

SWACJ (Southwestern Association of Criminal Justice)

2009 Annual Meeting

Laredo, Texas

October 8-10, 2009

**Criminal Justice Legislation in the 21st Century
“Is justice Blind?”**

Schedule of Events



**SWACJ (Southwestern Association of Criminal Justice)
2009 Annual Meeting
Laredo, Texas
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Schedule of Events

October 8, 2009 – Thursday

3:00 p.m. – 6:00 p.m.	Registration	La Posada Lobby
5:00 p.m. – 6:15 p.m.	Undergraduate Quiz Bowl	Zaragoza Ballroom
6:30 p.m. – 8:30 p.m.	Past President's Reception and Mixer <i>Sponsored by the Laredo Chamber of Commerce</i>	CASA ORTIZ

October 9, 2009 – Friday

7:00 a.m. – 8:30 a.m.	Continental Breakfast	3rd Floor Mezzanine
8:00 a.m. – 5:00 p.m.	Registration	La Posada Lobby

8:30 a.m. – 9:50 a.m. **La Palma Room – 3rd Floor**

Panel 1 – Blind Justice????

Chair: Camille Gibson, Prairie View A&M University

Should Justice Be Blind?

Charles F. Abel, Stephen F. Austin State University
George R. Franks, Jr., Stephen F. Austin State University

What constitutes a just law? Historically, have we accommodated and affirmed cultural differences as we legislated, enforced, and applied criminal laws? Should we do so, or is blindness to such differences the essence of a just criminal law? In examining this question, we will include considerations of a Biblical proportion and those relevant to international law as well.

Lady Justice Never Had a Cover Over Her Eyes! Who Do They Think they Are Fooling?

Tracy Andrus, Wiley College

Shaconie Bell, Wiley College

Juan Leon, Wiley College

The United States have often used the symbol of Lady Justice (Justitia) to symbolize that justice is to be blind and impartial. This is done in order to indicate that justice is (or should be) meted out objectively, without fear or favor, regardless of identity, money, power, or weakness. However, many Americans have witnessed just the opposite in courthouses throughout the U.S. With disproportionate minority confinement rampant and existing in every state in the U.S., and hundreds of new laws being enacted each year, it is time to revisit the old question which asks, "Is Justice really blind?" Has it ever been blind?

Drug Legislation and Its Impact on African American Incarceration and Recidivism

Jasmine Traylor, Wiley College

Madison Northam, Wiley College

Michael Champion, Wiley College

In the last thirty years drug legislation has accounted for a significant increase prison population throughout America. This research will examine the new drug legislation and its impact on the growing number of male and female prisoners in the United States.

8:30 a.m. – 9:50 a.m.**Cactus Room – 3rd Floor****Panel 2 – Juveniles and the Justice System****Chair: David Montague, University of Arkansas at Little Rock**Reentry of Juvenile Offenders: Evidence for Aftercare Programs

Fay Williams, Prairie View A&M University

Reentry has taken on tremendous importance because of the large numbers of offenders being released. The juvenile offenders who are released from residential placement and/or incarceration in adult facilities face tremendous challenges which contribute to high rates of recidivism. The benefits of structured reentry programs provide evidence for renewed efforts and hope for the youths. This paper discusses the challenges of reentry and suggests strategies for effective aftercare programs.

Juvenile Placement Treatment Programs: A Qualitative Examination of Effectiveness

Frederick Ford, Wiley College
Erica Henderson, Wiley College

This qualitative study investigated the effectiveness of juvenile justice out-of-home sexual treatment programs in northeastern North Carolina. Effectiveness was measured by a reduction in juvenile offenses after release. Treatment was defined as any approach used to reduce the likelihood of juvenile sexual-offending or recidivism. Of particular interest, the study investigated psychological treatment methods and the Self Control Theory often used to reduce negative behaviors in delinquency. The study examined fifty randomly selected treatment programs from regional juvenile justice agencies within the test area. The results of the study indicated that the best and the most effective treatment programs used a combination of individual, group, and family therapy. However, less than fifty percent of juvenile placement facilities used psychologically-based treatment programs. Future policy development and implementation should possibly focus on individualized therapeutic approaches.

Youth Violence

Erica Ramos, Texas A&M International University
Luis Garza, Texas A&M International University
Mayra Garza, Texas A&M International University
Claudia San Miguel, Texas A&M International University

Juvenile crime continues to be a pressing social issue and literature abounds regarding which factors most likely predict youth violence. Yet, little is known about the crimes committed by Hispanic youth and if predictive factors mirror those found in the literature. This study will assess youth violence in a predominantly Hispanic population, primarily the role of family violence. This study will also look at which factors likely contribute to the reintegration of juvenile offenders.

8:30 a.m. – 9:50 a.m.**Cactus Room – 3rd Floor****Panel 2 – Juveniles and the Justice System****Chair: David Montague, University of Arkansas at Little Rock**

(continued)

An Analysis of Violent Felony Referrals and their Relationship with High School Dropout

Phillip A. Ikomi, Prairie View A&M University

The present study is a response to the report of an alarming increase in homicides perpetrated by African American males 14 to 18 years of age in Houston. Violent felony referrals and the corresponding high school dropout rates from 2000 to 2006 for 15 Texas counties were obtained. The violent felony referrals for some of the counties decreased between 2000 and 2006 while others increased. There was a positive correlation between high school dropout and violent felony referrals ($r = .89, p < .01$). Additional analysis indicated racial differences in the strength of the correlations.

Attorney Perspectives on Offender Referral and Revocation of Pretrial Diversion

Leanne F. Alarid, University of Texas at San Antonio

Carlos D. Montemayor, University of Texas at San Antonio

This study used the uncertainty avoidance perspective to examine factors thought to be important for prosecutors and defense attorneys in a defendant's referral and revocation of pretrial diversion. Previous community supervision was ranked highly by both groups and the defendant's adult criminal record, pending cases, and the police report were ranked higher by prosecutors. The defendant's mental health, drug history, and community ties were viewed as significant extra-legal factors in referral to diversion. In diversion revocations, prosecutors allowed less offender failures than defense attorneys. As the importance of prior record increased, the number of failures increased for all five offenses.

8:30 a.m. – 9:50 a.m.**Hibiscus Room – 3rd Floor****Panel 3 - Police and the Justice System****Chair: Lorie Rubenser, Sul Ross State University**Police Hiring Practices: Strawbridge & Strawbridge Replication 2008

William T. Jordan, Texas A& M University, Texarkana

In 1989, Peter and Deidre Strawbridge surveyed large police agencies in the United States to examine hiring, screening, and training practices. This paper provides a first comparison of Strawbridge's findings with results from a 2008 replication of the hiring and screening portion of their survey.

Public Confidence in the Mexican Police
Diana Carreon, Texas A&M International University

In Mexico, the government has repeatedly accused the Federal Agency of investigation as well as other police forces for corruption. This ongoing issue continues to affect citizens of Mexico's perceptions of the police. The present study used the World Value Survey (1990, 1996, and 2000) data to determine how individual and attitudinal factors are associated with level of police confidence among Mexican citizens. Consistent with prior research, the results confirmed that public confidence in police was positively associated with happiness, trust in political system, and marital status, and negatively related to age.

Probable Cause or Just Because? "Why Are They Pulling Me Over?" – Police in Rural Towns
Mr. Alord Joseph, Wiley College

African Americans have often complained about being stopped by over aggressive police officers because they are black. These types of enforcement have led to a new phrase "Driving While Black" DWB. This research examines the arrest rates and makes a comparative analysis of police stops in a large southern metropolitan area.

8:30 a.m. – 9:50 a.m.

Bluebonnet Room – 3rd Floor

Panel 4 – Racial Profiling and the Justice System
Chair: Mr. Innis Addison, Wiley College

A Comparison of Commonly Used Benchmarks in Racial Profiling Research with Internally Developed Benchmarks
Brian L. Withrow, Texas State University

Benchmarks are the most controversial issue in racial profiling research. Commonly used benchmarks, based on population, field observations and accident records, are invalid as a measure of the actual population of drivers at-risk of being stopped by the police. Furthermore, none of these strategies are universally acceptable. Using data from the 2001 Wichita Stop Study (wherein each of the traditional benchmarks were used) the researcher constructs an internal benchmark. This benchmark compares the traffic stop performance of each officer with his/her similarly situated peers. This strategy produces individual level insight into the potential for racial profiling that cannot be obtained using the three traditional benchmarks.

Geospatial Patterns of Reported Cryptid Sightings in East Texas
Kim Rossmo, Texas State University – San Marcos
Jennifer Carreon, Texas State University – San Marcos

Geographic profiling analyzes a series of incidents to determine the most probable source for those incidents. It is used in criminal investigations to establish the most likely area of offender residence, but can be generalized to any spatial point pattern. Here, we use geoprofiling to analyze 266 reported sightings of "Big Foot" in East Texas. The peak geoprofile areas, which indicate the most likely source for reported sightings, were focused on urban regions or highways – not on wilderness areas – suggesting that reported sightings of "Big Foot" are most likely the product of observer population than actual cryptid presence.

9:50 a.m. – 10:00 a.m. Coffee Break 3rd Floor Mezzanine
Sponsored by University of Arkansas at Little Rock

10:00 a.m. – 11:20 a.m. La Palma Room – 3rd Floor

Panel 5 - Crime Victims and the Justice System
Chair: Tracy Andrus, Wiley College

Crime Victims and the U.S. Supreme Court
 Joan Crowley, New Mexico State University

This paper reviews U.S. Supreme Court rulings that affect victims of crime. The USSC rulings show a hierarchy of deference. Victims' rights are respected only when they conflict with the rights of the defendants. Victims have not prevailed when they attempt to enforce their rights within the criminal justice system. The implications of these decisions for the evolution of the victim's role in the criminal justice system will be considered.

"Shaping History" or "Riding the Wave"?: President Bush's Influence on the Public Opinion of Terrorism, Homeland Security, and Crime

Joshua Hill, Sam Houston State University
 Willard M. Oliver, Sam Houston State University
 Nancy E. Marion, University of Akron

The theory of presidential influence over public opinion is used to predict the impact of presidential rhetoric on the public's concerns for terrorism, homeland security, and crime as the "the most important problems facing the country." Using OLS time-series regression, the authors find consistent results that President Bush influenced public opinion in relation to terrorism, homeland security and crime. The article concludes by discussing the president's ability to shape events and how some events shape the presidency.

10:00 a.m. – 11:20 a.m. Cactus Room – 3rd Floor

Panel 6 – Elder Abuse and the Justice System
Chair: Robert Worley, Penn State

Addressing Health Care Fraud Against Senior Citizens by Building Trust
 David Montague, University of Arkansas at Little Rock
 Candace Greenlee, University of Arkansas at Little Rock

This presentation covers the first year of a two-year research project under the U.S. Administration on Aging utilizing face-to-face interviews in order to understand the extent of knowledge of health care fraud held by senior citizens residing in four of the poorest counties in Arkansas. Historically, residents of the rural area known as the Arkansas Delta have experienced extreme poverty, illiteracy, and other relevant variables which have created a climate of mistrust towards those outside this community. Two phases of the project will be covered: how to gain community "buy-in" at individual level and the methods used to identify gaps in awareness of health care fraud of these seniors. The next step in data collection will also be covered.

10:00 a.m. - 11:20 a.m.**Hibiscus Room – 3rd Floor****Panel 7 – Alternative Sentencing and the Justice System****John Kilburn, Texas A&M International**Using Risk Instruments to Predict Absconding Among Adult Probationers

Sarah Scott, Texas State University

Very little is known about the individuals who abscond from community supervision. While most community corrections agencies rely on some form of standardized risk assessment in the classification of these cases, little effort has been made to determine whether or not these instruments could also be utilized to identify potential absconders. This study was an attempt to validate a popular risk instrument for the prediction of absconding. The risk score, risk level, and many individual risk items on the assessment were significantly related to absconding within the first twenty-four months on probation. Although the instrument was able to correctly classify absconders with some degree of success, the results were less than optimal.

10:00 a.m. - 11:20 a.m.**Bluebonnet Room – 3rd Floor****Panel 8 – Perceptions and Attitudes Regarding the Justice System****Chair: Mr. Michael Champion, Wiley College**A Study of the Characteristics of University Students
and their Attitudes Relating to Guns Permitted On University Campuses

Philip D. Holly, Southwestern Oklahoma State University

Dan Brown, Southwestern Oklahoma State University

Guns permitted on university campuses represent a controversial matter for politicians as well as university administrators and those in charge of university security. Among others, faculty members and students have vested interests in any legal or administrative changes that would permit guns on campuses. To date, student attitudes represent a rare voice in the debate. This project represents an effort to examine the thinking of students regarding guns on campus.

The present study examines the results of a survey given to a convenience sample of over 500 students at a small state university in Oklahoma during the Spring 2009 semester.

We examine current perceptions of safety on campus and safety if various classes of individuals were permitted to have concealed weapons on campus.

Poverty, Deviance and Country Folks – Is There a Correlation?

Frederick Ford, Wiley College

This secondary data analysis explores the correlation between poverty and deviance among African Americans in rural communities. Qualitatively, it explores Differential Opportunity Theory as defined by Richard Cloward and Lloyd Ohlin as a result of this correlation. The study uses data after America's war on drugs campaign with special emphasis on sociological community-based variables. Results indicated that there is a strong correlation between poverty, deviance and opportunity among this population.

10:00 a.m. - 11:20 a.m. **Bluebonnet Room – 3rd Floor**
Panel 8 – Perceptions and Attitudes Regarding the Justice System
Chair: Mr. Micheal Champion, Wiley College
 (continued)

State and Federal Efforts to Comply with 6th Amendment Fair, Cross-Sectional Requirements
 Thomas White, University of Texas-Pan American

From the 1960’s through the 1990’s, the supreme court became more concerned with attaining fair, cross-sectional representation in the jury pools from which trial juries are chosen as a part of the right to a fair and impartial jury in criminal cases under the 6th Amendment. Congress and most states proposed methods to improve representation and a uniform state law was proposed but not adopted by most states. This paper explores efforts to achieve more representative jury pools and proposes a means for testing whether using additional jury pool sources actually results in more representative jury pools.

11:30a.m. – 1:00 p.m. **Luncheon** **San Agustin Ballroom**
Welcome.....President
Student Paper Awards.....Dr. Tracy Andrus, SWACJ President
ACJS President’s Message.....Dr. Janice Joseph
Luncheon Speaker.....Dr. Helen Taylor-Greene – Texas Southern University

1:00 p.m. – 2:20 p.m. **La Palma Room – 3rd Floor**
Panel 9 – Drugs and the Justice System
Chair: Helen Taylor-Green, Texas Southern University

“CHEESE”: \$2.00 Heroin for Kids
 Ferris Byxbe, Sul Ross State University

What exactly is “Cheese?” It’s the name for a product derived from Mexican black tar heroin, blended with Tylenol PM, Benadryl, or other adulterants. Its cost ranges from a low of \$2.00 per bindle to \$ 10.00 per packet, and thus, most children can afford this potent and very dangerous illicit drug. What’s troubling about this new “designer” heroin is its relatively low cost and use by children who have no idea of its dangers. So far, it has killed approximately 200 children and sent many more into rehab. It’s an illicit drug trend that began in the Dallas/Fort Worth area and has spread throughout the West and Midwest, and has been identified as far north as Tacoma, Washington. It’s moving eastward and surfacing in large cities nationwide.

1:00 p.m. – 2:20 p.m.

La Palma Room – 3rd Floor

Panel 9 – Drugs and the Justice System

Chair: Helen Taylor-Green, Texas Southern University

(continued)

Hazing, Drugs and Greek Organizations at HBCUs

Frederick Ford, Wiley College

This qualitative study examines hazing among college Greek fraternities and sororities at Historically Black Colleges and Universities. Hazing was defined as anti-social behaviors that result in injuries, damages, and criminal charges. The study also examines subculture norms which are used to create solidarity among pledging students. Findings indicate that historically this phenomenon often has occurred with Greek fraternities and sororities.

Cracked Out: Crack vs. Powder Cocaine and the Sentencing Guidelines

Innis Addison, Wiley College

This quantitative study examines the impact of differential sentencing guidelines between crack and powder cocaine. The federal guidelines have favored a 100:1 ratio between crack and powder cocaine which has led to disproportionate minority confinement throughout the United States. This research seeks to unravel the rationale for the sentencing trigger which has led to a significant increase in African American incarceration.

1:00 p.m. – 2:20 p.m.

Cactus Room – 3rd Floor

Panel 10 – Roundtable – Academic and Practitioner Perspectives on Border Drug Issues

Moderator: Richard Hartley, University of Texas – San Antonio

Participants:

John Johnson – Federal Bureau of Investigations

Joseph Gyamfi – University of Texas Pan American

Chad Richardson – University of Texas Pan American

1:00 p.m. – 2:20 p.m.

Hibiscus Room – 3rd Floor

Panel 11 – Roundtable: Illegal Immigration: The New American Demography

Moderator: Ferris Roger Byxbe, Sul Ross State University

Participants:

Lorie Rubenser, Sul Ross State University

Lynn Humeniuk, Howard Payne University

Michael Gilbert, University of Texas-San Antonio

William Stone, Texas State University-San Antonio

Wesley Wynne, Sul Ross State University -Rio Grande College

Martin Urbina, Sul Ross State University -Rio Grande College

Immigration Issues: they inspire heated debate. The left and the right are divided on some immigration issues and partially united on others. But controversy still abounds. Immigration into the United States is an issue that makes for strange bedfellows. Supporters of the current immigration levels include corporate interests that profit from cheap foreign labor, ethnic lobbies seeking to increase their political base, and religious activists, humanitarians, and civil libertarians who focus on human rights and other ethical concerns. Opponents include nativists who view non-European immigrants as a threat to American culture, environmentalists who dread immigration-fueled population growth, and labor advocates who fear that immigration is taking jobs from U.S. citizens and depressing U.S. wages. On the right of the political spectrum, free marketers square off against cultural conservatives. On the left, civil rights and ethnic advocacy groups oppose the environmentalists and job protectionists. The focus of this roundtable is to address immigration issues such as: (1) guest worker programs; (2) public assistance for immigrants; (3) education for the undocumented; (4) undefined detentions of legal immigrants; (5) work visas; (6) Amnesty; (7) unpaid immigrant medical care; (8) the U.S. economy; (9) English as an official language; (10) U. S. Border security; (11) driver's license for illegal residents; (12) voting fraud by illegal immigrants; and other topics of interest. The illegal immigration population of the United States is estimated to be 11 million – 57% are from Mexico, 24% from Latin American countries, 9% from Asia, 6% from Europe, and 4% from the rest of the world.

1:00 p.m. – 2:20 p.m.

Bluebonnet Room – 3rd Floor

Panel 12 - Television, Drama and the Justice System

Chair: Ed Schauer, Prairie View A&M University

From the USA to the ROK, CSI is on the Airwaves: A Note on the Availability and Viewing of American Crime Dramas in Northeast Asia

Ben Brown, The University of Texas at Brownsville

This project utilizes a mixed methodological strategy to examine the availability and viewing of American crime dramas (television programs and movies) in South Korea. An analysis of a random sample of daily programming on a popular South Korean cable network shows that American crime dramas (e.g. CSI) and American movies about crime and justice (e.g. The Fugitive) are frequently broadcast. An analysis of survey data obtained from a convenience sample of South Korean college students shows that more than half the students have watched an American television crime drama at least once and that more than one out of ten of the students watch American crime dramas on a regular basis. The implications of the data are discussed.

Criminal Hot Spots: A Combined Explanation Using Geophysical, Individual and Social Correlates

Willie J. Edwards, Texas A&M University – Commerce

Chim O. Ahanotu, Texas A&M University – Commerce

A number of researchers have investigated the level of criminal activity in particular geographical locations, some even identified as micro crime places. Several of the researchers have employed the routine activities theory to explain the existence of criminal “hot spots.” The present paper argues that even though certain areas of a community may have a higher volume of criminal acts, thus victimization, it cannot be overlooked that individuals are the crime perpetrators and an explanation of their behavior must be built into any explanation of crime in geographic locations. This paper suggests that individual and social correlates must be woven into the explanation of criminal “hot spots.”

Examining the Correctional Technology Paradox

William E. Stone, Texas State University

In many State correctional systems, fiscal cut-backs have forced curtailment of programming and in some cases, simply the release of offenders. New disruptive (market changing) technologies have the potential to save costs and have a strong impact upon day-to-day correctional operations. Paradoxically, these technologies have not been deployed broadly enough to have a meaningful impact upon correctional practice or the containment of correctional costs. This paper examines the impediments to technology deployment in corrections.

2:20 p.m. -2:30 p.m.**Break****3rd Floor Mezzanine*****Sponsored by The University of Texas at San Antonio*****2:30 p.m. – 3:50 p.m.****La Palma Room – 3rd Floor****Panel 13 - Environmental Quality and the Justice System****Chair: Christine Nix, Mary Hardin University**Excessive Air Pollution and the Oil Industry: Fighting for Our Right to Breathe Clean Air

Melissa Jarrell, Texas A&M University – Corpus Christi

Joshua Ozymy, Texas A&M University – Corpus Christi

The Clean Air Act sets pollution limits to ensure that our air is safe to breathe. States often allow industry to pollute beyond federal standards by exempting emissions caused by supposedly unpreventable factors (“upset” events). Previous research suggests that upset events occur frequently and have a major impact on total air emissions each year. In this paper, we discuss these reports with a particular focus on the petroleum refining industry in Texas. We discuss the effect of excessive air emissions on public health and highlight the preliminary findings from our analysis of upset events in Corpus Christi, Texas. We conclude with a discussion of recommendations for future research and advocacy utilizing upset event data.

Arrest and Incarceration Trends in Texas from 1976 to 2008

Jonathan Allen, Texas State University

Pablo Martinez, Texas State University

Crime in the United States has been on a decline. While many have explored this issue at the national level, this has not been done in Texas. This study presents the trends in the rates of arrest and incarceration for the state of Texas from 1976 to 2008. Using data provided by the Texas Department of Public Safety and the Texas Department of Criminal Justice, the study examines the bivariate relationship between arrest and incarceration.

A Theoretical Understanding of Juvenile Homicide

Triniti Bunton, Prairie View A&M University
 Andrew Wilkerson, Prairie View A&M University
 Camille Gibson, Prairie View A&M University

This paper offers a discussion of the applicability of specific theoretical insights on violence to juvenile homicide, particularly in urban contexts. It considers homicide as varying not only with place, but with class, socialization, individual pre-dispositions and eventually, the dynamics of social interaction that ends in homicide.

2:30 p.m. – 3:50 p.m.

Cactus Room – 3rd Floor

Panel 14 - Moral Reasoning and the Justice System

Chair: Victor Shaw, California University - Northridge

The Criminalization of Female Genital Mutilation: A Study of Creating a Prohibition Regime Based on Feminist and Western Moral Entrepreneurship

Erin Nieto-Salinas, Texas A&M International University
 Judith Ann Warner, Texas A&M International University

Female genital mutilation is extensively practiced in traditional Muslim societies in the Middle East and Sub-Saharan Africa. Feminists and Westerners have conducted a criminalization campaign in order to prohibit the practice in the West – an aspect of a “clash of civilizations.” There have been several landmark cases such as the case of Kasinga in 1995 and the United States and certain European nations have outlawed FGM. During the enactment of this prohibition regime, seeking asylum for the reason that a young woman will be genitally mutilated has become increasingly more common. How does criminalization and its associated moral entrepreneurship impact asylum cases?

Issues Surrounding Life without Parole Sentencing for Juveniles: Setting the Stage for *Sullivan v Florida* and *Graham v Florida*

Patti Ross Salinas, University of Texas at Brownville - Texas Southmost College

In May 2009, the U.S. Supreme Court agreed to hear two cases from Florida that address the Constitutionality of life without parole sentencing for juveniles. This paper explores the issues that are presented in the cases and places them in the context of the Court’s decision in *Roper v Simmons*. Next, the paper addresses the prevalence of life without parole sentencing among the states, focusing on the different sentencing strategies currently used. Finally, the paper highlights successful and unsuccessful legislative reform movements among the states.

The Long Arm of U.S. Drug Laws: Bringing Foreign Drug Offenders to Justice in U.S. Courts

Carl Williams, Sam Houston State University

The exportation of the U.S. war on drugs to the international arena has relied on the deployment of various strategies designed to reduce the supply of illegal drugs to the American market, and to hold perpetrators in foreign countries accountable. This paper focuses on the use of extradition in facilitating the prosecution of foreign nationals, and, through a case study of Jamaica, examines some of the problems inherent in the arrest and transfer of drug offenders from countries within Latin America and Caribbean to “face justice” in American courts.

2:30 p.m. 3:50 p.m.**Hibiscus Room – 3rd Floor****Panel 15 – Ethics and the Criminal Justice System****Chair: Fay Williams, Prairie View A&M University**Examining the Relationship between Abuse and Female Gang Membership

George J. Day, Sam Houston State University

Numerous research has been conducted concerning juvenile gangs including examinations in to the reasons youth join gangs. There still remains much to be known, however, about specific motivations for female gang membership. Using data drawn from a sample of 145 female juveniles incarcerated by the California Youth Authority, the present study examines the effect of childhood abuse on female juveniles' decision to join gangs. While recent literature indicates a correlation between abuse and female delinquency, preliminary results indicate that abuse does not factor into a female's decision to join a gang.

Police Perceptions of Transnational Gangs on the Texas/Mexico Border

Arthur Vasquez, University of Texas at Arlington

Wally Hart, University of Texas at Arlington

John Rodriguez, University of Texas at Arlington

Traditional gang activity has ranged from defending neighborhood turf, graffiti, and the occasional street fight. However, in the last several years gangs have evolved to become complex criminal organizations with transnational ties. This study explores the activities of transnational gangs on the Texas/Mexico border. Data was collected in survey form from local, county, and state law enforcement agencies. Findings produced in this study have significant implications for prevention, intervention, reintegration and suppression policies relevant to transnational gang activity.

Guards Gone Wild: A Self Report Study of Correctional Officer Misconduct and the Effect of "Care" on Perceptions of Institutional Deviance in the Texas Prison System

Robert M. Worley, Pennsylvania State University – Altoona

Vidisha Barua Worley, Pennsylvania State University – Altoona

Though the study of deviance has been prevalent in the criminal justice literature, there is very little discussion as to the types of deviant acts committed by correctional employees. This may be because prisons are what Goffman (1961) refers to as "total institutions" in his classic study of asylums. This study employed self-report questionnaires with 501 Texas prison employees. Based on the data, our findings indicate that respondents were likely to perceive high levels of institutional deviance during the course of their eight-hour shifts. Also, subjects who reported "feeling cared for" by at least someone in the prison agency tended to perceive more deviance than other respondents. We discuss these findings and implications in detail.

2:30 p.m. – 3:50 p.m.**Bluebonnet Room – 3rd Floor**

Panel 16 – DNA, Evidence and the Criminal Justice System
Chair: John Rodriguez, University of Texas Arlington

Compulsory DNA Testing: Pursuit of Justice or Injustice
 Dan R. Brown, Southwestern Oklahoma State University

The paper will examine the scope and impact of new laws in Oklahoma and other states which require compulsory DNA testing for persons convicted of certain misdemeanor offenses. The presentation will analyze constitutional issues and the results of court challenges to the new laws. The paper will conclude with an evaluation of whether such laws are valid under U.S. Supreme Court guidelines.

Affects of Environmental Neglect, Neglectful Supervision, Abandonment and Delinquency
 David A. Rembert, Sam Houston State University

This article examines the relationship between and children charged with any delinquent offense. The sample consists of 908 children under the age of 12 sampled from a Midwestern city who had experienced child abuse during the years 1967 through 1971. Analysis demonstrates that environmental neglect and abandonment were significant predictors of juvenile offending. Based on the findings, abandoned and environmentally neglected children should receive proper psychiatric intervention to reduce the likelihood of juvenile offending.

When it Rains it Pours: An Exploratory Examination of Contractor Fraud Following Natural Disasters
 Mario Davila, University of Texas at Brownsville – Texas Southmost College
 Deborah Hartley, University of Texas at Brownsville – Texas Southmost College
 James Marquart, University of Texas at Brownsville – Texas Southmost College

Contractor fraud following natural disasters remains an understudied area in the field of criminal justice. The proposed research project represents an exploratory examination of contractor fraud and related criminal activity in the aftermath of natural disasters. A random sample of approximately 2,000 people will be interviewed from designated areas requiring Public and/or Individual Assistance following hurricane Ike in Texas and Louisiana. The overarching goals of this project are to identify factors associated with this understudied form of victimization, and to formulate preventative strategies. Proposed methods and potential policy implications will be discussed.

4:00 p.m. – 5:20 p.m.**SWACJ Business Meeting****Zaragoza Ballroom**

Welcome
Election of Officers
Reports
Southwest Journal of Criminal Justice Update
Other Business

5:30 p.m. 6:30 p.m. – State Meetings

Arkansas - La Palma Room, 3rd Floor
 Oklahoma - Cactus Room, 3rd Floor
 Texas - Bluebonnet Room, 3rd Floor
 Arizona, New Mexico, & Colorado - Hibiscus Room, 3rd Floor

7:00 p.m. -8:30 p.m. Networking Mixer Zaragoza Ballroom

October 10, 2009 – Saturday

7:00 a.m. - 8:30 a.m. Continental Breakfast 3rd Floor Mezzanine
Sponsored by Texas A&M International University

8:00 a.m. – 10:00 a.m. Registration La Posada Lobby

8:30 a.m. – 9:50 a.m. La Palma Room – 3rd Floor
Panel 17: Factors, Characteristics and Issues Affecting Sentencing and the Justice System
Chair: Ms. Erin Nieto-Salinas, Texas A&M International University

An Examination of Factors Associated with Sentencing Attitudes

Mario Davila, University of Texas Brownsville – Texas Southmost College
 Deborah Hartley, University of Texas Brownsville – Texas Southmost College
 Kevin Buckner, University of Texas Brownsville – Texas Southmost College
 Steve Wilson, University of Texas Brownsville – Texas Southmost College

This research examined factors influencing individual perceptions of sentencing attitudes within the Criminal Justice system. Factors examined included perceptions of individuals with direct (personal) and/or indirect (immediate family member) experience with the Criminal Justice system, gender, race, political affiliation, income, age, education, and religiosity. The survey instrument used in this project was provided by the National Center for State Courts, and random sample telephone interviews were conducted by Princeton Survey Research Associates International between March 6, 2006 and April 9, 2006. The completed dataset consisted of 1,502 respondents. Multivariate findings will be presented and policy implications will be discussed.

8:30 a.m. – 9:50 a.m.**La Palma Room – 3rd Floor****Panel 17: Factors, Characteristics and Issues Affecting Sentencing and the Justice System****Chair: Ms. Erin Nieto-Salinas, Texas A&M International University**

(continued)

Police Violence and Racial Profiling: A Legislative Solution

Noel Otu, University of Texas at Brownsville

Since the arrest of Professor Henry Louis Gates Jr. (citizen) by Police Officer Crowley (police) on July 16, 2009 and President Obama's comment on the issue, there have been renewed interests on police violence and racial profiling. I do not intend to study and reveal who was legally, racially and/or politically right or wrong, or even to announce the weight that race played in the encounter between the police and the citizen. The issue is whether all suspects involved in police violence knew the consequences of resisting arrest or disobeying police orders and whether there are procedural laws in place to police the police.

The ACJS White Papers Revisited: Justice, Criminal Justice, and Blindness

Phillip Rhoades, Texas A&M University-Corpus Christi

Themes derived from the ACJS White Papers from the ACJS TODAY (1986-1987) are offered for thought provocation. I consider of whether Justice as a function and the Criminal Justice discipline remain blind to these themes within writing, research, and action. Is the heavy hand of justice still applied to inappropriate social problems and the powerless? As we consider new forms of transnational crime by transporting whatever, can we yet understand and address motives? Does our consideration of criminality, individual and corporate, remain disparate? As we address issues of social control and total institutions, have we lost sight of civility?

8:30 a.m. – 9:50 a.m.**Cactus Room – 3rd Floor****Panel 18: Inmates and the Criminal Justice System****Chair: Tracy Andrus, Wiley College**Inmate Gangs in Texas Prisons

Eric F. Bronson, Lamar University

Time spent in prison does not occur in a vacuum. Inmates' views of self, the situation, and others around them are likely to have a major impact on their imprisonment. The goal of the current research was to investigate inmate views of gang affiliation in prisons. Qualitative investigations were employed to examine and gain a better understanding of these views. Data collection procedures consisted of open-ended, unstructured interviews with fifty male inmates at medium security prisons in Ohio and Texas. Analyses of interview transcriptions suggest that gang memberships based on previous gang affiliation, institution economics, and the inmates' prison hierarchy.

Community Mediation In Texas
Chukwuemeka K. Ubendu, Lamar University

Community Mediation as it is known and practiced today has been officially in existence for the past 30 years. Unfortunately there is not much data available for study or reference that could be used by scholars, stakeholders or interested individuals. However, there are some efforts being made at local and national levels by scholars and mediation experts to gather data and information concerning community mediation whether at their local or national levels. This survey is primarily is primarily focused on the 18 counties in Texas that are involved in community mediation. In a nutshell, the study will find out how much these counties are saving their counties and the reason/s for this.

What Criminal Justice Employers Want from College Graduates
Laura Martinez, Texas A&M International University

What do criminal justice employers want from college graduates? The answer to this question is formulated by a balance found between the broad, philosophical and theoretical knowledge imparted to the graduates during their years of study, and the immediate tactical and operational knowledge they need to get started on the job. The findings of a recent workshop held at Texas A&M University (co-sponsored by Homeland Security and the Defense Education Consortium) will provide valuable insight into answering this question.

8:30 a.m. – 9:50 a.m.

Hibiscus Room – 3rd Floor

Panel 19 - Human Trafficking and the Justice System

Chair: George Eichenberg, Tarleton State University

Child Trafficking and Domestic Labor
Latoya Wolfe, Prairie View A& M University
Edward Schauer, Prairie View A& M University

It is commonly assumed that human slavery is a thing of the past: however, the literature of child trafficking for domestic labor (CTDL) identifies CTDL as both a clear-cut and ubiquitous model of modern slavery. Child victims of CTDL tend to become accustomed to being bound for domestic labor, treated as commodities, and often do not understand that they are being deprived of their rights due to them as children. Parents often believe that life's conditions for their families will be improved by CTDL. While sex trafficking and agricultural or business/construction trafficking have received more attention in the scientific literature, the most severe forms of abuse are received by children trafficked for domestic labor.

The Sex Trafficking of Children into and within the U.S. A.: An Exploration of the Literature

Edward J. Schauer, Prairie View A&M University

Camille Gibson, Prairie View A&M University

Much has been written about the sex trafficking of women, although assertions about the subject tend to be based upon allegorical evidence rather than empirical research. Even fewer research studies have focused specifically upon the trafficking of children, and yet fewer upon the sex trafficking of children. One of the problems uncovered is that many trafficked females are identified as “women” in the literature, when in fact they were trafficked when well under the age of 18 years, and thus should be correctly identified as “children.” Also explored is the issue of internal trafficking and its probable correlations with child sexual abuse, runaway children, and child prostitution.

The Sex Trafficking of Children Worldwide: An Exploration of the Literature

Edward J. Schauer, Prairie View A&M University

Elizabeth Wheaton, Prairie View A&M University

Child sex trafficking exists as a worldwide scourge. While the universal marginalization of people is increasing exponentially, ubiquitous and abject poverty forms a background for nearly all of child trafficking. Those factors most associated with children’s vulnerability to trafficking are child fostering and child labor. Ever increasing numbers of orphans are overpowering traditional safety nets in many parts of the world. The children so exposed are vulnerable – easily victimized into child trafficking in all of its forms and into child sexual trafficking in particular. There exists some question whether the ending of child labor within trafficking source countries decreases or increases the vulnerability of children to trafficking.

8:30 a.m. – 9:50 a.m.**Bluebonnet Room – 3rd Floor****Panel 20 – Academic Effectiveness in the Classroom****Roundtable Discussion: Practical Experience vs. Academic Training****Moderator: Christine Nix**

Participants:

Dr. Leonard Peck, Texas A & M University - Texarkana

Dr. Robert Worley - Penn State Altoona

Dr. George Eichenberg - Tarleton State University

Dr. George Franks - Stephen F. Austin State University

Dr. Richard McWhorter - Prairie View A & M University

Dr. Philip Holley - Southwestern Oklahoma State University

Dr. Vidsha Barua - Penn State Altoona

Mr. David Carrothers - Tarleton State University

Mr. James Blair, South Texas College

Ms. Christine Nix - University of Mary Hardin-Baylor

Dr. Susan Ritter - University of Texas - Brownsville

John Kilburn, Texas A&M International University

9:50 a.m. – 10:00 a.m. Break – Sponsored by - TAMIU 3rd Floor Mezzanine
Texas A&M International University

10:00 a.m. – 11:20 a.m. La Palma Room – 3rd Floor

Panel 21 – Standards and the Criminal Justice System
Chair: David Montague, University of Arkansas at Little Rock

Witness Testimony and Admissibility Standards of Hypnotically Refreshed Recall

LaKeisha Lewis, University of Mary Hardin Baylor

Eva Wilkerson, University of Mary Hardin Baylor

Christine Nix, University of Mary Hardin Baylor

This poster presentation examines the development of witness testimony based upon forensic hypnosis admissibility standards. Hallmark cases are featured regarding various states' admissibility standards. This poster presentation also elaborates on the requirements of forensic hypnosis in Texas criminal investigation.

Long Term Prison Population Prediction: Some Meditations

Leonard W. Peck, Texas A&M University at Texarkana

Some people opine that there is little connection between crime rates, incarceration rates, and changes in each. Crime rates fall, yet incarceration rates and prison populations continue to grow. This opinion is not quite true. There is a connection, but increases in crime rates take time to affect incarceration rates; and the two are separated by many intervening variables. This paper will explore changing crime and incarceration rates over time, and factors affecting changes in each over long periods of time.

Context Improves Deception Detection Accuracy

J. Pete Blair, Texas State University

Patricia Hom, Texas State University

More than 40 years of deception research suggests that people can detect deception at a level which just exceeds chance. In this paper we present a series of studies which demonstrate that deception can be detected at levels significantly above chance (~75%) when people are given small amounts of information about the context. Implications for deception theory and practice are discussed.

Methamphetamine Use among Native American Youths: An Exploratory Inquiry

Victor Shaw, California State University - Northridge

Methamphetamine use has developed into a national epidemic in recent years. While use by other populations is well studied, use by Native Americans still awaits serious scholarly scrutiny. Historically, Native Americans are made known by research for their problematic use of alcohol. Now, methamphetamine, as inexpensive and accessible as alcohol, seems to be gaining as much force and notoriety for its use by Native Americans. This study involves in-depth fieldwork with Native American youths in the southwest United States. It attempts to not only present systematic information about methamphetamine manufacturing, distributing, and use by Native American youths, but also provide social, cultural, economic, political, and geographic explanations for methamphetamine abuse as a challenging social problem facing Native American populations.

10:00 a.m. -11:20 a.m.

Cactus Room – 3rd Floor

Panel 22 - Case Studies and the Justice System

Chair: John Kilburn, Texas A&M International University

Assessing Evidence-Based Practices through Client Survey: The Case of Travis County CSCD

Floyd Berry, Texas A&M University – Central Texas

Gerald Piechocki, Texas A&M University – Central Texas

In October 2008, the researchers presented a paper entitled “Organizational Readiness for Culture Change: The Case of Travis County CSCD and their Evidence-Based Practices Model” which examined the efforts of Travis County toward introducing an EBP model and how well it conformed to Latessa’s template for introducing culture change. In this follow-up paper, the researchers discuss the result of several months’ labor wherein they moved from assessing staff readiness for culture change through employee questionnaires to assessing staff compliance with an EBP model through a client (offender) questionnaire.

Comparative Criminal Justice Utilizing a Study Abroad Program

Keith Price, West Texas A&M University

Eddie Henderson, West Texas A&M University

Harry Hueston, West Texas A&M University

West Texas A&M University has developed an initiative that promotes the acquisition of cultural knowledge through an innovative academic delivery system. The Go Global initiative connects course content with cultural knowledge; service leadership; academic research; and the development of critical thinking and problem-solving skills through experiential learning in international settings.

Criminal justice students participated in faculty-led experiences in central Mexico designed to develop their understanding of comparative criminal justice systems. The students toured Mexican correctional facilities, engaged in dialogue with Mexican law enforcement and judicial officials, and investigated social services available in the Mexican criminal justice system.

In the Court of Public Opinion: Americans' Confidence in the Courts

David Carrothers, Tarleton State University

The perception that some persons cannot get a fair opportunity for justice in court creates an environment facilitating a lack of confidence in a court system thus threatening the courts' legitimacy. This research examines Americans' attitudes relating to the court system particularly their confidence in the United States Supreme Court. The conclusions of previous studies are compared with the 2006 General social Survey (GSS) data used in this research to analyze respondents' responses considering their race, gender, and income levels. The research identifies dimensions that directly influence public attitudes toward the court system in the United States.

10:00 a.m. – 11:20 a.m.**Cactus Room – 3rd Floor**

Panel 22 – Border Justice and the Justice System
Chair: Amy Poland, Texas A&M International University

Peer Influence and Selection, and the Methodological Issues with the Usual Suspects In Criminology:Censoring and Skew

Bob Edward Vasquez, Texas State University – San Marcos

This paper uses waves 3-5 of the National Youth Survey to model peer influence and peer selection as more than additive effect processes. The effects are allowed to vary with the intensity of the peer bond as well as with previous peer associations. Due to the complexity in the hypotheses, this study also discusses problems with usual methods, such as OLS and Tobit, when statistical interactions are used to explain censored outcome variables. Censored Least Absolute Deviations (CLAD), a semiparametric method, and Logistic regression are discussed as alternatives.

An Analysis of the Effects of Changing Border Dynamics on the Crime Rates in Texas Border Counties

Selah Guerra, Texas State University
 Pablo Martinez, Texas State University

The news media have been reporting violence attributed to drug cartels in Mexico. This violence is predominantly occurring at the border states of Mexico, with the possibility of spilling over into the United States. The purpose of this study is to examine the crime trends in Texas border counties from 1995 to 2008. This is to identify if "spill over" from Mexican violence is indeed happening. Arrest data for violent and drug offenses provided by the Texas Department of Public Safety will be analyzed. Results will be presented in tabular and graphical form.

Factors Impacting the Decision to Move a Child Maltreatment Case Forward for Prosecution

Deborah J. Hartley, University of Texas at Brownsville-Texas Southmost College

This study was designed to examine factors impacting the decision to move a substantiated case of child maltreatment (sexual abuse, physical abuse, neglect) forward in the criminal justice system for prosecution. Data were collected over a two year period from a large Southern Children's Advocacy Center. Bivariate and multivariate findings will be presented that explore the relationships between several areas of interest and case acceptance; specifically: (1) Demographic characteristics of the child victim (e.g. age, gender, race/ethnicity); (2) Offender characteristics (e.g., age, gender, race/ethnicity, relationship to victim, substance use); and (3) Maltreatment case characteristics (e.g., frequency, number of offenders, severity).

10:00 a.m. – 11:20 a.m.

Bluebonnet Room – 3rd Floor

Panel 23: Roundtable –

Perceptions or Reality of Racial Overtones: Are We Really Tripping or Is this Real?

Chair: Tracy Andrus, Wiley College

Participants:

Eduardo Garcia, University of Arkansas

George Eichenberg, Tarleton State University

Victor Shaw, California State University – Northridge

Open

Discussion Topic: Do Black people need their own regional and national Criminal Justice conferences?
Will black folks ever have full inclusion in white-dominated conferences?

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