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The Media and Public Perceptions of Criminal Justice Policy Issues: An Analysis of *Bowling for Columbine* and Gun Control

By

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ABSTRACT

Recent research in criminology has indicated that the media may influence people’s attitudes toward criminal justice policy. This paper examined attitudes toward gun control among a student population using both ideological (attribution styles) and instrumental perspectives (fear of crime), and then tested whether viewing the film *Bowling for Columbine* influenced those attitudes. The study employed a classic experimental design. Results from the pretest indicated that there was some support for ideological and instrumental perspectives in attitudes toward criminal justice policy. Results from the posttest indicated that participants in the experimental group reported significantly more support for gun control policies, and were more likely to assign dispositional attribution to criminal behavior. Results therefore suggest that students are susceptible to suggestion from the media when formulating opinions about criminal justice policy.

INTRODUCTION

Television and print media provide a great deal of information on social issues, such as crime and justice, to the American public (Sotirovic, 2003). However, this information may not always be correct. In fact, researchers in criminal justice have pointed out that information relayed through the media about crime in the United States is often inaccurate and may fuel misconceptions about crime and justice (Applegate, Cullen, & Fisher, 2002; Roberts & Doob, 1990; Romer, Jamison, & Aday, 2003; Surette, 1998). Still, people use information from the media to make judgments and decisions about crime and crime policy (Kleck & Kates, 2001).

One of the most hotly debated crime policies is gun control. Spitzer (1995, p. 1) maintains that there are essentially two questions in the gun control debate. First is whether the government has the right to impose firearms regulations on its citizens, and second is whether the government or some other appointed agency should enforce firearm regulations.

Periodically, gun control comes into the national spotlight and is usually a divisive issue. On April 20, 1999, people across the country were horrified at the events that unfolded at Columbine High School in Littleton, Colorado. On that morning, two students, Eric Harris and Dylan Klebold, who were both heavily armed, opened fire in the school cafeteria killing 12 students, one teacher, and injuring 23 others, before killing themselves.
This study examined attitudes toward gun control among a student population using both ideological (attribution styles) and instrumental perspectives (fear of crime), and then tested whether viewing *Bowling for Columbine* influenced those attitudes. Consistent with previous studies on attitudes toward gun control, also examined in this study were age, gender, political and religious affiliation, crime victimization, and community cohesion.

There are a number of rationales for this paper. First, there is not a great deal of recent research on influencing factors on public attitudes toward gun control in the United States, and we also know little about the influence of mass media on people’s positions on criminal justice policy. Second, this paper can add to current literature on ideological perspectives as there is only one other study that has examined the relationship between attribution and gun control (see Hartnagel, 2002). Last, the examination of instrumental perspectives in criminal justice literature is also relatively new, and so this paper can add to that body of literature.

**Introduction to instrumental and ideological perspectives**

Attribution is one ideological perspective that has been receiving attention in recent studies on attitudes toward criminal justice policy. Attribution is the retrospective explanation of behavior that either focuses on internal characteristics of the actor (dispositional attribution) or external characteristics (situational attribution; Blatier, 2000; Weiner, 1986). Attribution has been examined in criminal justice research with respect to attitudes toward the death penalty (see Langworthy & Whitehead, 1986; Robbers, 2004b) and attitudes toward general criminal sanctions (see e.g., Cullen, Clark, Cullen, & Mathers, 1985; Graham, Weiner, & Zucker, 1997; Grasmick et al., 1994). Results from these studies typically indicate that those people assigning dispositional attribution to criminal behavior are more likely to favor punitive crime control policies. Further, these individuals tend to be more conservative, citing conservative political and religious affiliations (see Robbers, 2004b).

Instrumental perspectives have also been examined in criminal justice literature, but to a lesser extent. In economic theory, instrumental perspectives are means-ends oriented, with the physical environment serving as the means, and behavioral or economic goals serving as the ends (Stokols, 1990). Translated to the criminal justice setting, it is likely that people will support particular criminal justice policies because they believe they are instrumental in reducing crime, they will enhance their safety, and they will improve their environment.

**Research on attitudes toward gun control**

Smith (2001) estimates that about 36% of all American households own firearms and 22% of households contain handguns. Historically, gun control has been a contentious issue and many Americans have viewed gun ownership as a right granted by the Constitution that should have few restrictions. However, public attitudes appear to be changing and recent statistics compiled by Maguire and Pastore (2001) indicated that 62% of Americans supported stricter gun control laws, while only 22% were in favor of less regulation. In the 2001 National Gun Policy Survey, Smith (2001, p. 2) found that 88% of Americans would like to see gun safety training a mandatory exercise for those purchasing firearms, and 79% support a police permit prior to gun
purchase. However, these studies do not examine the relationship between changes in attitudes toward regulation and changes in gun ownership.

There are also few studies that have examined factors influencing attitudes toward gun control in the United States. One example is Wolpert and Gimpel’s (1998) study on self-interest factors (firearms ownership) and attitudes toward gun control. Results from this study are inconsistent with prior research, and indicate that self-interest in the form of gun ownership had a consistently strong influence on gun regulation, regardless of the year in which respondents were polled. However, as Wolpert and Gimpel (1998, p. 255) point out, “the NRA’s ability to mobilize its members into participating in a variety of political activities, including voting, is legendary,” suggesting that gun owners are extremely vocal in the gun control debate. Wolpert and Gimpel also found that the effect of political orientation on the three types of regulation changed dramatically over time; a finding that the authors suggest reflected the election cycle and historical events outside the study. Thus, when democratic parties were elected, there was more support for firearms regulation, and when republican parties were in power there was less support for regulation.

Hartnagel (2002) examined the effects of socio-political ideology, causal attributions and instrumental perspectives on attitudes toward gun control among citizens of Alberta, Canada. The central relationships examined in the study were support for conservative socio-economic policy (using a one-item measure of gun control attitudes), instrumental perspectives (using fear of crime as a proxy), ideological perspectives (using dispositional attribution of criminal behavior as a proxy), and conservative moral beliefs would result in greater support for firearms control.

Results from the study indicated that dispositional attribution was related to more support for gun control, providing some support for ideological explanations of gun control. Fear of crime was found to moderate the relationship between belief in gun control effectiveness and support for gun control, thus providing support for the instrumental perspective. Using this perspective, Hartnagel (2002) proposes that people who believe in firearms regulation view regulation as a good way to reduce crime.

In the United States, the relationship between conservative socio-political beliefs and gun control is not quite as clear-cut. Typically, in other studies that examine punitive criminal justice policies such as the death penalty, conservatives have tended to support punitive policies more often than liberals (see Robbers, 2004b for discussion). This finding may be because conservatives attach dispositional attribution to criminal behavior. It makes sense also that liberals would be less supportive of social regulatory policy, and in turn, liberals are more likely to assign situational attribution to criminal behavior. However, with gun control, both Spitzer (1995) and Tonso (1982) write that there is a group of conservative individuals in the United States who are part of the American gun culture, and who view unregulated gun ownership as an American way of life. There is also some evidence in recent research to support this view. Results in Dowler’s (2002) study of American adults indicated that Republicans were less likely to support gun control (see discussion of this study below).
Research on media influence

There are numerous studies that indicate the media influences fear of crime, attitudes toward the police, and attitudes toward punitive crime policies, even when the media provides inaccurate information about crime (see e.g., Altheide, 2002; Chiricos, Padgett, & Gertz, 2000; Roberts & Doob, 1990; Surette, 1998; Weitzer & Kubrin, 2004). From a cultivation theory perspective, inaccurate depictions of the state of crime in the United States means that the media are responsible for promoting what Gerbner, Gross, Morgan, and Signorielli (1980) call the “mean worldview.” In this world, people are constantly fearful of being victimized and thus, will tend to support punitive sanctions (also see Dowler, 2002; Hoffner et al., 2001 for discussion).

Dowler (2002) examines media influence on attitudes toward criminal justice policy, particularly gun control. Results from the study indicate that regular viewers of crime shows were more likely to be anti-gun control. Dowler suggests that this is because those people who view guns and gun violence regularly may be desensitized, and may view law enforcement heroics as possible only with the help of firearms. Thus, these people feel that firearms possession is a good way to protect oneself against crime. Results from this study also suggest that regular viewers of crime shows may be less likely to support gun control because they do not think that gun control will effectively reduce crime.

In a study that examines the role of media in explanations of social problems, Sotirovic (2003) tests whether there are differences in attribution assignment between those who rely on newspapers versus television for information on crime (death penalty policy) and welfare issues. She then examines how attribution style affects support of the death penalty. Sotirovic proposes that to make sense of media depictions of criminal events, people assign different types of attribution to instigators. Attributional judgments therefore are likely to influence a person’s policy preferences (see also Shaw & Costanzo, 1982).

Results from her study indicate that those who relied on television for information were more likely to assign dispositional attribution and be more in favor of the death penalty. Consistent with other studies that examine attribution and the death penalty, Sotirovic also found that conservatives were more likely to assign dispositional attribution and be supportive of the death penalty (see also Robbers, 2004b for discussion). Sotirovic adds that assigning attribution is affected by other factors. For example, she proposes that if the media depicts perpetrators as unusual, or if very specific occurrences of crime are described, people are more likely to assign dispositional attribution.

Kleck (1996, 1997) writes that the public’s knowledge of the gun control debate is filtered through the media using what he terms exclusion bias. This bias entails the omission of critical facts in a news story. Kleck provides numerous examples of stories from both sides of the gun control debate to support this theory. One example cited is the story about new armor piercing “cop-killer” bullets aired in newspapers and television news across the country during 1985 and 1986. Kleck points out that those bullets capable of piercing police armor had been around for years, and that the “new” bullets had never actually killed an officer (Kleck, 1997). Such misleading information not only influences those who watch the stories, but also ends up influencing the social discourse and ultimately criminal justice policy (Kleck & Kates, 2001).
A large number of studies have also examined the influence of media on crime, fear of crime, and criminal justice policies other than gun control. One recent example is Chiricos, Padgett, and Getz’s (2000) study that found viewing local and national television news was related to fear of crime regardless of the reality of crime in the local area. Weitzer and Kubrin (2004), who examined the effects of local and national news and real-world conditions on fear of crime, conducted an extension of this study. Results of their analysis suggested that individuals who rated local news as their most important news source had higher rates of fear, compared to those who watched national news.

Prior research reviewed here suggests that people’s attitudes toward various criminal justice policies are influenced by the media, their fear of crime, and by the type of attribution that they assign to criminal actions. This study sought to build on prior research by addressing two research questions. First, the effect of attribution, fear of crime, and other socio demographic variables on students’ attitudes toward gun control was examined. Also investigated within the scope of this question were possible moderating effects. Second, the effect that media has on attitudes toward gun control was examined by assessing whether viewing the film Bowling for Columbine influenced students to re-think their positions on gun control.

METHOD

Sample and procedure

Respondents for this study were recruited over a period of two and a half years from Introduction to Social Science and Introduction to Sociology courses at a private, metropolitan university. These classes are required by all students at the university. Students were told that they could participate in the study for extra credit; therefore, the sample was self-selected and was a non-probability sample. Typically, two classes each semester were used as the sample pool in the study.

This study employed a classic experimental design. Once students from both classes signed up for the study each semester, they were given the pretest. The pretest established baseline levels of attitudes toward gun control as well as assessed demographics, fear of crime, community cohesion, and attitudes toward attribution among all respondents. One class was then designated as the control group and the other the experimental group. One week after the pretest, the experimental group viewed the movie Bowling for Columbine, and then took the posttest immediately following it. The posttest was given to the control group at the same time. The posttest was identical to the pretest. Once respondents had completed the posttest, respondents in the experimental group participated in small focus group sessions where they shared their views of the movie. Following classic experimental design, posttest results from the experimental group were compared to a) results from the pretest, and b) posttest results from the control group.

The number of participants in the experimental group was 110. This number was reduced to 104 at the posttest stage due to missing data on posttest surveys and inability to locate several students. Participants in the experimental group ranged in age from 18 to 47 (\(M = 21.53, SD = 6.65\)). Fifty-seven percent of the participants were female. The distribution of respondents in the
experimental groups’ race, political and religious affiliations can be found in Table 1. In the experimental group, 21% owned a firearm, and 39% reported having been a victim of a crime.

The control group consisted initially of 78 students, but three were discarded, as they could not be located at the time of the posttest. The age of the participants in the control group ranged from 18 to 49 ($M = 22.12$, $SD = 8.47$), and 60% were female. The distribution of control group respondents’ racial, political and religious affiliations can be viewed in Table 1. Of the respondents in the control group, 20% owned firearms and 40% reported having been a victim of a crime.

Also presented in Table 1 are non-parametric and parametric tests used to ascertain whether the control group and the treatment group were comparable. Results indicated that the two groups did not differ significantly on any variables.

There were several rationales for the sample. First, students in both of these courses came from a variety of majors, thus their views on gun control were not likely to be skewed by any sociological or criminological instruction. Second, it was anticipated that students would be more than happy to sit through a 120-minute movie, which would have been a difficult intervention to implement with the general public. The last rationale for choosing this population was the demographics of the student body. Although the institution is a liberal arts university, it is a conservative school located in a conservative area. Therefore, a good mix of attitudes toward gun control was expected.

The film *Bowling for Columbine* was chosen as the media representative in this study for several reasons. First, the film was released when this study first began, and so many of the students had not seen it prior to this study. Second, and more importantly, many of the students in the experimental group were in high school during the Columbine incident and so this film was likely to have a dramatic impact upon them. Third, the film had been hailed as an instrument for critical analysis of positions in the gun control debate (see Robbers, 2004a).

**Dependent variable**

The dependent variable in this study was attitudes toward gun control. Given that single measures used in previous studies may not provide ideal measurement of attitudes toward gun control, for this study, the Attitudes toward Gun Control (ATGC) scale was developed. This scale consisted of ten questions that were scored on a five point Likert scale with responses ranging from strongly disagree to strongly agree (see Appendix A). Composite scores were coded so that a high score on the scale indicated pro gun control attitudes. Cronbach’s alpha for the scale was 0.85. Scores on the composite variable for all respondents at the pretest stage ranged from 10 to 39 ($M = 24.20$, $SD = 8.68$).
### Table 1
**Comparison of Participants in Experimental and Control Groups**

<table>
<thead>
<tr>
<th>Demographics</th>
<th>Control Group</th>
<th>Experimental Group</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>((n = 74))</td>
<td>((n = 107))</td>
</tr>
<tr>
<td>Age (in years)</td>
<td>22.12 8.47</td>
<td>21.53 6.65</td>
</tr>
<tr>
<td>Gender</td>
<td>Male 40</td>
<td>Male 43</td>
</tr>
<tr>
<td></td>
<td>Female 60</td>
<td>Female 57</td>
</tr>
<tr>
<td>Race</td>
<td>White 60</td>
<td>White 55.1</td>
</tr>
<tr>
<td></td>
<td>African American 15</td>
<td>18.7</td>
</tr>
<tr>
<td></td>
<td>Hispanic 15</td>
<td>Hispanic 13.1</td>
</tr>
<tr>
<td></td>
<td>Asian 10</td>
<td>Asian 10.3</td>
</tr>
<tr>
<td></td>
<td>Other 0</td>
<td>Other 2.8</td>
</tr>
<tr>
<td>Religious Affiliation</td>
<td>Catholic 43</td>
<td>Catholic 42.1</td>
</tr>
<tr>
<td></td>
<td>None 20</td>
<td>None 25.2</td>
</tr>
<tr>
<td></td>
<td>Protestant 11.1</td>
<td>Protestant 11.2</td>
</tr>
<tr>
<td></td>
<td>Muslim 2.5</td>
<td>Muslim 3.7</td>
</tr>
<tr>
<td></td>
<td>Baptist 10</td>
<td>Baptist 7.5</td>
</tr>
<tr>
<td></td>
<td>Greek Orthodox 5</td>
<td>Greek Orthodox 3.7</td>
</tr>
<tr>
<td></td>
<td>Jewish 2.8</td>
<td>Jewish 2.8</td>
</tr>
<tr>
<td></td>
<td>Church of Christ 2.8</td>
<td>Church of Christ 2.8</td>
</tr>
<tr>
<td></td>
<td>Unitarian 2.8</td>
<td>Unitarian 2.8</td>
</tr>
<tr>
<td></td>
<td>Other -</td>
<td>Other 2.8</td>
</tr>
<tr>
<td>Political Affiliation</td>
<td>None 15</td>
<td>Political Affiliation</td>
</tr>
<tr>
<td></td>
<td>Liberal 30</td>
<td>Liberal 25.2</td>
</tr>
<tr>
<td></td>
<td>Moderate 15</td>
<td>Moderate 22.4</td>
</tr>
<tr>
<td></td>
<td>Conservative 40</td>
<td>Conservative 33.6</td>
</tr>
<tr>
<td>Victim of Crime</td>
<td>Yes 40</td>
<td>Victim of Crime</td>
</tr>
<tr>
<td></td>
<td>No 60</td>
<td>Yes 39.3</td>
</tr>
<tr>
<td>Own Firearms</td>
<td>Yes 20</td>
<td>Own Firearms</td>
</tr>
<tr>
<td></td>
<td>No 80</td>
<td>No 60</td>
</tr>
</tbody>
</table>

### Independent variables

*Bowling for Columbine.* During the aftermath of the Columbine incident, controversial filmmaker Michael Moore released *Bowling for Columbine.* The film’s title comes from Harris and Klebold’s high school schedule, which had them in bowling class the morning of the shootings. The title is a precursor to criticism that Moore applies to a number of social institutions, beginning with high schools, throughout the film.²

The central question of *Bowling for Columbine* is: Are we a nation of gun nuts, or are we just nuts? In examining this question, Moore takes viewers on a less than impartial journey of American history, firearms culture, and modern day crime. In this film, Moore focuses attention on how the media portrays crime. In essence, Moore suggests that the media creates an atmosphere of terror by constantly putting the American people on notice of various threats. He
cites examples of the Killer African bees that never came to America; the Y2K campaign that resulted in nothing happening; razor blades in apples; poisonous Halloween candy and various other perils that citizens could stumble into at any moment (see Robbers, 2004a for further discussion on the film’s plot).

**Attribution.** In this study, attribution was used as a proxy for ideology as has been the practice in previous studies (see Dowler, 2002; Hartnagel, 2002). Given that those respondents who view criminals as culpable may be more likely to favor firearm use, particularly in self-defense situations, measuring dispositional and situational attribution was of most interest. To this end, Cullen et al.’s (1985) single composite measure of attribution was adopted. This measure is a seven-item scale that was scored on a five point Likert scale. The items were re-coded so that a high score on the composite scale indicated dispositional attribution. Scores on the composite scale ranged from 8 to 26 ($M = 17.02$, $SD = 5.05$). Cronbach’s alpha for the scale was 0.81. This scale’s validity was previously established (see Robbers, 2004b).

**Fear of crime.** Fear of crime was used as a proxy for the instrumental perspective in this study, as has been done in previous studies (e.g., see Hartnagel, 2002). Fear of crime was measured using an adapted version of Dowler’s (2002) seven-item fear of crime measure. Again, items were scored on a five point Likert scale ranging from never to very frequently, and a high score indicated high fear of crime.

Cronbach’s alpha for the scale was 0.85 and scores ranged from 8 to 32 ($M = 20.10$, $SD = 6.60$). Because it could be suggested that items in this scale measure both worry about crime and safety, confirmatory factor analysis was conducted on the items and revealed a single factor. Scree discontinuity analysis confirmed the single factor (Mertler & Vannatta, 2002).

**Community cohesion.** Community cohesion reflects the extent to which participants interact with members of the community. A scale of community cohesion using eight items was created for this study. Items were scored on a five point Likert scale, with a high score indicating a high level of community cohesion. Cronbach’s alpha for the scale was 0.75, and scores ranged from 8 to 28 ($M = 18.05$, $SD = 6.03$). Confirmatory factor analysis was also conducted with the items in this measure and analysis revealed one factor.

**Control variables.** In addition to the demographic variables discussed in the sample section above, also included were questions that asked for participants’ religious and political affiliations. Political affiliation was coded so that a high score indicated conservatism. In addition, a measure of lifetime victimization was included. Crime victimization has been measured in literature using multiple items (e.g., Cullen et al., 1985; Taylor, Schepple, & Stinchcombe, 1979) and single items (e.g., Langworthy & Whitehead, 1986), but typically neither type of measure has had a significant impact on outcome variables. Still, given victimization may influence attitudes toward gun control, a single-item measure asking respondents if they had ever been the victim of a crime was included.

Race was also included in this study as a control variable, given results using this variable in studies on gun control have been mixed (see Kleck, 1996; McClain, 1983). The last two control variables included in the study were gender and family gun ownership, which have been
among the most important predictors of attitudes toward gun control in previous studies (Dowler, 2002).

**Analysis**

Analyses were conducted in two parts. First, analysis was conducted to ascertain how the main independent variables in the study influenced attitudes toward gun control by examining the entire sample at the pretest stage. Second, after the experimental group had viewed the film, comparisons of the main study variables between and across groups were made.

**RESULTS**

**Examining attitudes toward gun control**

The first part of this study examined influencing factors on students’ attitudes toward gun control. To this end, analysis was conducted with all pretest responses – both those in the experimental and control groups. Pearson’s product moment correlation statistics were estimated with all variables in the model. Among the main study variables, significant correlations were found between fear of crime and gun control ($r = 0.25; p < .05$), indicating that people who are afraid of crime support gun control. A negative relationship between attribution and gun control was also found ($r = -0.34; p < .05$), indicating that those assigning dispositional attribution are less likely to favor gun control.

Among the control variables, there was a significant, but weak, negative correlation between gender and gun control ($r = -.14; p < .05$), indicating females are supportive of gun control. Political affiliation and gun control were also significantly, negatively associated, indicating that conservatives are anti-gun control in this sample ($r = -.59; p < .01$). Last, there was a significant positive relationship between previous victimization and gun control, indicating that those who had been victimized were supportive of gun control ($r = .15; p < .05$).

To examine these relationships further, OLS regression models were estimated and results from this analysis are presented in Table 2.

Examining the coefficients in the full model, there are three significant relationships. Political affiliation, gun ownership, and fear of crime are significant, and the direction of their relationships with attitudes toward gun control has not changed from the correlational analysis discussed above. Attribution is no longer significant, which may indicate that it is moderated by another variable, given that multicollinearity was tested. The model is significant and explains 57% of the variance in attitudes toward gun control.

Literature on attitudes toward gun control has repeatedly indicated that gun ownership may moderate relationships between predictor variables and attitudes (see Dowler, 2002 for discussion). Given this finding and the change in the coefficient for attribution, a cross product interaction term using gun ownership and attribution was created and another OLS regression model was estimated. Results also appear in Table 2.
Table 2  
**Attitudes toward Gun Control Regression Models**

<table>
<thead>
<tr>
<th>Variable</th>
<th>Full Model</th>
<th>Interaction</th>
<th>Model Prediction</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b (SE)</td>
<td>Stnd Beta</td>
<td>b (SE)</td>
</tr>
<tr>
<td>Gender</td>
<td>1.31 (1.29)</td>
<td>0.08 1.01</td>
<td>0.70 (1.29)</td>
</tr>
<tr>
<td>Age</td>
<td>-0.17 (0.07)</td>
<td>-0.02 0.26</td>
<td>-0.01 (0.07)</td>
</tr>
<tr>
<td>Race</td>
<td>-0.52 (0.65)</td>
<td>-0.07 -0.85</td>
<td>-0.70 (0.64)</td>
</tr>
<tr>
<td>Political Affiliation</td>
<td>-3.51 (0.52)</td>
<td>-0.46 -</td>
<td>-3.44 (0.51)</td>
</tr>
<tr>
<td>Crime Victimization</td>
<td>-2.17 (1.27)</td>
<td>-0.12 -1.73</td>
<td>-.155 (1.27)</td>
</tr>
<tr>
<td>Gun Ownership</td>
<td>-11.02 (1.67)</td>
<td>-0.52 -</td>
<td>-31.77 (8.32)</td>
</tr>
<tr>
<td>Attribution</td>
<td>-0.05 (0.13)</td>
<td>-0.00 -0.04</td>
<td>-0.13 (0.14)</td>
</tr>
<tr>
<td>Fear of Crime</td>
<td>0.22 (0.11)</td>
<td>0.16 2.03*</td>
<td>0.24 (0.10)</td>
</tr>
<tr>
<td>Community Cohesion</td>
<td>-0.15 (0.11)</td>
<td>-0.11 -1.37</td>
<td>-0.17 (0.11)</td>
</tr>
<tr>
<td>Gun Ownership x Attribution</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Model Prediction Rate (Adjusted)</td>
<td>0.57 (0.55)</td>
<td></td>
<td>0.59 (0.56)</td>
</tr>
</tbody>
</table>

Note: * p < .05; ** p < .01

Coefficients indicate that the interaction term is negative, and significant. The coding of these variables is such that those people who own guns and assign dispositional attribution to criminal activity are unlikely to support gun control.8

The findings in the OLS model provide some support for the premises tested in this study. For example, the relationship between fear of crime and gun control provides empirical support for the instrumental perspective, as it is likely that respondents who fear crime view gun control as contributing to safety and decreased crime rates. This result also supports the prior research of Heath, Weeks, and Murphy (1997) as well as Smith (2001).
Examining the effect of media

The second part of this study was to investigate the impact that viewing *Bowling for Columbine* may have on students’ attitudes toward gun control.

**Integrity of experimental and control conditions.** Maintaining the integrity of a social science experiment is typically more challenging than maintaining integrity in a laboratory setting as social settings are difficult to control (see Babbie, 2004 for discussion). Although it has been ascertained in this study that the treatment and control groups are equivalent across all variables, there is a possible spurious variable of students in the control group watching the film outside of the study, which would threaten internal validity.

In this case, the risk of the spurious variable has been minimized by asking students to sign a pledge stating they would not discuss the study with other students, and part of the pledge for students in the control group was the promise that they would not see *Bowling for Columbine* until the study had concluded. In order to get some sense of whether students were abiding by the pledge, a question was included on the control group posttest that asked participants whether they had seen *Bowling for Columbine*. All students said no except one, and his responses were left out of the study.

**Comparison of main study variables pre and post Bowling for Columbine.** Once *Bowling for Columbine* had been viewed by the experimental group, analysis using matched pairs t-tests was conducted to ascertain whether there were significant differences between the groups and across time. Results appear in Table 3. Examining the averages for the main study variables across the two groups at the pretest stage, no significant differences were found.

At the posttest stage, there was a significant difference between average gun control scores for the experimental and control groups. The average for the experimental group was 26.67, while the average for the control group also increased from the pretest, but only slightly to 23.35. These results indicate that viewing the film is likely to have an impact on respondents’ attitudes toward gun control ($t(103) = -5.67, p < .01$).

Across the two groups from pre to posttest, there are two significant changes in variables. First, there is a significant increase in scores for attribution among the experimental group ($t(103) = -5.53, p < .01$), indicating that dispositional attribution scores increased after viewing *Bowling for Columbine*. The second significant difference was found for the mean of attitudes toward gun control at the pre and posttest stages for the experimental group. In this case, scores also significantly increased meaning that respondents in the experimental group were more in favor of gun control after viewing *Bowling for Columbine*. 
Table 3
Main Study Variables by Group and Over Time

<table>
<thead>
<tr>
<th>Variable</th>
<th>Group</th>
<th>Pretest</th>
<th>Posttest</th>
<th>Difference t-scores</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Mean</td>
<td>SD</td>
<td>Mean</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>Attitudes toward Gun Control</td>
<td>Experimental</td>
<td>23.73</td>
<td>8.13</td>
<td>26.67**</td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>22.40</td>
<td>7.61</td>
<td>23.35</td>
</tr>
<tr>
<td>Fear Of Crime</td>
<td>Experimental</td>
<td>19.86</td>
<td>6.55</td>
<td>19.83</td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>20.60</td>
<td>6.78</td>
<td>20.10</td>
</tr>
<tr>
<td>Attribution</td>
<td>Experimental</td>
<td>16.94</td>
<td>5.08</td>
<td>18.84</td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>17.40</td>
<td>5.20</td>
<td>17.02</td>
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<tr>
<td>Community Cohesion</td>
<td>Experimental</td>
<td>18.00</td>
<td>6.34</td>
<td>17.86</td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>18.30</td>
<td>6.21</td>
<td>18.21</td>
</tr>
</tbody>
</table>

Note. * p < .05; ** p < .01

DISCUSSION

Analyses in this study addressed two research questions. First, attitudes toward gun control among a student population were examined, focusing particularly on the role that ideological perspectives and instrumental perspectives play in attitudes toward gun control. Second, analysis investigated whether media can influence people’s attitudes toward criminal justice policy by testing the effects that viewing the movie *Bowling for Columbine* had on participants’ attitudes toward gun control.

In this study, fear of crime was used as a proxy for the instrumental perspective, which assumes that people may be in favor of gun control as it reflects policy that adds to societal safety. Results indicated that those with a greater fear of crime were more likely to support gun control policies. These results are consistent with findings in Hartnagel’s (2002) study. Additionally, Dowler (2002) found that participants who feared crime believed that being armed was the best way to keep safe, but unlike the current study participants, Dowler’s study participants were regular viewers of crime shows. Investigations of instrumental perspectives in criminal justice literature are new, but results from this study suggest that they have some value in explaining how people assess their physical environment and the impact this has on their attitudes toward policy.
The other main study variable examined was the impact of attribution on attitudes toward gun control. Attribution was used as a proxy for an ideological perspective in this study, as had been done in previous studies (see Hartnagel, 2002; Sotirovic, 2003). Results indicated that those students who assigned dispositional attribution to criminal behavior are less likely to favor gun control, thus supporting the notion that these individuals believe that being armed is a good way to protect oneself against criminals. The examination of attribution in gun regulation studies is new. However, despite the non-random nature of this study’s sample, results suggest that the relationship is worthy of further examination.

Results from the analysis with the control variables revealed a number of significant relationships. Results indicated that conservatives were less likely to support gun control policies. It is noted that the gun control issue is unlike other criminal justice policies in that conservatives favor less restrictions, whereas with other policies, such as the death penalty, conservatives are more likely to support punitive policies, and therefore more regulation.

Correlational analysis indicated that gender was significantly associated with attitudes, and consistent with previous literature, females in this sample were more in favor of gun control (see Maguire & Pastore, 2001). However, the finding did not hold in the regression analysis, suggesting that the relationship between gender and attitudes toward gun control may be moderated by another variable. Such relationships should be addressed in future research. Consistent with previous studies was the finding that gun ownership is significantly related to attitudes toward gun control (see Dowler, 2002 for discussion).

The second part of this paper investigated the impact that viewing *Bowling for Columbine* had on attitudes toward gun control in an effort to ascertain the extent to which media could influence people’s attitudes toward criminal justice policy. Results from the analysis of matched pairs indicated that scores for both attribution and attitudes toward gun control significantly increased from pre to posttest for the experimental group. This finding meant that participants were more likely to assign dispositional attribution post viewing. Further, participants who viewed the film were also more likely to be pro gun control. This result may be related to the specific crime hypothesis, which proposes that participants assign dispositional attribution to particular crimes, such as the Columbine incident, after they become familiar with the perpetrators and the crime. However, the same people may still assign situational attribution to crimes in general, or crimes with which they are not familiar.

The significant change in attitudes toward gun control post film viewing also lends support to the argument that students, and perhaps people in general, are susceptible to suggestion from media sources, even when those sources are biased. Such suggestion can then play a role in influencing criminal justice policy. This finding is worth further exploration. It is also quite possible that media sources, such as the plentiful crime and policing fiction television shows, and films like the one used in this study, may actually be having a large impact on students’ decisions to enter professional criminal justice fields. This link is also one that has yet to be examined in the literature.

One limitation of this analysis was a failure to control completely for social distance in the relationship between fear of crime and attitudes toward gun control. Previous studies, such as
Hoffner et al., (2001), have indicated that social distance influences how respondents perceive an event. In this case, I had hoped that the Columbine incident would have been fairly close to the respondents, given many of them were in high school at the time. Although age was included in the analysis, this cannot be viewed as a good proxy for social distance as geographical location of high school was not included, and those student’s who attended high school in Colorado, or other locations where incidents of school violence occurred, may have reacted more strongly to the film.

Previous victimization was included as a control variable in this study and, consistent with other studies on attitudes toward crime policy (e.g., see Langworthy & Whitehead, 1986), results indicated that it did not significantly influence attitudes toward gun control. However, I did not ask specifically whether participants had ever been the victim of school violence or delinquency, which would not necessarily be covered by the victimization of crime measure included here. Future studies may want to include a more comprehensive measure of victimization.

Evidence from the analysis in this paper reveals that film media, and specifically popular culture in film, can have an impact on student’s attitudes toward policy. Although there has been no causal relationship established here, there is enough empirical evidence supporting the role of media in construction of attitudes that further studies are justified. I also recognize that the sample is not a probability sample, and generalizations from this study are thus limited.

Another limitation of this study was that the effect of media on attitudes toward gun control over time was not examined. Most likely, factors such as the amount of media exposure, the type of format, and how closely viewers can relate to events will impact the longitudinal effect. Further, only one crime policy was examined in the current study. However, results confirm that the media has the potential to be extremely influential in people’s decisions about crime policies. In a social climate where television media is dominated by crime and justice presentations of both fact and fiction, it is worth examining how exposure may affect attitudes toward other crime policies.

**NOTES**

1. In the interests of brevity, these results will not be discussed in this paper.

2. I do not suggest that this film is a balanced examination of the gun control issue. It was used in this study because it provides a good platform for debate on the gun control issue, and it uses age appropriate illustrations and events for the sample.

3. The similarity of this measure to that of LeGrange, Ferraro, and Supancic’s (1992) measure is simply coincidence as Dowler (2002) does not cite Ferraro in development of his measure of fear of crime.

4. Some researchers (e.g., Williams, McShane, & Akers, 2000) have noted the usefulness of this type of measure.

5. Respondents were given a range of choices of religious and political affiliation and were asked to indicate the one they identified with.
6. In the interests of brevity, the correlation table has been omitted.

7. Variance inflation factors were included in the model, and none exceeded 2.10.

8. A further interaction term of gender and gun ownership was created and additional models were estimated to test the interaction as suggested by Dowler (2002). The new interaction term was not significant and therefore, the results have been omitted.

ENDNOTE

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REFERENCES


Appendix A

Variable Measures

Attitudes toward gun control
1. Armed citizens are the best defense against criminals.
2. It should be easier for law-abiding citizens to carry concealed weapons.
3. In general, I feel that laws covering the sale of firearms should be made stricter.
4. All firearms should be registered with the Federal Government.
5. Stricter gun control would lessen the amount of serious crime in the United States.
6. Firearms related violent crime is a real problem in the United States.
7. The right to own firearms is a fundamental right of all citizens in the United States.
8. Any citizen in the United States should be able to purchase a firearm without being hassled.
9. Regulating firearms is the best way to prevent firearms related crime.
10. Being able to purchase a gun easily should remain a fundamental part of American culture.

Attribution
1. Most criminals know fully well what they are doing when they break the law.
2. Most criminals commit crimes because they know that they can get away with it.
3. Most people who violate the law do so because they know that crime pays in America these days.
4. Most criminals come from broken or disorganized homes.
5. Most criminals are emotionally disturbed.
6. Poverty is a major cause of crime in America.
7. Most criminals were abused as children.

Fear of crime
1. How often do you feel unsafe walking around alone after dark?
2. How often do you feel unsafe when you are outside and alone during your neighborhood during the day?
3. How often do you feel unsafe when you are outside and alone during your neighborhood during the night?
4. How often are you worried about being sexually assaulted?
5. How often are you worried about being mugged?
6. How often are you worried about getting beaten up?
7. How often are you worried about being knifed or shot?
8. How often are you worried about being murdered?
9. How often are you worried about being burglarized while you are at home?
10. How often are you worried about being burglarized when you are NOT home?

Community cohesion
1. My neighborhood is a place where people mostly help each other.
2. My neighborhood is a place where people mostly do their own thing.
3. My neighborhood is a real community.
4. My neighborhood is just a place to live.
5. When I do a neighbor a favor, I can generally trust the neighbor to return the favor.
6. If I am in need of assistance, such as my car is stuck in snow or mud, my neighbors are likely to come to my rescue.
7. I talk with my neighbors often.
8. How many neighbors do you know by name?*

* This last item was measured on a three-point scale, with zero indicating none, one indicating one to four, and two indicating five or more.
The Perceived Role of Mass Media Use during Incarceration in the Light of Prisoners’ Re-entry into Society

By

Heidi Vandebosch
University of Antwerp

ABSTRACT

This article explores the relationship between individuals’ media use during incarceration and their re-entry experience. Previous research suggests that mass media may facilitate the transition from prison to the free world because they can normalise life in the penitentiary and keep prisoners informed about major events and developments in society. The findings of a quantitative study into the media use and reality perceptions of long-term prisoners, and a qualitative study into the re-entry experience and the perceived importance of mass media use during incarceration in the light of this experience, suggest that media are a necessary but insufficient condition for a smooth re-entry.

INTRODUCTION

The re-entry phase is often considered a crucial element in the reintegration process of ex-prisoners, because the sort of adaptation that people make during their first days in the free world directly affects their chances of recidivism (Waller, 1974, p. 72). Criminologists often concentrate on a few variables that characterize the early living situation – such as family relationships, work and housing – to predict the failures and successes (see e.g., Goethals, Bogaerts, & Maes, 2000; Marshall, 1992). Little attention, however, is paid to the full range of problems that accompany the transition from prison to society and to the perspective of the returnees.

Another gap in the existing research concerns the relationship between mass media use during imprisonment and the re-entry process. While most authors acknowledge that the post-prison situation is best understood within a longitudinal framework, which takes into account the individuals’ pre-prison situation and their reaction to confinement (Travis & Visher, 2003), very few have concentrated on the influence these specific kinds of prison activities have on release. More common, for instance, are studies that focus on the effects individuals’ participation in vocational training, substance abuse treatment, and education during incarceration, have on their post-prison situation (Austin, 2001; Travis & Petersilia, 2001).

This article, therefore, pays attention to the re-entry experiences of prisoners and the importance of mass media use during incarceration in the light of their release. The literature review starts with a description of the general underlying longitudinal framework. After that, the findings of earlier research into the experiences of returnees and into the media use of prisoners will be discussed. The empirical part of this article describes the results of a quantitative and qualitative study among (ex-)prisoners, which explored the possible (long-term) effects of media use on long-term prisoners’ knowledge and perceptions of the outside world, and the perceived importance of mass media use during incarceration among people with a re-entry experience.

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The post-prison situation in a longitudinal framework

Figure 1 illustrates how the post-prison situation of a person is affected by his or her prison experience and pre-prison condition. The relationships between these three situations are described in the criminological “importation” and “exportation” models, which emphasize that people transport aspects from one setting to another. The deprivation model, on the other hand, pays attention to the most central aspect in this process: the typical character of the prison environment (Goodstein & Wright, 1989, pp. 229-239). The prison adaptation style is a function of prisoners’ imported background characteristics and their depriving environment, and an important mediator of prison outcomes. As is demonstrated later, this adaptation style is also characterized by specific media uses.

Figure 1

The Post-Prison Situation Placed within a Longitudinal Framework

The deprivation approach emphasizes the influence of the frustrating prison context on the problems that prisoners experience and on their psychological and behavioural adaptation to this situation. This model argues that prisoners try to soften the well known ‘pains of imprisonment’ (Sykes, 1958) or “environmental concerns” (Toch, 1977), such as the deprivation of liberty, autonomy, goods and services, heterosexual contacts, safety, privacy, structure, support, emotional feedback, activity, communication (Keve, 1974, p. 33), and variety (Cooke, Baldwin, & Howison, 1990).

The importation model, on the other hand, emphasises that the lifestyles of prisoners are strongly determined by their background characteristics. This approach states that the socio-demographic and criminal profile of individuals influences their evaluation of, and reaction to, confinement. The importation model also mentions the existence of stressors outside the prison environment. These ‘imported’ stresses refer to pressures originating from the broader environment (e.g., the non-transparency of the sentencing and release policies in a country; Parisi, 1982, p. 13), or pressures related to the past or the future of the prisoner, such as feelings of guilt concerning the crime or doubts about life after prison (Neys, 1994, p. 195-196).

Because both approaches have shown their value and are not incompatible, the psychological and behavioural reactions of prisoners to their confinement can best be described as a complex product of their imported characteristics and their (stressful) environment (Johnson & Toch, 1982). These specific adaptation strategies, in their turn, are considered to mediate the (long-term) effects of imprisonment on post-release outcomes, which are emphasized in the exportation model. Some of the possible prison impacts, which are dysfunctional in periods of post-prison adjustment, are: (a) high dependency on
institutional structures or the reduced capacity for independent thought and action; (b) hypervigilance; (c) interpersonal distrust and suspicion; (d) diminished self-worth; (e) criminalisation; (f) estrangement; (g) disculturation (the loss or failure to acquire some of the habits currently required in the wider society; (h) isolation; and (i) stigmatization (for an overview see Atlas & Dunham, 1990, p. 54; Cooke et al., 1990, pp. 58-59; Goffman, 1968, p. 70).

Classifications of adaptation or coping strategies reveal two dimensions that are particularly important in the light of prisoners’ reintegration into society: (a) inmates’ concentration on the outside versus the prison world during incarceration, and (b) prisoners’ intention to proceed or to change their former (criminal) lifestyle on release. The most vulnerable category of prisoners consists of persons who cut themselves off from the outside world (usually because they have no intensive personal relationships with people from outside), and try to construct a life in prison. These inmates, sometimes called “jailers” (Irwin, 1970), “the life” (Heffernan, 1972), or persons who adapt the “colonization” style (Goffman, 1968), are more likely to be the victim of institutionalisation and criminalisation (Goodstein & Wright, 1989), and therefore have fewer chances on successful reintegration in society after release. Prisoners who “glean” (Irwin, 1970) or adapt the “reconversion style” (Goffman, 1968) – an adaptation mode which is popular among long-termers (Flanagan, 1995, p. 113) - are oriented towards the outside world, and try to use their prison time profitable by doing things (such as following courses and therapies, or reading books) to improve or better themselves. Although these persons are highly motivated to lead a conventional lifestyle after prison, this option is not always so evident in practice. Many of them, for instance, lack first-hand knowledge of the social worlds they would like to enter (Irwin, 1970, p.105). Additionally, many have spent so much time in the institution, and missed many changes in the outside world, that successful reintegration is difficult. Those who concentrate on their life outside but do not plan to make dramatic changes in their (criminal or conventional) lifestyle are called “time doers” (Irwin, 1970, p. 67).

The re-entry experience

The actual transition from prison to the community is in some ways similar to the re-entry experience of other returnees (e.g., people who have spent a considerable time abroad and then return to their home country; see Isa, 2000; Yoshida et al., 2002). The impact of the transplantation from one setting to another is often described as dramatic, stressful and disorienting. The re-entry shock appears to be caused by fundamental differences between the two settings (McArthur, 1974, p. 61), and the fact that the original setting to which one returns has changed over time (Taxman, Young, & Byrne, 2002, p. 97). The most ordinary skills and knowledge useful in the first setting have been lost or forgotten because they were not applicable in the second setting, and new physical and cultural patterns have occurred in the original setting during the absence. The returnees find themselves in an alien world and also feel like strangers. The new situation then seems to require adaptive reactions with regard to the physical surroundings, the human environment, and the self.

The limited literature on the re-entry experience of ex-prisoners (Eaton, 1993; Irwin, 1970, pp. 107-130; McArthur, 1974; Waller, 1974) suggests that the sensory experience of the new environment unsettles them in subtle ways. Ex-prisoners report, for instance, having to adjust to how quiet their homes are and to how rapidly everything moves outside, in contrast with the noisy and static prison environment. They also notice changes at the places they were once familiar with, such as new buildings and highways. The social environment,
too, requires adaptation. Ex-convicts sometimes have the feeling that, because of their imprisonment, they have (temporarily) lost their capacity to interact appropriately with people from outside. What was once a routine action, now demands considerable effort. For instance, taking a bus, or buying something at a shop may be a quite difficult task. In addition to the physical environment, the social environment has also altered during, and sometimes because of, incarceration. Ex-prisoners notice, for instance, changes in the relationships among family members or in the constellation of their peer group. Moreover, they experience the inability to relate to their former friends and family as they seem to have lost the basis for rapport with them. Ex-prisoners are thus in different ways confronted with the fact that time has not stood still while they were away. They are also fully aware that the prison experience has changed them – their self-image and the way they are perceived by others. A common feeling among people who have just been released from prison is that of being recognized as an ex-con. They think that their physical appearance and the way they behave (both aspects might be influenced by their incarceration) might give them away. This concern relates to the unfavorable social status of ex-prisoners and its possible negative consequences.

After release, prisoners have to adapt to a new environment; a setting that differs from the prison setting and from the original physical and social setting before incarceration. Finding shelter and a job, and getting involved in new meaningful personal relationships, appear to be crucial, but seldom easy, steps in the reintegration process (Waller, 1974, p.71). Stigmatization or labeling (Cavadino & Dignan, 1992, p. 34) often forms a serious barrier for those who pursue a crime-free, conventional life. The disappointment that goes along with unsuccessful initial integration attempts may feed the idea that nothing will ever change and lead to recidivism.

As indicated by the longitudinal model mentioned above, the re-entry experience is not uniform. The kind of problems that returnees experience will depend on a number of variables, such as the length of their imprisonment, their prison adaptation style, family situation, socio-economic profile, etcetera.

**Media use in prison**

The existing literature suggests that media may influence the re-entry experience in two ways. Mass media can (a) normalize life in the penitentiary and (b) keep inmates informed about changes in society.

Research shows that media activities can prevent, solve or at least soften the pains of imprisonment. Prisoners may, for instance, listen to the radio or watch television to banish disturbing noises and to get some privacy; use the media to pass time or to keep busy; follow news reports to stay in touch with the outside world and feel less isolated; listen to their 'own' music to strengthen their self image; consume erotic media contents to become sexually aroused; read exciting books to break down the monotony of their daily prison life; make use of the media to have a conversational topic or to banish loneliness; attend movies or go to the library to get out of their cell. Even when media activities do not classify as (partial) solutions for certain prison problems, they can support other problem focused coping reactions by suggesting solutions to the problem, stimulating the redefinition of the situation, providing distraction, and furnishing themes for wishful thinking and daydreaming. Negative emotions can be suppressed or expressed by media activities, and even some physical side effects of stress (such as insomnia) can be remedied, for example, by watching television (for an overview of media functions in prison, see Auberson, 1973; Clemmer, 1958; Fabiani &
Mass media also foster reintegration into society in a more direct way. They keep inmates – at least those who are still interested in life outside (e.g., “gleaners” and “time doers”) – informed about major events and evolutions in society, such as price evolutions (Lindlof, 1987, p. 190), and the emancipation of women (Fisher, 1989). This up-to-date knowledge reduces the release anxiety and the feeling of estrangement among prisoners. For persons who try to use their prison time profitably, the consumption of certain media contents (such as books, informative TV programs) is seen as an activity to improve or better themselves, and a way to fight mental deterioration. Gleaners may also rely on mass media to get a better idea of the conventional life they want to pursue after release (Irwin, 1970, p. 79). Finally, mass media can be used to make some practical arrangements when release is in prospect. Job and housing sections in newspapers can guide the search for employment and shelter (Waller, 1974, p. 73; Lindlof, 1987, p. 190). Personal ads may help prisoners find a new partner (Auberson, 1973, pp. 137-138).

Studies indicate, however, that media are not always beneficial to prisoners; they may cause “non-gratifications” and induce stress (and should therefore be avoided). Lindlof (1987, p. 187), for example, notes that the absence of heterosexual relations leads to occasional withdrawal from erotic contents because they remind prisoners of their deprivation. Some authors also suggest that mass media create an unrealistic image of society (i.e., of females and violence) in the heads of prisoners – and in this way hinder their successful reintegration (Irwin, 1970, p. 138; Slater & Elliott, 1982). Furthermore, it appears that the presence of mass media may counter the institutional goal of “resocializing” inmates. Research shows, for instance, that the introduction of television in penitentiaries has had a negative effect on the participation rates in “resocialization” activities (Snacken, 1991, p. 41). Media may also support or strengthen criminal values and identities, inspire prisoners to lead a criminal life, and even give them useful information for planning criminal activities (Blumer & Hauser, 1970, pp. 66-67; Howitt, 1995). Finally, media are often considered an important source of stigmatization of (ex-) prisoners (Dotter, 2002; Eaton, 1993, pp. 61-62; Ferrell, 1999, p. 405). News reports on the law case of a person often have a profound, negative influence on his or her self-worth during incarceration (Neyes, 1994, p. 195). Media notices about the release of a notorious prisoner are also believed to hinder his or her reintegration in society (Taxman et al., 2002, p. 92).

METHOD

Building upon a previous study into the media use of prisoners and its short term gratifications (see Vandebosch, 1999, 2000a, 2000b, 2001a, 2001b, 2003), a second study was conducted that explored the (long-term) effects of media use during incarceration on the reality perceptions of long-term prisoners (since their long term imprisonment might render them most vulnerable for disculturation and estrangement effects). The exploration of this relationship was deemed important because prisoners’ re-entry into society might be influenced (i.e., facilitated or made more difficult) by their (right or wrong) impressions and knowledge about today’s society. Gaining more insight in the actual re-entry experience, and the (perceived) importance of mass media use during incarceration in the light of reintegration was the second objective. To meet these objectives a combination of
quantitative and qualitative research methods were used.

**Quantitative study**

To gather information about the reality perceptions prisoners have, a survey was conducted in two Flemish penitentiaries. The correctional institutions of Leuven and Brugge were selected to participate in the research because they house many long-termers. The prison governors provided a list with the names of all Dutch-speaking prisoners with a sentence length of more than five years. These persons received a letter from the university announcing the research project and asking them to participate in the survey. On Friday the 4th of October 2002 the selected inmates received a postal package containing: an instructive letter and guidelines about how to fill in the questionnaire, two separate parts of the questionnaire, two envelopes and a pen. They were asked to fill out the two parts of the questionnaire and to send them back on time. Part One of the questionnaire (containing knowledge questions and first order cultivation items) had to be returned before Saturday at noon; the deadline for Part Two was Monday at noon. It was announced that persons who would participate in the survey, by completely filling out the two parts of the questionnaire, could win an amount of 25 Euro. In each institution, 20 winners would be randomly selected.

The above mentioned method was preferred above a face-to-face survey because the latter would be time consuming, especially given that the aim of the study was to reach as many long-termers as possible with limited human resources. To overcome the most serious disadvantage of a mail survey, a low response rate, incentives were used (i.e., a free pen and money). To improve the quality of the answers, guidelines for filling out the questionnaire were provided. The questionnaire also included items used in a previous prison survey, which had been shown to be understandable and clear for this population. Finally, measures were taken to limit the possibility of circulation of “right” answers among respondents; the first part of the questionnaire had to be returned quite soon after deliverance.

Part One of the questionnaire dealt with knowledge items. More specifically, it measured prisoners’ knowledge of news facts and stories (in a section with the heading “Quiz”), their knowledge of everyday phenomena (by means of story in which certain elements were omitted), their awareness of new products and trends in society, and so-called first order cultivation beliefs about crime phenomena, demographic variables and professions.

Part Two of the questionnaire included second order cultivation questions about law and order, sex roles, the environment, racism and technology. Furthermore, it measured prisoners’ perception of the problematic character of different societal issues. This part of the questionnaire also contained the ‘explanatory’ variables, such as media use items, prison related factors, and socio-demographic and criminal background variables. Information about the prisoners’ criminal past, sentence length and phase of imprisonment was also retrieved from official documents.

**Qualitative study**

To gain a deeper insight in the re-entry experience and the perceived importance of media use during incarceration in the light of this experience, in-depth interviews were conducted. The target group for these interviews consisted of people with some kind of “prison release experience”: (a) ex-prisoners (released on parole, and contacted through the parole agency), (b) long-term prisoners who had already been on furlough during their
current sentence (in the prison of Oudenaarde), and (c) prisoners with a previous incarceration and release experience (after at least one year of imprisonment), who were currently staying at the prison for recidivists in Dendermonde. In both prisons, 13 people were randomly selected out of all persons that met the above mentioned conditions. Respectively, nine and eight inmates from the prisons of Oudenaarde and Dendermonde agreed to participate. In addition, the parole agency of Leuven provided the names of five ex-prisoners who consented.

The in-depth interviews focused on the following issues: (a) the prison experience and the way people prepared for their release during incarceration (stress and problem experience, coping style, participation in media and other activities, mental and behavioral preparation for release), (b) the actual furlough and release experience (feelings accompanying the transition phase, difficulties experienced, perceived differences between prison and home environment, perceived changes in home environment and society at large), and (c) the perceived importance of mass media use during incarceration in the light of release (would the release experience be different if there were no media in prison?). At the end of the interview, basic background information about the sociodemographic profile of the respondent at the time of his imprisonment and release was gathered by means of a short standardized questionnaire. In the case of prisoners, this information was complemented by data about the crimes in which they were convicted of, which were retrieved from official documents about their criminal past (i.e., their criminal record and current detention file).

The encounters with prisoners took place in a private room in the institutions (in October and November 2001). The interviews with ex-prisoners were conducted in the researcher’s office at the university, and, in one case, in a private room at the parole office. The length of these semi-structured interviews varied from one to two hours. All of them were recorded on tape, literally transcribed and analyzed with NUD*IST (a software package for the analysis of qualitative data).

RESULTS

Quantitative study

Sociodemographic and criminal background characteristics. A total of 178 prisoners participated in the survey: 107 of them were serving their sentence in the penitentiary in Brugge and 71 respondents were staying in the prison of Leuven. The response rates were 74.8% and 40.6%, respectively. The youngest respondent was 21 while the oldest was 71. The mean age was 40 (SD = 11.4). As expected, the average education level was low: 56.2% \( (n = 100) \) had, at the most, a diploma of lower secondary education.

Sixty-one percent \( (n = 109) \) of the respondents mentioned an earlier prison experience (a pre-trial detention or imprisonment). A classification of prisoners on the basis of their principal current offense showed that 39.3% \( (n = 70) \) of the respondents were convicted of murder or manslaughter, 18.0% \( (n = 32) \) of (aggravated) theft, 16.8% \( (n = 30) \) of sex offenses, 10.1% \( (n = 18) \) of several (equally serious) offenses of varying nature, 9.0% \( (n = 16) \) of drug offenses, and 3.4% \( (n = 6) \) of ‘other’ offenses.

The mean sentence length was 5443 days \( (SD = 3573.9) \), or almost 15 years. Although the study was aimed at long-termers, it appeared that 15.2 \% \( (n = 27) \) of the respondents were serving a sentence of less than 5 years. These prisoners all stayed at the section for long-
termers in the penitentiary of Brugge – probably because of overcrowding in the other male section – of which the residents were all considered potential respondents during the sampling phase.

None of the respondents had just arrived in prison (i.e., were there for less than a month); 37.6% (n = 67) of them found themselves in the legal conditions for an early release (and thus in the last phase of their imprisonment). The mean time served on the current sentence was 1627 days (about 4.5 years; SD = 1472.8). The most recently imprisoned person had only spent 3 months of his current sentence in the penitentiary. The respondent with the longest current prison experience was incarcerated on March 19, 1973.

Participation in prison activities. The data about the respondents’ participation in media and other prison activities confirmed the trends observed in the first prison study (Vandebosch, 1999). The (predominantly) long-term prisoners often tried to use their time profitably by doing things to “improve” themselves (41.0%, n = 73). Many of them worked (80.9%, n = 144), read books (65.2%, n = 116) or followed courses (56.2%, n = 100). The same attitude was reflected by their media use. The average television viewing time for this sub-population (303 minutes per day, SD = 194.2) was lower than the average viewing time for the general prison population (339 minutes per day; Vandebosch, 1999) and the main reason to watch TV was “to get informed” (53.4%, n = 95). The top five most liked television programs consisted of: documentaries (M = 3.56, SD = .648) on a scale of four, ranging from: “don’t like to watch this at all” (1) to “like to watch it very much” (4), the news (M = 3.54, SD = .670), informative programs (M = 3.45, SD = .724), scientific programs (M = 3.18, SD = .944) and quizzes (M = 3.14, SD = .952). Similar content preferences were displayed for other media. The Flemish news magazine “Knack”, “National Geographic” and “Eos” (a science magazine) were quite popular among long-termers, and many of them were strongly interested in scientific news. Apart from their intention to use their time in prison profitably, the availability of these magazines in the prison in Leuven (at a low price) could explain these findings.

Knowledge about current affairs. The prisoners’ knowledge and perceptions about the outside world were measured in different ways. A small quiz tested their knowledge about current affairs (sports, economics, politics, showbiz and crime and justice). It was expected that prisoners would know a lot about things they were often confronted with in prison (e.g., Who is the current Minister of Justice?) or with which they were familiar because of their criminal background (e.g., Which role will prosecutor Bourlet presumably play during the Dutroux process?). The opposite was predicted for novelties in society with which prisoners had little or no direct experience because of their (long term) incarceration (e.g., What is the color of a 20 Euro bill?, WWW is the abbreviation of …. ? ). The quiz also included an item that measured prisoners’ knowledge about an issue that was important in the light of their reintegration (e.g., “What is the name of the computer with job offers from the VDAB [the Flemish employment office]?”).

The data showed that, generally speaking, prisoners were quite well informed about current affairs. Almost all prisoners (94.9%, n = 169) knew the name of the current Minister of Justice, and an equal proportion knew the name of the successful Flemish girls group “K3”. Most respondents also filled in the exact date of the World Trade Center attacks (82.0%, n = 146), knew the country of origin of the (future) wife of the Dutch Crown Prince (76.4%, n = 136), could mention the color of a 20 Euro bill (although many of them were incarcerated before the Euro was introduced, and no money circulation was allowed in
prison; 61.8%, $n = 110$) and knew the “WIS” computer (which was also present in one of the penitentiaries; 62.4%, $n = 111$).

While only a minority of the respondents could give the exact answer to the questions regarding the WWW (40.4%, $n = 72$), the name of the recently introduced Belgian prison journal, which appeared to be unavailable in the penitentiaries included in this study (1.7%, $n = 3$), and the new Belgian airline company (20.2%, $n = 36$), many others could give an answer that was at least partly correct (they mentioned for instance: the “World Wide Website”, or gave the name of a local prison brochure). Only knowledge with regard to events in very specific domains (e.g., the name of the winner of the Flemish cycling event “De Ronde van Vlaanderen” – 2002) and the knowledge about more complex issues (the composition of the Flemish government) were really limited. Respectively, 7.9% ($n = 14$) and 10.7% ($n = 19$) of the respondents answered these sports and political questions correctly.

**Everyday knowledge.** The re-entry literature suggests that people who are released after a long prison stay experience difficulties with everyday routines such as taking a bus or going to a grocery store. Therefore, this situational knowledge was also tested by means of a story in which certain elements were omitted. The respondents were asked to fill in the open spaces. In most instances the answers referred to everyday phenomena (the price of bus tickets, current payment methods in shops, aspects of today’s traffic situation in Belgium, etc.) for which there was an “outdated” and a “correct” answer. The data showed that the majority of the respondents (spontaneously) mentioned up-to-date information (see Table 1).

**Estimates of prevalence of societal phenomena.** Apart from prisoners’ knowledge of news facts and their knowledge of everyday routines, their estimates of the prevalence of certain phenomena (such as the penetration of new technologies and products, the percentage of women and men in specific job categories, and the prevalence of crime-related phenomena) were measured (see Table 2). The respondents had to make a forced choice between two answers (a right and a wrong answer). Again, it appeared that long-term prisoners had a quite accurate picture of the outside world. Only the estimated numbers of males in “female” professions and females in “male” professions appeared to be incorrect in most cases. That is, the prisoners tended to have quite traditional job perceptions. On the other hand, it was clear that their (inter)personal experience with crime had influenced their answers about law and order phenomena. Many of them, for instance, overestimated the proportion of men working in law enforcement and thought that the proportion of criminals released for procedural error was very low (see Vandebosch, 2003).

**Reintegration attitudes.** Finally, the respondents’ answers to the reintegration statements showed that a majority of them had a positive outlook on life after prison. The majority believed that they could rely on other people upon release (64.6%, $n = 115$), thought they would get a second chance (64.1%, $n = 114$), and minimized the adjustment or estrangement problems (65.1%, $n = 116$). Most respondents also thought that the prison context provided them with enough opportunities to work at their future (67.4%, $n = 120$).
## Table 1

**Results for the Everyday Knowledge Test**

<table>
<thead>
<tr>
<th>Story elements</th>
<th>% of respondents giving this answer</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>“I paid …… for a bus ticket.” (n = 174)</strong></td>
<td></td>
</tr>
<tr>
<td>&lt;1 Euro</td>
<td>9.2</td>
</tr>
<tr>
<td>1 Euro</td>
<td>56.3</td>
</tr>
<tr>
<td>&gt;1 and &lt;2 Euro</td>
<td>9.8</td>
</tr>
<tr>
<td>2 Euro</td>
<td>5.7</td>
</tr>
<tr>
<td>&gt; 2 Euro</td>
<td>4.6</td>
</tr>
<tr>
<td>Blank</td>
<td>14.4</td>
</tr>
<tr>
<td><strong>“The youngsters on the bus were holding a…. These devices are so popular nowadays.” (n = 173)</strong></td>
<td></td>
</tr>
<tr>
<td>Mobile phone</td>
<td>80.9</td>
</tr>
<tr>
<td>Ticket</td>
<td>6.9</td>
</tr>
<tr>
<td>Brief case</td>
<td>4.6</td>
</tr>
<tr>
<td>Gameboy</td>
<td>4.0</td>
</tr>
<tr>
<td>Laptop</td>
<td>1.2</td>
</tr>
<tr>
<td>Playstation</td>
<td>0.6</td>
</tr>
<tr>
<td>Umbrella</td>
<td>0.6</td>
</tr>
<tr>
<td>Blank</td>
<td>1.2</td>
</tr>
<tr>
<td><strong>“Where there used to be crossroads, there were now…” (n = 173)</strong></td>
<td></td>
</tr>
<tr>
<td>Rotaries</td>
<td>89.0</td>
</tr>
<tr>
<td>Other</td>
<td>6.9</td>
</tr>
<tr>
<td>Blank</td>
<td>4.0</td>
</tr>
<tr>
<td><strong>“The traffic lights were painted … (colors).”(n = 171)</strong></td>
<td></td>
</tr>
<tr>
<td>Yellow and black (correct answer)</td>
<td>64.3</td>
</tr>
<tr>
<td>Red and white (outdated answer)</td>
<td>18.1</td>
</tr>
<tr>
<td>Other</td>
<td>15.8</td>
</tr>
<tr>
<td>Blank</td>
<td>1.8</td>
</tr>
<tr>
<td><strong>“I went to my bank…(name of bank).”(n = 171)</strong></td>
<td></td>
</tr>
<tr>
<td>New name</td>
<td>77.8</td>
</tr>
<tr>
<td>Old name</td>
<td>14.6</td>
</tr>
<tr>
<td>Blank</td>
<td>7.6</td>
</tr>
<tr>
<td><strong>“I didn’t pay with cash but with …”(n = 171)</strong></td>
<td></td>
</tr>
<tr>
<td>Bank card</td>
<td>90.6</td>
</tr>
<tr>
<td>Cheque</td>
<td>1.8</td>
</tr>
<tr>
<td>Other</td>
<td>7.0</td>
</tr>
<tr>
<td>Blank</td>
<td>0.6</td>
</tr>
<tr>
<td><strong>“I paid…. for a cup of coffee.” (n = 167)</strong></td>
<td></td>
</tr>
<tr>
<td>&lt; 1 Euro</td>
<td>2.4</td>
</tr>
<tr>
<td>1 Euro</td>
<td>13.2</td>
</tr>
<tr>
<td>1-1.50 Euro</td>
<td>22.2</td>
</tr>
<tr>
<td>1.5 Euro</td>
<td>37.1</td>
</tr>
<tr>
<td>1.5 - 2 Euro</td>
<td>4.8</td>
</tr>
<tr>
<td>2 Euro</td>
<td>13.8</td>
</tr>
<tr>
<td>&gt; 2 Euro</td>
<td>4.2</td>
</tr>
<tr>
<td>Blank</td>
<td>2.4</td>
</tr>
</tbody>
</table>
Table 2

**Estimates of the Prevalence of Societal Phenomena**

<table>
<thead>
<tr>
<th>Estimates (forced choice, * correct answer)</th>
<th>n</th>
<th>% of respondents giving this answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of Belgian households with an internet connection</td>
<td>176</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td>60.8 %</td>
</tr>
<tr>
<td>36 *</td>
<td></td>
<td>39.2%</td>
</tr>
<tr>
<td>% of Belgian households with a microwave oven</td>
<td>176</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td></td>
<td>25.0 %</td>
</tr>
<tr>
<td>64 *</td>
<td></td>
<td>75.0%</td>
</tr>
<tr>
<td>% of Belgians having a mobile telephone</td>
<td>176</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td></td>
<td>31.3 %</td>
</tr>
<tr>
<td>75 *</td>
<td></td>
<td>68.8%</td>
</tr>
<tr>
<td>% of Belgians having a car</td>
<td>174</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td></td>
<td>27.6 %</td>
</tr>
<tr>
<td>46 *</td>
<td></td>
<td>72.4%</td>
</tr>
<tr>
<td>Number of privately owned firearms in Belgium</td>
<td>174</td>
<td></td>
</tr>
<tr>
<td>2 million *</td>
<td></td>
<td>56.9%</td>
</tr>
<tr>
<td>2.5 million</td>
<td></td>
<td>43.1%</td>
</tr>
<tr>
<td>% of prison guards that are female</td>
<td>177</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>53.1 %</td>
</tr>
<tr>
<td>10 *</td>
<td></td>
<td>46.9%</td>
</tr>
<tr>
<td>% of bus drivers that are female</td>
<td>176</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>62.5 %</td>
</tr>
<tr>
<td>11 *</td>
<td></td>
<td>37.5%</td>
</tr>
<tr>
<td>% of flight attendants that are male</td>
<td>177</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td>87.0 %</td>
</tr>
<tr>
<td>37 *</td>
<td></td>
<td>13.0%</td>
</tr>
<tr>
<td>% of nursing staff that are male</td>
<td>174</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>43.7 %</td>
</tr>
<tr>
<td>10 *</td>
<td></td>
<td>56.3%</td>
</tr>
<tr>
<td>% of all males who have jobs, working as a police officer, investigator or private detective</td>
<td>175</td>
<td></td>
</tr>
<tr>
<td>1 *</td>
<td></td>
<td>56.6%</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>43.4%</td>
</tr>
<tr>
<td>% of criminals released due to procedural error</td>
<td>174</td>
<td></td>
</tr>
<tr>
<td>1 *</td>
<td></td>
<td>91.4%</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>8.6%</td>
</tr>
</tbody>
</table>

**Prison adaptation styles.** The above mentioned data thus provided a positive image of long-term prisoners: They tried to use their prison time profitably by doing things to improve themselves, were highly interested in the outside world and also informed about events and trends in contemporary society. Furthermore, they displayed a positive outlook on their future life outside the prison walls. Further analyses, however, indicated that this was true for most, but certainly not for all respondents. Apart from the group long-termers who adapted the “gleaning” style, there was an important group of “jailers” (and “time doers”). While the gleaners’ existing personal ties with the outside world seemed to stimulate their (media) interest in, and knowledge of, current events and trends in society (see Table 3), the lack of personal ties encouraged a stronger involvement in the prison culture and a disinterest in
society among jailers. Jailers were, therefore, doubly disadvantaged in the light of their reintegration into society. That is, they lacked personal resources they could rely on and they feared estrangement from the rest of society.

Table 3

Means and One-Way Analyses of Variance (ANOVA) for Effects of Prison Adaptation Style on Media Use and Reintegration Attitudes

<table>
<thead>
<tr>
<th></th>
<th>Doing Time M (SD)</th>
<th>Gleaning M (SD)</th>
<th>Jailing M (SD)</th>
<th>F (between groups, within groups)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TV use</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Viewing time per week (minutes)</td>
<td>2471 (1683)</td>
<td>2059 (1163)</td>
<td>1655 (989)</td>
<td>3.975* (2, 160)</td>
</tr>
<tr>
<td>Frequency watching TV news</td>
<td>5.91 (.288)</td>
<td>5.71 (.879)</td>
<td>5.20 (.997)</td>
<td>8.739*** (2, 155)</td>
</tr>
<tr>
<td>Romantic TV</td>
<td>2.50 (1.009)</td>
<td>2.91 (.800)</td>
<td>2.50 (.923)</td>
<td>3.958* (2, 150)</td>
</tr>
<tr>
<td>Medical fiction</td>
<td>1.93 (1.034)</td>
<td>2.40 (1.095)</td>
<td>2.00 (.964)</td>
<td>3.514* (2, 151)</td>
</tr>
<tr>
<td>Quizzes</td>
<td>3.09 (1.005)</td>
<td>3.39 (.752)</td>
<td>2.72 (1.099)</td>
<td>5.598** (2, 150)</td>
</tr>
<tr>
<td>Informative prog.</td>
<td>3.36 (.778)</td>
<td>3.66 (.533)</td>
<td>3.20 (.805)</td>
<td>5.811** (2, 153)</td>
</tr>
<tr>
<td>Crime watch prog.</td>
<td>2.75 (.995)</td>
<td>2.93 (1.027)</td>
<td>2.00 (.845)</td>
<td>9.203*** (2, 150)</td>
</tr>
<tr>
<td>Preference TV news</td>
<td>3.64 (.557)</td>
<td>3.65 (.675)</td>
<td>3.03 (.669)</td>
<td>11.309*** (2, 154)</td>
</tr>
<tr>
<td>Showbiz TV</td>
<td>2.35 (1.022)</td>
<td>2.48 (1.052)</td>
<td>1.86 (.875)</td>
<td>3.840* (2, 150)</td>
</tr>
<tr>
<td>Other media</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preference radio news</td>
<td>3.25 (.670)</td>
<td>3.28 (.904)</td>
<td>2.76 (1.091)</td>
<td>3.384* (2, 122)</td>
</tr>
<tr>
<td>Interest in job ads</td>
<td>0.93 (1.104)</td>
<td>1.75 (1.100)</td>
<td>1.06 (1.056)</td>
<td>7.452*** (2, 112)</td>
</tr>
<tr>
<td>Interest in news categories</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Political news</td>
<td>1.31 (1.173)</td>
<td>1.84 (.895)</td>
<td>1.32 (.945)</td>
<td>5.316 ** (2, 156)</td>
</tr>
<tr>
<td>Social news</td>
<td>1.66 (.909)</td>
<td>1.84 (.748)</td>
<td>1.32 (.950)</td>
<td>10.182*** (2, 157)</td>
</tr>
<tr>
<td>Economical news</td>
<td>1.05 (1.050)</td>
<td>1.62 (.947)</td>
<td>1.32 (1.107)</td>
<td>5.001 ** (2, 157)</td>
</tr>
<tr>
<td>Lifestyle news</td>
<td>1.63 (.963)</td>
<td>1.79 (.946)</td>
<td>1.28 (.958)</td>
<td>3.065 * (2, 158)</td>
</tr>
<tr>
<td>Environmental news</td>
<td>1.64 (.943)</td>
<td>2.14 (.761)</td>
<td>1.71 (.902)</td>
<td>6.045** (2, 155)</td>
</tr>
<tr>
<td>Local news</td>
<td>2.10 (.885)</td>
<td>2.04 (.818)</td>
<td>1.53 (.983)</td>
<td>4.908 ** (2, 159)</td>
</tr>
<tr>
<td>Home news</td>
<td>2.44 (.749)</td>
<td>2.41 (.748)</td>
<td>1.94 (.929)</td>
<td>4.846 ** (2, 158)</td>
</tr>
<tr>
<td>Foreign news</td>
<td>2.19 (.937)</td>
<td>2.27 (.792)</td>
<td>1.74 (1.125)</td>
<td>3.684* (2, 158)</td>
</tr>
<tr>
<td>Participation in prison activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Study</td>
<td>0.39 (.492)</td>
<td>0.74 (.458)</td>
<td>0.34 (.440)</td>
<td>13.382*** (2, 160)</td>
</tr>
<tr>
<td>Listen to music</td>
<td>0.53 (.504)</td>
<td>0.83 (.375)</td>
<td>0.81 (.397)</td>
<td>9.279*** (2, 160)</td>
</tr>
<tr>
<td>Read books</td>
<td>0.61 (.492)</td>
<td>0.82 (.387)</td>
<td>0.53 (.507)</td>
<td>5.849** (2, 160)</td>
</tr>
<tr>
<td>Pray</td>
<td>0.34 (.477)</td>
<td>0.44 (.500)</td>
<td>0.16 (.369)</td>
<td>4.040* (2, 161)</td>
</tr>
<tr>
<td>Reintegration attitudes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fearing estrangement</td>
<td>2.81 (.9122)</td>
<td>2.86 (.8657)</td>
<td>2.24 (.9437)</td>
<td>2.632 (2, 161)</td>
</tr>
<tr>
<td>Perceiving lack of support at release</td>
<td>1.87 (.7253)</td>
<td>1.88 (.7577)</td>
<td>2.65 (.8796)</td>
<td>12.912*** (2, 159).</td>
</tr>
<tr>
<td>Having negative thoughts about future</td>
<td>2.54 (.8046)</td>
<td>2.24 (.7496)</td>
<td>2.99 (.7898)</td>
<td>10.054*** (2, 156)</td>
</tr>
<tr>
<td>Believing they will get a second chance</td>
<td>3.31 (.9332)</td>
<td>3.67 (.9388)</td>
<td>2.89 (.8589)</td>
<td>8.353*** (2, 160)</td>
</tr>
</tbody>
</table>

Note. * p < .05. ** p < .01. *** p < .001.
Qualitative study

In what follows, the results of the qualitative study are presented. To gain a first insight into the re-entry experience and the possible positive or negative effects of media use during incarceration on the transition phase, in-depth interviews with men with a release experience (consisting of 17 prisoners and 5 ex-prisoners) were conducted. The sample consisted of equal numbers of those in their 20s \((n = 7)\), 30s \((n = 7)\) and 40s \((n = 7)\). Only one person belonged to an older age category; he was 62. Most respondents \((n = 19)\) were Belgian, two were Turkish and one was of Moroccan nationality. With regard to their sentence length, the distribution was as follows: a small minority \((n = 3)\) had a sentence of less than 5 years, 11 persons had a sentence from 5 to 10 years, and 8 respondents had a sentence of more than 10 years.

The data show that coming out of prison was accompanied with positive and/or negative arousal. Some respondents mentioned they were “delighted” or “extremely happy” (“I could kiss a tree”), others were “overwhelmed” or “nervous”. Still others experienced both kinds of feelings at the same time when they walked through the prison doors and entered the free world. Only persons who had spent a very short term in prison were less impressed. They compared their re-entry with “returning from a holiday”

\(I:\) How was it to leave prison?
R 11: That’s the best day of your life. Really. The best day of your life...
\(I:\) And how did you feel?
R 11: Good... But the first time, when I had spent a year in prison... I came out...I was a little paranoid. I was a little bit afraid. I don’t know why. I was on the street. I had the feeling that people were staring at me, that they knew I came from prison. Really...

Upon release (or during their prison furloughs) the respondents noticed that they were entering a different world. The outside world was not the same place as before their incarceration, and obviously different from the prison world. During their imprisonment, several changes had taken place in the physical and social environment, on both a personal and a societal level. The respondents mentioned, for instance, that the trees in their garden had grown, or that the furniture in their home had been replaced. Their children had become big and their parents seemed to have shrunk. Some friends had gotten married and others divorced. The neighborhood, too, looked different, with new shops, buildings and streets (while others had disappeared). Some respondents blamed these changes for the difficulties they experienced when trying to find their way in the city, others mentioned they had just forgotten the easiest way to get from one place to another. The feeling of being a stranger, of course, was more prominent among respondents who did not return to their previous personal environment, for instance, because (a) they had lost contact with their family during their prison stay, (b) they wanted to start a new life at a different place, or (c) they were legally obliged to stay away from their home town.

The released prisoners also noticed changes at the societal level. They mentioned the widespread use of mobile phones, the introduction of new types of cars and fashions, the increased prosperity, the busy traffic, and the growing egocentrism of people, as eye-catching “novelties”.

I: And did you experience any problems with daily routines, such as going to a shop or...? 
R10: No, that’s... I think it is like swimming or riding a bike, once you’ve learned that, you can swim and ride a bike for the rest of your life. I mean...If you go shopping...Little has changed...Yeah, of course you can now pay with a credit card everywhere....But what did surprise me a lot was the use of mobile telephones. Oh...that was terrible! Before my imprisonment mobile phones already existed, of course, but they were only used by businessmen who were sitting in a restaurant...and everyone thought it was irritating. They were exceptions. They really were. And that is something you notice when you have been out of society for a long time... If you live outside...the evolution of mobile phones...nobody has ever questioned that... It’s normal that something evolves...And now, suddenly, everyone has a cellular... from one day to another... But in reality it has taken a longer time.... But for people who have lived in society all the time...they all have accepted that. Everyone has accepted that... Whether they are 12 years old, or 85...Everybody has a mobile... And that was terrible to notice, because you don’t know that phenomenon. I didn’t have a mobile phone before I went to prison. As I said before, nobody did. And then you come out of prison, and everyone has one. And they don’t only use it when they really have to, they use it all the time, for all different purposes...It has really become an addiction. I mean... I also have a mobile phone now. But everyone hates me because of the way I use my mobile phone: I often don’t have my phone with me, or it’s turned off, or the batteries are empty... I seldom use it, because I haven’t been through that stadium wherein everyone considered it normal....

Although the (ex-)prisoners considered television as their window to the outside world during their imprisonment, and believed that mass media indeed had helped them to keep up to date with trends in society, the “preparatory” power of the media was obviously not perfect. Several explanations were offered for this finding. According to the respondents, some prisoners (jailers) were just not interested in what was happening outside. These inmates were believed to avoid new programs and, consequently, to experience more adjustment problems upon release. Furthermore, the respondents underlined that the evolutions and trends that were highlighted in the (news)media were not always relevant in the personal sphere (and the other way around - what was relevant in the personal sphere was not always reported on in the news or the media in general). Finally, the media experience of a phenomenon was said to be very different from the real life experience.

R6 (male, prison of Dendermonde, second study): Seeing things, or experiencing things... That’s a big difference. Like I told you about that tree that I could kiss when I was released... I saw so many trees on TV while I was in prison ... But feeling it, was quite different. I mean, that experience...All that noise on the streets...

R20 (male, prison of Oudenaarde, first study): The way people dressed had changed a lot during those 4 years....I mean... Here we wear prison clothes, or we only see fashion on TV, but if you see it in real life... It’s different. .....It’s strange. Or cars that have changed. ... You see them on TV, but outside you see so many cars that have changed.... It’s strange. .......And you don’t see everything on TV. You only see news events or short fragments...But outside you see everything...Non-stop.

The changes in the outside world made prisoners realize that time had not stood still while they were away, and that they themselves had probably also changed during, and
because of their imprisonment. They had, for instance, adjusted to the prison environment with its own physical features, routines, inhabitants and codes of conduct, and imported into the free world some of the behaviors and ways of thinking that were functional in the prison setting. Seeing the contrasts between the two settings, this “prison baggage” caused adaptation problems upon release. For example, respondents mentioned that they had to adjust to the multitude of sensory sensations, the noise, the open spaces, the regained autonomy, and so on. Some of the negative things that were learned in prison and that hindered a successful reintegration were: distrust in people, indifference to violence, criminal knowledge, prison slang, a bad living rhythm, drug abuse, and an addiction to sleep medication. On the other hand, the prison experience also seemed to have had positive effects. Some respondents, for instance, learned to appreciate their family and the “little things in life”, gained a deeper insight into who they were, got off drugs, became less violent, or followed vocational training.

Although the respondents believed that the presence of mass media in the penitentiaries could indeed reduce stress levels and make prison life more similar to life outside the prison walls, being incarcerated obviously remains a very “abnormal” experience. Therefore, intensive re-adaptation efforts were needed upon release.

I: Do you think it makes any difference – having television or not in prison – when you are released?
R 17: Uh, sure! Sure!
I: In what way?
R 17: I mean, if we...if you have television...that’s relaxing. You look at what’s going on, you watch the news...You still know what’s happening in the world. This minister has died, the King had a heart operation, or... I don’t know. We follow that... Then, if we come out, we can still have a conversation: « Last year this happened... » Even if you’d been in prison, you’d seen that.... If they would tell me: 1 year in prison, without television... I don’t think I would make it... Really... Or you should read books...But I don’t like reading, that’s the problem. But I do like watching television....
I: Watching TV is mainly for entertainment then, or is it also... ?
R: Relaxation, too, of course... But also...You read while you watch a movie or a documentary...You read the subtitles... So your mind is busy. And if you watch a movie, an exciting movie, then you’re out of prison. It’s just like you’re at home. That’s the feeling you get. And then...the news... You also watch the news when you’re at home.... You don’t see those bars anymore...You’re free! But what if you don’t have a television set? What do you do then? You lie on your bed, you sleep... How long can you do that? And there are people who don’t have a television set in prison, because they don’t have any money... It’s a shame. That shouldn’t be allowed... Because the purpose here is...if someone enters prison.... I mean. Ok, you’ve done something wrong...but...it’s not good that you turn crazy in prison...They shouldn’t make people crazy in prison, and then release them... He’s a danger to himself then....If you don’t have television.... Ok, you can survive it, but it’s difficult... If you take away television, it’s normal that a person deteriorates...

Thus, in the eyes of (ex-)prisoners, media are of vital importance during imprisonment, but the perceived positive effects on reentry are rather limited.
DISCUSSION

Criminologists acknowledge that the post-prison situation is best understood within a longitudinal framework that takes into account the individuals’ pre-prison situation and their reaction to confinement. Based on data from a large-scale Flemish study among (ex-) prisoners, this article explored the media uses of prisoners and their possible positive or negative effects on the re-entry phase. This phase is often described as a crucial element in the reintegration process.

The transition from prison to community is in some ways similar to the re-entry experience of other “returnees”. The impact of the transplantation from one setting to another is often described as stressful. More in particular, the re-entry shock appears to be caused by fundamental differences between the two settings, and the fact that the original setting to which one returns has changed over time. The most ordinary skills and knowledge useful in the original setting have been lost or forgotten because they were not applicable in the second setting while other habits and routines have developed in the latter, which might be dysfunctional or irrelevant in the first. Additionally, new physical and cultural patterns have developed in the original setting during the absence.

In the prison setting, changing existing (negative) habits and creating new routines is often part of the re-socialization goal of the institution. By organizing therapy sessions and vocational training, and by handling a strict work schedule, penitentiaries try to solve existing drug or alcohol abuse problems and to develop the skills, knowledge and routines necessary to lead a non-criminal life.

On the other hand, the criminological literature extensively describes the unintended negative consequences of a (long term) prison stay that hinder ex-prisoners’ reintegration attempts. Some of these dysfunctional incarceration effects are: (a) high dependency on institutional structures or the reduced capacity for independent thought and action, (b) hyper vigilance, (c) interpersonal distrust and suspicion, (d) diminished self-worth, (e) criminalization, (f) estrangement, (g) disculturation, and (h) isolation.

Mass media may facilitate prisoners’ re-entry into society by normalizing prison life and softening the prison experience. In this way they help to reduce the possible negative consequences of incarceration and improve the chances of a successful re-entry. Mass media also foster reintegration into society in a more direct way by keeping inmates informed about major events and evolutions in society, and by providing them with practical information (e.g., about the job market) useful in planning a conventional lifestyle. Television, newspapers, radio, and magazines may also, however, have the opposite effect. They sometimes can induce stress, provide prisoners with a distorted view of reality, or support criminalization.

Flemish as well as other studies show that the psychological adaptation mode is an important intervening variable. The adaptation mode is a function of the interaction between imported characteristics and the specific prison context, and influences in its turn (the positive versus negative) use of media (in the light of reintegration). The most positive adaptive mode is the “gleaning” style, which is more common among long-termers, and especially among those persons who still have (strong) personal ties with the outside world. These prisoners try to use their time profitably by doing things to better themselves and to prepare for re-entry. Gleaners prefer informational and intellectual media contents and also
posses the greatest knowledge of events and trends in society. The most negative adaptation mode, the jailing style, is more typical for prisoners who have no or few personal contacts with the outside world and who feel unappreciated by society. These persons focus on life inside the prison walls and are most vulnerable to negative prison effects such as criminalization and disculturation.

The potentially positive effect of media use on the re-entry phase is also limited in other ways. The fact that the developments and trends that are highlighted in the media are not always relevant in the personal sphere (and the other way around – what is relevant in the personal sphere is not always reported on in the media) and the fact that the media experience of a phenomenon is very different from the real life experience, reduces the preparatory power of mass media in the light of re-entry. Furthermore, it is clear that the prison environment remains an abnormal and stressful environment despite the availability of TV sets, magazines, newspapers, etc.

Thus, in the prison context the mass media seem to be necessary, but insufficient. Penitentiaries should give inmates sufficient opportunities to keep informed about their home environment by allowing contacts with family members and friends via visits, telephone calls and letters. These personal ties are also important because they seem to have a great effect on prisoners’ general interest in the outside world. Because the mediated and the interpersonal experience cannot replace the personal experience, however, measures that allow direct experience with the outside, such as prison furloughs, should be encouraged, especially in the case of long-term prisoners. Furthermore, policy measures should be taken to reduce the differences between the prison context and the free world, not only by providing inmates with a similar range of media facilities as people outside (at an affordable price), but also by other initiatives.

Finally, I would like to formulate some suggestions for future research. While the above mentioned studies focused mainly on measuring the media uses and (non-) gratifications in prison and their relationship with prisoners’ knowledge and opinions about the outside world, and only explored the perceived effects of media use during incarceration on prisoners’ re-entry, future research should investigate this link between media use in prison and ex-prisoners’ reintegration into society more directly by employing a longitudinal, quantitative research design. Such a design should take into account prisoners’ pre-prison situation, their reaction to confinement (especially in terms of media uses, positive versus negative imprisonment effects, and the interaction between these factors), and their re-entry experience (or more in general, their reintegration experience). This overview article of the positive potential of mass media in the light of prisoners’ re-entry might function as a starting point for developing research questions and hypotheses.

NOTES

1. For the purpose of this article, “mass media use” is defined as watching television, reading books, newspapers or magazines, and listening to the radio or recorded music.

ENDNOTE

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Conservatism in American Crime Films

By

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ABSTRACT

This article uses conservative crime films from the founding era of modern conservatism, the late 1960s and early 1970s, to explain conservative legal thought, specifically popular rather than professional thinking about law, rights, justice, and courts. The primary focus is on *Dirty Harry* and *Death Wish*, two films whose explicitly conservative themes provide excellent insights into the change from liberal to conservative thinking about crime. The primary objective is to increase understanding of legal conservatism, the dominant influence on contemporary criminal justice policy. The article uses the crime control and due process models of justice to explain conservative attitudes and policies, with special attention paid to the relationship between law and order.

INTRODUCTION

Quick Change (1990) is a crime comedy where Grimm (Bill Murray), disguised as a clown, robs a New York City bank and then attempts to flee the city. Confronted by an armed yuppie who mistakenly thinks Grimm is burglarizing his apartment, Grimm facetiously asks him, “From Woodstock to Charles Bronson in 20 years?” This humorous question is also very interesting. How did we get from *there*, due process liberalism, to *here*, crime control conservatism? The change from criminal justice policy that was primarily shaped by liberal thinking about crime to criminal justice policy that was primarily shaped by conservative thinking about crime is one of the most important public policy changes during the latter half of the 20th century.

The change is usually described using empirical data such as crime rates, surveys of public opinion, and U.S. Department of Justice statistics on sentencing trends and prison populations, or doctrinal analysis of Supreme Court case law. This article studies legal conservatism from the perspective of popular rather than professional legal culture, and mass rather than elite thinking about rights, law, courts, and justice. It uses crime films to explain conservative thinking about crime. The primary focus here is two crime films with explicitly conservative themes embedded in the narratives, *Dirty Harry* (1971) and *Death Wish* (1974). These works of legal fiction were selected because they are excellent filmic expressions of conservative political and legal thought during the founding era of modern conservatism, the pivotal period from the mid-1960s to the early 1970s (Lenz, 2003) when, after a brief period of concern about police brutality, public opinion began “swinging back toward law-and-order positions” (Rafter, 2000, p. 75).

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Dirty Harry is a classic cop film starring Clint Eastwood as Inspector Harry Callahan, a San Francisco homicide detective assigned the case of a serial killer named Scorpio. Legal “technicalities” involving the admissibility of evidence frustrate Callahan’s efforts to bring the killer to justice, but he finally gets his man. Scorpio is loosely based on a San Francisco Bay area serial killer called “Zodiac” who was never caught. Dirty Harry is one of the “landmark” films of the 1970s (Demme, La Gravenese, Kupfer, & Reticker, 2003).

Death Wish is a vigilante film based on Brian Garfield’s book Death Wish (1972). The lead character in the book is Paul Benjamin, a New York City accountant who becomes a vigilante after young thugs murder his wife and seriously injure his daughter. The film stars Charles Bronson as Paul Kersey, a New York City development engineer who becomes a vigilante after his wife is killed and his daughter seriously injured in a brutal home invasion robbery. The book is even more explicitly critical of liberalism than the film, but both works of legal fiction provide excellent descriptions of the change from liberal to conservative thinking about crime. Kersey’s personal journey from a bleeding-heart liberal, who sympathizes with the underprivileged who were driven by poverty to lives of crime, to a crime control conservative, who advocates vigilantism as a response to street crime, mirrors the nation’s political transformation from liberalism to conservatism.

Dirty Harry and Death Wish are of great heuristic value because they show the strong emotional appeal of crime control values during this period, a popular appeal that cannot be appreciated solely by reading empirical data on crime rates or Supreme Court opinions. Films help audiences “negotiate” difficult periods of “cultural transition” (Belton, 1996, p. 2) such as the change from liberal to conservative thinking about crime. This article uses the due process and crime control models of justice to examine the conservative themes in the films. These two models of justice, which consist of value clusters and policies that have historically separated liberals and conservatives, are useful insofar as they are used to describe the polar ends of the criminal justice policy continuum. Crime policy is not either due process or crime control, but it does range along a continuum of values and policies that are generally labeled liberal or conservative.

One of the oldest philosophical debates is whether justice is better served with or without law. Plato argued that the best form of government was rule by a philosopher-king; Aristotle believed that justice was better served when laws governed the governors. Dirty Harry and Death Wish show why modern conservatives advocate justice without law. The terms law and order are so commonly linked that they are assumed to refer to a single value, law-and-order, generally understood to mean getting tough on crime. Legal scholars recognize that law and order are separate values that sometimes conflict with one another (Ericson, 1982; Garland, 2001). Furthermore, conservatism is so strongly identified with law-and-order that it is redundant to refer to a law and order conservative. But the conservative films examined here are evidence that, when forced to choose between law and order, conservatives generally prefer order because law is merely an instrumental means to an intrinsically valuable end, the maintenance of public order.

Conflating the distinction between law and order is problematic for three reasons. First, it obscures one of the central issues in the history of American criminal justice, the struggle to
bring law to a system that traditionally valued order. Second, it undermines support for the ideal of government according to the rule of law, one of the guiding principles of the administration of justice. Third, it seriously limits understanding of modern conservatism, which is the dominant, albeit not hegemonic, ideology shaping contemporary crime policy. An ideology is defined here as a relatively consistent set of beliefs, and the term legal ideology refers to the components of an ideology that pertain to law, rights, courts, and justice. The article uses the crime films to analyze conservative views on these matters.

**THE POLITICS OF CRIME CONTROL**

Crime has historically been an issue for state and local government, but it became a national issue in the 1960s. Republican Barry Goldwater made lawlessness and crime in the streets an issue in the 1964 presidential campaign (Walker, 1980). In the 1968 presidential election, George Wallace recognized the popular appeal of law and order, and made it a central theme of his third-party campaign. The political establishment was initially wary of Wallace’s get tough on crime rhetoric because it was closely linked with his race politics, but the law enforcement community liked what Wallace said about crime and the Fraternal Order of Police invited him to give the keynote address at its annual convention in 1968. Wallace’s law-and-order rhetoric appealed to those who were outraged by street crime and those who were frightened by street crime (Lesher, 1994). But the politics of rage (Carter, 2000), not fear, is central to understanding the emotional appeal of conservative thinking about crime during this era. Wallace’s rhetoric was so popular that the Republican Party Candidate, Richard Nixon, and the Democratic Party candidate, Hubert Humphrey, “parroted” his language until the presidential election sounded like three sheriffs running for office (Lesher, 1994, p. 414). Nixon made “the law-and-order theme central to his campaign in an overt quest to appropriate the issue from Wallace” (Lesher, 1994, p. 414). Worried about being labeled soft on crime, the Democratic majority in Congress passed The Omnibus Crime Control and Safe Streets Act of 1968, a major piece of federal anti-crime legislation.

Nixon won the election and declared war against crime. In his 1970 *State of the Union Message*, President Nixon reinforced his conservative crime control values and strengthened the rhetorical linkage between law and order by pledging to create “respect for law rather than lawlessness.” In comments directed at due process liberals, Nixon said, “We have heard a great deal of overblown rhetoric during the sixties in which the word ‘war’ has perhaps too often been used—the war on poverty, the war on misery, the war on disease, the war on hunger. But if there is one area where the word ‘war’ is appropriate it is in the fight against crime. We must declare and win the war against the criminal elements which increasingly threaten our cities, our homes, and our lives” (Nixon, 1971, p. 12). Conservatives were frustrated because Nixon’s appointment of four Supreme Court justices, including Chief Justice Warren Burger, did not immediately end liberal rulings. In fact, the Burger Court struck down state death penalty statutes in *Furman v. Georgia* (1972), limited public aid to religious schools in *Lemon v. Kurtzman* (1971), upheld affirmative action programs, and found a privacy right to abortion in *Roe v. Wade* (1973). *Roe v. Wade* “came as a rude shock” to conservatives who were expecting something more from “their’ Court” (Piper, 1997, p. 272). However, in criminal law the Burger Court’s conservatism was already recognized in the early 1970s. In 1972, the editors of the conservative *National Review* concluded that the “Nixon Court” had given “the requirements of order and stability” a
“more favorable hearing” than the Warren Court by broadening police power to stop-and-frisk without obtaining a search warrant and by narrowing a suspect’s right to the assistance of counsel (“The First Nixon Court”, 1972, p. 785).

Legal scholars have different assessments of conservatism’s initial impact on the Court. In 1974, Levy concluded that the four Nixon appointees “immediately demonstrated a remarkable cohesiveness” in criminal justice cases and effectively “repealed” the Warren Court’s earlier criminal justice “revolution” (p. 20) by voting as a conservative bloc (p. 60). Other legal scholars described the Court’s “clear turn toward the right” in criminal law cases (Abadinsky, 1998, p. 85). But in The Burger Court: The counter-revolution that wasn’t Blasi (1983) concludes that the Burger Court provided more continuity than change. The position presented in the current article is that this is the revolution that was, that there was a counter-revolution or backlash against the liberal Warren Court revolution that occurred over a period of time beginning in the late 1960s and extending through the 1970s and 1980s. The empirical evidence of a conservative revolution includes changes in the rate of incarceration. In 1970, the rate was 96 prisoners per 100,000 population (U.S. Department of Justice, 1985, p. 531). The rate increased in the early 1980s because the Reagan Administration shifted the strategy for fighting the war on drugs from treatment to punishment, and by 2002 the rate was 702 per 100,000 population (Harrison & Karberg, 2003).

**DUE PROCESS OF LAW**

Due process is arguably the most important legal concept in American law. Originally defined narrowly to apply only to criminal trials, its meaning has been stretched “like taffy” (Friedman, 1985, p. 80) until today, due process refers to a general expectation of fair treatment. Conservatives have been especially critical of the impact that the expansion of due process has had on the criminal justice system. The rightward movement of public opinion during the last several decades has meant increased support for the crime control model of justice and decreased support for the due process model of justice. Packer’s (1968) due process and crime control models can be adapted to include the sets of values and public policies that define liberal and conservative thinking about crime.

Liberals generally emphasize (a) due process of law; (b) the protection of individual rights; (c) rehabilitation as the primary purpose of indeterminate sentencing; and (d) public policies collectively labeled professionalism, including civil service, merit selection of judges, and judicial review of criminal justice officials. Conversely, conservatives generally emphasize (a) crime control; (b) social order achieved through broad executive discretion; (c) punishment as the primary purpose of determinate sentencing; and (d) policies collectively labeled political accountability achieved through patronage, election of judges, local justice, executive discretion, and legislative supremacy. Elements of the due process and crime control models of justice appear as themes of crime films.
DIRTY HARRY

The story

In *Dirty Harry* San Francisco city officials are clueless about how to stop the serial killer Scorpio, but Callahan, a throwback to the old school of crime fighting where cops rely on instincts and experience more than formal education and professional training, knows what to do and expects to be turned loose to do his job. When Scorpio kidnaps a girl whom he claims to have buried alive, and threatens to let her die if the city does not pay him ransom money, Callahan reluctantly agrees to deliver the ransom. Scorpio reneges on the deal and savagely beats Callahan, who manages to stab Scorpio in the leg. Scorpio escapes, but Callahan later learns that he lives beneath a nearby sports stadium. Callahan scales a fence to get on the property and kicks open the door to the man’s room. Scorpio is not there, but Callahan tracks him onto the middle of the athletic field where he shoots him in the leg and, as Scorpio lies on the ground, writhing in pain and cowering in fear, Callahan repeatedly asks him where the girl is. Scorpio whines about having rights until Callahan steps on the man’s injured leg and grinds his boot. Apparently Scorpio talks because the next scene is the girl’s body being removed from the hole where she was buried.

Called to a meeting with the district attorney and a judge, Callahan is shocked to hear that the charges against Scorpio have been dropped. The district attorney tells Callahan that he is lucky that charges are not being filed *against him* because it is against the law to search without a warrant, kick down a door, deny medical treatment, and torture a suspect in order to obtain a confession. The appeals court judge, who also teaches constitutional law at Berkeley, explains that the case against Scorpio has Fourth, Fifth, Sixth, and Fourteenth Amendment problems. The district attorney facetiously asks Callahan, “Where have you been?” accusing Callahan of being ignorant of *Escobedo* and *Miranda*, two landmark Supreme Court rulings that had limited police interrogations. In *Escobedo v. Illinois* (1964), the Court held that suspects have a Sixth Amendment right to the assistance of counsel. In *Miranda v. Arizona* (1966), the Court required police officers to notify suspects that they have a right to remain silent and to have a lawyer present during questioning. Because Callahan did not read Scorpio his *Miranda* rights before asking him where the kidnapped girl was, the gun and the girl’s body were inadmissible as evidence because the Exclusionary Rule prohibits using illegally obtained evidence to obtain a conviction. The district attorney sarcastically asks Callahan, “Surely you have heard of the Fourth Amendment?”

The fact that the law prevents Scorpio’s conviction is an injustice that Justice Clark acknowledged in his majority opinion in *Mapp v. Ohio* (1961), by quoting Judge Cardozo’s famous statement in *People v. Defore* (1926) that “the criminal is to go free because the constable has blundered.” Callahan is more interested in fighting crime than upholding the law. When told that he violated Scorpio’s constitutional rights, he sarcastically replies, “Well, I’m all broke up about that man’s rights.” When told that the law does not allow the evidence to be used against Scorpio, Callahan replies, “Well, then the law is crazy.” When Callahan asks who speaks for the victim, the prosecutor replies that he does *if* Callahan will let him win cases by not illegally gathering evidence.
Scorpio is released, hijacks a school bus, and demands money and an airplane to escape. Callahan refuses to deliver the ransom because he is disgusted with the mayor’s desperate and naïve hope that Scorpio will stop killing if he gets what he demands. Although officially off the case, the intrepid Callahan tracks Scorpio, corners him, and in a dramatic final confrontation, wounds and then fatally shoots him. The film ends with a scene where Callahan removes his police badge, looks at it pensively, and throws it into a pond.

Blaming political liberalism

Dirty Harry’s criticism of political and legal liberalism is part of the setting and the storyline. The film is set in San Francisco in a time when the city epitomized the liberal permissive culture that conservatives blamed for crime. The story line blames liberals for rampant street crime such as daylight bank robberies, muggings, and drug deals; criminogenic social conditions such as seedy strip clubs and alternative lifestyles. The city leadership, specifically the mayor and chief inspector, are portrayed as weak, indecisive, and ineffectual liberals, whereas Callahan is a strong and decisive conservative who knows what to do and is willing to pay a high professional price, his badge, for doing it. Callahan is a martyr (Kael, 1994), the fictional embodiment of the conservatives of the era who portrayed themselves as David, fighting the good fight against the liberal Goliath.

Dirty Harry shows how conservatism moved away from its traditional elitist, country club Republican base of support. Traditional conservatism defended a hierarchical society against liberal egalitarianism. The New Right appealed to the average American. Crime was one of the issues that made conservatism more appealing to the average American at a time when liberalism supported legal elites such as lawyers, judges, and academics who were committed to using due process to regulate police behavior. Lay people think about a suspect’s guilt or innocence, which is a commonsense matter of substantive justice, more than the legal technicalities of the adversarial system of justice, which are elements of procedural justice. Therefore, the average man or woman on the street considered the constitutional rights associated with the adversarial system of justice part of the problem of street crime. The relationship may not have been causal, but the public understandably blamed the courts for crime rate increases that occurred after landmark Supreme Court rulings providing more rights to suspects and prisoners.

Dirty Harry is considered one of the anti-authoritarian films that were popular in the 1970s because the main character had so much trouble with authority, but it is not anti-authoritarian as much as it opposes the prevailing liberal establishment and proposes an alternative order. The film is an especially important source of popular conservative thinking about crime because Clint Eastwood, who had chafed under the Hollywood studio system and went to Italy to make spaghetti westerns, returned as an auteur empowered to make Dirty Harry, a filmic expression of conservative values. Eastwood, a conservative, became Inspector Callahan, a conservative, after Paul Newman, a liberal, turned down the role (Rafter, 2000). Eastwood (Demme, La Gravenese, Kupfer, & Reticker, 2003) considers the film an alternative or antidote to the era’s national mood, the growing sense of self-doubt about economic policy, crime policy, and foreign policy that scholars labeled a crisis of confidence. Eastwood’s Dirty Harry character projects an air of confidence, certainty, and simplicity, the character attributes
that contributed so much to the political success of another actor turned Republican politician, Ronald Reagan. Reagan’s optimism was at least partly based on the rejection of the liberal tendency to describe public policy issues such as crime or welfare as complex problems that required complex solutions. He came to embody the conservative confidence that there were indeed simple solutions to many of the problems facing the nation.

Dirty Harry’s story line about liberal government officials who were desperate to stop a menacing serial killer, but still expected Callahan to fight crime with one hand tied behind his back, was especially appealing to conservatives in the early 1970s because they also blamed liberals for losing the Vietnam War by requiring the military to fight a limited war with one hand tied behind its back. Callahan is a domestic cold warrior, a practitioner of realpolitik on city streets rather than the international stage. Conservatives cheered Callahan’s refusal to fight crime under the restrictive rules of engagement determined by liberal legal theory. These conservatives used strongly anti-government rhetoric because they believed government was actually working against the interests of the people that President Nixon called “the silent majority.” However, then as now, conservatives advocated more government not less, a stronger criminal justice system, and legal policies that tipped the scales of justice toward crime control. The liberal film critic Pauline Kael (1994, p. 421) argued that Dirty Harry’s skillful appeal to primal emotions as the story line “marches” toward its “righteous conclusion” makes it “an almost perfect piece of propaganda for para-legal police power”.

Challenging legal liberalism

Dirty Harry is even more explicitly critical of legal liberalism. Judges are blamed for both crime and the erosion of public order by interpreting the constitution to inordinately protect individual rights. This theme reflects public opinion surveys that indicated a large and growing majority believed that the courts were soft on crime (U.S. Department of Justice, 1985, p. 166). Conservatives were especially critical of federal judges because they led the due process revolution in criminal justice by providing greater rights for suspects and prisoners. Dirty Harry is a bold challenge to liberal assumptions about the efficacy of law as an instrument of justice. When Callahan threw away his badge at the end of the film, he symbolically threw away the law that had effectively disarmed society by forgetting that law was just a means to an end, that due process was the means to achieve justice rather than an end in itself. One of the recurring themes in legal fiction is that achieving justice is a struggle because of the conflict between positive law and justice, the natural sense that individuals are getting what they deserve. Dirty Harry portrays law as divorced from justice. Callahan is outraged that rights and law were actually frustrating justice, and he is willing to violate both to do justice. Dirty Harry voices the conservative belief that due process liberals have misplaced priorities insofar as they treat law and justice as equal values. In fact, conservatives consider law an instrumental value that can be dispensed with when necessary to achieve other, more important values.

The social utility of violence

One of the film’s most controversial subjects is the relationship between law and violence. Dirty Harry directly challenged the prevailing liberal orthodoxy that violence was an atavistic impulse that needed to be controlled by law. One of the best expressions of liberal faith
in law is *To Kill a Mockingbird* (1962), where Atticus Finch—the American Film Institute’s greatest film hero—rejects violence as a primitive human impulse that had to be restrained by law for justice to prevail. Liberals tended to measure human progress by law’s displacement of violence as an instrument of social control. *Dirty Harry* portrays violence as a legitimate solution to the problem of too much law, and advocates the justice and social utility of violence. This theme was intentional. The 1960s and 1970s were “the golden age of American film violence, a fact understood by filmmakers and critics at the time and celebrated since” (Slocum, 2001, p. 7). The concept of redemptive or regenerative violence certainly is a prominent theme in conservative crime films.

Eastwood’s character Blondie in *The Good, the Bad and the Ugly* was the first protagonist to shoot first “in violation of the ethical code that had previously governed Westerns” (Mitchell, 2003, p. 9). In *Dirty Harry*, Callahan’s effective use of violence rather than law to fight crime endorses the morality of an eye for an eye, an ancient principle of retributive justice that is central to the way he administers justice. Callahan flaunts the ethical code that the hero does not shoot first when he taunts wounded criminals by daring them to go for their guns. Because Scorpio savagely beat and tried to kill Callahan earlier in the film, Callahan does not violate the principle of retributive justice when he finally kills the killer. The mayor and the chief inspector realize that doing things by the book is not working, and are tempted by Dirty Harry’s maverick policing and willingness to throw away the book, but they are troubled by his use of violence.

Other cop films of the era, including the classic *The French Connection* (1971) provide more nuance views of violence by showing negative consequences of police violence, such as mistakenly shooting other police officers. Indeed, Eastwood’s later films *Unforgiven* and *Mystic River* have morally complex characters and story lines that examine the moral and practical dimensions of violence, and Eastwood, the auteur, has described his views on violence as more “evolved” than they were when *Dirty Harry* was made (Whipp, 2003, pp. 1E, 6E). If *Unforgiven* is Eastwood saying he is sorry about portraying violence heroically, *Mystic River* is Eastwood saying he is sorry again because it is the first time he has not “rigged” the story line so that only the right people get shot (Edelstein, 2003).

**The importance of order**

*Dirty Harry* reflects the central role that conservatives believe the police play in maintaining social order. Callahan represents the conservative view that experienced cops should be free to do their jobs without law, lawyers, or judges unduly limiting their judgment about the best way to police the streets. In this respect, the desire for justice without law is consistent with the traditional conservative desire to return to or restore the values of a past golden age. *Dirty Harry* is an expression of the conservative desire to return to the time before the Supreme Court used the concept of due process to bring law to the administration of local justice. Law fettered the executive discretion of police officers and prison officials. Callahan’s willingness to bend, even break the law is portrayed as a necessary response to street crime that had gotten out of control. His attitude toward law also indicates that he saw his role as a police officer rather than a law enforcement officer. Callahan was not enforcing law; he was policing to prevent and punish criminal behavior, thereby maintaining social order. The film makes it clear that, when forced to
choose between law and order, Callahan rightly chose order. Callahan voices the conservative belief that liberals produced too much law, but not enough order or justice. He believes that less law will bring more order.

This conservative preference for order above law remains evident in the right’s continued criticism of the Supreme Court for reading the Constitution to require search warrants, Miranda warnings, and the Exclusionary Rule. These elements of criminal procedure are criticized as legal technicalities that tie the hands of law enforcement officers and allow the guilty to go free. The right wing of the Rehnquist Court includes strong critics of the due process model of justice (O’Brien, 2000). Justices Rehnquist, Scalia, and Thomas support legislative supremacy, executive discretion, political accountability, and responsive law because these crime control values underlie criminal justice policies that allow police and other criminal justice officials to make street-level decisions about what is reasonable and unreasonable behavior, determine what constitutes suspicious behavior, and determine the appropriate use of force without being subjected to judicial scrutiny or second-guessing. Warren Court liberals supported judicial remedies for government abuse of criminal justice powers. Conservatives read the Constitution as a document that relies upon political remedies for government abuse of power and they believe the republican system of representative government is a better check on government than judicial activism on behalf of civil liberties.

Dirty Harry challenged the system to do a better job delivering justice by acting on crime control values without paying as much attention to due process. The next film examined here, Death Wish, presented an even more direct challenge to the criminal justice system because it took Dirty Harry’s official lawlessness one step further and advocated citizen vigilantism.

DEATH WISH

The story

Death Wish begins with Paul Kersey as the quintessential bleeding-heart liberal, a New Yorker who sympathizes with under-privileged youth whom he believes are driven by poverty to commit crime. Kersey initially reacts to his family’s assault with a preternaturally calm, hyper-rational faith in the criminal justice system’s ability to bring to justice the young thugs who attacked his family. But when he asks a detective whether there has been any progress in the investigation of the crime, the detective candidly replies that the criminals probably will not be caught.

One evening while gazing out his apartment window, Kersey watches a car being burglarized on the street below. He does nothing to interrupt the crime. He does not even call the police. He merely pulls down the window shade. This scene evokes Edmund Burke’s warning, “All that is necessary for evil to triumph is that good men do nothing.” The scene is also a commentary on the 1964 murder of Kitty Genovese. Genovese was returning from work in the dark of the early morning hours when she was attacked, stabbed, and raped during a series of assaults that lasted about 30 minutes. Twenty-seven residents in her Queens neighborhood heard her screams or saw the attacks from their apartment windows, but did not call the police. The fact that she might have lived if someone had called the police after the initial attack prompted
nation-wide condemnation of modern urban life where individuals were unwilling to get involved by helping a neighbor in trouble.

Kitty Genovese was raised in Brooklyn, but in 1954 her parents moved to New Canaan, Connecticut, partly to get away from crime in New York City (Wikipedia Free Encyclopedia, 2005). Similarly, Paul Kersey first expresses doubts about his liberal convictions when his son-in-law suggests that they move to the suburbs in Connecticut to get away from the street crime in New York City. When Kersey asks what people who flee when threatened are called, his son-in-law replies, “Civilized?” Kersey refuses to “cut and run” to the suburbs. He fights back. Armed with a roll of quarters wrapped in a sock, he strikes a mugger who approaches him and then returns home visibly shaken. He is not shaken by nearly becoming a crime victim; he is upset by his use of violence.

On an extended business trip to Arizona, Kersey works with a local developer who preaches self-defense as the way to fight crime. While target shooting at a gun club, the Arizonan asks Kersey whether World War II or the Korean War was his war, and Kersey replies that he was a conscientious objector who served in the medical corps in Korea. When the developer asks where a conscientious objector learned to shoot so well, Kersey explains that his father was a “gun nut” killed in a hunting accident, but his mother was a pacifist and her attitudes prevailed after his father’s death. The developer gives Kersey a handgun as a going away gift. Armed with the gun and a new attitude, Kersey walks the streets of New York City inviting attack. After shooting to death a man who intends to rob him, Kersey returns home and becomes physically ill over his use of deadly force, but he continues his private crusade against street crime. His transformation from bleeding heart liberal to hard-hearted conservative is complete when he has no moral qualms about shooting three thugs who confront him. Kersey is now a cold-hearted vigilante killer who considers violence an essential element of an individual’s right to self-defense and, perhaps even more importantly, an effective way for citizens to meet their civic responsibility to contribute to public safety.

Kersey’s vigilante acts have inspired other New Yorkers to act against street crime rather than simply accepting it as a fact of life in the City or trusting the criminal justice system. City officials tell the inspector in charge of searching for the vigilante that they want the killing to stop, but they do not want the vigilante to be arrested because doing so would make him a martyr. The film ends with Kersey lying wounded in a hospital, listening to the inspector making him an offer to leave town.

The civic virtue of violence

The criticism of liberalism is part of the film’s setting and story line. The rampant street crime in New York City, a bastion of the liberal eastern establishment, is a comment on the failure of liberal governance. The story line repudiates liberal, due process values and endorses conservative, crime control values. Violence is portrayed as a legitimate method of self-defense and as an effective method of crime control in a period when liberals and conservatives were divided on the morality and social utility of violence. The classic film To Kill a Mockingbird is an expression of the liberal idealist belief that law and violence were antithetical, that law’s displacement of violence was a mark of human progress, and that law’s triumph over violence
was evidence of the evolving standards of civilization. Liberals considered *Death Wish* a *reactionary* conservative film because it advocated a return to violence as an instrument of social control.

Although the film acknowledges the social utility of violence, it does not glorify violence. Kersey’s apparent inability to control his vigilantism is a warning that violent impulses can be hard to control. The book is even more critical of violence than the movie. Paul Benjamin reads a magazine article that includes a famous forensic psychiatrist’s profile of the still unidentified vigilante. The psychiatrist is confident that the vigilante is not like that “truly psychotic” Zodiac killer in San Francisco, but rather a “murderer” with a message: something *can* be done about crime in the streets (Garfield, 1972, pp. 168–169). The *Death Wish* message about the triumph of rage over fear, and decisive action over indecision or apathy, had widespread popular appeal for the same reason that George Wallace and Richard Nixon’s populist rhetoric about getting tough on crime was appealing.

Charles Bronson was aware of the popular appeal of a crime fighting screen hero with a capacity for violence and ambivalence about law, apparently fabricating stories about his youthful brushes with the law (Severo, n.d.). His character Kersey is, to use Slotkin’s (1973) term, “regenerated through violence” and revitalized by developing the spirit that did not develop because he was raised fatherless and Eastern. He developed his civic virility by leaving the East, where being civilized meant relying on law for safety, and returning to the West, where the Jeffersonian ideal of civic virtue inspired individuals to rely on their natural sense of justice to promote good social order. Kersey’s civic vigilantism thereby revitalizes and regenerates the community as other residents end their dependence on government and take personal responsibility for public safety. The film’s popular appeal is partly due to its anticipation of the growing popular dissatisfaction with government and the administration of justice, dissatisfaction that was ultimately manifested as conservative support for privatization of public services including security.

*The political theory of vigilantism*

The contract theory of government provides a justification for vigilantism. According to the contract theory, government is created when individuals agree to live together under a system of laws. Individuals give government certain powers, but they keep certain rights. For example, individuals give up their right to prosecute or punish criminal acts in exchange for the government assuming responsibility for providing public safety. But citizens acting individually or collectively have the right to take the law *back* into their own hands when the government is unwilling or unable to provide public order, safety, or justice. The image of a vigilante as a public-spirited citizen who assumes personal responsibility for administering justice is appealing in a democracy, where law and politics are apt to be closely related because the values of direct democracy are closely related to the values of direct justice.

Vigilantism is consistent with the values of the crime control model of justice insofar as it results in a responsive legal system, where law reflects politics, rather than an autonomous legal system, where law is insulated from politics. The direct-action impulse of vigilantism is hard to reconcile with the professional administration of justice, where police officers, prosecutors, and
judges are insulated from direct popular control by, among things, merit selection systems or appointment rather than election. Legal scholars describe the history of American criminal justice as an ongoing struggle between the democratic demands for popular justice expressed as a legal system that is responsive to public opinion, and aspirations of professional justice expressed as a legal system that is insulated from public opinion (Walker, 1980). American legal fiction does include images of vigilantes as ignorant, bigoted individuals or unruly mobs that kill the innocent. Both the good and the bad vigilante figure prominently in American legal fiction because of American ambivalence toward law. The contract theory of government assumes that the people are sovereign, and popular sovereignty literally means that the people, not the government or laws, are the ultimate source of authority.

The ideas of the English political philosophers John Locke and Thomas Hobbes greatly influenced American thinking about government and law. Locke believed that individuals left the state of nature and created government as part of the desire to pursue justice as something other than might makes right. Without established law, individuals assert their own biased interests without regard for justice and, in the absence of impartial judges, “passion and revenge” will overwhelm an ordinarily reasonable person who then becomes “both judge and executioner” (Locke, 1960, pp. 73–75). In *Leviathan*, Thomas Hobbes presented a more jaundiced view of human nature. He described life without government as “solitary, poor, nasty, brutish, and short” because it was human nature for individuals to use “force and fraud” to get what they want. Laws are necessary to prevent the human condition from degenerating into a “war of every man against every man” (Hobbes, 1950, Ch. xiii). As a vigilante, Kersey obviously violates Locke’s injunction against having one person acting as both judge and executioner, and Kersey seems to disagree with Hobbes insofar as Kersey believes that vigilantism can supplement law as a restraint on human impulses. American legal history includes periods when conservatives and liberals feared popular justice as mob rule or might makes right, but for most of the 20th Century, liberals generally supported an autonomous legal system that reflected the Progressive Era ideals of the professional administration of justice. *Death Wish* begins with Kersey representing these ideals, and it concludes with Kersey representing the conservative ideal of a responsive legal system.

*A consumer’s perspective on criminal justice*

*Death Wish* presents the problem of street crime from the perspective of the consumers of law, the citizens who expect safe streets and subways, during a period of eroding public confidence in the system. The depiction of government officials as self-serving bureaucrats who are out of touch with the average American is a filmic expression of the views of modern conservatives who have taken pains to differentiate between the people and the government. This differentiation enabled conservatives to criticize the government without alienating the people. In the 1960s and 1970s, liberals who criticized government policy were considered disloyal and taunted with the slogan, *America: Love it or leave it*. Conservatives, like Kersey, criticized the government without having their loyalty questioned and the public supported his acting on crime control values. While in a bar watching a television news story about the police department’s views on the vigilante killings, Kersey listens to the police commissioner, whom one of the customers refers to as “the king of clichés,” advise the public to resist the temptation to take the law into their own hands because the police department has street crime under control. Kersey
sardonically observes that the commissioner is a self-serving bureaucrat who is more interested in protecting his job than providing public safety. Even the media are skeptical of government claims that the vigilante has not reduced the crime rate. The evening news reports inspirational stories about citizens defending themselves, friends, neighbors, and even strangers.

The contract theory provides that government has an obligation to prevent crime and punish offenders. The theory also provides that individuals retain the right of self-defense, to take the law back into their own hands and administer justice without regard for due process of law. The political theory of vigilantism is firmly rooted in both classical liberal theory – which emphasizes individualism, rights, and the contract theory of government – and republican theory, which emphasizes traditional Burkean conservative values such as the importance of civic-minded action for the common good. Kersey is not a self-interested individual; he deliberately acts from a sense of an individual’s responsibility to promote the public good.

A conservative epiphany

Charles Bronson’s Paul Kersey is the embodiment of Tom Wolfe’s quip in Bonfire of the Vanities that a conservative is a liberal who has been mugged. The story line about a liberal New Yorker going west to rediscover the civic virtue of self-defense reflects what was actually happening in the country when the film was released. Kersey’s personal journey from the northeast to the southwest represents the actual journey that conservatives and the Republican Party took when they went western on crime. The modern conservative movement has political roots in the southwest, where the “get tough on crime” movement began in places like Orange County, California, and Scottsdale and Maricopa Counties, Arizona, and then spread to national politics (McGirr, 2001). These movement conservatives, who blamed east coast liberals for the crime wave facing the region, fervently believed that the only way the country could be saved was by waging a culture war to restore traditional values such as self-reliance and self-defense. Ronald Reagan’s election as governor of California in 1966 provided an electoral base in the Republican Party that transformed conservatism from an elitist, country club ideology into a more populist, middle-class ideology.

Chief Justice Earl Warren believed that President Nixon’s political attacks on the Warren Court’s criminal law rulings “centered” on the Miranda ruling (Warren, 1977, p. 316). Dirty Harry’s extremely negative portrayal of the Miranda Rights and the Exclusionary Rule reflects the conservative politics of crime control. In fact, even though the Miranda ruling has actually worked to indemnify the police against subsequent challenges to the admissibility of evidence obtained after suspects have been informed of their rights, Miranda still has symbolic value for conservatives who believe in the crime control value of executive discretion.

The growing gap between elite (liberal) and mass (conservative) thinking about crime was caused by popular disillusionment with the administration of criminal justice. Death Wish identifies with the average American’s commonsense understanding of the crime problem rather than the theories of the legal and academic professionals. Professionals are apt to consider crime a complicated problem that requires complex solutions, and their thoughtful approach stands in sharp contrast to the simple, commonsense approach taken by Harry Callahan, Paul Kersey, and ultimately President Ronald Reagan.
Crime, and related issues such as drugs, juvenile delinquency, and prisoner’s rights, was an especially effective issue for conservatives (Anderson & Lee, 1976) because it, like race, was one of the wedge issues that Republicans used to crack the liberal New Deal/Great Society coalition that was the Democratic Party’s political base beginning in the 1930s. The book *Death Wish* describes how the liberal coalition cracked. Paul Benjamin keeps his contempt for conservative economic policies, which help the rich and hurt the poor, but embraces the right wing’s “fundamentalist” attitudes toward crime (Garfield, 1972, p. 110). The forensic psychiatrist is confident that the vigilante is someone who, having spent his life “as a liberal of good conscience,” had a traumatic experience with crime that caused him to reject certain liberal values (Garfield, 1972, p. 170).

**Punishment**

Indeed, the psychiatrist himself rejects “those old [liberal] shibboleths” that crime is a disease and that the primary purpose of punishment is rehabilitation. The psychiatrist believes that punishment is about deterrence, and the legal system “is a shambles” because the courts do not provide immediate and impartial punishment (Garfield, 1972, p. 170). Both the book and the film challenge liberal or progressive legal theory about the purposes of punishment. Liberals generally consider vengeance a primitive human impulse that was inappropriate for public policy in civilized societies. Attitudes toward vengeance divided the left and right wings of the Court in the landmark death penalty case *Furman v. Georgia* (1972). During the early decades of the twentieth century, liberal reformers portrayed rehabilitation as the primary purpose of a modern system of justice, and portrayed punishment and vengeance as holdovers from older, more primitive legal systems. Liberals removed revenge from the penal codes by systematically undermining its legitimacy as one of the purposes of punishment. Once judges, criminal justice professionals, and elements of the general public accepted rehabilitation as the primary purpose of sentencing (Feeley & Rubin, 2000), indeterminate sentencing policies were enacted as the best means to achieve that end. Beginning in the late 1960s, however, conservatives complained that rehabilitation did not work and was soft on crime, and they advocated determinate sentencing systems that restored punishment as the primary end of sentencing policy. Paul Benjamin comes to realize that permissive societies were like permissive parents: “they produced hellish children” (Garfield, 1972, p. 90). Both the book and the film stress the importance of protecting society, not individual rights.

**Law and order**

Death Wish’s popularity—there are four sequels—is partly attributable to the fact that the conflict between human law and natural justice was especially appealing to a public increasingly disillusioned with liberal ideals and dissatisfied with the criminal justice system’s response to street crime. The story line allowed Kersey to take direct action against the government without repudiating the system itself or appearing to be un-American. This anti-authority, anti-establishment theme broke the link between traditional conservatism and defense of the status quo, which made Kersey one of the new right, the radical conservative advocating fundamental change by restoring the values of an earlier era. The change from fear to rage, from liberal inaction to conservative action, is described in even greater detail in the book because the book’s
themes are even more explicitly political than the film’s themes. Nevertheless, the film’s portrayal of the relationship between law and order provides especially important insights into modern conservatism.

CONCLUSIONS

The two films examined here are ideologically coherent expressions of conservative thinking about crime that support the crime control model of justice, particularly order, punishment, executive discretion, and a responsive system of law. The films portray the problem of street crime as a manifestation of a broader political problem—the breakdown of social order caused by liberal ideas and legal policies. Eastwood’s Callahan is a laconic man of action who is on the front lines of the struggle to maintain order in a Hobbesian world where individuals need strong government authority to provide direction. Bronson’s Kersey is a sardonic citizen whose scornful ridicule of the government officials responsible for providing public safety, combined with his vigilante actions, inspires the residents of New York City to take the matter of public safety into their own hands.

The criticism of law and individual rights is an especially interesting theme. Dirty Harry exposes the roots of the modern conservative backlash against rights, a reaction against individual rights-oriented liberalism that is still reflected in conservative defense of the rights of the community, the society, the majority, or the public against the individual. Death Wish exposes the roots of modern conservative criticism of government. The crime control messages in the two films reflected growing doubts about the effectiveness of due process liberalism. The films were especially controversial because they endorsed the social utility of violence and the cathartic effect of vengeance as alternatives to law. Harry Callahan’s official vigilantism and Paul Kersey’s citizen vigilantism began what Edelstein (2002, p. 1F) calls “an endless stream of movies” justifying “wanton vigilante retribution”, from the wholesome Sally Field as a suburban vigilante in Eye for an Eye (1996) to Arnold Schwarzenegger as a vigilante retaliating against terrorists in Collateral Damage (2002). In Collateral Damage, Schwarzenegger replies to the statement that he cannot take the law into his own hands by heroically and violently doing just that.

The fact that conservative films portrayed liberals as ineffectual elites who were out of touch with mainstream popular thinking about crime is not unusual. Empirical studies of American attitudes toward rights, law, and justice, consistently reveal marked differences in support for abstract values, such as freedom, equality, or due process, and their application. The general public supports civil liberties “more often in the abstract than in their concrete application,” and this ambivalence “is especially evident in the area of due process” (McClosky & Brill, 1983, p. 147). The portrayal of liberals as more concerned with procedural technicality—law—than substantive justice is an aspect of the conservative backlash against individual rights, particularly in the area of criminal justice where the Miranda warnings remain a favorite target.

Conservatives argued that the Miranda warnings were dictum, a non-binding part of the decision that Congress eliminated when it included in the Crime Control and Safe Streets Act of 1968 a provision declaring that the standard for determining whether a confession was voluntary
was the pre-\textit{Miranda} “totality of the circumstances” standard. In \textit{Dickerson v. U.S.} (2000), Chief Justice Rehnquist wrote for a 7–2 majority holding that the \textit{Miranda} warnings were a constitutional right that could not be changed by statute. Justices Scalia and Thomas dissented, arguing the traditional conservative belief that judges should refrain from defining the concept of due process because the application of this important concept requires executive flexibility. Their dissents, which reflect the crime control value of executive discretion in the administration of street justice, reveal why they are not “law-and-order” conservatives. Both \textit{Dirty Harry} and \textit{Death Wish} portray a real world of forced choice between law and order, and explain why conservatives prefer order to law.

The relationship between law and politics has historically been both controversial and dynamic. The left and the right have at different times argued for more or less politicized justice. The films examined here explain modern conservative support for a responsive rather than autonomous legal system. Conservative advocacy of responsive law has been a strategic success that, as the electorate moved rightward on crime policy, resulted in more conservative legal policies.

\textbf{ENDNOTE}

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A Review of Courtroom 302: A Year Behind the Scenes in an American Criminal Courthouse

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The advent of DNA testing, false eyewitness accounts of crimes, and coerced confessions has awakened people to the reality that there are serious miscarriages of justice in the criminal courts of America. False confessions in the Central Park jogger case … scandals in the Los Angeles Police Department … the Illinois Supreme Court’s concluding in 1993 that within the Chicago Police Department Commander Joe Burge and his men had carried out years of “systematic torture” … the numerous cases of innocent people being freed from death row—one would have to have lived in a vacuum not to be aware of problems in the American criminal justice system. Still, with television shows such as CSI showing people the near-infallible ways in which police determine who is guilty — and innumerable movies and television shows telling us too many offenders get off on “technicalities”—most students continue to believe that the system favors offenders over victims and miscarriages of justice are rare.

In this book Steve Bogira effectively and movingly shows how miscarriages of justice and an anti-defendant bias are inherent in the functioning of our criminal justice system. Courtroom 302 is the story of one year in Chicago’s Cook County Criminal Courthouse, the busiest felony courthouse in the country. It weaves the stories of several defendants—from bond hearings through sentencing—in the courtroom of the book’s central figure, Judge Daniel Locallo. The cases serve to illustrate the numerous factors undermining justice in the system and to inform on and discuss larger issues and realities.

Steve Bogira spent a year observing, interviewing and researching all participants in the human dramas that take place daily in big city criminal courtrooms. Courtroom 302 shows the perspectives, pressures, constraints and biases that determine the actions of its players—the defendants, deputies, prosecutors, public defenders, private attorneys, jurors and most of all, Judge Locallo. The author’s ability to gain the trust of such a variety of participants is impressive and serves to reveal not only readily apparent truths and realities, but also those that lie beneath the surface. The book is impartial and dispassionate in its approach to the cases and participants, but there is great passion in the stories it tells. The parts of the book that are written from the perspectives of the defendants are at times particularly moving.

As described by the author, the main job of the courthouse is to sort through the “raw material” brought in by the police; and in most cases, the sorting takes place within the
constraints of tightly scripted scenarios. The goal is not so much to dispense justice as it is to dispose of cases. The shear volume of cases requires that no one in the system has the time—and in most cases the desire—to give more than cursory attention to any one case. Bond hearings, which determine whether defendants go to jail or not, last less than a minute. “Heater,” high-profile cases involving serious crimes and well-known offenders or victims are shown to be exceptions to the assembly line system of justice where everyone involved takes them quite seriously. Yet the book shows that even in these cases, true justice is often not achieved.

The author notes that courtroom staff members tend to work “reflexively” rather than “reflectively,” with most participants in the system having become desensitized to the humanity of the defendants. Many players in the system are portrayed as mostly decent people who turn a blind eye to the injustices they see every day, while others are portrayed as fundamentally dishonest and abusive. Many of the deputies are described as being mean-spirited and abusive, referring to defendants in terms such as “scum,” assuming they are all guilty, and at times beating them. Even those deputies who have some sympathy for some defendants are pressured not to show it for fear of being branded as soft and “sissies” by the other deputies.

_Courtroom 302_ shows how insufficient resources, too many cases, an insular culture, and the personal biases of people in the system all work together to deny justice to defendants. The descriptions of plea bargain hearings are particularly effective in illustrating the injustices in the system. Since no one—other than possibly the defendant—wants the work and time required for a jury trial, defendants are pressured to confess in return for reduced charges and/or sentencing. While it is unconstitutional to coerce defendants into giving up their right to a trial, the author shows how defendants are pragmatically made aware that rejecting the plea bargain will likely result in a guilty verdict and a much stiffer sentence. Even the public defenders are shown to contribute to the injustice of plea bargains in recommending that clients plead guilty after only a cursory look at the police file and determining the case is a loser. One public defender acknowledged this early appraisal is sometimes wrong but notes that, given the caseloads, there is no other approach that would work.

Judge Locallo, the central character in the book, is indicative of how the insular culture of the courtroom undermines justice and railroads defendants. He comes across as a fundamentally decent man who, due to the constraints and biases of the system in which he acts, often dispenses injustice while trying to do the opposite. He has little use for the testimony of “so called” experts, relying instead on those he knows and “good common sense”. For example he refused to grant a new trial for a man convicted of murder despite the testimony of two county psychiatrists that anti-psychotic medications the man was given in jail probably made him too groggy and disoriented to understand the nature of the proceedings against him. Moreover, despite acknowledging that police sometimes abuse and coerce defendants in obtaining confessions, in at least one hundred cases when asked to suppress a confession, he ruled that every one was voluntary.

Judge Locallo is also in many ways indicative of contradictions in the courthouse workings. He is strong advocate of free choice when it comes to defendants, believing that poverty, abuse and so forth are no excuses for crime. Thus, in sentencing he considers the background and status of the victim, but not the offender. His free choice belief does not apply
to his uncle Victor, however, whom Locallo holds in high regard and views as having been forced into a criminal career by circumstances beyond his control. Despite this anti-defendant bias, Judge Locallo is seen by most of the public defenders as a fair and just judge. And he is not liked by many prosecutors, as he is seen as giving easy sentences and has never given anyone the death penalty.

I believe *Courtroom 302* could be effectively used as a supplementary text in various lower or upper division criminal justice courses. Not only will students learn the actual workings of a typical big city courtroom, they will also learn about larger issues that impact criminal justice processing in the United States. The author frequently links problems in this courtroom to larger issues, and he often uses research by others to further inform the reader about issues raised. For example, in discussing this overcrowded courtroom, he discusses the war on drugs and how it is in large part responsible for injustices and overcrowding in courtrooms across the United States. And in discussing the issue of police lying in court, he uses a study of forty-one Cook County judges, prosecutors and public defenders by Orfield (1992) to add depth and breadth to his analysis. Among the other larger issues discussed in the book are merit selection of judges, torture and coercion by police, deinstitutionalization of the mentally ill, sentencing guidelines and racism in jury selection.

While these larger issues are raised and discussed, *Courtroom 302* always returns to the highly interesting personal dramas that are at the core of the book. Many students who are not impressed or moved by statistics and research studies will respond to the stories in this book as they are personal and well written. The variety of cases followed and issues raised would allow for numerous opportunities for discussion and debate. One quibble I have with the book is that it assumes some prior knowledge of criminal courts that some readers may not have. If used as a supplementary text in a class, the instructor could easily provide the small amount of knowledge necessary for students to fully understand the book. I strongly recommend this book as being informative and interesting to readers at all levels and as a supplementary text in a variety of criminal justice courses.

**ENDNOTE**

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**REFERNCES**

In her book titled *Feeding the Fear of Crime*, Valerie J. Callanan examines a number of questions relating to the “Three Strikes” model of crime prevention, the public fear of crime, crime-related media consumption and representation of crime and criminals, punitiveness, and the politicization of the increasing fear of crime. Over the last 25 years, writes Callanan, both concern about crime and the fear of crime between Americans has dramatically increased. Whereas in 1982 a Gallup poll showed that “only 3% of Americans cited crime and violence as the number one problem in the country” (p. 3), in 1989 this number “shot up to 27%, declined somewhat in the early 1990’s (…) and now stands at 7% in the early 2000’s” (p. 3). According to Callanan, a growing dissatisfaction with the American criminal justice system and the belief that criminals were treated too leniently, have all been promoted in a climate, where “politicians cited this increase in fear to justify an escalation of punitive crime control legislation that swept the nation in the late 1980’s and early 1990’s – mandatory sentencing, truth-in-sentencing, sentence enhancements, and three strikes laws” (p. 4). These get-tough laws had the effect, as Callanan notes, that “in 1994, over one hundred crime control bills, such as sentencing enhancements, and more mandatory sentencing laws, were passed by the California legislature” (p. 4). Impressively, “the American prison populations ballooned from approximately 200,000 in 1980 to almost 2.2 million in 2003” (p. 6) and “the number of crime stories on national television news broadcasts nearly quadrupled from 1990 to 1995 – from 757 to 2,574” (p. 8).

Callanan explores these trends and focuses especially on California’s “Three Strikes Law” that mandates 25 years to life in prison for an offender convicted of any felony following two prior convictions for serious crimes. In order to examine the support of the public opinion for three strikes laws as well as the determinants of punitiveness, she utilizes two important dimensions: “the severity of the crime and the type of crime committed” (p. 13). By reviewing the prior research on public opinion of criminal sentencing, which mostly studies the attitudes of public opinion towards the imposition of death penalty, Callanan systematizes and elaborates thoroughly four distinctive groups of argumentation. The first one “links punitive attitudes toward criminal offenders to fear of crime. Increased fear is hypothesized to increase punitive attitudes toward criminal offenders” (p. 19). The second body of inquiry “focuses on the attribution of criminal behavior or what people believe about crime causation” (p. 19). A third area of explanation “focuses on beliefs about crime control, specifically, the efficacy of the criminal justice system” (p. 19), and the fourth “focuses on the sociodemographic correlates and socio-psychological attributes related to punitive attitudes” (p. 20). With regard to these argumentation groups, Callanan discusses the impact of a number of socio-psychological determinants such as crime seriousness, the beliefs about...
the purpose of punishment, the perceptions about crime causation, and the role of political ideology.

Thereafter, Callanan builds a set of hypotheses that she examines empirically. Arranged in a wide scale of “strongly”, “partially”, “moderately” and “weakly” supported as well as “not supported” hypotheses, she elaborates on various aspects of fear of crime and crime-related media consumption. Amongst her “strongly supported” hypotheses are, for example, that “Republicans will be less likely to support rehabilitation compared to Independents and Democrats” (p. 158) and that “Republicans will be more supportive of three strikes than Independents or Democrats” (p. 158). A “partially supported” hypothesis is, according to Callanan’s research, that “Increases in television news and newspaper consumption will increase perceptions of local crime risk” (p. 164), whereas one of her “weakly supported” hypotheses is that “The greater the exposure to crime-related media, the lower support for rehabilitation” (p. 173). By testing the set of assumptions that relate fear of crime with crime-related media consumption and the increase of punitiveness, the author is interested in the influence of specific crime-related media stories on punitiveness and also compares this influence between Whites, Latinos and African Americans. In this frame, she concludes that in relation to variables like the crime seriousness or the support for rehabilitation, “there are no differences across race/ethnic groups in the impact of the media (…) with the exception of their impact on perceptions of neighborhood crime risk and fear of crime” (p. 175).

Callanan argues accurately that the relationship between the fear of crime, the increase of punitiveness, the support for three strikes sentencing and the (heavy) crime-related media consumption is not direct (p. 174). On the contrary, she considers that media “operate indirectly through their effects on other attitudes and beliefs related to punitiveness” (p. 175). But, this indirect impact of the media on fear of crime and punitiveness is not less important. The media, argues Callanan, have made “the issue more salient, so that the protection from crime is an organizing principle of modern daily life” (p. 176). Callanan indicates that the crime-related media, the television news, and the info-tainment identify between crime and violence (p. 176) promote a “simplistic view of the world” (p. 177) and contribute to the “constriction of discourse about crime” (p. 177). In her critique on media she also refers to other important parameters: “By excluding information about the actual distribution of crime, by not reassuring viewers that the likelihood of violent crime is very rare, by not portraying alternative solutions to incarceration, by not informing viewers of what is effective in preventing crime, and by not framing crime as a function of other social problems, the media have wielded enormous influence on the public’s understanding of crime” (p. 179).

One of the most interesting arguments of Callanan’s critique on media is that they (re)present crime as a result of individual pathology and they do not relate it with broader socioeconomic problems and structural changes. For example, notes Callanan, the economic crisis during the 1970s and 1980s and the crisis in the labor market caused by deindustrialization and globalization, which hit the Black communities hard, drove to the creation of informal economies: “As people turned to informal economies, such as the much maligned crack cocaine market, the state responded by increasing police surveillance of inner-city neighborhoods, ratcheting up drug penalties, and by embracing an all out ‘war’ on drugs” (p. 178). All the while, continues Callanan, media were reporting on the “war” on drugs and warning about the effects of drugs, and at the same time they were neglecting the
economic crisis, its causes and consequences as well as the economic plight of the individuals in the unprivileged Black communities.

With reference to this selectivity of crime-related media stories Callanan questions: “Would we have two million people incarcerated today if the links to deindustrialization and globalization had been made in the media?” (p. 178). Her question is much more than simply rhetoric; it reflects not only the symbolical power of crime-related media, but also shows – like in the example about the economic crisis of the 1970’s and 1980’s and the following incarceration rates – what kind of quite real effects this symbolical power is capable of producing.

ENDNOTE

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A Review of *Craze: Gin and Debauchery in an Age of Reason*  

By  

David W. Gutzke  
Missouri State University

Book: *Craze: Gin and Debauchery in an Age of Reason*  
Author: Jessica Warner  
Publisher: Four Walls Eight Windows  
Year: 2002

In her first monograph, Jessica Warner, a research scientist at the Centre for Addiction and Mental Health (University of Toronto), argues that an understanding of concerns about rising gin consumption in early 18th century England will elucidate the factors of drug usage in the United States during the 1990s. She believes that insights into "why some people worry at some times and not at others" will enable observers to anticipate the occasion of a future drug scare in America. The focus here, then, is really on perceptions of drinking habits in the quite distant past as a mirror for understanding a similar abuse of another "drug" in contemporary America. The fact that gin consumption was legal in Georgian England does not concern Warner as she draws a parallel between it and illegal drug use in the United States more than two centuries later.

The study's present-mindedness shapes her approach to what she dubs the gin craze, the years between 1720 and 1751 when per capita gin consumption soared from .6 gallons (1720) to an apex of 2.2 gallons (1743) before plummeting to the original level late in the 1750s. Because she is primarily interested in describing the anxiety created over spiraling gin consumption, her explanations about motivation tend to be rather predictable variables: (a) changes in production and (b) pricing and supply (notably the "new consumerism"). There is nothing here about Peter Clark's (1988) subtle thesis in which he argued that critics adroitly utilized propaganda to exaggerate the distinctiveness of the spirit trade and the evils of mother gin. According to Clark, pressure for legislation came from a section of the landed classes. That Warner is unable to endorse this thesis has much to do with her chief source of funding: the National Institutes of Health in the United States. By accepting financial support from a Government agency concerned with studying topics related to health problems, Warner began researching with one important preconception: that gin consumption was a genuine social problem, certainly not the product of agitation manufactured by Britain's governing classes.

Nevertheless, the book has unquestionable merits. It explores with considerable effect the importance of women both as sellers and buyers of Geneva (the English version of Gin that had been pioneered by the Dutch), the role of informers, and the reasons why legal suppression repeatedly failed. In fact, some of the most intriguing sections concern gin retailers arrested for violating the law, over whose fate the popular mob and informers vehemently debated and sometimes clashed. Some of this material is not entirely new, having appeared in several of her articles over the course of the last decade. Additionally, *Craze* draws on much unpublished material that is cited in endnotes and it contains neither a bibliography nor a detailed index. However, there is a brief commentary on historical sources.
In drawing on the early eighteenth century to explain the early twenty-first century, Warner uses anachronistic terms and misleading contrasts. Though she repeatedly speaks of "public houses," this term did not enter the vernacular until much later after the turn of the eighteenth century. Inns, taverns and alehouses were the classifications of drinking premises during the gin craze. Still more surprisingly, she writes of the governing classes wanting laborers to "stay off the dole" (p. 44), a phrase which had no such meaning until the 1930s when Britain's National Government addressed unemployment. At the more serious interpretative level, she wrongly believes that late-Victorian temperance organizations espoused other social reforms such as women's suffrage and trade unionism. Unlike those in the U.S., British temperance organizations made little headway in linking drink reforms such as prohibition with the female suffrage question until well after the turn of the century, and even then only the British Women's Temperance Association embraced this stance. Warner also draws a false distinction between late nineteenth century temperance reformers, who she describes as espousing abstention from all alcohol and Georgian moral reformers, whose prime goal was the reformation of working-class morals. Late-Victorian prohibitionists did, in fact, campaign for the local veto, which antagonized working-class drinkers precisely because it proposed to shut laborers' pubs and beerhouses while leaving untouched the propertied classes' drinking establishments--private clubs, restaurants, hotels, and domestic cellars.

This book, like Patrick Dillon's *Gin: The Much-Lamented Death of Madam Geneva* (2002), offers the general reader a useful introduction to the topic. Her extended subtitle--"a Tragicomedy in three acts in which High and Low are brought together, much to their Mutual Discomfort. Complete with Stories, some witty and some not, conducive to mediation on Recent Events"--as well as her chapter titles underline her attempt to appeal to a popular audience. However, no effort was made to place the topic in a broader historiographic context, and so *Craze* is an unlikely choice as a supplemental textbook in college courses. For specialists, this study does not go far enough in offering a convincing, subtle explanation of the source, nature and decline of the gin mania.

ENDNOTE

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REFERENCES


A Review of *Red Hook Justice*: Part I

by

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Title: *Red Hook Justice*¹

Producer/Director/Co-Writer: Meema Spadola

Director of Photography: Justin Schein

Released: (2004) VHS, Color, 55 minutes.

Rating: NR

I hope that viewers will watch *RED HOOK JUSTICE* and consider the successes or failures of the defendants in the context of the neighborhood – to think about the larger question of what we need *beyond* the Justice Center; and how we can balance personal and societal responsibility. What would it mean if quality housing, education, jobs, and healthcare were available in Red Hook, and in other poor neighborhoods nationwide?

Meema Spadola, Filmmaker,

Sugar Pictures

This documentary is set in the troubled Red Hook neighborhood in Brooklyn, New York. In recent years, the Red Hook community was beset with a wide range of economic and social problems including impoverishment, unemployment, and high crime rates. Additionally, the Red Hook community contains one of the state’s largest public housing blocks and “almost 80% of Red Hook’s children live without one or both of their birth parents.” In an effort to address these issues in a comprehensive fashion, the Red Hook Community Justice Center (RHCJC) opened in April 2000. The RHCJC represents a “new approach” to halting the revolving door of low-level offenders who repeatedly interact with the criminal courts, and are rewarded with short “bids” in jail.

The “legal revolution” in Red Hook enlisted the community justice movement as its ally in the struggle to confront deteriorated and crime-ridden neighborhoods: “[c]ommunity justice brings together citizens and the criminal justice system to solve neighborhood problems” (Community Justice Exchange, 2005). The idea underpinning the RHCJC – and other similar

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problem-solving, community-focused initiatives – is its multi-jurisdictional approach to addressing a constellation of community problems. Low-level criminal and/or drug offenses, housing disputes, and domestic violence cases, for example, all fall under the sway of a single judge. At Red Hook, that person is Judge Alex Calabrese.

Frequently during the film, Judge Calabrese (and others) point to some of the differences between their innovative venture at the Red Hook Community Justice Center, and more traditional criminal courts where specific criminal acts are the focus. Far from focusing solely on the act itself, community justice involves identifying, acknowledging, and addressing the range of problems that contribute to entanglement in the criminal justice system. The criminal acts confronted at the RHCJC also are of a less serious nature, as opposed to the more momentous felony cases dealt with by traditional courts. Additionally, more traditional courts appear concerned with settling cases by plea agreement, to either probation or a short stint in jail.

However, as Legal Aid lawyer Brett Taylor observes: “This court is set up with one goal in mind and that’s to get help for people who want the help.” The film features three of those people – brothers Anthony and Michael Ward, and Letitia Sanchez – as well as several others who are not yet ready to address their problems. The three are assigned to a variety of counseling, training, and community service programs. By the film’s end, it appears as if Anthony, Michael, and Letitia are dealing somewhat successfully with their problems. For all three, the path has been challenging, and the outcome not always assured, as they struggled to meld their personal lives to the demands of the environment in their Red Hook neighborhood.

Judge Calabrese’s worldview also includes the families of the men and women who appear before him. As he notes in the film: “In the traditional courts, defendants and their families are seen as outcasts, community outcasts, and they’re treated as such. Here we recognize that defendants are part of our community, and they’re going to be part of our community when they get arrested, and they’re going to be part of our community when the case is over with. And to a certain extent we are all better off when we try to work with those families.” This sentiment is echoed by Court Officer Leroy Davis who cautions viewers that, “[t]his is a community court and we should treat the community with a lot more respect than we would normally give them.”

Unlike traditional courts, RHCJC Court Officer Leroy Davis demonstrates that justice in Red Hook transcends the courtroom, as well as normal business hours. One clip during the film shows Leroy’s mentoring role, while another illustrates his attempt to include Anthony in a basketball program. Another difference highlighted appears to be in the “celebratory” aspect of justice at the RHCJC. The film shows Judge Calabrese shaking hands and offering congratulations to Anthony and Letitia, and uttering kind and supportive words from the bench. At one point, court personnel and others offer applause. It would seem that hearing the lexicon of encouragement and optimism, rather than that of criticism and rejection, might be more rewarding to those men and women before the court. It might shore-up rather than shatter ones self image and esteem, and thus better assist those “looking to make changes” in their lives. Such congratulations in more traditional courtrooms would seem misplaced.
Another feature of this production is its online, supplemental “RED HOOK JUSTICE Discussion Guide”\(^2\). The 28-page Discussion Guide offers information on the film itself, like the various characters in the video, and the background to the RHCJC. However, the online manual also appears intended to explore the film, and guide subsequent discussion. In a Section titled “Exploring The Film,” the booklet offers suggestions, or “prompts,” for both “Youth Audiences” and “General Audiences.” The final section of the Guide provides a list of useful resources, complete with URLs, that should assist anyone in learning more about “problem solving courts.”

Which surely must raise the question: Are problems in Red Hook actually solved? Beyond praise for the work that transpires at the Red Hook Community Justice Center, there are legitimate questions regarding “outcomes.” A facile attempt to measure the success of the RHCJC might focus on the time from arrest to arraignment, the number of clients “cured” of their substance abuse problems, and/or the timely resolution of “disputes” that arrive in Judge Calabrese’s courtroom. A more appropriate and realistic approach, though, would be to concentrate on ancillary measures of the success of the Red Hook initiative (i.e., more socially constructive and personally realistic outcomes). As Spadola’s film makes eminently clear, justice in Red Hook marches to the beat of a different drummer; outcome measures logically, therefore, should be rooted in a nontraditional arena as well.

One indicator of the success of the RHCJC can be found in its replication elsewhere. There are approximately two-dozen community courts already in operation in the United States, with several more slated to begin. Significantly, a Community Justice Centre also recently opened in Liverpool, England. According to Former RHCJC Director Adam Mansky (2004): “Officials ranging from the Home Secretary and members of Parliament to the Lord Chief Justice and the Attorney General, have all traveled to New York City to see the concept of community justice in action.... How and why did Red Hook, Brooklyn, a neighborhood with a reputation for drugs, crime, and disorder, become the most sought-after travel destination for British officials?” (p. 254).

The answer to the question Mansky poses might lie in the recognition that justice is complicated, at times fickle, and, most always, not easily achieved. As John Jay Professor Todd Clear notes in Red Hook Justice: “The thing about our punishment system is that it imposes a punishment, then it’s done. And the thing about a system that’s trying to make places better places is that it takes two steps forward and one step back. One is really easy to do and the other not so easy to do.” Especially, keeping in mind that: “...community courts focus on bringing citizens and the criminal justice system together in order to solve community problems. By integrating the work of traditionally separate agencies—criminal justice operations, social service providers, public defenders, police and community members—community courts are a product of collaboration” (PBS, 2005). Such a partnership, then, quite accurately is “not so easy to do.”

One of the film’s most promising uses might be the debate it should engender over the role of such courts. For instance, this documentary can easily shepherd students and others into discussions on “the larger question of what we need beyond the Justice Center,” and how the balance between “personal and societal responsibility” can best be achieved. A responsible and
non-polemical discussion also might entail a search for answers about whether a community is well served by the “new approach” featured in Red Hook Justice. When all is said and done, this is an inspiring production about an innovative and reasonable community justice program. Coupled with other published (e.g., Berman & Feinblatt, 2005; Clear & Karp, 1999; Karp & Clear, 2002) and online (e.g., Center for Court Innovation, 2005; Community Justice Exchange, 2005; PBS, 2005) resources, Red Hook Justice carries the potential to be a useful and valuable learning aid.

NOTES

1. Red Hook Justice can be obtained from First Run/Icarus Films: http://www.frif.com; 800-876-1710.

2. Red Hook Justice Discussion Guide can be found at http://www.reentrymediaoutreach.org/pdfs/redhook_discussion.pdf

ENDNOTE

In preparing this review of Red Hook Justice, I contacted the former Director of the Red Hook Community Justice Center, Adam Mansky, for additional background information. Mr. Mansky, who currently is the Director for Operations, at the Center for Court Innovation (http://www.courtinnovation.org/index.html), responded graciously to my questions, and then made me an offer that I could not refuse: Come down to the Justice Center for a first-hand look at the court. I did, and the trip to the RHCJC illustrated that there was much more to add to the story of dispensing justice in Red Hook. Accordingly, Part II to the story of the Red Hook Community Justice Center will be forthcoming in a subsequent issue of Journal of Criminal Justice and Popular Culture.

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