' Hospital (Ganley and Harris, 1978), based on an application to violence already in the literature (Bandura, 1973). Two years later the much larger, state-funded Domestic Abuse Project in Minneapolis incorporated the approach. Social learning theory sees violence as a self-reinforcing, learned behavior for coping with stress. Modeling in the family of orientation and the culture is the initiating factor. Besides confronting old norms and focusing fearful consequences, social learning counselors offer skills of time-out, self-talk and relaxation and provide assertiveness training. These skills are modeled and role played. The approach has attained high rates of participation in such agencies as the Minnesota Department of Corrections, 1981.

Humanistic Approach

The humanistic approach builds on social learning theory. All the practical skills and some of the confrontation are used. Additionally humanistic counseling aids men in experiencing, identifying and expressing their emotions (Egley, 1981). Progressive relaxation (Rosen, 1977) helps men experience feelings they have blocked with tension. Focusing on four basic feelings of anger fear, sadness and happiness helps men identify feelings from internal cues, including kinesthetic sensations. Modeling teaches

men to express those feelings. If the message of seeing parents hit each other is "You hit the ones you love," then the message of being hit by parents is, "The people who love you will hurt you." This explains the origin of fear of intimacy. Reducing fear of intimacy is accomplished by modeling within a group, desensitization, acknowledging fears, identifying bodily cues, and practicing self-disclosure to increase intimacy. Reviewing group process can help men understand their patterns of closeness or separateness. The humanistic approach also sees guilt as an important source of tension. Managing guilt begins with defining violence from men's own experience, recognizing past experiences as victims, providing statistics and information which give permission to talk openly about one's own violence. This approach intends to go around rather than through denial. Guilt is also managed by taking responsibility for oneself, placing violence in the past, and self-forgiveness, rather than by denial, blaming or self-depreciation.

This is the only approach studied by large scale follow-up evaluation. Interviewing husbands, wives and children independently one year after termination of counseling researchers found 50% of all couples still living together. Of that 50% of men still living with a partner, 59% had not used physical violence during the year (Purdy and Nichle, 1982). While this may not appear highly successful, it is better than rates for alcoholism treatment (compare Baakeland et al, 1975).

Consciousness Raising

As an approach to counseling men who batter, consciousness raising was introduced by the fledgling men's movement attempting to have men take responsibility for male violence (EMERGE, 1981) and to establish new substantive experiences for the movement. The approach focuses on how prescribed gender roles limit choices. EMERGE in Boston has had considerable success building a stable program and community support, even though reaching fewer men than the largest social learning and humanistic programs. EMERGE accepted time out and assertiveness training as practical skills (1981) which are now being included by some other men's movement based programs.

Batterers' Awareness

Batterers Anonymous is modeled on Alcoholics Anonymous

The application is not entirely clear, resulting in a truncated version. Minimal practical development may partially explain the inclusion in groups of a counseling professional, a style akin to Parent's Anonymous. Batterers Anonymous lacks the clear stages and pattern of change provided by AA's twelve steps (Weinberg, 1975).

Abusers Changing Themselves (ACT) in Chicago developed independently of Batterers Anonymous. Although initiated during the last six months, ACT already sustains two counseling groups of eight members. Inspired by a man who learned to stop his own violence, the program is developing a knowledge of stages of change and methods to productively handle guilt (Everett, manuscript). Where practical skills and stages of change are included in group culture participation is high; otherwise participation in Batterers Anonymous is low.

Alcohol

I am tempted, given the persistence of some alcoholism counselors, to add alcohol counseling as an eighth approach. However, counselors are establishing that alcohol problems and battering are separate, though aggravating factors (Egley, 1981; EMERGE, 1981; Ganley, 1981). Half the battering does not involve alcohol at all. Of men having alcohol involvement, most do not batter only when drinking. Many of those who do batter only when drinking find stopping the drinking does NOT stop the violence (Ganley, 1981). Drinking serves as an excuse for violence, whether chosen deliberately or unconsciously (EMERGE, 1981). The alcohol excuse is accepted in Northern European and North American cultures leading the two problems to disproportionately aggregate. A recent study at AWAIC shows that where alcohol is a factor in battering, the onset of violence is later in the relationship, but the violence accelerates in severity more rapidly than when alcohol is not involved (unpublished). Alcohol treatment is an effective strategy for a different problem than battering. Alcohol counselors and violence counselors need to work closely together where the two problems overlap.

Integrating Approaches

Many approaches developed specifically to work with men who batter nest one into another. Viewing battering and counseling change as process permits even more comprehensive

integration. Two examples clarify how process integration might be accomplished; understanding denial and altering the Jekyll-Hyde label.

Understanding Denial

Denial is not unique to battering. Among the strongest similarities between alcoholism and battering is Denial. I was a little surprised two years ago to hear denial, minimization and blaming cited as the usual way Caucasians respond to racism. Then I began to see Denial cited regarding shoplifting and juvenile crime. Denial, in fact, is widely used by people who violate societal norms.

Alcoholism studies tell us Denial is secondary. Storytelling, which denies, minimizes or blames, develops in reaction to unsuccessful confrontation of behavior. (These usages of the term "denial" become confusing in common parlance. Here "denial" with a small "d" refers to total denial of an event. Example: "I never hit you." "Denial" with a capital "D" refers to the Denial System including denial, minimization - "I only pushed her," and blaming - "If she hadn't nagged me I wouldn't have done it.") Minimization and blaming become successive back-down positions to reduce the impact of documented confrontation. Each unsuccessful confrontation contributes to individual Denial skills and elaborates the story. To succeed in confronting, people having a significant relationship to the individual must consistently document violent incidents and the harms caused. A significant relationship may be coercive (established by court order), instrumental (employer) or intimate; it need only have an important impact on the individual's life.

Confrontation must also offer a practical option for change to succeed. This is because Denial exists as a way to avoid feeling guilty. Denial is not lying. Lying is only to fool others; Denial essentially is to fool oneself. Guilt, interestingly, is part of Lenore Walker's cycle of violence (1979). Immediately after a violent incident, when visual and spousal documentation of violence is most evident to the person who battered, guilt may play into the next violent cycle by increasing stress.

If unsuccessful confrontation builds Denial and guilt increases stress, what are the implications for treatment? Denial occurs where norms already oppose battering. In the

18th century battering was the norm (Dobash and Dobash, 1979). In the 1980's battering is the exceptionally excused violation of the non-violent norm - a societal level analog of minimization (compare with the concept of "Normative Stretch" (Rodman, 1966)). Repetitive confrontation will fail unless men who have battered find skills on their own. Without skills the violence will repeat and the Denial system grow. (This is a testable hypothesis awaiting evaluation of normative approach counseling.) To reduce guilt, without tacitly approving violent behavior, requires avoiding story telling which incorporates Denial, modeling of honest disclosure and teaching practical skills which permit change. Consistent documentation of violence followed by practical skills and hope for change can break through Denial. When men see others acknowledge violence and can acknowledge violence in general ways before telling their story, much Denial is circumvented, reducing stress on counselee and counselor. By focusing on options and future change, blaming and guilt can be reduced without sanctioning violent behavior. This much as been tested by observations in counseling at AWAIC.

Avoiding Jekyll-Hyde Labeling

The Jekyll-Hyde label was first appended in print to men who batter by Marsden and Owens (1975). It describes the fact that many men who batter are very nice guys when not under stress or when with persons having no intimate relationship to them. The term "Jekyll-Hyde" has some very distorted connotations. The term suggests men who batter are crazy. Although alcoholics kill people with motor vehicles and change behavior when drunk, our society does not consider them crazy. We believe we have some understanding of the alcoholic's behavior. Understanding men who batter is also possible.

Violent incidents which seem "out of control" may be emotionally triggered behaviors. Thomas Blakeslee has pulled together current literature on split brain research - studies of persons whose nerve connections between left and right halves of the brain are severed. Right half thinking is emotional and learns patterns. The right half responds to modeling. Left half thinking responds to linear information and perhaps to norms in crisis or harried situations. The decision as to which side will dominate is determined by reinforcement history (1980). Men who batter may have learned to respond to stress by right side activity whose

pattern is violence. Social learning theory skills allow men short term anger control by reinforcing the left side to dominate and find a rational solution. Emotional response may be dampened so the left side can make the decision. However, for the man to have his feelings available as cues to personal needs which affect long term stress, right side patterns must change. My guess is that right side patterns, emotionally anchored, are not easily - if ever - deleted. Rather, modeling and new emotional experiences can add to them. The right side is very effective at using the whole of the person's experience (Blakeslee, 1980). Although untested, if this description is correct only increased emotional awareness and processing feelings like guilt and fear of intimacy can let men relax and enjoy the knowledge that they have stopped their violence. Men who batter need not be unchangeable, incomprehensible "Jekyll-Hyde's."

This understanding permits counselors to avoid labeling and transmitting the destructive implications that men who batter are crazy. When mutual respect between "problem" counselee and "non-problem" counselor exists, counseling can model the respect necessary for non-violent relationships.

The Future

These examples suggest the exciting discoveries yet to come. Interest in working with men who batter continues to grow. Besides approximately two hundred programs in the United States, there are now six programs in Canada (Jones, 1982). Two weeks ago I received the first inquiry from overseas - from Berlin - on how to counsel men who batter.

Despite the interest, most programs have few resources and none for evaluation. Wide-ranging research and integration, for the most part, has gone by the wayside. Time has come for an international effort to conduct research and sponsor programs through an Institute on Male Violence. Although Anchorage is sometimes overlooked as a world crossroads, the capacity to call such a group together is here. Through the setting of this International Conference on Violence, I issue that call.

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CAUSES AND TREATMENT OF VIOLENCE INVOLVING CHILDREN

Mary Huelsman and Robert Bowers

Child Abuse and Neglect - A National Problem

The abuse and neglect of children are not modern phenomena. History repeatedly records the physical punishment and intentional neglect of children, often with tragic results. Widespread concern about child abuse and neglect is comparatively recent. Reporting statutes were first adopted in Alaska in the late 1960's and revised in 1971, 1976 and 1982. The revisions specifically require school administrative staff members, foster care givers and day-care workers to report suspected child abuse and neglect in all manifestations. Photographs and X rays may be taken to report harm without permission of parents. Child abuse and neglect are defined by Alaska law to mean "the physical injury or neglect, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened thereby." Sexual exploitation means "permission or encouragement to a child for prostitution as prohibited by AS 11.66.100-150 by a person responsible for the child's welfare; permission, encouragement or activity involved in the unlawful exploitation of a minor prohibited by AS 11.41.455 by a person responsible for the minor's welfare."

Interpretations vary among professionals as to what are "normal" and "acceptable child rearing practices" and what are "abusive" or "neglectful ones." "Spare the rod and spoil the child" is a time honored precept and corporal punishment is accepted as "normal." Physical abuse is not. Where does one leave off and the other begin? Consensus has not been reached on the specific meanings of terms.

Reports of child abuse and neglect processed by child protection agencies in this country nearly doubled between 1976 and 1980 - from about 413,000 to over 788,000 reports per year. The highest percentage of reports are of neglect, but physical abuse and multiple maltreatment also comprise large percentages. Nationally, it is estimated that more than 2,000 children die each year from abuse or neglect and that over 647,000 suffer abuse.

Much research has been done on the characteristics of families involved in abusing and neglecting behaviors. Child abuse and neglect occur in all segments of the community. No group is exempt. Abuse and neglect are not restricted to any one social class, race, religion, ethnic background or sex.

In all substantiated reports of abuse and neglect, the distribution is even by the sex of the victim. Female children are involved in 50.1% of substantiated abuse and neglect reports, male children in 49.8%.

In one study, abusive parents evidenced significantly less knowledge of developmental stages of childhood. They also exhibited a higher level of stress in their homes. The way in which parents were reared has also been described by many authors as a critical factor in potential abuse.

The National Institute of Mental Health in a study in 1977 reported that "almost universally, program staff reports that the abusive parents known to them were abused, raised in foster homes, or lived in an atmosphere characterized by harsh criticism and lack of support or nurturing." Among factors targeted as being associated with substantiated reports of child abuse and neglect are alcohol dependence, social isolation, family discord, insufficient income, inadequate housing, and lack of tolerance.

Nationwide Areas of Concern

1. Reporting and Casework Management

Although the number of child treatment reports has increased over the past few years, the rate at which the reporting increased from year to year has steadily declined. This is due to fewer reports of child neglect. There has been a change in emphasis on the part of the public and child protection agencies which is characterized by lowered receptivity to the "more serious" cases of abuse. The proportion of reports of deprivation of necessities and emotional maltreatment has declined since 1978 while there has been a higher proportion of reports of physical injury and sexual abuse. Public awareness efforts have focused almost exclusively on child abuse, not neglect, so have resulted in this pattern of reports.

Fifty-five percent of child abuse and neglect reports are closed after initial screening. In cases where maltreatment is documented, 40% are closed after investigation. Children who are sexually mistreated or who are victims of multiple maltreatment are more likely to receive protective services, even though 30% of the reports are closed upon investigation. Child protection agencies are swamped. Thus, they are forced to prioritize services delivery according to the type and intensity of abuse. Most of the reported cases are handled in a cursory manner. Agencies face dwindling resources and an overwhelming volume of reports. Alternative support systems are a real need if children are to be adequately protected and families are to be helped.

2. Research

National child abuse and neglect research is limited and sketchy. The number of cases studied by any one researcher has usually been small. Definitions vary from study to study and the period of time families have been studied has been brief. Research on the prevalence of child abuse and neglect is limited. Estimates of incidence vary widely. Reported cases are only the "tip of the iceberg." There is little knowledge of the extent of the problem. Another major gap is the lack of research on the relations of social institutional forces to child abuse and neglect. Which prevention and treatment program is working and how? One of the major impediments in assisting the effectiveness of different programs is the lack of the standard means of measurement. Comprehensive and systematic research needs to be conducted in which large samples are used; families are followed over several years; and a common set of definitions and methods are used. Research should be developed in conjunction with programs and duplicated in other locations. Studies should include families from all levels of society, not just those of lower socioeconomic status. Research needs to be done to develop better typologies. Treatment programs use this information in order to more carefully design effective intervention programs.

3. Network and Planning

Nationwide, traditional child protection agencies have neither funds nor personnel to adequately cope with

reports of abuse and neglect. New broad based approaches need to be developed which will draw more effectively on existing resources in communities. Several communities have formed task forces or councils which have spawned comprehensive programs with broad citizen and legislative support. The common factor in these community-wide plans is that a broadly based team effort is developed in which the social worker does not carry the major part of the burden. Experts from many disciplines team with social workers in developing a comprehensive community-wide plan. Links between public and private agencies are organized and tasks assigned according to a management plan which accommodates anticipated community needs for crisis care, long term care, family evaluation, development of treatment plans, education, research and evaluation.

Enlistment of public support through citizen involvement is seen as one way to counteract the problem of the unfair allocation of resources and the undue criticism of public child protection agencies. These open systems state expectations of responsibility and performance and more clearly educate the public in the basics of coping with abuse and neglect.

Child Abuse and Neglect in Alaska

Alaska, as an environment, is a setup for child abuse and neglect. The population is small and much of it is scattered. That portion of the population which is not scattered is heavily concentrated in basically unplanned and overcrowded urban centers. Both situations lead to a feeling of isolation for those who live there.

The population is young with the average somewhere around 25 years of age. In many cases, these young persons are living far from their place of origin and the support of their extended families.

The abuse of alcohol and other chemical substances is high, with the attendant problems of family disruption, poor job performance, high rates of illness, etc.

Marriages are often fractured by divorce or untimely death by accident. Employment on the North Slope, in the bush, or on the high seas creates a situation where one or both parents are absent from the family for long periods of

time. Most households function with both parents working full-time because of the necessity to provide sufficient income for family survival.

The stress factors are high. The support factors are low. Child abuse and neglect rates for Alaska were 150 per 10,000 in 1979 or a rate of 600% higher than that of New York City. In Anchorage, with 45% of the state's population, the rate of child abusing behavior in 1979 has 55 reported incidents per 10,000 population or 211% the rate of New York City. Alaska statistics for FY 1980 (July, 1979 to June, 1980 - the last year a breakdown is available) show the following breakdown:

TABLE 1
CHILD ABUSE STATISTICS FOR ALASKA
JULY 1979 to JUNE 1980

<u>Category</u>	<u>No.</u>	<u>%</u>
Child abuse victims	240	5.2
Suspected victim of child abuse	1048	22.5
Child neglect victim	741	16.0
Suspected victim of child neglect	2317	50.0
Sexual abuse victim	43	.9
Suspected sexual abuse victim	142	3.0
Abandoned child	114	2.5
Total	4645	100.0

These statistics are nearly two and a half years old and represent the latest breakdown available. This table shows only the numbers of reported cases. It reveals nothing about the disposition of the cases or anything about the effort to combat the problem.

The problem of suspected child abuse legally is the responsibility of the Division of Family and Youth Services, Child Protection Social Workers operating out of numerous offices scattered around the state. Ultimately, the responsibility is upon the shoulders of each citizen because Alaska law makes it mandatory for citizens who become aware

of actual child abuse or suspected abuse to report such incidents to the Division of Family and Youth Services so that an investigation can begin to determine the reality of the situation.

If actual abuse or neglect is verified, then some treatment plan must be established. Treatment may consist of consultation with an assigned social worker or referral to an appropriate private or non-profit agency for counseling or other forms of therapeutic intervention. Approximately 20 agencies are funded to provide child protection services. Numerous other agencies are available to meet specialized needs. Services generally break down into distinct categories:

- Family and individual therapy
- Support groups
- Incest counseling
- Parent aides
- Parenting classes
- Alcohol and drug counseling

In some cases, treatment may be court ordered, particularly in cases involving incest. In other cases, the child or children must be removed from the home temporarily for their own protection, if not placed in long-term foster care or relinquished for adoption. All of these services are classed as interventions into an already existing problem or pattern.

There are several crucial issues for Alaskans related to the forms of violence involving children:

1. Research

We have almost no research capability at present. We are certain the environment of Alaska is a set-up for violence involving children. Cases are being reported constantly and referrals are being made. Agencies of the state government and private and non-profit agencies who receive contractual funding from the state are required to report quarterly statistics. At present, the statistics are meaningless accumulations of figures like the numbers on a calculator tape. Because no one has a research capability to analyze the statistics scientifically or even to know which statistics to gather or what questions to ask, our picture of violence

against children is shadowy and out of focus. Thus, we do not know if we are attacking the problem correctly: if the services we are providing are focused, and if what we are doing really affects the identified problem. Research which is current and scientifically accurate is a priority.

2. Prevention

In recent years, there has been a push for primary prevention activities in human services. In the case of child abusing and neglecting behaviors, primary prevention activities are hard to develop and the outcome is hard to research. What is the target population for primary prevention? Parents? Families? Children?

3. Networking

The most effective method of dealing with the problem of child abuse is to use a multidisciplinary child protection team to plan and evaluate interventions. Such a team must have the full cooperation of the State Division of Family and Youth Services Child Protection staff and private, nonprofit agencies. The Division of Family and Youth Services does not generally provide direct therapeutic services except for those involved in the investigation of child abuse reports. Direct intervention is usually done by private or nonprofit agencies to which DFYS refers clients.

Currently, Alaska is served by a kaleidoscope of services. Contact with DFYS is sporadic and disorganized. Contact with other agencies providing services is informal and lacks intention. The child protection system is like an irrigation system whose parts are disconnected. The net effect is that the task to be performed is done inefficiently or not at all. Since the Division of Family and Youth Services provides over 1.6 million dollars per year in grants for youth protective services to nonprofit organizations, that agency should shoulder the responsibility for developing or encouraging the development of a strong network of child protection services involving both public and private agencies.

4. Planning

There is no state plan for youth or child protection services. The magnitude of the current caseload mandates that resources should be used to provide direct services. The nonprofit agencies to whom grants are given are unable to plan more than a year ahead because the funding cycle is short-term, depends upon legislative prerogatives, and is extremely uncertain. Because they are funded by multiple funding sources for a short-term, non-profit agencies are forced to spend an inordinate amount of time seeking continuation of funding. Without resources for planning at any level, it is impossible to do justice to the problem of child abusing behaviors and to find efficient and effective ways of meeting the need and preventing the problem.

Future Response to Child Abuse and Neglect

Programs focused upon the problem of violence to children face a future which will demand creative planning in both programming and resource development.

In programming, agencies providing services must concentrate their efforts on creative planning or prevention. It is becoming increasingly clear that violence toward children is part of a cyclical system in which abused children become abusing parents. Children who are abused grow up to be emotionally needy adults who feel that they are not worth much as persons. Furthermore, the only way they have seen adults relate to children is in a violent or abusive manner. Often, such persons have a poor understanding of their own children and how they develop. Their own children threaten what little security they have. Without thinking about it, they slip into abusive and/or violent behaviors. Because of this, they often bear a heavy load of guilt. The very behavior they hated in their parents and which made them feel bad as children is what they themselves do to their own children. Programming must break the cycle early and cleanly. There are several possibilities for positive programming:

1. Parenting Education

For some reason, we feel that basic math, reading, and writing are important skills for persons to know as they move out into the world on their own. However,

even though most high school graduates become parents, and often quickly after graduation, we do not feel our educational system should impart parenting skills to them. It is more important to be able to add two and two than it is to be able to supportively care for one's children. Part of the reason for this, is that there are a whole series of skills that we feel should be reserved for the parents to teach such as sexuality, parenting and human relations. We assume that only the parents have the right to teach these basic skills. After all, parents know best - right? Wrong! If our knowledge of child abuse shows us anything, it shows us that parents need the assistance of well-trained and supportive professionals working with them in order to accomplish the tasks of parenting. Parenting education is in its infancy and the development of a positive parenting curriculum for all ages of children is a necessity for the future.

2. Child Protection Network

Too often child protection services are viewed as the enemy invading the sanctuary of family and sometimes breaking up the circle. The poor training of child protection workers, lack of organization of the services and fractured nature of the child protection network means that the family becomes victimized. One of our future needs is to build a solid supportive child protection network which can deal with problem families helpfully and creatively. Such a network could become a welcome resource for parents. In our country, parents are not supposed to need help. Often, situations of violence and abuse become critical before help is given to the parents. It is too bad a report of abuse must occur before a situation is even investigated. A positive and active child protection network would act as a resource for parents and not as their policeman. That way protection for children would be available long before a crisis arises.

3. Support Groups

Programs working with serious problems of all kinds have found the positive value of groups in providing support for people who feel alone and overwhelmed by their problems. In our country, people are supposed to be self-reliant and independent. It used to be con-

sidered, and still is to some extent, that asking for help is a sign of weakness. In actuality, no one can function without a support system of other people who care. This is especially true if one has a problem which creates low self-esteem, negative or hostile feelings and a sense of guilt.

4. Professional Training

There are numerous professionals who are sharing the parenting responsibilities with parents. Most families, particularly in Alaska, cannot afford to exist on only one income. The high percentage of divorce and of single parent families means that many families have only one parent to do the parenting. Young children spend most of their waking hours in the day-care system or the school system. Teachers and day-care workers need sound professional training in interpersonal relationship skills in child development and in parenting skills.

In resource development, three things need to happen:

1. Scientifically Based Research

What we know about violence to children is very miniscule. What we know about the effectiveness of current programming is also slight. Scientific research done by sensitive and competent human services professionals could help us sharpen our skills and place the emphasis in the right place for service delivery. Our development of program options and systems could be based on valid and reliable data instead of upon our feeling about what is "best" or what is even worse upon the demands of some funding source for some nebulous program.

2. Maximizing the Use of Human Resources

Work in the field of child abuse is a labor intensive process. Only people can really work with other people to train and support them. There can never be enough people. We need to realize that within every community there can be many persons who have skills and experiences which could be used to combat the problem of violence to children. Volunteers form a key ingredient in services to child abusing families. The use of

volunteers can free up the valuable time of professionals to be used for maximum effectiveness in training and in the delivery of more intensive services.

3. Financial Resources

Financial resources can be best used in conducting scientific research and in maximizing use of human resources. Unfortunately, financial resources are dwindling due in part to the federal government's getting out of the business. The responsibility for funding is being passed down to the states and then onto municipalities and forms of local government. Unless the maximum use of personnel and research can be made to help services be placed where they need to be in the most efficient and effective manner, we will continue to waste precious dollars. To do so, in this time of dwindling resources is inconceivable.

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RESPONSE TO INCEST: AN ARGUMENT FOR UNDERSTANDING

James Kenneth Duff

Intrafamilial child sexual abuse, more commonly referred to as incest, has finally been recognized as a significant social problem. As with all "new" social problems ("new" here refers to our recognition of the problem, not the reality of its existence), a myriad of solutions has been pro-pounded and supported with fanatical enthusiasm. This paper will attempt to suggest rational, non-emotion laden processes for dealing with incestuous families.

There is no single "cookbook" method of handling this social problem. Each family system is unique and must be evaluated with respect to the treatability of that uniqueness.

There are three major systems which become involved with these families. They are the child protection system, the criminal justice system, and the treatment system. It must be noted that each system strives to develop a static process to deal with all incestuous families entering their particular system. They are not developed to address the uniqueness of the families being dealt with.

The child protection system, Division of Family and Youth Services and the Family Court, have the mandate of protecting the child from further harm. Traditionally, this was accomplished by removing the child from the home, which was often perceived by the victims as punishing them for something their parent had done. More recently, the family the offender out of the home. At present, this is an "either/or" situation. Either the child or the parent leaves the home with little, if any, assessment given to the potential trauma inflicted on the victim or the family as a consequence of this removal. Potentially there are situations in which the safety of the child can be assured with both remaining in the home.

As a strong proponent of the father leaving the home, I am speaking heresy in the eyes of many of my colleagues. I continue to support the adult leaving the home when the only alternative offered is the removal of the child victim. In the majority of incestuous families, the offender's absence has therapeutic value. However, if we lock ourselves into

one static process, we eliminate the ability to develop a differentiated system of evaluating incestuous families. As our sophistication grows in this area, we, as professionals, must begin to develop criteria for determining the most appropriate, least traumatic, and most cost effective means of dealing with individual needs of incestuous families.

Because of the emotional aspects of this issue, it is necessary to reiterate that this is not an argument for allowing all incest offenders to remain in the home. A continuum of options must be developed to address the unique needs of each family in a professional manner. The safety of the child must be our primary concern. The abuse cannot be allowed to continue, but we must be cautious that we do not further traumatize the child in our zeal to protect him/her. The majority of offenders do need to be removed from the home for a period of time, both for the safety of the child and for therapeutic reasons. Some offenders need to be removed permanently. Others may not need to be removed at all.

The criminal justice system (police, prosecutors, criminal courts) is mandated in incest cases to investigate the commission of a crime, prosecute offenders, and, following successful prosecution, sentence offenders. Conflict in the criminal justice system arises primarily at sentencing. Should the court incarcerate the offender, require his/her participation in treatment, or both? The answer to this question hinges on two factors: (1) availability of resources, and (2) the individual offender. Several sentencing options are appropriate for incest offenders. Suspended imposition of sentence or probation with participation in treatment is appropriate when skilled outpatient treatment is available and the offender, following psychological evaluation, is deemed to have a high potential for rehabilitation. In addition to the psychological evaluation, the court needs to consider the individual offender's history. Is he/she a repeat offender? Has he/she received appropriate treatment in the past and re-offended? How motivated is the offender to change his/her behavior? To what degree was violence used in the commission of the crime? How safe is the victim and the family if the offender is not incarcerated? The answers to these questions and a thorough psychological evaluation must be utilized by the court in order to make the appropriate sentencing decision. Inpatient treatment is another treatment option for those offenders whose histories and pathologies would contraindicate outpatient

care. Inpatient treatment would be appropriate for those individuals whose psychological evaluation indicated a need for a more intensive treatment regime in order to alter that individual's pathologies. Outpatient services would begin following the completion of the residential program. Historical indicators for inpatient treatment may be: (a) repeated offenses without appropriate treatment; (b) questionable motivation for treatment; (c) threats of violence used in commission of the crime; and (d) uncertainty regarding the safety of the victim, family, or community.

It must be noted that for all practical purposes, inpatient treatment is not an option available to courts in Alaska. Although there are such treatment programs in existence in the lower '48, they are overloaded and reluctant to take referrals from outside of their local areas.

The final option available at sentencing is incarceration. With the eight-year presumptive sentencing of first degree sexual assault offenders, this becomes the only option for many incest offenders in Alaska. The obvious ramification of the presumptive sentencing is the inability to evaluate the specific needs of the victim, the offender, or the family, and sentence accordingly. Even so, options are available within the Division of Corrections relating to the confinement of the offender. An offender can simply be warehoused. This is very appropriate for those individuals incapable of rehabilitation. Their isolation from society and society's protection are the only concerns.

Another option is incarcerating the individual in a facility which can provide specialized treatment for sex offenders. Both Hiland Mountain and Lemon Creek Correctional Centers have treatment programs specifically designed for sex offenders. The third option is a work-release program, which would allow the offender to continue to work and attend outpatient treatment programs, but reside in a correctional facility. Such a work-release program can lessen the trauma experienced by the family and the victim and allow access to a variety of treatment resources. The evaluation of the offender's housing designation becomes the job of the Division of Corrections, specifically within the classification process. The classification process, as it currently exists, must focus on the needs of the overburdened correctional system, and less on the individual offender's treatment needs. However, an expanded use of a work release program could begin to meet the needs of the

system and the individual offenders. Some incest offenders do need maximum security incarceration; the majority do not. Minimum security and work-release are more appropriate for this offender population.

The treatment system becomes the most difficult to make objective decisions about. Concepts pertaining to the causal factors in an incestuous family are very divergent. These conceptual conflicts primarily polarize between those who see the offender's sexual pathologies as core to the evolved family system and those who see the incestuous behavior as symptomatic of a dysfunctional family system. These arguments appear to be another version of "the chicken or the egg" debate. They are not. Both situations exist in reality, and both can exist within individual families. Assessing which process has precipitated the incestuous behavior is the task presented to the various community agencies involved in the treatment of incestuous families.

Because of the existence of both developmental patterns, assessments must be done on the family as a system and on the individual members of that family. An individual psychological evaluation of the offender is an absolute necessity. From the offender's history and psychological evaluation, a determination can be made as to whether or not the individual is a pedophile (an adult whose sexual preference is for children). Although pedophilia appears to be rare among incest offenders, such a diagnosis would indicate a need for intensive inpatient treatment and a poor prognosis for rehabilitation. In addition to the screening for pedophilia, the offender's psychological evaluation can appropriately diagnose the severity of the individual's pathology and help determine his/her potential for rehabilitation.

A diagnosis of a severe pathology for either the offender or the spouse would facilitate an accurate assessment of the family. The family therapist can better evaluate the development of family patterns in relationship to the diagnosed pathology. Conversely, the absence of severe individual pathologies aids in the assessment of the family. The therapist can then focus on the structural processes within the family which precipitated the symptomatic behavior.

It must be emphasized that no matter what the causal factors were, all members of an incestuous family are in

need of treatment services. All members must be given an opportunity to understand what has happened in their family and to deal with the trauma in the most constructive way possible. The goal of treatment is not to keep families together, but to provide the members with a vehicle for understanding the unique relationship patterns which evolved within their family and to facilitate their ability to construct more functional relationships in the future.

In conclusion, I urge flexibility within the various community systems dealing with intrafamilial child sexual abuse. Each family that we come in contact with is unique and presents us with their unique service needs. Each major community system involved must work together, share information, and thus provide for the needs of these families in a constructive way.

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PREVENTION OF VIOLENCE: AN INTERDISCIPLINARY APPROACH

C. Ray Jeffery

Behavioral-Scientific Approach to Violence

Studying violence requires an interdisciplinary approach. One of the major difficulties in the area in the past has been that we've said, 'Well, there's some biology there. Oh, yes, there's some psychology; also, maybe a few social causes.' Each discipline has gone its own way. We need an interdisciplinary systems approach, including biology, psychology, sociology and psychiatry.

I will refer briefly, or, I'll give you references to several books I've brought along with me as basic books that I am using as background. This book, Criminal Violence which came out several months ago, edited by Wolfgang, is one of the major sources I have used. You may want to take a look at that. A book by Dorothy Lewis, a psychiatrist at New York University, called Vulnerability and Delinquency, and the NIJ publication, Criminal Violence and Biological Correlates. There are several others in this series on violence in the criminal justice system. Also a book that is now ten years old, is a classic by now, the Mark and Ervin book, Violence and the Brain. It started a great deal of the controversy that is again raging. Let me discuss some of the variables that are today being looked at very seriously and are regarded in some circles as being critical.

There are a great many correlates for violence - biological/psychological/social. More and more we are looking at the genetic foundations of human behavior. A great number of correlates relate to brain function, since the brain is the organ controlling behavior. This is the critical area, and one of the most exciting. In fact, I would say the last frontier of research that is going on today is in the area of the brain. We know much more about the surface of Mars than we do about the internal workings of the human brain. There have been major advances in both biochemistry, behavior genetics, and neurophysiology in the last twenty years.

One of the issues that is being addressed is, for example, violence and the brain. Certain parts of the brain are violent areas - that is, if they get stimulated the

individual becomes violent. Delgado did the early work in this area with bulls. He put an electrode into the aggression area of the brain, and by exciting that area he could get the bull either to charge in a ferocious drive, or he could turn the animal off and it would play Ferdinand and lie down and smell the flowers.

The control of violence by the brain is a critical area that is being looked at. The relationship between the brain and the autonomic nervous system, that is the system that governs your heart, your kidneys, your liver, etc., is now being investigated. There is a link between the brain and the pituitary gland to the adrenal glands which is critical because of the arousal, flight or fight response. When you are frightened, the adrenalin or epinephrine level goes up in your brain and you experience the typical wave of anxiety or fear: blood pressure goes up, heart rate goes up, rate of breathing goes up - what is generally called a fight or flight response. This is measured on the lie detector machine as an autonomic nervous system response.

There is also a great deal of interest today in the sociopath or psychopath - the anti-social individual who has been with us since the late nineteenth century but who is now being reinterpreted in terms of the autonomic nervous function. Since approximately thirty fourty percent of the individuals in our prison system are sociopaths, this is a very critical area and one that has to be very carefully looked at.

Also there is a great deal of interest today in male/female differences. One of two well-established facts in criminology is that criminals are males, and the second is that they are young adults. The genetics of maleness, the XY chromosomes which results in higher testosterone levels, is also under investigation. One of the most significant correlates of violence is testosterone level. The female counterpart is the menstruation cycle and the pre-menstrual syndrome (PMS). Many psychiatrists, including Dalton in Great Britain, are now writing that most violence in females occurs during the premenstrual or early menstrual cycle. This topic is getting international attention. There are several major research centers in the United States set up to study this. Some lawyers have started to take an interest in it and some legal cases have used the premenstrual syndrome as a defense. It is now starting to enter our criminal justice system.

Another correlate of violence that has been with us for many years but we are now starting to understand it a little better, is electroencephalogram (EEG) abnormalities. Many studies have demonstrated that forty - fifty - sixty percent of those who commit violent crimes have temporal lobe epilepsy or other kinds of EEG abnormalities. A number of psychiatrists, the most prominent being Russell Monroe of the University of Maryland Medical Center, are now looking at organic brain dysfunction. That is, organic abnormalities of the brain as detected by various kinds of neurological and psychiatric examinations.

Another dysfunction that is now showing up is what is called left hemisphere dysfunction. The brain is divided into left and right hemispheres. Most of us are left hemisphere dominant, that is, right-handed. The left hemisphere controls the right side of the body. Researchers discovered that a great many violent people have left hemisphere dysfunction - there is something wrong with what is basically the rational thought/language area of the brain as contrasted to the emotional part of the brain. Dorothy Lewis, I mentioned her book earlier, a psychiatrist at New York University, has discovered that a great many of the delinquents she had examined have had brain trauma. They suffered from head injuries due to accidents or physical abuse. A great many of these children have suffered violence within the family. Many of them have had serious accidents involving the brain. Dr. Lewis is advocating a complete neurological workup for all delinquents that come into her clinic, especially those who are serious offenders and have serious behavior disturbances.

Another area that is gaining great emphasis is that of nutrition, and I brought the book entitled Diet, Crime and Delinquency by Schauss. A big problem area, of course, is hypoglycemia. The ingestion of an excess of sugar will create hypoglycemia and this produces anxiety, tension, and nervousness, and can lead to very aggressive, hostile kinds of behavior.

My first introduction to the topic of psychobiology was a number of years ago when I was teaching at New York University and I asked a psychobiologist to address our class. He used an example of a friend who could never get started in the morning because he was so fierce and vicious. His family couldn't live with him, his friends couldn't, his colleagues couldn't. He had been through several psycho-

therapies without much help. The psychobiologist said to him, "Why don't you start the morning with a huge glass of orange juice and perhaps a large tablespoon of honey or glucose." He did and he found that this immediately took care of his problem. Obviously, what he was dealing with was a very low blood sugar level which many of us experience.

If you think diet has nothing to do with your behavior, I remind you of our daily cycles. Most of us live in cycles - we start with coffee which is a stimulant, and we add sugar to it, further adding to our hypoglycemia. If we manage to survive the day, at five o'clock we start the reverse process with the cocktail hour, and we ingest the alcohols, depressants and anti-anxiety drugs. So we shoot ourselves high in the morning, and then we come down in the evening with the cocktail hour.

Another correlate of violence is now getting some attention. This is a more controversial area because psychologists and psychiatrists have been saying for years that mental illness had little or nothing to do with violence. Dorothy Lewis found twenty-five percent of her violent kids were schizophrenics. I warn you there are some tricks in these numbers, however, because of what is defined as schizophrenia, or what is defined as violence. But, more and more, we are arguing that undiagnosed mental illness is a background factor in a great many cases of violence. That is, mental illness either of the violent person, or of people in the family like the father and mother.

Another significant biological correlate is drugs and alcohol. Well over fifty percent of violence occurs with drug/ alcohol use. Murders, rapes and assaults more often than not involve alcohol or drugs or some combination thereof. And if you add homicide caused by vehicles to your list, that is, manslaughter caused by drunk drivers, you have added another major dimension. Alcohol-related offenses are the number one category in the criminal justice system. Wife abuse, child abuse, drunk and disorderly conduct, drunk driving - all of these symptoms are related to the use of drugs and alcohol.

Learning disabilities and learning disorders (what is called minimum brain damage [MBD]) are related to delinquency and to violent behavior are related to delinquency and to violent behavior. Neurological defects take the form

of dyslexia, backward reading, the inability to read properly, and the inability to learn. These people are not mentally defective, and they are not mentally ill; they are minimally brain damaged. A whole body of literature has emerged on the relationship of violence and delinquency to learning disabilities.

Now if we summarize the biological/psychological level, what do we see? The typical violent offender is a young male, fifteen to twenty-one, probably black, from a minority group, urban, slum area and ghetto background, who has a combination of biological/neurological/psychiatric defects ranging from genetic defects to brain damage to nutritional defects to an overabundance of lead in the body. A recent study of lead poisoning in the population indicated that a tremendous number of our children are poisoned by lead or other pollutants that are in the air, food, soil, etc. Again, these have a major impact on behavior. The environmental aspect of pollution and its relation to behavior is a significant one here.

The environmental correlates of delinquency, such as I've already alluded to: urban areas, poverty, minority status, low educational and low academic achievement, and low socioeconomic status, are usually combined with a very stressful life - abuse, hardship, poverty, and discrimination. These, of course, impact on learning, impact on the brain, and impact on behavior.

These are the basic correlates of violence. If you were to read the last four books out on violence, you would find these are the major topics that are being discussed in greater detail than I have gone into them.

Criminal Justice Response to Violence

What I have outlined above is, of course, the behavioral - scientific approach to violence - that is what biologists, psychologists and psychiatrists have to say about violence. I now want to look at the criminal justice system, which of course has to be labeled the legal response to behavior, the second major approach to crime. For you who are in criminology, you know there are two major schools of criminology, one being the legalistic or classical view of crime; the other being the positive or scientific school which looks at the biological and psychological aspects of criminal behavior. And in 1982 we are still faced with the

dilemma that we do not yet know how to bring these two diverse and disparate schools of thought together. If I had to name any one major difficulty in the criminology/criminal justice area, it would be the basic conflict between the legalistic and the scientific views of crime.

I had intended to outline this on a blackboard, but I will let you imagine that you can visualize it. I'm sure you have seen these types of charts in criminology/criminal justice books everywhere. We will start with the crime being committed and this is labeled the unknown crime or the dark figure. We don't know how much crime is committed. We estimate that it is probably five to ten times as great as what we officially know. If you ask people, for example, "Have you ever been raped?" you find out that five times as many people have been raped as ever appear on police reports.

The next category is crimes known to police, which, as I said, is probably five, ten, or fifteen times smaller than the actual figure. In other words, police know very little about what is going on in the crime area. Out of all the crimes known, the police make arrests in one out of five cases. If you are following the argument, we have all these crimes, but we know about a few of them. Now, out of the few we know about, we make arrests in twenty percent of the cases. The percentages I'm giving you are the percentages, not of the total crime figure, but of the last category. Twenty percent refers to crimes known to police, not to crimes committed. If the police make arrests in twenty percent of those crimes known to police, you can figure the police make arrests of one or two percent of the crimes in general.

Of those who go to court, maybe twenty - twenty-five percent are convicted. As you know, about ninety percent of the convictions are guilty pleas to a lesser offense. The offense bears no relationship to the behavior. By this time, you are well into the legal system where the offense charged by the prosecutor bears no relationship to what the criminal did. If you are a psychologist or psychiatrist and you are looking at the rap sheet, it tells you nothing. You may have a very violent person in front of you who is charged with a crime that bears no relationship to what we would call a violent offense.

Out of convictions, a few of these individuals, maybe

fifteen percent, go in prison. So you end up with less than one percent of your known crimes resulting in some kind of incarceration.

At the end of the line of the criminal justice system is the concept of the prison system. Why do we have prisons? Well, there are two basic theories that you can build on historically, and we're still using these two in 1982. Because we want retribution and revenge, or we want some kind of deterrent, we punish people. We put them in prison or we execute them or we do something unkind to them. In other words, our response to crime is punitive. It's the old eye-for-an-eye doctrine. If criminals are vicious, then we can be vicious. In fact, I could argue that there is a basic biological urge for violence, which I discussed earlier. Our violent brain determines our response to criminals. We are behaving at the same neurological level as criminals when we respond to violence with violence. In other words, there is a legal way of getting rid of your violence. You can play pro football, or you can shoot at animals, or you can punish criminals. That is one of the most legitimate ways of getting rid of violence.

The problem with the deterrence argument is that it doesn't work. If you want to look at one of the most thorough evaluations, go to the National Academy of Sciences report which came out two years ago. The National Academy of Sciences report concluded that there is not one bit of evidence to support the deterrence argument.

What happened in the Lower 48 (and I'm not sure to what extent Alaska has experience this same sort of history) was we went through a period when rehabilitation was the object of criminal justice. Starting in 1899 with the Cook County juvenile court movement in Chicago, and with the development of the John Howard Society, we established probation, we established parole, we established juvenile courts, we established indeterminate sentences - we were going to reform people.

We started with the psychiatric, Freudian approach in the 1920's. It didn't work. It was a complete failure as the Cambridge-Sommerville study in the 1940's demonstrated. Treatment did not help delinquents. In fact, they were worse if they were treated. Then we shifted in the 1960's to the sociological argument that crime must be somewhere in the environment, probably in poverty. So John Kennedy

started the War on Poverty program. His brother was the Attorney General and Robert Kennedy established the Office of Juvenile Delinquency. The so-called War on Poverty came into existence. By that time Lyndon Johnson was President and we were going to cure crime through the War on Poverty. That also failed, and the failure was very much punctuated by the Vietnamese war. The failure of the Democratic liberal policy in Washington led to the 1970 era, the Republican era, the Richard Nixon era and Watergate, with a complete denial of the rehabilitative aspects of criminology. We went to a criminal justice model. We established LEAA, the Law Enforcement Assistance Administration, which assumed that more law enforcement - bigger tanks, bigger guns, and more persons - would solve the crime problem. That, also, was an absolute disaster area. Especially was it a disaster for people like myself who were in behavioral science research because it killed academic criminology as a field of endeavor. I don't know if there is any room for criminology in Alaska, but please, if there is, give it a home.

What I mean by that statement is studying criminals is a thankless task which shouldn't be supported by our government. Rather, government money should go into building bigger and better prisons. It should go into bigger and better police departments - what we call the criminal justice or law and order model.

We established in the 1970's the classical retribution/deterrence model, sometimes referred to as the "Just Deserts" model. The justice model was associated with such names as David Fogel, Norval Morris and James Q. Wilson, big names from well-respected universities. Basically, it was the old "let's punish them - the more we punish them, the less crime we will have." It also led to a rejection of probation and parole, as well as a rejection of the indeterminate sentence. It led to the rejection of the juvenile court as a court separate from the criminal adult court.

Many of our states have moved into the fixed sentence or what is known as the flat time sentencing model. This meant a three-year minimum mandatory sentence for a crime. As a result, our prisons became more and more crowded. Every state south of the Mason Dixon Line in the United States today is under some sort of court order to do something about the prison system because every prison system in the

southern part of the United States is violating the constitutional rights of those it has in prison.

In Florida we have so many men in death row that if the state started executing two a day they could not possibly finish the job, and our Commissioner announced recently he was worried about this. He didn't know how he was going to possibly execute all the men he was holding on death row. The State of Florida now has either the second or first largest penal system (I don't know whether Texas is ahead of us or behind us today). At the very end of my talk I want to give you some figures to show why the prison system does not deal successfully with violent offenders.

So we moved to this retribution/justice model. We said the purpose of the system is not to rehabilitate - it's obvious that we can't do that. What we can do is to be just. That means that everyone gets the same long penal term and is really punished. This becomes justice. This is what I referred to earlier when I said the major conflict in our system is the legal view of behavior which views man as responsible for his behavior. Because man does whatever he wants because of free will and moral responsibility, he then can be punished legally with justice. The justice model demands punishment of individuals who are behavioral problems. And it doesn't matter how crazy you are, how disturbed you are, you still have to be punished.

Now, I want to come back to the criminal justice process I was sketching for you. I said that at the end of the process the person is in prison. He is supposed to be rehabilitated, or he is supposed to be deterred, and you flip a coin in terms of which one you want. Earlier in the century, we were into the rehabilitation phase. Most of us today are in the deterrence phase. I happen to be one of two people that thinks there is still hope for rehabilitation. I have't met the second one yet, but there must be someone out there.

The criminal justice system is a failure any way you cut it. If you want the police to catch criminals, it's a failure. If you want the courts to convict people, it's a failure. If you want prisons to rehabilitate, it's a failure. I don't care what model you use, I don't care what philosophy you use it's a failure.

What we do with the present system is lock people in

institutions, forget about them, and brutalize them. Every major study of prison I know of has concluded that individuals come out of prison in worse shape than when they went in. If you are not brutalized when you enter the system, you are by the time you exit. Prisons are guaranteed to make hardened criminals. If you were a minor offender when you went in, you are a major offender when you come out. And that is why the best measure of recidivism is "How many times have you been in prison before?" You can predict prison reentry very simply by looking at the number of prior convictions.

We also do such things as create rape crisis centers and centers for victims after the fact. Now in the United States, the Lower 48, there's a big move to compensate the victims of criminals. We now worry a great deal about the victims. That's part of the conservative ideology - you worry about victims and you don't worry about the criminal. That is part of the law and order movement of the very conservative political ideology.

Prevention of Violence

Shifting away from the response of the criminal justice system to violence, my major argument is "Why not look for alternatives?" Why not be brave or foolish? Fools rush in where angels fear to tread, and since I've always been foolhardy, I will advocate what I call prevention.

Historically, what we do is we respond to the problem after it has occurred. We don't worry about the rape victim until she is a victim. We don't worry about child abuse until we find a child dead. And if you have looked at my current prevention book, you will notice the dedication is to an unnamed girl who died of child abuse in Tennessee. I put that story in there for a very good reason. Not only because it touched me at the time, but because I hear of it happening every day. The real message is that crime can be prevented.

Now what is crime prevention? Prevention in general is based on a public health medical model. The first time I heard about prevention was in community psychiatry where they referred to a mental illness prevention model. Prevention means you do those things ahead of time which guarantee that you would not have mental illness, but I am going to use it as a crime prevention model. You do things before

the crime occurs; you don't wait for the crime to occur. Think about it for a moment. How can we stop crime or how can we reduce crime if we wait for it to occur?

The model we are now using is analogous to waiting for the heart patient to have his third major heart attack. You then cart him or her off to the intensive care unit and hope that he or she still lives long enough to get whatever medical aid is available through the paramedics or through the intensive care unit.

Now this happens to be something that is very close to my own heart because I happened to undergo open heart surgery two years ago, and I know the difference between being carted to an intensive care unit where they say your chances of recovery are nil, and being put through diagnostic tests that reveal blockage of the coronary arteries and surgical procedures which correct the blockage before the heart attack occurs.

This is the model I am using. What sorts of things can be done before the violence occurs? This leads, of course, to the topic of prediction. And you've already been warned by Dr. Fein that prediction is a very scary thing. We went from the "we can predict everything" to the "we can predict nothing" model. Today there is emerging a third model, "we do a fairly good job of predicting somethings if we know what we are predicting, and if we predict within limits."

I refer you to the book by Moynihan, Predicting Violent Behavior. Moynihan was one of the leaders in the 1970's of the view that you cannot predict violence. Now he says we can predict violence within limits - within carefully constructed limits. I always thought that should have been obvious from the beginning. You can't predict all over the place, but as you start to limit your predictions to specific individuals at specific periods of time, you can be very good with your prediction.

Now before you can prevent any kind of behavior, you have to be able to predict. What sorts of things can we do? I think the answer to that is going back to the list of correlates that I already listed as indicators of violence which can be revealed with blood tests, urine samples, etc. Today there is some very sophisticated equipment for brain studies, including the CAT scan and the PET scan which are complete X-ray computerized analysis of the brain. There is

also a new technique which is better than the EEG called the evoked potential that is now being used in neuropsychology/psychiatry to analyze brain waves. The evoked potential will give you information of what's going on in the brain while it's going on. It's not a still picture like an X-ray. It is a moving, dynamic picture of brain function.

There is no reason in the world why we couldn't run any population we have through a complete medical and neurological workup and predict from that examination which individuals are likely to be violent.

I would also remind you that very few people in the system commit most of the crimes. Wolfgang found about six percent of his population committed seventy-two, seventy-three percent of the rapes, murders, assaults. So you pick out the six percent that are really violent. This ought to be the easiest population to pick out because they are the most extreme. They are going to have long histories of violence. Most individuals who commit rape or murder have four to six prior assault incidents. These individuals are known to the families, to friends, and to the courts, and these people can very easily be picked up out of the population.

The Dangerous Offender Project at Ohio State (and there are four or five volumes on the project by Dinitz, Conrad, and others) found that two percent of their individuals were violent offenders and they committed most of the violent acts. That is a very small group, even smaller than the group Wolfgang found which committed the violent acts.

What do we do for people that we now have in custody, using the word custody not strictly in a legal sense, but in some kind of medico/legal framework? Today, a great deal of the treatment effort is with drugs - anti-anxiety, anti-depressants, anti-psychotic - lithium, chlorpromazine, etc. One of the reasons that there has been a major shift of mental patients out of mental hospitals, as the records since the middle of the 1960's will indicate, is the use of chlorpromazine for schizophrenics.

Let me illustrate this by showing you a couple of pictures. This is a dog called Jackson, who, as you can see, is fierce, is vicious, at this point. They had to feed him through the cage. They couldn't handle him personally, he was such a vicious dog. This dog was part of the Medical

Center study at Ohio State where they were studying violence. And they were studying Jackson because Jackson was a violent dog. And they discovered among other things that Jackson had a very underaroused autonomic nervous system. They gave Jackson a stimulant, amphetamine, and Jackson immediately responded. This is Jackson now. I met Jackson at a cocktail party that they had, and I must say, he was much better behaved than the faculty that were there. While he was being stimulated, the rest of us were being depressed by heavy alcohol intake.

I am reminded at this point, of course, of the question that always occurs and that is, "Who is going to pay money to do this sort of thing?" The classic case I always cite at this point is the infamous one in Florida, the Ted Bundy case. Bundy is the young law student out of Washington and Utah who supposedly killed thirty plus women, no one really knows how many. He killed two FSU coeds, killed one other girl in the neighbor town, was picked up, arrested, convicted, and is now awaiting execution in the State of Florida. The State of Florida spent well over two million dollars putting Ted Bundy there, getting its kicks out of putting him there, in a very expensive sort of way. Bundy said, "If you will guarantee me hospitalization, guarantee me whatever medical care I need, I will confess." Well, the prosecutor couldn't get reelected on that kind of flimflam, so Bundy was prosecuted. Think what we could do with two million dollars worth of research on Bundy. I would just love to know what makes that man tick.

We have learned nothing from the Bundy case other than it costs us another thirty to fifty thousand a year to support him. Last week his attorneys appealed to the State Supreme Court. I'm sure that cost three or four hundred thousand dollars.

There are many things that can be done at the individual level. I am reminded of the work of John Money at Johns Hopkins University in Baltimore with sex offenders. Money had been treating sex offenders with estrogen compounds for a number of years. Again, sex offenders can be treated within the limits of whatever knowledge is available. I am not an expert in that area but I will guarantee there are people who can provide that kind of technical assistance.

Most of the work that I have looked at has not been at the individual level as much as at the environmental level.

That is, where do crimes occur, why do they occur where they do, and what can be done to prevent them. Crimes occur in very specific places. If you have ever looked at crime rates and ecological distributions, you know that about twenty percent of the environment has crimes and about eighty percent of the environment is free of crimes. Crime is a very ecological, epidemiological type of event. One thing we can do is study those areas where crimes occur, and we can study those areas where they don't occur, and we can decide why they occur where they occur and how we can prevent them from occurring.

For example, I would suggest that murder is found in a very few places. The high murder rate is five o'clock Friday evening, usually in somebody's bedroom or kitchen. Why? Because this is the beginning of the weekend. This is the beginning of heavy alcohol intake. Murder, assault and rape occur in very specific periods of time in very specific places. We have plotted the occurrence of rape at Florida State, for example, for the last five years, and have found that rape occurs in very specific types of places. There is one area of town where ninety-five percent of the rapes occur.

So we know where murders occur. We know where rapes occur. We can do something about it. One of the major events following the Bundy case, of course, was a completely new look at campus security and the creation of a crime prevention bureau on campus. The campus was so shocked by the crime that the University had to take action and was forced to do so. However, I must report that we have a sister institution, Florida A and M, which is one mile from the FSU campus. A coed was brutally murdered there a year ago - absolutely no security measures whatsoever. So I give you this example as a case where something occurred on the one campus and a mile away, something did not occur.

I will summarize some of the environmental projects that have been undertaken. These are reviewed in my book, and there are at least four other major books out now on environmental criminology that you can look at.

The structure of buildings, parks, streets, bus terminals, airports, and urban areas influence the crime rate. Many of the major crime cities today in the Lower 48 are located in the Sun Belt area. In my criminology class I put a map of the United States on my board and I start with I-95

which goes from Canada through Boston, Washington, D.C., to Miami and Tampa. I-10 intersects with I-95. I-75 comes down from Canada, Michigan, and Atlanta, to Tampa. I-10 goes from Jacksonville across the southern states to Los Angeles, joining I-5 which comes from Mexico up to Vancouver in British Columbia. Ninety-five percent of the high crime rate cities are going to be enclosed by I-95, I-10, I-5. We have completely altered the crime pattern by the highway system and the interstate system which has developed in the lower part of the United States. Also, we have created some very interested crime problems.

For example, we now have interstate crime. We have the interstate murders on I-5 in Los Angeles. There were a number of slayings in Canada along I-5 last year. Ted Bundy came to Tallahassee by way of I-75 and I-10. What I am saying is that there is a very real interaction of crime and ecology. One can look at the city in terms of a block to block distribution of crime, or one can look at the regional patterns of crime in the Sun Belt states. We have high crime rates from Florida to New Orleans, to Tucson, to Houston, to Dallas, to Phoenix, to Los Angeles and San Diego. I do not know the Alaska scene very well, obviously, but with the traffic now emerging from the West Coast up the Alcan, there is no doubt that you have or are going to experience the same sorts of changes in your crime pattern that Florida now has in Jacksonville, Tallahassee, Tampa and Miami.

We come back to the basic problem, which, as I have said, is the legal versus the behavioral approach. The legal approach says that you build beds, and Don Clark told us that it costs a hundred thousand dollars to build a bed, from twenty to thirty thousand a year to fill it. One of the crime preventions measures that has been suggested is that we give each person who does not commit a crime ten thousand dollars for that year. That would be much cheaper than what we do now.

The argument that we can prevent crime is often countered. I have students who say, "Well, who would pay that kind of money?" And my answer is, "What kind of money do you think you are paying now?" I said earlier I would come back to the issue of locking up more people and I want to give you several figures that appear in the Wolfgang book referred to earlier. The average sentence for a violent crime is 1.3 years. One study figured that if you raised

that to a five-year mandatory flat sentence, everybody committing a violent crime would be in for five years. You would increase your prison population tremendously, you would reduce violence by six percent. Six percent -- six out of one hundred violent crimes would be prevented.

The Dangerous Offender Project found that a five-year sentence would prevent seven percent of the crimes while increasing the prison population for the State of Ohio (the study was in the State of Ohio) from thirteen thousand to sixty-five thousand. If you wonder why our prison system is so overcrowded, it is because of mandatory sentences where everyone convicted serves a prison sentence. As I said earlier, every state in the southern part of the United States is now under court order for one violation or another by the prison system.

What I am calling for, basically, is a medical/behavioral model based on science, and based on research. We must put twenty million dollars into a major research project hopefully associated with one or two major universities. This center would do research of the type we now do on cancer and heart disease on anti-social criminal violent behavior. This would be an interdisciplinary team involving every discipline from geneticists to neuroanatomists, biochemists, psychologists, psychiatrists, lawyers, philosophers, mathematicians, and urban planners. The legal and ethical problems of behavior control to which I have alluded are very critical. In other words, the model I would build would be a much cheaper model than the present one and in the long run it would be effective. If we are to do the same thing with crime that we've done with heart and cancer and other medical problems, then we must move systematically doing research, testing, retesting, redefining, and evaluating. These are things that you have to do as a scientist.

So I am advocating that we find new alternatives. This means we are going to have to give up doing things the way we have been doing them. We are going to have to do them in a new way.

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PART III
VICTIMS OF VIOLENCE

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VICTIM SERVICES COORDINATION IN ALASKA

Betsey W. McGuire

The issues that I am going to address today are mechanisms and processes for developing coordination of services for victims and offenders at the state and local level. The field of domestic violence and sexual assault is particularly appropriate for such a discussion, as those crimes involve many agencies and services and touch many people of all levels of income and origins and in all communities statewide; however, the victims are almost always women and children.

According to the federal crime statistics, Alaska has one of the highest rates of violent crimes in the nation and crime has permeated the lives of all citizens in the state; far too many people are either living in fear or accepting violent crime as a "way of life" - an acceptable part of the Alaskan lifestyle. Our rape rate is the highest in the nation: 102.2 reported rapes for every 100,000 people. One of the factors believed to cause such high statistics is that 34% of the total male population is between the ages of 20 and 35 years old, many of whom seem to perceive Alaska as "the last Frontier" - where "anything goes"; "violence is necessary for survival."

Domestic violence and sexual assault are very complex social issues, as they impact so many community services or agencies. Among those affected are: welfare, law enforcement, the court system, family and youth services, adult protective services, medical and dental services and substance abuse services. Specifically this means that:

- victims may well seek welfare services even if they are separated only temporarily which increases state and federal expenditures;
- more law enforcement staffs are needed to respond to domestic violence or sexual assault calls; this also includes the need for training on appropriate responses to these crises;
- the court system services increase as Temporary Restraining Orders are requested and issued; offenders face more prosecution than formerly and some victims eliminate the abuse by divorce;

- corrections facilities are needed as offenders of both domestic violence and sexual assault are increasingly sentenced;
- the social service delivery system must respond, especially as we are becoming more aware of the need for increased adult protective services for the frail, abused elderly; children suffer trauma from the experience which influences them all of their lives. This knowledge may make it possible to predict that these children will become offenders or victims, if no remedial services are provided.
- the medical services must respond, including physicians and nurses, emergency medical technicians and paramedics, physician's assistants, dentists, mental health and substance abuse services, as well as emergency room care; insurance rates increase because of high demand.
- the labor market is affected as absenteeism increases and low productivity on the job occurs, because of high stress.

While all of these traditional services are impacted by domestic violence and sexual assault, recently a whole new system of intervention has developed - that of shelters, safe home networks, and offender intervention programs. More than \$6 million is spent annually in Alaska on this new system, not counting capital expenditures.

Among the many efforts made by the Alaska State Legislature to attack the problems of violence and its tangential outcomes, was to establish and fund the Council on Domestic Violence and Sexual Assault in 1981. The Council is an administrative and coordinating mechanism to help reduce violent crimes in the state, especially domestic violence and sexual assault. The Council consists of the Commissioners or their designees from the Departments of Public Safety, Health and Social Services, Law and Education, plus three public members recommended to the Governor by the Alaska Network on Domestic Violence and Sexual Assault. The Network has been a strong and powerful organization in the state. Its members are the program directors from most of the programs and they are considered the "experts" in the field of domestic violence and sexual assault; the Council staff coordinates with the Network on many issues.

The Council has tremendous potential as an administrative and coordinating organization since four departments are represented which provide opportunity for effective coordination with many divisions at the direction of a Commissioner. For example, because the Council is under the Department of Public Safety, administrative decisions can be made by the Commissioner of Public Safety pertaining to training for officers or reporting practices of officers.

The Department of Health and Social Services is responsible for:

- Family and Youth Services which has the statutory responsibility for sexually abused children as well as other forms of child abuse and neglect; however, the shelter services frequently provide assistance to victims of incest as well as education in the schools on sexual abuse prevention.
- The Office of Alcohol and Drug Abuse programs see many domestic violence offenders who eventually need referral for intervention by a domestic violence program.
- Mental Health sees many families who are in domestic violence situations.
- The Division of Adult Corrections has many sexual offenders and batterers housed in their jails as well as other offenders who have been violent. These people need treatment if they are ever to be a part of society again.
- To add to that list, many victims use other services of that department: Public Assistance, Medicaid, AFDC, and Public Health Nurses.

The Department of Law did have a Sexual Assault Project Coordinator on its staff, but he has recently been promoted to the position of District Attorney in Anchorage; he is a member of the Council. The Department also has responsibility for all District Attorney's offices statewide and victims frequently use their services. Sexual assault protocols are being prepared - a process which involves the Departments of Law, Health and Social Services and Public Safety, services to victims and the victims and offenders.

Therefore, many of each department's efforts in reducing

violent crimes statewide, especially domestic violence and sexual assault, can avoid being duplicated and increasingly they can be coordinated because of the existence of the Council. Because Commissioners are on the Council by statute, coordinated priorities can eventually be established with each department.

Another advantage is that frequently the involved departments can provide organized or coordinated support for legislation on domestic violence and sexual assault issues. While this is not always the case, the legislators response is often very favorable. We can also support each other in requesting the Governor to introduce specific legislation.

Strong coordination exists with the Alaska Network on Domestic Violence as the Council seeks its positions on legislative issues, and generally we are mutually supportive.

Presently, coordination does exist with several departments, as the Council has received funds from the Department of Education in order to develop Public Services Announcements statewide, as well as multi-media training materials for a variety of professional people. We are also contracting to develop an educational curriculum for children statewide for K-6 on prevention of domestic violence and sexual assault.

The Council also received funds from the Department of Public Safety to continue Regional Training Teams for training public safety officers, and village public safety officers, as well as local police forces in domestic violence and sexual assault. A variety of other related tasks will be accomplished with those funds, including publication of a training manual on domestic violence and assisting in the preparation of a training manual to be developed by the Department of Law on sexual assault.

The Council also receives federal funds through the Division of Public Health, Department of Health and Social Services which are being used to train Public Health Nurses in the dynamics of sexual assault, as well as intervention techniques. Some of the funds will be spent by the Department of Law for developing rape kits statewide.

Once the Council has a viable data system, which has just gone "on-line" statewide, far more coordination of data

with some of the agencies described above will be possible. Thus, multi-agency efforts will begin to identify some of the causes of domestic violence and sexual assault, which may include abuse as a child, a probable relationship to alcohol, and family attitudes that "battering or rape is a marital right." Although the elimination of such behavior may take several generations and certainly will take an intensive effort by many levels of government, the work we are now undertaking is a necessary first step.

To accomplish these tasks, the Council has a staff of four people: an Executive Director as mandated in the statute, a Program Coordinator, Research Analyst and a Secretary. The offices are located in Juneau.

The Council awards grants to and monitors 20 programs which are nonprofit corporations, statewide. These awards total \$3,923,600. These programs were all established at the grass roots level, primarily by feminist groups, as was true nationwide. The programs funded include:

- 10 shelters in Anchorage, Barrow, Bethel, Fairbanks, Juneau, Ketchikan, Kodiak, Nome, St. Paul, and Sitka for victims of domestic violence and their children.
- 5 Safe Home Networks in Dillingham, Homer, Kenai, Wasilla and Valdez to coordinate a system of volunteer homes for safety for victims of domestic violence and their children for 3 - 5 days.
- 6 Men's Intervention Programs in Anchorage (2), Fairbanks, Juneau, Ketchikan, and Nome.
- 2 Women's Resource Centers in Anchorage and Juneau which provide a variety of services; Council funds are used for counseling a victim after she leaves a shelter or for victims who choose not to use the shelter services.

Most of the above programs also have 24 hour crisis lines, counseling and advocacy for clients, outreach programs to rural communities, and educational programs for the general public.

In conclusion, the Council, as I said earlier, has great potential and has certainly been a committed group of people. What our future holds for continuing such commit-

ment and efforts for coordination of activities and investments of time, money, effort and energy only time will tell. Without the active support of Commissioners and their staffs, as well as the Governor and the Legislature, none of this will happen. We ALL hope for the very best.

SELF-HELP FOR VICTIMS OF VIOLENCE: A PROPOSAL

Peter W. Dowrick

Self-support groups have become increasingly numerous in areas as diverse as weight control and incest offenders (e.g., local programs "Waistline" and "Parents United") for two reasons: their claimed efficacy, and their low cost. In 1976, Marie Killilea presented a selected bibliography of 220 items, including reference to mutual help organizations for gamblers, schizophrenics, criminals, alcoholics, gays and many others. Within the same volume (Caplan & Killilea, 1976) are descriptions of programs for widows, clergy, and single parents. And in the same year the Journal of Applied Behavioral Science published a special issue concerning self-help groups. Since 1976 the proliferation has probably doubled, and at least a few programs have been thoroughly evaluated with promising results (see Raeburn & Seymour, 1979; Rogers, Vachon, Lyall, Sheldon, & Freeman, 1980; Turkat, 1980).

At the same time there has been a nationwide consciousness raising for the victims of crimes. Part of this debate has been centered on offensive prevention (e.g., Castleman, 1982; King, 1982) and on reexamination of criminal sentencing and treatment policies (e.g., Andersen, 1982). The treatment of the offender affects the victim in two ways: implications for revictimization, and perceived justice. The other part of the current forum directly concerns the victims themselves (e.g., Rubenstein, 1982). The current proposal focuses on the psychological support of victims of violent crimes, although it is not expected to cater for cases of severe abuse. Emphasis will be placed on an empirical evaluation of a moderately structured self-help group approach.

Conceptual Framework

The implementation of self-support groups can be justified on the basis of four principal strengths: (1) education and re-learning, (2) self-determination, (3) group support, (4) previous group "graduates" as trainers. Most groups, from Alcoholics Anonymous to Parents of Murdered Children, are loosely organized on a "drift in as you need to" basis. However, my professional involvement with self-help groups has convinced me of the value in time-limited commitments to a course structure using specific materials to guide each

group meeting. Most effectively, these materials are brief, simply expressed to make points which bring from a succession of groups.

There are two broad issues which can most profitably shape the content of the course. The first is post-trauma readjustment to be facilitated by reduction of avoidance behavior, and by improved functioning of the individual's support system. Second, perceived fairness will be addressed by way of educational understanding of legal system deliberations, and by the victim's reinterpretation of events on both the cognitive and the emotional level.

In recognition of the strengths and limitations of the self-help group approach, certain restrictions are applied in this application. Neither the aspects of the environment, nor the patterns of an individual's behavior which lead to that person's becoming a victim are addressed directly. Such matters require the presence of professional expertise (e.g., a clinical psychologist), and it is not intended to place outside "experts" in the role of group facilitators. Therefore, it can be expected that the present group course fills a gap between the counselor services and the undirected buddy systems which are more generally available.

Model Description

Small group courses will be facilitated by trained group leaders, the purpose being primarily educational, with a high degree of involvement by group participants.

The first course has been developed on an investigative basis. Group members include myself, an assistant training as a group leader, and victims of crimes plus one "significant other" for each victim. All participants have volunteered with an understanding of the developmental nature of the course, to maximize the benefit of their reactions and other contributions to the program. Feedback is solicited after each meeting and at the end of the course for revision purposes.

The project will then be expanded at least three-fold, under my supervision but facilitated by assistants and other participants from the previous course, chosen for leadership training. From within these courses, more potential group leaders will be identified. Subsequently, the project can

expand to a stable number of courses, reflecting the demand.

It is anticipated that over a 12 month period, at least 160 victims of crimes can be studied, investigating the impact of different types of crimes, while also comparing self-help course participants with control groups (see Johnson, 1982).

Format of Self-Help Course

In the initial program there are 10 weekly, 1 1/2 hour meetings held at University of Alaska, Anchorage. Handouts of 1 - 4 pages are distributed at each meeting. These handouts contain information and questions specifically designed to draw upon the knowledge and resources of participants, under the guidance of a group leader who is trained to facilitate this process but also trained to avoid offering "expertise" that creates dependence. The group membership comprises a total of eight individuals (four victims plus one each "significant other," self-identified). Offenders may be required to attend, particularly if they are unknown to their victims (see "Most Assailants are Strangers to Their Victims," 1982). However, because of the delicacy of this issue, decisions in this regard are made by the consensus of each group.

Overall Objectives

1. Well being. To improve the mental and physical well-being of those who wish to participate in victims' self-support.
2. Coping. To assist people to maintain a basically relaxed but alert functioning in their daily lives and to be able to respond effectively to unusual or excessive demands.
3. Positive orientation. To emphasize a positive educational preventative approach rather than the treatment of immediate problems or preoccupation with the past.
4. Self-reliance. To promote self-reliance in applying knowledge and skills imparted in this course.
5. Community dissemination. To make possible the availability of the program at the local community level, as facilitated by individuals who have completed the program.

6. Widespread appeal. To be attractive and intelligible to as many as possible of the relevant section of the community.

Specific Goals

1. To communicate basic knowledge related to victimization stress and the management of personal adjustment and equity.
2. To impart to those who want it, at least one basic skill for coping with victimization stress.
3. To provide information on accessible resources additional to the course (e.g., publications, organizations).
4. To maintain the active interest of the majority of the participants.

Content

The course has been developed from the model provided by successful stress management and community weight control programs (Raeburn, 1981; Dowrick, 1982; Raeburn & Atkinson, 1982). Between the introduction and the evaluation (which include personal impact data and course revision information) eight major topics are covered.

The first reviews the key concepts of physical and mental stress, fairness, and attribution. This is followed by individual commitments to taking positive action - setting priorities, making a decisive start. Third, aspects of physical fitness are discussed, viz: exercise, nutrition, and sleep. The fourth topic, "staying safe," examines the dividing line between reasonable precaution and debilitating obsessions; it also examines techniques of retaining personal goals when confusion sets in. The next topic concerns the role of the offender in future adjustments. Each group membership needs to decide if and how offenders may be involved in future group meetings, and the members will also discuss perceived fairness. The sixth topic is an examination of support networks: specifically, the impact of planned changes, and how to involve family and others. Assertion and self-confidence is then supported by a workshop identifying difficult situations, and rehearsing ways of dealing with them. Finally, training in physical and

mental relaxation is provided.

Format of Each Session

The course includes specific weekly assignments. These involve either monitoring specific events critical to individual members, or practicing new skills. Generally, the meeting starts with a review of last week's assignments, followed by examination and discussion of the handouts provided. Most handouts are usually in two parts, each of which raises issues, promotes group discussion, and confirms probable assignments. However, some sessions take different formats. For example, the assertion and relaxation topics are better dealt with using workshop exercises.

Conclusions and Implications

The proposed program fills an important gap between expensive (usually one-to-one) professional services and finance free but erratic social support (see Warren, 1981; Vallance & D'Angelli, 1982; Young, Giles, & Plantz, 1982). The concept is supported further by its focus on lifestyle and development of social support, now well established factors of mental and physical health. Witness a report of the Surgeon General (U.S. Public Health Service, 1979) claiming 'perhaps as much as half of U.S. mortality in 1976 was due to unhealthy behavior or life styles,' and Pilisuk (1979) in a literature review pointing to a 'pervasive relationship between health status and the . . . disruption of interpersonal ties.'

Despite the attention devoted in the last decade to the issue of victimization, there exists a dearth of information on the efficacy of any programs for victim support. Given the anticipated support from Anchorage referral agencies (Johnson, 1982), the current project offers intensive evaluation as a much needed controlled study at the same time as providing a community service.

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AN INVESTIGATION OF ALCOHOL AND DRUG ABUSE AMONG BATTERED WOMEN IN ANCHORAGE*

David Basham and Denise Brothers

Introduction

Abused Women's Aid in Crisis, Inc., the Anchorage-based shelter for battered women, was organized in 1976, and continues to provide services for women, children, and men who are involved in domestic violence.

In 1982, 596 women and 622 children were served in the shelter representing a 55 percent increase over the previous year. Additionally, 703 men were provided with counseling services directed at stopping their use of violence. Over 2000 crisis calls were received from individuals still residing in homes with domestic violence, and numerous hours of counseling were provided in off-site groups for women.

It has been obvious since the shelter opened that chemical use, especially alcohol, is often involved with the violence. Alcohol abuse has been considered a significant factor in many women's decision to terminate their relationships. Approximately 30 percent of the women utilizing the shelter had also shown signs of dysfunctional behavior due to their own alcohol involvement.

There is a tremendous need for more information on the relationship between domestic violence and substance abuse. Estimates of alcohol involvement have run as high as 90 percent, and special shelters have opened that deal specifically with alcohol-specific battering. This project has been an attempt to explore this relationship in the lives of the women who utilize the Anchorage shelter. This study is by no means a comprehensive investigation, but is a limited preliminary to more detailed and scientific work on the subject.

Methods and Procedures

One hundred and twenty-two women were selected from those who were taken into the shelter in early 1982. The items used for this investigation are items included on the standard intake form used at that time. The intake forms had been completed by shelter staff.

* This paper was prepared especially for this volume.

One hundred twenty-four items were included in the intake form but only 42 items were selected for analysis. All data are based on client perception, so that information relating to their spouses is not necessarily fact. No attempt was made to correct for the intake interviewer's bias, either. Two-way contingency table analyses were performed to determine statistical significance differences. These results are reported below.¹

Results

Description of Client Population

The population of this shelter sample is 69 percent white. Approximately 65 percent have at least a high school education, and 63 percent of the clients are not employed outside the home. The vast majority are under 35 years of age (82%). The majority have also had some religious training as children (82%), but 51 percent are only 'sort of' religious.

Sixty-nine percent of the population studied uses alcohol or drugs occasionally or often. A good proportion of this group is classified by staff as having some chemical dependency problems, especially co-dependence (45%) and co-dependence combined with a primary drug-alcohol problem (28%).²

The spouses of the women in this sample tend to be somewhat better educated (76% with at least a high school education), but have a relatively high unemployment rate (29%). They are several years older than their mates (32% over thirty-five). According to the women, 70 percent of their spouses are not at all religious, although 65 percent have had some religious training as children.

Seventy-five percent of the men are reported to use alcohol or drugs. We have no data as to frequency of use, or the specifics regarding drug of choice, other than that 46 percent always use during their violent episodes, and 63 percent were using during the last incident. It is assumed that in the majority of these cases the drug of choice is alcohol, it being the most widely used and most readily available. For our purposes we will continue to refer to use as alcohol/drug use.

The Violence Pattern and Family Background

A full 80 percent of the violence among these couples began in the first half of their relationships. Eleven percent of the women in this sample had just experienced their first beating, while 52 percent had been beaten less than once per month prior to coming to the shelter. Thirty-seven percent reported having been beaten more than once per month and 62 percent of the women recalled an increase in severity over time.

Severity (lethality) was assessed based on the cumulative score of the four continuums of violence.³ By this measure, 18.49 percent of the sample was judged to suffer from a relatively low level of violence (0-99), 43.7 percent fell in the middle range (100-200), and 37.81 percent fell in the upper, or severe range (200+-).

While clients reported some family involvement with alcohol/drug problems (46%), they stated that 61 percent of their spouses had had a similar family history. Additionally, 24 percent reported having been mistreated as children, while 82 percent said that their spouses had been mistreated. Fifty-two percent of the clients recalled that their mothers had been mistreated by their fathers, and 82 percent replied that their spouse's mothers had been mistreated. Further, 71 percent of the clients reporting alcohol/drug problems in the family also said their mothers had been mistreated by their fathers.

Violence and Substance Abuse

Among spouses reported as alcohol/drug users, 53 percent were always violent when using, while 83 percent were using during the most recent episode of violence. Interestingly, 22 percent of the non-drug using spouses had been using during the most recent episode. This finding may represent a misinterpretation of the question (Does your spouse use alcohol or drugs?), or it may refer to spouses whose use is very limited (I've never seen him drink before).

The relationship between the severity of violence and substance abuse is very telling. The more extreme the violence, the more likely the spouse is a user. Fifty-seven percent of the women suffering a relatively low level of violence reported that their spouse used alcohol or drugs, while 87 percent of those suffering extreme abuse had

chemical-using spouses.

Similarly, the presence of an alcohol or drug problem in the client's family seems also to be related to the severity of violence incurred (c.f., co-dependence), and the mistreatment of the spouse's mother is also an important indicator of the level of severity of violence, especially in the middle range. Also of note is the relationship between the severity of violence and when the beatings started. Here, the more severe the violence, the earlier it began in the relationship.

The chemical dependency assessment shows the staff's subjective measure of the client's drug and alcohol involvement. As such it does have limitations, but its correlation with the violence continuums (lethality assessment) is nevertheless revealing. Fully 84 percent of the clients suffering from extreme violence are viewed as being co-dependent or co-dependent with a primary drug or alcohol problem, as opposed to those who are victims of relatively low levels of violence (54%). Likewise, only 11 percent of these clients are viewed as free from drug and alcohol problems, thus reflecting to some extent the widespread client and spouse use noted already, including their families' alcohol and drug problems.

Also examined was the frequency of beatings to when the beatings started, the change in the frequency itself, the severity of that change (has it gotten worse?), whether the spouse was using alcohol/drugs during the most recent incident, and whether the client was mistreated as a child.

The most striking aspect of this data is the 'quicken-ing' effect. That is, the earlier the violence starts, and as the frequency of beatings increases, the severity increases as well as the rate of change of the severity and frequency. This can be likened to one of the classic drinking patterns associated with alcoholics - reminiscent of the acceleration of a falling object, i.e., an exponential function.⁴ Eighty-six percent of those reporting being beaten more than once per month also report that the beatings started in the first half of the relationship. This is somewhat higher than the sample norm (80%). Additionally, 80 percent of the clients reporting a change in the frequency of violence also reported a greater severity of change of the violence.

In regard to the client's history of mistreatment, the data show that 37 percent of the clients being beaten more than once per month had been mistreated as children - a good deal higher than the sample norm of 24 percent.

Client Alcohol and Drug Use

A comparison was made in connection with client alcohol/drug use to other factors. Recalling that 29 percent of the sample reported using alcohol and/or drugs often, and only 30 percent never use them, it is important to look closely at these related factors.

First, spouse use seems to be related to client use. Among clients who never use alcohol/drugs, only 54 percent of their spouses use. Among the occasional users, the spouse use rate jumps to 90 percent, while spouses of frequent users obtain the sample norm of 75 percent. More importantly, 80 percent of the frequent users reported that their spouses were using during the last episode of violence. Twenty-one percent of the frequent users admit to always using alcohol/drugs when violence occurs, while 50 percent of this group were also using during the last episode. The more frequent users also experience a greater change in the severity of violence.

The staff's chemical dependency assessment of clients who are frequent alcohol/drug users accurately reflects the level of violence and drug usage reported by the clients themselves, excepting the "primary problem" category, but the notion of co-dependence perhaps becomes more relevant as the client's drug use increases.

It should also be noted here that among the variables correlated with client (and spouse) chemical use was education. Those with less education tended toward more substance use. This association may partly be attributed to the racial differences noted below.

Racial Differences

Seventeen percent of the client sample are of Alaska Native descent. This figure is disproportionately high compared to the Native population of the Anchorage bowl.⁵ Eight percent of this sample are Black, 3 percent are Hispanic, 1.6 percent are Native Americans not of Alaskan descent.

The racial differences in the sample are profound. Fifty-nine percent of the Native clients are victims of extreme physical abuse. Client and spouse use of alcohol/drugs is far more prevalent in this group than in the other two, with more frequent report of clients' mothers being mistreated. Especially powerful is the allegation that 100 percent of the Native clients' spouses were mistreated as children.

The Native women seem to be older, to wait longer before seeking help, to drink more heavily, and to suffer more abuse prior to coming to the shelter. They also are least comfortable with their own level of alcohol/drug use.

Seventy-nine percent of the Native spouses were reported to have beaten their wives more than once per month, compared to only 34 percent of the Caucasian males, or 20 percent of the males of other races. Ninety-one percent of the Native males were using alcohol/drugs during the last incident of violence, compared to 53 and 71 percent of the white and other spouses, respectively. Finally, 73 percent of the Native spouses were unemployed, compared to 24 percent reported for the Caucasian males, and 15 percent of the others.

Discussion and Conclusions

It has been shown that the AWAIC clients studied tend to be fairly young women who, for the most part, have not been with their spouses long. They tend not to work outside the home, and, like their mates, are prone toward chemical use, though not to the same extent. The use of alcohol/drugs has been shown to be a major contributory factor in domestic violence.

Other factors of importance include the family history of drug and alcohol problems, a history of having been abused as children (especially the males), and a history of other violence in the family (mother abused by father). Our data suggests that the history of violence in the male's family is of far more importance in contributing to his violent behavior than is his history of alcohol/drug use, although this use is associated with more severe violence.

More severe violence is associated also with chemical dependency problems in the woman's family, while more frequent beatings are associated with her having been mis-

treated as a child.

Generally, it is also found that the severity of change in the level of violence is related to frequency and frequency change - supporting the hypothesis that battering is indeed an addictive process, although it is difficult to view it as a separate addiction within this sample - where 69 percent of the women and 75 percent of the men are identified as chemical users, even while only 19 percent of the women and 63 percent of the men were using chemicals during their last violent incident.

Client drug use tends to follow that of her mate, and is often associated with more severe violence. The battered woman who uses chemicals is often using when violence occurs. She may be seeking relief from the battering situation through the use of these chemicals; there is some support for this by the finding that in a significant number of these cases the violence started in the second half of the relationship.

The most profound discoveries of this project were the racial differences noted in the population studied. First, Alaska Native women and Black women are overrepresented in the sample compared to the population of the Anchorage bowl. Secondly, a much higher degree of both violence and alcohol/drug abuse is reported among the Native clients both in terms of family history and current events leading up to the women's involvement in the shelter program.

These figures are indicative of several things. They are a reminder to us of the profound importance of working closely with Native groups in the area of domestic violence and substance abuse, and of devising specific strategies of addressing these issues within the Native context. They also suggest the importance of working more closely with all substance abuse treatment and prevention programs, especially in the process of providing direct services to clients whose problems include both domestic violence and chemical abuse.

Strategies must be devised in order to more effectively treat these combined addictive processes. Whether treatment should be sequential or concurrent - or whether it should take place in which type of agency - represent decisions that must be made by all agencies concerned with these issues. These decisions (and others) must also be made in

light of the cultural (and community) differences noted above.

NOTES

1. The items themselves, having not initially been devised for research purposes, have in some cases very serious limitations. For example, there are only three questions relating to spouse chemical use. There is not a question relating to the quantity or type of drug he uses - only "Does your spouse use alcohol or drugs?" We do have data relating to the client's frequency of drug usage, but again no specific information as to the drug of choice. Other questions are rather vague, including questions relating to religious orientation, and have not been included in the data, or qualification has been made in the text.

2. Co-dependence is a term that roughly describes the characteristic patterns of maladjustment found in individuals involved in "addictive" relationships, i.e., one who plays one of the "triangulation" roles in a relationship with an alcoholic: victim, persecutor, or rescuer. It is also commonly used to refer simply to the spouse of a person addicted to alcohol or drugs.

3. See Appendix for continuums of violence.

4. It has often been noted in the literature that domestic violence fits the criteria of addictive behavior, i.e., self-destructive behavior involving temporary satisfaction followed by remorse, an increase in frequency or intensity needed to achieve the same effect, shorter intervals between the behaviors, its cyclic nature, etc.

5. The population of the Anchorage basin is estimated at 85.2% White, 5.3% Black, 5.1% Native, 2.3% Asian, and 2% other.

APPENDIX - Continuums of Violence

- 94 Which of the following have you been subjected to?
1. Jokes
 2. Ignoring feelings
 3. Screaming and yelling menacingly during arguments
 4. Repeated use of insults
 5. Repeated humiliation
 6. Blaming
 7. Labeling and repeatedly calling degrading derogatory names
 8. Threat of physical or sexual abuse
 9. Constant denial of feelings and your abilities in work/home role
 10. Blames you for the violence
 11. Punches wall or throws objects near you
 12. Describes promiscuous activity with others
 13. Constant unfounded accusations about affairs you are having
 14. Threatens to abuse children
 15. Threat to hurt you or the children if you leave
 16. Threats to take the children away or commit you
 17. Claiming to love you only when you act paranoid, hysterical, psychotic or suicidal
- 95 Which of the following have you been subjected to?
1. Jokes about women and roles of women
 2. Physically or psychologically driving away family and friends
 3. Degrading of your family, ethnic, religious customs or beliefs
 4. Economically dependent on abuser
 5. Moving repeatedly
 6. Geographic isolation
 7. Destroying your possessions and pets
 8. Physically/sexually abusing the children
 9. Switching medication without your knowledge
 10. Threatening to kill himself if you do not change
 11. Turning children against you
 12. Manipulating events and others until you believe you are paranoid, hysterical, psychotic or suicidal/homicidal

- 96 Which of the following have you been subjected to?
1. Lack of consideration for physical comfort needs
 2. Pushing
 3. Shoving
 4. Hair pulling
 5. Slapping
 6. Shaking
 7. Punching
 8. Bruising
 9. Twisting the limbs
 10. Breaking bones
 11. Denying sleep and nutrition
 12. Denying needed medical care
 13. Causing internal injuries
 14. Use of household objects as weapons
 15. Causing permanent injury
 16. Denying physical needs (sleep, food, medication, shelter)
 17. Using weapons (guns, knives, drugs)
- 97 Which of the following have you been subjected to?
1. Objectification of women through jokes, humiliating or degrading comments and name calling
 2. Unwanted touching
 3. Uncomfortable touching
 4. Demands for sex or punishment by rejection of you as a sexual partner
 5. Degrading you while having sex
 6. Forcing sex
 7. Forcing sex after a beating or under threat of a beating
 8. Using penetrating household object in sex
 9. Causing injury during sex
 10. Using weapons to force sex or for sexual manipulation
 11. Forceful sex with others or animals
 12. Causing permanent injury

RESTITUTION TO VICTIMS OF VIOLENT AND PROPERTY CRIMES

Jeanne A. Bussey

Restitution can be seen as the process of establishing a relationship between the offender and victim which raises the offender's responsibility to society through personal responsibility to the victim.¹ According to Galaway² the definition of restitution has three components: action by the offender which may be either voluntary or coerced, knowledge and consent of the criminal justice system and the repairing of damages. As differentiated from compensation to victims by the Alaska Violent Crimes Compensation Board, where the victim is paid by the State of Alaska, restitution is made by the offender himself. Therefore, restitution personalizes the effects of the criminal act and the process of reparation to the victim.

Restitution made by the offender can be broken down into four different main types:³

- (1) Monetary restitution made by the offender to the actual victim of the crime (widely used).
- (2) Services provided to a community agency by the offender free of charge (widely used).
- (3) Monetary restitution to the community. This involves payment to a substitute victim such as a charitable organization (less frequently used).
- (4) Services provided to the actual victim by the offender free of charge (least used).

There are other subcategories within these types. However, the two most widely used types of restitution are monetary payment to the actual victim and the providing of services to a community agency. When speaking of restitution this paper will be referring to both monetary and service restitution, unless specified further.

History and Background of the Use of Restitution

The idea of holding law breakers responsible for reparation to the victims of their illegal actions is not a new one. However, the last decade has seen a renewed interest

in restitution as demonstrated by legislation in most states and the creation of over a hundred restitution projects. Restitution has long been a part of probation programs but has received little attention in literature on the subject until the 1970's. Also, in the late 1960's and 1970's, a series of projects was funded by LEAA with the purpose of utilizing monetary restitution and community service work as sanctions for adult offenders.

Another influential development took place in the United Kingdom. In 1972, Parliament authorized the courts to order convicted offenders to perform community service work in six counties. These offenders would have otherwise been sentenced to imprisonment for short terms.⁴ These programs are being further developed and expanded. Preliminary evaluations of them are demonstrating that offenders, victims, and criminal justice officials feel restitution can be a fair sanction.

Purposes of Restitution

Various components of the criminal justice system sometimes envision restitution serving purposes which may conflict. Indeed the criminal justice system pursues frequently conflicting goals of punishment: deterrence, retribution, and rehabilitation.

Deterrence

Deterrence may be defined as the curtailment of illegal behavior as a result of the penalties for those who commit crimes. It can be accomplished by imposing penalties which are harsh enough, certain enough, and clear enough to outweigh potential gains from criminal activity. As has been seen from the failure of the criminal justice system to decrease the amount of crime over past decades, all sanctions (including restitution) have failed to qualify as having deterrent capabilities.

Titte suggests the following as reasons for this (see Restitution and Deterrence⁵ for a more complete discussion):

- (1) Much of human behavior is closer to reflex action than it is to contemplative decision making.
- (2) Society's perceptions of possible penalties are often incorrect.

- (3) People differ in their assessment of both the cost and reward of particular behaviors. One person may feel that paying restitution of \$1,000.00 is extremely punitive and a hardship and would rather serve time in jail.

Despite these problems Tittle concludes that deterrence and restitution are compatible. He suggests that restitution would have no negative consequences for the deterrent goals of criminal justice in cases where the offender paid a set amount of restitution during only the period of his incarceration or probation.⁶

Retribution

The retribution approach has as its main focus the prevention of future crimes or the changing of the offender. The offender must be held accountable for his illegal actions and must take responsibility for restoring justice to society and the victim. One way in which he can do this is to pay restitution to the victim and/or perform community service work.

Rehabilitation

Rehabilitation involves changing the offender by increasing his level of personal and societal responsibility. The social equity theory has received attention in the area of rehabilitation and restitution. According to Hatfield and Utne,⁷ after the offense the offender will feel a sense of inequality and psychological stress (at odds with society). He will attempt to restore equality in his relationship with the victim by either compensating the victim or by rationalizing or justifying his actions. If he perceives the compensation required as fair and not excessive he will use compensation to restore equity. If he perceives it as excessive or insufficient he most likely will rationalize his offense. Studies have shown that the more an offender understands the effects of his offense the less likely he will be able to justify his offense. One way in which this may be accomplished is through carefully structured victim/offender meetings.

Restitution can definitely serve the three purposes of deterrence, retribution and rehabilitation. Each criminal justice component using restitution as a sanction will need to decide who the primary beneficiary of restitution will

be: the victim, the offender, the criminal justice system or the community. Restitution must be a sanction used to restore equity to the offender/victim relationship as best as possible.

Description of Selected Restitution Programs in Alaska, Lower 48 States and Great Britain

Alaska Restitution Program

The Anchorage Adult Probation Office monitors payment of restitution of any offender ordered to pay restitution on probation or parole. The probation officer contacts the victim by phone or letter to ascertain the loss. This initial contact is in most cases the only contact the victim has with the Probation department. Victim/offender meetings are extremely rare. The probation officer includes a section in the pre-sentence report to the judge which outlines the victim's loss and the offender's ability to pay. The judge then orders a certain amount of restitution which the offender then pays through the court. As stated above, these payments are monitored by the probation officer. Juvenile Probation handles restitution in much the same way.

In Anchorage the Clerk of the Court collects any restitution paid by offenders on probation, or parole. Convicted misdemeanants also pay restitution through the Clerk of the Court. However, at the present time no agency is monitoring their payment of restitution.⁸ Statistics regarding how much restitution is ordered and paid by these three groups of offenders are not known at this time. Restitution is ordered in property offenses far more than in violent offenses.

The Anchorage Pretrial Intervention Program⁹ implemented in March 1978 supervises first time property, drug and domestic violence offenders who have been diverted from the normal court procedures. All victims of property offenses are contacted to determine monetary loss and to insure that property recovered by the police has been returned to victims. This contact is done in person when the need is apparent (as can be the case when the paperwork verifying the loss is complicated). Only in rare cases have offender/victim meetings been held. All victims of domestic violence are contacted by phone and in person to offer them assistance in understanding the legal system, insuring that they are safe, knowing about AWAIC and the safety shelter,

and offering support and services. Only rarely has monetary restitution been arranged. However, victim/offender meetings have occurred in a higher percentage of domestic violence cases because both parties were in favor of them. In addition, in Anchorage alone, community service work is required of some 450 shoplifters and 150 felony property offenders each year as compensation to society for illegal actions.

In addition, the Pretrial Intervention Program has as a component the Statewide Alternative Sentencing Program. This program coordinates and monitors convicted felons who have been ordered to perform community service work as part of their probation. Offenses include: burglary, assault, theft, drug offenses and forgery.

Offenders are screened carefully by staff prior to placement in volunteer agencies to insure that offenders will provide needed services and not cause the agency any problems. Staff contact the volunteer agencies continuously to assess whether the program is meeting their needs. Comments from some 60 agencies in Anchorage indicate that they are very pleased with the services provided by offenders.

Restitution Programs in the Lower 48 States

This section will outline the components of several monetary and community service restitution programs throughout the United States. They are notable in that they: (1) have worked with serious offenders, some violent, (2) they have utilized victim/offender meetings, or (3) they are extremely innovative.

- (1) The Earn-It Program in Quincy, Massachusetts,¹⁰ is an example of a creative restitution program initiated in 1975 out of the frustrations of a judge. He found that restitution was not being paid by defendants whom he had ordered to pay restitution. Many times this was due to lack of jobs.

Judge Kramer invited the business community to discuss the problem with him. He asked businesses to commit themselves to hiring offenders on a temporary basis so that they could pay restitution. About 40 businessmen initially agreed to do this. Subsequently, first or initial offenders and later on in the project repeat

offenders, were ordered in court to pay restitution. If they did not have employment they were ordered to go to the Earn-It Program where they were screened for job skills and then referred to appropriate employers. They were paid minimum wage by the employer and were required to pay 2/3 of their wage toward restitution through their probation officers. Employers interviewed offenders and hired them only if they had the needed job qualifications.

Some of the findings in this project were that the length of the offender's prior record had little bearing on whether he or she did well on the job, many employers offered the employees permanent jobs, 80 percent of the offenders did well on their jobs, over 70 percent of restitution ordered was paid in full (for juvenile offenders over 86 percent), and in cases where the staff arranged victim/offender meetings both the victims and offenders had a better knowledge and understanding of the offense and its effects.

- (2) The Theatre Connection¹¹ is an off-shoot of the Earn-It Program. It was developed to offer employment to the maximum risk or extremely low-skilled offender. The offenders were young, violent, addicted, as well as illiterate, unskilled and undisciplined. They were ordered to work for the Theatre Connection and pay restitution from their earnings.

The Theatre Connection was staffed with theatre arts instructors and supervisors. They received job bids from local theatre groups for costuming, set construction, printing, graphics, etc. The offenders learned these skills as well as how to hold a job and discipline themselves to a regular schedule. They also were required to attend G.E.D. classes. The 49 participants paid a total of \$24,549.00 to victims and nineteen went on to full-time jobs or job training programs.

- (3) The Pima County Adult Diversion Program was one out of twenty restitution projects studied by Joe Hudson and Burt Galaway.¹² From 1977 to 1980 the diversion project accepted all nonserious, first-time defendants who volunteered for the project and whose participation was approved by the victim, the arresting officer and the prosecutor. If all approved, the victim and the offender met to negotiate restitution and other treat-

ment obligations. As of 1982,¹³ the project is conducting victim/offender meetings only five percent of the time. These are cases in which it is felt that a meeting would allow for more successful negotiation of restitution and/or the therapeutic venting of feelings. Both the victim and offender are prepared in advance for the meeting. Staff may, for instance, do role playing with the offender so he can better handle his own feelings and reactions when faced with an angry victim. It is reported that victim/offender meetings have always been beneficial and positive experiences for both parties.

- (4) Hofrichter studied eighteen restitution programs to identify features in restitution programs that impeded or facilitated meeting victim needs.¹⁴ He found that the victim/staff/offender relationship profited from staff initiation of victim contact. Staff must explain the criminal justice system, the status of the case, restitution, the realistic probability of recovery for loss, and civil recourse. Staff should allow victims to ventilate feelings and also have some influence on the restitution plan.

Hofrichter also discusses victim/offender negotiations in depth. He lists the following as guidelines used by programs having success with these negotiation sessions:

- (1) mediation took place with a trained third party who provided clear directions in the session.
- (2) victim is allowed some degree of influence over restitution plan.
- (3) session is fact-finding as well as allowing face-to-face confrontation.

Positive outcomes in these sessions were:

- (1) victim's increased understanding of background circumstances which led to criminal act.
- (2) offender's increased understanding of consequences of his act with increased responsibility for act.

- (3) humanizes situation and alleviates anxiety and feelings of vulnerability in victim.

Hofrichter warns that these meetings be held only when the victim is willing to try to insure that his anxiety is not increased by the situation.

Restitution Program In Great Britain

As mentioned earlier, in 1972 Parliament authorized the court to order community work service as an alternative to incarceration. Ninety percent of the offenders had prior convictions and still the rate of successful completion was 74 percent. Offenses included 55 percent property offenses, 20 percent motor vehicle violations, 13 percent crimes against persons (including assault, possession of a weapon, criminal damage, and threatening behavior). Remaining offenses included solicitation, drug possession, child abuse, and breaches of probation or community service orders. This program indicates that community service work may be a viable sanction for even the more serious offenders or violent offenders.¹⁵

Conclusion

Studies completed by Galaway, Hudson, Harris, Hofrichter and others indicate that restitution is a viable sanction and can serve the purposes of the criminal justice system. Judges need sentencing guidelines for community work service to guard against disparity in sentencing. Monetary restitution must also be set at a fair amount if offenders and victims are to see equity restored in the victim/offender relationship. Victim/offender meetings may increase their perceptions of fairness. In addition such negotiations may humanize the situation for both parties if mediated skillfully by trained third parties.

NOTES

1. Discussion between Stephen Schafer and Romine R. Deming as noted in R. Deming, "Correctional Restitution," Federal Probation Sept '76.

2. Galaway, Burt (1977) "The Use of Restitution," in Burt Galaway & Joe Hudson (eds.) Perspectives on Crime Victims. St. Louis, MO: C.V. Mosby Co., 1981.

3. Ibid.

4. Harris, M. Kay. (1979) "Community Service by Offenders," National Council on Crime & Delinquency, p. 2. Available through National Institute of Corrections, U.S. Department of Justice.

5. Tittle, Charles R. (1977) "Restitution And Deterrence: An Evaluation of Compatibility." Second National Restitution Symposium, Nov. 13-15, 1977. St. Paul, MN. Available through U.S. Department of Justice.

6. Ibid.

7. Hatfield, Elaine & Mary K. Utne (1978) "Equity Theory and Restitution Programming," in Burt Galaway & Joe Hudson (eds.) Offender Restitution in Theory and Action. Lexington, MA: Lexington Books.

8. A program may soon be implemented to monitor convicted misdemeanants.

9. The Statewide Pretrial Intervention Program has been operating throughout Alaska since June 1980.

10. Klein, Andrew (1981) "The Earn-It Story," Quincy, MA: Citizens for Better Community Courts, Inc.

11. Klein, Andrew, "The Theatre Connection: A Training Manual for a Court Employment and Training Program" (May) Boston, MA.

12. Hudson, Joe & Galaway, Burt (1980) "National Assessment of Adult Restitution Programs: An Exploratory Study of Victim and Offender Perceptions of the Fairness of Restitution and Community Service Sanctions." Duluth, MN. Available through U.S. Department of Justice.

13. Current information obtained from discussions with Mr. John Davis, Director. Budget cuts have drastically reduced the size of the staff.

14. Hofrichter, Richard (1980) "Techniques of Victim Involvement in Restitution" in Joe Judson and Burt Galaway (eds.) Victims, Offenders and Alternative Sanctions. Lexington, MA: Lexington Books.

15. Harris, M. Kay (1979) "Community Service by Offenders." National Council on Crime & Delinquency. Available through National Institute of Corrections, U.S. Department of Justice.

VIOLENCE ON ANCHORAGE'S FOURTH AVENUE FROM THE PERSPECTIVE OF STREET PEOPLE*

Michael Huelsman

Statement of the Problem

Victimization is a frequent problem for all skid row dwellers. Blumberg notes that "strong arm robbery and stealing from drunken men are common, especially during the first several days after pension and welfare checks arrive."¹ Most of the inhabitants are essentially homeless and must carry their money with them. A man sleeping in the open is an easy victim for assailants.²

Women are especially vulnerable. Blumberg again notes that "Skid row is a dangerous place for women, perhaps more so than men. The men are beaten up and jackrolled (robbed) and the women are, too, but in addition, it is our impression that the skid row women have been raped three or four times over the course of their years. Their damaged faces and broken noses show the effects of beatings."³ Indications are that the same is true in Anchorage.

Testimony at the Beyond Fourth Avenue Conference, noted that "parasites" come to the Fourth Avenue area to rob the unwary. This conference, sponsored by the Anchorage Health Department, was held in January of 1981. It studied the problems of Anchorage's skid row and made recommendations.

Overall, there is a feeling of apathy, a feeling that nothing can be done to prevent the violence. In short, skid row is a victimized community too powerless to organize and demand better police protection.⁴ To gain more accurate knowledge of the level of victimization and violence experienced by "street people," this paper presents survey results of a small sample of inhabitants of Anchorage's Fourth Avenue skid row.

* We would like to thank Bean's Cafe and especially their staff for their support, input, and assistance. Also, thanks are due to Salvation Army's Adult Rehabilitation Center and Clitheroe Center for their advice and cooperation. A special thanks is extended to John Kungesuk who volunteered many hours to this project.

Methodology

Sample

The subjects interviewed for the study were selected from four sources:

- (1) Bean's Cafe is a social agency used by most of the street people of Anchorage. The agency offers a lunch daily and a place to warm up and rest. Twenty-one (21) subjects were interviewed at Bean's Cafe.
- (2) Salvation Army Adult Rehabilitation Center. Eleven (11) of approximately 40 people currently residing at this agency were interviewed. All are thought to have been living on Fourth Avenue within the last 2 months.
- (3) Clitheroe Center Detoxification. This program offers up to 5 days of modified medical detoxification and is frequently used by inhabitants of the Fourth Avenue area. Detoxification clients who were not part of the target population of this study were not interviewed. Ten (10) subjects were interviewed at Clitheroe Center Detoxification.
- (4) Clitheroe Center Residential Treatment Program. This program provides alcoholism treatment services to many of the inhabitants of the Fourth Avenue area as well as other populations. All 12 of the clients interviewed had recently been inhabiting the Fourth Avenue area.

The total of 54 respondents can be divided into 3 groups: those currently living on the street or with friends or relatives (21); those currently in a medium to long-term residential program (23); and those currently in a short-term program, detoxification (10).

There is some similarity between these groups and two of the three sub-groups identified by Kelso's "A Descriptive Analysis of the Downtown Anchorage Skid Row Population," (1978)⁵ which are shown in the Table below. This study did not include the interviews of subjects living in residences in the area; this probably means this sample had fewer Caucasians and fewer employed people than the Kelso Study.

It is estimated that 1/3 to 1/2 of the target population of street people were surveyed.

TABLE 1

Kelso's Survey Sub-Groups	Agency	Street	Residential
Violence Study Sub-Groups	Salvation Army Adult Rehabilitation Center	Bean's	None
	Clitheroe Center Resident- ial and Detoxification Components		

Survey Instrument

The survey instrument was developed through the use of a key informant who was part of the survey population as well as social agency staff who work with the survey population. The instrument was pretested at Bean's Cafe by Bean's Cafe staff. There was a mixed format of questions including multiple choice, yes, no, and open ended type questions. The survey included 37 questions about the background of those being interviewed, the frequency and type of victimization and the characteristics of the incidents. Appendix I presents a list of questions and the summary results.

Data Collection

The survey was administered between September 30 and October 6, 1982. Populations were selected at random and respondents were given the opportunity not to participate. Several potential respondents (about 20%) chose not to participate. Key informants suggest this is because: (1) there is a great deal of apathy among the target population with no direct incentive being offered to the respondents, some would choose not to participate; and (2) some potential respondents found it embarrassing to discuss the fact that they were victims of violence and preferred not to participate. It is felt that if there was a bias by this self de-selection it would tend to cause less violence to be reported in the survey than what is actually occurring.

Two interviewers were used for the effort. Both had

experience working with or being part of the Fourth Avenue population. Periodic monitoring was done by the author.

Sample Description

The general characteristics of age, sex, physical size, ethnicity, and employment status are presented in Table 2. The modal age of mid-30's is younger than that found in other urban samples (late 40's).⁶ The age patterns are consistent with what was found in Kelso's Fourth Avenue Study. Ages ranged from 15 to 77. The mean age was 36.6.

TABLE 2
SAMPLE CHARACTERISTICS

<u>Age:</u>	<u>%</u>	<u>Ethnicity:</u>	<u>%</u>
Less than 18 years	2	Eskimo/Aleut	63
18 - 25 years	16	American Indian	4
26 - 35 years	38	Black	0
36 - 45 years	19	ALaskan Indian	11
More than 45 years	25	Caucasian	20
		Other	2
<u>Sex:</u>	<u>%</u>	<u>Employment Status:</u>	<u>%</u>
Male	76	Employed Full-Time	4
Female	24	Employed Part-Time	9
		Retired/Disabled	4
		Not Employed	31
<u>Physical Size:</u>	<u>%</u>	Unemployed (seeking work)	52
Big	29	<u>Alcohol Abusers:</u>	<u>%</u>
Medium	41	Yes	86
Small	31	No	14

Also consistent with Kelso's findings, women were a significant part of the population. Women are found in much lower numbers in other skid row studies.

While other urban skid rows contain a significant minority of Indian group members, this survey evidenced a considerably higher number. Kelso's survey found the population to be 57 percent Native and minority members and about 40 percent Caucasians.⁷ This survey found about 80 percent Native and minority members and 20 percent Caucasians. Table 3 compares the ethnic breakdown of the two surveys. Kelso's Eskimo and Aleut groups were combined and the Violence Survey groups of American Indian and Alaskan Indian were combined to facilitate this comparison.

TABLE 3
COMPARISON OF ETHNICITY GROUP COMPOSITION
OF KELSO STUDY AND VIOLENCE SURVEY

	Kelso Study	Violence Survey
Caucasians	40%	20%
Eskimo/Aleut	37%	63%
Indian	21%	15%
Black	3%	0%
Other	1%	2%

The differences in the number of Caucasians can be explained by survey methodology as the Violence Survey did not interview residents living in the area. Kelso found the residential group to have a greater number of Caucasians. The reason for the greater number of Eskimos and Aleuts is unknown. However, the data suggest that Alaskan Natives constitute a larger proportion of the ethnic makeup of the Fourth Avenue street people than previously thought.

Over 80 percent of the respondents were unemployed, 31 percent of the total were not seeking work while 52 percent were seeking employment. Of those employed, most were employed part-time primarily making and selling crafts.

Almost all of those surveyed were felt by key informants and surveyors to be alcohol abusers (86%). Very few were drug abusers (8%).

Frequency of Violent Crime

Robbery

Thirty percent (30%) reported they were robbed in the last six months. Of those robbed, 53 percent had been robbed once and the balance two to four times, a total of 24 robberies were committed on the 54 respondents surveyed. The value of what was stolen was between \$5.00 and \$2,500.00 with the average being \$266.00.

Assault

Sixty-five percent (65%) of the survey subjects reported having been assaulted within the last six months. Thirty-eight percent (38%) reported one assault and the balance from 2 to 25 assaults. The 54 respondents reported a total of 112 assaults. Fifty-three percent (53%) of all victims needed some kind of medical care in the most recent incident to occur. Thirty-eight percent (38%) of all victims received treatment in a hospital.

Other Types of Violence

Seventeen percent (17%) of the respondents reported experiencing another kind of violence. Most frequently reported was rape (4); followed by domestic violence (3); police brutality (2); and child abuse (1). All respondents were women except for one (1) male that reported police brutality. Both surveyors were male and because of possible embarrassment by the subject, there may have been some under-reporting. About half of the incidents occurred once in the last six months with the balance occurring 2 to 6 times. A total of 20 violent incidents were reported in this category.

Characteristics of the Incidents

A total of 156 violent incidents were reported for an average of 2.9 per person. This is an average of one violent incident every 63 days per person. Respondents report that in only 25 or 16 percent of these incidents, the police were notified.

Seventy percent (70%) of the crimes are committed during the night. Most of the daytime crimes committed were assaults. This is in keeping with the opinions of key informants. In 35 percent of the victims' most recent incidents, the perpetrator was one person. In 43 percent of the incidents, there were two. In 22 percent of the incidents, there were three to five perpetrators involved.

In 44 percent of the most recent incidents, a weapon was involved. In incidents where a weapon was used, it most frequently (47%) was a club, bottle or rock. This was followed by knives (27%) and guns (20%). Sixty-seven percent (67%) of the time, the assailant was drinking; 23 percent of the time, he was not; and 10 percent of the time, the victim did not know.

Most frequently the assailant was Caucasian (29%). This was followed by Eskimo/Aleut (24%); Indian (21%); Black (13%); and a combination of more than one ethnic group (13%). A large proportion of the assaults were committed by Alaskan Natives on Alaskan Natives. Other crimes tended to have Alaskan Native victims and other than Native offenders.

The crime most often occurred on streets (39%) followed by in or outside of bars (28%); in parks or open space (20%); and alleys (6%). Over half of the crimes (57%) occurred in the immediate Fourth Avenue area, that is, between A and D Streets and Third and Sixth Avenues, a relatively small area. Thirty-one percent (31%) occurred in downtown Anchorage but not in the Fourth Avenue vicinity.

Suggestions for Improvement

Respondents were asked for suggestions that will increase their safety; usually one or two suggestions were made. All suggestions were given equal rank. Most of the responses involved the police (62%). Thirteen percent (13%) of the suggestions related to increasing social services and 11% were related to liquor outlets.

Of the suggestions involving police, one-third of the total suggestions were for more police. This was followed by increasing foot patrolling of the Fourth Avenue area (15%), use of more undercover police (7%), and improving police effectiveness (7%).

Respondents also suggested that social services be

increased, especially an agency where they could drop-in and be off the streets. The respondents that made suggestions regarding liquor outlets usually suggested closing down or dispersing the bars; there also were suggestions of shorter bar hours and better enforcement of liquor laws. Some also wanted longer jail sentences for those convicted of violent crimes. Alaskan Natives tended to ask for more police protection while Caucasians were more interested in increasing social services and more control over the dispensing of alcoholic beverages.

The survey indicates that a great deal of violence occurs in Anchorage's downtown skid row and that the victim rarely reports this to police. There is a need for greater police protection for the street people of Anchorage especially in the skid row area.

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APPENDIX I

PERCENTAGE OF DISTRIBUTION OF RESPONSES

1. Age:

Less than 18 years 2%
18-25 years 16%
26-35 years 38%
36-45 years 19%
More than 45 25%

2. Sex:

Males 76%
Female 24%

3. Physical Size:

Big 29%
Medium 41%
Small..... 31%

4. Ethnicity:

1. 63% Eskimo/Aleut	4. 11% Alaskan Indian
2. 4% American Indian	5. 20% Caucasian
3. 0% Black	6. 2% Other

5. Employment Status:

1. 4% Employed Full-Time
2. 9% Employed Part-Time
3. 4% Retired/Disabled, Unemployable
4. 31% Not Employed
5. 52% Unemployed (seeking work)

6. Principal Income Source:

1. 9% Unemployment
2. 11% Job
3. 4% Savings
4. 54% None
5. 7% Welfare
6. 7% Social Security
7. 6% Other

7. Where did you sleep last night?

- 1. Street 9%
- 2. Sally ARC
 /Rescue Mission 21%
- 3. Friends/Relatives 17%
- 4. Campsites 11%
- 5. Detoxification 19%
- 6. Residential Treatment ... 22%

8. Alcohol Abuser:

- Yes 86%
- No 14%

9. Drug Abuser:

- Yes 8%
- No 92%

10. Has anyone forced you to give up what you owned during the last six months?

- Yes 30%
- No 70%

Number of times in the last six months someone tried or succeeded.

1X 54%; 2X 23%; 3X 8%; 4X 15%

11. Have you ever gotten hurt by someone but not robbed?

- Yes 65%
- No 35%

Number of times in the last six months that this has happened.

1X 38%; 2X 20%; 3X 14%; 4X 14%; or more X 11%

12. Have you been the victim of any other type of violence?

- Yes 17%
- No 83%

Number of times in the last six months this has happened?

1X 56%; 2X 22%; 5X 11%; 6X 11%

13. Number of times the police were notified.

0X 51%; 1X 35%; 2X 8%; 3X 3%

14. What do you think should be done so that you will be safer?

Foot patrol	15%
More Police	33%
Undercover Police	7%
Improve Police	7%
Close Bars	11%
Stiffer Jail Sentences	7%
Social Service	13%
Other	9%

15. Type of Most Recent Violence:

Robbery 1	38%
Assault 2	56%
Other 3	5%

16. When did incident happen?

April	5.9%
May	14.7%
June	29.4%
July	8.8%
August	23.5%
September	17.6%

17. Time Incident Happened:

Day	28%
Night	70%

18. Number of people involved in incident:

1 Person	35%
2 People	43%
3 People	14%
4 People	5%
5 People	3%

19. Did they have a weapon?

Yes 1	44%
No 2	56%

20. Kind of weapon:

Club, Rock or Bottle	47%
Knife	27%
Fire Arm	20%
Other	7%

21. Was offender drinking?

Yes 67%
No 23%

22. Race of offender:

1. 24%	Eskimo/Aleut	4. 16%	Alaskan Indian
2. 5%	American Indian	5. 29%	Caucasian
3. 13%	Black	6. 13%	Other (Combination)

23. Where did crime occur?

Alley 5%
Park Land 19%
In/Out of Bar 28%
Street 39%
Other 8%

24. Was victim hurt?

Yes 68%
No 33%

25. Was victim taken to a hospital?

Yes 38%
No 62%

26. Did victim get medical help other than Hospital?

Yes 15%
No 85%

27. Did victim lose anything of value?

Yes 53%
No 48%

28. Value of stolen goods:

\$ 5 - \$ 25 33%
\$ 26 - \$100 24%
\$100 + 43%

29. Source of money taken:

Land Claims	11%
Employment	26%
Welfare	5%
Social Security	16%
Other	21%
No Money Taken	21%

30. When you are on the street, do you carry a weapon?

Yes	3%
No	97%

PART IV

PUBLIC POLICY AND VIOLENCE

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VIOLENCE AND THE ADMINISTRATION OF CRIMINAL JUSTICE IN NORTHERN CANADA

Harold W. Finkler

Introduction

This paper focusses on the incidence of criminal violence in small isolated communities in Northern Canada and current levels of socio-legal response toward determining an appropriate policy/ program framework for future strategies in the control and prevention of violence. While many of the issues to be addressed in the following similarly apply to the situation in the Yukon, this presentation centres on the state of violence and criminal justice in the Northwest Territories (NWT), and primarily draws on the author's socio-legal research in the NWT during the last ten years (Finkler, 1973, 1976, 1981).

Before we begin, an appreciation of the following considerations is essential in order to situate our discussion in its proper perspective. Specifically, while the Northwest Territories encompasses a geographic area one third the total size of Canada, in 1979, its culturally diverse and majority Native population (61.7%) numbered only 46,063 inhabitants. This population is distributed into 64 communities varying in size from one under 10,000, eight with a population between 1,000 and 3,200, and the remainder in centres having less than 1,000 inhabitants.

However, it is this vastness and small population which has contributed to a delay in the development of the full range of territorial socio-legal services. Consequently, in addition to the relevance of the delivery of appropriate cross-cultural strategies for crime control and prevention in a northern and remote setting, optimal deployment of existing socio-legal resources is critical to the effective response to violence. Ultimately, however, the success of crime control strategies hinges on the community sharing in the responsibility for socio-legal control.

These considerations have a direct bearing on our presentation, beginning with a description of the nature and extent of criminal violence in the NWT, followed by an overview of current measures for socio-legal control, and concluding with a discussion on future strategies in the control and prevention of violence.

The Incidence of Criminal Violence in the NWT

In the absence of northern focussed self-reporting, hidden delinquency, or victimization studies, we centred on criminal violence as officially recorded in police crime enforcement statistics to obtain an indication of the extent and nature of violence in northern communities. These descriptive statistics compiled by the police provide a basic measurement of the incidence of criminal violence coming to the attention of the formalized agencies of socio-legal control. Furthermore, such baseline measurement constitutes an important element in requisite information for the identification of service needs along with the development of future strategies and programs for the control and prevention of violence.

Specifically, the violent crime index comprises serious offences corresponding to pertinent articles of the Canadian Criminal Code and is predominated by direct violent acts against the person. Its component offences constitute murder, attempted murder, manslaughter, rape, other sexual offenses, wounding, assaults (not indecent), and robbery.

In reference to the phenomenon of criminal violence, McClintock (1975) distinguishes between the instrumental and interpersonal nature of these acts of violence. In this regard, he has categorized instrumental violence "as primarily violence in the furtherance of property crime, such as robbery;" though "it can also include violence in the forms of sexual coercion" (p.17). With respect to interpersonal violence these include "crimes which are the culmination of a long period of strain and conflict in the home, as well as crimes which result from a sudden outbreak of anger over a specific issue following a casual encounter" (Ibid.).

Prior to proceeding with our analysis of the distribution of the incidence of criminal violence, we would like to present this synopsis of patterns in criminality in the NWT. To this end, we begin by referring to our earlier research which highlights the literature in this area. Specifically,

[T]he 1960's have seen a dramatic rise in violations of the Criminal Code, federal statutes, and territorial ordinances in the Northwest Territories, with offences against the Liquor and Motor Vehicle Ordinances, according to Jubinville (1971), comprising approximately 50 percent of the total.

Aside from the predominance of violations of the Liquor Ordinance (the Honigmans, 1965; R.C.M.P. Annual Report, 1962; Slobodin, 1966), liquor has been a contributing factor in offences against the Criminal Code, such as rape or attempted rape, indecent assault (Morrow, 1970), assault, breaking and entering and petty theft (R.C.M.P. Annual Report, 1966; Solicitor-General Annual Report, 1968/69). In addition to an increase in liquor violations, offences against the person, mostly within the family unit (McReynolds, 1972), and property offences, the Annual Report by the Solicitor-General for 1970/71 cites the emergence in the Northwest Territories of the non-medical use of drugs, particularly in the larger northern communities.

However, it is essential to realize that the more serious offences such as murder, manslaughter, rape, assault and robbery comprise only a small portion of the total number of offences committed in the Northwest Territories. For example, Jubinville (1971), in an evaluation of the extent and characteristics of crime in the Northwest Territories, estimated this portion to be between 10 and 15 percent of the total number of offences for 1968. (Finkler, p.22-23).

The findings of our earlier research (Finkler, 1973, 1976, 1981) tended to confirm these aforementioned patterns, particularly the concentration of offences under the NWT Liquor Ordinance and against property, along with the frequency of incidents entailing disorderly conduct, assaultive behaviour and the non-medical use of drugs. Furthermore, these studies established a significant relationship between alcohol and crime, wherein intoxicants were a major precipitating/facilitating factor in physical and sexual assaults, property offences such as wilful damage, petty theft, or breaking and entering while intoxicated to search for liquor or goods to exchange for alcohol.

On the basis of our review of crime enforcement statistics detailing the actual violent offences known to the police and proven to be founded, Table 1, entailing the distribution of violent offences, NWT, 1971-81, reveals a moderate increase of 13.9% in 1981 over 1971 in the total number of actual violent offences. Furthermore, while the

TABLE 1

DISTRIBUTION OF VIOLENT OFFENCES, RMP, 1971-81

YEAR	VIOLENT OFFENCES									Annual Percent Change
	Murder	Attempted Murder	Manslaughter	Rape	Other Sexual Offences	Wounding	Assaults (Not Indecent)	Robbery	TOTAL	
1971	3 .2	1 .1		11 .9	26 2.0	26 2.0	1212 94.2	8 .6	1267 100.0	
1972	2 .1	1 .1	1 .1	8 .6	27 1.9	15 1.0	1373 95.8	6 .4	1433 100.0	+11.3
1973	4 .3	3 .2	1 .1	19 1.2	26 1.6	23 1.4	1505 94.2	16 1.0	1597 100.0	+11.4
1974	8 .5	3 .2		21 1.2	36 2.1	26 1.5	1600 93.2	22 1.3	1716 100.0	+ 7.4
1975	5 .4	1 .1	2 .1	25 1.4	41 2.3	29 1.7	1652 93.2	19 1.1	1772 100.1	+ 3.3
1976	8 .5	5 .3		25 1.5	39 2.3	17 1.0	1569 92.0	42 2.5	1705 100.1	- 3.8
1977	3 .2	2 .1	1 .1	25 1.5	43 2.5	20 1.2	1570 93.4	17 1.0	1681 100.0	- 1.4
1978	3 .2	3 .2	1 .1	23 1.4	44 2.7	22 1.4	1504 93.6	7 .4	1607 100.0	- 4.4
1979	7 .4	2 .1		35 2.1	36 2.2	29 1.7	1540 92.8	10 .6	1659 99.9	+ 3.2
1980	5 .4	2 .1		25 1.7	35 2.4	24 1.7	1335 92.3	20 1.4	1446 99.9	-12.6
1981	5 .4	6 .4		25 1.7	62 4.2	27 1.8	1317 89.8	24 1.6	1466 99.8	+ 1.4
Percent Change over 1971				+127.3	+138.5	+3.8	+8.7	+200.0	+13.9	

total distribution of violent offences reflected annual increases beginning in 1972 until its peak in 1975, generally it declined thereafter despite modest growth in 1979 and 1981; though remaining below its peak in 1975. Assaults (not indecent) consistently represented the largest number of actual offences in the violent crime category. These patterns generally approximated those found nationally. Finally, notwithstanding the distortion arising from comparison of low numbers, each violent offence within the violent crime index has reflected an increase in the percent change of its distribution over 1971.

Regarding the distribution of actual violent offences in relation to total number of offences, the findings of our socio-legal research in the Baffin, NWT (Finkler, 1981), illustrated in Table 2, reveal that violent offences during 1975 to 1980 constituted a small portion of the total number of offences. Moreover, this distribution of actual violent offences in relation to the total indicated a peak of 13.6 percent in 1976, gradually subsiding thereafter to a low of 8.8 percent in 1980.

Causality of Inuit Criminal Behavior

Before proceeding with an overview of current measures for socio-legal control, in reference to the findings of our recent research (Finkler, 1981), we would like to summarize northern interpretations and perceptions as to the causality of Inuit criminal behaviour. While these views pertain to Inuit criminality, in our opinion, they are applicable to the causality of Native criminality throughout the north. Furthermore, their consideration is potentially useful as a background to understanding current control mechanisms and the formulation of future strategies in the control and prevention of violence.

Specifically, while they are not ranked in order of their priority, the following listing of criminogenic factors provides a perspective on this subject.

1. As a consequence of the conflicting demands generated by the cultural interface, it was felt that some Inuit lost their self-respect, and motivation, with the frustration due to their inaccessibility to full and equal participation in the socio-economic life of the region, manifesting itself in delinquent

TABLE 2

DISTRIBUTION OF ACTUAL VIOLENT OFFENCES IN RELATION TO
TOTAL NUMBER OF OFFENCES, BAFFIN REGION, NWT, 1975-80

OFFENCE TYPE	YEAR											
	1975		1976		1977		1978		1979		1980	
	N	%	N	%	N	%	N	%	N	%	N	%
VIOLENT OFFENCES	248	11.1	206	13.6	208	13.0	198	12.3	187	10.0	211	8.8
PROPERTY OFFENCES	401	17.9	365	24.1	526	32.9	479	29.8	513	27.5	620	26.0
OTHER*	1588	71.0	945	62.3	865	54.1	930	57.9	1163	62.4	1554	65.2
TOTAL	2237	100.0	1516	100.0	1599	100.0	1607	100.0	1863	99.9	2385	100.0

*Other includes offences under the criminal code, federal statutes, territorial ordinances, and municipal by-laws.

behaviour, predominantly liquor related. Furthermore, this behaviour also stems from a growing animosity toward a white dominated society.

2. Several believed that the imposition of a non-Inuit educational system has significantly eroded the traditional respect for the authority of parents and elders. This factor, with its subsequent breakdown in communication between the old and young, or generation gap, has resulted in a general disrespect for authority, and subsequent involvement in criminality. This also appears to have produced a disregard of the consequences of breaking the law, to the point of several challenging the boundaries of acceptable behaviour and their sanctions.
3. A negative family environment was also regarded by many as a major element in generating anti-social behaviour. The adverse effects of such an environment, encompassing situations of parental neglect and lack of guidance, frequently due to excessive drinking within the family, were seen to produce crime. This may also occur in cases of children with no father or one unable to provide the needed direction, or the instance where a youth is having a difficult relationship with a step-parent. Marriage problems, often due to the change in traditional Inuit male-female roles, were also perceived to cause crime.
4. The factors regarding the lack of single family housing or adequate accommodation; limited education or not possessing the required level to obtain satisfactory or meaningful employment; few skills or the absence of job training; and the boredom of settlement life with a void in recreation activities; were further cited as contributing to delinquency.
5. The media was also identified as a negative influence to maintaining traditional values and authority; along with reference to the

disruptive effect of some non-Inuit transients as factors in reducing the effectiveness of community social control.

6. Finally, in contrast to former times, several viewed the protracted period of adolescence, the consequence of school enrollment, as delaying the acceptance of adult responsibility and contributing to the involvement in delinquent behaviour (p. 68-69).

An Overview of Current Measures For Socio-Legal Control

In our subsequent discussion we primarily highlight current levels of socio-legal response. This description of justice system based approaches to the containment and prevention of violence focusses on specific measures undertaken by the Royal Canadian Mounted Police (RCMP), judicial and associated services, and corrections. However, as we have previously mentioned, it should be emphasized that the NWT as a whole has not developed the full range of socio-legal services - a situation which is further compounded in the smaller and more isolated communities. Specifically, notwithstanding the availability of policing, Justice of the Peace Court, a social worker and occasionally a court worker or legal aid representative in these communities, the remaining and major portion of existing services provided by the formalized agencies of socio-legal control are based in the territorial capital, regional centres, or in southern Canada. Consequently, this has a corresponding effect on the breadth of current measures in justice based control of violence.

In this regard, we would like to point out that while no specific policies or programs are directed to the control and prevention of violence, to a significant extent the criminal justice system has targeted its intervention on alcohol precipitated criminality, which, as we have established, frequently entails interpersonal violence. Accordingly, the following highlights current measures for socio-legal control in the areas of alcohol precipitated criminality and domestic violence.

Alcohol Precipitated Criminality

The primary thrust of control measures in alcohol precipitated criminality has been the increasing use of legal

restraints provided in the Liquor Ordinance enabling communities to determine their own desired level of restrictions on the purchase, sale or consumption of alcohol. These restraints, including prohibition, rationing, or approval/monitoring of liquor purchases by community alcohol education committees have significantly reduced the hazardous and excessive consumption of alcohol and contributed to a marked decline in the incidence of criminality, particularly interpersonal violence.

To some extent, placements on the interdiction list, moreso where undertaken voluntarily, have been effective; along with improved monitoring of licensed premises toward the reduction of underage drinking or over serving. Moreover, the recent amendment to the Liquor Ordinance providing for more stringent sanctions for "bootlegging" will complement the control process.

In regard to specific justice system based approaches to control, the police, exercising their discretion, may detain intoxicated persons, known for their violent behaviour, for minor offences as a preventive measure. The courts, in addition to their role with respect to placements on the interdiction list, frequently include the abstention from alcohol as part of the probation order during sentencing. With respect to correctional institutions, such measures as individual/group counselling vis-a-vis resolving alcohol precipitated criminality, along with in-house Alcoholics Anonymous Groups and the utilization of external resources like the Northern Addictions Services (operating detoxification, rehabilitation, non-residential and outpatient programs in Yellowknife), or southern resources, dominate their intervention strategies. Non-institutional measures primarily entail the efforts of community social workers during individual, group, or family counselling, especially in the area of probation and aftercare, along with their coordinating and resource role for community action in this area.

Complementary to the above justice system based measures are those undertaken by the community through the establishment of Alcoholics Anonymous and alcohol education committees. In addition to the latter's role in the aforementioned area of legal restraints, these committees perform counselling and preventive education functions. Furthermore, they comprise an additional resource in the overnight supervision of intoxicated persons; and one community had even resorted to engaging a night watchman responsible for

the safety of intoxicated persons and the community, as well as the enforcement of curfews.

Domestic Violence

Despite the prevalence of domestic violence, concerted socio-legal intervention has been minimal. This may be attributed to the fact that many incidents known to the police are subsequently cleared otherwise instead of by charge despite the existence of sufficient information to proceed judicially. Furthermore, while the hesitancy by women to charge contributes to this state of affairs, LaPrairie (1981) points out that "the problems facing criminal justice personnel lie in responding to criminal activity while attempting to deal with the emotional and family-related issues" (p.73).

Notwithstanding the above, in reference to field observations gleaned during our earlier research (Finkler, 1976),

[T]hough the police make every attempt to have the victims of the assault lay a charge, in serious incidents, or where the victim's fear of the repercussions precludes her initiation of any legal action, they may lay the charge themselves. Frequently, the laying of the charge, particularly in serious situations, no matter what the outcome, has a positive effect on the accused by impressing upon him that there is a possibility of going to jail for such behaviour. Furthermore, it is a means of controlling the accused over a period of time and tempering his aggressiveness" (p.70).

Other justice system based approaches entail judicial intervention under the Criminal Code ordering the potential offender to enter into a recognizance to keep the peace; or within an institutional and non-institutional context, family members may be involved in the treatment process in order to resolve estranged relationships between offenders and their parents, kin, or spouses. In Yellowknife, there also exists the Help-Line, an emergency phone-in service providing referrals to social, medical, or psychiatric services for callers in distress. In the Eastern Arctic, battery cases may be referred to the visiting mental health team.

Future Strategies In The Control And Prevention of Violence

Despite the current stabilizing trend in the incidence of violent crimes, its level remains unacceptable when measured in terms of its socio-legal, economic, and medical consequences for northern communities. There exists an immediate need to develop a clear policy/program framework for future strategies specifically directed at the control and prevention of violence in the north. The need for policy/program development is particularly timely in order to more adequately respond to the continuing fallout incurred in adapting to accelerated social change, as well as having in place appropriate mechanisms to minimize the negative socio-legal effects from anticipated resource development projects.

However, the formulation of a policy/program framework must be considered within the specific context of northern realities. Specifically, it must recognize the difficulties arising from the limited establishment of the full range of socio-legal services, and the complicities inherent in the optimal delivery of existing programs in a culturally relevant manner to a small yet Native majority population scattered throughout a vast area. These issues have a direct bearing on the control and prevention of violence in northern communities; wherein, ultimately, effective socio-legal control depends on community sharing the responsibility for controlling anti-social behaviour.

The obstacles to community acceptance of its responsibility to participate in the control process partially lie in its diminishing level of tolerance towards crime and increasing social distance from offenders in its midst. Furthermore, the breakdown in traditional indigenous mechanisms of socio-legal control and increasing reliance on the formal agencies for conflict resolution have eroded the basis for coordinating appropriate community response to threatening behaviour. Nevertheless, growing community reservations about the effectiveness of justice system based measures in treating or deterring anti-social behaviour may generate the requisite community involvement in crime control and prevention. The fact remains that the deployment of informal community based measures have a greater lasting effect on crime control and prevention than those within the system.

In regards to the general focus of future strategies in

the control and prevention of violence, notwithstanding the need to provide basic control measures, greater emphasis must be directed towards crime reduction and prevention. Specifically, in our opinion, the major thrust in the prevention of anti-social behaviour should be aimed at approaches which de-escalate or diffuse potentially provocative or stressful situations likely to culminate in interpersonal violence. Moreover, it is in the area of crime prevention in particular wherein community based approaches can make their most significant contribution. The community's intimate knowledge about its inhabitants and concern for their well-being enables it to identify potential sources of conflict and to invoke timely informal measures to diffuse threatening behaviour and, accordingly, extend its support systems to reduce or prevent the occurrence of violence precipitating situations.

With respect to the specifics in future policies/programs for violence control and prevention in the north, on the basis of our earlier research, the following strategies have emerged for consideration in the formulation of justice system and community based responses to criminal violence.

Specifically, in regards to police efforts in de-escalating or diffusing potentially violent incidents, there is a need to allocate manpower selectively, focusing on high risk groups, crime prone locations and certain time periods. At a general level, in reference to the disproportionate number of violent offences cleared otherwise than by charge, we share Hackler's (1980) concern that "strategies must be aimed at those conditions that lead to violent crimes which are unresolved or known to the police but which cannot be resolved by a charge" (p.18).

As a preliminary response in addressing concerns regarding appropriate judicial decision-making in incidents involving criminal violence, the judiciary needs better feedback as to the effectiveness of its sentence or intervention in achieving its desired objective. With respect to corrections, toward the optimal deployment of scarce socio-legal resources, there is the requirement for a consistent diagnosis and classification, as well as a pre-release planning process to properly channel offenders to existing northern services or to those complemented by southern resources.

Regarding community based measures, their mobilization

is dependent not only on the community's acceptance of its responsibility to share in the control process, but also on its access to the process of criminal justice planning and programming. For example, "their advice as well as involvement in the development and delivery of innovative cross-cultural programs is fundamental to achieving some measure of success in the administration of correctional services, particularly in view of lingering reservations about the effectiveness of existing correctional models for the rehabilitation of indigenous offenders" (Finkler, 1982:14). Notwithstanding the above, northern communities must become more sensitive to offender needs along with extending their resources to facilitate the offender's readjustment on re-entry into the community.

With respect to alcohol precipitated criminality, frequently entailing interpersonal violence, northern communities have taken the lead in controlling the consumption of alcohol through the medium of legal restraints. However, while these measures have immeasurably improved the quality of community life, including a reduction in interpersonal violence, these initiatives should be complemented through continuing preventive education in the schools as well as in the community.

As we have previously mentioned, criminal justice measures to control and prevent the incidence of domestic violence have had a minimal impact. Future strategies should include special training for police in family crisis intervention; the creation of family court conciliation services; interagency/community collaboration and coordination of resources; and temporary shelters for women in distress.

In concluding our presentation we would like to point out that extensive violence and northern focussed research is required to provide the requisite information in rational planning for control/prevention strategies. In this regard, suggested areas for further research comprise the following:

- an analysis of the social context of violence in relation to the act and victim, as well as to the background of the offender (McClintock, 1975);
- studies on the proportion of offenders cleared by charge per offence classification, and on the basic characteristics of violent recidivists, along with an

analysis of the relationship of alcohol in different categories of violence (Council of Europe, 1973).

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VIOLENCE, VICTIMIZATION, AND SOCIAL CHANGE: A SOCIO-CULTURAL AND PUBLIC POLICY ANALYSIS

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The Social Perception and Construction of Violence

The historical fluctuations associated with defining what is violent behavior and who are legitimate victims show that the definition of an act as violent, its evaluation as socially tolerable or not, indeed its very surfacing in the consciousness of the population depends on a complex interplay of several factors. Whether or not an act is violent and whether or not that violence is appropriate or inappropriate depends, for example, on who the actor is, the reasons and circumstances prompting the act, who the recipient of the violence is, and degree of harm inflicted. Thus, the act of hitting a child is perceived quite differently if it is done by a stranger in an unprovoked situation, or instead by the child's parent driving home the point that one should not run into the street without first checking the traffic.

When it comes to the agent, if he or she is regarded as legitimate, then the violent act will also be regarded as such. It is accepted that certain individuals in society have the right to use force to make others act in a certain way. Parents, police, and teachers may be included in such a category of legitimate agents of violence.

Who the victim is, is also crucial in determining whether or not violence is appropriate. Generally, throughout the ages and cross-culturally, the higher the status of the victim, the less tolerated has been any violence against him or her. In the Middle Ages, for example, a serf attacking a knight would be dealt with much more severely than the opposite situation would have entailed. A teenage child attacking a parent, a pupil attacking a teacher, a citizen attacking a Supreme Court Justice would today be condemned by most. In our society, the classic high-status person is the white middle- or upper-class male. Violence directed at such a person is strictly tabu. When violence instead affects victims of lesser status—women, children, the poor, minorities—then it is perceived, in different degrees, to be less censurable. Thus, while the physical act is the same, many would judge a sexual assault quite

differently depending on who the victim is: a prostitute, a respected matron, a child, an experienced woman, a woman captured in a war zone, a divorcee, a nun, a seductively dressed barhopper. Similarly, when it comes to minorities, when they were slaves, violence against them was seen as quite appropriate. Now, although racism still exists, violence against middle- and upper-class minorities would be seen as quite wrong.

The situation in which violence takes place also colors society's perception of its legitimacy. Self-defense is a clear case in point. Police charging and shooting on peaceful demonstrators would be judged quite differently than if the victims were armed and dangerous criminals. In the case of sexual assault, the question of whether the assailant is known or unknown to the victim can make a substantial difference in the outcome of a court case.

The degree of harm inflicted on the victim is another variable taken into consideration in evaluating violence. Correcting a child, for instance, can take place on a continuum ranging from a mild slap to serious beatings to severe whippings to battering and even torture. At which point on the continuum parental violence moves from legitimate, permissible, and - for some - even laudable behavior to illegitimate and cruel depends on many factors and is open to emotional debate (McGehee, 1981, 1983). One variable that may increase the probability of the violence being perceived as inappropriate is its visibility - a factor at times taken well into account by perpetrators - and its coming to the attention of others like doctors, teachers, and neighbors (McDermott, 1982).

Thus, ultimately personal and social values shape our concept of the victim. The victim is actually a social construct used as a means of social control by those in power (Quinney, 1974:105).

The Physical and Psychological Force Against "Minorities"

When it comes to the probability of the use of force, Goode (1971, 1972), who considered it one of the four major control mechanisms in every society (the others being prestige, wealth and love), states that the probability of the ruling class using force as a means of subduing the lower classes increases when they do not share the same value system. Goode also states that when force is used by a

stronger party against a weaker one, it will be judged by society at large as more justifiable and necessary than if it is used against the better segments of society.

Consequently, for example, society's mores and laws have condemned more strongly and punished more swiftly women's defiance, rebellion, or violence against their husbands or the male establishment than males' transgression and oppression of wives, daughters and women in general.

Society's approval and legitimation of the prevarications of the stronger against weaker - while ruthlessly preventing or suppressing the opposite - is a well known fact making easier the work of a variety of oppressors: the Mafia "don" in an impoverished Sicilian village, the multinational corporations in third world countries (as successors of colonial powers), the white establishment when confronted by civil rights workers, and the male power structure challenged by the demands and rise of women.

What many of these groups have in common is minority status, regardless of their actual numbers. The basic and most important characteristic of a minority which distinguishes it from the dominant group is that of power - the ability to control one's destiny and, to a certain extent, that of other people. One of the most serious consequences of being a minority is being a legitimate object and target of hostility and violence (Hirsch, 1981: VIII-IX). Violence or at least the fear of violence, is, for example, part of most women's lives. Many women are personally acquainted with or know someone who has been victimized in a violent encounter. Many have themselves been personally victimized.

Abuse, as we all know, does not always have to be physical. Mental or emotional violence can be equally damaging and tormenting. It is to be found in discrimination against women at work, in medical and psychiatric treatment, in the way in which open participation in society is denied them, in the myths surrounding women and their sexuality, in the roles designed for and rigidly imposed on women.

Pornography has recently also been correctly identified by some activist groups as a widespread and classic expression of the exploitation and debasement of women (to be found also in commercial advertisements) and of men's violence against women. A chilling account of the role pornography can play in the rape and murder of women is provided

in a recent interview with Ted Bundy (Michaud and Aynesworth, 1983), convicted of several sex-related killings, the most infamous at the Chi Omega Sorority house at Florida State University in Tallahassee in 1978.

Violence and Victimization as New Social Problems

What is defined as a social problem differs by audience and by time. Subjectivity is always present. To identify some phenomenon as a "problem" obviously means that it does not measure up to some standard. But what or whose standards should be used? In a pluralistic society like ours there is no uniform set of guidelines. People from different social classes, region, occupation, race, sex, and age differ - at times dramatically - in their perception of what a social problem is and, once defined, from what perspective to approach it and how to solve it. Since everyone's values are involved and utilized when raising the issue of researching and debating social problems, it follows that such work cannot be value-free.

Thus, the problems researched, the way in which the research is conducted, and the strategies devised to reach a solution tend either to support and reinforce society's status quo or undermine it. In this sense, social research is inescapably political, although usually (and ironically) only the research aimed at changing the system is so labeled. Whenever research and intervention side with the powerless there is the accusation that they are biased, probably because the power structure and the hierarchy of society are being questioned. Howard Becker (1967: 240, 241) in his classic essay "Whose Side Are We On?" eloquently points out this double standard.

Traditionally, social problems have indeed been defined by those in power. Slave revolts; Indian wars; labor strife; urban riots; civil rights sit-ins, boycotts and demonstrations; women's demands for the control of their bodies and reproductive functions and full access to society's challenges and opportunities have been declared "problems" about which one ought to do something (optimally, by suppressing them) not by the minorities seeking redress but by the power structure disturbed, annoyed, inconvenienced, or frightened by those demands.

This, of course, is not surprising, since the powerful, be they government, industry, or academia, generate the

data, and the information is then used to define social reality in a way that manipulates public opinion and allows them to control behaviors that threaten the status quo.

It is against this backdrop that the struggle of feminists, activists, and some academic researchers and writers has taken place to bring violence against women and children out into the open, under the eye of public scrutiny, to define them as social problems, and to obtain public acknowledgment that they are indeed forms of violence about which society should be concerned and take action.

It is of course paradoxical that sexual assault, child abuse, and domestic violence with long historical roots should only now be recognized as violence and not without heated controversy. The process - through which this violence has moved from the private sphere (where it may even have been or was still considered to have positive functions) to the public domain where it is considered a problem, deviance, a crime, or at least undesirable behavior requiring intervention to protect the victim and control the offender - is a complex one. Let's examine it in some more detail.

From Unrecognized Existence to Public Concern: A Multi-phase Process

Initially, there is silent public acquiescence and tolerance of the violence. Inside the "sanctuary" of the family, the victim - the woman or the child - is seen as a possession, a subordinate, an appendage of the husband/father and thus subject to his will and control. Most of the tacit acceptance of spouse abuse is culturally rooted and stems from a patriarchal system in which married women had few, if any, rights and children none. Our Judeo-Christian tradition is basically patriarchal and enthrones the husband as superior, and master over his wife and children. These cultural and religious values were translated into custom and law. Thus, in English common law a husband and wife were legally considered to be one person, with the husband holding the power and the authority. Blackstone's commentaries written in the mid-1700s were particularly influential in enshrining this practice as legal doctrine. America's common law and views about women were brought over to the colonies from England and influenced American jurisprudence for a long time.

The tacit acceptance of domestic violence can be seen as the result of a "non-conscious ideology," a system of beliefs and attitudes that are implicitly accepted but remain outside conscious awareness because of prevailing stereotypes, and because alternatives are not available, possible, or even imaginable (see Bem and Bem, 1970).

Thus, if the family is normally depicted as a sanctuary, a haven, a refuge, a cradle of safety and support, then it is quite difficult, threatening, and even inconceivable to consciously realize and admit that in reality this is not so, and the opposite is actually true.

This denial is reinforced by the belief that the only possible way for a woman to attain adulthood, independence from her family of origin, and economic survival is to be married.

It is only very recently that drastic social changes like industrialization, urbanization, the growth of service industries, and the overall affluence and opportunities of our society have made it possible for adults - males and especially females - to be "on their own" without necessarily being married. Even so, the prevailing belief in our society is still that "normal" adults marry and, preferably, procreate. Even today, a society without the family, as we know it, is unthinkable.

Consequently, there are tenacious cultural beliefs that, in the minds of many, force us to support the mystique of the family as an idyllic unit where one is taken care of. That family life can become a terrifying and life-threatening experience for women and children is denied or explained away as an aberration, as a typical "bad apple" situation, as an individual and isolated instance.

Many, of course, are familiar with the tremendous wall of silence - omerta - that makes it possible for organized crime to carry on its nefarious activities undisturbed, unchallenged, untouched. It is more difficult to realize and admit that a similar wall of silence surrounds the suffering and exploitation taking place in one of our most cherished and praised institutions, the family.

To fully understand the dynamics of this situation one must also keep in mind the values and norms that cause us not only to overlook violence in the family but actually to

justify it. "Machismo," for example, represents a constellation of roles, beliefs, and stereotypes which encourage males to consider violent behavior as an integral part of their expected behavioral repertoire; and to view the use of violent means to assume or maintain power over others as a right. This overall approach is reinforced by the fairly widespread myth that women expect to be treated roughly and like to be taken care of and controlled, even by physical means. This way, in an ironic and disturbing travesty of reality, beatings and violence which stem from hatred, anger and lack of genuine care and respect are instead portrayed as symbols of love, care, or, at least, interest.

Thus, the complex and destructive cycle of family violence begins, is justified, and thrives (Dutton and Painter, 1981; Dutton et al, 1982). Like an infectious disease, it will spread from husband to wife from parents to children, from older to younger siblings; it will see the victim become in turn the victimizer or strike out in other ways (Bracey, 1983); it will at times lead the victim to revolt and kill the victimizing parent or spouse (Kumagai, 1983). This will occur as long as society continues to keep up its pretense that nothing unusual is happening and that the idyllic view of marriage and family life taught to and embraced by each succeeding generation still holds. (For a comprehensive discussion of anger and aggression, see Averill, 1982).

Another expression of the tacit public acceptance of violence, legitimized by the patriarchal view that men own and control women, is the matter of "honor." Honor justifies the most extreme forms of violence, usually to retaliate against sexual "trespassing" that challenges men's power over their women - spouse, daughter, sister, even mother.

The woman's consent, willingness, feelings, or plans are irrelevant and discounted. It is the men's supremacy and ownership that has been challenged and that must be avenged. Their rage and their violence is often directed not only towards the "trespasser" but also towards the woman, even though she may be an innocent victim. (A literary and dramatic rendition of heliefs and dynamics in matters of honor in a Latin American setting is the book by the 1982 Nobel Prize winner, Gabriel Garcia Marquez (1983) Chronicle of a Death Foretold).

The next stage in the process of moving an issue from unrecognized existence to a focus of concern is public recognition. This typically occurs because more affluent and better educated members of society "discover" the situation, define it as a problem, and then have the time, the energy, the resources, and know-how to concentrate on it. In his book, The Child Savers, Anthony Platt (1969) critically analyzed this process as it applied in the nineteenth century America to the problem of juvenile delinquency and the creation of the juvenile court.

Throughout much of recent American history crime has been a classic problem subject to periodic "rediscovery" leading to a sharp rise in public concern. Most recently, crime became a major concern in the mid-1960s in response to the rapid social changes taking place at that time. This continued through the 1970s and there are signs that it will do so in the 1980s as well.

Paradoxically, while the newly discovered problem becomes the center of public attention, and demands for action are beginning to be heard, almost all experts concede that they know little, if anything, about "the facts." This realization was particularly dramatic when concern about victims of crime began to grow.

All writers, activists, and researchers in the field of victimization were unanimous in pointing out that little was known about different types of victimization and that available data represented only "the tip of the iceberg." Different estimates of the real extent of the crime were provided. For example, it was claimed that for every rape reported there had been in reality 5, 10, 20 times as many. These fluctuating estimates are a sign of confusion caused not only by lack of information about true rates of victimization, but also by the fact that during this phase the number of violent incidents rises rapidly and abruptly.

Did the incidence of sexual assault, child abuse, spouse abuse, marital rape, etc., in fact rise dramatically at any given time or was that increase simply the result of having concentrated society's limelight on that problem, thus spurring more victims into reporting? It is impossible to answer this question with certainty. Hence, the confusion, claims and counterclaims surrounding any given issue during this phase. In the case of crime, all this finally led to the development of a completely new and revolutionary way of

generating crime data: the victimization survey.

The mechanisms by which dedicated individuals succeed in increasing public awareness and capturing public attention are complex and varied. For example, in the case of sexual assault, domestic violence, marital rape, and sexual harassment on the job, feminists constituted the nucleus of the well-educated and, at least initially, white and middle-class women with a "raised consciousness" about the true status of women in our society. Through their activism, feminist ideas and concerns spread in various ways and settings: academia, the community, voluntary organizations and associations, and government. Slowly but steadily a host of initiatives developed, helping the problem being highlighted gain a foothold and build credibility.

Crisis and counseling services, hotlines, educational programs, university courses, conferences, publications, the founding of Victimology: An International Journal (1976), legal challenges and reforms, networks and associations appeared and grew. Many of these initiatives had multiple purposes: supporting the victim, educating the public, lobbying for reforms. The mass media then seized upon all of this for public consumption and awareness, although often their coverage is sensationalistic and at times even hostile or derisive.

The cumulative and multiplier effect of all these efforts acquires - under the best of circumstances - a momentum of its own, progressively leading the public to discern the real issues and identify with them. This successful process is greatly simplified and hastened if powerful individuals espouse and validate the substantive and serious aspects of the issue.

When it comes to the public, opinion leaders (Katz, 1957) like media figures, athletes, actors and actresses, and well-known politicians can propel an issue into the public's eye almost instantly either by acknowledging their own victimization or by supporting initiatives in that field.

As public awareness increases, important psychological changes begin occurring in some of the victims as well. They realize (and often it is a true and startling revelation for them) that they are not the only ones to whom this has happened. They also realize that others who have made

their victimization known have survived and have not been rejected or scorned by society. Thus, they can 'come out,' as this phase should be called; seek help, assistance, and redress; talk about their victimization and share their experiences; become openly active in the field and, in their own way, help others.

Fear is what keeps most victims' lips sealed: fear of retaliation; of renewed aggression; of not being believed; of being deserted or laughed at; of insensitive treatment at the hands of the police, prosecutors, medical doctors and other agencies; of the negative questioning, and perhaps even violent reaction of family, loved ones, friends, and employers. Overcoming the fear on the part of the victim stems in great part from the successful completion of the previous stages of this lengthy and complicated social change process.

In its own way, the increasing number of victims coming out reinforces and intensifies the public awareness of the problem, and contributes to further establish it as part of the constellation of issues about which something should be done. It also provides first-hand information on the victims, their numbers, the dynamics of victimization, the needs of the victims, and on how to reach them.

All of this inevitably attracts the attention and the interest of professionals, academics, social workers, researchers, legal scholars, psychologists. While their involvement will lead to added credibility and refinement for the issue at hand and pave the way for the official acknowledgment of the problem, it will also have the effect of displacing the nonprofessional volunteers who labored intensely and often against tremendous odds when the problem was not yet as popular and, perhaps, profitable and therefore had not yet been "discovered" by the professionals. Many rape crisis centers, hotlines, shelters for abused women, peer counseling services have been forced to close because of the decision of an established agency or organization (e.g., mental health or social services) to offer such services.

This displacement, often also called 'institutionalization,' has generated a considerable amount of bitterness and controversy. The struggle for power, funds, and control over the definition of the problem and the kind of services that should be offered has recently intensified in the wake

of governmental and foundations' cutbacks.

Once victims are "coming out" and the public and professional interest has been heightened, the next arena ripe for change, reexamination, and innovation is public policy.

The increasing use of the law as a vehicle for political participation is a marked development in recent legal and social history. Different groups have successfully utilized the law to introduce and advocate changes they wanted. The law is thus considered by many in our society to be the foremost mechanism for promoting social reform. In particular, the civil rights movement of the 1960s, which prompted the passage of important legislation in that area, served as a model, an inspiration, and a source of hope for the women's and victims' movements.

These two movements focused their efforts on a number of issues affecting women, but particularly at the beginning, were much concerned with sexual assault. The aim was to reduce the frequency of this rapidly growing crime and with abolishing those procedures used in rape cases that are not like those used for other violent crimes. Procedures traditionally used by the justice system are based on assumptions inconsistent with the realities of the crime and with the lifestyle, activities, and status of women in today's society.

Michigan's criminal sexual conduct law, which became effective in April 1975, is considered to be the most innovative and far-reaching legislation in the area of rape (Bienen, 1980; 1983). It exemplifies a classic use of the law as an instrument of social change and represents a major victory for activists and reformers. Their efforts in Michigan and elsewhere, however, were not merely directed towards the redefinition of the crime but also towards making a larger social statement that, as women move into roles implying more responsibility and autonomy, their activities and lifestyles deserve to be acknowledged, accepted, and respected.

Reformed rape laws then reflect, legitimate, and symbolize the increasingly different and unfettered roles and approaches to living of women in contemporary society. Optimally, they define the crime in a manner consistent with the emerging selves, aspirations, and concerns of women (Edwards, 1981, 1983; Marsh, Geist, and Caplan, 1982:1-9).

At times the laws exist but they are not applied or enforced. This has been particularly true in the case of domestic violence. Laws prohibiting assault and battery under which spouse abuse falls, have existed in every legal system for centuries and certainly in every state of this country. However, it was not until the 1870s that the courts began to increasingly reject the husbands' exemption from the generally applicable criminal assault prohibitions. Laws specifically prohibiting spousal assaults have been enacted by very few American states. While the first law was reportedly passed in Tennessee in 1853, a century later only nine states had such laws (Taub, 1983).

Regardless of legal and judicial pronouncements, in reality until very recently spouse abuse has not been considered a crime. Police have refused either to intervene or to arrest; prosecutors to prosecute; judges to try such cases; juries to convict. At best, the legal enforcement of existing laws or of the generally applicable criminal assaults prohibitions has been uneven, often unknown to the victim, or made difficult for her to pursue. (Although the terms "spouse abuse," "wife abuse," "marital rape," are used throughout this article, they are equally applicable to the cohabitation of unmarried people.)

The constitutional right to privacy has often been used to justify society's refusal to consider spouse abuse a social problem worthy of attention and intervention.

Women's rights groups have recently been quite active and vocal in protesting police non-enforcement policies and practices. Court actions demanding an injunction against the police have been filed in New York (Bruno v. Codd) and California (Scott v. Hart) and have resulted in consent orders supposedly altering departmental policies and practices (Woods, 1978). A similar suit - also resulting in a consent decree - was filed in Ohio (Ragus v. Chandler) to alter non-prosecution policies and practices.

The failure of law enforcement and judicial authorities to protect abused women or to convict rapists or child molesters has forced women at times to defend themselves or to seek retribution outside legally recognized avenues. It must be kept in mind that many women are forced to remain in a violent domestic situation out of economic necessity, fear of retaliation, and the lack of resources providing an alternative.

For women living in rural, isolated areas or small communities, it is even more difficult, if not impossible, to leave or to find any help (Grayson and Smith, 1981; Petersen and Weissert, 1982). The judicial and law enforcement systems are accused of being even less responsive to poor and minority women. The lack of alternatives and the ineffectual response of the system may encourage even greater violence on the part of the man and ultimately force the victim either to resign herself to a violent life and possible death or to defend herself on her own (Walker, 1983).

In the past, women charged with homicide in reaction to abuse pled guilty or pled insanity and were convicted as a matter of course. Increasingly, however, women are stressing their circumstances, explaining the reasons for what they did, and claiming an equal right with men to defend themselves.

In the United States, national attention of women "fighting back" was first generated by Inez Garcia and Joan Little who killed their attackers following sexual assault and by Yvonne Wanrow who defended her children against sexual and physical abuse. Since then, several cases of women who killed their assailant in a domestic violence situation have attracted considerable publicity mostly because they defy traditionally held notions of women's roles and place.

What these court cases fought by accused women are trying to accomplish is - in a nutshell - to apply a woman's perspective and her circumstances to the law of self-defense. Up until recently, standards of justifiable homicide have been based exclusively on male models and values. As a consequence, our society is more readily amenable to excuse a man for killing his separated wife's lover than a woman for killing a rapist or a murderer.

This again reveals that in our culture a woman is thought to belong to a man in a different way than a man to a woman. There is definitely sex discrimination when it comes to self-defense. The courts have barely begun to acknowledge it (Bochnak, 1981; Maidment, 1983).

In the context of sexual assault and domestic violence, another issue has begun to receive increasing attention: marital rape. All of what has been said before about

cultural, legal, and social values, myths, stereotypes and practices applies here as well as to an extreme. Society's reluctance to intervene is steeped in sexist beliefs and practices is justified in terms of the sanctity of marriage, the privacy of the home, the time-honored custom of "non-interference" in marital affairs, and the overriding interest in keeping the marriage and the family intact.

In reality, the concept of woman and even more so of wives or lovers as property of men is underlying the phenomenon and is basic to its understanding. Also, the traditional definition of rape as "unlawful carnal knowledge" meaning any carnal knowledge outside the contract of marriage has axiomatically made rape in marriage an impossibility. This has been explicitly enshrined into the traditional legal definition of rape as "the forcible penetration of the body of a woman who is not the wife of the perpetrator." Thus, the law, until recently, universally contained what has come to be called "the marital rape exemption." One can see here how reform efforts in one area - e.g., in the definition of rape - can have a significant ripple effect and affect other areas of victimization as well.

Wife rape is, of course, a prime example of that silent public acquiescence and tolerance which makes oppression and exploitation of women possible and hypnotizes the victim not only into accepting her situation as "natural" but also in not seeing herself as a victim.

The recognition of an issue as a social problem does not easily happen as it has already been shown. The recognition of marital rape as a crime has been even slower, more controversial, and fought over than pertaining to sexual assault and domestic violence. The first jurisdictions that formally addressed the issue of rape-in-marriage were South Australia and Oregon, where legislation removing the so-called marital rape exemption was introduced and passed in 1976-77.

By 1980 only New Jersey, Oregon, and Nebraska had fully abolished the exemption. Since then several states have introduced, considered, or adopted legislation completely or partially outlawing rape in marriage. However, in many instances, reform attempts have backfired and opened veritable "Pandora's boxes." For example, just as it happened in South Australia, many laws - although in some respects an

improvement on previous legislation - contain a number of regressive elements and considerable interpretative problems which have made prosecution more difficult (Braverman, 1979, 1980).

Worse still, in several states the opposite of what was intended by the reformers happened: the marital rape exemption not only was not abolished but extended in 13 states to men cohabiting with women they are not legally married to and in 5 of those 13 states also to men who have forcible sex with women they are not necessarily cohabiting with but with whom they previously had consensual sex. West Virginia even offers a certain degree of protection when there wasn't even a prior sexual relationship (for a fuller discussion of marital rape, see Bienen, 1980, 1983; Sallman, 1980; Scutt, 1980; Freeman, 1981; Russell, 1982).

There is no doubt that the process of social change is fraught with difficulties, defeat, and reversals. This is particularly true when core values supporting the dominant status of the power group are being challenged, and when the reformers do not yet fully possess the skills, resources, contacts, and networks needed to succeed.

Even "success" is elusive. Many people correctly rejoice when reform legislation is passed or landmark court cases are won. However, such victories represent but a juncture in the long and arduous trek towards the achievement of the goal.

After laws are passed, court decisions handed down, and policies adopted, the crucial phase of implementation and enforcement begins.

The ongoing battle about reproductive freedom for women is a clear case in point. After the U.S. Supreme Court in 1973 liberalized the abortion laws by ruling that a state could not prohibit an abortion during the first three months of pregnancy, many thought that the issue had been clearly decided in favor of women's control over their bodies and reproductive functions. But instead of subsiding, the battle intensified and is still raging.

It has seen: a series of partial victories alternatively for the so-called pro-life and pro-choice advocates; litigation reach the U.S. Supreme Court in rapid succession at least three times; the Hyde amendment enacted to cut off

federal funds to pay for the abortion of the poor; and now a growing movement to overthrow the U.S. Supreme Court legalization of abortion with a constitutional amendment. As always, the less visible, powerful, and vocal groups have been those whose reproductive freedom has been in fact curtailed the most: the poor, among whom one must count most minority women, and teenage women under 18, the age group that accounts for nearly one-third of all abortion.

Similar dynamics are at work when it comes to controlling violent behavior. The problem does not end with the passage of new laws or with court victories, as important as they may be. The difficulties in implementation and enforcement because of police, prosecutors, and judges' attitudes have already been overviewed here (see also Marx, 1983).

The crucial variable is that the enforcers are drawn from the larger society and, while sworn to uphold the law, in the actual exercise of their vastly discretionary powers, they reflect society's attitudes towards the victim. The fact that the overwhelming majority of them is male only compounds the bias. That the majority of them is composed of white males makes it even more difficult for minority women to obtain the protection, the services, and the justice they need and seek.

The most blatant expressions of sexism naturally receive the attention of the press and stir up a furor like the May 1977 ruling by a Madison, Wisconsin judge that a 15-year-old male who had raped a female attending the same high school was reacting "normally" to the current climate of sexual permissiveness and women's provocative clothing. What passes unnoticed but has the most devastating effect on the victims and ultimately on the social fabric of society is the grinding indifference, harassment, casual attitudes, derogatory remarks, lack of sensitivity and compassion displayed by those to whom the victim looks for help.

Beyond the individual prejudices and idiosyncracies, the system itself is unwilling and unable to effectively assist the victim because its allocation of resources reflects other priorities in the enforcement of the law. A case in point is the "protective orders" commonly issued against violent husbands. Their enforcement is practically nonexistent. Their deterrent effect is minimal. As some bitterly observe, they afford the woman all the protection the paper they are printed on can provide.

Some of these negative attitudes and practices are based on a biased perception or misunderstanding of the victim's actions or inaction. Rape victims are asked why they did not resist or fight back to a greater degree, particularly if they are not visibly hurt. Battered wives are asked, openly or through innuendo, why they stay. The complex interplay of emotions, values, upbringing, assessment of one's chances, and particularly the role fear plays in the decision-making process of the victim is disregarded.

Fear of reprisal by the rapist, or by one's husband can be a paralyzing force exercising a tremendous hold on the victim. The realization that the system is not able or willing to effectively protect her from further assault or harassment and to solve her problem in a satisfactory and definitive manner, once she summons the courage to report it, is a powerful deterrent against seeking help and redress. Unfortunately, the fear of the victim is well founded.

The justice system is basically unconcerned and certainly not equipped to ensure the safety and the well-being of the victim. The victim's safety and the victim's input are unfortunately not part of the variables the court routinely takes into account when considering the release of the accused while awaiting trial.

Not only is the victim not counseled, or taken into account, but generally she is not even notified that the accused has been released, so that at least she might be aware and take appropriate precautions. This holds true for victims of rape, child abuse, incest, domestic violence, abuse of one's elders ("granny bashing") and other types of victims and survivors.

It is true, of course, that at times women who have been victimized could have behaved more assertively and aggressively; could have fought back and tried to discourage their assailant; could have shown more gumption and control over their lives and destiny. What these reproaches overlook is the fact that after all women, like the enforcers, are part of our society and have themselves absorbed through the socialization process most of the values that stem from and in turn support patriarchy and sexism.

Thus, on the one hand women are brought up to be "feminine," that is gentle, passive, supportive, submissive,

eager to please, unworldly, awed by men's physical and intellectual superiority and so on. If a woman refuses to fulfill these role expectations and behaviors, society has devised a variety of techniques to subdue her and bring her into line. On the other hand, if a woman is a victim of violence — physical, sexual, or psychological — society measures her against man's prescribed behavior and reactions for similar situations.

In other words, she is expected to perform at will and as the need arises veritable psychological somersaults, moving easily from a feminine to a masculine role. If she doesn't, the nagging questions, the tormenting doubts, the recriminations, the wondering, the whispered comments, the sharp questioning of her actions by many will take place. Guilt and shame are often internalized by the victims themselves so that they may even display the prevalent attitudes of society, of their oppressors.

While the enforcement of legislation and court decisions on behalf of the victims still leaves much to be desired, it is also true that — under pressure from concerned groups — tremendous improvements have taken place in enlightened and responsive jurisdictions. Many police departments have improved their training so that officers can respond more sensitively and effectively to the victim's needs. In many places, victims are provided better information about the progress of their case and the workings of the justice system.

Notification systems of varying sophistication and complexity inform the victim of scheduled appearance dates, seek to minimize the waste of time, loss of income, and expenses that would result from unnecessary appearances in court or from having to be present far ahead of when the case is actually called.

Compensation plans have been instituted to reimburse the injured victim mostly for loss of past and future earnings due to physical injury, unreimbursed medical costs, funeral and burial expenses for the victim, and consequent loss of support by dependents. (For more material on compensation, see Miers, 1978, 1983; Burns, 1980, 1983; Schmidt, 1980; Elias, 1983).

Restitution by which the offender, as part or condition of his sentence, makes reparation for the harm resulting

from the criminal offense has been introduced as an alternative to more traditional dispositions of criminal cases and theoretically should benefit both the victim and the offender. (For recent material on restitution, see Harland, 1983.)

Victim/witness services sponsored by a wide array of organizations provide a variety of crucial services to victims (e.g., financial assistance, counseling, information, transportation, escort, etc.). Crisis hotlines, rape crisis centers, shelters for battered women, child abuse and incest treatment programs have been founded in many localities to provide support, treatment, advocacy, and assistance for the victim.

While the origins, political and philosophical orientation, funding, institutional affiliation of these programs may vary widely and even be in conflict, their very existence symbolizes society's realization that victimization is a social problem worthy of attention, care, and reform. (For a full discussion of victim/witness services, see Viano, 1977, 1979a, 1979b, 1980. See also Shapland, 1983; Tsitsoura, 1983; Weigend, 1983).

Even more fundamentally it is necessary that we as a society reexamine the current status of the victim in the legal system and that we introduce appropriate reforms.

The Victim in the History and Ideology of the Justice System

Throughout the centuries, the role, importance, and visibility of the victim has varied considerably. This reflects the historical evolution of legal concepts; the diverse approach to the examination of ideas like responsibility, participation, and precipitation; and, in the eighteenth century, the need and desire intensely felt and expressed through the American and French revolutions, to erect solid and unbreakable barriers between the unbridled power of the state and the citizen suspected of a crime. The last development represented the conclusion of an evolutionary process that tipped the scales of the justice system in favor of the defendant and relegated the victim to a minor and secondary role in the decision-making process of the criminal justice system. It would not be until the 1970s that a concerted, international effort would be made to reverse the trend and regain a foothold for the victim in the proceedings of justice.

Thus, the history of the justice system is being slowly rewritten from the perspective of the victim, revolutionizing tenets, approaches, and perspectives taken for granted for centuries. It wasn't always this way. There was a time when the interests of the victim were of paramount importance in the administration of justice, reflecting the absolute need of the individual to ruthlessly retaliate against an aggressor to ensure his own survival.

However, through a complex legal evolutionary process that spanned centuries, the interests of the victim became secondary to those claimed by the government as the representative of the larger concerns of the community which superceded those of the victim, should there be a clash.

The evolutionary circle was now complete. At the beginning, the victim's judgment and needs were the controlling factor in meting out justice; now, the community in its most impersonal form was playing that role. The victim was nothing more than another witness whose participation in the justice process was meant to serve not his/her interests but those of the state, at the state's complete discretion. True, the victim continued to be the cause or the reason for the justice system to become mobilized and proceed against the accused, but the victim had lost control over the fate of the criminal and over the process leading to the disposition of the case and was now effectively excluded from the settlement of the case (Viano, 1983).

Many people have begun to seriously question whether or not we have gone too far in ensuring that the rights of the accused are fully protected at every turn of the justice system; whether or not certain rights, a certain amount of legal standing, should not be restored to the victim; and whether or not we should take more explicitly into account the individual interests of the victim during the justice proceedings just as the system takes those of the convict into consideration.

The movement for victims' "rights" is a natural development of the increased concern about the victim in contemporary society. It also stands in antithesis to the focus on victim precipitation or on the contribution of victims to their own victimization which inevitably leads to or reinforces blaming the victim.

It has gained momentum particularly because of the

mounting outrage at the outcome of some well publicized cases and at the perceived abuse of the insanity defense and other mitigating circumstances. It demands that, besides deterrence and rehabilitation, we put renewed emphasis on personal responsibility and accountability. It also stresses that the repeated and, at times, well-publicized violation of the community's sense of fairness and justice will tear the fabric of society and irreparably undermine the concept of order necessary for communal living.

More fundamentally, it questions the very nature of our adversarial system of justice whose main goal is not to establish the true facts but rather to win at any cost and by using all the means one can afford or conjure up, short of perjury.

It also points out that in many instances a perverse role reversal takes place effectively placing the victim on trial and on the defensive. This has been particularly true of rape trials. It also happens in murder trials where all the events leading to and concerning the killing are seen by the jury, the judges, and the public through the eyes, the perception, and the interpretation of the accused. The victim is silent, with no one to speak for him; no one to remind the jury of what was lost, of the dreams unfulfilled, of the potential forever destroyed, of the intense suffering of loved ones left behind, so that they might truly appreciate the magnitude of the crime (Gaylin, 1982).

As a result of these concerns, some significant reforms have been recently enacted at the federal and state levels. The Victim/Witness Protection Act of 1982 enacted by Congress and signed into law October 12, 1982 (Public Law 97291) ensures adequate restitution for personal financial losses; expands the Attorney General's powers to protect victims and witnesses from the distress of threats and retaliation by assailants; requires that judges be given victim-impact statements before making sentencing decisions. It requires that victims be kept up to date on the progress of the case. It moves toward ending the commercialization of crime by intercepting a felon's financial gain until full restitution of the victim is established. By waiving sovereign immunity and establishing a "gross negligence" cause of action, it guards against the early release or inadequate supervision of dangerous or unstable persons in federal mental health and punitive institutions.

The voters in California approved in 1982 Proposition 8, the "Victims' Bill of Rights," which made sweeping changes in California's criminal procedures, particularly affecting plea bargaining and the exclusionary rule. The supreme court of that state has upheld the law's constitutionality. Arkansas on February 1, 1983 passed a law requiring victims to be notified of parole hearings scheduled for the criminals that victimized them.

The President's Task Force on Victims of Crime released its report January 17, 1983 making 68 recommendations, some of which are already included in the federal Victim/Witness Protection Act. One of the best received recommendations is the establishment of a federal victim compensation and assistance program, which was not included in the Act.

Towards a Culture Without Domination

A society without violence, oppression, and suffering should be the ultimate goal of the process of social change generated by our concern about victims of crime. The various facets of victimization emphasized by different groups are but variations on the same theme: a fundamental lack of understanding and appreciation of the commonality of our humanity, of what truly makes us human, of the bonds that support and nourish us. Patriarchy, sexism, machismo, ageism, and racism are different attempts to establish hierarchies; to inflate and exploit the importance of superficial differences; to mask one's weakness by denigrating others; to deny our interdependence and mutual linkages; to subdue, oppress, and take advantage of those conveniently declared to be inferior.

Change is a measure of growth. During the social revolution of the 1960s and 1970s, most of the personal roles and rituals of social interaction were radically altered. It is essential that as we scan the future and chart the course for the decades ahead we maintain the momentum and forge onward towards a society without fear, violence, and oppression. The foundations have been laid. The resistance one should still expect and the quicksand nature of the process of introducing social change have been recently illustrated by the defeat of the Equal Rights Amendment.

Strong laws implemented through appropriate court decisions and fairly enforced will be crucial to success, measured in terms of behavioral changes. Changes in behavior

will in turn lead to changes in attitudes for many individuals. While some defiantly state that "You cannot make us love 'them'," the theory of cognitive dissonance (Festinger, 1957) shows that when a person's behavior is inconsistent with his underlying attitudes, the attitudes frequently change in the direction often justifying the behavior. Law reforms, court decisions, enlightened enforcement, and activists' efforts focus indeed on behavior. Law reforms, court decisions, enlightened enforcement, and activists' efforts focus indeed on behavior. The aggregate changes in behavior will slowly but steadily build a more equitable model of behavior for future generations.

Thanks to the courage and dedication of reformers, feminists, scholars, and victims the victims' voices are beginning to be heard. They certainly deserve to be. The work completed to date on various fronts has already had considerable impact and borne promising fruit. A society without suffering and oppression such as women and other minorities have known throughout the centuries, a culture without violence and domination is possible and natural. It is up to us to seize this opportune time and build on the existing momentum, allowing no defeat or reversal to discourage us. Our vigilance in defense of the social good and of true justice will not only benefit us but also those innocents living and yet unborn. Let's not disappoint them.

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PUBLIC POLICY, RESOURCES, AND VIOLENCE

Don Clark

I'd like to tell you about a fellow in Portland whom we know as "Gypsy Slim." Gypsy Slim is a black man who looks like he is 60 years old, but who is really much younger, and who was living out of a grocery cart in downtown Portland. His grocery cart was filled with all kinds of things: old rags, bottles, parts of clothing, food that he got out of various garbage cans. He would wheel his cart around to some of the better areas of downtown Portland.

One of his favorite locations was next to the main public library, frequented by many people including those of the upper socioeconomic levels. My wife is an ardent library user, and she would come home and tell me that Gypsy Slim frightened her. She would walk by and he would shout and rave and talk in tongues. His behavior was very distracting and unsettling. People became upset and wrote letters to the editor. Almost everybody in town got to talking about the activities of Gypsy Slim.

The Mayor of Portland finally decided he would do something about Gypsy Slim, so he introduced the "Gypsy Slim ordinance." The debate at City Hall extended for several weeks, exploring how the ordinance should be constructed to prohibit Gypsy Slim from doing the things he did - camping out in public places, urinating in public, swearing in public. Ultimately, it prohibited camping on city streets or loitering by those without obvious means of support. The ordinance passed with a 3 to 2 vote of the City Council.

Two Portland policemen were sent to the library to enforce the newly-passed ordinance. A sergeant was sent to supervise the operation. They wore gloves because they had to inventory all of the rags, parts of bananas and other odd materials in his grocery cart. Gypsy Slim, who was kind of filthy himself, was put in a patrol car and transported to the county jail at the courthouse.

Because he was indigent, we had to appoint counsel to represent him. Then, of course, a prosecutor had to be assigned to prosecute his case, which meant the services of support staff. A recognizance officer was called in, and he made a determination that Gypsy Slim did not have enough

community ties to be released on recognizance. Gypsy Slim remained in custody, occupying a scarce resource - a jail bed - in a crowded jail.

Eventually, Gypsy Slim went before a court of law. The judge's time and that of his staff were occupied in a hearing that set the matter over to allow the lawyers to prepare briefs on the constitutionality of the law. As it turned out, the ordinance did not withstand the test of constitutionality.

While working in my office on the first floor of the courthouse one afternoon, I heard a horrible commotion - yelling and banging of doors. I thought, "My God, somebody's being killed right outside my door!" I ran out and asked a policeman what was going on. He said, "Oh, that's Gypsy Slim leaving the courthouse." And, indeed, he was, having finally been released from jail.

The interesting part of this story is what happened to Gypsy Slim after that. Someone managed to find out that at one time, Gypsy Slim had been confined to a mental hospital. He was supposed to be on some kind of tranquilizing drug. Our mental health people went out and found him and got him back on his medication. Then they found him a place to live. Not only did Gypsy Slim become calm and quite rational, but he is now a stalwart of the flophouse. He is one of its best citizens. Gypsy Slim reached some sort of accommodation with the community. He no longer was a menace. I'll return to Gypsy Slim later, but first I want to tell you a little about my state of Oregon.

Oregon this year will experience a peaking of the age group 15 through 19. This age group is, of course, the most prone to crime and violence. Meanwhile, Oregon's unemployment rate has exceeded 12 percent for well over a year. The recent reported research from Johns Hopkins University indicates that unemployment rates strongly correlate with raises in the numbers of homicides, child abuse, spouse abuse, mental hospital admissions and prison incarcerations. With the peaking of both high unemployment and of the 15 to 29 age group, it is little wonder that Oregon has seen a dramatic increase in crimes against persons.

During the past year, the Oregon legislature has convened three separate times in special session to cut the budget because revenues were much lower than originally

forecast. We've also seen an enormous cutback in federal funds, particularly for health and human services, but also for law enforcement. There have been cutbacks in federal participation in education, particularly for specialized education for the disadvantaged. With less federal funds and less state revenues, Oregon has raised eligibility requirements and lowered benefits to those receiving state aid. Social programs, indigent health care, education and state support for community corrections programs have been trimmed.

The office of Oregon's law enforcement council has been defunded, and while there is no direct service loss to clients, our ability to gather data and plan for the criminal justice system has been impacted. The private agency social service provider community has also experienced diminished funds because of the poor economy. Community health services are shrinking and some social services simply are going out of business.

In spite of all of the cutbacks, there is pressure for more prison space. That pressure is coming from the courts, prosecutors, police agencies and from various law and order politicians. Recently, we had several incidents where female inmates refused to leave our County Jail because they had no place to go - no job, no house and no hope. The jail, at least, was a place with a roof and heat and three meals a day.

One of our former female inmates, a chronically mentally ill person, showed up at the courthouse jail and asked to be admitted. She had no place to go and wanted to be let in. The jailer, appropriately, said, "No, I can't let you in. You've committed no crime and this facility is for those people who are charged with a crime."

If I'd been that woman, I would have found a brick and I would have thrown it through Don Clark's window or one of the police cars parked outside. I would have committed a crime as the price of admission to stay out of the cold. That raises a very interesting social policy question: Should a person have to commit a crime in order to get the bare minimum level of service they need to survive?

Instead, the lady went to the University of Oregon Health Sciences Center psychiatric unit and asked admission there. Because she was not acutely mentally ill at that

time she was just chronically mentally ill - she was refused. They told her that all she needed was a place to stay. But there wasn't any place to stay. The lady left and threw herself in front of a Portland bus and was killed. The problem was taken care of in a very final way. But it is unacceptable to me that my community allowed that to happen because it does not have resources for people in desperate need.

In Oregon we've noted that judges' sentencing practices have changed and that they are dispensing longer sentences for relatively minor crimes. We also note that sentencing remains an individual judicial prerogative and that some judges in some counties are sentencing people to the Oregon State Penitentiary for driving while suspended, while other counties can't move very dangerous felons out of local jails because there is no bed space at the penitentiary.

If you come to Portland, you should be prepared to encounter crazy people. Recently, I walked through the park across from the courthouse and a lady called me by name. She was a very bizarre person, wearing bright heavy makeup and strange clothing. "You don't remember me, but I'm one of your crazies," she said. And indeed she was. She said, "I'm getting crazier by the day." I said, "Well, where did I meet you?" She said "I met you when I was in a program the county used to operate and you visited one of our social gatherings. I used to do pretty good when I was in touch with those people, but the county closed the clinic and I don't have that kind of contact anymore."

I am a former police officer, was elected Sheriff and have spent most of my adult life associated with the criminal justice system. Most of my friends would say I am pro-police, and I am. I believe that our police should view their role as more than just repressors of crime and crook catchers. It is of equal importance that they also are helpers and protectors and even advocates for people in need. This role model is even more important in a time of high unemployment, increased social dislocation and a cut-back in traditional helping agency activities.

With that in mind, you can judge my disappointment when Portland's Mayor and Chief of Police recently proposed a series of ordinances, similar to the "Gypsy Slim" ordinance, to allow a sweeping of the streets of "undesirables." The police also, in my view, have taken a step backwards from

their role as helper of victims and a linker of victims to services like family crisis intervention. Particularly if we're talking about the kind of violence that occurs in people's houses between family members, we must realize that the police are the only 24-hour a day mental health workers we have. It's very important that they understand their role not only as a repressor of crime, but the other roles and functions they have.

I'm also concerned about how we target the dangerous offender, although I agree that it has to be done. We heard some interesting research this morning about heavy offenders, how much crime they repeat, how they are dangerous and usually have multi-drug habits, and so on. It makes sense that the police would come up with strategies to target these people, keep track of them, try to prevent them from committing crime or immediately pick them up if they do commit crime.

Not very long ago, the Portland Police Bureau targeted some similar kinds of people. There was a police officer shot as they were executing a search warrant at a house. The officer died. There was a court trial. Then, all kinds of things began to come out. It turned out that the police had, in their pockets, drug evidence to plant in the house, that the search warrant was based on erroneous information and that there was a set of unethical practices being carried out.

If we're going to target those people, we have to understand that they still are entitled to the protection of the Constitution. I have no problem targeting, but we also have to make sure that police practitioners are of the highest professional ethical caliber. We have to make sure they are appropriately supervised.

Because of some of what I've just described and the fact that the street population does not see the police as their protectors or helpers, we have a situation developing in Portland that I have great fear and trepidation about. That is the idea of a guardian angel group. They are now organizing in Portland.

I don't like the idea of any group which is not supervised by government setting up their own paramilitary organization in the community, supposedly to help eliminate crime and to intervene if a crime begins to occur. In fact,

I see that as a failure of police to anticipate needs and respond in an appropriate way to protect the indigent population. The President's Crime Commission envisioned that there should be police community service officers. They would be helpers of the police, working in low income neighborhoods, assisting those people in meeting their daily life requirements and protecting them from predatory behavior by others in the community.

Because the justice system is mandated by state law, it will be protected more than the social services. Because of Oregon's bad economy, we have seen an increasing reliance on the property tax. This has led to a property tax rebellion and a 1 1/2 percent property tax limitation, which is expected to pass this November. Such a limitation would cut in half Multnomah County's general fund. If it does pass, we will be faced with the reality of having to further slash budgets in county, municipal and school district agencies throughout Oregon. The justice system will probably be the least affected.

Ironically, the justice system has inflated in cost faster than any other service provided by county government. As it inflates, it eats up discretionary funds for helping services. I already told you that federal and state funds were being eliminated. We're also finding that "change agents" - such as research and planning staffs or new model programs - are being cut. One of our programs is called Project Health. It was built outside the bureaucratic structure as a change agent. It grouped funds together and allowed medically indigent people to buy health care - the same kind you and I get in mainstream health care. We also found that there are enough funds already being spent in Oregon to provide comprehensive health care for every citizen, young and old. The funds have to be gathered together - pooled - and spent in a more efficient system. Project Health and all of its research and pioneering capabilities will go if the property tax limitation passes. There will be consequences for citizens generally as hospitals lose funds for their non-paying patients.

Let's take a look at targeting. If you believe as I do that maximum security jail space is a scarce commodity, then it ought to be kept for only the most deserving - dangerous, predatory and escape-prone prisoners. We should be targeting them. We've got to make sure that people who are "less deserving" don't occupy that space when there is somebody

else more deserving who should be there.

It costs between \$50,000 and \$100,000 to build a maximum security jail bed. It costs \$10,000 to \$30,000 to operate that bed each year. It's a very expensive system. I am prepared to pay the price to keep those dangerous, predatory, escape-prone people off the street. I am not prepared to pay the price to keep people like Gypsy Slim - who need mental health or social services - in a high custody bed. They don't need it. They don't deserve it. They need something that is less costly and that is more helpful to them and that serves the community's interests as well. They need those services which are now being cut back.

If you are managing the limited resource of jail space and maximum security bed space, you have to have some kind of triage: a sorting system to differentiate the dangerous people from those who are socially crippled and need social services. Such a process would work well if there are service systems to send them to. If there are not, those people will all show up at the door of the jail and will overwhelm the system. The system no longer will function in an efficient way to maintain predatory, dangerous, and escape-prone prisoners in appropriate custody.

Why is all that happening? Oregon, one of the most progressive states in the United States, has built many models worth emulating. Oregon is known for a government with integrity and honesty. But some things are affecting Oregon and most other states - and it is current U.S. policy direction. There has been a shift from resource allocation for justice and domestic tranquility to military expenditure. We are seeing more attention in national policy to inflation than we are crime. We are seeing a move for short-term utilization of public resources versus stewardship of those resources. We have seen a retreat from the values of everybody having at least a minimum ability to survive to one where individual fiscal initiative is emphasized. That, of course, benefits people who are in command of their environment and have the ability to compete.

We're seeing an emphasis on symbols and playing to people's emotions rather than intellectualism and research and development. We're seeing a retreat on our commitment to move women and minorities into the mainstream of American life. We're seeing an increase in the punitive versus the helping, particularly for social cripples - those who don't

have the ability to cope. We're seeing a line drawn toward ending their opportunity for social mobility. There's a return to the idea that the 'have nots' are not only undeserving, but are a danger and menace to the rest of us who have already made it.

I've heard that Alaska is unique. I believe that. It is unique in a variety of ways. You're unique because you have a relatively small population and because you have your own basis of fiscal resources. You're unique because you're still able to come together into a consensus on what you ought to do about some major problems facing your communities. I would like to see Alaska assume a real position of leadership by building models and showing that you can have public policies that are cost effective, that make sense, that are humane, that target the necessary resources to deal with violent people, that train your people to be effective in preventing violence and to make sure that everyone has an opportunity for social mobility.

I would like to see Alaska show a special concern for those people on the lower end of the economic scale so that they will be given a helping hand up, not a kick in the rump and a repression downward.

CENSORING VIOLENCE

John E. Havelock

A number of trends in American life may encourage a new effort to censor the press and the arts in the name of reducing violence. While one can share the concern and applaud the new focus on the problem of violence in our society, the use of law and formal regulation to limit portrayals of violence runs headlong into another value even more central to the preservation of a free society than our peaceability - our right to uninhibited communication.

The First Amendment to the Constitution of the United States, prohibiting the abridgment of freedom of speech and of the press, stands as a barrier to protect the flow of communication upon which the survival of liberty depends. So, even though there are undeniable costs from unimpeded communication, these are costs that must be borne in the interest of systemic survival. Still, these interests are not in total opposition. Potentially, free communication can play a greater role in reducing violence in American life than it does in creating it.

Before turning to an analysis of the case law which explicates the First Amendment limitations on media regulation, let me identify some of the forces which are likely to bring about pressure for censorship activity.

First among these is fear of violent crime. While it strikes me that it is at least unproven that there is increasing violence in American life (and there is at least a good case to be made that the volume and intensity of violence has in fact decreased in the last century), we are probably doing a whole lot better job of scaring ourselves. Motivated by fear, Americans are likely to be a whole lot less fastidious when it comes to notions of civil liberty.

Second, a point related to the first, technological change has facilitated a quantum jump in the quantity and quality of communicative activity. The development of radio, television, cable, satellite, computer and other communications systems has resulted in a din of information now assailing all our senses but smell (and threatening that). The development of software technologies of persuasion has grown apace. Communication has become diversified and spe-

cialized but also centralized within the society. The Orwellian dream of 1984 has in part been realized in that we are today, more than ever, what we are told we are by the radio, film and television industries. And of special significance to today's topic, we are told in a thousand ways that we are (whether using it legitimately or illegitimately) violent.

Third, we may anticipate an increasingly persuasive chorus of social scientists testifying to the causative linkage between portrayal of violent crime and the commission of violent crime. The evidence which Mr. Barry will review with you, persuasive as I already find it, is still just the beginning of a flow of evidence on the point. For a parallel, one can look to the closing of the net of evidence establishing the link between smoking and lung cancer and a host of other diseases.

Fourth, we are experiencing an increasing hostility to the use of violence as a change in the value system of Americans. In part this may relate to the trend away from the physical in the description of work in America, but of equal or greater importance will be the continuing rise in importance in the shaping of national policies of the American woman. At the national level this has already been given expression in the gender differences with respect to national armament and international disarmament positions of the American voter and at the local level with the increasing recognition of domestic violence and rape as important features of the definition of violence in America.

Whatever its causes, the revolt against violence is a genuine one. We need only look at the change in the expression of attitudes to war that has taken place over the past sixty years as an example of a profound alteration in the Western identity. For thousands of years, engagement in organized killing has been considered among the highest, if not the highest, calling of the Western male. The end has always justified the means. The hero has been defined as the most successful killer. Since the close of World War I the glory side of battle has become the gory side and from being an extension of foreign policy, war has come in the past few years to be labeled "unacceptable."

In a sense, this is one of the success stories of public communication. Without anyone passing a law, we have reduced our proportion of portrayal of war as glory from

ninety percent of the content to ten percent. Where censorship was used as a tool in the struggle over the legitimacy of war, it was evoked more often on the side of violence, minimizing the casualties of one's own side, exaggerating the size and minimizing the humanity of casualties on the other.

While the definition of social evil has changed to give greater blame to the role of individual and group violence, the tendency of society to blame speech or press for encouraging social evils of whatever kind is an old one. Censorship has been enlisted to protect young and old alike from incitement to rebellion, sexual depravity, Marxist dogma, religious impiety, musical or artistic decadence and disrespect for established authority, to name just a few of the corrupting influences.

The confusion of messenger and message is an old one. Some of the cause and effect linkages are no doubt specious. Some of the social ills identified, overrated. Nonetheless, in some cases the causative connection was doubtless there, the social evil a significant one. Public communication is so conspicuous an aspect of culture that scapegoating is inevitable. A phenomenon like violence, or the lack of it, is so pervasive that the role of any particular cause is necessarily marginal. Still, it seems unavoidable that now the media role is to be permanently displayed in the list of causes of violence. And, as too often is the case when we spot a connection, the answer is, "there ought to be a law."

There are two forms of law about which those concerned about protecting the free speech and press interest need to be concerned. The first is direct regulation on the analogy to obscenity. The second is the chill that would encumber the exercise of free expression in the event that the causative link between the portrait of violence and the occurring of it become a source of civil litigation in the nature of tort. Let us now examine the first of these.

Though it has been said that sex has made a fool out of the Supreme Court, measured by the ferocity of the attack and the extent of injury by way of inhibition on expression which has actually occurred, the Supreme Court has not done too badly.

For instance, the Court has refused to be sucked in (or perhaps has missed one opportunity and been beguiled by

another) by the temptation to divide up the arena of free expression. As early as 1948 in Winters v. New York (333 U.S. 507) the Court declined to distinguish between "news" and "entertainment," despite the argument that the objectives of free speech would be well preserved if we simply protected news. Certainly it is difficult to see what socially redeeming purpose is served by ninety percent of the drivel that is heard on TV, particularly if evidence emerges that links these scenes of violence to imitations in life. But as the Court noted, "What is one man's amusement, teaches another's doctrine." Perhaps of more pointed significance to the present controversy, the Court refused to find that obscenity included violence. This holding was reaffirmed a decade ago in Miller v. California (413 U.S. 15 (1973)). The historic exceptions to First Amendment freedom relate only to libel and the depiction of sexually explicit material.

That excessive violence is not obscene will undoubtedly go down hard with an audience priding itself on having modern ideas. At a personal level I agree that excessive violence is repulsive to a degree which sexual exhibitionism and voyeurism are not. On the other hand, having seen the courts flounder over definitions of obscenity in the sexual context, it is easy to see why this historically based exception to the First Amendment should not be expanded.

Violence was endemic in American literature long before it became a point of concern in films and television. Portraiture of the violence of slavery and of racial prejudice has been significant in fueling the attack on these institutions. The portraiture of the violent West, in which outlaw violence and violence in the name of the law are nearly indistinguishable, were outlined in the Report of the President's Commission on the Causes of Violence in 1969. The Commission Report pointed out that the literature of violence, which continues as a theme today, underwrites one of the central aspects of American life: individualism. Individual action, absent a context of group responsibility, suggests taking the law into one's own hands - that is violence.

If we try, by law, to weed violence out of communication, do we distinguish The Red Badge of Courage, All's Quiet on the Western Front, The Holocaust and Hamlet from "Bonnie and Clyde," for which we in Alaska have a recent example of imitation, or the Extra Strength Tylenol horror,

or the impersonalized and symbolized violence of most electronic games?

The media's responsibility for violence goes beyond its portrayals of violent criminal conduct. A report in the *Journal of Research in Crime and Delinquency* indicates that television portrayals of crime (about a third of programming) showed weak character to be the cause of crime in seventy-five percent of the cases. It showed violence used in the great majority of cases to apprehend the suspect. TV shows an unrealistic level of success in law enforcement and, consistent with the individualistic history referred to by the President's Commission, it greatly exaggerates the independence of police action. We are disabled in dealing with violence through perpetuations of the mythologies of the justice system. It may be the unrealistically successful use of violence to solve problems rather than violence per se that instigates violence. These questions suggest avenues for research but also illustrate the impossibility of establishing viable standards in the area of violence censorship.

The advent of a new technology has given rise to a second exception to the First Amendment which I trust will not be expanded further and which will gradually be squeezed out. I speak of the government's contention, as endorsed in Red Lion Broadcasting Co. v. FCC (395 U.S. 367 (1969)) that because the airwaves are a scarce commodity, the government may regulate content. The high water mark in this exception may be the 1978 case of FCC v. Pacifica Foundation (438 U.S. 726) which tested the Congressional prohibition of the broadcast of "obscene, indecent or profane" material against comedian George Carlin's "Filthy Words Monologue" and Congress's additional prohibition of FCC censorship. The justification of this limitation was the potential exposure to children and the fact that the broadcast would go "directly into the home." This could prove to be an extremely dangerous line of justification for First Amendment interests.

The Supreme Court had earlier upheld restrictions on the sale of "girlie" magazines to persons under seventeen in Ginsberg v. New York (390 U.S. 629 (1978)) despite the fact that it was not obscene if sold to an adult. This anything-to-protect-children approach could be used to support legislation aimed at banning violence particularly targeted at children. New York v. Ferber (50 Law Week 5077 (July 2, 1982)), which permitted state suppression of non-obscene

advertising of child exploitation movies, expresses a considerably more compelling interest than found in Ginsberg. Clearly Ginsberg's rationale could not have been used to ban all girlie books. Ferber should be laid against Board of Education v. Pico (50 Law Week 4831 (June 25, 1982)) which requires that even in protecting children from library books the government may not act out of objection to ideas. Yet in the 1979 Supreme Court case of Smith v. Daily Mail (443 U.S. 97 (1979)), the court declined to prevent the publication of the names of juveniles, despite findings that preserving the anonymity of accused juveniles was in the benefit of child rehabilitation. Also, in Pinkus v. United States (436 US 293 (1978)) the Supreme Court rules that particular sensitivities, especially the sensitivity of children, would not be considered in determining the community standard which has been the test of obscenity since Miller. Thus, if an adult interest is also interfered with, then the protection of children cannot be used as a rationale without limit.

The underlying rationale of Pacifica is still that stated in Red Lion, that the government may regulate content where the resource is scarce. Technology which established that premise is now undermining it. The proliferation of new modes of communication has brought into question much of the regulatory paraphernalia of the airways including from a Congressional perspective equal time and the fairness doctrine. This diversification seems likely to continue. The hesitancy of the courts about Pacifica might be illustrated by Home Box Office v. Wilkinson (531 F. Supp 986 (1982)) when a conservative federal judge from Utah, obviously in some pain, permanently enjoined the state from enforcing a criminal statute proscribing "knowingly distrib[ing] by wire or cable indecent or pornographic material." The Supreme Court, striking down a "right of reply" statute in Florida in Miami Herald Publishing Co. v. Tornillo (418 U.S. 241 (1974)), also shows the court is reluctant to expand limitations on expression even for socially desirable purposes.

The second major avenue of legal restraint on free expression lies in the potential for the creation or broadening of common law tort concepts to cover the consequences of the portraiture of violence by way of traditional negligence analyses or the creation of a right for damages by statutory design.

That the limitation on free speech comes from civil and to some extent private causes does not prevent the application of constitutional principle as we have heard most emphatically in the many cases constitutionalizing the law of libel: New York Times v. Sullivan (376 U.S. 254 (1964)) and its progeny.

With respect to the creation of a civil action we do not yet have a cause created by statute, but we have had a couple of cases testing the flexibility and scope of the common law. The two principal cases are Zamora v. CBS (actually all the networks) (480 F.S. 199 (1979 S.D. Fla.)), the television addiction case and Olivia N. v. NBC (178 Cal. Rep. 888 (1982)), the "Born Innocent Case." In denying relief to injured plaintiffs on summary judgment or demurrer in both these cases, the courts used a traditional tort analysis to bury the claim and set the First Amendment on top as a tombstone.

Zamora was decidedly the less appealing case. You will recall that Ronnie Zamora claimed that TV addiction caused him to commit a more than ordinarily repulsive murder. It didn't stand as a defense but he used it as a cause of action for damages against the network.

The judge could have relied only on the Florida tort rule that mental injury is non-compensable unless accompanying a physical injury, but he went further, noting that the imposition of a duty on the networks would conflict with public policy in freedom of expression and impose a duty without recognized standards to follow. He also said it would be unconstitutional as imposing a prior restraint (presumably by its chilling effect) on freedom of expression.

The Zamora judge offered the standard of Landmark Communications v. Virginia (435 U.S. 829 (1978)) as the standard for any imposition on free speech - the need of a "clear and imminent" danger of "an evil so substantial as to justify the restriction."

In the Olivia N. case, a more likely victim was the plaintiff, a girl who had been raped with a bottle by two teenage boys who testified they had planned the crime in imitation of a scene in "Born Innocent," a TV dramatization in which a girl in a youth prison is raped by other girls using the handle of a plumber's helper.

The California Court in Olivia N. evoked the constitutional rule of Brandenberg v. Ohio (395 U.S. 444 (1969)) which requires the "advocacy and encouragement" of the conduct occurring. The court, in nonsuiting Olivia N. contrasted the situation to that portrayed in Weirum v. RKO General (539 P.2d 36 (1975)) where RKO was held liable for a radio station's encouragement of a treasure hunt sponsored by them in which teenagers were hurt speeding to a location.

Well, what can we do? Though state regulation is likely preempted, there may be room for federal regulation via Ginsberg and Forbes of cartoon and similar Saturday morning programming aimed directly at children, but the definition of "violence" is still unlikely to meet the demand for precision required by Ginsberg and the tolerance of violence expressed in Winters. The adoption of new laws or regulations is a course of frustration. But there are other forms of regulation involving private action that are legitimate and less problematical. We do not have to watch or permit our children to watch violence. We are not compelled to buy the products which are advertized on violent programs.

We can encourage responsible forms of education with respect to violence. One of our problems is that fantasy violence is introduced to the impressionable youth in large doses without any antidote through communication of a contradictory reality. I suspect that fantasy loses much of its imitative attractions when the beholder knows that violence is grim, sordid, ugly, painful and immediate.

We can reduce the potential for injury from portrayals of violence and much of the reduction is likely to come about as a result of public pressure and personal responsibility by producers, enlightened by the findings of social science. Social action rather than law is the antidote. But ultimately there is no final cure. There is an irreducible minimum of evil in life's imitation of art or news which is a price we pay for freedom.

CONFRONTING VIOLENCE IN ALASKA: USE OF RESEARCH IN PLANNING FOR CHANGE

Knowlton W. Johnson

In recent years there has been a strong push to control and prevent violence in the USA (National Commission on the Causes and Prevention of Violence, 1969). Collective violence, prison violence, and terrorism have all received special attention in the 1960's and 70's. In the 1980's the push has been on the control and prevention of violent crime, domestic violence and sexual assault (Wolfgang and Weinier, 1981).¹

In Alaska the problem of violence began receiving state-wide attention with the passage of the 1979 Domestic Violence Act and the establishment of the 1981 State House of Representatives Task Force on Violence. The Domestic Violence Act has remained in the spotlight as it has been amended several times since its inception. Unfortunately, however, the work of the task force on violence did not continue in the 1982 and 1983 legislative sessions.

While these two actions illustrate legislative efforts, what are human service agencies in the state doing to combat violence? The answer is that we do not know the extent of violence reduction programming; nor do we know the type of programming. Another critical void here in Alaska as well as elsewhere is that there has been little or no attention given to examining what motivates or influences policymakers to take action to control and prevent violence. Further, we need to know how organizations can be stimulated to begin planning for change to deal with the problem of violence.

With these needs in mind, the Justice Center of the University of Alaska, Anchorage conducted a statewide survey during the summer of 1981 that focused on violence reduction activities in various types of human services agencies. We were particularly interested in the role of research in controlling and preventing violence.

In designing the study, we focused on four policy questions which would generate results for establishing research and development agenda for combating violence in the 1980's. These questions were:

• What types of programs are operating in Alaska that focus on violence-related problems?

• What are administrators doing to improve their agency's efforts to control and prevent violence?

• To what extent do administrators use research in planning for change?

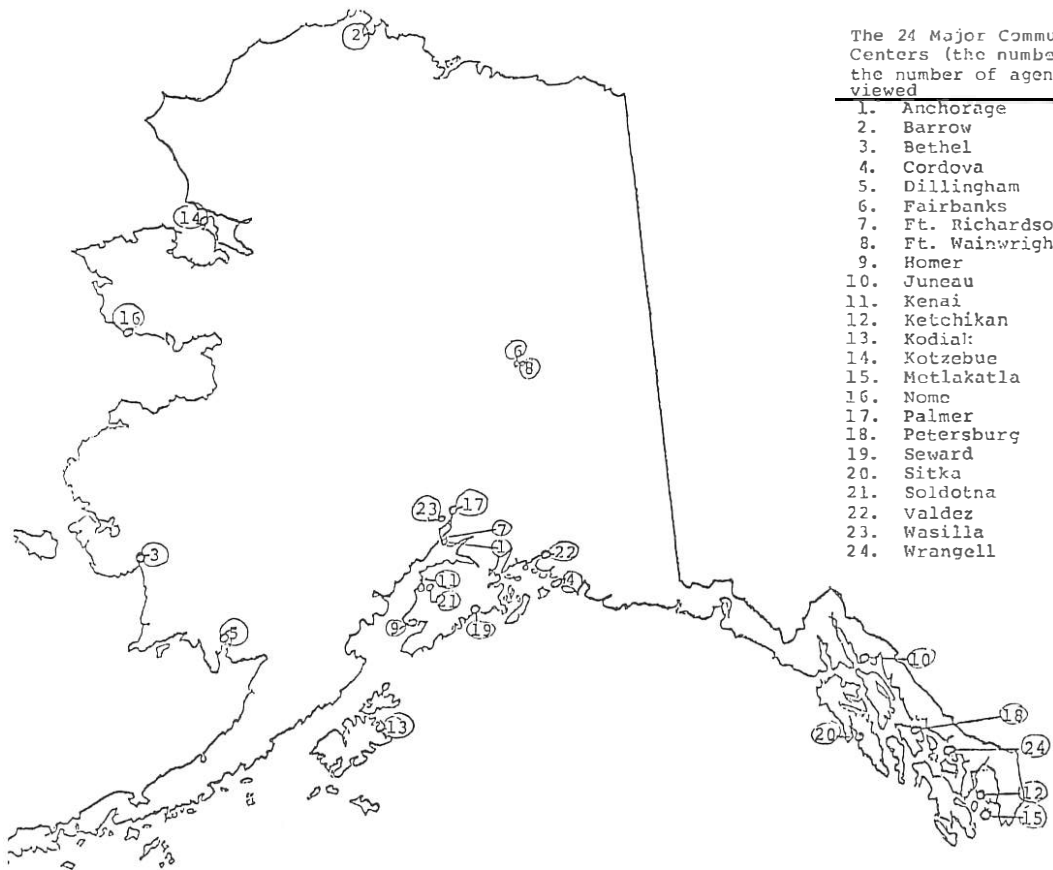
• What factors are important in stimulating change and/or the use of research in planning for change?

Data collection procedures used to generate answers to these questions and a description of agencies surveyed are presented below. In addition, answers to each question are presented in tables and in discussion. Finally, suggestions are posited for a program development agenda which stems directly from the results of the survey.

Data Collection and Sample Description

Data for the study were collected from administrators responsible for managing or assisting in the management of 268 human service agencies operating in federal, state or municipal government or in the private sector.² In cases of statewide operations, regional and local level offices were considered units equivalent to central headquarters. Figure 1 presents the number of agencies that participated in the study within 24 major communication centers across the state.

Eight trained interviewers conducted face to face interviews with agency personnel during June, July and August, 1981. Prior to the site visit, a telephone interview was conducted in most cases to determine what agencies were doing to control and prevent violence and to schedule the personal interview. Most on-site interviews took 30 to 45 minutes, had minimal interruptions, and were conducted in a way that the interviewee felt comfortable.³ Although the results are not included in this presentation, administrators being interviewed were asked to complete a questionnaire designed to assess the agency's capacity to program for the control and prevention of violence. If other personnel were involved in making decisions about violence related programming or policymaking, the administrator was asked to have them also complete the questionnaire portion of the study.



The 24 Major Communication Centers (the number indicate the number of agencies interviewed)

1.	Anchorage	(75)
2.	Barrow	(6)
3.	Bethel	(18)
4.	Cordova	(2)
5.	Dillingham	(3)
6.	Fairbanks	(38)
7.	Ft. Richardson	(2)
8.	Ft. Wainwright	(3)
9.	Homer	(3)
10.	Juneau	(37)
11.	Kenai	(4)
12.	Ketchikan	(8)
13.	Kodiak	(13)
14.	Kotzebue	(6)
15.	Metlakatla	(6)
16.	Nome	(7)
17.	Palmer	(4)
18.	Petersburg	(4)
19.	Seward	(2)
20.	Sitka	(16)
21.	Soldotna	(3)
22.	Valdez	(4)
23.	Wasilla	(2)
24.	Wrangell	(5)

Figure 1

Table 1 describes the agencies and administrators who participated in the study. It is evident that an array of human service agencies have to deal with various problems concerning violence or the potential for violence. We sampled not only agencies within the traditional criminal justice and legal systems but also many agencies designed specifically to handle violent behavior or victims of violence. We also included in the study various social and health related agencies that were involved in violence reduction action. Unfortunately, this study did not include a sufficient number of schools since the data were collected during the summer months.

Most of the administrators interviewed were heads of their agency office (81%) and one-third of the organizational units that were sampled had female administrators (32%). A large majority of the participating policymakers also had at least a four year college degree (72%) and had been in their present position for four or less years (78%). In regard to management styles, the administrators under study indicated involving, to various degrees, their subordinates in decision making.

Type of Violence Reduction Action

Human service agencies in Alaska are very much involved in combating violence. Table 2 presents the number and percent of agencies operating in Alaska that are engaged in four types of violence reduction action: general, victim assistance, treatment and control of violent behavior, and prevention of violence. We found that 29% of the agencies surveyed (70) provided general services in connection with violence related problems. That is, agency services were designed to combat a variety of problems including violence. The remaining 71% of the sample (189) indicated engaging specifically in violence reduction action which focused on (a) treatment and support for victims, (b) treatment and control of violent behavior, and/or (c) prevention of violence.

There were some, but not large, differences in the types of action taken within particular service delivery centers. In regard to the primary service delivery centers of the state, there was more emphasis on victim assistance and prevention (59%, 61%) than on treatment and control of violent behavior (47%). In the secondary delivery centers, less emphasis was placed on prevention (20%) than on victims and

TABLE 1

ORGANIZATION AND ADMINISTRATOR PROFILES
OF THE VIOLENCE STUDY PARTICIPANTS

ORGANIZATION CHARACTERISTICS					
Function of the Organization	No.	%	Primary Type of Violence Confronted	No.	%
Enforcement Administration	3	1	Sexual related violence	1	7
Enforcement Operation	33	18	Child abuse, neglect and assault	17	6
Regulatory Organization	1	1	Spouse abuse	6	20
Court (Juvenile, Adult)	21	11	Domestic violence	52	20
Prosecution	11	4	Suicide and attempts	4	1
Defense	9	4	Assaults among citizens	4	1
Juvenile Corrections	16	8	Assaults on authority	18	6
Adult Correctional Operations	14	7	Violent crime (Part I)	7	2
Adult Correctional Administration	1	1	Drug/alcohol related violence	24	9
Social Services	30	11	Various combinations of above	15	5
Mental Health	21	8	All of above	116	43
Health	21	10	No data	1	1
Victim Support	19	9		268	100
Alcohol/Drug Treatment	19	9			
Advocacy	12	6			
Crisis Intervention	5	2			
Coroner	2	1			
Diversion	2	1			
Education	1	1			
	268	100			
Type of Jurisdiction		Organizational Level			
Private	74	28	Single organization	119	45
Municipal	52	20	Headquarters of multilevel organization	25	9
State	110	42	Second level of multilevel organization	103	39
Federal	25	10	Third level of multilevel organization	20	7
No Data	1	1	No data	1	1
	268	100		268	100
ADMINISTRATOR CHARACTERISTICS					
Administrator Position	No.	%	Gender	No.	%
Head	214	81	Male	178	68
One below head	49	19	Female	83	32
Two below head	1	1	No data	7	3
No data	4	1		268	100
	268	100			
Years in Position		Years in Organization			
Less than one year	66	25	Less than one year	30	12
One to two years	81	31	One to two years	54	20
Three to four years	57	22	Three to four years	47	18
Five to six years	30	11	Five to six years	38	15
Seven to nine years	16	6	Seven to nine years	29	11
Ten to fourteen years	9	3	Ten to fourteen years	28	11
Fifteen to 21 years	5	2	Fifteen to twenty-one years	27	10
No data	4	1	Twenty-two to twenty-five years	9	3
	268	100	No data	1	1
				268	100
Management Style		Educational Level			
Admin. head makes most decisions	27	10	Less than high school degree	1	1
Admin. head makes most decisions, but solicits input on certain matters	49	19	High school degree	20	8
Admin. head makes most decisions, but solicits input on most matters	90	37	Less than two years college	34	13
Admin. head makes some decisions and allows personnel as a group to decide on some matters	70	27	A.A. degree	12	5
Personnel as a group make decisions on most matters	19	7	A.A. degree plus additional courses	7	3
No data	13	5	B.A. or B.S. degree	52	20
	268	100	B.A. or B.S. degree plus additional courses	19	7
			Master's degree	68	26
			Law degree	35	13
			Ph.D. or M.D. degree	16	6
			No data	4	1
				268	100

abusers (30%, 31%). Within the tertiary center, victim services received less attention (11%) than treatment and control of violence and prevention of violence (22%, 19%).

TABLE 2
NUMBER AND PERCENT OF AGENCIES
BY TYPE OF VIOLENCE REDUCTION ACTION
BY TYPE OF SERVICE DELIVERY CENTER

Type of Service Delivery Center	Type of Violence Reduction Action							
	General		Victim Assistance		Treatment & Control		Prevention	
	#	%	#	%	#	%	#	%
Primary ^a	44	56	26	59	38	47	39	61
Secondary ^b	18	23	13	30	25	31	13	20
Tertiary ^c	17	22	5	11	18	22	12	19
	79	100	44	100	81	100	64	100

a. Anchorage, Fairbanks, Juneau

b. Barrow, Bethel, Dillingham, Kenai, Ketchikan, Kodiak, Kotzebue
Nome, Palmer

c. Cordova, Elmendorf Air Force Base, Fort Richardson, Fort Wainwright,
Homer, Metlakatla, Petersburg, Seward, Sitka, Soldotna, Valdez,
Wasilla, Wrangell

Chart 1 presents an illustrative list of violence reduction action that was the result of a content analysis. The analysis uncovered several interesting facts. Foremost, unlike the national emphasis on violent crime, murder, robbery, etc., we found Alaskan agencies emphasizing action to combat domestic violence and sexual assault. For example, sheltered services were available in many of the communities. A number of police agencies indicated establishing special procedures for handling domestic violence cases. State and municipal prosecutor offices were found giving increasing attention to sexual assault cases. Hospitals were concentrating on setting procedures for handling rape cases. Further, a number of agencies were establishing new services for combating incest.

Chart 1: Illustrative Violence Reduction Action of Human Service Agencies in Alaska

I. Treatment and Support for Victims of Violence

- shelter service for battered women and children
- protective custody service
- therapy and counseling for victims of domestic violence and sexual assault
- advocacy services for victims
- support group services
- crisis intervention programming
- hotlines
- victim compensation services
- referral programming
- policy for providing assistance to victims of violence
- special staff assigned to work with victims of violence

II. Treatment and Control of Violent Behavior

- therapy and counseling for violent offenders and sexual abusers
- treatment of problems of alcohol among violent offenders
- policy for investigating and prosecuting sexual abusers
- contingency planning for handling organized violence
- close surveillance and supervision of defendants and violent offenders
- special staff assigned to cases involving domestic violence or sexual assault
- parent skill training
- special training and workshops for personnel who have to handle problems of violence
- interagency team approach to responding to crisis situations involving violent behavior

III. Prevention of Violence

- community awareness presentations in high schools and in the community
 - media campaign, e.g., movies on rape prevention, radio and TV shows
 - special workshops for identifying potential abusers
 - booklet on child abuse and neglect
 - security services
-

One of the driving forces behind the amount of action being taken to combat these types of violence in Alaska appears to be the Counsel on Domestic Violence and Sexual Assault. Agencies receiving Counsel funds were found providing an array of services in the areas of treatment of victims, treatment of abusers, and prevention of violence. The 1979 Domestic Violence Act seems to be another reason why family violence and sexual assault has received attention. We found in a number of communities that criminal

justice agencies mentioned the Act in connection with particular violence reduction action being taken.

The content analysis also revealed that the most common actions to combat violence are crisis intervention, shelter services for battered women, procedures for processing violence-related cases, and community awareness presentations. Additionally, we found a number of agencies emphasizing training of personnel to handle violent situations. Some agencies were providing an advocate service for assisting the victim in the legal and criminal justice system.

In regard to treatment service for victims and abusers, the most common treatment modality was counseling. Agencies indicated using group counseling more than individual or family counseling, but a number of agencies were increasingly placing more emphasis on family involvement in the treatment process. We also found support groups (i.e., self-help modality) being emphasized by a few agencies.

Finally, we found in several communities that some agencies were collaborating to combat violence. For example, in one community the police and a support agency were experimenting with a team approach where an officer and support agency staff member would respond together to domestic violence calls. In other communities, interagency referral programs were formalized and several interagency planning groups had been established.

Use of Research in Improving Violence Focused Services

What changes are administrators making to improve services to combat violence? In answering this question we asked policymakers to indicate changes that had been made in their agency over the past year and a half (January 1980 to June 1981). Two categories of changes are worth noting: changes reflecting program and policy action and those that depict preparatory action. The programmatic changes included service modification, new service development, training modification, policy/regulation revisions and personnel increases. Preparatory action consisted of participation in special schools, and engaging in planning, evaluation and research activities.

Table 3 shows that service modification was the most prevalent programmatic change (62%), followed by new developments (46%), training modification (38%), policy/regula-

tion revisions (34%) and personnel increases (22%).

TABLE 3
NUMBER AND PERCENT OF AGENCIES
BY TYPE OF ACTION TAKEN TO CONTROL AND PREVENT VIOLENCE

Program and Policy Action	No.	%	Preparatory Action	No.	%
<u>Program/Service Modification</u>			<u>Special School Participation</u>		
None	101	38	None	133	50
One	138	52	One school	65	25
Two or more	27	10	Two or more	66	25
No Data	2	-	No Data	4	-
	268	100		268	100
<u>Program/Service Development</u>			<u>Planning Activity</u>		
None	144	54	No	159	60
One	103	39	Yes	108	40
Two or more	20	7	No Data	1	-
No Data	1	-		268	100
	268	100	<u>Evaluation Activity</u>		
<u>Training Modifications</u>			None	161	60
None	163	62	Yes, self-evaluation	93	36
One	89	33	Yes, evaluation by outsider (non-paid)	7	3
Two or more	14	5	Yes, evaluation by outside consultant	2	1
No Data	2	-		263	100
	268	100	<u>Research Activity</u>		
<u>Policy/Regulation Revisions</u>			No research	212	80
None	176	66	Descriptive study	45	17
One	83	31	Exploratory study	2	1
Two or more	7	3	Combination	6	2
No Data	2	-	No Data	3	-
	268	100		268	100
<u>Personnel Increases</u>					
No increases	207	78			
Yes, increases	58	22			
No Data	3	-			
	268	100			

In regard to preparatory actions, 50% of the agencies indicated having sent personnel to one or more schools, 40% of the agencies also indicated that they engaged in planning activities. Forty percent of the agencies also indicated having conducted evaluations, but most were self-evaluations rather than evaluations by outsiders. While we found little evaluation being conducted by outsiders, administrators did not seem to be adverse to having their violence reduction action evaluated; it was a question of funds to complete the evaluations. Twenty percent of the agencies indicated engaging in other research activities, but more of the research was only descriptive and therefore limited in its policy relevance.

When the prevalence of action to control and prevent violence was computed, 70% of the agencies indicated having engaged in 1 to 5 changes in programmatic actions and 71% stated that their agency had taken preparatory action to control and/or prevent violence (Table 4). These findings strongly suggest that administrators are making a concerted effort to combat violence in Alaska.

TABLE 4
NUMBER AND PERCENT OF AGENCIES
BY PREVALENCE OF ACTION TAKEN TO CONTROL AND PREVENT VIOLENCE

Type of Action	Extent of Action					
	0 Change	1	2	3	4	5 Changes
Program/Policy Action	% 30	24	22	16	7	1
	# 79	62	57	44	18	3
Preparatory Action	% 29	26	30	13	2	—
	# 76	69	77	33	5	—

To what extent does research influence administrative decisions to take action against violence? This question was answered by asking administrators about the kind of research, if any, that they had reviewed over the past one-and-one-half years.⁵ In conjunction with specific changes, we probed to determine whether or not the research they had seen had influenced them to act. Additional probes were made to determine other nonresearch influences.

Table 5 presents the type of research influence as well as other sources of influence when making changes in program/policy action to reduce violence.⁶ We found that approximately 40% of the administrators indicated that research influenced them to modify or develop new programs, to revise the training program and to hire additional personnel to combat violence. Decisions about revising policy or regulations were influenced less by research; only 25% of those interviewed reported this source of influence. We totaled up the number and percent of administrators who reported that they had been influenced by research to make at least one change in the direct violence reduction actions and found that research played a role in the decisions of 47% (123) of the administrators surveyed. This level of research influence is higher than what has been reported in other studies conducted in the lower 48 states.⁷

Statistics (e.g., rape up by 50%) were found to be the most frequent type of research influence. While statistics are policy relevant, this type of research has limited utility. That is, statistics can help define the parameters of violence related problems, but cannot provide guidance in dealing with the problem. Explanatory (e.g., correlation studies) and evaluative research are needed to direct decision making about effective ways of alleviating the problem. Unfortunately, few administrators used evaluation studies or other social science research studies when deciding changes in violence focused services.

We were also interested in nonresearch sources which had influenced decisions about combating violence. Table 5 shows that the two most frequently mentioned sources of nonresearch influence were legal or administrative requirements and the personal assessment of the administrator. Interpersonal contacts (e.g., discussion with other agency personnel) and exposure to issues or programs (e.g., mass media exposure or written descriptions of programs) were the next most frequently reported nonresearch influence. Resource availability appeared to be an important source of influence among a few administrators who made decisions about developing new services, modifying the training program or increasing personnel. Changes in the operating philosophy or structure of the agency influenced some decisions to modify or develop new programs. Public pressure was the least reported source of influence to engage in change.

TABLE 5

TYPE OF RESEARCH AND NONRESEARCH INFLUENCE
TO INITIATE VIOLENCE REDUCTION ACTION

<u>Program/Service Modification (N=164)</u>					
<u>Research Influence</u>	<u>No.</u>	<u>%</u>	<u>Nonresearch Influence</u>	<u>No.</u>	<u>%</u>
No research influence	98	60	Nonresearch influence	30	18
Influenced by statistics	30	18	Legal administrative requirement	39	24
Influenced by evaluations	1	5	Personal assessment	38	23
Influenced by social science research	14	9	Interpersonal contacts	17	10
Influenced by combination of above	14	9	Exposure to issues/programs	19	12
	164	100	Public pressure	7	4
			Philosophical/organizational changes	10	6
			Resource availability	4	2
				164	100
<u>Program/Service Development (N=121)</u>					
No research influence	73	60	Nonresearch influence	21	17
Influenced by statistics	18	15	Legal administrative requirement	23	19
Influenced by evaluations	6	5	Personal assessment	25	21
Influenced by social science research	12	10	Interpersonal contacts	16	13
Influenced by combination of the above	12	10	Exposure to issues/programs	16	13
	121	100	Public pressure	8	7
			Philosophical/organizational changes	7	6
			Resource availability	7	6
				121	100
<u>Policy/Regulation Revisions (N=89)</u>					
No research influence	67	75	Nonresearch influence	13	15
Influenced by statistics	10	10	Legal administrative requirement	40	46
Influenced by evaluations	3	3	Personal assessment	11	12
Influenced by social science research	6	5	Interpersonal contacts	12	14
Influenced by combination of the above	6	7	Exposure to issues/programs	6	7
	89	100	Public pressure	3	3
			Philosophical/organizational changes	3	3
			Resource availability	0	0
				89	100
<u>Training Modifications (N=100)</u>					
No research influence	61	61	Nonresearch influence	24	24
Influenced by statistics	15	15	Legal administrative requirement	25	25
Influenced by evaluations	5	5	Personal assessment	22	22
Influenced by social science research	10	10	Interpersonal contacts	11	11
Influenced by combination of above	10	10	Exposure to issues/programs	7	7
	100	100	Public pressure	1	1
			Philosophical/organizational changes	2	2
			Resource availability	2	2
			No data	1	1
				100	100
<u>Personnel Increases (N=58)</u>					
No research influence	33	60	Nonresearch influence	16	28
Influenced by statistics	12	21	Legal Administrative requirement	11	19
Influenced by evaluations	2	3	Personal assessment	14	24
Influenced by social science research	5	9	Interpersonal contacts	4	7
Influenced by combination of above	5	11	Exposure to issues/programs	4	7
	58	100	Public pressure	4	7
			Philosophical/organizational changes	4	7
			Resource availability	4	7
				58	100

Important Factors in Stimulating Change and Research Use

What factors inhibit or facilitate change or research use in planning for change? In answering this question we reviewed the literature to identify predictor variables which were said to be associated with the change or research use. In turn, we obtained information from the interviews that allowed the construction of multiple measures for ten sets of independent variables. Variables sets that were considered in this analysis included:⁸

- extent and type of research exposure (number of studies and/or findings remembered);
- quality of research (scales measuring the validity, and policy relevance of research reviewed);
- source of research (i.e., jurisdiction in which the research was produced);
- type of media used to transmit the research (e.g., report, conference);
- quality of the relationship between researchers and administrators and bad experiences with researchers;
- research capacity within the operational agency (e.g., number of research staff);
- acquisition, dissemination and diffusion arrangements (e.g., availability of personnel to screen or to serve as brokers of written information);
- extent and type of interagency research sources;
- organization characteristics (see Table 1); and
- administrator characteristics (see Table 1).

Using a multivariate statistical technique referred to as discriminant function analysis, we uncovered those variables that were important in discriminating between three groups of agencies: agencies that reported no voluntary change in the programmatic action to combat violence (n=66); those that had made changes but were influenced only by nonresearch sources (n=73); and those that had made changes but were influenced by research (n=123). Table 6

presents the group mean differences regarding the significant predictors and Table 7 displays the more technical results of the discriminant function analysis.

TABLE 6
 MEANS OF THE SIGNIFICANT FACTORS
 THAT ARE ASSOCIATED WITH TYPE OF INFLUENCE
 TO VOLUNTARILY INITIATE VIOLENCE REDUCTION ACTION

Factors	Type of Influence			Range of Scores	Grand Mean
	No Voluntary Change	Non Research Influence	Research Influence		
Research exposure	4.49	5.23	7.91	0-21	6.33
Interagency research sources linkages	.58	.43	1.07	0-3	.77
Information brokers	.14	.17	.26	0-1	.21
State agency	.56	.54	.26	0-1	.41
Alaska research sources	.27	.32	.13	0-1	.21
Autocratic management style	.42	.32	.20	0-1	.29
Bad research experiences	.35	.55	.62	0-2	.54
No specific violence reduction services	.47	.14	.22	0-1	.26
Domestic violence agency	.21	2.19	2.58	0-1	2.93
Tenure in director's position	4.54	.38	.35	>1-21	.33

TABLE 7
 ROTATED STANDARDIZED DISCRIMINANT
 FUNCTION COEFFICIENTS AND LOADINGS FOR
 VIOLENCE REDUCTION CHANGES RELATING TO SERVICE DELIVERY

Variable	Discriminant Function Coefficients		Discriminant Function Loadings	
	Research Influence Function (1)	No Change Function (2)	Research Influence Function (1)	Action Function (2)
Research exposure	.50	-.18	.57	-.19
Alaska research sources	-.36	-.24	-.36	-.19
Interagency research sources linkages	.34	.14	.52	.11
Information brokers	.29	.16	.20	-.08
State agency	-.56	-.02	-.49	.07
Autocratic management style	-.22	.03	-.26	.22
Tenure in director's position	.07	.54	-.01	.68
No specific violence reduction services	.04	.54	.03	.70
Bad research experiences	.17	-.29	.11	-.23
Domestic violence agency	-.21	-.23	.01	-.32

a. Function 1 - Canonical correlation .52 accounting for 27.5% of the variable

b. Function 2 - Canonical correlation .36 accounting for 13.1% of the variable

What these results actually mean is that we found a set of predictor variables which could be used to classify agencies in regard to research use and programmatic change. First, a set of six variables discriminated between administrators who had been influenced by research to engage in program/policy action to combat violence and those who either had made no voluntary changes or had voluntarily initiated change which had only been influenced by sources other than research.

An inspection of Table 6 shows that the average scores for these variables were either significantly higher or lower within the research influenced group than within the other two groups. More specifically, research users reported more exposure to research (mean=7.91 studies); more linkage with outside research sources (mean=1.07 sources); more likely to have information screeners or brokers (26%); less likely to be a state agency (26%); less likely to be exposed to research produced in Alaska (13%); and less likely to have a chief administrator with an autocratic management style (20%). While these variables are not causes of research use, they do reveal conditions that are associated with research use.

In Table 7 the coefficients under the research influence function show the relative strength of each statistically significant predictor, the larger the coefficient (disregard the sign) the stronger the predictor is associated with research use.⁹ Variables with the strongest associations were research exposure (.50) and whether or not the administrator worked in a state agency (.56). We cannot say maximum exposure to research studies will produce maximum research use; however, it can be said maximum research exposure may create conditions that facilitate research use. Furthermore, knowing that state agencies use research less than private, municipal or federal agencies, suggests that this governmental structure, not administrators working in this structure, is responsible for limited use of research.

A surprising finding was that Alaskan produced research influenced decision making less than research produced on the Outside (-.36). This result takes into consideration variations in the amount and quality of research which was reviewed by administrators; however, we could not take into account the fact that the production of the most useful types of research, evaluation and correctional studies, was low in Alaska. Possibly, Alaskan produced research influ-

enced decisions concerning programmatic action less than Outside research because of the limited availability of Alaska based evaluation and correlation research results.

Other results in regard to research use were as expected; information brokers and linkages with Outside research sources facilitated research use, and autocratic management inhibited use.

A second set of four variables discriminated between the group of agencies with administrators who had made no voluntary changes to combat violence and those who had initiated changes regardless of the source of influence. Returning to Table 6 shows agencies in the no change group having less bad research experiences (mean= .35 experiences); more likely to engage in general violence reduction activity (47%); less likely to offer domestic violence services (21%); and, having administrators with more years in their current position (mean=4.54 years).

Table 7 reveals that the variables with the strongest association to the no change function are the length of tenure of the head administrator (.54) and whether only general violence reduction services were being offered (.54). Surprisingly, agencies that made changes, regardless of the source of influence, reported more bad research experiences (-.29). This finding suggests that bad experiences do not inhibit administrators who are inclined to use research in planning for change.

A final finding which was also somewhat surprising, was that agencies offering domestic violence services emerged being more receptive to change than agencies offering other types of services (-.23).

Conclusions and Policy Implications

This study of violence reduction action in Alaska was intended to determine: (1) what is going on to combat violence; (2) what is being done to improve agency efforts to control and prevent violence; (3) how research influences decisions about violence reduction programming; and, (4) what facilitates or inhibits programmatic change or research use in planning for change. These questions were answered by collecting interview data from administrators of 268 human service agencies in 24 Alaskan population centers.

The results which have been discussed in detail have a number of policy implications. Most apparent in the survey was the extensive amount of energy which is being targeted to combating violence. What is lacking, however, is a systematic effort to produce, disseminate and use research for directing this energy. We found that administrators were exposed to research, but that very little of the most useful types of research, evaluation and correlation studies had been produced in Alaska. As such, our results demonstrate a particular need for a violence focused research and development agenda which focuses on the dissemination and use of Alaskan produced research.

Within the large multilevel human service agencies a research, development and dissemination (R,D & D) program should be developed which is intended to produce data for combating violence. Research might be produced in connection with the agency's primary service population, management operation, personnel and training, policy analysis and the like. Attention should also focus on developing and validating a viable evaluation system which can provide current data for decision making. We found some agencies conducting self-evaluations, but there were few instances where formal systems were in operation. Because of the expense of developing an evaluation system, agencies could develop a multifunctional system that considers the control and prevention of violence as a major function. The Department of Law's Pretrial Intervention program has recently developed such a multifunctional evaluation system (see Johnson, 1982 for a description of this system).

An additional facet of the proposed agency based R,D & D should include formal linkages with other agencies that can provide additional information about the control and prevention of violence. Also, chief administrators need assistance in screening the voluminous amounts of information which are produced and retrieved; therefore, information brokers are imperative. Both interagency linkages with a variety of research sources and the presence of information brokers were found in our study to be correlated with research use.

Municipal and state government should provide a R,D & D program for smaller agencies that they fund. The research needs of these agencies are similar to the needs of larger agencies; however, instead of a single research program for a large multi-level agency, this research program could be

interagency focused for agencies with similar functions.

In addition to an agency based R,D & D program, a state operated R,D & D program should be created which would provide a variety of funds and services for producing, disseminating and utilizing research to combat violence. First and foremost, funds should be appropriated for research grants. We found that most agency administrators were receptive to research being conducted in their agency; however, in most cases there were no funds available for hiring an outside consultant to do research.¹⁰ In order to effectively administer these funds, a rigorous review process should be implemented with the intent of generating reliable and valid study results for use in controlling and preventing violence.

A third service that this state operated R,D & D program could provide is training for administering local agency research programs or for using research results. It is common knowledge that producing valid research results or putting research to effective use are no easy accomplishments. Overcoming misuse of research is particularly important. We found evidence that administrators were misusing research in various ways. For example, it was reported on occasion that programmatic changes had been influenced by research that, when described, was found to have serious methodological flaws. Misuse of agency based research could be minimized by training personnel to conduct reliability and validity checks. Additionally, agency staff can be trained to identify reliable and valid results that are produced by other researchers.

In conclusion, there is no question about the willingness of human services components of Alaskan agencies to improve services targeted to combat violence. Our study noted frequent and pervasive changes in many agencies, particularly agencies providing domestic violence services. The question is not how to stimulate change, but rather how to slow change down in order that effective improvements can result. It is hoped that the results of this study provide the impetus for Alaska to become one of the first states to develop a systematic and rational approach to improving violence related services.

NOTES

1. Wolfgang and Weiner (1981a-e), in collaboration with the National Criminal Justice Reference Service, have also compiled a five volume abstracted bibliography that presents all of the major work on violence. These volumes are:

- Criminal Violence: Biological Correlates and Determinants;
- Criminal Violence: Psychological Correlates and Determinants;
- Domestic Criminal Violence: A Selected Bibliography
- Criminal Violence and Race; and,
- The Violent Offender in the Criminal Justice System.

2. Participating agencies were selected if they dealt with some form of violence or potential for violence.

3. In cases when either the interviewer or interviewee was uncomfortable or the interviewee did not fully cooperate, a special statistical analysis was conducted to determine whether or not the interview situation contaminated the policy relevant relationship of interest.

4. While not displayed in table form, 31% of the agencies (83) indicated being engaged in two or more of these types of actions to combat violence.

5. These interview questions focused on general recall of statistics, evaluation studies and correlational studies and specific recall of the findings from studies mentioned. These two indicators were found to be highly correlated (.94).

6. When computing research influence, we included all administrators who indicated being influenced by research, irrespective of other sources of influence. As such, some decision makers were only influenced by research while others were influenced by research and other sources. Nonresearch influence classification included administrators who only mentioned being influenced by sources other than research which are listed in Table 5.

7. See National Advisory Commission on Criminal Justice Standards and Goals (1976) for a discussion of the limited use of research in the justice area. Caplin (1976) reports

on a study report of a research use in federal government, and Johnson (1980) presents results of evaluation use in county government.

8. We have conducted a separate analysis which centered on the importance of organizational readiness in dealing with violence. These data were obtained by the questionnaire mentioned earlier.

9. The discriminant function coefficients are similar to Betas in multiple regression analysis except, discriminant coefficients for a given variable measure the magnitude of the relation with the function (a control for the effect of other variables) only in relation to the total amount of variance explained by that function. For example, if you square the coefficient .50 which characterizes the strength of the correlation of research exposure and research influence, the result is .25 or 25% of the total amount of variation that can be explained by function one.

10. The Justice Center recently completed a research needs survey of 236 human service agencies across the state and has also found the agencies are eager to collaborate with the Center in conducting research or in searching for research funds. Few of these agencies, however, have allocated money specifically for research.

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