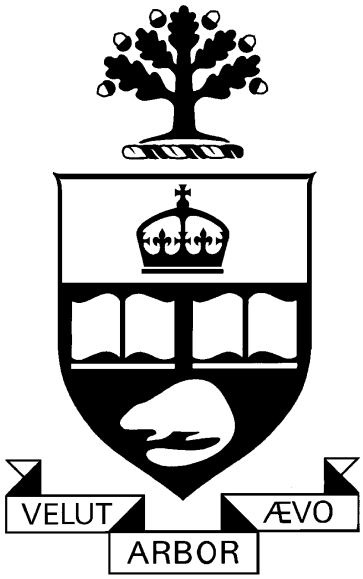

Criminological Highlights

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Criminological Highlights is produced with the support of the
Department of Justice, Canada and the Correctional Service of Canada.

Criminological Highlights is designed to provide an accessible look at some of the more interesting criminological research that is currently being published. There are six issues in each volume. Copies of the original articles can be obtained (at cost) from the Centre of Criminology Information Service and Library. Please contact Tom Finlay or Andrea Shier.

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This issue of *Criminological Highlights* will address the following questions:

1) Why is a sole focus on individual characteristics of offenders likely to be inadequate in understanding re-offending by those released from prison?
2) Do social policies affect recidivism by ex-inmates?
3) Can ethnic/racial differences in violence be explained by the social/economic differences of these groups?
4) Should probation be considered a punishment?
5) Does the placement of large prisons in rural locations help those local areas economically?
6) Why do people hold different views about how punitive the criminal justice system should be?
7) How can differences in imprisonment rates across countries be explained?
8) Are drug courts effective in reducing recidivism and imprisonment?

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Contents: Three pages containing "headlines and conclusions" for each of the eight articles. One-page summaries of each of the eight articles.

Criminological Highlights is prepared by Anthony Doob, Tom Finlay, Cheryl Webster, Rosemary Gartner, John Beattie, Carla Cesaroni, Myrna Dawson, Dena Demos, Elizabeth Griffiths, Voula Marinos, Michael Mopas, Andrea Shier, Jane Sprott, Sara Thompson, Kimberly Varma, and Carolyn Yule.

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Successful transition from the prison to the community requires a great deal more than simply providing inmates with rehabilitative programs.

A sole focus on individual characteristics of the offender and treatment while in prison does not permit a "more complex understanding of the milestones in the reintegration process" (p.107). Indeed, such factors as employment and good relationships with family and others in the community emerge as central to the inmate's successful transition and, as such, are important dimensions in explaining recidivism. In fact, attention to the period following incarceration may be at least as crucial to our understanding of re-offending behaviour as a focus on offenders' individual characteristics and their experience of prison.

Reference: Visher, Christy A. and Jeremy Travis (2003). Transitions from Prison to Community: Understanding Individual Pathways. *Annual Review of Sociology, 29*, 89-113. [Item 1]

The ability to live free of crime after being released from prison is difficult. Those who re-offend tend to have an accumulation of welfare-related problems (*e.g.,* lack of education, employment, financial resources, housing) which significantly reduce their likelihood of successful reintegration.

The finding that resource and welfare deficiencies are related to re-offending is encouraging in that these deficits can be altered by policy decisions surrounding welfare programs generally and/or programs focused more on individual inmates. Indeed, if recidivism by prisoners is caused, in part, by social welfare deficiencies, it becomes a straightforward question of public policy whether a community wants to invest resources into reducing re-offending by ex-inmates.

Reference: Nilsson, Anders (2003). Living Conditions, Social Exclusion and Recidivism Among Prison Inmates. *Journal of Scandinavian Studies in Criminology and Crime Prevention, 4*, 57-83. [Item 2]

The factors which explain differences in fighting among youths from diverse racial/ethnic groups vary with the particular groups that are being compared. Nevertheless, differences among groups disappear, to a large extent, when various measures of social-economic disadvantage are taken into account.

The differences in levels of fighting between white and Asian youths, on the one hand, and the higher rates of fighting involving black and Latino youths, on the other hand, can be understood by examining (or controlling for) certain basic social factors such as economic or family disadvantage. Whether as-yet unmeasured cultural disadvantages or other differences between American Indian and white youths would explain the higher rate of fighting by the former group still remains to be adequately tested.

Reference: McNulty, Thomas L. and Paul E. Bellair (2003). Explaining Racial and Ethnic Differences in Adolescent Violence: Structural Disadvantage, Family Well-Being, and Social Capital. *Justice Quarterly*, *20*, 1-31. [Item 3]

Probation should be understood as a form of constructive punishment instead of an alternative to punishment. In this context, probation officers would play a crucial role not only in administering the sentence but also in rehabilitating the offender by encouraging him/her to accept responsibility for the offence.

Clearly, this view of the sentencing process and the role of probation within the context of sentencing assumes a particular view of the purpose of sentencing – responding proportionally to the wrong that has been committed. However, it may be a useful way of resolving what have traditionally been seen as conflicting roles for probation officers: the enforcement of the sentence and, at the same time, the provision of assistance or help to the offender. This view suggests that these two duties are not in opposition to each other but rather inherently part of the proper function or role of probation.

Reference: Duff, R.A. (2003). Probation, Punishment and Restorative Justice: Should Al Truism be Engaged in Punishment? *The Howard Journal, 42*(1), 181-197. [Item 4]

The decision to construct large prisons in small towns in rural America may have helped to buy political votes. However, this practice has not led to the creation of jobs for local residents nor have these correctional facilities contributed significantly to the local economy.

"Reliance on a prison as a means of economic development is short sighted and [does not provide] any long-term growth" (p.19). Indeed, these institutions do not appear to produce the kinds of economic benefits that their supporters have suggested.

Reference: King, Ryan S.; Marc Mauer and Tracy Huling (February 2003). Big Prisons, Small Towns: Prison Economics in Rural America. The Sentencing Project. Washington, D.C. Available from www.sentencingproject.org. [Item 5]

The level of an individual's punitiveness toward offenders depends on that which he/she perceives to be the causes of crime. Indeed, certain beliefs about the roots of criminal behaviour lead people to be more punitive.

It would appear that the way in which a person views crime causation is important in understanding his/her level of punitiveness toward offenders. For example, those believing that criminal behaviour is affected by economic and social factors tend to be less punitive than are those who perceive crime as controlled by the severity of punishments handed down in a society. In this light, politicians (as well as others who speak publicly about crime policy) may affect the level of punitiveness in a society not only as a result of their statements about punishments but by the way in which they conceptualize the causes of crime.

Reference: Sims, Barbara (2003). The Impact of Causal Attribution on Correctional Ideology: A National Study. *Criminal Justice Review, 28,* 1-25. [Item 6]

Finland, Holland, and Sweden are relatively similar economically and socially as well as in their crime trends. They have, however, demonstrated dramatically different patterns in prison populations over the past 50 years. The explanation for this divergence would appear to reside in their diverse political cultures.

While we continue to lack good theories for explaining variation in the punitiveness of nations, it is clear that in the countries examined in this study, "the increase [in imprisonment] in Holland, the decrease in Finland, and the long stability in Sweden were made possible because no strong political opposition challenged the course of events." Indeed, political culture may constitute a useful tool in beginning to unravel the significant differences between countries in their degree of punitiveness.

Reference: Von Hofer, Hanns (2003). Prison Populations as Political Constructs. The Case of Finland, Holland and Sweden. *Journal of Scandinavian Studies in Criminology and Crime Prevention, 4*, 21-38. [Item 7]

Are drug courts effective in reducing recidivism? Should we conclude that drug courts are a success? The answer appears to depend, to some extent, on the court that one studies and how carefully the data are examined.

The study is described as showing that the drug court is effective in "reducing criminal offending in a population of drug-addicted chronic offenders" (p.189). However, this conclusion is based on re-arrest figures (for drug offences largely) rather than re-conviction. Further, the authors make very clear that no difference existed in the mean number of days that the control and drug court offenders spent in prison. In this light, it would appear that effectiveness - like beauty - is in the eye of the beholder.

Reference: Gottfredson, Denise C., Stacy S. Najaka, and Brook Kearley (2003). Effectiveness of Drug Treatment Courts: Evidence from a Randomized Trial. *Criminology and Public Policy, 2,* 171-196.
[Item 8]

Successful transition from the prison to the community requires a great deal more than simply providing inmates with rehabilitative programs.

Background. Most prisoners are eventually released into the community. For example, it is estimated that approximately 600,000 inmates were released in 2002 from U.S. state and federal prisons, as well as hundreds of thousands from local jails. Given the magnitude of these numbers, it is not surprising that the reintegrative process has been the focus of considerable scholarly attention. In particular, four dimensions have been identified as fundamental in understanding the determinants of successful re-entry: individual characteristics, family relationships, community contexts, and state policies (*e.g.,* those related to support for the homeless, the unemployed and the families of prisoners). A holistic approach seems advisable as it encourages consideration of the prisoner's circumstances at four distinct stages of his/her life: before incarceration, in prison, during the transitional period, and after the offender is in the community. A disregard for these various "dimensions" or "stages" may lead to an impoverished understanding of the reentry process and, as such, reduce the opportunities for achieving successful reintegration.

This study reviews various influences on the success of the transition from prison to the community. In particular, it noted the following:

- Those who had stable environments (*e.g.,* conventional ties to the community, jobs skills) were more able to rejoin the work force and obtain assistance from family and friends. However, the difficulty with this correlate is that long prison sentences "reduce an individual's ties to family and friends… and diminish job skills and decrease postrelease employment prospects" (p.95). Further, this relationship appears to hold true for both high and low risk offenders (p.96).
- The ability to re-establish family roles and one's identity as a responsible citizen also seems to be an important factor in the reintegration process. However, a pre-condition for success on this dimension appears to be the prisoner's commitment to change, as well as the willingness of family, peers, and the community to accept him/her. Not surprisingly, "strong ties between prisoners and their families or close friends appear to have a positive impact on postrelease success" (p.99). As such, some jurisdictions have invested in programs which work directly with the family members of inmates and provide special services to them.
- The first month after release seems to be particularly crucial in the reintegration of the offender in that such factors as emotional support and housing assistance during this period are related to desistance from offending.
- Government policies may equally be important in that they determine eligibility for not only social assistance in the early days of reentry into the community but also public housing and various treatment (*e.g.,* drug) programs.

Conclusion. A sole focus on individual characteristics of the offender and treatment while in prison does not permit a "more complex understanding of the milestones in the reintegration process" (p.107). Indeed, such factors as employment and good relationships with family and others in the community emerge as central to the inmate's successful transition and, as such, are important dimensions in explaining recidivism. In fact, attention to the period following incarceration may be at least as crucial to our understanding of re-offending behaviour as a focus on offenders' individual characteristics and their experience of prison.

Reference: Visher, Christy A. and Jeremy Travis (2003). Transitions from Prison to Community: Understanding Individual Pathways. *Annual Review of Sociology, 29*, 89-113.

The ability to live free of crime after being released from prison is difficult. Those who re-offend tend to have an accumulation of welfare-related problems (*e.g.,* lack of education, employment, financial resources, housing) which significantly reduce their likelihood of successful reintegration.

Background. While successful re-entry into society is determined by a complex set of variables (see, for instance, *Criminological Highlights*, Volume 6 (1), Item 1), much of the recidivism research to date has focused on individual characteristics. In particular, studies have examined the relationship between re-offending and the situation in which the offender finds him/herself once released. Indeed, recidivism studies typically show that most of those who re-offend do so within the first few years of being released, suggesting that human resources play a central role in successful reintegration.

This study examines re-offending in a group of Swedish inmates released from prison as a function of various deficiencies that existed in their living conditions prior to incarceration. It is reasonable to expect that these resources - upon release - would be related to their situation before imprisonment. Seven possible resource deficiencies were assessed for each prisoner: education, employment, financial situation, housing, social/family relations, health, and exposure to violence.

The results suggest that educational deficiencies, unemployment, poverty, and homelessness were each associated (individually) with re-offending after release. Being young, using drugs before imprisonment, having predominantly criminal friends prior to incarceration, and the number of previous prison terms were also clearly related - on their own - to recidivism.

However, the effects of combinations of these resource deficiencies were even more impressive. Generally speaking, the more deficits that the inmate exhibited, the more likely he or she was to re-offend. In fact, when these indices of social deficiencies were examined more carefully, it appeared that an index composed of employment, financial situation, homelessness, substance abuse, and social relations (*i.e.* measured by the number of visits that the inmate received during the three months prior to being interviewed in prison) was even more predictive of recidivism. While only 22% of those without any of these factors re-offended, 88% of those with all five deficits were found to recidivate. Further, recidivism increased with the addition of each deficit (1 deficit: 30%; two: 42%; three: 56%; four: 64%).

Conclusion. The finding that resource and welfare deficiencies are related to re-offending is encouraging in that these deficits can be altered by policy decisions surrounding welfare programs generally and/or programs focused more on individual inmates. Indeed, if recidivism by prisoners is caused, in part, by social welfare deficiencies, it becomes a straightforward question of public policy whether a community wants to invest resources into reducing re-offending by ex-inmates.

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The factors which explain differences in fighting among youths from diverse racial/ethnic groups vary with the particular groups that are being compared. Nevertheless, differences among groups disappear, to a large extent, when various measures of social-economic disadvantage are taken into account.

Background. Given the association between physical fights and involvement in violent crime by youth, it is not surprising that adolescent fighting has emerged as a central topic of academic inquiry. However, it has also been shown that significant differences exist among adolescent groups in the likelihood of engaging in fights. In particular, a national study of American youth found that the amount of self-reported participation in school-related physical fights in the previous year was higher among Blacks (21%), Latinos (18%) and American Indians (31%) than for Whites (13%) or Asians (11%).

This study examines the factors which might explain these group differences. Independent of all other dimensions, it was shown that the youths most likely to be involved in fighting were male, those who thought that fighting was OK, those reporting that they had recently used drugs or alcohol, and those with low school grades. In addition, adolescents whose parents knew the parents of their friends (a measure, perhaps, of the strength of the youth's community) and youths who frequently interacted with adults were less likely to participate in physical fights.

The most interesting findings relate to the factors that "explain away" the differences among groups. If one statistically removes the impact of living in a community with a high concentration of disadvantaged families, the difference in levels of fighting between black and white youths disappears. In other words, it seems that the different level of involvement in fighting by black and white youths is accounted for by the fact that black youths are considerably more likely to live in poor communities. Similarly, the difference between white and Latino youths disappears when one controls for a measure of family disadvantage -- the educational level of the adolescent's parents. Said differently, the lower levels of education of parents of Latino youths explain the difference between Latino and white youths in their involvement in fighting.

Interestingly, the researchers were not able to explain the difference in the level of fighting between white and American Indian youths. Neither the factors that accounted for white-Latino differences nor those explaining white-black differences were able to explain the dissimilar levels of fighting of these two diverse racial/ethnic groups. While curious, it is possible that this study simply did not include relevant measures of the differences between these adolescents in terms of their personal, social, and/or cultural circumstances.

Conclusion. The differences in levels of fighting between white and Asian youths, on the one hand, and the higher rates of fighting involving black and Latino youths, on the other hand, can be understood by examining (or controlling for) certain basic social factors such as economic or family disadvantage. Whether as-yet unmeasured cultural disadvantages or other differences between American Indian and white youths would explain the higher rate of fighting by the former group still remains to be adequately tested.

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Probation should be understood as a form of constructive punishment instead of an alternative to punishment. In this context, probation officers would play a crucial role not only in administering the sentence but also in rehabilitating the offender by encouraging him/her to accept responsibility for the offence.

Background. In penal systems that appear to be simultaneously embracing proportional punitiveness and restorative justice, the obvious question which arises is the place of probation within this new world of sentencing. Indeed, probation services (other than the "tail 'em, nail 'em, and jail 'em" services of some U.S. states) have resisted seeing probation as a punishment, preferring to conceptualize it within its historically moralistic or rehabilitative paradigm.

This paper begins by arguing for an expanded notion of punishment which would include the values of respect and concern for both the victim and the offender. In this way, an exclusively retributive or punitive conception of punishment is avoided. Within this framework, it is suggested that probation can best be seen as "a paradigm of punishment – of what punishment ought to be" (p.183). More specifically, this article argues that probation should be conceptualized as a 'constructive' punishment which goes beyond the mere infliction of pain. In this context, probation would be "justified and administered as a punishment: as something that is imposed on or required of offenders, for the offences they have committed, and that is intended to be burdensome or painful…. but once we get clear about the nature and the significance of the burden or pain that such punishment should involve, we will be able to see that its purpose is not 'merely punitive' – and that we can deliberately impose such burdens or pains whilst still showing offenders the respect and concern due to them as our fellow citizens" (p.183).

Within this new conception, a sentencing hearing would "reflect the idea that crimes are public wrongs" (p.185) by - among other things - encouraging the offender to "face up not just to the harm he [or she] caused… but also and crucially to the wrong that he did; for the wrong and the harm are not identical" (p.185). "What should matter to both the victim and to the wider community, is thus not just such harm as [the offence] caused but the wrong that it involved…." (p.186). Making the offender aware of the wrong "is to censure or criticize him [or her] for it, as a wrong that [the offender] should not have committed" (p.186). In this context, it is argued that censure does, and should, cause pain. As such, the severity of the pain from the sentence should be proportionate to the seriousness of the offence. Under this scheme, the sentence must inevitably be "painful or burdensome" (p.189). However, while "punishment is…*retributive* in that it involves the imposition of something that is intended to be burdensome or painful" (p. 90), it should also be rehabilitative.

Congruent with this approach, probation officers would play a crucial role in helping to negotiate a sentence "that would be appropriate to the nature and seriousness of the crime" (p.191). However, they would also be responsible for not only encouraging the offender to accept responsibility for the offence but also supervising him/her for the period of punishment.

Conclusion. Clearly, this view of the sentencing process and the role of probation within the context of sentencing assumes a particular view of the purpose of sentencing – responding proportionally to the wrong that has been committed. However, it may be a useful way of resolving what have traditionally been seen as conflicting roles for probation officers: the enforcement of the sentence and, at the same time, the provision of assistance or help to the offender. This view suggests that these two duties are not in opposition to each other but rather inherently part of the proper function or role of probation.

Reference: Duff, R.A. (2003). Probation, Punishment and Restorative Justice: Should Al Truism be Engaged in Punishment? *The Howard Journal, 42*(1), 181-197.

The decision to construct large prisons in small towns in rural America may have helped to buy political votes. However, this practice has not led to the creation of jobs for local residents nor have these correctional facilities contributed significantly to the local economy.

Background. In many parts of the U.S. and in at least one Canadian province (Ontario), large prisons have been located in rural areas. Not surprisingly, "local officials have often made generous offers in order to portray their site as an ideal choice" (p.1) for a correctional facility on the assumption that the local economy would profit from its establishment.

This study examines the impact on the local economy of locating prisons in upstate New York. There is a clear logic in assuming that the establishment of a correctional facility in one's community would be economically advantageous. Most obviously, it should provide additional jobs which, in turn, would put money into the economy. Given the needs of the prison itself, it should also shift purchases to the local rural economy. To test this hypothesis, seven upstate (largely rural) NY communities which had opened a correctional facility since 1982 were chosen. Seven other similar counties without new prisons were selected as a comparison group.

The results suggest that few real economic benefits for the local community ensue from the establishment of a prison within the town. More specifically, it was found that:

- there were no differences in unemployment rates between counties with and without prisons over a 25-year period (beginning before the prisons were opened and extending to 2001). While unemployment changed over time, the trends for counties that had built prisons and those that had not were remarkably similar.
- per capita income in rural counties with and without prisons went up between 1976 and 2000 but at almost identical rates.

The findings from this study are consistent with other research demonstrating little effect of a new prison in the community on the local economy. Part of the reason for this is simple: the newly created jobs often go to those who do not live in the local area but rather commute to it. In addition, local residents may not qualify for correctional jobs (or may not be able to compete for these jobs because of union rules). Further, they also may not qualify for jobs related to the construction of the new facility.

In fact, this study found that correctional jobs in these rural communities are typically offered according to seniority, so that those already working within the correctional system get them. While moving may be necessary in order to take up these jobs, enough people were willing to do so to mean that local people would not be hired for years. Further, local businesses are typically not equipped to provide materials for the construction or the operation of prisons. To the extent that certain services have been contracted out in New York, they are typically given to the lowest bidder which has generally been larger companies already providing services to correctional facilities. Finally, prisons do not seem to provide "spin off" jobs in related industries. As one rural economist concluded, "prisons generate few linkages to the economy" (p.18).

Conclusion. "Reliance on a prison as a means of economic development is short sighted and [does not provide] any long-term growth" (p.19). Indeed, these institutions do not appear to produce the kinds of economic benefits that their supporters have suggested.

Reference: King, Ryan S.; Marc Mauer and Tracy Huling (February 2003). Big Prisons, Small Towns: Prison Economics in Rural America. The Sentencing Project. Washington, D.C. Available from www.sentencingproject.org.

The level of an individual's punitiveness toward offenders depends on that which he/she perceives to be the causes of crime. Indeed, certain beliefs about the roots of criminal behaviour lead people to be more punitive.

Background. It is obvious that those having certain political orientations tend to favour particular theories of crime. For instance, the conservative right perceives offenders as being "short on moral values and self-control" (p.2) and consequently views crime control as being best accomplished through swift, certain, and harsh punishment. On the other hand, the liberal left tends to "see crime as the result of forces external to the individual, such as inequality and discrimination" (p.2) and logically suggests other approaches for crime control.

This study assesses individuals' views of the causes of crime in a survey of Americans conducted in 1996. A number of different theoretical perspectives on both criminal behaviour and fear of crime were assessed. Punitiveness was measured by questions such as "It is important that the criminal justice system keep offenders locked up so that they can't commit more crimes" and "It is important that the criminal justice system discourage others from committing crimes by showing that crime doesn't pay" (p.9).

The results suggest that fear of crime and various demographic measures do not predict punitiveness above and beyond people's theories of crime causation. Those views found to be related to punitiveness were as follows:

- Classical theory – that crime is caused by inadequate punishments and citizens' perceptions that they can 'get away with' crime. Not surprisingly, those who agreed with this perspective were found to be more punitive in nature.
- Social process theories – that crime is the result of such factors as inadequate ties with non-criminal friends and family. Those holding these beliefs were also shown to be more punitive.
- Sub-cultural theory – that crime is rooted in membership of a group that tends to support or encourage crime. People subscribing to this view were more inclined to be punitive.
- Structural positivism – that social/economic factors are responsible for crime. Those agreeing with this theory were found to be less punitive.
- Labelling theory – that contact with the criminal justice system increases people's involvement in crime. Those people who held this belief tended to be less punitive.

Interestingly, no relationship was found between punitiveness and two other theoretical explanations for crime: biological theories (*e.g.,* offenders were born that way or are not intelligent) and psychological theories (*e.g.,* offenders have emotional problems, or are emotionally damaged).

Conclusion. It would appear that the way in which a person views crime causation is important in understanding his/her level of punitiveness toward offenders. For example, those believing that criminal behaviour is affected by economic and social factors tend to be less punitive than are those who perceive crime as controlled by the severity of punishments handed down in a society. In this light, politicians (as well as others who speak publicly about crime policy) may affect the level of punitiveness in a society not only as a result of their statements about punishments but by the way in which they conceptualize the causes of crime.

Reference: Sims, Barbara (2003). The Impact of Causal Attribution on Correctional Ideology: A National Study. *Criminal Justice Review, 28,* 1-25.

Finland, Holland, and Sweden are relatively similar economically and socially as well as in their crime trends. They have, however, demonstrated dramatically different patterns in prison populations over the past 50 years. The explanation for this divergence would appear to reside in their diverse political cultures.

Background. In the last 50 years, the prison populations of Finland, Holland, and Sweden have shown considerably different trends. While the Finnish rate of prisoners per one hundred thousand residents has decreased steadily since 1950 (See *Criminological Highlights, 3* (5), Item 1), the rate in Sweden has been fairly constant, and the rate in Holland went down for the first half of this period and up during the second half. At the same time, the rates of reported assaults, robberies and thefts went up dramatically in all three countries between 1950 and 2000.

This study highlights the fact that imprisonment rates are largely the result of political decisions and cultural pressures rather than a direct outcome of crime rates or changes in economic development, unemployment or social marginalization. Indeed, these latter factors do not "appear to provide particularly good *uniform* explanations for the long-term decrease in Finland, the stability in Sweden, and the U-shaped trend witnessed in Holland" (p.22).

In Holland, the 1950s and early 60s seemed to be governed by a rehabilitative, anti-penal philosophy. Relatively stable levels of imprisonment continued from 1965 to 1975 -- a period characterized by constraints on prison capacity. However, pressure to expand the capacity of the prison system increased toward the end of the 1970s. By the early 1980s, law-and-order politics began to dominate Holland's political scene as a result of concerns about rising crime and the legitimacy of the criminal justice system. After a period of economic crisis and concerns about immigration and drugs (including pressure from abroad to abandon its liberal drug policy), an explicit decision was made in 1985 in favour of the expansion of prison capacity.

In Sweden, imprisonment was seen as "expensive, ineffective, and [a] detrimental form of punishment, the use of which should be limited to as great an extent as possible" (p.28). This overall philosophy controlled - at least to some extent - the prison population over the last half century. While a renewed focus on 'security and sobriety' (p.30) rather than rehabilitation has expanded the capacity of the prison system to some degree since the end of the 1990s, the inmate population appears to be stabilizing at a rate which is not substantially higher than that experienced generally over the previous 50 years.

The Finnish decrease in prison population (from about 180 to 60 inmates per 100,000 residents) over the last half century is well known. Generally, admissions were restricted by virtually eliminating prison as a sanction for certain offences. In addition, shorter sentences were handed down for particular crimes. Further, not only has the "Finnish criminal policy … been exceptionally expert-oriented" (p.31), there has equally been a clear readiness on the part of the judiciary to accept this expert advice. Finally, Finland has also been successful in avoiding the influence of concerns surrounding drugs and immigrants.

Conclusion. While we continue to lack good theories for explaining variation in the punitiveness of nations, it is clear that in the countries examined in this study, "the increase [in imprisonment] in Holland, the decrease in Finland, and the long stability in Sweden were made possible because no strong political opposition challenged the course of events." Indeed, political culture may constitute a useful tool in beginning to unravel the significant differences between countries in their degree of punitiveness.

Reference: Von Hofer, Hanns (2003). Prison Populations as Political Constructs. The Case of Finland, Holland and Sweden. *Journal of Scandinavian Studies in Criminology and Crime Prevention, 4*, 21-38.

Are drug courts effective in reducing recidivism? Should we conclude that drug courts are a success? The answer appears to depend, to some extent, on the court that one studies and how carefully the data are examined.

Background. It is probably fair to say that every drug court is different, and the fact that a given drug court is effective (or ineffective) depends on its particular characteristics. As such, we should not be surprised to see a range of outcomes of drug courts (See *Criminological Highlights, 3*(5) No. 2). Further, evaluations have been limited temporally as these special courts were only created approximately 15 years ago. Similarly, while it was estimated that there were roughly 800 such institutions in operation in the U.S. as of 2001, evaluations to-date have generally not been very rigorous in nature.

This study of the Baltimore City Drug Treatment Court attempts to address several of the limitations surrounding current knowledge of the effectiveness of drug courts. In particular, this investigation used random assignment of offenders, largely agreed to by the judges due to limited space available in the drug court. Defendants from two different courts were randomly assigned to either the drug court or to a regular court. In the latter case, offenders received the post-adjudication treatment that was normally available. Conversely, the drug court "combined intensive supervision, drug testing, drug treatment, and judicial monitoring over the course of approximately two years" (p.176). In addition, defendants assigned to drug court were required to attend status hearings at the court every 2 weeks. Participants of this study were largely black (89%), in their 30s, and had multiple prior arrests (mean of 12) and convictions (mean of 5). Heroin and cocaine were the primary drugs involved.

The results show that termination from the drug court program was fairly common (33% of the subjects were removed for non-compliance). Since these offenders tended to eventually be incarcerated, the proportion of subjects ultimately sent to prison as a result of the initial arrest (*i.e.* that which led to their participation in the drug court or control treatment) was roughly the same for the two groups. In addition, the total number of days incarcerated, on average, for subjects from these different courts did not differ significantly across the two conditions (drug court vs. normal treatment). Clearly, drug court did not save on incarceration. However, the drug court participants were obviously more likely than the offenders in the control group to receive certified drug treatment.

Interestingly, if one looks at the proportion of each group *re-arrested* for any offence, it would appear that the drug court group performed better (66% were re-arrested within two years compared to 81% of the control group). However, the difference in re-arrests only existed for drug offences and not for any other type of crime. Further, the percent *re-convicted* (overall) did not differ (about 50% in each group). The study did not differentiate between in-program and post-program recidivism in large part because the 2-year follow-up was largely or completely in-program for some people in the drug court. As such, the difference in arrest rate may reflect variation in the exercise of discretion by the police vis-à-vis the drug court and control group offenders.

Conclusion. The study is described as showing that the drug court is effective in "reducing criminal offending in a population of drug-addicted chronic offenders" (p.189). However, this conclusion is based on re-arrest figures (for drug offences largely) rather than re-conviction. Further, the authors make very clear that no difference existed in the mean number of days that the control and drug court offenders spent in prison. In this light, it would appear that effectiveness - like beauty - is in the eye of the beholder.

Reference: Gottfredson, Denise C., Stacy S. Najaka, and Brook Kearley (2003). Effectiveness of Drug Treatment Courts: Evidence from a Randomized Trial. *Criminology and Public Policy, 2,* 171-196.