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Depicting the Pirates of the Emerald Triangle: An Ethnographic Content Analysis of Articles on Marijuana Growers Appearing in the San Francisco Chronicle, 1982-1995

By

Michael Hallstone
University of Hawaii at Manoa

Abstract

The role of the news media in the definition of drugs as a social problem has been well documented. This paper rests on the premise that the image of marijuana became more deviant during the 1980’s. The goal of this project was to investigate how the image of marijuana growers manufactured and portrayed in the San Francisco Chronicle may have contributed to that social process in Northern California. While the coverage of marijuana growers was substantial in terms of the total amount of marijuana stories, the image of pot farmers was decidedly negative. This negative slant seems to be driven by the fact that the majority of stories were framed episodically -- episodic framings were much more likely to characterize growers negatively than their counterparts. The dominant themes that emerge from the coverage of marijuana farmers in the Chronicle are of greedy, violent, anti-social criminals who are producing enormous amounts of a dangerous psycho-active substance; images of the growers as reasonable, peaceful persons engaged in a rational moral and/or economic endeavor were clearly in the minority. It appears that the reliance upon episodic framings predisposes the print news media to characterize the criminal behaviors of drug offenders as illogical, immoral, and perhaps pathological. The negative slant of the episodic stories is indeed unsettling for one who desires objective news, but it conforms nicely to the conservative criminal justice agenda that has been championed over the past twenty years. As a nation we are currently reliant on a punishment-oriented approach toward drugs which is predicated on the idea that all those associated with illicit drugs -- users, producers, or dealers -- are unbalanced, irrational, and immoral deviants. Alternative explanations for such behaviors, especially those which deem them rational and understandable in light of social conditions, are incompatible with present political reasoning and policy and are largely absent from public discourse.

Introduction

In the 1980’s, an aggressive campaign against domestic marijuana cultivation was undertaken by federal, state, and local authorities. In terms of typical law enforcement practices, fairly radical strategies were employed. The federal government encouraged cooperation amongst federal, state, and
local agencies and contributed military hardware and intelligence towards the fight against marijuana. During the campaign against marijuana cultivation, the federal government encouraged the use of U2 spy planes and even satellite photos to wipe out marijuana patches; raids on marijuana patches were conducted in para-military fashion with officials using helicopters, flak jackets and assault rifles. Surely, helicopters were used due to the remote location of many marijuana gardens, but these sorts of raids were a fairly extreme shift in policy considering there was a long list of influential organizations and individuals in support of marijuana decriminalization as late as the 1970’s. The roster included the American Medical Association, the American Bar Association, President Carter, state and federal legislators (including then US Representative Dan Quayle), and the Director of National Institute on Drug Abuse (NIDA) (Zimmer and Morgan, 1997: 153-155). Furthermore, the penalties for possession of small amounts of marijuana had lessened in many states in the 1960’s and 1970’s; “By 1977 all but eight states had reduced marijuana possession from a felony to a misdemeanor” (Zimmer and Morgan, 1997: 155). However, by the early 1980’s, a growing anti-marijuana movement was underway that had even convinced the Director of NIDA to change his stance on marijuana (Zimmer and Morgan, 1997); in 1982 President Reagan declared a “War on Drugs” (Glasser and Siegal, 1997: see endnote #7) and domestic marijuana growing became one of the main targets of this new social campaign (San Francisco Chronicle, Oct. 1, 1982: 1).

Clearly, the deviant image of marijuana made a pretty dramatic turnaround in a very short period of time. At the end of one decade there was support for lessening criminal penalties associated with marijuana, but the start of the next saw calls for increased law enforcement pressure on the drug. While certainly it could be argued that marijuana’s image was always deviant due to the fact that it remained illegal throughout this period despite the noted leniency in penalties, this paper rests on the assumption that marijuana became more deviant over the time period of this study. In the span of a few years, marijuana became a substantial social problem, especially in Northern California, which has long been considered one of the epicenters of domestic marijuana cultivation.

The task of this paper is to explain how newspaper descriptions of marijuana growers in the San Francisco Bay Area may have contributed to the construction of marijuana as a social problem there. Ethnographic content analysis is used to analyze the depictions of marijuana growers as presented in the San Francisco Chronicle from 1982 to 1995. Ethnographic content analysis differs from strict quantitative content analysis, where categories always precede data analysis, in that “quantifiable categories of analysis are supplemented by qualitative categories that are allowed to emerge from the data.
themselves" (Jerrigan and Dorfman, 1996: 175). Five questions were asked in the present study: 1) How did the Chronicle’s coverage of marijuana in general and marijuana growers specifically fluctuate over the time under study? 2) Did the stories that portrayed growers tend to be framed episodically or thematically? 3) Qualitatively speaking, were the growers portrayed in a morally positive or sympathetic, negative or unsympathetic, or neutral fashion? 4) What relationship, if any, exists between the framing of a story and how marijuana growers were characterized? and 5) What are some of the major themes which emerged from the coverage of marijuana growers? It is hoped that this analysis will add to our understanding of the study of social problems research in general and specifically of “contextual” social constructionism (Best, 1993) of drug scares or drug wars (Morgan, Wallack, and Buchanan, 1990).

**Literature Review**

There has been considerable study of the media’s role in defining drugs as a social problem (Becker, 1963; Brownstein, 1991; Gitlin, 1989; Himmelstein, 1993; Iyengar, 1991; Jerrigan and Dorfman, 1996; Morgan, 1978; Morgan, Wallack and Buchanan, 1988; Orcutt and Turner, 1993; Reinarman and Levine, 1989 and 1997). Morgan (1978) mentions the role that increased press coverage played in the formation of opium smoking as a social problem and immoral activity in California during the late 1800’s. She claims that laws against opium smoking are best understood in the context of anti-Chinese sentiment in labor unrest during a severe economic recession in which White workers scapegoated Chinese immigrants for worsening economic conditions. She argues opium smoking was popularly assumed to be a Chinese dominated habit and the emergence of new laws against it are best viewed as a way for dominant segments of society to exert social control over a threatening or dangerous class group (Reinarman and Levine, 1997a). Gitlin (1989) comments upon the relatively uncritical manner in which the media replaced coverage of the Cold War with a “new holy war” -- the War on Drugs -- in the mid 1980’s (Gitlin, 1989: 17). Reinarman and Levine (1989 and 1997) analyze the tremendous amount of media coverage given to the “crack epidemic” in the latter half of the 1980’s and argue that the claims of a “crack crisis” were not accompanied by an epidemic of illegal drug use; they instead suggest that it is essential to understand the construction of crack as social problem in the context of the renewed support for conservative moral and political ideologies during the 1980’s. Brownstein (1991) examines the role of the print media in constructing the image of an epidemic of random drug violence in New York City. Orcutt and Turner (1993) examine the way in which some members of the media distorted national survey statistics to bolster their claims of alarming increases in adolescent drug use (specifically cocaine) in the late 1980’s.
Numerous authors have noted how media descriptions have helped create and manipulate the popular image of marijuana. Considerable attention has focused on the importance to the passage of both the federal *Marijuana Tax Act of 1937* as well as state and local anti-marijuana legislation of lurid press accounts circulated by the Federal Bureau of Narcotics (FBN) (Becker, 1963; Himmelstein, 1983; Herer, 1990; Morgan 1990). Becker notes that the number of articles about marijuana appearing in the popular press reached an all-time high at the close of the FBN’s campaign against marijuana (Becker, 1963:141) and helped form a very negative moral image of marijuana and marijuana smokers. Himmelstein (1983) traces the changing ideological images of marijuana and its users from the 1870’s to 1970’s using a systematic sample of media articles. He claims that our assumptions about the dangers of marijuana have changed dramatically during this century alone. Marijuana was viewed as a dangerous drug that incited violence and aggression until the mid-1960’s when it was paradoxically alleged to cause passivity and amotivational syndrome.

This paper borrows a theoretical concept used by Iyengar (1991) whose content analysis of television news stories separates news reports into two classifications: episodic and thematic. Episodic stories focus upon single events; thematic framings attempt to place events and issues in a broader social context (Jernigan and Dorfman, 1996). Iyengar found the majority of news stories about crime on the television news were framed episodically, while other subjects (such as unemployment) tended to be covered thematically. Iyengar also reported that the framing of the story had specific effects upon viewers. Episodic framings made viewers more likely to assign responsibility to the individual while thematic framings tended to make viewers assign responsibility to society or governmental agencies. Jerrigan and Dorfman (1996) applied Iyengar’s concepts to television news coverage of the drug crisis in 1990 and found that the majority of drug stories (71%) were framed episodically; from this they concluded that TV news was sending a very clear message to viewers that the roots of the drug problem could be traced to individuals rather than structural factors or governmental policies.
Pirates of the Emerald Triangle

The Social Context of the Emerald Triangle Region of Northern California

The coastal mountain area of Northern California was one of the premiere front-lines in the war against marijuana growing. This region, eventually dubbed the "Emerald Triangle" by law enforcement officials, became one of the epicenters of the domestic marijuana industry during the 1970’s and continued in this capacity into the early 1980’s. At the time, California was regarded by law enforcement organizations and marijuana advocacy groups as a leader in domestic production. The potent seedless strains of sensimilla cultivated in the region were considered among the finest pot in the world -- the Dom Perignon of marijuana -- and were highly prized by connoisseurs willing to pay premium prices.

It is beyond the scope of this project to provide a comprehensive discussion of all of the factors that contributed to the proliferation of marijuana cultivation in Northern California during the 1970’s and early 1980’s, but two historical incidents stand out. Paradoxically, the domestic marijuana cultivation industry received a boost from the attempts of the federal government to reduce marijuana trafficking in America. Secondly, the physical, social, and economic dynamics of Northern California were favorable to the growth of the marijuana cultivation industry.

In 1969, the federal government launched "Operation Intercept" -- a drug interdiction program to reduce the flow of drugs across the US - Mexico border. At the time, the main sources of marijuana for the American market were Mexico and South America (Adler, 1993; Pollan, 1995; Rafael, 1985). While Operation Intercept was short lived, increased interdiction efforts against ground smuggling across the border caused a temporary shortage of marijuana in the US as well as a gradual transition within the international drug smuggling industry. Effectively, the stepped up efforts at the border weeded out the less professional smuggling crews and indirectly contributed to the growth of cocaine smuggling (Adler, 1993). Drug importers who had the foresight and resources switched to more sophisticated and logistically demanding air or water routes and held an advantage in the marketplace (Adler, 1993). Also cocaine began to be in demand domestically and had several qualities that made it more attractive financially to this new breed of smugglers -- it was less bulky, odorless, and pound for pound more profitable than marijuana. Throughout the 1970’s, many smugglers reduced or abandoned entirely their marijuana operations in favor of cocaine importation (Adler, 1993). Effectively, a void was created in the marijuana supply.

Enter the Bay Area and Northern California. Throughout the 1970’s Northern California experienced a significant influx of migrants from the metropolitan Bay Area. Many of these people were veterans of the
hippie movement and a big part of their progressive lifestyle was marijuana smoking (Rafael, 1985). Northern California’s mild climate, long growing season, and isolated countryside made it a very good place to cultivate marijuana. The economy in the region also happened to be severely depressed, struggling from a declining fishery and the loss of a logging industry that had seen its heyday in the early part of the century. As these new migrants soon discovered, the area offered bleak economic opportunities (Rafael, 1985). In the meantime marijuana was still an integral part of the drug scene, and thus in demand, in the Bay Area. Growing marijuana provided a much-needed economic boost to these struggling migrants and eventually the region. These two apparently unrelated historical dynamics created a favorable climate for the growth of the domestic marijuana cultivation industry in Northern California.

“CAMP” -- California’s Marijuana Eradication Program

The roots of California’s marijuana eradication program, “Campaign Against Marijuana Planting” or CAMP, can be traced in part to a 1982 US government program dedicated to marijuana eradication. The federal program eventually made resources available to states to conduct eradication operations. Transferring resources to the states allowed for an expansion of eradication efforts, as the US government’s power to conduct anti-marijuana operations was limited to federal property.

Initiatives such as CAMP, which began in 1983, dramatically changed the nature of the domestic marijuana cultivation industry (Pollan, 1995). Marijuana growers gradually shifted to indoor gardens, which increased the costs of production (in terms of capital). Indoor growing also allowed for complete control of the growing environment, which led to unprecedented leaps in potency and yield. In the 1970’s and early 1980’s, outdoor growing in the Emerald Triangle produced a mature plant that was between six and 15 feet tall and took several months to “flower.” By the 1990’s indoor growers were able to produce extremely potent “dwarf” plants (approximately three feet tall) that could be harvested every few months (Pollan, 1995). Marijuana eradication programs such as CAMP contributed to an evolution in the marijuana cultivation industry that effectively dispersed the marijuana industry both domestically and internationally (as indoor growers “manufactured” their environment), made marijuana more potent, more expensive, and more risky to grow (Pollan, 1995). As CAMP started up its activities in the early 1980’s, a considerable amount of media attention in the metropolitan Bay Area was given to the activities of CAMP and their counterparts -- marijuana growers. This paper is a content analysis of the media depictions of marijuana growers that
occurred in the Bay Area from the early 1980’s to the present.

**Data and Methods**

The data are drawn from articles appearing in the *San Francisco Chronicle* from 1982 to 1995. The Chronicle is the largest daily newspaper in the San Francisco Bay Area. The Bay Area is the largest and closest metropolitan area to the famed Emerald Triangle region of the state, considered one of the centers of the marijuana cultivation industry in the US in the early 1980s (Raphael, 1985). The Chronicle was the only source used because it was the only California newspaper that was available at the University of Hawaii at Manoa library where the research took place. The year 1982 was chosen as the starting point as it is the year the US government launched the “War on Drugs,” the predecessor to California’s initiative, CAMP, which began in 1983. At the time of data collection (Fall 1996), 1995 was the last full year available for analysis.

For each of the years under study, summaries of all articles under the subject heading “marijuana” in the Annual Index to the *San Francisco Chronicle* were examined (N=439). Articles that appeared to be related to any aspect of the marijuana cultivation industry were read by the author (N=142). All that specifically mentioned or characterized marijuana growers in California were photocopied and analyzed as described below (N=108). (See Table 1 and Figure 1)

The 108 articles that provide the data for the present analysis were read at least four separate times. The first reading was to determine whether the article specifically characterized or mentioned marijuana growers. Following Iyengar’s (1991) and Jernigan and Dorfman’s (1996) content analysis of television news stories, the second reading categorized articles into thematic or episodic framings. Episodic framings focus on a single episode or event while thematic stories place events and issues in a broader context (Jernigan and Dorfman, 1996). As such, a qualitative judgment was made by the author to categorize the stories into one of the two categories: articles that focused on a unique event or series of events without specifically attempting to place them in some sort of broader context were coded episodically. Those that attempted
Table 1: Stories Mentioning Marijuana Growers in S.F. Chronicle 1982 –1995

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number of Marijuana Stories</th>
<th>Appeared Growing Related</th>
<th>Growers Actually Mentioned</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>48</td>
<td>16</td>
<td>13</td>
</tr>
<tr>
<td>1983</td>
<td>44</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>1984</td>
<td>46</td>
<td>22</td>
<td>16</td>
</tr>
<tr>
<td>1985</td>
<td>81</td>
<td>22</td>
<td>17</td>
</tr>
<tr>
<td>1986</td>
<td>53</td>
<td>16</td>
<td>10</td>
</tr>
<tr>
<td>1987</td>
<td>41</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>1988</td>
<td>30</td>
<td>17</td>
<td>15</td>
</tr>
<tr>
<td>1989</td>
<td>18</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>1990</td>
<td>14</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>1991</td>
<td>8</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>1992</td>
<td>11</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>1993</td>
<td>16</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>1994</td>
<td>11</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1995</td>
<td>18</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>totals</td>
<td>439</td>
<td>142</td>
<td>108</td>
</tr>
</tbody>
</table>

Figure 1: Stories Mentioning Marijuana Growers in S.F. Chronicle 1982 -1995

To place incidents or a series of occurrences in a larger social context were judged to be thematic. On the third reading, all articles were examined to determine how marijuana growers in Northern California were depicted. The author made a subjective qualitative decision based upon the overall theme and tone of the article and coded the depictions of marijuana growers in each article in one of three ways: positive or sympathetic characterization, negative or unsympathetic characterization, or neutral characterization.
Of course, this coding process was a highly subjective undertaking by the author, but a set of criteria was used. Becker (1963) notes that the social construction of deviance requires the emergence of a specific moral viewpoint and the rise of such a conception is an active enterprise. Clearly, all of the marijuana growers depicted in the Chronicle were engaged in an activity that was officially defined as illegal, which has moral implications, but the coding strategy purposefully avoided making decisions based upon that fact. Therefore, the author assumes that the moral legitimacy of the military search and destroy type of raids on marijuana patches had to be constructed by moral entrepreneurs. And while marijuana growing was and is officially illegal, the coding process acknowledges that the legitimacy of the increased law enforcement response to marijuana cultivation (as well as the very notion of treating it as a criminal activity) was a contested issue in the San Francisco Bay Area and Northern California during the time period of this study (Raphael, 1985; also see qualitative findings here). In short, the moral high ground on the issue had to be earned and was socially constructed by various claims makers, and the news media was one of the forums for this “moral debate.” Thus, the author attempted to see how the overall tone and theme of the articles depicted the moral legitimacy of marijuana cultivation. If the tone and theme of the article seemed to depict marijuana growers as morally wrong, irrational, or corrupt (in an unsympathetic light), it was coded as negative; if it depicted growers in a sympathetic fashion, it was coded as positive. Finally if the article seemed to be devoid of moral judgment or the moral themes were more or less balanced, it was coded as neutral. Following the principles of ethnographic content analysis mentioned above (Jerrigan and Dorfman, 1996), the articles were read a fourth time to analyze them for broader themes pertaining to the portrayal of marijuana farmers. It is also hoped that the multiple readings allowed themes to emerge that would not have been apparent from a single reading.

Results

Quantitative Findings

Judging by the number of articles listed in the Annual Index to the San Francisco Chronicle, it is clear that marijuana’s prominence as a news subject peaked in the mid 1980’s and dropped very sharply after 1988. (see Table 1 and Figure 1) Although the popularity of marijuana as news rose and fell earlier than other substances (notably cocaine and crack), this pattern of a quick rise in media coverage in the mid 1980’s is indicative of the general trend of media attention given to illicit drugs during the time period under study6 (Reinarman and Levine, 1989; Orcutt and Turner, 1993; Jernigan and Dorfman, 1996).
Although they drop off heavily in 1994 and 1995, as a percentage of the total number of marijuana stories, reports specifically mentioning marijuana growers remained relatively consistent throughout the years under study; on average roughly one quarter of all marijuana stories mentioned growers in some fashion, as indicated in Table 2. In terms of the articles about marijuana, it appears the Chronicle devoted a considerable amount of attention to marijuana growers.

Table 2: Percent of Marijuana Stories Mentioning Growers in S.F. Chronicle 1982-1995

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number of Marijuana Stories</th>
<th>Growers Actually Mentioned</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>48</td>
<td>13</td>
<td>27%</td>
</tr>
<tr>
<td>1983</td>
<td>44</td>
<td>6</td>
<td>14%</td>
</tr>
<tr>
<td>1984</td>
<td>46</td>
<td>16</td>
<td>35%</td>
</tr>
<tr>
<td>1985</td>
<td>81</td>
<td>17</td>
<td>21%</td>
</tr>
<tr>
<td>1986</td>
<td>53</td>
<td>10</td>
<td>19%</td>
</tr>
<tr>
<td>1987</td>
<td>41</td>
<td>7</td>
<td>17%</td>
</tr>
<tr>
<td>1988</td>
<td>30</td>
<td>15</td>
<td>50%</td>
</tr>
<tr>
<td>1989</td>
<td>18</td>
<td>5</td>
<td>28%</td>
</tr>
<tr>
<td>1990</td>
<td>14</td>
<td>8</td>
<td>57%</td>
</tr>
<tr>
<td>1991</td>
<td>8</td>
<td>2</td>
<td>25%</td>
</tr>
<tr>
<td>1992</td>
<td>11</td>
<td>3</td>
<td>27%</td>
</tr>
<tr>
<td>1993</td>
<td>16</td>
<td>3</td>
<td>19%</td>
</tr>
<tr>
<td>1994</td>
<td>11</td>
<td>1</td>
<td>9%</td>
</tr>
<tr>
<td>1995</td>
<td>18</td>
<td>2</td>
<td>11%</td>
</tr>
<tr>
<td>totals</td>
<td>439</td>
<td>108</td>
<td></td>
</tr>
</tbody>
</table>

mean 26%  
mode 27%  
median 23%  
skewness 1.214314  
kurtosis 1.131578  

The Framing of the Stories  
The stories characterizing marijuana growers were more likely to be framed episodically than thematically. There were a few years when the coverage was more or less balanced and one that was tipped slightly in the other direction; however, on average about three quarters of all stories were framed episodically. (see Table 3) This finding is consistent with the discoveries of Iyengar (1991) and Jernigan and Dorfman (1996). The vast majority of the episodic stories were related to coverage of the law enforcement activities of the “War on Drugs,” such as eradication efforts, busts of growers, and violent incidents somehow connected to marijuana growing.
Table 3: Thematic Classification of Stories
Characterizing Growers in S.F. Chronicle 1982-1995 as a Percentage of the Total Number of Stories for the Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Growers Actually Mentioned</th>
<th>Episodic Framing %</th>
<th>Thematic Framing %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>13</td>
<td>11</td>
<td>85%</td>
</tr>
<tr>
<td>1983</td>
<td>6</td>
<td>5</td>
<td>83%</td>
</tr>
<tr>
<td>1984</td>
<td>16</td>
<td>10</td>
<td>63%</td>
</tr>
<tr>
<td>1985</td>
<td>17</td>
<td>7</td>
<td>41%</td>
</tr>
<tr>
<td>1986</td>
<td>10</td>
<td>9</td>
<td>90%</td>
</tr>
<tr>
<td>1987</td>
<td>7</td>
<td>5</td>
<td>71%</td>
</tr>
<tr>
<td>1988</td>
<td>15</td>
<td>8</td>
<td>53%</td>
</tr>
<tr>
<td>1989</td>
<td>5</td>
<td>4</td>
<td>80%</td>
</tr>
<tr>
<td>1990</td>
<td>8</td>
<td>5</td>
<td>63%</td>
</tr>
<tr>
<td>1991</td>
<td>2</td>
<td>1</td>
<td>50%</td>
</tr>
<tr>
<td>1992</td>
<td>3</td>
<td>3</td>
<td>100%</td>
</tr>
<tr>
<td>1993</td>
<td>3</td>
<td>2</td>
<td>67%</td>
</tr>
<tr>
<td>1994</td>
<td>1</td>
<td>1</td>
<td>100%</td>
</tr>
<tr>
<td>1995</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td><strong>totals</strong></td>
<td><strong>108</strong></td>
<td><strong>73</strong></td>
<td><strong>35</strong></td>
</tr>
</tbody>
</table>

Note: Percentages may not sum to 100 as a result of rounding.

Most of the thematic stories were written by columnists or were feature articles that provided a more in-depth look at the ways in which the fight against marijuana planting affected the lives of the residents and law enforcement officers of the Emerald Triangle.

The Chronicle tended to characterize marijuana growers in a negative or unsympathetic fashion. On average, growers were less likely to be portrayed positively (mean = 13% of all stories) or neutrally (mean = 18%) and most likely to be portrayed negatively (mean = 69%). (see Table 4)

For the time period under study, there was a strong relationship between the framing of a story and the manner in which marijuana growers were characterized. Articles with an episodic framing were far more likely to characterize growers negatively than thematic stories. Thematic framings promoted a far more balanced picture of marijuana farmers, with growers having a roughly equal chance of being portrayed in each of the three ways. Although the Chi Square test, shown in Table 5, cannot provide statistical evidence for the above statements, it does indicate that it is very unlikely that the two
variables have an independent relationship.

Table 4: Characterizations of Marijuana Growers in S.F. Chronicle 1982-1995 as a Percentage of the Total Number of Grower Related Stories for the Year

<table>
<thead>
<tr>
<th>Growers Mentioned</th>
<th>Positive %</th>
<th>Negative %</th>
<th>Neutral %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>13</td>
<td>31%</td>
<td>54%</td>
</tr>
<tr>
<td>1983</td>
<td>6</td>
<td>0%</td>
<td>4%</td>
</tr>
<tr>
<td>1984</td>
<td>16</td>
<td>19%</td>
<td>12%</td>
</tr>
<tr>
<td>1985</td>
<td>17</td>
<td>29%</td>
<td>8%</td>
</tr>
<tr>
<td>1986</td>
<td>10</td>
<td>10%</td>
<td>8%</td>
</tr>
<tr>
<td>1987</td>
<td>7</td>
<td>14%</td>
<td>5%</td>
</tr>
<tr>
<td>1988</td>
<td>15</td>
<td>0%</td>
<td>11%</td>
</tr>
<tr>
<td>1989</td>
<td>5</td>
<td>0%</td>
<td>4%</td>
</tr>
<tr>
<td>1990</td>
<td>8</td>
<td>25%</td>
<td>4%</td>
</tr>
<tr>
<td>1991</td>
<td>2</td>
<td>50%</td>
<td>1%</td>
</tr>
<tr>
<td>1992</td>
<td>3</td>
<td>0%</td>
<td>3%</td>
</tr>
<tr>
<td>1993</td>
<td>3</td>
<td>0%</td>
<td>2%</td>
</tr>
<tr>
<td>1994</td>
<td>1</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td>1995</td>
<td>2</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td>totals</td>
<td>108</td>
<td>71</td>
<td>20</td>
</tr>
</tbody>
</table>

mean 13% 69% 18%
median 5% 69% 18%
mode 0% 50% 0%
skewness 1.1 0.487 0.5
kurtosis 0.5 -0.567 0

Note: Percentages may not sum to 100 as a result of rounding.

Table 5: Chi Square Contingency Table for Framing of Story by Portrayal of Growers

<table>
<thead>
<tr>
<th>PORTRAY</th>
<th>FRAMING</th>
<th>negative</th>
<th>neutral</th>
<th>positive</th>
<th>row totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>episodic</td>
<td></td>
<td>(48.6)</td>
<td>(13.2)</td>
<td>(13.2)</td>
<td>75</td>
</tr>
<tr>
<td>thematic</td>
<td></td>
<td>(21.4)</td>
<td>(5.8)</td>
<td>(5.8)</td>
<td>33</td>
</tr>
<tr>
<td>column</td>
<td></td>
<td>70</td>
<td>19</td>
<td>19</td>
<td>108</td>
</tr>
</tbody>
</table>

Pearson Chi Square = 22.636 (df=2) p<.001
Themes from the coverage

**Violent Marijuana Growers.** The dominant theme that surrounded marijuana growers was the image of the violent, anti-social criminal who was willing to protect his illegal profits with extreme measures. Growers were characterized as greedy, fringe-element desperadoes who guarded their plants with automatic weapons and Vietnam-era booby traps. The California Department of Fish and Game issued a pamphlet warning those who frequent remote areas in Northern California:

The seven-page, green and white pamphlet put Mendocino and Humboldt counties at the top of a list of 10 'high risk areas' in Northern California. Then the pamphlet warned backwoods enthusiasts to 'take precautions' against miniature minefields and gun traps. 'Watch for trip wires along trails or anything else that looks out of place,' it said. 'Bear traps, dead-falls, and snares are sometimes found along trails leading to a garden. Fishhooks (are) sometimes strung on fishing line at eye level across trails' (San Francisco Chronicle, July 3, 1986: 4).

A federal official, the director of the Bureau of Land Management, characterized the interactions of his employees and growers on federal land:

Employees have not only been threatened with rifles, but have actually been shot at. In addition, booby traps constructed with pipe bombs, hand grenades, land mines, shotguns, and punji sticks have been discovered, as have other traps such as fishhooks at eye level (San Francisco Chronicle, Oct. 1, 1982: 1).

Growers were accused of usurping parts of the backcountry, making them unsafe for ranchers, government workers, hikers, and hunters. Speaking to the Mendocino County Board of Supervisors, the commander of CAMP was quoted by the Chronicle:

"Certain parts of this county have been taken over by marijuana growers making it unsafe for hikers to go in the woods. 'An unwritten goal of our program is to recapture territory for the United States’" (San Francisco Chronicle, Oct. 10, 1984: 3).

In essence marijuana growers were accused of creating an increasingly lawless and chaotic environment. Stories about grower intimidation, beatings, shootings, and even murder were run by the Chronicle. This report ran in 1984:
Mendocino County may declare a state of local emergency because of its problems with marijuana growers. The county Board of Supervisors formed a committee yesterday to look into the possibility of the emergency declaration, which normally only applies to floods, fires, or civil disturbances...The county has been plagued recently with harvest season violence, including one killing, two other shootings and a beating in the past three weeks. Supervisor Dan Hamburg has called violent pot farmers “gangsters” (San Francisco Chronicle, Oct. 10, 1984: 3).

News reports characterizing marijuana growers tended to portray them as big commercial types that were more like gangsters and terrorists than business owners or the more peaceful “mom and pop” growers. A Chronicle excerpt:

“Greed begets violence, and people are getting greedy,” said Charlie Bone, a Mendocino County sheriff’s deputy assigned to narcotics investigation. He concedes that he’s very nervous about entering outlaw country. The increasing violence is scaring off many of the old “mom and pop” growers, the hippie refugees from San Francisco who supported their families with their small plots (San Francisco Chronicle, Oct. 14, 1984: 1).

A sportsman who formed a group to rid growers from public lands:

“There’s a lot of money and a lot of fear going around,” he said. “We’re not talking about hippies growing a few plants. We’re talking about big-time operators, hard-nosed syndicate types. They’re ruining the land and harassing people” (San Francisco Chronicle, Jan. 2, 1989: E2).

One report had growers siding with organized crime in an effort to intimidate ranchers whose land was being used without permission to grow marijuana (San Francisco Chronicle Nov. 27, 1984: 63).

Growers Producing Huge Amounts of Dangerously Potent Pot. Another theme in the coverage of growers was the idea that the farmers of this illegal weed were producing increasing amounts of dangerously potent marijuana. New strains of marijuana were characterized in testimony by one member of Congress as so “potent” as to be capable of creating “stupefying blasts of intoxication” (San Francisco Chronicle, April 20, 1983: 24). Drug Enforcement Agency (DEA) officials claimed domestic production of this dangerous drug was “exploding” (San Francisco Chronicle, Oct. 1, 1982: 1). The editors of the San Francisco Chronicle characterized growers as “engaged
profitably in a multi-billion dollar industry that supplies tons of the illicit and dangerous substance on unwary American users” (San Francisco Chronicle, April 15, 1984: B8). A considerable amount of the articles in the Chronicle were devoted to reporting the seizure and eradication triumphs of law enforcement officials. Statistics depicting the amounts of marijuana were often reported in tons and street values of the weed in the hundreds of thousands of dollars. This is consistent with Best (1989) who found that as a rule of thumb for effective claims making, bigger numbers are better than smaller numbers and big numbers provided by government officials or experts are best of all. Curiously, a White House official even reported a surge of marijuana production coupled with a decline of use (San Francisco Chronicle, May 20, 1983: 4). In essence growers were being accused of producing increasing amounts of a powerful and harmful drug while public demand was on the decline.

The "Mom and Pop" Marijuana Grower. Although it was decidedly a minority theme, the Chronicle did depict marijuana growers as "normal" people trying to make a living, rather than violent outlaws. Coverage sympathetic to the plight of marijuana farmers portrayed the growers as ordinary and hard-working people who were simply engaged in a rational economic endeavor. Instead of violent criminals or dead beats, they were characterized as self-employed respectable business owners. A marijuana advocacy group’s annual report was quoted by the paper:

"Unemployed and underemployed people use marijuana profits to feed their families and keep their finances above water," the report said. "Farmers facing the loss of their farm and reading of the high value of marijuana are willing to risk growing a small number of plants in the hope of saving the family farm" (San Francisco Chronicle, Jan. 11, 1986: 1).

The publisher of a small newspaper in Northern California stated:

Of course, there are some crazy growers who would shoot at planes. And it would be foolish to ignore that. On the other hand, the vast majority of people growing pot in the hills are peaceful families with children...Here we are in an era where a joint is no big deal and yet we have agents in the woods armed and camouflaged as if they were fighting in Vietnam. And yet there are thousands up here who used to be on welfare and now grow pot. They don’t feel like criminals. They are producing what this country wants (San Francisco Chronicle, Nov. 7, 1982: B9).
A small store owner said, "I would say most of the growers are good people. They shop here, they raise families. It's not Mafia-type guys coming in here to make a killing" (San Francisco Chronicle, Sept. 17, 1884: 1). Images such as these equate the marijuana growers’ business as rational and morally respectable in classical American terms. A quote from a marijuana wholesaler:

Marijuana is the only agricultural commodity in the country produced and sold in a truly free market. There are no government regulations, taxes, import quotas, subsidies. We're actually doing what they tried to teach us in college about free enterprise (San Francisco Chronicle, Sept. 17, 1984: 1).

The following depicts marijuana growers as conscientious members of the community:

They are active in environmental and alternative energy groups and their money has helped get several politicians elected. Without marijuana, a little town like Max's would probably decompose and blow into the ocean. It isn't exactly thriving as it is. The discount food store went belly up. So did the pharmacy and the stationary shop. One of the place's two doctors bailed out this year. And winter storm wiped out the wharf. The school auditorium was condemned. It is common knowledge that grower generosity helped keep the senior citizen center open and the health food store alive (San Francisco Chronicle, Sept. 17, 1984: 1).

The last image provides a modern day fable that stands in opposition to the dominant law enforcement depiction of the violent, greedy, anti-social grower; marijuana farmers are portrayed as the saviors of a destitute community and symbolic protectors of the old and feeble.

**Discussion**

The role of the news media in the definition of drugs as a social problem has been well documented (Becker, 1963; Brownstein, 1991; Gitlin, 1989; Himmelstein, 1983; Jerrigan and Dorfman, 1996; Morgan, 1978; Morgan, Wallack and Buchanan, 1988; Orcutt and Turner, 1993; Reinarman and Levine, 1989 and 1997; Sharp 1992). This paper analyzed the depictions of marijuana growers by the largest major daily newspaper in the metropolitan area closest to the center of marijuana production in Northern California from the inception of a federal program to combat marijuana cultivation to the present. This paper rests on the premise that the image of marijuana became more deviant during the 1980's. The goal of this project
was to investigate how the image of marijuana growers manufactured and portrayed in the San Francisco Chronicle may have contributed to that social process in Northern California. Clearly, any generalizations to the overall media image of marijuana growers in the Bay Area from the present study are not possible. The inferential power of these data is significantly limited by the fact that the information comes from a single newspaper.  

While the coverage of marijuana growers was substantial in terms of the total amount of marijuana stories, the image of pot farmers was decidedly negative. This negative slant seems to be driven by the fact that the majority of stories were framed episodically -- episodic framings were much more likely to characterize growers negatively than their counterparts. The dominant themes that emerged from the coverage of marijuana farmers in the Chronicle are of greedy, violent, anti-social criminals who are producing enormous amounts of a dangerous psychoactive substance; images of the growers as reasonable, peaceful persons engaged in a rational moral and/or economic endeavor were clearly in the minority. 

As a popular news event, the media coverage of illicit drugs was greatest during the mid 1980’s and virtually disappeared after 1992 (Reinarman and Levine, 1989; Orcutt and Turner, 1993; Jernigan and Dorfman, 1996). The frenzy of coverage is understandable in light of Sharp’s (1992) findings: two presidents declared a national “War on Drugs” at two separate times during the decade; President Reagan did so in 1986 and President Bush revived his predecessor’s battle cry in 1989. However, academic research concerning the media treatment of the “drug crisis” or “War on Drugs” of the 1980’s centers on cocaine, crack, or illicit drugs in general. Judging by the coverage in the largest newspaper in the Bay Area, it appears that marijuana’s popularity as news followed the general pattern of other illicit drugs. However, marijuana differs from other substances in that its notoriety crested a bit earlier in the decade. In this sense, the marijuana drug scare (Morgan, Wallack, and Buchanan, 1988) that occurred in the early 1980’s can be considered as the first “battle” of the War on Drugs. 

Over the period of study episodic stories about marijuana growers outnumbered thematic stories by a factor of about two to one. This finding is consistent with other research in the area (Jerrigan and Dorfman, 1996; Iyengar, 1991) and provides further evidence that the media tends to cover crime-related stories in an episodic fashion. Furthermore, if Iyengar’s (1991) findings regarding the relationship between type of framing and assignment of responsibility for the social problem are applicable to the print news media, the general reporting in the Chronicle certainly depicted marijuana growers as irresponsible and immoral deviants. However, one should not automatically view media workers in the
same manner. A possible explanation for the present discoveries could be due to the economic factors related to the production of news. Clearly, it is cheaper, more efficient, and simpler for news organizations to cover episodic events (which often only require running a story off the AP or UPI line or sending a reporter to a news conference staged by law enforcement agencies) than spend the time and resources on in-depth feature stories which tend to be thematic in nature. Of course, another possible explanation for this result is that the framings of the stories were not categorized correctly in this research. Assuming that there was no systematic bias in the researcher’s judgment, the economic constraints of the news business are considered to be the most salient explanation for this finding.

While it is noteworthy that the vast majority of stories depicted growers in a negative fashion, perhaps the most interesting qualitative finding of the present study is the relationship between the framing of a story and the manner in which marijuana growers were portrayed. Episodic framings were much more likely to portray growers in a negative and immoral fashion than their counterparts. Thematic stories presented a much more balanced picture of marijuana farmers. Given that episodic framings outnumbered thematic framings by a factor of two to one and that there was a relationship between the framing of the story and its moral portrayal of marijuana growers, this provides some support for Iyengar’s assertion that, due to their reliance on episodic framings, media stories about crime tend to assign individual blame for criminal behavior. However there are at least three other alternative explanations. First, journalists are likely to rely heavily on law enforcement officials for information on crime for very logical reasons. As mentioned above, the production of news exists in a competitive industry and law enforcement officials are not only very credible sources who provide “official information,” but they are quickly and easily accessible (i.e. “efficient”) as well. It is logical to assume that law enforcement officials would portray marijuana growers (who are after all criminals) in a negative fashion. Secondly, this finding could be attributed to an editorial bias on the part of the individual publication. In the Bay Area, the San Francisco Chronicle is popularly considered to have a conservative editorial inclination and this could have influenced the way in which the newspaper covered the issue. Clearly, a project that investigated the media coverage of marijuana growers using a wider range of news publications could have avoided this shortcoming. Lastly, these findings could have been systematically influenced by the subjective manner in which these important variables were coded by the researcher. However, if this finding that media coverage tends to depict crime as a function of individual moral weakness is considered valid, it should be disturbing for criminologists and other social scientists who
desire more complicated public discourse on the causes and nature of criminal behavior.

**Conclusion**

It appears that the reliance upon episodic framings predisposes the print news media to characterize the criminal behaviors of drug offenders as illogical, immoral, and perhaps pathological. Following Iyengar’s results regarding assignment of responsibility, readers of the *Chronicle* would have been more likely to view marijuana growers as pathological, immoral criminals rather than rational economic actors. The “real” truth about these drug offenders is not the issue; rather, the concern is the way in which our news media relies upon a limited explanation of deviance and crime. The negative slant of the episodic stories is indeed unsettling for one who desires objective news, but it conforms nicely to the conservative criminal justice agenda that has been championed over the past twenty years. As a nation we are currently reliant on a punishment-oriented approach toward drugs which is predicated on the idea that all those associated with illicit drugs -- users, producers, or dealers -- are unbalanced, irrational, and immoral deviants. Alternative explanations for such behaviors, especially those which deem them rational and understandable in light of social conditions, are incompatible with present political reasoning and policy and are largely absent from public discourse.
References

ABEL, ERNEST, L.  

ADLER, PATRICIA A.  

BEST, JOEL


BRECHER, EDWARD M.


BROWNSTEIN, HENRY H.


BUCHANAN, DAVID AND LAWRENCE WALLACK

1998 “This is the Partnership for a drug-free America: Any questions?” Journal of Drug Issues vol. 28 no. 2 Spring: 329-356.

GITLIN, TODD


GOODE, ERICH

GLASSER, IRA AND LOREN SIEGAL

HERER, JACK

HYAMS, DAVE
1996 Personal communication, October 16.

IYENGAR, SHANTO

JERNIGAN, DAVID and LORI DORFMAN

JOE, KAREN

MORGAN, PATRICIA A.


MORGAN, PATRICIA A., LAWRENCE WALLACK, and DAVID BUCHANAN

ORCUTT, JAMES, D. and J. BLAKE TURNER
POLLAN, MICHAEL

RAPHAEL, RAY

REINARMAN, CRAIG. and HARRY LEVINE

SAN FRANCISCO CHRONICLE
“Search and destroy: Viet-style war against pot farmers” Nov. 7:B1.
“Pot is Oregon’s most lucrative crop, California its biggest buyer” July 24: B5.
1984 “Court restrictions on pot hunting” April 15: B8 (editorial page).
“Farmers Who’ve Gone to Pot Raking In a Record Harvest” Sept. 17: 1.
“Mendocino Considers Pot-War ‘Emergency’ ” Oct. 10: 3.
“Angry residents say copters, rifle-toting officers have terrorized them” Oct. 14: A17.
“Grower, lying low now, says it’s a good life” Oct. 14, A16.
“Pot country turns into war zone” Oct. 14: 1.
“How Pot Growers Victimize California Ranchers” Nov. 27: 63


Endnotes

1 The “Emerald Triangle” refers to three California counties (Humbolt, Trinity, and Mendocino) which attracted the initial state and federal marijuana eradication efforts in the state. Eradication activities expanded to other areas but the term stuck as a quick way to refer to the marijuana growing regions of Northern California.

2 The flowering tops of the marijuana plant -- “buds” in marijuana argot -- are the most potent and thus the part of the plant most prized by consumers.

3 According to its circulation manager, the Chronicle has been the most widely read paper in the Bay Area since the 1960’s. Since 1982, the Chronicle’s circulation has hovered around 500,000; its closest competitor, the San Jose Mercury News has a circulation of approximately 300,000. The other papers in the region have circulations well under 200,000 (Hyams, 1996).

4 Only one of the 108 articles analyzed mentioned marijuana growers outside of Northern California.

5 Obviously, for most of the years, there were many articles that appeared to be growing related but did not specifically mention growers. For example, in 1988 there were 30 total articles listed under the heading “marijuana;” 17 of these appeared to be growing related and were read, but only 15 of the 17 actually mentioned marijuana growers. Only these 15 articles are included in the analysis for that year. Therefore the middle and far right columns should not be totaled.

6 The years 1986 and 1988 were national election years and, as Morgan, Wallack, and Buchanan (1990) note, drug wars or drug scares always include an increase in media coverage and often occur around election times.

7 Almost without exception, the marijuana growers depicted in the Chronicle were male.

8 This analysis was limited to the single source due to geography and resources available at the University of Hawaii library. Had other news publications in the Bay Area been available, they would have been included in the data. The reader is asked to keep this limitation in mind.

9 Sharp demonstrates how the President’s access to the media greatly affects public agenda setting with regards to drugs and policy.
ABSTRACT:

Matchbooks have become common items in modern society. The primary function of a matchbook is to serve as a source of fire, including and especially fires used in connection with smoking tobacco products. Matchbooks serve in functions other than the creation of fire, however. A matchbook is also a communications medium, a manual tool, and a memento object which humans collect.

Matchbooks and matchbook covers have appeared in criminal prosecutions and other aspects of the criminal justice system. The roles of matchbooks in the criminal justice system can be analyzed from the purview of the matchbook and its functions in society. Matchbooks in several selected cases are analyzed accordingly.

Changes in the matchbook's cultural functions are presently evolving. The main causes of such changes are changes in the legal and social attitudes towards tobacco usage, and technological innovations which have replaced the matchbook as a source of fire. Such changes have already impacted the criminal justice system, and more of the same can be expected in the future. Nevertheless, the matchbook will continue to be a common cultural artifact, and present itself as such in criminal cases.

I. INTRODUCTION

All of human civilization is dependent upon a photochemical reaction known as fire. Over the centuries since the dawn of mankind, various developments have simplified the processes necessary for creating fire. The cardboard matchbook as we know it today was invented by a Philadelphia patent attorney named Joshua Pusey, who was issued Patent Number 483,166 on 27 September 1892 by the United States Patent Office. The matchbook thus serves as a means for modern homo sapiens to expeditiously create fire on short notice. According to the United States
Consumer Product Safety Commission, American consumers created approximately 645 billion individual "lights" in 1976, of which, approximately 65% or 419 billion were done with matchbooks. Nearly 98% of the 645 billion "lights" were for tobacco products.

Since the time of Pusey, matchbooks have become a pervasive artifact in our modern society. This article will overview the functions of matchbooks in our society, with a brief excursus into the human collection imperative. Then the various roles of matchbooks in criminal matters from the perspective of the matchbooks' functions will be surveyed. The article will conclude with a brief discussion of ongoing developments which can be expected to bring change to the matchbook as a cultural artifact in the world of crime.

II. THE FUNCTIONS OF MATCHBOOKS IN AMERICAN SOCIETY

A. General Functions

In addition to the obvious role as a source of fire, matchbooks function in such diverse capacities as communications media, implements for performing manual tasks, and chattel objects to be owned, carried, traded, bought and sold, or stolen.

The matches and the striking surface are the elements of a matchbook which actually cause the fire. These elements are carried, covered and protected by a thin piece of thin cardboard which, in and of itself, has no inherent pyrogenic properties. Like other pieces of paper, however, the cover of a matchbook lends itself well as a substrate upon which letters and words can be printed or written, together with artistic designs if desired. Indeed, matchbooks have long been used to advertise products and services other than themselves, and continue to serve as an efficient form of advertising which can be directed to specific audiences.

One cannot view the propaganda properties of matchbooks in a vacuum, for they obviously interface and intersect in a major and synergistic way with the use of tobacco. After all, it is no mere coincidence that most matchbooks contain twenty matches, which corresponds to the twenty cigarettes in a pack. It therefore is quite common for the advertising message printed on a matchbook to be read by the same user twenty times, reinforced with the sating of a physical craving for tobacco each time a match is used to light a cigarette.

And just as a paper matchbook cover can serve as a substrate for the printed word or image, it can similarly serve as a medium for writings handscribed with a pen or a pencil, or other available writing implement. Often, for want of any paper surface more formal or spacious, it is the most handy writing
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surface available for committing a brief but significant item of data to writing.

Moreover, matchbooks can serve as manual implements to perform tasks not directly related to their pyrogenic or literary functions, whether as receptacles for storing or transporting small objects, forceps for manipulating small objects, obstructions to jam mechanisms, and any other use as a lamina of cardboard.

B. Excursus: Matchbooks and the Human Collecting Imperative

Collecting objects for the sake of collecting them is a practice invariably found in virtually every known human culture of now and yore. Specific psychological explanations and analyses of the human collection imperative are beyond the ambit of this article; suffice it to say that some individuals are pronouncedly predisposed to collect objects. The collecting hobbies of particular individuals have been implicated in much civil and criminal litigation, and judicial opinions have duly noted collections of objects as diverse as postage stamps, 7 coins, 8 firearms, 9 knives, 10 arrowheads, 11 paintings, 12 antiques, 13 jewelry, 14 clocks and pocket watches, 15 glass novelties, 16 gems and minerals, 17 seashells, 18 dolls, 19 model railroad equipment, 20 comic books, 21 baseball cards, 22 motion picture films, 23 automobiles, 24 pianos 25 and evergreen trees. 26 Individuals who keep several types of collections have likewise been mentioned in the judicial opinions. 27

There are aficionados who collect matchbooks, 28 and who have formed organizations in furtherance of their hobby. 29 Libraries and historical societies sometimes retain matchbook covers from their local area businesses, 30 and museums and archives keep them in their collections as historical artifacts. 31

Though many individuals deeply possessed by the human collecting imperative can proudly boast extensive organized collections of their chosen genre of objects, the propensity to collect can be manifested in a one-time, single instance accession of an object. Thus, many who are not organized matchbook hobbyists will perfunctorily pocket a souvenir matchbook which is displayed in a manner explicitly or impliedly offering it for the taking by the business establishment whose services or wares it advertises.

A matchbook, then, often exists as a chattel object in its own right, without regard to its other functions. As such, it can be accessioned, carried, bought, sold, lost, found, traded or stolen. Its small size and inherently inexpensive composition especially facilitate such a passive function.
III. MATCHBOOKS IN THE CRIMINAL JUSTICE CONTEXT

As previously described, a matchbook serves as a source of fire, a communications medium, a tool and a chattel object. Matchbooks which appear as evidence in criminal cases can be analyzed from such functional perspectives.

A. Matchbooks as Sources of Fire

Where criminal activity involves fire, the source of the fire is inherently relevant to the processes of the criminal justice system.

The fact pattern in a prosecution involving over 200 fires in the Boston area from 1982 to 1984, though carried to an extreme, is essentially typical. The modus operandi of one Stackpole was to enmesh a lit cigarette among the tips of matches in a matchbook, so that after a time delay the burning cigarette would ignite the matches, which would, in turn, ignite a plastic bag filled with flammable liquid such as gasoline or lantern fuel. Stackpole called his incendiary device "La Bomba." Such cigarette-matchbook devices, of varying degrees of sophistication and effectiveness, have figured as evidence in other arson prosecutions.

The matchbook need not have a cigarette fuse, however. One can maliciously cause a conflagration by "flipping" an entire matchbook set afire, or even use one or more individual matches from a matchbook to start the fire.

Even in non-arson situations, a fire can be indicative of criminal activity and the source of the fire accordingly relevant. Burnt matches and matchbooks found along with crack cocaine, for example, can be evidence of the illegal use of that drug.

B. Matchbooks as a Communications Medium

1. Matchbooks used for propaganda:

Given the well known Constitutional protections afforded to speech and the press in America, the circumstances under which the content of a matchbook advertisement might be an element of a crime are inherently limited. Nevertheless, matchbook propaganda has been known to toe the limits of the law. In the context of the American social unrest of the late 1960's and early 1970's, matchbooks inscribed "EOW" were distributed at Bloomfield State College in West Virginia, the inscription being a supposed acronym for "End of Week", with the supposed implication that the campus would burn if the demands of certain student groups were not met by the end of the week.
But during those socially turbulent times, at least one law enforcement officer used matchbooks as propaganda media, with apparent success. The jargon of the angry American counterculture scornfully referred to police officers as "pigs." A Dallas police officer, apparently unfazed by such taunts, bolstered his personal public relations by distributing matchbooks inscribed "Leonard Edge: Pig and Proud!" along his beat.38

More recently, American law enforcement authorities have successfully used matchbooks as a medium to advertise rewards for wanted international terrorists.39

2. Matchbooks used as notepads:

In the world of criminal evidence, many matchbook covers have been employed as media for the written word.

A telephone number is one piece of information which can easily be written upon a matchbook cover, and has often been so inscribed. In one case involving drug trafficking, the law enforcement authorities obtained a matchbook marked "246 0700 Room 1110." The first seven digits corresponded to the telephone number of New York's Holland Hotel, which was visited by the police, and where the guest in Room 1110 turned out to be a Columbian drug dealer.40 Other illicit drug dealers have likewise been found through matchbooks bearing their telephone numbers.41

But telephone numbers which have been written upon matchbook covers are by no means limited to those of drug dealers. A matchbook found on one burglary suspect bore the telephone number of the house of the victim, who had left their house to attend their daughter's wedding.42 Another burglar, caught in the act, had in his pocket a matchbook with the telephone number of a waffle house written upon it. The police went to the waffle house where they found the intended getaway car and the driver accomplices.43 And the telephone number of a robber who wished to make amends by taking his victim out on a date was written on a matchbook by the victim.44

In a kidnapping case, the suspect had, in his shoe, a matchbook upon which his brother's telephone number was written. The brother yielded evidence which the police then used to extract a confession from the initial suspect. Constitutional considerations, however, caused the first suspect's confession to be suppressed.45

Telephone numbers are not the only criminal evidence which are written upon matchbook covers. Other data written upon matchbook covers has included illegal betting numbers,46 and even a hold-up note used in a bank robbery.47
Criminals are not the only ones who write evidence upon matchbook covers. Law-abiding citizens also carry matchbooks, which, in emergency situations when more formal writing papers are not immediately available, can and do serve as convenient media for inscribing succinct bits of information. One exigent circumstance in which matchbooks lend themselves well as writing papers is when a witness to or victim of a crime involving a motor vehicle memorializes the license tag number of the vehicle upon a matchbook. Matchbooks bearing such information have figured in several criminal prosecutions.48

C. Matchbook Covers as Manual Tools

Matchbooks can serve as manual implements to perform tasks not directly related to their pyrogenic or literary functions. The tasks so performed can be relevant to criminal activity.

Matchbooks are handy receptacles for storing, carrying or transferring illegal substances. Many a matchbook has been used to store or deliver heroin,49 cocaine50 or marijuana.51 In a similar fashion, a matchbook can be used to pass money in the context of an illegal bribe, as exemplified in one case where a lawyer bribed a hearing officer with a $100 bill folded up into a matchbook.52 Razor blades can also be concealed in matchbooks.53

In addition to being a handy receptacle for the transport and storage of illegal substances, a matchbook cover can serve as a tool with which to administer the illegal substance into the body, whether to nasally "snort" a substance such as heroin54 or to hold a burning marijuana cigarette.55

Flashlights, familiar tools whose purpose it is to provide light, are to be found in many a skilled tradesperson's toolboxes. A match from a matchbook can similarly serve as a source of illumination, albeit for a limited period of time and with the risks and disadvantages inherent to an open flame. Such illuminatory implements have been incidental to the commission of a crime, as in one case where a would-be rapist held a lit match, as a lamp unto his feet, in the darkened hallway outside the victim's apartment. The flame of the match soon wilted as the perpetuator gained entry to the victim's quarters (whereupon he also wilted before establishing the contact required for his initially-intended offense). The burnt-out match, found on the floor outside the victim's door, was from the matchbook which the police found on the perpetuator's person upon his capture.56

D. Matchbooks as Tangible Chattel Objects
Aside from its pyrogenic, literary or mechanical properties, a matchbook is a tangible and portable object, a chattel capable of being owned, lost, transported, bought or sold. One case which demonstrates this property in the criminal context involved a simple plain white matchbook with nothing written on it. At a convenience store in Tennessee, a robber purported to purchase a single plain white matchbook, and then proceeded to rob the store when the clerk opened the cash register to process the payment for the matchbook. The matchbook found on the suspect's person was part of the evidence against him. The fact that it was a matchbook was only incidental, the feigned purchase of any small object could have been used as the pretext to induce the store clerk to open the cash register.

Because matchbooks are objects which are manually handled, they can also serve as sources for fingerprints in forensic investigations.

And, consistent with the souvenir acquisition imperative which universally affects people from all populations and cultures, people tend to pocket matchbooks which are explicitly or impliedly offered as gratuitous advertising trinkets.

Matchbooks can also link the suspect to the crime when it can be shown that the matchbook somehow was handed from the victim to perpetuator. In one Arkansas case, a young couple hitchhiking along encountered a trio who claimed engine trouble, and the wife handed one of the three a matchbook in order to shed light upon the problem. The couple was kidnapped and the wife raped by the three. The matchbook was part of the evidence against the three perpetuators. In a California case, a well-described matchbook, "blue and white in color, having the name 'Newporter Inn' on the cover" which was given to the defendant by the rape victim was also part of the prosecutor's evidence.

And, as tangible and portable objects which are susceptible to individual ownership, matchbooks are also objects which can be stolen.

E. Matchbooks serving more than a single function

1. Matchbooks as More than a Fire Starter:

The non-pyrogenic properties of some matchbooks which started the fires of incendiary crimes have clued the police to many a perpetuator. Subsequent to his expulsion from the family abode, Michael Pierce had lodged across the street in the home of his friend Tim O'Rielly the week before the fatal house fire which took the lives of Pierce's mother, father and grandmother. The fire was started by a match from a matchbook of the type found in O'Rielly's house. Though that matchbook was the source of the fire, it
had also functioned as an object which Pierce took as a souvenir, and was thus linked to Pierce's known whereabouts in O'Rielly's home.

In a case with similar fact patterns (and involving a defendant with the same first name), a matchbook from a Tennessee motel where Michael Webb had stayed was used by Webb to start the house fire in Ohio which killed his own son. That matchbook likewise served as both a source of the lethal fire and a chattel object taken as a souvenir, and further, was also a propaganda device for the motel. A matchbook from the Hippopotamus Discoteque in New York City functioned similarly in a case where a drug dealer killed a prospective witness against him and burned her body.

As a variation on the theme of matchbook as fire source, souvenir and advertising propaganda, a matchbook which was used by Elric Carlson to ignite a fatal fire advertised the business of his own uncle, with whom he lived. And in an incident which was not nearly so destructive or lethal, the matchbook used by Vernon Bates Archibald in his attempt to burn the property of his erstwhile employer advertised a business owned by none other than Archibald himself.

2. Collected Objects which Advertise:

American author and humorist E. B. White wrote that a collection of objects is likely to reveal more about the collector than about the subject of the collection. White's observation has proven itself quite valid, even in instances where the "collection" at issue has consisted of but a single matchbook.

A law-abiding citizen thinks little of pocketing a souvenir matchbook from the business establishment where it is displayed and explicitly or impliedly offered for the taking. But when the person who takes such a matchbook subsequently embarks upon a criminal enterprise, the literary content of that same matchbook can link the malefactor to the establishment from whence the matchbook was taken. A matchbook serving the dual function of a propaganda medium and a tangible collectable object can accordingly serve as compelling evidence of the crime in question.

A detached and rational criminal would take pains to be devoid of all evidence linking him or her to the scene of the crime. In reality, however, the inability of many perpetuators to detach themselves from their personal collecting imperatives has significantly contributed to the prosecutor's evidence. Thus, a gunman who took a matchbook from the Fountain Valley Golf Course in St. Croix, Virgin Islands during his murder spree there provided an exhibit for the Government's evidence at trial. Similarly, the matchbook from Rhodes Automotive Service in Abilene, Texas was found on the person of the felon who had robbed that establishment.
business establishments whose own matchbooks were possessed by the perpetuators of crimes at their premises include Richard's Best Texaco in North Carolina and the Trails Lounge Restaurant in Portage, Wisconsin.

A matchbook from an establishment known to have been the whereabouts of the suspect around the time of the crime, if found at or near the crime scene, can help to link the suspect to the crime. Wrongdoers who gather such matchbooks have often provided such evidence of their involvement.

A matchbook from the Best Western -- Hudson House Inn, which was across the street from the Hudson Country Club where a burglary and theft occurred, was part of the evidence to link the suspect to the crime. The former lover of a Los Angeles woman who, with her roommate, was violently attacked in her apartment, had earlier patronized the Mandarin Cove Restaurant along with the victims. A matchbook from that restaurant was found in the apartment and helped to link the attacker to the crime. In two cases arising out of an ambush assault incident in Tennessee, the respective defendants, apprehended in Henryetta, Oklahoma, were linked to the crime by Oklahoma authorities, who found a matchbook from a Nashville hotel. And a murderer who was careless enough to leave a matchbook from his own brother's wedding near the victim's body was also betrayed by his own collection imperative.

Matchbooks from distant localities have similarly implicated criminals from those distant locales. A resident of Westchester, New York who had passed bad checks 150 miles away in Binghamton was convicted upon evidence which included a matchbook from a Binghamton restaurant found in his car. A matchbook cover found at the site of a kidnap victim's captivity linked the suspects to Chicago. And a cocaine shipment found in a van apprehended along with its owner in Michigan was linked to its suspected source back East by a matchbook from a New Jersey motel.

In 1983, a shocking and sensational murder occurred in a restaurant in Philadelphia's Chinatown. Members of an Asian gang from New York, attempting to spread their "protection" racket influence to Philadelphia, had entered the Ho Sai Gai restaurant and demanded money from the manager, who was fatally shot when she refused. Among the evidence found on the scene was a matchbook which advertised a Brooklyn enterprise whose business was to help people to obtain New York driver's license learner's permits. At trial, the defense attorney's attempt to eliminate the connection between the matchbook and his client failed miserably when testimony was elicited that the defendant himself had begun the process of obtaining a New York State driver's license.
Convicted murderer Eugene Wallace Perry apparently had a particularly pronounced collection imperative for matchbooks. The prosecution evidence which ultimately led to Perry's execution on 8 August 1997 included matchbooks from the Terry Motel in Fort Smith, Arkansas and the Horseshoe Bend Marina in Rogers, Arkansas. Another criminal whose collecting imperative got the better of him was a drug dealer named Charles James, who was in possession of matchbooks from motels in Mansfield, Ohio and Miami Florida, motels where drug deals were known by police to have been in the making.

And if more than one person is involved in a criminal enterprise, the collecting habits of one can snare them all. Delores Pollack, suspected of passing American Express traveler's checks stolen in Pennsylvania, was arrested in Florida with a matchbook from the Olympia Motel in her possession. Upon paying a visit to the Olympia Motel, the Dade County Police found Pollack's accomplice with more stolen traveler's checks. And a matchbook from the Rodeway Inn in Wilmington, North Carolina, found in the pocket of an arrested drug trafficker, led the law enforcement authorities to additional suspects who had taken a room at that place of lodging.

At the scene of a Colorado burglary-murder, a matchbook from a business in Henderson, Nevada was found, along with some burnt matches. The matches and matchbook were apparently used as illumination when the perpetrator broke the window to enter the premises. It was shown that the defendant had visited family in Henderson, thus connecting the matchbook to the defendant, and therefore, the defendant to the crime. The matchbook thus served as a source of fire, a collected chattel object, and an advertisement medium.

3. Collected Objects Bearing Personal Data:

As a variation to the collected object which advertises a commercial venture, product or service, a matchbook inscribed with the victim's own handwriting can also serve as evidence when found in the possession of the criminal defendant. Much less formal than a business card, it is usually produced on an impromptu basis on such occasions.

In a Tennessee murder case, the defendant initially denied knowing victim, but then produced matchbook which the victim had given to him and upon which she had written her telephone number. There obviously had been sexual activity between murderer and victim, but the evidence was ambiguous as to whether such sexual activity was consensual (which had bearing upon whether there would be an enhanced sentence).
And in yet another rape case involving a matchbook, the matchbook somehow given to the rapist in question also bore the victim's telephone number.

Conversely, the name and telephone number of Jeffrey Alan Gearns, a regular at the bar of Chi-Chi's Restaurant in Dearborn, Michigan, was written upon the Chi-Chi's matchbook found on the victim's body and served as evidence to convict Gearns.

The personal data on a collected object can serve to elucidate the memory of one who has been confused. It is obviously not unusual for the victim of a violent crime to be disoriented, and to make ambiguous or contradictory statements during the moments of confusion. One very agitated and disconcerted rape victim, who had trouble fixing the date of her attack, knew that it occurred on the same day as her sister's wedding and was thus able to compose her thoughts and refresh her memory with the aid of a memento matchbook from that wedding.

4. A Truly Multifunctional Matchbook:

One case which well exemplifies a matchbook in its multiple cultural functions was the U.S. Navy court martial of Yeoman Typist First Class George Stockdale. It should be borne in mind that the events in the Stockdale case occurred in 1953, when the taboos against the use of marijuana were significantly stronger than they are in 1999.

Stockdale disembarked from a Navy transport in Honolulu, and was immediately apprehended and searched. Charged with wrongful possession and wrongful use of marijuana, Stockdale was court martialed and convicted on the possession specifications, and sentenced to confinement at hard labor, reduction in grade and bad conduct discharge. Among the evidence from the search was a partially smoked marijuana cigarette "in a paper match cover bearing an advertisement of a place in Arizona near where the accused had recently spent a period of leave."

The matchbook in evidence served several functions. It was a propaganda object which bore the advertisement of a commercial establishment in Arizona which was proximate to the known whereabouts of the accused. It also was a tangible physical object which Stockdale saw fit to collect as a souvenir. Serving those two functions, the matchbook connected the contraband marijuana to Stockdale, and was evidence that he had acquired it while on leave. When the contraband marijuana cigarette was placed inside of it, the matchbook thereupon served as a receptacle for it, a tool for holding and transporting the forbidden substance.
Though not specifically addressed in the Navy Board of Review opinion, there is a significant likelihood that when the partially smoked marijuana cigarette was smoked, it was ignited by a match from the same matchbook. If such were the case, then the same matchbook which served as a propaganda object, collectable souvenir and receptacle for concealment and transport may also have been a source of the fire inherent in the illegal use of the marijuana.

As matters actually transpired, Stockdale was convicted only on the illegal possession specifications, and not on the illegal use specification. We must, therefore, presume his innocence to the extent of the latter count.

IV. CONCLUSION

Matchbooks perform diverse functions in our society, legal and otherwise. The social habits relating to matchbooks are reflected in the matchbooks which have appeared in court cases, whether as criminal evidence or otherwise. Certain changes are afoot, however.

For one thing, the social and legal attitudes towards the smoking of tobacco (and other herbage) are now shifting. Given the inextricable link between matchbooks and smoking, such changes cannot help but affect the matchbook as a cultural artifact. Indeed, it has already occurred, for the false advertising claims in the ongoing product liability litigation against the tobacco companies have specifically implicated the use of matchbooks bearing the well known "Joe Camel" cartoon character used to advertise Camel cigarettes.

Moreover, technological developments and marketing strategies have, of late, given the disposable butane lighter a heretofore unprecedented and continually growing popularity as a device for creating fire. While butane lighters are arguably superior to matchbooks as a fire source -- after all, their flames can be maintained for longer periods of time, and can be adjusted in intensity to relatively long plumes -- they are not necessarily superior to matchbooks with respect to other functions.

There is no doubt that individuals with the collection imperative will see fit to collect butane lighters, whether as a one-time serendipitous action or as an organized hobby collection. Cigarette lighters have already been relevant evidence in fire-related crime cases. We can certainly expect to see more such cases in the coming years as the butane lighter becomes more ubiquitous. And while the butane lighter has already been put to use as an advertising medium, it is unlikely to be less expensive to produce, transport or store than a matchbook, and
therefore, less likely to be distributed in the population with the frequency that matchbooks have heretofore been placed into the stream of commerce.

Moreover, the butane lighter is not paper, and does not well lend itself to handscribe written communications in quite the same manner as the matchbook.

So, as the disposable butane becomes a more common artifact in American culture, it can be expected to appear with increasing frequency in criminal matters. But because its functions are not totally identical to those of a matchbook, the butane lighter will not appear in all of the same criminal justice roles which the matchbook has played for more than a half-century past.

Notwithstanding the inroads being made by the butane lighter, the matchbook will likely continue to be a common cultural artifact for the foreseeable future, and its appearances in civil and criminal litigation will reflect its functions accordingly.

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1 See Diamond Match Co. v. Schenk, 71 F. 521 (C.C.E.D. Pa. 1895), aff'd 77 F. 208 (3d Cir. 1896). Pusey transferred his patent rights to the Diamond Match Company, and became its corporate counsel, in which capacity he represented his employer in the lawsuit against Schenk.


3 Id.


5 See id., § 1202.2(c)(i).

6 See People v. Buchholz, 363 Ill. 270, 272, 2 N.E.2d 80, 81 (1936) (robbery victim used her eyebrow pencil to write the name and telephone number of the perpetuator on a matchbook).


10 *E.g.*, McKinney v. Rees, 993 F.2d 1378 (9th Cir. 1993).


13 *E.g.*, Kub v. Commissioner, T.C. Memo 1974-278; 33 T.C.M. (CCH) 1282, aff'd, 558 F.2d 1033 (7th Cir. 1977).


16 *E.g.*, Stanley v. Commissioner, T.C. Memo 1980-217; 40 T.C.M. (CCH) 516.

17 *E.g.*, Dubin v. Commissioner, T.C. Memo 1986-433; 52 T.C.M. (CCH) 456.


20 *E.g.*, Lencke v. Commissioner, T.C. Memo 1997-284; 73 T.C.M. (CCH) 3152.

21 *E.g.*, Tesar v. Commissioner, T.C. Memo 1997-207; 73 T.C.M. (CCH) 2709.
22 E.g., Eckes v. Card Prices Update, 736 F.2d 859 (2d Cir. 1984); United States v. O'Kane, 155 F.3d 969 (8th Cir. 1998).


27 E.g., March v. Commissioner, T.C. Memo 1994-534; 68 T.C.M. (CCH) 1028 (Taxpayer collected vintage automobiles and airplanes); Farrell v. Commissioner, T.C. Memo 1989-662; 58 T.C.M. (CCH) 979 (Taxpayer's spouse collected antiques, guns and winemaking equipment); Andrews v. Andrews, 242 Md. 143, 148, 218 A.2d 194, 197 (1966) (In matrimonial proceeding, husband, an anthropologist, explained his pornography hobby as a collection along with his other collections of shells, ash-trays, native objects, stamps, et al.).

28 See, e.g., Hart v. State, 1999 Ga. App. LEXIS 1677 (Defendant convicted of a burglary in which several items were stolen, including a collection of matchbooks.).

29 The Rathkamp Matchcover Society ("RMS") is the main national organization, with a Web site at <http://www.matchcover.org> (last visited 17 January 2000). There are other local and regional clubs, some of which have Web sites which can be accessed via the RMS Web site.


31 The Popular Culture Library at Bowling Green State University (Ohio) has a collection of approximately 12,000 matchbook covers. E-mail from Alison M. Scott, Head Librarian, Popular Culture Library, Bowling Green State Univ. to Kenneth H. Ryesky, Esq. (24 August 1999) (on file with author).
Apart from the extensive matchbook cover collections exemplified by the Bowling Green State University collection, other archives have matchbook specimens. E.g., Hope College, Archive Catalog Number T90-1114, Chicago, Duluth and Georgian Bay Transit Company (1913-1967), listed on the Internet at <http://www.hope.edu/jointarchives/collections/regist eres/hht/georgian.html>, visited 16 August 1999 (Archives include a matchbook cover which lists of reservations offices of the Company); Hampshire County Council, Search Museums Object Records, <http://www.hants.gov.uk/cgi-bin/fx.phrase? DB=museum_cat> (visited 16 August 1999) (Inquiry into searchable Internet database of holdings of the various museums of Hampshire County, England, using keyword "matchbook" yields at least eight specific hits of matchbooks in the collections of the various museums of Hampshire County, England.).

32 United States v. Stackpole, 811 F.2d 689 (1st Cir. 1987).


40 United States v. Rueda, 549 F.2d 865, 868 (2d Cir.1977).

41 E.g., United States v. Lechuga, 888 F.2d 1472, 1475 (5th Cir. 1989); see also United States v. Reyes, 18 F.3d 65, 68-69 (2d Cir. 1994) (evidence of beeper numbers of cocaine traffickers on matchbook covers was suppressed).

42 State v. Adkins, 679 S.W.2d 303 (Mo.App. 1984).


44 Buchholz, note 6 supra.


47 United States v. Fletcher, 15 F.3d 553 (6th Cir. 1994).


In the Butts case the defendant used matchbooks to pass cocaine on two separate occasions to two separate undercover officers. Butts, 72 N.Y.2d 746, Brief for Respondent (People) at 6 & 8.


55 E.g., State v. Purvis, 249 Ore. 404, 438 P.2d 1002 (1968); cf. Carroll v. Oregon State Penitentiary, 33 Ore. App. 83, 575 P.2d 173 (1978) (Rolled matchbook and piece of tinfoil found in prisoner's cell not proven to be intended for drug uses, though such uses were possible and not unknown.).


57 Presumably, the matchbook did bear the name of its manufacturer in very small type. All matchbooks manufactured in or imported into the United States after May 4, 1978 must be marked with the name and city of the manufacturer or private labeler. 16 C.F.R. § 1202.6(a) (1999). Such an inscription is sometimes referred to as the "manumark." Even before the 1978 regulation, the overwhelming majority of matchbooks in the United States bore manumarks.


60 Ingram v. State, 255 Ark. 6, 498 S.W.2d 863 (1973).


Conversely, matchbooks carried by individuals can also link them to the business establishments advertised on the matchbooks. In the noncriminal context of professional hockey, Detroit Red Wings coach Scotty Bowman, a non-smoker, reportedly would ask his players for matches and, based upon the matchbook covers, would deduce the places which the team members frequented during off-hours. Harry Atkins, "Bowman Takes the Heat, but Delivers Championships," Detroit News, 4 October 1997, Internet Edition, <http://detnews.com/1997/wings/9710/04/10040105.htm> (visited 18 August 1999).


United States v. Larson, 596 F.2d 759, 775 (8th Cir. 1979).


Cf. Notes 59 and 60, supra, and accompanying text. For some reason, there are several rape cases on the books which involve a matchbook linking the rapist to the crime.

Commonwealth v. Morrison, (No. 3470 C.D. 1991, Common Pleas Ct., Dauphin Co., PA, 19 Nov. 1992), digested at Pa. L.J., 4 January 1993, p. 16. In Morrison, the testimony regarding the defendant's receipt of the matchbook was found to be hearsay, but was harmless error on account of the plethora of other evidence linking the defendant to the crime. From the digested version of the case, it is not clear as to who wrote the victim's telephone number on the matchbook, nor indeed, who gave the matchbook to the defendant.


Id. at 542.

Cf., e.g., Burns Ind. Code Ann. §§ 16-41-37-2(1) & -4(1) (1998) (Smoking is prohibited in the courtrooms of the State of Indiana) with Musselman v. Musselman, 44 Ind. 106, 118 (1873) (smoking in Indiana courtrooms by judges and attorneys was obviously a normal and well accepted practice in 1873).


According to a February 1999 posting at a collectables website, one Barbara Lemon of Annapolis, MD collects cigarette lighters, old and new, and has more than 300 specimens in her collection. Posting by Barbara Lemon <blemon@web.aacpl.lib.md.us> (posted 18 Feb. 1999) at Pen Pals Across The Miles - Country Collectibles Magazine <http://www.countrycollector.com/guestbook/february99.html> (last visited 17 Jan. 2000).


In People v. Hemphill, 124 A.D.2d 862, 508 N.Y.S.2d 297 (3d Dept. 1986), the evidence of arson
included both the cigarette lighter and the three books of matches found on the defendant's person.
Review of Drink: A Social History of America

Author: Andrew Barr  
Publisher: Carroll & Graf Publishers, Inc.  
Year: 1999

The use of alcoholic beverages has been a peculiar part of social science studies. During and shortly after the Prohibition period it was mired in the pros and cons of that sometimes called "noble experiment." There were some notable exceptions such as works by Krout (1925) and Odegard (1928). These gave way to more scholarly work in American history, politics and sociology. As they did so they tended to study alcohol drinking from a "problem" perspective, interested in legislation. Only recently have alcohol studies begun to include the study of drinking and its contexts as a part of American popular culture; of the uses of leisure and of consumption. However it is still the case, as I have written elsewhere, although my work has been on law and politics in re alcohol, I am still often referred to as an "expert on alcoholism."

In this book, Andrew Barr presents the reader with an account of drinking, not as a problem but as a behavior; of what many Americans do and have done since colonial eras. In doing so he also attempts a spirited (pun intended) defense of drinking. It is a useful hook and a needed addition to the studies now on the shelves. But it too is its own problem. Like the girl with the curl in the middle of her forehead, when it is good, it is very, very good but when it is bad it is horrid!

The book is divided into eight chapters, including an introduction titled "Drink and Drugs" in which Barr gives much space to a criticism of the disease theory of alcoholism. Then follow six chapters in which various aspects of the history of drinking in the United States are described, discussed and documented. Each chapter covers the
entire range of American historical periods. Chapter 1 details the transformation of British drinking habits into American ones, with emphasis on the decline of wine drinking and rum. Barr focuses here, as he does throughout the volume, on the role of climate, economics and technology in producing changes.

Chapter 2 is an account of American eating habits and their relation in drinking. Here, and in Chapter 3 on gender differences, Barr finds a significant relation to changes in eating out and American drinking. Chapter 4 contains much useful information on differences between beer, wine and spirits in American history. There is a very valuable account of the ways in which beer and wine interests sought to separate their industry from spirits in an effort to exempt their product from being labeled intoxicating. Chapter 5 is an analysis of efforts to control drinking. Here Barr analyzes Prohibition and drinking-driving laws. Chapter 6 is concerned with alcoholic drinking as contrasted with American consumption of tea and coffee and with the transformation in consumption from rum to whiskey and from whiskey to beer.

In the final chapter, "Conclusion: Social Drinking" Barr pulls together the general orientation which has been underlined in the previous chapters. He is critical of the American tendency to see alcohol beverages as a problem rather than as sociable conduct; to hurry through meals and fail to substitute wine for other drink. In his conclusion, Barr engages even more fully in writing diatribe rather than analysis. He is critical both here and in earlier parts of the book of the American disposition to restrict drinking—in hours of sales, in teenage drinkers and otherwise to treat drinking as a flaw of persons and events.
Throughout the work Barr is given to shallow uses of materials, often substituting assertion for analysis. His treatment of teenage drinking dwells only on the civil liberties issue of age discrimination, resulting in another diatribe against the 21 age "line" for limits on sales. While there is validity to his argument it ignores the elements of auto deaths that have given rise to the issue. He neither deals with them nor attempts to analyze their factual base. This gives the reader a sense of special pleading rather than wise observation of the total context.

A number of such examples of worthy viewpoints backed by dubious assertions and poor use of materials mar his work. It begins in the first chapter of which the following is an example of what is repeatedly found in the volume. This is from a discussion of the disease theory of alcoholism:

Denial is not caused by the disease of alcoholism; it is denial of reality that causes people to become alcoholics. (p. 26)

He seems either unaware or unconcerned that there is a very vast literature on alcoholism ending in no consensus about causes. Nor does he reckon that denial of reality is a complex condition and may characterize many people who do not become alcoholics.

I will cite two other egregious examples of assertion and diatribe that greatly weaken his claims to scholarly accuracy. Scholars who have studied Prohibition have pondered the question of its effects. Barr is clear that it was a failure; that it did not diminish consumption; that it has caused Americans to privatize drinking. He begins his discussion of Prohibition by writing, "The one thing everybody knows about Prohibition is that it did not work" (p.23). To support his claim that it taught respectable women to drink he quotes an observer,
Alice-Leone Moats. Why she is to be accorded any greater powers of observation about American drinking habits rather than others goes unstated. There is a considerable literature on Prohibition, on the varying definitions of "success," even on the matter consumption. Barr uses only one source on that complex question — Rorabaugh's *The Alcoholic Republic*. He ignores the many limitations Rorabaugh placed on such material, derived largely from another source that placed even greater limits. Other scholars find the outcomes of Prohibition on later consumption less definitive and by no means supportive of Barr’s claims.

This manner of using quotes from ambiguous sources as evidence and ignoring the different sides of an issue is followed much too often in the book. Not unlike other writers, Barr seems to be taken by the magic of print: whatever is written is necessarily correct. All research is accorded the same status, except where it seems to disagree with his views, in which case, as in his discussion of the Fetal Alcohol Syndrome, the studies are scrutinized more carefully. His analytical tool is a sledgehammer rather than a scalpel.

Yet there is much that is valuable, especially on the transformation of American drinking habits and uses. There is a huge set of references that is alone worth the purchase of the book. The references present an additional problem. In place of conventional footnotes there are sections at the back of the book that refer to topics in a general paragraph. Thus one section has material on drinking places with a section on beer gardens that was discussed in the text. This seems to refer to a specific and important study mentioned in the text but which and where, among the references, it is to be found is not given. It is very difficult to find specific supports for specific assertions. The reader has to guess which relate to what.
A goodly amount of space is given to analysis and criticism of American taste and uses of wine. I know little about Barr but that he published a book entitled Wine Snobbery and, apparently, writes often for wine magazines.

Books like Barr’s are difficult for the reviewer to assess in a scholarly journal such as this one. Given the copious and valuable notes and references and the development of historical problems it has much significance. Given the shallow use of materials, where I am familiar with them, and the diatribes, even when I agree with them, it loses much utility for the scholar. Should the reader interested in the topic read it or is it a waste of time? It definitely should be read by scholars, but it should be diluted with “rocks” of skepticism and garnished with a large slice of doubt.

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REFERENCES


Review of Making Trouble: Cultural Constructions of Crime, Deviance, and Control

Editors: Jeff Ferrell and Neil Websdale
Publisher: Aldine De Gruyter
Year: 1999

To the delight of some and the utter horror and dismay of others, the field of cultural studies has leached its way into the remotest capillaries of academic life. Even criminology, a field that, with a few notable exceptions, had been all but abandoned to the path model technicians and the neo-Liberal "risk" managers, could not, it seems, check the seepage. With this volume (and the very existence of this journal!), we see that there are at least some folks in the discipline who think that social constructions, language, the media, and popular culture actually matter with regard to issues of crime, deviance, and control.

"Cultural criminology," the editors declare, is grounded in both "the frameworks of cultural studies and postmodernism" as well as being "firmly rooted in sociological perspectives" (p.5). I must admit that I was skeptical that such a rubric could bridge the deep modernist/postmodernist divide, but found that after reading the opening pages, I was sufficiently intrigued by the prospect. Shrewdly, these editors see cultural criminology as not trying to "synthesize or subsume" the more contentious variants of cultural studies and postmodern theory as well as the "new" (now quite old) criminology of the 1970s, modernist interactionist sociology, and critical theory into some kind of amalgam, but rather seek to "...engage them in a critical, multifaceted exploration of culture, deviance, and crime. Linking these diverse intellectual dimensions is an overarching concern with the meaning of deviance, crime, and control" (p.16 emphasis mine). I found their arguments to be persuasive and compelling and learned quite a bit from their approach.

This eclectic, yet thematically engaged agenda comes together in this collection of fourteen interesting papers as well as the editors’ outstanding introductory and concluding essays. We see, for example, evidence of the "Birmingham School" of post-Gramscian studies of hegemony and ideology reflected in the second of Neil Websdale's own essays in the volume, "Police Homicide Files as Situated Media Substrates." Motivated by Stuart Hall's analysis of the synergistic relationship between law enforcement and media portrayals, Websdale investigates the construction of police investigative reports and "the relationship between these reporting styles, frames, and boundaries and the broader culture" (p.278).
Here, he situates language within a broader framework of power, politics, and economics. Rather than containing some kind of distant objectivity, he finds that these investigative narratives are rife with moral-political judgments about offenders, their families, and their acts. These reports are then consumed by the media and looped back to us and the police as part of our cultural understandings of crime.

A second motif comes more directly from postmodernist sensibilities as evidenced by Peter Manning's essay, "Reflections: The Visual as a Mode of Social Control." Manning contends that modernist views of identity, the self, and biographical continuity seem "of dubious validity in an era shaped increasingly by electronic information technology and mass communications" (p.255). Manning argues that we need to connect theories of the "decentered" postmodern self, social control and deviance with the "interactional context of self-viewing, watching, and performing, collectively, and individually, as well as to modes of control, surveillance, and simulation now commonly found in work consumption, and mass leisure" (p.255). The proliferation of screens in social life, Manning contends, multiplies our experiences while the increasingly blurry line between these private and public encounters not only shapes the self, but is likely to be used in social control. He cites examples from policing, medicine, and the workplace where the visual is used "often without the awareness of the person, to control and punish, to stimulate consumption, and to protect individuals from legal action" (p.264).

Other papers in the collection reflect the mix of modernist, critical, and constructionist approaches. Paul Kooistra and John Mahoney set out to reveal "The Historical Roots of Tabloid TV Crime" in their contribution. Here they examine the strategies and practices of the 19th century working-class oriented "penny press," the "yellow" journalism of Pulitzer and Hearst, and the later day "tabloid" style TV shows such as "Cops," "America's Most Wanted," "Hard Copy," and the like. They conclude that tabloid media, then and now, not only emphasizes entertainment and sensationalism but that typically these formats are used when a news organization is attempting to break into a very competitive media market. Moreover, these organizations are likely to exploit new developments in technology such, as in these cases, the rotary press, the ability to print high quality photos in a newspaper format, and the use of inexpensive hand-held video cameras. And while these formats are often derided by moral entrepreneurs and the mainstream media alike, they are often quickly imitated by
established media once they begin to see an erosion of their market share.

In other papers, such as "Media Misogyny: Demonizing 'Violent' Girls and Women," Meda Chesney Lind does a nice job of sorting fact from fiction when it comes to the reality of female criminality versus its exaggerated media portrait, and by extension, the public perception of the social problem. Likewise, Gray Cavender takes on fact and fiction in his chapter called "Detecting Masculinity" when he considers both the role of "doing masculinity" in actual criminal conduct and the depiction of crime and the detective figure in two 1940s films as well as in two contemporary films. He concludes that much has remained the same in this genre of popular culture, "that the detective has a quest to solve a crime...[but that] a part of that quest is also to search for what it is to be a man" (p.173). A wide variety of other topics are explored in the book including the cultural construction of a street population and "punk" uprising in Montréal in 1996, the cultural meanings of hip hop graffiti on freight trains, and anti-abortion violence as "unconstructed terrorism."

In sum, Making Trouble is an excellent collection of papers that manages to bring a wide range of topics and approaches under the conceptually interesting umbrella of cultural criminology. Anyone interested in some of the more provocative interdisciplinary takes on crime, deviance, and control will do well to consider this volume. I highly recommend it.

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Review of God of the Rodeo: The Search for Hope, Faith, and a Six-Second Ride in Louisiana's Angola Prison

Author: Daniel Bergner
Publisher: Crown Publishers
Year: 1998

Brooklyn-based writer Daniel Bergner went searching for stories of hope, faith and redemption, and he found them in a snake-infested swamp pit along the Mississippi River in Louisiana. That is where the Angola State Penitentiary is located. Home to some five thousand murderers, rapists, and armed robbers, this is one of the meanest prisons in America, and the men who have run it have a long and notorious record of callousness and brutality. But the prison's ugly pattern of past abuses is only a backdrop for Bergner's stories. He first traveled to Angola to witness the rodeo staged each year on the first four Sundays in October. When he got there, he found himself among a horde of people buying bargain-rate prison-made belts and bird houses and lustily watching cowboys -- mostly African American convicts the rest of the year, and for most, the rest of their lives -- dressed in almost comical stripped shirts, and without protection, battle against 1,600 pound bulls. Few stayed atop the bucking, jerking, angry animals for more than a split second or two. Largely white crowds of thrill-seekers hooted and gasped at the untrained, inexperienced riders risk life and limb for their enjoyment. It is, Bergner confesses, at once a gripping and disturbing spectacle. One of the games is called "Convict Poker." In this dare devil event, four prisoners sit at a mock card table in the middle of the ring. A bull is unleashed. The last man sitting wins a $100 prize. No matter how gruesome and bizarre it seemed, Bergner learned during his year of research at Angola that the rodeo did offer some prisoners a moment of hope and glory, even dignity.

Bergner's account is not some sensational exposé on what goes on behind prison walls tailor-made for Geraldo or the producers of 20-20. This book has more humanity and subtly to it than that. Bergner builds a usually fascinating, but sometimes frustrating, chronicle around the lives of six cowboy prisoners. There is, for instance, forty-one year-old Johnny Brooks, who is serving a life sentence for the murder of a convenience store clerk. The rodeo helped him get a cushy prison job and meet his future wife, and provided him with the hope -- probably a false hope --
-- that if he says "yessuh" enough in just such a way to enough of the right people, he will earn a pardon from the governor. Then there is Danny Fabre, who seems more like a character from one of Erskine Caldwell's tragic-comic novels than a real-life figure. Fabre looks at the rodeo as the smoothest path to his dream of self-esteem and plastic surgery to fix his sharply protruding ears. And then there is Litrell Harris; Bergner's most compelling, philosophical, and insightful character. In one of the book's opening scenes, Harris, a convicted murderer, is concocting a disgusting "feces cocktail" to hurl at another inmate. By the end of the book, he is out of prison and driving a truck, desperately trying not to run afoul of the law.

Going backwards and forwards, Bergner's portraits of Brooks, Fabre, Harris, and the others are rich in detail. His stories mock the stereotypes of criminals and prisons created in Hollywood and on Madison Avenue. He offers no apologies for these men and their hideous acts, but he also knows that there are a lot of factors, many of them too hard to understand, that put a gun or a knife in a man's hands.

The book's other main character is Warden Burl Cain. Part paternalist, part preacher, and part con man, Cain dominates the middle third of the book. At first, Bergner thought he had found himself a real hero in the Dr. Pepper swigging warden. He saw the glowing reports on ABC and the Discovery Channel about Cain reforming the prison, selflessly dedicating himself to the lives of the least fortunate, and offering salvation to the damned, even to those on death row. But these virtues turned out to be little more than a cloak for petty corruption. Cain demanded money from Bergner in exchange for access to the prison. This was not his first shakedown, as Bergner discovered. It turns out that Cain seems to have had a long history of demanding kickbacks from prison contracts and orchestrating other less than scrupulous business deals. Bergner was stung by the revelations; his hero was no hero, just another in a long line of corrupt prison administrators.

Bergner's unmasking of Cain shifts the story from a tale of hope in a hopeless world to a narrative about justice. In this drama, there are clear winners and losers. Bergner takes Cain to court and wins, and is permitted to return to the prison, finish his interviews, and complete his book. Cain is also a winner. Although publicly embarrassed, he retains his post as warden. Angola prisoners, however, are once again losers. Before Cain arrived
at the penitentiary, conditions were so bad at Angola that the federal government appointed a team of investigators to look into abuses and assigned a judge to oversee the prison. A misnamed law, the Prison Litigation Reform Act, did away with this judicial oversight, and left Cain free to run Angola with little interference.

Toward the end of God of Rodeo, the flow of the book shifts directions one last time. It increasingly becomes a book about the author. Of course, all books are, at some level, autobiographical, but this one is explicitly so. Turning to the first person voice, Bergner writes -- in an almost confessional tone -- about how his experiences at Angola have changed him, especially his experiences with Cain. Still his disillusion with the warden and disgust over the new non-system of oversight is tempered by his faith in Harris's future. Perhaps there is a note of redemption here after all. Bergner's book ends with echoes of the hopeful words of Bruce Springsteen who sings in the last lines of Nebraska, his stark collection of songs about killers and losers, "At the end of a hard earned day people find some reason to believe."

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