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# Roles and Ethics of the Practicing Criminologist

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## ABSTRACT

Academic criminologists, most trained as social and behavioral scientists, have not, for the most part, considered themselves as viable experts with skills and expertise which can be sold in the market place. Concomitantly, those professions and organizations which rely on professional experts and consultants have generally not considered academic criminologists as suited for their purpose. Part of this problem is derived from the very nature or orientation of graduate education. Doctorate programs concentrate on those skills that criminologists will need for university positions. We argue that the roles of criminologists in applied settings are essentially the same as for criminologists in academic settings. What differentiates applied criminologists from academic criminologists are not roles but the settings or contexts where they work. In this paper, we explore the application of criminological theories, methodologies, data analytic techniques and literature reviews in the applied setting. We outline some of the typical activities and roles of criminologists in legal settings and show the applications of criminology in the *practice* of law and in court. We use examples from our consulting practice to show how these roles and accompanying skills are applied in the legal setting. We also consider some of the ethical questions associated with various roles and situations

Academic criminologists, most trained as social and behavioral scientists, have not, for the most part, considered themselves as viable experts with skills and expertise which can be sold in the market place.<sup>1</sup> While forensic criminologists, trained in criminalistics, are actively involved in criminal trials as expert witnesses, they are the exception. Few academic criminologists utilize their skills and expertise in practical or applied settings on a consistent and regular basis (Winfree and Anderson, 1984).<sup>2</sup> Psychologists, social workers and other mental health professionals are routinely employed as consultants in a wide range of criminal and civil areas including insanity defenses, jury selection, predictions

of dangerousness and counseling with delinquent and adult offenders. In many states, only psychologists and social workers, who are licensed by the state, are qualified under statutes to testify as expert witnesses in certain areas of litigation, some of which are well within the realm of criminology. Criminologists have not seen the need to certify or have themselves licensed like other professional groups.<sup>3</sup>

Concomitantly, those professions and organizations which rely on professional experts and consultants have generally not considered academic criminologists as suited for their purposes. Part of this problem, we suggest, is derived from the very nature or orientation of graduate education.

Doctorate programs generally concentrate on those skills that criminologists will need for university positions. By virtue of being trained as academic social scientists, criminologists find themselves in ethical dilemmas when they are retained as "experts" in a variety of situations. Their training encourages them to be "value free" and to speak in scientific terminology which usually does not put closure on the topic under study. The tentative or probabilistic presentation of data and findings runs counter to the way that attorneys, for instance, use information or data to support their cases.

Applied skills or practical knowledge concerning matters such as how to set up a consulting practice, how to do legal research, how to testify in state and federal courts, how to give a deposition, and how to present complicated material for "out of the field" consumption and ethics in applied settings are not taught. Although applied or clinical sociology has become more popular recently, the emphasis is placed on teaching "applied sociology" rather than practicing it.<sup>4</sup>

We suggest that there has been a lack of a "criminological imagination" in the application of criminology in various community settings. As in the case for sociologists in general, criminologists run the risk of allowing others, much less trained and without theoretical and methodological substance, to apply their "expertise" to the real world. The roles of the criminologist in the applied setting are essentially the same as for criminologists in academic settings, including the roles of: (1) reviewer (synthesizing, summarizing and assessing vast amounts of data and literature); (2) educator (imparting knowledge and teaching skills); (3) researcher (conducting personal investigation using the scientific method); (4) reformer (using research results to suggest ways of improving social life or formulating policies). What differentiates applied criminologists from academic criminologists are not roles but the setting or context where they work.

In this paper, we explore the application of criminological theories, methodologies, data analytic techniques, and literature reviews in the legal context. We shall outline some of the typical activities and roles of criminologists in legal settings and show the applications of criminology in the *practice* of law and in

court. We use examples from our consulting practice to show how these roles and accompanying skills are applied in the legal setting. We shall also consider some of the ethical questions associated with various roles and situations.

### **Expert Reviewer and Educator of Criminological Literature and Methodologies**

Based on their training, academic criminologists are highly skilled in reviewing diverse literature on any given topic, often as a prelude to original research. Both historical and contemporary research as it relates to the topic under scrutiny may be explored utilizing a variety of resources. These resources may include manual searches, computer searches (especially criminology and criminal justice network data bases), government documents, and the like. The next step in this process is the digestion, critical assessment, and summary of central trends or findings uncovered in the literature search. (In some areas, clear findings may not be forthcoming.) To a large extent, this same process is utilized for the consulting criminologist.

Since the discipline of criminology is broad, there is a tremendous amount of information going back at least 100 years which could be of great value to attorneys, judges, correctional personnel, and other individuals in their decision making roles. Most of these people know very little about the theoretical and methodological work of criminologists. Many criminologists assume a much greater degree of sophistication on the part of these individuals, thus underestimating the value of their own criminological training. An attorney trained in the law, coming right out of undergraduate school, often has a layman's knowledge of such things as theories of deterrence, crime rates and trends, crime theories, and the interpretation of data.

Testifying in court immediately comes to mind as the most frequent consulting activity of criminologists. The small amount of research of this subject, however, suggests that most academic criminologists have never served in this capacity, especially on a regular basis. This is puzzling since to a large extent, most of the information covered by expert testimony in many civil and criminal cases is extracted from published research findings (Anderson, 1984; Saks and Van Duizend, 1983). Rarely are criminologists asked to provide testimony on their own original research in a given area which is under litigation. More typically, the criminologist is retained to offer empirical support (expressed in terms of research findings) for a given set of circumstances which may be in litigation.

Depending on the jurisdiction of a case, e.g., federal or state courts, and the idiosyncrasies of judges and opposing attorneys, the process of becoming qualified as an expert witness ranges from a simple to a complicated matter. Under the rules of Federal Evidence (Rule 702), for example, the admissibility

of expert testimony requires that two preliminary decisions be made by the court. First, the court must decide whether or not expert testimony can assist the trier of the fact in understanding the evidence or determining a fact in issue. As part of this inquiry, the court may attempt to document that a "sufficiently" reliable body of scientific, technical, or other specialized knowledge exists in a given area. Second, the court must determine if the expert witness is properly qualified to give the testimony sought. Witnesses may be qualified as expert based on special knowledge, skill, experience, education or some combination of these factors. Rule 702 adopts a position long advocated by 7 Wigmore, *Evidence* & 1923 at 31-32 (Chadbourn rev. 1978):

The true test of the admissibility of such testimony is not whether the subject matter is common or uncommon, or whether many persons or few have some knowledge of the matter; but it is whether the witness offered as experts have any peculiar knowledge or experience, not common to the world, which renders their opinions founded on such knowledge or experience any aid to the court or the jury in determining the questions at issue (Graham, 1981: 204).

The presentation, collection and/or interpretation of scientific studies that relate to an area of litigation often create more problems for the consultant criminologist than simply the reporting of literature summaries. The problem often lies in the highly tentative nature of scientific quantitative criminological research results (Ziesel, 1960, 1968; Ziskin, 1977; Wood, 1976). As social scientists, criminologists rarely speak in definitive terms. For example, rather than saying that an event *will occur* if certain conditions are present, they present findings in terms of probabilities, amount of variance explained, or acceptance at a certain significance level. Other expert witnesses coming from various non-scientific backgrounds (e.g., law enforcement and security) are more apt to make definitive statements about events and causes.<sup>5</sup> Academic caution or tentativeness often causes both the criminologist as well as the retaining attorney discomfort especially when he/she is testifying with regard to the interpretation of quantitative research. Opposing attorneys wait for any qualifying or cautionary statements in testimony to disqualify the expert, suggesting that the expert cannot predict anything based on tentative research evidence (e.g., Margolis, 1974; Baldwin, 1986; Bartholomew and Milte, 1976; Cady, 1962). This same dilemma can be avoided by presenting scientific evidence in a more firm and lucid manner. In most cases this is a matter of skill and demeanor and not ethics.<sup>6</sup>

If one becomes qualified as an expert witness, rules of evidence under a given jurisdiction must be followed in presenting testimony (e.g., Belli, 1982;

Collins, 1978). Rules vary from state to state and in federal courts. For example, under the Federal rules of Evidence (Rule 702.1):

Expert testimony may be in the form of an opinion or otherwise. Thus, the expert may, but need not, testify in the form of an opinion. He may instead give an exposition of relative scientific or other principles permitting the trier of the fact to draw its own inference or conclusion from the evidence presented, or he may combine the two. (202)

Under both federal and most state rules of evidence, the expert witness after giving testimony which is contested by opposing counsel, can be allowed to clarify and expand his or her statements. This technique involves a skill that generally has to be learned from repeated experiences on the witness stand. A skilled cross examiner can make the best prepared expert look like an uninformed layperson.

### **The Adversary Expert**

The criminologist may be retained by an attorney or in some instances by the court (*amicus curiae*).<sup>7</sup> Retention by an attorney in a civil or criminal case obviously means that the expert will be placed in an adversarial role should the case go to court. For most criminologists trained as value free social scientists, the contest nature of the legal process often poses a moral or ethical dilemma unlike any experienced in academic settings. This is largely a self imposed dilemma since the criminologist may upon initial consultation with an attorney decline a consulting job that he or she feels compromises personal or professional ethics.<sup>8</sup> Criminological consultants, like any other professionals, can pick and choose their cases.

A few years ago the authors were asked to be expert witnesses in a case which involved the construction of a public old age home in a relatively affluent residential community. The residents in the adjacent community were filing for an injunction to prevent the building of the facility on the grounds that the elderly are targets of crime and that the old age home would serve to attract criminals. We were asked to testify on the research regarding criminal victimization. Although we informed our potential retainers that the elderly as a group have relatively low criminal victimizations when compared to other age groups, we felt that the issue of victimization was secondary. Our feelings were that a public facility for the elderly was needed in the city and that if the facility in question had been for more affluent elderly, an injunction would have never been sought. We declined the case.

Some criminologists, like attorneys, specialize in defendant or plaintiff

cases. Plaintiff cases, where a person or group of people bring a civil action against another person or organization, often involve third party crime victims who may be suing a business establishment, police department, landlord, motel, public housing authority, or some other entity that invites their patronage and does not provide reasonable and adequate security. Since most consultants become known for working with either the plaintiff or the defendant; few are accepted as experts for both; and those who are, are often referred to as "expert prostitutes." A criminologist's acceptance of a given theoretical orientation may influence his or her prerogative for accepting plaintiff or defendant cases. In civil negligence cases, for example, more theoretically conservative criminologists may lean towards defendant positions (e.g., representing businesses, insurance companies, and corporations) while more liberal criminologists may lean towards plaintiff positions (e.g., the victims of third party assaults).

Another way for the criminologist to deal with a possible ethical problem is to set the tone in the initial meeting with an attorney. Rather than being cast in an advocate role, the criminologist can indicate that the case in question, at least from the standpoint of supporting data or scientific evidence, is questionable. The role of the criminologist may be redefined to one of an *educator* for the attorney. In this capacity he or she must report literature findings which may support as well as *refute* the circumstances of the case and school the attorney on the relative strengths and weaknesses of the position. The expert may also help the attorney prepare cross examination questions for the other side. In numerous instances, we have prepared questions for attorneys who have retained us which were used in the cross examination of opposing experts. Although the American Bar Association's Code of Professional Responsibility stipulates that the attorney must maintain control over all facets of the case, this in no way should compromise the ethics of criminologists who must also maintain control over their research and possible testimony.

If the criminologist is placed on the stand, and is asked to offer a balanced review of the literature (i.e., all sides of an issue), he or she must accept the reality that they have little control over what aspect of the review will become significant for the outcome. In a recent parole hearing, which reviewed the case of an inmate who had committed a homicide (killed his girlfriend) fifteen years ago, the authors were asked to review current research on early releases and offer expert opinion on the probable success or failure of parole. The inmate, a 38 year old male, was a model prisoner who edited the prison newspaper, a national award winning publication. In addition, the man had a job offer as editor of a small town newspaper pending his release, and he had a family waiting for him, including a wife whom he had married while "in" prison. We, as consultants, were hired by the inmate's attorney to review his particular case as well as to report on current research in the corrections area about the early release of violent offenders. Although we generally felt that the inmate in

question was an excellent candidate for parole, we were obligated by the court to provide an overview of correctional research including the effects of total institutionalization and the phenomenon known as prisonization.

As indicated by the literature we reported that some of the prisonization literature suggests that inmates, especially those serving long sentences, may become so adapted to the prison environment that they can never fully readjust to the free world; recidivism rates have been used to support this stance. We were quick to add that this conclusion follows something known as the deprivation model, i.e., looking primarily at intra-institutional processes and influences to explain inmates attitudes and behaviors; this model largely ignores those influences that happened to individuals before they entered the prison environment (e.g., Clemmer, 1940; Sykes, 1957; Glaser, 1964; Irwin and Cressey, 1962). The model also ignores such factors as family support and employment after release which mitigate the adjustment factor.

Another model known as the importation model, suggests that some inmates who had no preprison experience with crime and who maintained external social support systems while in prison, could possibly overcome the "pains of imprisonment" and make an adequate adjustment to the free world (e.g. Thomas, 1973). We concluded that the latter model was more appropriate for evaluating the inmate in this case. Prior to the hearing the attorney who was handling the inmate's parole hearing alluded to the suppression of literature which could possibly be damaging to the inmate's parole. We felt that the selective omission of information would compromise our professional ethics since the parole board was relying on us to offer all existing information on the question. In view of the circumstances we decided to make our recommendations strong enough to negate the potentially damaging evidence. Our recommendations to the contrary not withstanding; the man was denied parole and is still in the state penitentiary.

Not all consulting cases take on the magnitude of the above case. However, the emphasis and the strength of literature summaries in litigation cannot be underestimated. Often the criminologist is faced with a topic on which there is relatively little empirical research to support the circumstances of a given case, but only a body of research which vaguely could be used to construct a reasonable or sound argument. Sometimes attorneys appear to be grasping for straws. Again, the expert must evaluate the case as to its merits before taking on the assignment. One such case undertaken by the authors involved a negligence liability case in which a supermarket patron was robbed and assaulted in the front of a major grocery store. Although the offender, a young black male, was never apprehended, the patron, an elderly woman, retained counsel and sued the supermarket corporation for a large sum of money. (Her hip and arm were broken in the incident). The basis of her case involved the assertion that a *uniformed* security officer in front of the store would have deterred the offender from attacking. Circumstances indicated that the store had a non-uniformed



security officer in the store whose main purpose was to apprehend shoplifters. No security officers of any kind patrolled outside of the store.

The case first hinged on establishing a pattern of previous crimes committed in the supermarket parking lot and thus warranting placement of a security officer outside the store. The testimony, however, shifted the emphasis from the rate of previous crimes and lack of outside security to the sociological and criminological research relating to the deterrence effect of *uniforms*. Throughout history, uniforms have served as a symbol of authority while simultaneously identifying the wearer's legitimacy and authority. However, no research was discovered regarding the effect of the presence or absence of uniforms for private security officers on crime. We relied on the literature which examined the role of police uniforms. Our link here was that private security personnel perform similar functions as the police, and therefore inferences from police research would be applicable. Several works were found arguing that the purpose of police uniforms are to make the wearers easily identifiable and to help prevent crime by a visible police presence (Walsh, 1969; Niederhoffer, 1969; Regoli, 1977; Wilson, 1968; Bayley and Mendelsohn, 1969). In addition, the uniform communicates non-verbally to citizens and would be criminals who the police are and what their function is; police visibility serves as an important deterrent and the uniform serves a scarecrow function (Bell, 1982; Shaw, 1973; Wolfe, 1975; Tenzel, Storms and Streetwood, 1976). Despite some controversy in studies of police patrol procedure and its effectiveness in crime deterrence, we felt that sufficient evidence existed to offer testimony that a visible sign of authority could have reduced the opportunity for this and similar crimes from occurring at the supermarket. Our case was strengthened by examining other supermarkets in similar areas which had uniformed security guards in the front of their stores and which had experienced dramatic drops in criminal victimizations of patrons.<sup>9</sup>

### **The Court Appointed Expert**

Since the practice of law profits from winning cases, not losing them, attorneys will often pick experts who are not the most qualified, but who will best support their client's case, and, perhaps conceal the cases's weaknesses (e.g. Danner, 1983; Ames, 1982; Baldwin, 1986). The result is a "battle of experts" in which there may be a wide divergence of opinions offered by expert witnesses. "The performance often baffles jurors and judges alike, leaving them unable to detect . . . the truth or to pass upon the underlying questions of competency and honesty between the . . . contenders" (Botter, 1982: 53).

In an effort to curb this situation, some jurists have advocated the use of court-appointed experts who are thought to be more impartial (Griffin, 1961;

Botter, 1982). Such experts, often referred to as "friends of the court," are usually cross examined on the ethical issues of the case rather than on collateral matters. Usual ploys to impeach the testimony of the expert because he/she is being paid for his/her opinion by the opposing side are therefore invalid.

In practice, however, attorneys rarely seek to invoke the court's power to appoint expert witnesses. Part of the problem may lie with unfamiliarity of the court's power to appoint experts, but upon closer examination, other reasons exist. These include:

(1) No expert is impartial; all have some bias, prejudice, or predilection that may affect their opinion in the case.

(2) The court-appointed expert will unduly dominate the technical issues in controversy.

(3) There are different schools of thought among scientists, doctors, engineers, and other technical experts which can account for legitimate differences of opinion (Botter, 1982: 59).

One area in which the court appointed expert is used extensively is the juvenile court. Transfer or waiver statutes, allowing juvenile court judges or district attorneys to transfer serious juvenile offenders to the criminal courts, have to some extent altered the more recent adversarial nature of the juvenile court (Thornton, Voigt, and Doerner, 1987). What this means is that less serious cases are handled by the juvenile courts in which the "best interests of the child" are considered rather than the "winning of cases." In those cases regarding "neglect and abuse," detention hearings, and incorrigibility, the juvenile court relies heavily on court appointed experts as resource persons. This is particularly true of those juvenile court judges who still follow a social work philosophy rather than a "legal" philosophy (e.g. Emerson, 1969: Rubin, 1985).

The expert gives testimony to the court, in reality to the judge, on key historical and contemporary elements of the case under question. One of our recent consulting cases with a juvenile court in Louisiana involved an incident where a juvenile offender was taken into custody for assaulting a teacher and another student. School officials indicated that the youth, a 15 year old middle class white male, had appeared depressed for several days prior to the event and that his behavior had been "out of character," including the giving away of personal items and coming to school drunk. The youth was held in detention pending a psychiatric examination because of his bizarre behavior. During the first night of detention, the boy hung himself. This was not the first suicide to occur at this particular facility, and we were asked to evaluate the conditions at the detention facility. Our findings indicated that this particular detention facility, while meeting state standards, failed to approach the standards set by several national models including the American Correctional Association Standards for

Juvenile Detention Facilities (1983) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Standards for the Administration of Juvenile Justice (1980).

The ACA standards, for example, specified under Section-2-8276 that "admission to appropriate health care facilities in lieu of detention should be sought for all suspected mentally ill or retarded juveniles" (1983: 74). Under OJJDP model standards, detention centers that cannot provide full time mental health assessment should contract with other community resources and agencies to provide the service (Standard 4.263). Personnel at the detention center in question indicated that this particular youth was scheduled for psychiatric examination the next day, but that his behavior before his death appeared normal (see Charlie, 1981). Upon closer examination, it was discovered that the detention facility was routinely understaffed (violating minimum staff-to-youth ratios) and that minimum educational and training guidelines were seldom followed (see Poulin, et al., n.d.; Sarri, 1974). Also in violation of IJA/ABA (Institute of Judicial Administration/American Bar Association) and ACS model standards, there were no written policies for staff regarding self destructive juveniles in the detention facility (Comparative Analysis, 1981: 7). Thus, even a minimally trained individual may have been able to ascertain that the boy exhibited some signs of suicidal behavior which merited immediate attention or at least intensive observation until psychiatric assessment could occur. The judge who heard the case was amazed that juvenile corrections had not been aware of these standards or that there were no written guidelines for the processing of self destructive juveniles. Changes in the system, including special facilities for the psychiatric diagnosis of juvenile offenders were made.

### **The Deposition**

In most cases, the expert witness must give a deposition during the process known as *discovery*, a pliant method by which the opposition to a lawsuit may obtain full and factual information concerning the entire area of litigation. Ignorance of the discovery process may have catastrophic results for a case. For example, under the Louisiana Code of Civil Procedure (Act 15 of 1960 and 1987 Supplement), opposing parties may request from an expert witness

any matter . . . which is relevant to the subject matter involved in the pending action, whether it related to the claim of defense of the party seeking discovery or to the claim or defense of any other party including the existence, description nature, custody, condition and location of any books, documents, or other tangible things and the identity and location of discoverable persons having knowledge of any matter (Acts 1976, No. 574, 1).

Thus, off the cuff comments made by the expert regarding research in general may result in the opposition asking for specific citations and references which will then have to be produced. Expert witnesses with some experience learn never to bring written notes and documents for their case (unless they are to be exhibits) to the deposition (and sometimes not to court) (See Dombroff, 1983).<sup>10</sup> They learn to give just enough information to satisfy the opposition but not to "give away" certain vital information which may "win" the case at trial.

*Research: Data Collection and Analysis.* The consultant criminologist often gets involved in a case in which official crime statistics have to be obtained and analyzed to support the circumstances of the case. As noted above, one "popular" area of litigation in tort law involves negligence liability for third party assaults and other crimes in business establishments and other public places where patrons are encouraged to use the facilities (See Kozlowski, 1983; Dwyer and Murrell, 1985). Historically, victims of crime in public places were obligated to endure their losses unless assailants were caught and forced by the courts to provide restitution. More recently, however, victims are beginning to place more responsibility on various institutions to provide them with *reasonable* and *adequate* security. Increasingly, it is held that if a corporate, private or public entity—stores, hotels, apartments, rentals, parks, train stations, airports—invites citizens to spend time on their premises, the proprietors of these entities must share a portion of the responsibility for their safety. Since the mid-1970s there has been a ten-fold increase in civil litigation alleging negligent security in a number of areas. The target is usually not the criminal but the institution believed responsible for better protection.

Our consulting experiences have involved a number of cases where individuals have been victimized (personal assaults, armed robberies, kidnappings, and property offenses) in an assortment of public and private facilities.<sup>11</sup> These cases, from a plaintiff's view, often hinge on the question of whether the owners of the facilities could have *sufficiently foreseen* that a criminal victimization was *likely* to occur based on either official reports of past criminal victimizations or the general public awareness of criminogenic conditions of the area where the establishment was located (e.g., public perceptions of relative safety or danger). We have found that there are two ways to establish foreseeability as a necessary condition for the victim's case. One obvious way relies on official reports from local law enforcement or private security agencies (e.g. park police) if available; the other way relies on survey research (interviews with citizens in the area in question.)

The use of official statistics and their limitations are well known by criminologists (Hindelang, 1974; Chilton, 1980; Harries, 1974). Official crime statistics often reflect official agent's biases as well as the reporting biases of victims. A more practical and logistical problem, however, often exists for the consult-

ant—actually getting that official data which does exist. Some police departments have very sophisticated computer systems so that area criminal statistics can be easily retrieved. For a cost, the consultant can usually obtain this information. Individual incidence reports may, depending on the police department, be difficult to obtain. Cases which are still active, such as rape cases, must be subpoenaed by the involved attorney. Smaller police departments often handle criminal statistics manually, and there is sometimes an unwillingness to supply even public domain material when it is requested.

In a recent case, we served on the plaintiff's side against a city Park Commission for not providing adequate security for a man who was shot, robbed (and paralyzed) in a park restroom. Part of our task was to establish that enough past crimes had occurred in the park (and periphery of the park) to merit increased security for the protection of park patrons. Park security (which in this case amounted to a couple of untrained minimum wage employees) claimed that they maintained very few records of crimes which occurred in the park. The security director, an accountant, suspiciously testified that files regarding past criminal activity in the park could not be found, although he was *sure* there was little criminal activity in the park. We therefore requested from the crime analysis section all offenses reported to the metropolitan police department that occurred in the park and in a five block radius around the park three years before the crime to the present. Since we happen to live in the area where the park was located, and were aware of common knowledge which indicated that many crimes occurred in the park, we expected that our official statistics would confirm the relatively high crime rate for the park and the adjoining area. We were surprised to find only a few officially documented crimes from the official item reports (a computer printout with an item number, address, date, time and type of crime occurring). The crime reports for the area uncovered eight crimes in the park during the same year of the crime in question. Something, we thought, was wrong. Subsequent investigation (including a door to door survey of the residences in the adjacent area, and an analysis of the more detailed police incidence reports) revealed that when a park crime was reported, the victim or bystander usually proceeded to the nearest phone (e.g., pay phone booths across the street from the park) or to a home on the boundary of the park. Consequently, the address where the call was placed rather than the location of the criminal act was registered on the official police report. As a result the crime appeared to have taken place *outside* of the park. In fact, this was the case with the crime in question. This practice, we found, was quite common and reflected a definite flaw in the police reporting system. Only by requesting a more detailed *incident report* (i.e., the officer's field interrogation report when he or she came to the crime scene) could we pinpoint specific crimes that occurred within the boundaries of the park. Consideration of the incidence reports, how-

ever, still failed to account for the discrepancies between official reports and the common perceptions of crime in this area.

In an effort to augment the official statistics, we content analyzed (for the same years) the local newspaper and discovered a few additional crimes reported to have occurred in the park which did not show up in the official statistics. We were basically left with the crimes that we could definitely document as occurring in the park and then examined more closely those official crimes which occurred on the boundaries of the park and adjacent neighborhoods. Here we found that in excess of 200 crimes per year (mainly property crimes) took place within a two block radius of the park which in our opinion raised suspicion about the general area the park was located in. A comparison of this particular police district with the other eight districts in the city did indeed suggest that in overall reported crimes in any given year, this section of the city experienced a disproportionately high number of victimizations especially in relation to its size, population and square miles—this one being one of the smaller police districts. A survey conducted by the city a few years earlier drew a similar conclusion. The survey included a fear of crime inventory in which the citizens in the area indicated that they were seriously concerned about crime and their protection. (As part of our analysis, we interviewed residents in those houses near the park and got similar responses.) Our opinion on the stand was that, given the overall crime patterns in the area, and given the lack of security that the park offered, it was logical to infer that this type of crime was reasonably foreseeable. We further made recommendations regarding the location and architectural design of restrooms using basic material from “crime control through environmental design” research (e.g., Harries, 1973; Jeffrey, 1977; Kaplan, 1973; Rubenstein, et al., 1980). The judgment for the case ruled in favor of our client, and he was awarded in excess of two million dollars.

Another tort case in which official statistics supplemented by personal research played a major role involved a landlord’s failure to provide reasonable security and safety for his tenants. Consulting for the plaintiff side, we were asked to assess the surrounding neighborhood of the apartment building which was the scene of a rape. After careful analysis of the official crime statistics, it seemed reasonable to argue that extra precautions should have been taken to either warn the tenant of the probability of criminal risk or to provide certain measures to prevent or deter potential criminal harm.

Traditionally, landlords have been under no duty to protect their tenants from the criminal acts of others. Tenants have generally been held to assume the sole responsibility for their protection. The court did not recognize a landlord’s duty to provide protection (or to inform renters of the potential dangers of the residential community). In current years, however, the landlord-tenant relationship, especially in urban multifamily buildings, has given rise to liability under certain circumstances where landlords failed to take *reasonable steps* to protect

tenants from criminal activity. The leading case for this precedent is *Kline v. 1500 Massachusetts Avenue Apartment Corp* (439 F.2d 437 (D.C. Cir. 1970)). Although this case dates back to the 1970s, only recently have we started seeing numerous cases in single dwelling rental units coming under scrutiny.<sup>12</sup>

In the *Kline* case, a tenant sued her landlord to recover injuries sustained from a criminal assault in the hallway of her apartment house. The decision held that the landlord has a duty to all those legally on the premises to use ordinary care to maintain areas of the facility in a reasonably safe condition.<sup>13</sup> The rationale was carried further to include the argument that whether applied to physical defects in the building leading to a renters injury or to defects in safety which might allow criminal harm to be perpetrated against the renter, the landlord was responsible. The decision read:

As between tenant and the landlord, the landlord is the only one in the position to take the necessary acts of protection required. He is not the insurer, but he is obligated to minimize the risk to his tenants (439 F.2d. at 484).

Our case involved a divorced 30 year old woman with a 13 year old daughter who rented an apartment from a landlord. The woman was new to the city, having recently come from a small town in Iowa. On a weekend night at approximately 11:00 p.m., the woman was awakened in her bed by a man who held a knife at her throat. She was raped twice and sodomized over a period of about two hours. She indicated that she feared for her life and the life of her daughter, who was sleeping in the next room; her daughter was not harmed and slept through the incident. After the assaults, the assailant burglarized the premises and left. As is usual, the offender was not apprehended. The woman experienced severe psychological trauma as a result of her attack and subsequently lost her job. (She was a professor at a local university). She brought suit against the landlord arguing that when he was asked about the relative safety of the area, he replied: "Most definitely, it is safe." The landlord indicated that no special precautions needed to be taken, and that there was nothing to fear. (The landlord lived on the other side of town).

This particular neighborhood, which was in one of the larger police districts, was a transitional area which was commonly known as "dangerous" by locals. An examination of the official crime statistics for the neighborhood in question, and a six block radius around the neighborhood, revealed that for three years prior to the crime, two similar rape incidents had actually occurred in the apartment complex, one in the same apartment. In excess of 150 property and violent crimes were reported each year in the one block radius of the apartment; several hundred other crimes were reported for the six block area. Aggregate

police data suggested that this particular district, adjacent to the center city, led the city in overall crime volume.

Interviews with other residents in the neighborhood about their perceptions of crime, and fear of crime, served to support the contention that the area in question was a high crime area. Other factors in the makeup of the neighborhood added to the probability of victimization; these factors included: two bars near the apartment, an inner city urban school across the street, and fast food and convenience stores nearby.

While one could quite reasonably argue that the woman bringing suit should have been aware of the risks of danger, the case hinged on the landlord's unwillingness to inform the renter of the potential danger, and the lack of precautions taken on the part of the landlord to offset potential risk (e.g., the installation of a burglar alarm, burglar bars, and adequate lighting). Even though the plaintiff's case seemed irrefutable, the judgment was in favor of the landlord.

*Use of Research and Policy Implications.* Many of our consulting projects have involved our own collection and interpretation of information obtained from content analysis of documents and newspapers, and from respondents via the interview technique. In several of the cases we discussed above, we polled individuals in those neighborhoods which were thought to be high crime risk areas. This type of data primarily served to supplement or clarify the official crime statistics used in a particular case (See Crespi. 1987). In some of our cases where neither official statistics nor an extensive body of research literature was available more elaborate research efforts were warranted. For example, little research exists in the field of family and juvenile law pertaining to juveniles (especially those in trouble) in various non-traditional custody arrangements. Since joint custody or co-parenting has become a legal preference only recently, little is known empirically about the effects of joint custody on any of the individuals involved (i.e., either parents or children).<sup>14</sup> It is ironic that the literature which supported legislation in favor of joint custody was largely speculative and descriptive, not scientific. Increasingly, as cases come back before the courts, a new need for empirical evidence is in demand. The expert is sought in order to provide data and knowledge on this topic. Presently, even the experts are lacking information directly related to the effects of joint custody. Our expertise in this area rests largely on the basis of our own investigations.

Based on our interest in the field of juvenile delinquency and on our research on joint custody, we have been asked to consult on a number of cases in which the "best interests of the child" have been called into question, primarily when the child has either been referred to the juvenile court or social services for delinquent, criminal, or other behavioral problems.



Co-parenting or joint custody is particularly interesting since it has been linked, at least in some of our research, with a new middle class delinquency. In several self report delinquency studies conducted in New Orleans, we noted those children reporting higher rates of delinquency tended to be involved in a "joint custody" arrangement. Some of our findings suggest that these children, males and females, reported greater involvement in alcohol and drug related offenses as well as other more serious property offenses, thefts and vandalism. A significant proportion of joint custody youths reported feeling depressed and contemplated suicide. When we became aware that a number of joint custody cases were coming back to the family court for reevaluation, because the children were either not adapting well or getting in trouble, we decided to do an indepth study of joint custody families. We obtained a snow ball sample, sent out letters explaining our research, and interviewed 400 families including ex-spouses, and children involved in joint custody arrangements.

We have found that those adolescents being raised in a physical joint custody situation, living half the time with one parent, and the other half with the other parent (but in a non-routine fashion) experienced the greatest difficulty, especially if the arrangement occurred later in their childhood. Children who had never previously engaged in any delinquent activities, or at least who had never been caught, started getting into trouble—coming to school "stoned" or drunk, fighting at school, stealing, or becoming chronic truants or runaways. While a number of variables, too numerous to discuss here, were examined, several factors surfaced as problem indicators. Ongoing hostility between ex-spouses and family imbalance due to financial (i.e., one parent is significantly more affluent than the other), social (i.e., one parent is remarried and the other is single) or psychological (i.e., the expectation is for maintaining equal ties with both parents but in reality one parent is the custodial parent, the other is largely absent resulting in perceived inequity) factors were associated with the poor adjustments by children in joint custody situations.

Obviously, the success of joint custody is heavily contingent upon the relationship of the ex-spouses. However, the relationship between each parent and the children is also extremely important. The growing number of joint custody cases coming back before the courts for re-evaluation and the accompanying increased behavioral problems for the children in these families suggests the growing need for scientific information to assist in the judicial decision making process. The role of consultants to the court in this context may have decided implications for social policy.

Recommendations based upon program or policy evaluations represent another type of research activity which may have far reaching policy implications. (See the example of the evaluation of juvenile corrections in the case of youth's suicide discussed above.)

## Concluding Comments

As may be apparent from this report, the role of criminologists in practice in the community is multi-dimensional with wide ramifications for individuals (i.e., determination of guilt or innocence), for legal precedents (i.e., developing new ground or evidence for plaintiffs and defendants), and for social policy (i.e., establishing criteria for decision making). The practicing criminologist is involved in much the same kinds of activities as the academic criminologist. These activities include: reviewing literature, summarizing and synthesizing large bodies of information, educating individuals as to the strengths and weaknesses of research, collecting and analyzing data and statistics, and offering conclusions or recommendations with policy implications. The vehicle for disseminating information or reporting results is, of course, unique to the particular applied setting (e.g., court testimony, depositions, briefs, evaluation reports, etc.). Each mode involves special skills and considerations. The way in which information is used or abused may present ethical or moral dilemmas for the practicing criminologist. The moral and ethical concerns must be dealt with on an individual basis given the specific facts and circumstances of the case involved. Most of these dilemmas may be resolved before one accepts a particular case or consulting assignment. Once having accepted a case, however, the criminologist must live with the results of the case and the subsequent abuse or use of the information provided.

## NOTES

1. There is disagreement over who criminologists are and what their training should be (See Conrad and Myren, 1979). In America, most criminologists have been trained in sociology departments where they have specialized in juvenile delinquency, deviance, or criminology usually along with another concentration. Theoretical, methodological and statistics courses are heavily emphasized in most of these programs. Graduates of such programs usually earn a Ph.D and present themselves as academic criminologists. Most graduates have very little contact or practical experience with criminal justice agencies throughout their careers. Presently in the United States there are a few universities that have "schools of criminology" where advanced degrees specifically in criminology can be earned. The School of Criminology at Florida State University in Tallahassee, Florida is one such program. Although relatively recent, there are many excellent criminal justice departments around the country offering doctorates in criminal justice. These programs also produce academic criminologists as well as practitioners who plan on having careers in the criminal justice system. Though there may be a lot of overlap between criminal justice programs and sociological-criminological programs, the former tend to be more concerned with the practical aspects and operation of the criminal justice system. Usually a larger variety of specific courses especially in applied areas are available, e.g., criminal procedure, correctional law, forensic evidence, criminal policy, and program planning and evaluation.
2. Obviously criminologists have lent their expertise to various crime commissions, blue ribbon

evaluation teams, special task forces to study crime and delinquency, etc. Much of this participation is pro bono and is not done on a regular and consistent basis. We refer to criminological consulting as a fee activity done on a regular and consistent basis. Much of the research on applied criminology is based on a case or two undertaken by criminologists (e.g., Wolfgang, 1974; Evans and Scott, 1983; Craven, 1975; Gordon, 1986).

3. We note that the American Sociological Association has recently embarked on a program to certify individuals in various areas, one being law and social control. Likewise, the Sociological Practice Association certifies members meeting certain basic requirements. Such certification may be a step in the right direction in curbing professional encroachment but in no way equals licensing requirements set by states for other professions, e.g., social work and psychology.

4. The journal, *Clinical Sociology Review*, offers insightful articles on practicing sociologists and criminologists. However, a great deal of material is devoted to the teaching of applied sociology. We argue that one has to practice a discipline before they can teach "how to practice."

5. A survey of trade journals and publications such as *Trial*, a magazine for attorneys, supports our point. Many of the experts advertising services speak in terms of the *precise* predictability of crimes and the *precise* foreseeability of crimes. It almost appears that these *experts* have crystal balls to make such bold statements.

6. The expert witness should become skilled in the art of impression management, to use Erving Goffman's terminology. Proper dress, usually conservative, demeanor, style of delivery and knowledge of material are vital. Delivery may have to be altered depending on whether one is testifying before a jury or the bench.

7. Many types of experts advertise their skills in professional publications. Very few practicing criminologists advertise in trade journals. While we have seen no research in the area, we suspect that those criminologists who consult on a regular basis rely on networking or word of mouth referrals unless they have very well known spheres of expertise; this being the case, such individuals might be sought out by reputation. Most of our consulting business comes from word of mouth.

8. Some social scientists that testify in court have been criticized for their advocacy. This "pure" image of science often serves to detract from the very credibility of social scientists who do not venture into applied settings (e.g., Black, 1972; Wolfe, 1976; Craven, 1975).

9. The circumstances surrounding the charge of negligence in this particular case would now be somewhat different since a number of legal precedents have been established regarding the vicarious liability of organizations and businesses. A Louisiana Supreme Court Decision (*Harris v. Pizza Hut of La, Inc*, 455 So.2d 1364 (La. 1984) ruled, in part, that any business which invites the company of the public must take reasonably necessary acts to guard against predictable risk of assaults . . . a duty of protection which has been voluntarily assumed must be performed with care. Similarly, the Superior Court of N.J. in *Butler v. Acme Markets, Inc.*, (N.J. Super A.D., 426A2d 521 N.J. 1981) noted in its decision that . . . It is a matter of common knowledge that the presence of security guards or other similar personnel in and around an area, such as the supermarket shopping lot here (where a woman was assaulted and robbed) will have a deterrent effect upon criminal activity. In our view, it is not unreasonable or unfair to require the defendant and other supermarket operators furnishing parking facilities to their customers in high crime areas or where, as here, there has been a history of persistent attacks, to provide adequate protection such as security guards for its customers using the parking facilities.

Also the field of private security has undergone changes in its licensing and professional requirements (e.g., *Private Security*, 1976; Hess and Wroblewski, 1982).

10. Mark Dombroff's work (1983) on demonstrable evidence is an excellent guide for the presentation of evidence in court. In any number of cases, complex data may best be presented through the use of charts, graphs, and maps. Often photographs of a crime scene can be enlarged to point out the specifics of a case (e.g., inadequate lighting, poor design, etc.)

11. The recent book, *Megatrends*, by Naisbett (1983) notes that society is becoming more litigious

and that individuals are acting aggressively in the face of a lack of action or inadequate action by social institutions. With civil litigation as the vehicle, the public's demand for protection and security has expanded to such places as public parks, shopping centers, businesses, and schools. Examples of awards such as the following are becoming commonplace.

1981: \$775,000 awarded to a victim of rape occurring in a railway station;

1982: \$300,000 awarded to the widow of a victim murdered in a motel;

1982: \$562,000 awarded to a victim beaten in an office building;

1982: \$700,000 awarded to a victim assaulted by her former boyfriend in an off campus dormitory,

1984: \$1,000,000 lawsuit filed against a fast food chain by a victim robbed in the parking lot at one of the restaurants.

12. 439 F.2d 477 (D C Cir. 1970); See, e.g., *Trentaost v. Brussel*, 82 N.J. 214, 412 A.2d 436 (1980); *Smith v General Apartment Co.*, 133 Ga App. 927, 213 S.E.2d 74 (1975); *Warner v. Arnold*, 133 Ga App. 174, 210 S E 2d 350 (1974); *Bratman v. Overlook Terrace Corp.*, 68 N.J. 368, 346 A 2d 7s6 (1975)

13. An often relied upon argument comes from *Goldberg v Housing Authority of Newark* (38 N.J. 578, 186 A.2d 291 (1962) where the New Jersey Supreme Court found the Public Housing Authority had no duty to supply its tenants with police protection. The Goldberg decision dates from the early 1960s, many years before the development of the modern view expressed by Kline (and other cases).

Prior to Kline, tenants were generally held to assume the sole responsibility for their protection. The courts did not recognize a landlord's legal duty to provide protection (or to inform renters of the dangers of the environment they were living in). In tort actions, establishment of duty to protect the plaintiff from foreseeable risks is a basic element of the plaintiff's *prima facie* case. Generally, it has been held that the foreseeability of harm alone does not give rise to the imposition of duty of protection. Courts have cited several reasons for the rule that the landlord has no duty to protect renters from the criminal acts of third parties. These include:

1. the traditional refusal to break away from the narrow common law concepts of the landlord-tenant relationship;

2. the apparent confusion surrounding the standard of care which would guide the landlord;

3. the difficulty in determining the foreseeability of criminal acts;

4 the difficulty in establishing causation between the landlord's breach of duty and the harm to the tenant resulting from third party criminal acts;

5. the economic ramifications of such a duty;

6. and the reluctance to transfer the duty of protection from the government and police to private persons (See *Goldberg v Housing Authority of Newark* (38 N.J. 578, 186 A. 2d 291, 1962).

14. Joint custody is one of the "non traditional" custody arrangements which a number of states have recently adopted Basically it means that the parents share the legal and and/or physical custody of the children jointly, as compared to one parent obtaining primary custody of the child or children.

## REFERENCES

- Ames, M.P. "Use of Expert Witness at Trial." In M. Kroft, *Using Experts in Civil Cases*, New York. Practcing Law Institute, 1982.
- American Correctional Association *Standards for Juvenile Correctional Facilities*. Jan., 1983.
- Anderson, P "Scholarship in the Courtroom: The Criminologist as Expert Witness." *Criminal Law Bulletin*, 1984, 20, 405-416.
- Bell, D.J. "Police Uniforms, Attitudes and Citizens." *Journal of Criminal Justice*, 1982, 10, 45-55.
- Bayley, D and H. Mendelsohn. *Minorities and the Police*. New York: Free Press, 1969.

- Baldwin, S. *Art of Advocacy: Director Examination*. New York: Mathew Bender, 1986.
- Baretholomew, A. and K. Milte. "Reliability and Validity of Psychiatric Diagnosis in Court of Law." *Australian Law Journal*, 1974, 65, 2-45.
- Bilek, A.J., J. Klotter and K. Federa. *Legal Aspects of Private Security*, Anderson, 1980.
- Belli, M. "The Expert Witness." *Trial*, July, 1982, 35-37.
- Black, D.J. "The Boundaries of Legal Sociology." *Yale Law Journal*, 1972, 81, 1086-1100.
- Bottom, N. *Security Loss Control Negligence*. Columbia, MD: Hanrow Press, 1985.
- Botter, T. "The Court Appointed Impartial Expert." In M. Kroft. *Using Experts in Civil Cases*. New York: Practicing Law Institute, 1982.
- Cady, E. "Misconceptions of Scientific Witnesses." *Trial Lawyers Guide*, 1962.
- Charlie, S. "Suicide in the Cellblocks." *Corrections Magazine*, Aug., 1981.
- Chilton, R. "Criminal Statistics in the U.S." *Journal of Criminal Law and Criminology*, 1980, 71, 56-67.
- Clemmer, D. *The Prison Community*. Boston: Christopher Publ, 1940.
- Collins, S.M. "Use of Social Research in the Court." In L. Lynn, *Knowledge and Policy. The Uncertain Connection*. Information, Canada, 1978.
- Conrad, J.P. and Myren, R.A. *Two Views of Criminology and Criminal Justice: Definitions, Trends, and the Future*. Joint Commission on Criminology and Criminal Justice Education and Standards, LEAA, U.S. Dept. of Justice, 1977.
- Corrections*. National Advisory Commission on Criminal Justice Standards and Goals. Task Force on Corrections, 1973.
- Craven, J.B. "The Impact of Social Science on the Judge: A Personal Comment." *Law and Contemporary Problems*, 1975, 39, 271-286.
- Crespi, I. "Surveys as Legal Evidence." *Public Opinion Quarterly*, 1987, 51, 84-91.
- Danner, D. *Expert Witness Checklist*. San Francisco: Bancroft-Whitney, 1983.
- Dombroff, M. *Demonstrative Evidence*. New York: Wiley, 1983.
- Dwyer, W. and D. Murrell. "Negligence in Visitor Security." *Parks and Recreation*, Jan., 1985.
- Emerson, R.M. *Judging Delinquents*. Chicago: Adline, 1969.
- Evans, S. *Behavioral Science Research in a Legal Setting*. Masters Thesis, Ohio State Univ., 1979.
- Evans, S. and Scott, J.E. "Social Scientists as Expert Witnesses: Their Use, Misuse, and Sometimes Abuse." *Law and Political Quarterly*, 1983, 5, 181-214.
- Glaser, D. *The Effectiveness of a Prison and Parole System*. Indianapolis; Bobbs Merrill, 1964.
- Gordon, L. "The Sociological Expert Witness in a Case of Collective Interracial Violence." *Clinical Sociological Review*, 1986, 4, 107-122.
- Graham, M. *Federal Rules of Evidence*. St. Paul, MN: West, 1981.
- Griffin, T. "Impartial Medical Testimony: A Trial Lawyer in Favor." *Temple Law Quarterly*, 1961, 34.
- Harries, K. *The Geography of Crime and Justice*. New York: McGraw Hill, 1974.
- Harries, K. "Spatial Aspects of Violence and Metropolitan Populations." *The Professional Geographer*, 1973, 75, 1-6.
- Hess, K. and H. Wroblecki. *Introduction to Private Security*. St. Paul, MN: West, 1982.
- Hindelang, M. "The Uniform Crime Reports Revisited." *Journal of Criminal Justice*, 1974, 2, 1-17.
- Institute of Judicial Administration/ ABA. *Juvenile Justice Standards: Police Handling of Juveniles*. Ballinger, 1980.
- Irwin, J. and D. Cressey. "Thieves, Convicts and the Inmate Culture." *Social Problems*, 1962, 10, 142-155.
- Jeffrey, C. J. *Crime Prevention Through Environmental Design*. Beverly Hills, CA: Sage, 1977.
- Kaplan, S. "Defensible Space: A Review." *Architectural Forum*. 1973, 138.

- Kozlowski, J. "Liability for Injury Causing Conditions in Parks." *Parks and Recreation*, Sept, 1983.
- Margolis, J. "Prosecutorial Cross Examination: Limitations upon the Sword of Justice." *The Journal of Criminal Law and Criminology*, 1974, 65, 2-45
- Naisbitt, R. *Megatrends: Ten New Directions Transforming Our Lives* New York: Warren Books, 1982.
- Niederhoffer, A. *Behind the Shield*. Garden City, N Y : Doubleday, 1969
- O'Brien, K. and R. Sullivan. *Criminalistics*. Boston: Allyn and Bacon, 1980.
- OJJDP, Reports of the National Juvenile Justice Assessment Centers, *A Comparative Analysis of Juvenile Justice Standards and the Juvenile JDPW Act.*, U.S. Dept. of Justice, Nov. 1981
- Poulin, J., J. Levitt, T. Young, and D. Pappenfort. *Juveniles in Detention Centers and Jails. An Analysis of State Variations*, Washington D.C., National Institute for Juvenile Justice and Delinquency Prevention, N D
- Private Security*. Report of the Task Force on Private Security, National Advisory Committee On Criminal Justice Standards and Goals, Wash. D.C., 1976.
- Regoli, R. *Police in America*. Wash. D.C : University Press of America, 1977.
- Rubenstein, H.C. Murray, and R. Titus. *The Link Between Crime and the Built Environment* U.S. Dept. of Justice, Dec. 1980.
- Rubin, T. *Behind The Black Robes: Juvenile Court Judges and the Court* Beverly Hills: Sage, 1985.
- Saks, M and R. Van Duizend The Use of Scientific Evidence in Litigation. National Center for State Courts, 1983.
- Sarrl, R. *Under Lock and Key: Juveniles in Jails and Detention*. NAJC, Ann Arbor, 1974.
- Shaw, L "The Role of Clothing in the Criminal Justice System." *Journal of Police Science and Administration*, 1973, 1, 419-420
- Sherman, L. *The Quality of Police Education*. San Francisco, Josey Bass, 1978.
- Sykes, G. *Society of Captives*. Princeton: Princeton Univ. Press, 1957
- Tenney, C.W. Higher Education Programs in Law Enforcement and Criminal Justice. Wash. D.C., LEAA 1971.
- Tenzel, J., L. Storms, and H. Streetwood. Symbols and behavior: an experiment in altering the police role. *Journal of Police Science and Administration*, 1976, 4, 21.
- Thomas, C "Prisonization or Resocialization: A Study of External Factors Associated with the Impact of Imprisonment." *Journal of Research in Crime and Delinquency*, 1973, 13-21.
- Thornton, W., L. Voigt, and W. Doerner, *Delinquency and Justice*, New York: Random House, 1987
- U S. Dept. of Justice *Standards for the Administration of Juvenile Justice*, Washington, D.C., 1980.
- Walsh, J. *The Professional Cop* Paper presented at sixty fourth annual meeting of ASA, Sept., 1969.
- Wilson, J.Q. *Varieties of Police Behavior*. Cambridge: Harvard Univ. Press, 1968.
- Winfree, K. and Anderson, P. "Pragmatism and advocacy in criminal justice expert witnessing." *Justice Quarterly*, 1984, 2, 213-235.
- Wolfe, E.P "Social Science and the Courts: the Detroit Schools Case." *Public Interest* 1976, 42, 102-120.
- Wolfe, H "Uniforms are an Integral Part of Police Work." *Law and Orde*, 1975, 23
- Wolfgang, M. "The Social Scientist in Court." *Journal of Criminal Law and Criminology*, 1974, 65,239-244
- Wood, D. "Commentary on the Law Science Relationship in the Admissibility of Scientific Evidence " *Idea*, 1976, 18, 5-21.
- Zeisel, H "The Uniqueness of Survey Evidence." In Kruskal and Tanur, *Internatoonal Encyclopeda of Statistics*, Free Press, 1960, 1978.
- Ziskin, J. *Coping With Psychiatric and Psychological Testimony*. New York: Law and Psychology Press, 1975.