

Current Policy Directions for the Control of Criminal Violence

JEROME E. McELROY

The American people are concerned about **many** forms of violence—child abuse, spouse abuse, the injustices of some of our social and economic institutions, the specter of a nuclear winter, to name just a few. But the kind of violence that seems most immediate and most threatening to our neighbors is the violence of **street** crime. Robberies, assaults, forcible sex offenses, even homicides seem all too prevalent, and millions of people in communities across the country live in fear of being victimized by an unknown predator whom they will be unable to repel.

In the last 15 years or so, the growing concern over **street** crime, especially violent crime, has produced a substantial body of research on violent crime, its **perpetrators**, and the efforts of the criminal justice system to **control** it. That body of research is now impressive both qualitatively and quantitatively and cannot be summarized adequately in this **short paper**.¹ I shall **attempt**, however, to identify some of the highlights of what has been learned about criminal violence, to describe the diition of current policies for **controlling** such violence, and to suggest ways in which the mental health and human **services** professions will be affected by these policies in the future..

Violent Crime: Is There More or Less?

It is widely believed that violent crime **has** been **increasing** for some time and that a **growing proportion** of it is committed by juveniles. That perception probably has something **to** do with the **citizenry's** fear for their own safety. It is useful, therefore, to **ask** whether the statistics **support** the perception.

Some long-term historical research has been **done recently** which

suggests that the incidence of violent crimes against the person in Western countries has actually declined dramatically over the last several centuries.² Professor Ted Gurr has found that, despite periodic increases in violent crime, the incidence of homicide in Western societies has been dropping steadily since the thirteenth century. He suggests that this long-term trend flows from important cultural changes including "the growing sensitization to violence and the development of increased internal and external controls on aggressive behavior." He finds that the evidence suggests that the temporary deviations from this trend, including those which we have experienced through the 1970s, reflect the influence of significant demographic changes, notable fluctuations between economic prosperity and decline, urbanization and industrialization, and warfare.

The statistics describing near-term trends in serious crime in the United States are actually rather inconclusive. According to the Uniform Crime Reports (UCR) published annually by the F.B.I., there has been a very substantial increase in officially reported crime over the last couple of decades.³ For example, from 1960 to 1980, a 20 year period, the UCR reports indicate a 354 percent increase in reported crimes of violence and a 287 percent increase in reported crimes against property. Robbery led the increase with a 409 percent rise over the 20 year period. Other crimes of violence, including aggravated assault and rape, increased by well over 300 percent. Even the rates of these offenses per 100,000 of the population increased enormously over the same period. Thus, the popular perception that we are being inundated with violent crime is essentially sustained by these F.B.I. statistics.

After 1980, however, the official statistics suggest a somewhat different picture. They indicate that the amount of reported crime peaked in 1980, held constant in 1981, and began to drop in 1982. For example, the UCR statistics for 1982 showed decreases of 10 percent in burglary, 1 percent in larceny, 3 percent in grand larceny, auto, 7 percent in murder and robbery, 5 percent in rape, and an increase of 1 percent in assault.⁴ According to the F.B.I., then, we appear to have turned a corner at the beginning of this decade.

It is important to note that this picture is based on official statistics on reported crimes. They are not clear indicators of the actual incidence of serious crime. Moreover, comparisons over the last two decades almost certainly distort the extent to which serious crime has increased. This is because there have been immense improvements over that period in the systems for reporting and recording crime complaints. Thus, some portion of the increase in official statistics, perhaps a fairly substantial one, is a function of our improved statistical capability.

Nevertheless, there are other sources for believing that serious crime has increased over recent years. In a landmark book entitled, *Delinquency in a Birth Cohort*, Marvin Wolfgang reported on a retrospective study of the criminal careers of a cohort of people born in Philadelphia in 1945.⁵ To be included in the study, the subject had to have lived his or her mid-teen years (10 to 18 years of age) in Philadelphia. For each subject, Wolfgang and his associates collected and analyzed data on each contact that person had with a criminal or juvenile justice agency over a 30 year period.

A few years ago, these researchers started another study using a cohort born in 1958. The data from this second study have not been fully analyzed, but some comparisons between the two cohorts have been made. They indicate that the crimes committed by the younger cohort (i.e., those born in 1958) appear to be more serious in general than those of the older cohort, and violent crimes appear more frequently among the offenses of the younger cohort.⁶

Another study by Miller, Dinitz and Conrad, focusing on dangerous offenders in Columbus, Ohio, and using somewhat different techniques from Wolfgang's, also finds evidence suggesting that a relatively small percentage of offenders account for a large percentage of the crimes and the more recently born group of offenders are in the process of compiling both longer and more serious criminal records, including more violent crimes, than did their predecessors.⁷

On the other hand, there is also research challenging the beliefs that serious crime has increased significantly and that the proportion of such crimes attributable to juveniles has risen sharply. Some of this research uses data from crime victimization studies now conducted annually by the U.S. Census Bureau.⁸ The Office of Juvenile Justice and Delinquency Prevention (OJJDP) recently released such a study by John Laub⁹ which concludes that the evidence does not substantiate the belief that juveniles are more violent today than they were in the past. He found that the rate of crimes against persons that were attributed to juveniles decreased by approximately 6 percent from 1973 to 1979. He also found that the proportion of all reported offenses attributed to juveniles has remained relatively constant over the eight year period, and that there was no evidence of increasing violence in those crimes attributable to juveniles, as indicated by weapon use or personal injury to the victim.

In sum, the statistical evidence is equivocal. It is probable that rates of serious crime, including crimes of violence, increased some during the 1960s and 1970s, although not to the extent suggested by the F.B.I.'s statistics. While it is clear that young people (14-24) account for a substantial proportion of all serious crimes, and have always done so,

it is not clear that today's young people are more criminal or more violent than they were in the past.

Are There Specialists in Violent Crime?

In the mid-1970s, the Vera Institute undertook a study of juvenile violence that was motivated, in part, by the belief that there were youths who specialized in violent crime and accounted for a disproportionate share of such crime. The study was done by Paul Strasburg and was published under the title, *Violent Delinquents*.¹⁰ Strasburg was unable to identify a group of juveniles who were involved exclusively and frequently in violent crimes. Using samples from Manhattan in New York City, Westchester County, New York, and Mercer County, New Jersey, he identified a segment of the samples who were charged with crimes on more than one occasion. They constituted 6 percent of the total sample, but that segment was considerably larger as a proportion of the Manhattan sample than it was in Westchester or Mercer Counties. This 6 percent of the sample accounted for approximately 29 percent of the charges brought against the entire sample.

That finding parallels Wolfgang's findings for his first cohort of delinquents. He and his associates found 30 percent of all the crimes committed by the sample members were attributable to 6 percent of the sample. Moreover, while 31 percent of the cohort were arrested at least once for a crime involving an injury, only 7 percent were arrested for such a crime on two or more occasions.

Strasburg found that although delinquent behavior was widespread, specifically violent behavior was less so. Moreover, while a fairly high proportion of his sample engaged in a violent crime at least once, a pattern of repeated violence, based on the official records of the sample members, was not at all common. It is important to note also that the most common violent offense among Strasburg's delinquents was simple assault, generally arising out of minor confrontations between juveniles. The second most common violent offense was the more serious crime of robbery, especially in the form of street muggings.

Based on these and similar findings, the consensus today generally rejects the idea of a specific segment of offenders who specialize only in violence and who commit those acts with great frequency and to the exclusion of other kinds of criminality. This is not to say, of course, that there are not individuals who do conform to this image. However, repetitive violent offenders apparently constitute an extremely small proportion of those who come before the criminal justice system. The

concern about violent offenders has now shifted to a focus on that relatively small segment of offenders who are repetitive, serious offenders, and who, in the course of their criminal careers, do commit numerous acts of criminal violence. This small segment of the offender population appears to account for a disproportionately large amount of all serious crime, including all serious crimes of violence. It is now believed that focusing on this group of offenders to understand more about who they are, what they are like and what we can do about them will strengthen society's efforts to control criminal violence.

What Happens with Those Accused of Serious Crimes?

Answering this question is not as easy as it might seem, in part, because there are very few reliable indicators that a serious crime was committed. The Penal Code, of course, defines the seriousness of an offense in the penalty provided for its commission. In New York State, felonies are more serious than misdemeanors, while Class A felonies are punished more severely than Class B felonies and so on down to Class E felonies. However, because statutory labels are notoriously poor descriptors of what actually took place and under what circumstances, the Penal Code scale is a deceptive one.

In speaking of robbery, for example, the popular image is of one or more armed juveniles holding up and gratuitously injuring victims whom they have never seen before. That kind of stranger-to-stranger violence, about which we are understandably fearful, is probably the image that lies behind much of the recent legislative activity aimed at mandating prison sentences for violent criminals and increasing the length of those sentences. In reality, many of the robbery cases handled by the juvenile and criminal justice systems involve juveniles perpetrating minor extortions on each other, and victims and offenders, who had a relationship with one another prior to the incident, fighting over a piece of property whose actual ownership is arguable. Robbery is an appropriate charge in all three situations, but the statutory charge at arrest would not reflect the real differences in seriousness.

Despite the descriptive limitations of the Penal Code, the manner in which the criminal justice system disposes of the felony arrests brought before it is seen as a rough measure of its capacity to deal with serious crime. In the early 1970s, the Vera Institute did an analysis of the dispositional outcomes of felony arrests made in New York City.¹¹ The research revealed that 44 percent of the felony arrests resulted in non-conviction dispositions. While the remaining 56 percent

did result in convictions, only about 15 percent resulted in felony dispositions and only about 5 percent received an incarcerative felony sentence. Another 22 percent received short-term jail sentences.

The Vera study dealt with New York City in the early 1970s, but other studies in other jurisdictions tend to find that close to 50 percent of all felony arrests never result in a conviction. The major reasons for this pattern include: the prosecutor's decision not to proceed with the prosecution because of severe evidentiary weakness; the failure of the complainant or witnesses to stay with the prosecution long enough to produce a conviction; and the failure to obtain a conviction at trial.

Despite the fact that a large proportion of the felony arrests result in no conviction and another large proportion result in convictions for lesser offenses than those charged, the Vera study concluded that dispositional outcomes in this criminal justice system were roughly proportionate to the seriousness of the charge, the strength of the evidence, and the prior record of the defendant.

On the other hand, Vera's study of Family Court dispositions in New York City during the late 1970s found that not much of anything happened to cases of alleged delinquency or to those alleged to be Persons in Need of Supervision.¹² The vast majority of the children brought before the Court on charges of delinquency got referred out of Intake or shortly thereafter (only 250 of 1900 alleged delinquents were adjudicated), and very few of those cases in which there was a finding of fact were placed in a residential program of any kind. Although referrals to service agencies were made in some of the cases that were "adjusted" out of the Court, there was little follow-through on those referrals and apparently very little service was delivered.

In short, many of those who commit serious offenses are never apprehended; many who are apprehended and charged with relatively serious offenses are not convicted; and many who are convicted receive sentences that are neither punitive nor rehabilitative. Thus, while some serious offenders are ensnared by the criminal justice system and dealt with harshly, it is clear that the system can effect directly only a fraction of those who commit serious offenses.

What Do We Know About Serious Offenders?

We have suggested that there are very few offenders who engage in frequent, seriously violent acts as a matter of specialized criminal careers. However, there is a relatively small segment of the offender population who are very frequently involved in serious criminal offenses, including property and violent offenses, and who account for a

disproportionately large amount of reported crime including reported crimes of violence. Because of the seriousness of their offenses and the intensity of their activity, these "serious offenders" are a proper target of crime control policy. I would now like to consider some of what we think we know about such criminals.

In focusing on the 6 percent of his sample of delinquents who were involved in serious offenses with some frequency, Strasburg characterized them as full of rage, low in self-esteem, lacking in empathy, and possessing a limited ability to tolerate frustration. While he found indications of some neurotic characteristics, some learning difficulties and poor impulse control among them, he would characterize very few as seriously disturbed. He suggests that the classic sociopathic or psychopathic personality is rare among these offenders, but is a source of concern, nonetheless, because of the volume of their offenses and the extent of the damage they account for. Not surprisingly, Strasburg also found these juveniles to be disproportionately poor; members of minority groups and residents of neighborhoods characterized by extensive poverty, social disorganization and deprivation of various kinds.¹³

Research conducted by the Rand Institute in recent years has been critically important in identifying the small segment of serious offenders and in providing some of the empirical footing for the policy of selective incapacitation, which we shall consider a little later. A major component of that research was the survey of adult prisoners conducted by Jan and Marcia Chaiken.¹⁴ The Chaikens took samples of people confined in the correctional systems of three states—Texas, Michigan and California. Thus, they were not sampling the universe of criminal offenders, but only those whose criminal careers had been serious enough for them to be sentenced to a state institution. The Chaikens collected official record data on the criminal careers of each subject and conducted a personal interview with each subject to collect self-report data on his criminal activities. They found that, while people do not specialize in the sense of being exclusively violent criminals, it is possible to construct categories which describe the pattern of offenses that characterize the individual's criminal career. They constructed 10 such categories, the first and most important of which they called "violent predators." These were people who committed a particular mix of crimes, robbery, assault and drug dealing, with particularly great frequency. The Chaikens describe this category further:

... "violent predators" usually committed the three defining crimes at high rates, and they often committed burglaries, thefts, and other property crimes at high rates too—sometimes at higher rates than any other type of criminal, including those who specialize in those crimes.

Typically, the violent predators also began using hard drugs as juveniles and committing violent crimes before they were 16.¹⁵

The Chaikens estimated that violent predators account for only 15 percent of their sample of prison inmates but the frequency with which they commit serious crimes is shocking. For example, the 10 percent of the violent predators with the highest robbery rates commit 135 robberies per year. The 10 percent of violent predators with the highest burglary rates commit 516 burglaries per year and the 10 percent with the highest drug dealing rates commit 4,088 drug deals per year.¹⁶ The average "violent predator," then, commits hundreds of robberies, burglaries and assaults, along with thousands of drug deals in a given year.

According to the Chaikens, the violent predators were rather young—averaging less than 23 years of age at entry into prison—but averaged many more total arrests than any of the other offender categories. Moreover, they had been committing serious offenses for at least six years. Their serious criminal careers typically began before they were 16 years old and involved frequent offending, including violent offenses, before they were 18 years old. They were more likely to have been in juvenile institutions, to have been on parole and to have failed on parole. They were more socially unstable than the other categories of offenders evidencing less marriage or involvement with other forms of family obligation, less regular employment, more trouble in holding jobs and a stronger tendency to offend more frequently during periods of unemployment. Finally, they also had extensive drug histories, including involvement with hard drugs at very young ages.¹⁷

During this century, crime control policy in the United States has shifted among three general strategies—deterrence (dissuading people from crime by increasing the certainty and severity of punishment), rehabilitation (providing individuals with services or treatment intended to reduce their motivation toward crime), and incapacitation (preventing recidivism by isolating known offenders from society). Although each of these strategies, and the assumptions regarding behavior and social control which underlie it, has been an evident part of our crime control activities since the early 1930s, thinking and programming at a particular point in time tend to be dominated by one or the other. Thus, rehabilitation was the dominant policy idea during the mid-1950s and 1960s. In the early 1970s, research studies which failed to show much crime control effect from strategies that were rehabilitative in intent, and a generally more conservative political climate, drove rehabilitation from its dominant position. It was replaced by a resurgence in deterrence advocacy, especially in the form of legislative demands for more certain

(mandatory sentences) and more severe (more and longer incarceration) criminal penalties. For some, this trend in criminal sanctions has been welcome even though they find the evidence supporting deterrence no stronger than that supporting rehabilitation. For them, greater use of imprisonment will at least increase the extent to which criminal offenders are incapacitated.

More recently, this reliance on the incapacitative effects of imprisonment has been refined, based largely on the research work of the Chaikens, into a policy of "selective incapacitation." Peter Greenwood, a colleague of the Chaikens at the Rand Institute, using data from the Chaikens' study, has shown mathematically how increasing the prison sentences of more serious robbers, while not incarcerating the less serious robbers, could significantly reduce the incidence of robbery without increasing the overall use of and costs associated with incarceration.¹⁸

The cost/benefit argument implicit in the policy of selective incapacitation is enormously attractive. If the violent predators described by the Chaikens could be identified and incarcerated for lengthy periods, the large number of crimes they would have committed in the community could be prevented. At the same time, those who are not violent predators and do not evidence a strong likelihood of long and serious criminal careers could be handled without incarceration. The critical question, therefore, is whether these offenders can be identified reliably by the criminal justice system.

The Chaikens attempted to develop a predictive device to identify the high rate robbers (whose characteristics overlapped significantly with those of the violent predator) in their sample. They concluded that such identification could not be made using only official record information. When that information was supplemented with self-reported information on criminal behavior, drug use, and the onset and development of the criminal career, the high rate robbers could be distinguished from other types of offenders. The factors they found to be most important in predicting high rates of robbery commission were:

- Frequent violent juvenile crime (committing violent crime frequently before age 18)
- Early onset of juvenile crime (especially violent crime before age 16)
- Number of prior adult robbery convictions
- Being young
- Being unmarried

- Persistent unemployment or unstable employment
- General drug use
- High-cost heroin use (more than \$50 daily)
- Used both heroin and barbiturates
- Use of both barbiturates and alcohol¹⁹

The Dilemmas of Sentencing Based on Predictions of Future Behavior

Selective incapacitation not only offers promise of a cost-effective use of incarceration, it is intuitively attractive. It seems right that the repetitive, serious offender be sent away for a long time. It is certain that such people pass through our criminal justice agencies every day. And it seems reasonable that a judge would weigh the potential threats posed by a defendant in determining his sentence. Doesn't selective incapacitation merely offer a more objective means for applying these principles to criminal sentencing? Perhaps. But, upon closer examination, one can see serious problems in this policy.

Surely, a sentencing judge gives some thought to the likelihood of a defendant committing serious crimes in the future. But that consideration usually involves the judge using the frequency and seriousness of the defendant's prior convictions to suggest a likely course of future behavior. Thus, the resulting sentence is influenced by documentation of past transgressions rather than a separate estimate of future offenses. It is not at all clear that basing the latter on information other than documented criminal history would pass legal muster.

This problem is intensified by the fact that the Chaikens found that official agency information alone yielded weak predictions, and that it was only after loading in much self-reported information that the high-rate offenders could be identified with real confidence. In practice, the self-reported data is not available to criminal justice agencies, and it is highly unlikely that a defendant would cooperate in lengthening his term of imprisonment by providing it himself.

The issue of predictive confidence is yet another serious concern with respect to selective incapacitation. The Chaikens claim considerable success in predicting *low rate* robbers in that 86 percent of those so identified reported no robberies during the measuring period and only 3 percent reported committing 10 robberies a year. This means that only 3 percent of those who might be given very light sentences because they were not predicted to be frequent offenders in the future, would,

in fact, be frequent offenders. This does seem to be a low rate of "false-negatives."

On the other hand, although their predictive equation did identify the vast majority of high rate offenders, it conferred that status on a rather large number of people who did not deserve it. Specifically, 30 percent of those predicted to be high-rate robbers during the measuring period, in fact, reported committing no robberies at all during that period.²⁰

This high rate of "false positives" surely does not detract from the quality and importance of the Chaikens' research. However, it points up a massive problem in implementing the policy—to wit, the utter unacceptability of a policy that would impose long sentences on a class of defendants for reasons that are falsely attributed to 30 percent of the class. The Chaikens' own uneasiness with prematurely converting their findings into sentencing policy is evident in their statement that,

Even if the models were foolproof, the legal and ethical ramifications of their use by the criminal justice system would be a matter of dispute. Sentencing offenders on past crimes that have never been adjudicated runs counter to principles of just desserts, while sentencing them for predicted future crimes runs counter to tenets of free will and justice. Therefore, we suggest that our findings should not be used simplistically as criteria for passing judgment on specific individuals.²¹

This research suggests that information concerning a defendant's juvenile offenses and patterns of deviance is critical to predicting future criminal careers. However, in most states, information maintained in a juvenile court is sealed and not available to adult criminal justice authorities. Thus, the predictive potential of information available in the juvenile court is of interest, especially since the policy logically suggests that the earlier a high rate offender is identified and incarcerated the greater will be the number of crimes prevented.

To explore this issue, the National Institute of Justice has provided the Vera Institute with a research grant. Using the sample of respondents identified in our earlier analysis of dispositions in the New York City Family Court,²² Vera staff are collecting prospective juvenile and adult criminal history information on 1200 to 1300 people who were 14 or 15 years of age when they were selected into that sample. Once the data are assembled, they will be analyzed to determine whether or not a segment of that sample developed significant criminal careers by the time they reached 20 or 21 years of age and, if so, might their pattern of serious offending have been predicted from the information available at the time of their Family Court appearance.²³

Alternatives to Incarceration

During the 1960s and a part of the 1970s, people were attempting to construct non-incarcerative programs that would avoid stigmatizing criminal offenders and offer services that might have a rehabilitative utility. Today, despite the apparent lack of emphasis given to rehabilitative objectives, the pressure to create alternatives to incarceration is probably more intense than it has ever been. This pressure derives from the practical concern that our nation's jails and prisons are literally bursting and from the policy fascination with "selective" incapacitation. Although the policy calls for the long-term incarceration of some offenders, it prescribes some form of punishment other than imprisonment for many, many others. Indeed, the advocates of this policy suggest that it will reduce the actual number of people who are incarcerated. If that is to happen, we will need to increase the range of community based sentencing options.

The number of people being incarcerated, especially at the state level, has increased sharply in the last several years, so that states and municipalities are under enormous pressure to build new cell space. (New York State will increase its felony inmate capacity to 35,000 in the next few years and expects that figure to be obsolete by the time it becomes a reality.) It seems unlikely that this trend can continue unabated. Either the system will become more effective in identifying those for whom incarceration is an unnecessarily expensive sentence, or legislatures will simply refuse to appropriate the enormous sums necessary to expand existing correctional systems. In either case, the demand for nonincarcerative alternative sentences is likely to grow in the next several years.

Some of these alternative forms of sentencing can be seen today. Intermittent sentences have defendants serve time only on weekends. They reduce the number of cell days, but may have little impact on cell space. Sentences which combine a relatively brief period of incarceration with a longer period of probation may increase the rate at which cells turn over, but they still rely on incarceration.

An increasing number of states and municipalities are experimenting with new forms of intensive supervision in the community. These programs call for frequent contact between probation officer and probationer and provide for caseloads that are small enough to permit such contact levels. Fines and restitution programs may be used more extensively and community service sentencing programs are being developed in many jurisdictions.

While it is likely that community-based alternatives to incarceration will continue to spread, the rationale for this development differs from

the rehabilitative concerns of the past. This difference is important and suggests at least three criteria by which the programs will be judged.

In the first place, the alternatives will have to be seen as being punitive to some degree. Prevailing sentiment among the public and political leaders calls for the punishment of criminal acts, if not to exact revenge, then to express society's outrage at and intolerance of the behavior. In this climate, sentencing alternatives that are widely perceived as non-punitive are not likely to be used.

Secondly, the programs will have to be used as alternatives to incarceration, rather than as increased levels of supervision for defendants who would not have been incarcerated anyway.

Several years ago, when Vera designed its Community Service Sentencing program, the principal objectives were to introduce a new sanction into the Criminal Courts of New York City and provide reasonable assurance that the defendants accepted into the program were actually jail-bound. Recent research suggests that this is rarely the case with community service or restitution programs across the country. However, Vera's carefully controlled evaluation of the CSS programs now operating in three of the city's boroughs indicates that approximately 60 percent of the defendants accepted into the program would have been incarcerated had the program not been available.²⁴

This is a very high displacement rate and it was not easy to achieve. It required a detailed understanding of the criminal case disposition process in each borough, a strong determination on the part of program staff to resist efforts by system officials to place non-jail-bound cases in the program, a very careful measurement of displacement rates and the reasons for them, and a willingness to revise screening criteria and procedure based on evaluation findings. However, in the absence of such efforts, programs intended to serve as alternatives to incarceration will be co-opted by the system and will have little or no impact on the number of people being sent to jails and prisons.

Thirdly, community-based correctional programs will have to exercise tighter, more effective supervision over participants than has been done generally in the past. Obviously, this cannot mean that such programs would be expected to eliminate recidivism. It does mean, I think, that programs would be expected to account for how the participant spends his time and how the program staff attempts to monitor and direct his behavior. If his day lacks the structure provided by a job, the program would help him to secure a job, or admission to a training or education program, and would insist on his regular attendance. The participant's ability to move about the community for long periods of time without ever informing program staff where he is going and what

he is doing would be severely restricted. Nighttime curfews would be common, as would telephone contacts two or three times daily and face-to-face contact several times weekly. Finally, graduated sanctions would be imposed for the participant who fails to comply with the conditions of his sentence, including returning him to the court for resentencing when he appears to be unmanageable in the community.

Of course, I am describing a fairly intensive level of supervision and I do not mean to suggest that this level of supervision is either appropriate or necessary for every convicted offender who is not incarcerated. Indeed, I would insist that it is not. However, for those who would be incarcerated otherwise, the alternative must be bothersome, or it will lack the punitive element which society demands; it must be controlling or it will lack the incapacitative effects of an incarcerative sentence; and it must be credible to both the participants and to the courts, or it will simply not be used as an alternative sentence.

The Persistent Need for Services

A bit earlier, I suggested that the rehabilitative philosophy, which dominated correctional thinking in the 1950s and 1960s, was out of fashion today and, as a consequence, there is little demand for the kinds of personal and social services programs offered by the mental health professions. As an empirical description of what has been happening in the correctional field for the last decade or so, I think that statement is true. However, I do not believe that it accurately predicts the future. Indeed, one of the ironic twists of the recent emphasis on incapacitation, selective or otherwise, is that it is producing a growing demand for community-based alternatives. I have suggested that those alternatives will have to be somewhat punitive and rather intensively controlling, but that merely changes the context within which services will be demanded and delivered. It may be useful to look at those developments as a reactive correction to a perspective which rejected any punitive response to criminality and tended to reject attempts to control or redirect the behavior of the offender by coercive means.

But it is most unlikely that longer-term reversals in criminal behavior patterns will come about simply by means of external controls. Services will have to be available, at least for those who do wish to turn things around, but need assistance in doing so. Such services should range from individual treatment, both medical and psychological, to community organization activities.

Although we do not hear much about it, research is continuing on the biological, psychological, sociological and cultural correlates of

crime in America. We cannot go into that material now, but a useful review of some of it, especially as it pertains to violence, can be found in the recent edited work by Marvin Wolfgang and Neil Alan Weiner.²⁵ In general, the research underscores the importance of the interplay among these four dimensions of the individual's life in disposing people toward criminal behavior and particularly in contributing to its persistence or cessation. We need to know a great deal more about that process than we do now, but certain things seem reasonably clear.

It is likely that those whose patterns of violent behavior seem utterly disproportionate to both immediate provocation and to sociocultural context in which they participate, are experiencing some form of organic or neuropsychological dysfunction. Although they may be locked up, they will need some form of individual treatment, medical, psychological or both, if that violence is to be controlled. Our humanistic traditions suggest they should get that treatment while they are confined, and our pragmatic self-interest demands that they get it if they are ever to return to the community.

There is an apparent consensus among criminological researchers that age is crucially related to the frequency and cessation of conventional forms of street crime. Specifically, youths, especially those from economically deprived neighborhoods, are most criminally active between the ages of about 15 and 18 and, thereafter, the frequency of offending falls off sharply with many people abandoning repetitive criminal behavior and others seeking less threatening and less risky ways of securing illegitimate income.

There may be something about the biological developmental process of youth and young adulthood that contributes to this pattern, but it almost certainly relates to the manner in which the individual is tied to the social, cultural and economic institutions that surround him. Typically, our tolerance of the street criminal, as expressed both formally and informally, diminishes rapidly as he approaches the end of his teens. At the same time, our expectations that he adopt a socially stable role increase and the opportunities for him to do so, especially through legitimate employment, expand. But if that expansion of opportunity is thwarted, or if the individual is not adequately prepared to recognize and use newly available opportunities, the "aging out" phenomenon will be delayed for some and perhaps lost for others.

We at Vera have been conducting research on the relationships between employment and crime for several years. We believe that the interplay of age, schooling, employment and illegitimate opportunity profoundly influences the volume and form of criminality in the neighborhoods of the urban poor.²⁶ The evidence suggests that educational deficiencies in these communities will not be overcome without special

efforts, and for those in their early and middle teens, full-time employment is not an effective alternative, even in the short-run.

At the same time, new jobs, even of the unskilled variety, are being created at some distance from the inner-city neighborhoods and are often inaccessible to their residents, both geographically and socially. Services designed to bridge that distance, especially for those between 18 and 24 years of age, and to assist the working offender to secure additional training that might enhance his prospects for a stable employment career will surely be needed.

Finally, the prevalence of street crime in the inner city both contributes to and results from the harshness of life in these communities. The residents of these neighborhoods are disproportionately represented among both the population of arrested persons and the population of crime victims. And the latter are looking for relief, for a sense of security in their own homes and a sense of control over their own streets. Law enforcement and criminal justice agencies have important roles to play, but effective social control on the neighborhood level is a function of social organization. The people must be helped to know one another, to discover their consensus on what is and is not acceptable in their communities, to develop strategies for improving the quality of their lives in the neighborhood, and to secure the effective involvement of various public and private organizations in implementing these strategies. In short, they need the assistance and advice of skilled community organizers to strengthen the social bonds and institutions that can produce heightened levels of social control.

In conclusion, then, I am suggesting that the contributions of mental health and social service professionals to the control of crime, including crimes of violence, are by no means a thing of the past. Despite the anti-rehabilitation rhetoric of the last decade, and the increased use of incarceration in the name of social defense, the demand for community-based correctional strategies and programs is increasing. Although these programs are likely to be more controlling of their participants' behavior than were their predecessor programs in the 1960s and early 1970s, service components will be developed both as a means of extending supervision and as a means of assisting offenders to adopt a more law-abiding style of living. This latter objective, particularly, will require efforts to make legitimate opportunities more accessible to economically deprived people while assisting them to act collectively on behalf of their communal interests. The criminal justice agencies will have to support these efforts, but the design and delivery of organizational strategies and the delivery of individual services will require the active, enthusiastic involvement of well-trained and experienced social service professionals.

References

1. A very useful summary of recent research on the different dimensions of criminal violence is provided in Marvin E. Wolfgang and Niel Alan Weiner (eds.) *Criminal Violence*, Beverly Hills, Sage Publications, 1982.
2. Ted Robert Gurr. "Historical Trends in Violent Crime: A Critical Review of the Evidence," in Michael Tonry and Norval Morris' *Crime and Justice: An Annual Review of Research*, Vol. 3, Chicago, University of Chicago Press, 1981, pp. 295-353.
3. Timothy J. Flanagan and Maureen McLeod (eds.). *Sourcebook of Criminal Justice Statistics--1982*, Washington, D.C., U.S. Dept. of Justice, Bureau of Justice Statistics, 1983, p. 345.
4. Richard J. O'Connell (ed.). *Crime Control Digest*, Washington, D.C., Washington Crime News Services, April 25, 1983, p. 6.
5. Marvin E. Wolfgang, R.M. Figlio and Thorsten Sellin. *Delinquency in a Birth Cohort*, Chicago, University of Chicago Press, 1972.
6. Marvin E. Wolfgang and Paul Tracy. "The 1945 and 1958 Birth Cohorts: A Comparison of the Prevalence, Incidence and Severity of Delinquent Behavior," in Daniel McGillis, et al., *Dealing with Dangerous Offenders*, Vol. 2: Selected Papers, Cambridge, Mass., John F. Kennedy School of Government, 1983.
7. Stuart J. Miller, Simon Dinitz and John P. Conrad. *Careers of the Violent: The Dangerous Offender and Criminal Justice*, Lexington, Lexington Books, 1982.
8. The Census Bureau does an annual survey asking approximately 150,000 people whether they have been victimized within a specified period of time and, if so, to provide certain information regarding the incident. These studies provide "self-report" information on the volume and types of crime and are considered a more valid indicator of actual incidence. In general, they indicate that the "actual" volume of crime is two to three times greater than the F.B.I. statistics indicate, and that the discrepancy between "actual" and "reported" totals varies by the type of crime with "actual" crimes against property numbering five to seven times more than "reported" crimes against property.
9. John Lamb. *Trends in Juvenile Criminal Behavior in the United States: 1973 to 1980*, Office of Juvenile Justice and Delinquency Prevention, 1983.
10. Paul Strasburg. *Violent Delinquents*, New York, Sovereign Books, 1978.
11. Vera Institute of Justice. *Felony Arrests: Their Prosecution and Disposition in New York City's Courts*, New York, Longman Publishers, 1977.
12. Jorena Adams Weisbrod with Silvia Casale and Sheridan Faber. *Family Court Disposition Study*, New York: Vera Institute of Justice, March, 1981.
13. Strasburg. *Op. cit.*, see especially pp. 78-79.
14. Jan Chaiken and Marcia Chaiken. *Varieties of Criminal Behavior*, California, The Rand Corporation (R-2814-NIJ), 1982, and the summary document written with Joyce Peterson entitled, *Varieties of Criminal Behavior: Summary and Policy Implications*, The Rand Corporation (R-2814111-NIJ), 1982.
15. *Ibid.*, summary document, p. 2.
16. *Ibid.*, p. 14.
17. *Ibid.*, pp. 16-17.
18. Peter W. Greenwood with Allan Abrahamse. *Selective Incapacitation*, The Rand Corporation (R-2815-NIJ), August, 1982.
19. Chaiken and Chaiken. *Op. cit.*, pp. 19-20.
20. *Ibid.*, p. 23.
21. *Ibid.*, p. 23.

22. Jorena Adams Weisbrod, et al.. *Op. cit.*
23. Interested readers may contact Sally Hillsman, the Director of Research at Vera, for information on the project. It is expected that a final report will be available by the fall of 1985.
24. Douglas Corry McDonald. *Punishment Without Walls? Community Service Sentences in New York City*, New York, Vera Institute of Justice, 1984. This manuscript describes the design and results of the evaluation, considers the New York programs within the context of community service programs elsewhere, and explores the structural reasons for the success of the programs in New York. Other reports on the operations and management of the community service sentencing programs have been prepared by Judith Greene, the city-wide director of the program, and are available through the Vera Institute.
25. Marvin Wolfgang and Niel Alan Weiner (eds.). *Op. cit.*
26. Michele Sviridoff with Jerome E. McElroy. *Employment and Crime: A Summary Report*, New York, Vera Institute of Justice, 1984.