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Journal of Qualitative Criminal Justice & Criminology (JQCJC)
Welcome to the Journal of Qualitative Criminal Justice & Criminology (JQCJC)!

Criminal Justice & Criminology have a long history of using qualitative methods in the conduct of research, but to date there has been neither a qualitative journal in criminal justice, nor one in criminology. That has now changed with this first issue of the Journal of Qualitative Criminal Justice & Criminology (JQCJC); and as one leading scholar recently told me, “It’s about time!”

What prompted me to launch the new journal is a confluence of various factors including: no qualitative journal outlet in either discipline, a regional journal that had become too “regional,” being tired of the rapid expansion of quantitative methods classes in CJ with not a single qualitative course, having taught the qualitative methods course, having a desire to get in-touch with my qualitative side, the fact that a recent study found from 2004 to 2008, only 5.74% of the 2,092 articles published across 13 journals, had used qualitative methods (See Tewksbury, Dabney, & Copes, 2010), and I simply enjoy reading qualitative research.

All of this led to the creation of the Journal of Qualitative Criminal Justice & Criminology, the first issue of which you are now reading electronically (or the old fashion way if you just so happened to print it!). JQCJC will publish twice a year, once on April 15, and the second issue on October 15, and it will include what I hope you will agree are some of the top original qualitative research studies, articles on qualitative research methods, qualitative book reviews, and an added feature of one historical book review per issue – highlighting a seminal qualitative book in CJC.

My role as editor of JQCJC has merely been to serve as a focal point for the qualitative community. Many of the top qualitative scholars in the field are responsible for the product you are now reading. This is evidenced by my fantastic editorial board, which features such leading scholars as Peter Adler, Kathy Charmaz, Dean A. Dabney, Jeff Ferrell, Peter Kraska, J. Mitchell Miller, Mark Pogrebin, and Jock Young. The authors for this issue include scholars such as Heith Copes, Richard Tewksbury, Wilson R. Palacios, Thomas J. Holt, and rising stars such as Allison M. Hicks (trained by Patricia Adler) and Paul M. Klenowski (trained by Kathleen J. Hanrahan). Still further, this issue of JQCJC represents many other leading qualitative scholars in criminal justice and criminology who volunteered their time to conduct the peer-reviews necessary to insure that only the highest quality articles were published in this first issue. My thanks to all of the reviewers, all of whom will be named in the final issue of this first volume. Finally, many of those interested in qualitative research agreed to author book reviews consisting of many of the leading qualitative researchers’ recent publications. Among the authors whose works are reviewed include D.K. van den Hoonaaard, Kimberly J. Cook,
and Geoff K. Ward. I realize there are still many more leading qualitative scholars in the criminal justice and criminology field not mentioned, but please know I truly hope to have you represented in future issues of what I anticipate will become a leading journal in CJC.

Before I close, I would like to acknowledge several people who have been very supportive of the journal and have worked diligently behind the scenes to make this journal a reality. The first is Heith Copes from the University of Alabama at Birmingham for his highly valued insights. Second are both Patrick Carr (Rutgers University) and Dean A. Dabney (Georgia State University) for their support and guidance and hosting roundtables related to the journal at the annual meetings of The American Society of Criminology and The Academy of Criminal Justice Sciences. Third, I must thank a SHSU doctoral student who is dedicated to qualitative research, Kevin F. Steinmetz, who graciously agreed to take over as book review editor and has done an outstanding job. Finally, I must acknowledge the hard work and dedication of three key people here at Sam Houston State University: my all-time favorite copy-editor Ronda Harris, our webmaster Melina Gilbert, and the go-to person in our publication office Harriet McHale – I could not have done this without the three of you!

In closing I must say, as the editor of the new journal, I hope you find the Journal of Qualitative Criminal Justice & Criminology to be a significant contribution to CJC, and that you will consider JQCJC as an outlet for your future qualitative research.

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Hearts in the Wasteland: Redeeming the Moral Self in Corrections

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Abstract
In this article, I examine the emotional culture of prisons as perceived by prison chaplains, a population characterized by conflicting expectations and split loyalties. Expected to enforce institutional rules and punish rule violators, chaplains are also charged with the spiritual rehabilitation of their clients. Greer (2002) argues that prisons represent rich environments for exploring emotion management, being simultaneously emotionally inciting and constraining for those individuals living and working within them. To better understand this duality, I explore chaplains’ interpersonal management of inmates’ emotions. Based on qualitative interview data, I describe some of the assumptions chaplains make about inmates’ emotions and explain how these affect chaplains’ strategies regarding interpersonal emotion management. I conclude by discussing the role of emotion management in redeeming inmates’ moral selves.

INTRODUCTION
Inmates in the United States are guaranteed the right to practice a religion of their own choosing, a right protected by three constitutional safeguards (Acker et al., 1999; Solove, 1996). And religion remains widely practiced behind bars. Over a two-year period, O’Connor, Cayton, & Duncan (2007) found that 70% of the male inmate population and 96% of women attended organized religious and spiritual services. The authors estimated that this represented a total of approximately 1,400,000 hours of religious and spiritual engagement and concluded that the level of religious and spiritual involvement in prison may be much higher than the involvement of civilians in the community.

However, exercising one’s right to religious involvement is particularly complicated in the prison environment. Inside the prison walls, elements of...
relational life are supplied and regulated by the penal institution. Chaplains shoulder the primary responsibility for identifying and serving the various religious needs of the incarcerated population by virtue of their official prison staff positions. Virtually every prison in the United States has at least one full-time chaplain, and those states that do not employ full time chaplains rely upon contract chaplains and volunteers to provide religious services to inmates (Religious Programs, 1983; Sundt & Cullen, 2002). According to the Pew Forum study “Religion in Prison,” prison chaplains are often ordained clergy but also include lay people with religious and pastoral training (Pew Forum, 2012). The role of the prison chaplain is to meet the religious needs of inmates, but the specific activities of chaplains vary from state to state and facility to facility. Some chaplains seem overburdened by administrative duties (Pew Forum, 2012). But, on the whole, chaplains express high levels of job satisfaction (Pew Forum, 2012).

Prison chaplains must balance the religious rights of inmates with the correctional institution’s need for safety and security, a balance which must be constantly negotiated. As potential agents of social support or, alternatively, agents of social control, chaplains have the ability to profoundly shape the prison community. Traditionally, scholars have labeled prison chaplains’ work as a ministry of presence, drawing extensively upon rehabilitative and redemptive themes to guide readers’ understandings of chaplaincy (Avery, 1986; Opata, 2001). State departments similarly define chaplains as faith group representatives who provide religious guidance and counseling to all offenders without prejudice. At the same time, chaplains are admonished to use caution when dealing with inmates and to respect an institution’s need for safe and secure operation (Covert, 1995; Schilder, 1999). Chaplains’ statements about their work indicate an acceptance of this dual nature of correctional chaplaincy (Sundt & Cullen, 1998, 2002; Sundt, Dammer, & Cullen, 2002). Chaplains believe their primary role is to serve inmates, yet they also seek to control inmates in ways supportive of institutional needs.

As a group, prison chaplains seem relatively positive about the correctional system. In particular, they rate the maintenance of discipline and order in prison as either good or excellent (Pew Forum, 2012). Evaluations of rehabilitation efforts are less positive; however, many chaplains consider religion related programming to be thriving in terms of use and quality. Overwhelmingly, chaplains consider access to religious activities absolutely crucial to rehabilitation. As one chaplain wrote, “Chaplains play a key role in helping inmates transform their understanding of responsibility, choices and possibilities. Behavior only changes when hearts change” (Pew Forum, 2012).

Greer (2002) states that prisons represent rich environments for exploring emotion management. Inmates are forced to cope with a wide range of negative emotions and behaviors (Hassine, 1999; Irwin, 1985, 2005; Johnson & Toch, 1982; Sykes, 1958), but maladaptive coping may lead to widespread negative affective states among inmates, such as anxiety, anger, or depres-
sion (Kerley, Allison, & Graham, 2006; MacKenzie, 1987). Additionally, the pains of imprisonment identified by Sykes (1958) may encourage interpersonal aggression (Clear & Sumter, 2002; Irwin, 2005; Jiang & Winfree, 2006; Johnson, 1987; Kerley, Matthews, & Blanchard, 2005; Kerley, Matthews, & Schulz, 2005).

As religious figureheads, chaplains often consider themselves to be uniquely qualified to address the emotional needs of inmates. Furthermore, emotion management is one way to affect the safety and security of correctional institutions. As objects able to be modified and suppressed, emotions, like behaviors, are subject to social control. Chaplains find value in this role, claiming that the emotional life of inmates is one of the dynamics particularly well suited to the chaplaincy. Of course, chaplains also view the emotional life of a correctional institution as the most difficult part of their work.

Emotions are an important feature of human experience. The meanings of emotions are not unique to the individual (Power, 1985), but embedded within the social framework of interacting individuals. Our feelings are not purely innate or instinctual but depend largely on how we interpret situational information (Schachter & Singer, 1962) as well as cultural and historical beliefs about particular emotions of love and anger (Cancian & Gordon, 1988; Stearns, 1994), jealousy and guilt (Stearns, 1994), and sympathy (Clark, 1997).

Gordon (1989) discusses the shared and symbolic nature of emotions, calling it an emotional culture: “The patterns of meanings embodied in symbols, by which people communicate, perpetuate, and develop their knowledge about and attitudes toward emotions” (p. 115). As such, emotional culture includes beliefs about which emotion will result from a particular situation as well as how such emotions should be interpreted, acted on, and expressed. These beliefs, by definition, vary from one emotional culture to the next and are not always shared within one large culture or one vast historical time frame. Small groups, like Irvine’s (1999) codependents, may construct emotional cultures by developing norms and vocabularies to express and reinforce their beliefs about particular emotions. Just like members of a larger culture, group members interact with each other and their environment based, in part, on their shared emotional belief system.

Irvine (1997, 1999) argues that the American emotional culture has become less tolerant of emotional expression; individuals are expected to control and regulate their emotions (Cancian & Gordon, 1988; Stearns, 1994; Stearns & Stearns, 1986). Emotions are now considered socially disruptive — perceived to build up until they veer out of control. Based on these assumptions, contemporary U.S. emotional culture tends to moderate intense emotions, stigmatize unpleasant emotions, and find non-emotional replacements for negative emotions (Irvine, 1997, 1999).
In this article, I examine the emotional culture of prisons as perceived by prison chaplains, who have conflicting expectations and split loyalties. Expected to enforce institutional rules and punish rule violators, chaplains are also charged with the spiritual redemption of their clients. To better understand this duality, I explore chaplains' interpersonal management of inmates' emotions. To be clear, this research does not offer conclusions about inmates' emotions as the inmates experience or perceive them. Rather, I describe how prison chaplains socially construct prison emotional culture. I begin with a discussion of my methodological choices in collecting data. I then offer a description of the correctional setting as an emotional culture, as it is perceived by chaplains. I highlight some of the assumptions chaplains make about inmates' emotions, and explain how these affect chaplains' strategies of interpersonal emotion management. I conclude by discussing the role of emotion management in redeeming inmates' moral selves.

METHOD

My research was not designed to simply account for the events and interactions that occur within prison chaplains' work. I sought to identify how chaplains make sense of events and how their understandings affect their behavior. I was particularly interested in chaplains' understandings of, and beliefs about, emotions in correctional environments. According to Kvale (1996), qualitative methods empower researchers to understand the world from the subjects' points of view, which suits my research goals very well.

I stumbled onto the topic of prison ministry after reading a vignette of a woman who sought to spiritually counsel the individual who had been convicted of murdering her entire family. Though she was ultimately denied the opportunity to establish this type of relationship with the offender, I found myself intrigued by those individuals who, in my mind, were paid to be religious. Upon closer reflection, I found that my research on prison chaplains bridged several, personal contexts. My father works as a police officer, and has done so my entire life. I grew up around criminal justice employees, watching them at work, listening to their stories, and following the cases on which they were working. At the same time, I did not grow up in a religious household, and my family never attended church or celebrated religious holidays other than those considered mainstream.

Each of these personal contexts presented a series of potential benefits and liabilities to my research endeavor. Given my research background I was conversant in many aspects of the criminal justice system. Furthermore, I had extensive contacts I drew upon for participants as well as support and guidance throughout the research process. At the same time, my lack of a strong religious identity marked me as a distinct outsider in the prison chaplain population [but see Horowitz, 1986 on the benefits of being an “outsider” in establishing rapport]. To manage this I emphasized to chaplains my sin-
cere interest in their experience from both a personal and intellectual standpoint. In addition I emphasized my dedication to the project and chaplains [vocally] appreciated this — so much so that I won an impromptu game of “who traveled the furthest on their own dime to attend?” at one professional conference. I was also able to draw on the similarity between earning my PhD and the clinical pastoral education (CPE) certification obtained by most chaplains. Having gone through a similar process, chaplains seemed eager to help in whatever way they could and expressed [genuine, from my perspective] regret when they were too overwhelmed by work to participate.

I attended several professional chaplain conferences as one method of data collection. The American Correctional Chaplains Association annually sponsors several regional conferences and a national conference with the goal of addressing issues of concern to those in prison ministry. Volunteers, chaplains, and Department of Corrections administrators are invited to attend guest lectures and participate in discussions. At these conferences, I networked with chaplains and volunteers, conducting informal interviews and taking detailed field notes. I was also able to meet with participants before I interviewed them, increasing rapport and the productivity of my qualitative interviews (Rubin & Rubin, 1997). Conference lecture topics varied including statewide policy changes, briefings on legal decisions that affected the provision of religion in prison, and discussions of faith based practices across state facilities.

To supplement my participant observation work, I conducted qualitative interviews. Gaining access to participants was the most difficult aspect of my research project, since prison chaplains are a small population who work embedded within government-run institutions. I was fortunate to have two contacts who introduced me to several chaplains, and from there I used snowball sampling to recruit participants (Berg, 2001; Biernacki & Waldorf, 1981). I drew from several states in the Northwest and Central regions of the United States. I selected these states based on my connections and referrals from people living and working there (see Riemer, 1977 for a discussion of such opportunistic ways to gain entrée to research settings).

In total, I conducted 40 in-depth interviews with chaplains who represented diverse work backgrounds and employment statuses in different penal facilities. All participants worked in state prison facilities for adult men or women. My participants were from a variety of backgrounds, including 24 Protestant, 7 Catholic, 6 non-denominational Christian, 1 Jewish, and 2 from minority faiths, who worked in various state-level correctional facilities. Six participants were employed at minimum security facilities, 12 at medium security facilities, and 10 at maximum security facilities, while 12 participants worked at more than one facility, splitting their days between different types. Participants had a range of experiences in state correctional facilities, from nine months to 28 years in length. The majority of participants (30) worked at men’s prisons, and 6 worked with both men and women. I con-
ducted all interviews over the telephone since participants came from diverse geographical areas. My interviews averaged two and one-half hours in length, were tape recorded, and transcribed.

I took an active interview approach as described by Holstein and Gubrium (1995) in which participant conversations were spontaneous, yet structured. I followed a loosely organized, unstructured interview guide with built-in flexibility, enabling me to modify the nature and thrust of my focus, depending on the individuals interviewed (Fontana & Frey, 1994; Leedy, 1993). I asked questions about chaplains' perceptions of the emotional life in a prison, including both chaplains' and inmates' emotions. This line of questioning evolved inductively as I spoke with a wider variety of chaplains and spent more time in the field. I did not define emotions for participants, preferring instead to allow chaplains to define what emotions meant for them. During these conversations, most participants drew on non-scientific understandings of emotion. These depth interviews with participants provided the foundation for my analysis. All interview excerpts are presented using pseudonyms to maintain participant confidentiality.

Finally, I analyzed several textual sources: training manuals, state DOC guidelines, chaplain newsletters, and professional association pamphlets. Rather than taking a sample from public and restricted-access documents for analysis purposes, I searched all documents for indication of emotion themes. I used this textual analysis and participant observation to contextualize my primary data. In doing so, I was able to cross-check and reduce the possibility of systematic bias associated with only one data source, as well as to obtain a broader and more secure understanding of the setting and its members.

To begin the process of organizing and making sense of my data, I reviewed all three data sources according to themes of emotion and emotion management. I sifted through the data, pulling out significant words, phrases, and ideas and attaching to them both in vivo (Coffey & Atkinson, 1996; Corbin & Strauss, 2008) and abstract codes. I then began a process of focused coding (Lofland, Snow, Anderson, & Lofland, 2006), making connections between various codes based on the patterns and groupings that emerged from my reading of the data. Engaging in constant comparison (Charmaz, 2006; Corbin & Strauss, 2008; Glaser & Strauss, 1967), I evaluated these patterns and groupings for similarities and differences. I used this approach for all three data sources: interviews, field notes, and textual sources. With the help of several colleagues, I modified and refined my analysis to reflect new data and insights as they emerged.

HEARTS IN THE WASTELAND

In the English Bible, the “wasteland” is referenced several hundred times (Leal, 2004). It is the emptiness and enormity of the wasteland which, as Hil-
lel (2006) claims, have challenged and inspired people since the beginning of time. Lane (1998) asks whether the wasteland should be perceived in terms of discipline and punishment or as an idyllic period of openness to God. For chaplains, the prison wasteland was both of these things, simultaneously a place of punishment and redemption. In fact, chaplains fused these goals together—the process of punishment was incomplete without a final redeeming step. Nor could redemption be accomplished without punishment. In many ways, the coexistence of the dangers and opportunities of the wasteland mirrored the tension between letting innate emotions out and the desire to exercise emotional control—emotions are both an object of, as well as contribute to, social control.

A Fierce and Dangerous Place

The emotional wasteland of prison is a wild, ruinous environment, full of fierce inhabitants and dangerous terrain. Though populated, the wasteland is a desolate, lonely place and the vast majority of inmates suffer a lack of significant relationships or community connections. The wasteland thus signifies the emotional abandonment and isolation of inmates. In the wasteland, people are forced to relinquish what they previously depended upon for continuity and meaning in their lives.

Descriptions of prisons often cast them as ultra-masculine and aggressive environments (Clemmer, 1958; Greer, 2002; Sykes, 1958; Zimbardo, 1973) that encourage anger, fear, and frustration—breeding grounds for what are often defined as destructive emotions (Stearns, 1994; Stearns & Stearns, 1986). The chaplains I interviewed echoed this belief; William, for example, who worked with male inmates in a mixed security facility, stated, “You can feel the negative spirit world in there [prison]. It’s a very oppressive situation.” Or as Justine, a Unitarian chaplain at a women’s mixed security level facility, stated, “The campus is a lot colder, more sterile.” When speaking of the emotional undercurrents of corrections, chaplains spoke primarily of negative, intense emotions. Even emotions such as love were often considered twisted by the environment, becoming lust, and thus negatively charged.

The belief that prison is an environment of negative, intense emotions draws upon several assumptions. The first is the common idea that an emotion comes upon us without reference to our wishes or desires (Rosenberg, 1990). At times, emotions are experienced so powerfully that we feel overwhelmed by them. In this view, emotion is not something the individual controls; rather emotion controls the individual and an individual’s emotional responses occur without plan or intention (Rosenberg, 1990). Inmates are assumed to be extremely susceptible to these moments of engulfing emotions (Averill, 1978), and thus perceived as emotionally volatile. This is especially problematic as a result of the movement of American emotional culture toward moderation (Irvine, 1997, 1999; Stearns, 1994; Stearns & Stearns, 1986), and engulfing emotions are often thought to be a contributing factor.
for individuals' imprisonment. Chaplains’ perceptions of the strong relationship between setting and emotion must also be considered. One way individuals attempt to regulate their emotions is by seeking to control their exposure to events or circumstances which may stimulate emotions (Rosenberg, 1990). However, within prison, individuals are unable to distance themselves from sources of intense feelings. They are not allowed places of solitude in which to privately manage their feelings. Most are continuously confronted by strong emotions, their own and others. Chaplains believed this encourages a pattern of emotional contagion (Collins, 2004) among inmates whereby individuals became caught up in others' emotions.

Though chaplains expected inmates to experience strong emotions while in prison, they did not claim that these emotions were easily expressed. Rather, inmates risk being sanctioned for emotional expression, either informally by other inmates or formally by correctional officers. Strong emotions are kept bottled up, a secondary adjustment (Goffman, 1961) to prison life. “We are in an environment where emotions are not allowed,” stated Kevin, a supervisory chaplain with more than 28 years of experience. Continuing, he claimed that “People just don’t let them out.” According to James, a chaplain for more than 17 years, fear was the driving force behind this behavior for inmates:

From the inmate’s point of view, you never want to be perceived as weak. Sharing emotion gives that perception. You’re a weak individual, and if you’re weak, someone’s gonna try to take advantage of you. So there’s fear of doing that.

As a result of strong norms against emotional expression, inmates were perceived by chaplains as struggling to maintain control over their emotions rather than allowing them to be released. This is considered harmful to the individual, like a wound left to fester. When asked whether it was injurious to keep emotions hidden, Peter, a new chaplain in a minimum security level facility, answered, “No question it is. In one way or another it’s gonna negatively affect us in our behaviors, in our way of relating to others, in our relationships.” Based on his 8 years of experience, Edward elaborated by explaining the ways emotional suppression might harm an individual:

One explodes like a gas stove turned on to high and the water boils immediately. There are others who hide it until it’s on the breaking point and it’s the last straw that breaks the camel’s back, it’s been building up for a long time. There are others who keep it in and have mental disturbances or illnesses as a result. Because they don’t have a positive way to let out the bad chemicals, so to speak, they keep it in.

The inability to express emotions appropriately can create pressure within the individual. As a result of this practice, according to Bob, who worked with male inmates for 12 years, “inmates die emotionally.” Wil-
liam agreed, based on his 1 1/2 years of experience, saying, “If you don’t [let emotion out], it’ll eat you alive. It’ll destroy you from the inside out.” The chaplains interviewed believed that inmates’ denial of their emotions had a negative effect upon their essential selves. Chaplains assume that pretending to be emotionless or emotionally void over time would come to fruition. Eventually, inmates entirely lose touch with this side of their selves—becoming “emotionally dead men walking,” according to Clark (Disciples of Christ, 24 years). Not only is the prison an emotional wasteland then, but so too are inmates, at their core.

Though inmates were perceived as struggling to maintain control of their emotions, chaplains believed this belied their complete lack of control over their emotions. Instead, inmates were at the mercy of them. James, who worked at a men’s prison, stated that, “people find themselves going up and down [when suppressing emotions], one minute feeling fine and the next minute feeling like they’ve been sucker punched.” Individuals could not control when, where, or at whom their emotions might come out. Inmates were untamed, trying to survive the wasteland while simultaneously becoming a part of the fierce landscape.

In keeping with the metaphor of the wasteland and drawing upon the devastating aftermath of warfare, one chaplain spoke of inmates as emotional bombs, likening prisons to emotional combat zones. This is significant in that it demonstrates the potential damage suppressed emotion could inflict—be it grief, anger, or despair. Inmates eventually encounter some threat or trigger, and their suppressed emotions may be destructively expressed. Within the closed quarters of the institution, this volatile emotional expression almost always involves the harm of multiple individuals, like shrapnel from a bomb.

Furthermore, there is a collective harm in keeping emotions bottled up. By attempting to keep a lid on one’s own emotion, every individual adds to the communal pressure building within the prison. The setting is on the verge of boiling over from suppressed emotion, leading to large scale hostilities, violence, or rioting behavior. Intense feelings can not be hidden forever. Eventually they come out, as noted by Edward, a non-denominational Christian, “Getting angry is a given.” Neither is emotion assumed to leak or ooze out, as might occur in other settings (Irvine, 1997, 1999). Instead, the accumulated pressure creates what Chris, a Protestant chaplain for more than 8 years, called “a powder keg of emotion,” in danger of spontaneously combusting at any time. Bottling up intense feelings until they burst out is not conducive to personal growth or to collective harmony. Instead, it produces disharmony and antagonism, increasing sources of intense emotion in the setting.

As staff, conscientious of safety and security issues, chaplains stated that they felt responsible to encourage some of the accumulated pressure to dissipate, as well as to prevent it from re-accumulating. Like others who
deliver programs valued by prisoners, chaplains become a safety valve for the community, an appropriate outlet for ventilating emotion in the prison setting. Based on five years of experience as a mixed security level chaplain, Jim claimed, “If they’ve [inmates] got some emotional issue, the chaplain can defuse the situation.” But safety is not the only reason for defusing the emotions of inmates; the goals for rehabilitation and redemption guide chaplains as well. The wasteland is not only a fierce and dangerous place; it is also a place of hope and transformation.

A Place of Healing

From the perspective of prison chaplains, the journey into the wasteland is a scary and disorienting experience for inmates. However, it also has the potential to reveal or open their hearts. As Lane (1998, p. 43) wrote, “Great insights have come to some people only after they reached the point where they had nothing left.” In the wasteland, chaplains believed inmates discovered their vulnerability to their own and others’ uncontrolled emotion and questioned their purpose and place in society. In prison there is no easy place to hide from such questions. Searching for answers requires looking into one’s own heart, and inmates can either embrace or reject this opportunity for intense and meaningful transformation. According to Ward (2003, p. 36):

Everyone goes through the [wasteland], in one shape or another. If we go through this experience involuntarily, then it can be overwhelming and crushing. If, however, we accept to undergo this voluntarily, then it can be constructive and liberating.

It is the job of the chaplain to help direct an inmate’s journey through this wasteland, transforming it into a place of healing for the individual. Steven remarked, “The chaplain is perhaps the last, best hope of putting some sanity back into a very fractured society.” This journey exploring the hidden heart of the wasteland occurs in three phases: isolation, purgation, and redemption.

Isolation

While inmates are considered emotionally isolated, physically they are never afforded any solitude in which to express and examine their feelings. The first important step taken by chaplains, then, is to physically isolate inmates from others who might potentially sanction their emotional expression. Isolation creates a safe place for inmates where emotions may be ventilated semi-privately. Based on his 6 years working with men and women, Steven agreed, stating, “I see more emotion than other staff, because my office is a safe place.” Based on his more than 17 years of experience, James said, “It is the only safe place where they can express themselves emotionally.” Significantly, a safe place includes support rather than punishment or sermonizing against destructive emotions, a departure from the more prevalent formal and informal sanctions against emotional expression in prison. As Matthew, a Baptist chaplain for 17 years told male inmates, “If you need to
HEARTS IN THE WASTELAND

get angry and blow smoke, or you need to cry your eyeballs out, I’ll sit with you and we’ll go through it together.” Stearns (1994) explained that the taboo against punishing intense emotions, such as anger, draws strength from the belief that punishment drives emotion deeper within the individual, making it more inaccessible. As Sarah, a Catholic chaplain with 7 years of experience, advocated, “First of all, just affirming those [emotions]. You sometimes have to assure people that that’s normal.”

Chaplains did not label inmates’ emotions as bad or good; rather it was the lack of appropriate expression that was problematic. Through overt claims of support, chaplains conveyed the normalcy of emotion. Chaplains characterized most inmates as emotionally dead, not because they could not feel anything, but as a result of denying these feelings day after day. For chaplains, feeling was an essential component of being a whole person (Tim, 6 years working with men and women). Samuel told male inmates at the maximum institution where he worked, that, “These emotions coming up, these are true things. Why deny that? Allow them to happen.” Matthew, a Baptist, argued more strongly, drawing on his religious expertise, “God put us together; this is how this emotional makeup of ours was created. It’s a reflection of who the creator is.” Normalizing emotion removed the stigma against expression, allowing individuals to display their feelings, albeit in the safety of the chaplain’s office.

A secondary purpose of isolation is to contain emotion as it is expressed. David, a Protestant Christian with more than 6 years of experience, explained that this “affected how well or how badly an institution runs.” Chaplains assumed that feelings were heightened and intensified by the emotions of others, there was a great likelihood that patterns of emotional contagion would be established. As a result, isolation was essential for “keep[ing] things mellow” (Kevin, 28 years of experience). To maintain stability within the prison, to keep one inmate’s emotion from triggering the intense emotions of another inmate, it became necessary for chaplains to keep inmates’ outpourings of emotion separated. Chaplains practiced controlled emotional expression, working from inmate to inmate to release pent-up emotions in small doses without disrupting the stability of the correctional setting.

Purgation

Once individuals are in a safe emotional space, physically isolated from others, they can be purged of their pent up emotions. Essentially, this is a cathartic release, without analysis or interference. Edward, who worked with male inmates in a medium security institution, claimed to “give people a chance to go through catharsis a few times before we actually begin to work on their emotions.” Rather than converting intense emotion into bland expression, chaplains allowed individuals to expend their emotional intensity in its entirety. The recognition and purging of painful and potentially
disruptive emotions occurred through catharsis, the emptying of inmates. Chaplains considered this “hitting rock bottom.”

Following Goffman (1967, p. 62), the ritual of hitting rock bottom is “a perfunctory, conventionalized act through which an individual portrays his respect and regard for some object of ultimate value.” Rituals serve as focusing lenses (Klassen, 2008), representing controlled environments where chaos is acknowledged but tamed. Chaplains anticipated and even expected explosive behavior, such as weeping, shouting, or cursing, at this time. Working with male inmates for the past 10 years, Daniel claimed, “I love when they cry.” Continuing, he explained, “They see that ‘I cannot carry this anymore. I am in pain.’ They come as they are. And they just let it go.” Under the right circumstances, there is great value to be drawn from such behaviors. As William, a chaplain in a mixed security institution, explained, “The most important thing is to get all that [pent up feeling] out of them, so that you can then focus.” Though meanings varied, for chaplains these performative behaviors (Ebersole, 2004) were demonstrative that inmates were truly opening up and not just “faking it,” and that catharsis had occurred. Such performances increased inmates’ status as authentic individuals, who were genuinely interested in changing themselves for the better.

The symbolic emptying of inmates is essential before healing can occur. For chaplains, the ritual purging of inmates’ emotions was important for two reasons. First, allowing catharsis to occur without interference kept chaplains from becoming targets of inmates’ intense emotions. It also increased the feeling of privacy. Inmates were able to vent without feeling monitored. Second, during catharsis, chaplains were able to explore the situation, albeit unobtrusively. They got a sense of what emotions inmates were feeling as well as some of their common modes of expression. While the heart is commonly tied to emotion (Christian, 2004), it is not easy to access the hearts of others. God can hear and see what occurs in inmates’ hearts, but it is difficult for chaplains to know these depths. Thus, outward demonstrations of the machinations of the heart are essential.

Emotion is a rational object once its intensity has been expunged. James, a Presbyterian chaplain, said that he told inmates, “Wait a minute. Think now. Let’s make it [an emotional outburst] logical.” He further explained, based on his 17 years of experience, that, “It’s trying to figure out all those different ways of finding out what’s creating that emotion in them and finding ways to deal with those things.” Emotion was no longer unknowable. Together, a chaplain and inmate dissected and analyzed it. As chaplain to the male inmates in a medium security institution, Edward said, “When they tell me a story [about something that made them angry or sad], we break it down. We look at ‘Was it bad for you to be angry? How did you express your anger? Why?’ Each question leads to another and we just work through it.” Other chaplains rationalized emotion into a series of choices. David explained, “Situations come into your life every day, and emotions, where you need to make
choices. How you express emotion, that’s a choice. Good choice, bad choice, indifferent choice, it is your decision.”

The next step is to answer the question posed by Steven, a Catholic chaplain for 6 years, “How do you channel all that [emotional] energy into something productive?” Having control over one’s emotions does not mean suppressing feelings. Rather, people should acknowledge how they feel but refrain from acting impulsively based on that feeling. One significant method to accomplish this is the use of a positive trigger. When individuals suppress their emotions, a trigger causes all that pent up emotion to come exploding outward. In comparison, positive triggers encourage inmates to truly control their emotions and empower them to channel emotions in more productive directions. For example, Edward recalled the following story from his 8 years working with male inmates:

This gentleman, about four years ago, he was an exploder. He would not only use the anger in the intensity of his voice, he would profane you, he would hit you. He was very destructive. Well, at one point he had gotten a letter in which his daughter said, “Daddy, I want you at my high school graduation.” He did the math and realized if he had one more misconduct he would lose any chance of getting released. So from that point on, his trigger was “graduation.” I saw him three and a half years later and he was getting ready to be released. He said, “I found ways to control the situation by controlling my [emotional] expression.”

This method typically encourages inmates to consider how their impulsive emotional reactions affect significant others and to use these contemplations as the basis for their positive triggers. However, inmates can also reflect upon the consequences to themselves of their emotional outbursts, though this is less frequently the sole basis for a positive trigger. It is likely that thinking primarily of oneself is akin to a selfish act, a behavioral tendency which chaplains would not hope to encourage in inmates.

A second, related method encourages inmates to try taking the perspective of those who provoked emotion responses. Rather than blindly reacting in their interactions with others, inmates are advised to make smart emotional decisions based on as broad an understanding of situations as is possible. Thomas, a Protestant Christian chaplain, explained an example of this strategy, which he had used extensively over the course of his 8 years: “OK, in the big scheme of things, that one moment with that one stupid officer, what does it mean? Tomorrow, are you gonna remember that officer barking at you because he’s known as a barker, he barks at everybody?” As the supervisory chaplain in a mixed security institution Mark added, “Everybody has off days. You don’t know what happened just before you [the inmate] met this person.” In contrast to the use of positive triggers, which
focus on the outcomes of emotional expressions, this second strategy advocates attending to the perceived causes of such outbursts. Both strategies encourage inmates to take the perspective of other people in determining their emotional responses.

The rationalization of emotion places inmates in control, implying emotions can be tamed through specific strategies. Having worked with male inmates over the past 8 years, Edward explained that “The resident may not be able to control other people, but they control, they still have the freedom to choose how they respond.” Previously, individuals were perceived by chaplains as struggling to control their emotion through suppression, but this strategy was considered counterproductive. Inmates' replacement of their unencumbered emotional expressions with controlled examination was the first step in exercising control.

Redemption

From the perspective of chaplains, incarceration was a blessing in disguise for many inmates. Chaplains altered their definitions of the incarceration experience, turning it into a potential opportunity. In doing so, they redefined their expectations for inmates, placing responsibility upon inmates to make the best of their situation. While acknowledging that prison experiences were potentially negative, chaplains believed it was possible to reap benefits, if inmates chose to do so. Inmates could allow their emotions free rein, or they could choose to learn to exercise control. This is an opportunity for redemption, for inmates to become better people. James, who worked with male inmates, explained that, “Some people say, ‘They deserve what they get.’ Yes, they deserve what they get, but it doesn’t mean we can’t try to offer some redemption in their life, offer some restoration.” Edward explained that his goal was “to bring the person back as an individual, let them feel like they are a human being.”

Assisting inmates in their emotional journeys, chaplains were not just emptying inmates of emotions and then pointing them in the direction of productive pursuits. Chaplains also infused inmates with the hope that their lives might be transformed. Hope is considered to be largely absent in the prison setting, as Coakley (2004, p. 21) noted: “No one can fail to feel the heavy weight of despair and hopelessness endemic to prison culture.” However, chaplains did not perceive it as antithetical to prison settings, and it was through hope that they expected to emotionally redeem inmates. “Hope is hard to kill entirely,” claimed Clark, after working with male inmates, and, as one state handbook (2006) explained, “You [chaplains] furnish this hope. You bring in affirmation, encouragement, and hope.” For chaplains, hopelessness was a significant obstacle to overcome—hope fueled the desire to better oneself and begin anew upon release from prison. William, a Baptist chaplain at a men's prison, explained that, “When you've got hope, there's a chance things will work out. When you don't have hope, you're heading down a path
Chaplains believed hope empowers inmates, providing the fertile ground upon which transformation may take root. Continuing, Matthew explained, “You [the chaplain] allow a person to reestablish themselves with their God. A lot of the inmates have found hope in that, they've found relief. They've found forgiveness, they've found hope.” Greer's (2002) study of the emotional culture in a women's prison provides evidence in support of this perception. Incarcerated women indicated that relying upon spirituality and faith was a reasonable strategy for dealing with emotional experiences in prison. They redefined past events which had previously not made sense to them as being part of God's plan for their lives. This enabled them to feel thankful, rather than angry, for being spared some other negative consequence such as death. Women were able to find purpose in that redemption.

According to Rosenberg (1990), people use selective interpretation to produce desired emotions. For example, individuals' failures are often blamed on external causes to deflect shame or embarrassment. These emotions might also be deflected by condemning one's accusers as incompetent or of having questionable motives. Though it is likely that many inmates use such strategies, chaplains interpreted these as “thinking errors” (state training manual). Strategies of selective interpretation imply that someone or something besides inmates is responsible for their inappropriate emotional expressions. Inmates are perceived as having relinquished all emotional control when they rely on such strategies, and that these tactics are being used to avoid accountability. Chaplains encouraged inmates to get to the heart of such thinking errors. They did so by advocating taking responsibility for emotions and emotional responses. Edward described one case of a young male inmate who had been sent to administrative segregation for blowing up at a fellow inmate:

This young man realized he had something come into his space that he didn't like. He tried with the skills he was developing, he thought he was doing well, but in the end he made the decision to accept the influence of the other person. It had a consequence in that he went to segregation. Even out of the consequence, you can still learn from it, you can either overcome or become a victim of that consequence. He wrote [to the chaplain], “It was my fault. What you're teaching is right. I chose to make a decision. I could have not given in, but I chose to do that, and I'm facing the consequences.” I was very proud that he acknowledged that it was his choice and that he didn't blame the other person.

Chaplains did not, however, encourage inmates to only think of themselves when dealing with emotional expression. Significant others, including
family, past victims, correctional officers, and the general community, were strategically used by chaplains to get inmates to exercise control over their emotional expression. This was primarily done by encouraging the development of role-taking emotions (Shott, 1979). Inmates were encouraged to take the perspective of others before determining how best to emotionally express themselves in any given situation. In some cases, this meant understanding the perspective of the individuals causing the emotion. In other cases, it meant anticipating the consequences of emotional expressions for other people. Finally, it also meant understanding the emotional expression of other people, specifically those who had been victimized by offenders. Protestant chaplain Samuel offered an example of one offender who claimed, “Now I understand why all those people that I robbed were angry at me, because I made them fearful, I made them afraid.” For Samuel, who worked with male offenders, such breakthroughs were important in “restoring offenders” and returning them “as wholly as possible” back to their families and communities.

As Shott (1979) explained, the development of role-taking emotions cannot occur without taking the role of some specific or generalized other (Mead, 1934). However, these emotions can be evoked even when others are not watching since they depend only on taking the role of others who might be present or absent, real or imaginary (Shott, 1979). This is likely why the chaplains encouraged strategies which drew upon these emotions. First, inmates were isolated from the wider social community and, significantly, from the people who mattered most to them (such as their children). Second, upon release from prison it was expected that individuals would be less supervised and enjoy greater freedoms; there would be more opportunities to engage in wrongdoing and such behavior might harm innocent, law abiding others. Role-taking emotions can help curb future wrongdoing through feelings of guilt or empathy.

Mauser (1963, p. 52) said, “It is the wilderness of the human heart which has no faith.” The hearts of incarcerated inmates, the symbolic locations of their emotions, were perceived by chaplains to be in a state of chaos. Taming the chaos of the heart, then, was a form of rehabilitation. According to Peter, “It's part of building up or contributing to someone's humanity. I think that's what religious services contribute as rehabilitation.” This type of rehabilitation was also redemptive, positively affecting inmates' souls. Edward, a non-denominational Christian chaplain, commented that “We add another dimension, which is redemption. Part of our role is to bring out that redemption.”

It is the emphasis on rationality, turning emotion into an object of dissection, which represents the connection between rehabilitation and redemption. This aligned the chaplains' work with the criminal justice system. As one American Correctional Chaplains Association conference speaker noted, “Rehabilitation is the criminal justice goal, while redemption is the goal for religious services.” Taking responsibility for emotions, knowing when and
how to appropriately express feelings, demonstrates the positive transformation of inmates and reflects both these goals. Theresa made this clear in her discussion:

We’re [chaplains] trying to bring an inmate out of this in a holistic manner, so that he comes out with spiritual growth and some ability to follow the rules of society. On the other end there’s a better person who’s more in touch with what’s going on inside themselves, has a greater ability to relate to family and to others in an empathetic manner and not objectify people.

In redefining the experiences of incarceration as potentially redemptive and rehabilitative, prison chaplains fused together various criminal justice goals. One state mission made this explicitly clear,

The mission [of the Department of Corrections] is to increase public safety by holding offenders accountable and reducing the risk of future criminal behavior. Chaplains make a significant contribution to this by helping inmates develop their spirituality and become caring, loving people.

Tim went further, explaining that during an emotional crisis, chaplains:

Have the opportunity to stimulate a change, a change in their [inmates’] way of thinking, in their attitude, in their approach, to get them to face the criminal nature of things that they’ve done and then renounce the criminal activities and situations that they’ve chosen to do.

From the perspective of prison chaplains, punishment through incarceration induced an emotional transformation, a rehabilitative and redemptive process. According to Lane (1998, p. 216),

There is an unaccountable solace that fierce landscapes offer to the soul. They heal, as well as mirror, the brokenness we find within. You experience a loss of competence, a crisis of knowing that brings you to the end of yourself.

Through the discovery, examination, and taming of the hearts in the wasteland, chaplains reconstructed inmates as more virtuous and emotionally centered people. Chaplains focused a great deal upon the hearts of inmates, but they assumed that emotion work also signified positive changes in behavior and spirit. Thus, for chaplains, the journey into the wasteland represented the healing of body (behavior), heart (emotion), and soul (spirit).

CONCLUSION

Despite overcrowding and forced proximity with others, prisons often impose emotional isolation on inmates, which some see as the most debilitat-
ing aspect of confinement, an opinion commonly shared by prison chaplains (Thomas & Zaitzow, 2006). One of the unique features of the correctional setting and punishments of incarceration is the loss of one's privacy. As Stearns (1994) noted, middle-class American emotional culture advocates maintaining one's cool (see also Irvine, 1997, 1999; Stearns & Stearns, 1986). However, staying cool requires not only the suppression of one's emotions in public but also their ventilation in private. Unfortunately for inmates, there is no private place in which to do this. Chaplains saw this problem and attempted to rectify the situation by providing a safe place in which to do so. Simultaneously, though, chaplains reinforced the emotional standards of maintaining one's cool in public while ventilating in private.

Strong institutional sanctions, informal and formal, operate to keep a lid on those inmates who act out their emotions capriciously or unpredictably. But chaplains assumed that being too composed or too calm indicated the suppression of feelings which would eventually be destructively released. This suppression occurred not only at the individual level; chaplains also perceived suppression as occurring at a community level as the group became a container for collective emotions. I refer to this concept as communal suppression. The norm against emotional expression is shared amongst inmates, however it is experienced singly by inmate; each struggles alone. This tendency encourages further suppression since these hardships are not shared but seen as weaknesses which can be exploited by staff or other inmates. While Durkheim ([1912] 1965) discussed the effervescence in collective gatherings, whereby individual passions are translated into social solidarity, the struggle to control the intensity of collective feeling was perceived by chaplains as degrading community cohesion by emotionally isolating inmates. Their collective burden was therefore hidden and potentially more destructive as a result.

The extension of the ventilating (Stearns, 1994) and hydraulic (Irvine, 1997, 1999) models of emotion to include communal suppression helps to more fully develop our understanding of an American emotion culture. Throughout public discourse, we often hear about the palpable tension characterizing such situations as hostage crises, courtroom dramas, or even victim support groups. Such settings are considered to be on the brink of explosion, needing only the slightest spark to set off a collective outpouring of emotion. Examples of public demonstrations can be identified where it is assumed that this occurred: the 1992 Los Angeles riots, erupting after the Rodney King verdict, or the Battle of Seattle fought during the World Trade Organization Ministerial Conference of 1999.

Some emotional cultures, such as soldiers, police officers, or emergency room doctors and nurses, might advocate affective neutrality (Parsons, 1951) or the avoidance of problematic emotions (Copp, 1998; Goodrum & Stafford, 2003; Stenross & Kleinman, 1989) to maintain emotional stability and minimize emotional drain. According to prison chaplains, however, such
detachment emotionally damaged inmates. This is similar to cases involving non-incarcerated persons, such as mothers who show no signs of affection toward their children or crime victims who remain eerily calm. The perception of an individual as emotionless can have significant consequences. For example, a cold blooded killer is not likely to receive any level of mercy from the court nor is likely to stir up sympathy among the public, and a mother who shows no affection toward her children may have her parenting skills questioned. Chaplains viewed deadening behavior as contributing to the emotional vacuum of prisons, increasing the sanctions against those who chose to express their emotions and further degrading the opportunity to form positive community ties.

As Irvine indicated (1997, 1999), a person who acts on the basis of ungoverned emotions is likely considered irrational, unpredictable, and dangerous, characterizations often ascribed to incarcerated felons. The belief that one is swept up by passion (Averill, 1980b) implies that behavior is beyond self control. However, this violated the expectations chaplains held about the emotional redemption of inmates. Instead, chaplains' expectations demanded inmate accountability. Emotional responses were redefined as choices, and inmates were expected to account for the perspectives of other people before making these choices, potentially placing these interests above their own. In this sense, chaplains expanded inmates' role-taking range (Schwalbe, 1991) to include a larger diversity of perspectives in their consciousness. This was perceived as fostering self-initiated emotional control, essentially inductive social control (Schwalbe, 1991, p. 291).

Ironically, emotion expressed seldom or too often may be perceived by others as harmful. Inmates are expected to manage their emotions, demonstrating them in prescribed amounts and appropriate ways. Although Hochschild's (1979, 1983) discussion of emotional labor was restricted to paid emotional management, my analysis demonstrates that inmates are institutionally compelled to engage in this process as a result of their lack of privacy and offender status. Thus, they become alienated from their emotions and their selves. In her analysis, Greer (2002) concluded that women experienced a duality in their emotional experiences while in prison. Women very much wanted to present themselves as in control of their emotional expressiveness, yet found such control next to impossible to achieve. This implies that the negative effects of emotional labor can manifest themselves in different environments, such as prisons, even if not a paid labor situation.


Each moral career, and behind this, each self, occurs within the confines of an institutional system...the self, then, can be seen as something that resides in the arrangements prevail-
ing in a social system for its members. The self in this sense is not a property of the person to whom it is attributed, but dwells rather in the pattern of social control that is exerted in connection with the person by himself and those around him. This special kind of institutional arrangement does not so much support the self as constitute it.

The moral self (Schwalbe, 1991) is composed of an understanding of the self as containing moral characteristics, a sense of self efficacy, and the ability and motivation to engage in role taking. There must be “a propensity to consider one’s acts and their consequences from the perspectives of others” (Schwalbe, 1991, p. 288). Although the moral self may be experienced as a core, it is actually malleable and changeable. Moral selving (Allahyari, 2000, p. 4) is the work of creating oneself as a more virtuous person. In this article I have discussed chaplains’ negotiation of the moral selving of inmates. Through this process, chaplains hoped to recreate inmates as better people.

For prison chaplains, inmates’ emotional rehabilitation represented the redeemed moral self. Similar to the drafted volunteers studied by Allahyari (2000), the stigma of conviction spoiled the identities of inmates as upstanding, moral community members. Crime is one category of behavior fundamentally in conflict with the moral self. Criminals are often perceived as hurting others for gain or, at the very least, lacking concern for the potential negative effects of their behaviors on others. Convicted of such behavior, inmates, then, epitomize the discredited moral self.

When our moral selves become discredited, we may attempt to redeem them in the eyes of society. Inmates are expected to salvage their respectability and commit themselves to self betterment. The most important element in the reparation of our moral selves is the performative aspect. We must demonstrate our redeemed moral selves for the evaluation of others. In the criminal justice system, rehabilitation is achieved through the successful demonstration of a redeemed moral self.

The redeemed moral self draws heavily upon an institutional perspective of emotion (Gordon, 1989; Turner, 1976) for meaning. Individuals strive to align their feelings within the normative guidelines for quality, intensity, or duration of expression (Hochschild, 1979, 1983) for any given situation. A social cost may be incurred, however, if inmates’ redeemed moral selves are perceived by chaplains as forms of strategic interaction (Goffman, 1969). Inmates are overwhelmingly characterized as master manipulators. Their carefully crafted emotional displays are considered by chaplains to be emotional falsehoods. People trust others less when they know that individuals’ emotional displays may not be sincere or genuine (Rosenberg, 1990). In this sense, an impulsive orientation toward emotion is also relevant, as one which “emphasizes spontaneous, uninhibited emotion, unregulated by institutions (Gordon, 1989, p. 117).” This extends Gordon’s (1989) argument that emo-
tions may be appropriated to the self as true or spurious clues to its reality (Franks & Gecas, 1992). While Gordon (1989) acknowledged that individuals may draw upon the institutional and impulsive orientations in assigning meaning to emotions, this case illustrates how these meanings are negotiated and assigned, by prison chaplains, to inmates’ selves.

Discussions of the discredited and redeemed moral self have implications for Braithwaite’s model of shaming (1989a, 1989b) in the criminal justice system. The outcome of degradation ceremonies (Garfinkel, 1956), inmates’ discredited moral selves likely contribute to negative sense of self and reputation in the community (Benson, 1990). This loss of status contributes to a series of emotions: first, guilt and shame, but then anger and rage (Benson, 1990). Often this anger is directed at those responsible for the loss of status (Kemper, 1981). As Benson has discussed (1990, p. 526), feelings of anger and rage may be advantageous for inmates, but have potential disadvantages for society:

Feelings of anger fuel techniques of neutralization, such as condemning the condemners, which in turn weaken the morally binding force of law. When offenders feel anger toward a society that stigmatizes them, they also may feel less respect for the legitimacy of law.

Given these discussions, chaplains’ attempts at emotionally redeeming inmates may strengthen the morally binding force of law. Emotional transformation is used to induce moral responsibility by offering inmates a “moral escape hatch” (Benson, 1990, p. 527).


Upon reflection, it should not be surprising that religion and the criminal justice system are connected. After all, both social institutions revolve around the concepts of social control and the maintenance of a normative community. The modern criminal justice system seeks to maintain social control via the threat of legal sanctions and punishment. Religion has the capability to impose this-worldly and otherworldly sanctions upon believers to maintain the moral order.

The twin values of retribution and rehabilitation are at the heart of the penal system (Skotnicki, 2008). People of faith have consistently shown interest in working with felons to help bring about their rehabilitation (Rothman, 1980); concepts such as rehabilitation came into existence because of the reformative efforts of people of faith in the late 18th century (Latessa & Allen, 1997; Wright, 1987). At that time rehabilitation was used to describe efforts to prepare inmates for release from prison, while also suggesting that inmates would be changed morally (Rothman, 1980). As the case of prison chaplains indicates, there may be far more overlap between rehabilitation
and other correctional values, such as retribution or deterrence, than previously thought.

ENDNOTES

1 There is considerable diversity among chaplains’ ideologies and sense of mission. Although the minority, some chaplains have become jaded and are just going through the motions while others may soon leave the profession out of frustration or discouragement. This small minority may not share other chaplains’ use of the wasteland metaphor as both punishing and redeeming.

2 The focus on negative emotions is not surprising; Averill (1980a) notes that in the English language, negative emotions greatly outnumber positive ones, raising the possibility that emotional self-regulation may focus more on avoiding or eliminating negative feelings than on eliciting positive ones.

3 Gender norms lead men to be less expressive of emotions than women (Thoits, 1989), however, chaplains indicated that, for self-preservation, both male and female inmates suppressed their emotions while incarcerated. Some chaplains, such as Aaron (Baptist, six years experience), indicated that male inmates were particularly guarded, but that female inmates were also guarded, just to a lesser degree. Other chaplains, such as Andrew (Protestant Christian, four years’ experience), stated there was no difference in norms against emotional expression for incarcerated men versus women.

4 According to Shott (1979), guilt is evoked when we commit or contemplate some immoral action, take the role of the generalized other (Mead, 1934) and accept the perceived judgment of ourselves as morally inadequate. It is relieved once we are able to see ourselves as morally adequate again. Empathy, on the other hand, moves us to feel emotion for another’s situation and ties us, at least momentarily, to that person. By relieving the unhappiness of those with whom we empathize, or increasing their happiness, we relieve or increase our own corresponding feeling.

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Looking Back at *Other People’s Money*: A Qualitative Test of Cressey’s Classic Hypothesis of Trust Violating Behavior

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ABSTRACT

Cressey’s study of trust violators has had a tremendous impact on how criminologists understand white collar offenders. Despite this, few have sought to replicate or validate his findings. The aim of this study is to replicate Cressey’s classic work to determine if it still has practical theoretical value today. To do this, we relied on data collected from 25 male federally incarcerated occupational offenders using semi-structured interviews. The results indicate that there is moderate empirical support for Cressey’s hypothesis when collectively examining all three components of his hypothesis. We found only minimal support for the importance of “non-shareable problems” because about half of the participants did not mention such issues. We did find strong evidence supporting the importance of verbalizations (i.e., neutralizations) in allowing for these crimes to occur. Overall, these findings suggest that more research needs to be conducted in order to determine why non-shareable problems do not seem to be as important now as they once were for the commission of occupational crimes such as embezzlement.

INTRODUCTION

To advance knowledge of social science issues, researchers praise the notion of replication. Despite the theoretical and methodological importance of replication, few scholars engage in such pursuits. This is especially true of

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qualitative research. We believe this is a serious shortcoming. While replication is important for all research, we contend that it is especially important for qualitative research. As a result of small, non-random sample sizes of most qualitative research, authors are unable to generalize their findings to other populations. Replication is a step toward increasing the generalizability of ethnographic research. For instance, Nee and Taylor (2000) examined the similarities and differences in burglary research that used qualitative methods conducted in various English speaking countries. After comparing research conducted in the United Kingdom with similar research in the United States, they concluded that despite the location of the study and differences in sampling strategies (prison based samples versus active samples), the research projects were complementary. They concluded that the generalizability and validity of each study was bolstered due to similar findings appearing in each study. These findings suggest the importance of replicating qualitative research using different populations.

Toward this end, we sought to add to the generalizability of one of the classic qualitative studies in criminology, Donald Cressey’s (1953) hypothesis of trust violating behavior. This work, published over half a century ago, has become a mainstay in white-collar crime research. Based on interviews with convicted trust violators, Cressey argued that their illegal behaviors were the result of individuals in trust violations having a self-defined non-shareable problem, the opportunity and skill to commit the crime, and the ability to make sense of or interpret their actions in way that did not cause damage to their self-image. Despite the importance and insights from this work, few have sought to test his hypotheses (but see Nettler, 1974; Zeitz, 1981). Here we relied on interviews with males convicted of trust violations to determine whether Cressey’s findings still hold true about the role that opportunity, non-shareable problems, and linguistic verbalizations play in instigating these crimes. We believe that by replicating qualitative research, we can add to the validity and generalizability of research on trust violators.

CRESSEY IN CONTEXT

Donald R. Cressey’s (1953) classic work on trust violators provided a much-needed look into the world of white collar crime in the workplace. The primary goal of his study was to account for the differences in behavior between those people who violate a professional trust position and those who do not. Based on interviews with convicted offenders, he identified a number of factors that he believed were necessary and sufficient causal elements for criminal violations of financial trust to occur. Specifically, Cressey (1953, p. 30) argued that:

Trusted persons become trust violators when they conceive of themselves as having a financial problem which is non-shareable, are aware that this problem can be secretly resolved
by violation of the position of financial trust, and are able to apply to their own conduct in that situation verbalizations which enable them to adjust their conceptions of themselves as trusted persons with their conceptions of themselves as users of the entrusted funds or property.

The idea of a "non-shareable" financial problem will not always guarantee that the criminal behavior will subsequently follow. In fact, Cressey contended that the entire process outlined in his hypothesis must occur for a trust violation to result. That is, a person who uses his position of financial trust to solve a non-shareable financial problem must also have both the opportunity and skill coupled with the appropriate "situational verbalizations" or "vocabularies of adjustment." Therefore, one can conclude that not all trusted persons who have non-shareable problems become trust violators, but according to Cressey, all trust violators do indeed have a non-shareable issue, which ultimately leads them to violate the law.

According to Cressey, a non-shareable problem is any issue of concern that the individual directly affected believes cannot be shared with another person due to feelings of shame or guilt. The person with such problems then seeks to remedy the situation by committing a deviant act. Cressey reports that indicators of non-shareable problems were language that mimicked phrases such as "I was ashamed" or "I had too much false pride" (1953, p. 75). He believed that most of his participants would use one or more of these non-shareable problems to justify their illicit behavior. Furthermore, Cressey (1973) hypothesized that the most salient non-shareable problems appeared to be rooted in financial concerns, but later acknowledged that these problems could also be non-financial in nature, such as how to secure a divorce or how to seek revenge against an unfair employer. Consequently, Cressey opted to use the term "non-shareable" problem to refer to a stressful situation in which financial concerns were the central underlying causal element.

While Cressey stressed the importance of non-shareable problems for the initiation into trust violations, he concluded some thirty years after his original study that while the non-shareable problem was important, it was not "critical," and that it was the "neutralization of the criminal behavior" that was his most significant finding (Laub, 1983, p.138). Specifically, in the vast majority of cases he studied at some time prior to the crime, the embezzlers believed there existed certain situations in which trust violations were acceptable. According to Cressey, the verbalization is the criminal's motive. These "verbalizations" or what he refers to as "vocabularies of adjustment" are the principle agents that permit an individual to soften their moral integrity to cross over temporarily into the realm of deviance, committing acts that they normally would abhor and condemn (Cressey, 1953, p. 93).

These situational verbalizations allow individuals the ethical freedom or the ability to adjust their morals and self-image to engage in deviant acts.
A verbalization is an aspect of philosophical logic that can be seen as an "adjustive device" that serves the interests of a conflicting view of morality (Cressey, 1953, p. 95). He argued that these verbalizations come before the crime and make it possible for the offenders to relieve the guilt associated with their acts. This idea of *a priori* verbalizations was the precursor to Sykes and Matza's (1957) more refined theory of offender justifications prior to actual deviant or criminal acts (see Maruna & Copes, 2005); rationalization or verbalization does not coincide with the traditional use of the word by most psychologists, psychiatrists, or sociologists. The traditional view by most scholars is that rationalizations occur *after* the specific behavior has taken place. Other scholars who have attempted to explain this rationalization process, especially C. Wright Mills (1940) and Sykes and Matza (1957), state that the term rationalization can be used to refer to a process of locating a logical or socially acceptable excuse for questionable behavior and, in particular, thoughts or decisions to perform or engage in that behavior.

Cressey repeatedly found that almost all of the trust violators in his sample defined the relationship between their non-shareable problem and the illegal solution in rational terms that enabled them to view their deviant acts variously as non-criminal in nature, as justified, or as part of a general irresponsibility for which they should not be held legally responsible. In fact, he discovered that most of the individuals he interviewed excused their crimes before the fact as "borrowing the money." Those trust violators argued that the money entrusted to them "belonged" to them, proclaiming that "everyone else is doing it, why can't I," or stating that the money was somehow rightfully "deserved" or "owed" to them (1953, p. 102, 108). Cressey (1953, p. 98-99) explained the verbalization process in which trust violators engage, stating that in a "non-shareable-problem-position of trust" situation, employees will objectify their own actions to the extent that they place themselves in the place of another person or group of persons with the status of trustee and then hypothesize their reactions. For example, the employee may hypothesize a reaction as borrowing instead of stealing to remedy a non-shareable problem. Thus, these pre-determined hypothesized reactions provide some form of moral and psychological reprieve from feelings of guilt prior to the commission of occupational offense. As a result, an employee could then consciously choose to violate their position of trust to rectify their non-shareable issue. Cressey pointed out that the criminal does not think of himself as playing a specific role, but often reflects upon himself as a special kind of borrower or businessman, and therefore, the trust violator must have come into contact with a culture that has somehow designed these roles as being socially acceptable. If these roles were defined differently in his culture or community, or if he had not been exposed to socially accepted group definitions of this behavior, he may have acted differently in trying to resolve his non-shareable problem. Cressey insisted that the evidence he collected from his sample provided ample proof that verbalizations were always present prior to the commission of the act or at least at the time
it took place. Moreover, he also determined that after the act had occurred, and the offender was apprehended, the verbalizations appeared to be abandoned by the offender. The researcher’s argument was that the verbalization is the offender’s motivation, and it not only makes his behavior intelligible to others prior to commission, but more importantly, it makes it intelligible to himself (1953, pp. 94-5).

Overall, Cressey found that all 133 of his trust violators had some form of a non-shareable financial problem that set into motion the process necessary for trust violations (i.e., occupational-related crimes) to take place. He postulated that three necessary and sufficient components must be in place for a violation of trust to occur. To add to the credibility of his generalization, he stated that each of the offenders interviewed had indeed given testimony to the fact that they had (1) the opportunity and skill to commit the offense, (2) presence of a non-shareable financial problem involving some form or feeling of physical or emotional isolation, and (3) had access to vocabularies of adjustment that allowed them to justify their illicit actions as a mere non-criminal remedy to mend their non-shareable problem.

Cressey’s study paved the way for future criminological theory and sparked a desire for more empirical investigation into occupational white collar deviance. As a result, he offered a unique perspective regarding why people commit crimes in the workplace. Schuessler, in reference to the importance of Cressey’s work, stated that the “theoretical significance” of this study consists of the “light it sheds on criminality” that cannot be attributed to direct contact with criminal influences. In fact, it seems that the root of the problem is cultural in nature and is not a direct consequence of a criminal personality disorder (Schuessler, 1954, p. 604). This argument is offered in contrast to the empirical support that criminal techniques were not directly taught, and as a result, may refute the applicability of differential association to Cressey’s study. With minor exceptions, the 133 males in Cressey’s research did not appear to have been exposed to a predominantly criminal environment. On the contrary, they appeared to have been mainly surrounded by persons who were opposed to unlawful conduct. Recent technological and social changes suggest that those non-shareable problems that spurred embezzlement may not be as prevalent today. Thus, it is important to determine the relevance of Cressey’s ideas to contemporary offenders.

**PRIOR TESTS OF CRESSEY’S THEORY**

Nettler (1974) attempted the first partial empirical test of Cressey’s theory of trust violations. Nettler’s test was comprised of an analysis of six cases of embezzlement that occurred in Canada between 1964-1974; she determined that one of her six cases supported Cressey’s contention that men must enter into a particular three-part process before they can steal. The remaining five embezzlers did not steal out of any similar set of circumstanc-
es, in fact she discovered that “desire and opportunity generate theft more frequently” than does a non-shareable financial problem (Nettler, 1974, p. 74). Regardless of her findings, the major shortcoming of Nettler’s research was that she failed to follow the same qualitative methodology Cressey had used when offering his initial empirical test. In addition, the low sample size makes it difficult to effectively assess Cressey’s theory.

In another attempted replication of Cressey’s study, Zietz (1981) found that many of the generalizations Cressey had made about male trust violators did not apply to female embezzlers and fraudsters. Zietz discovered that compared to Cressey’s male offenders, women did not tend to have a particular non-shareable financial problem that caused them to commit their offenses. In most cases, the problems experienced by the females were already known or shared with various friends, family members, or colleagues. Furthermore, Zietz (1981, p. 58) concluded:

The women included in this group were essentially honest women who violated their own value systems. They more or less consciously sacrificed their positions of trust in an effort to meet what they perceived to be their responsibility as a wife or mother, or to preserve for themselves what they considered to be their most important possession—a husband’s love.

Therefore, in stark contrast to Cressey’s sample, Zietz’s participants indicated problems for which they were not responsible and seldom did they invoke the neutralization of borrowing. Instead, female embezzlers were far more likely to justify their offenses in terms of the needs of the family. Moreover, they did not allude to a non-shareable financial problem, a problem that, in Cressey’s male offenders, usually resulted as status gaining or greed related present. Furthermore, the criminal behavior of these particular women, unlike that of the men interviewed by Cressey, seemed to focus on their selflessness and willingness to sacrifice if they deemed it necessary to provide assistance to a family member or relative. Thus, Zietz concluded that there is no empirical evidence that this generalized idea of a non-shareable problem proffered by Cressey is applicable to female trust violators.

Other research has also tapped into the concepts developed by Cressey without directly seeking to test or replicate his study. Most supportive of his claims are the decades of research that examine the types of language white collar offenders use to minimize the internal and external harm of their potential misdeeds. The literature on white collar offender excuse-making is vast and has led some to conclude that these offenders are more prone to offer excuses than are those from other walks of life (Shover & Hochstetler, 2006). Research (both ethnographic and survey based) on embezzlers, telemarketing fraudsters, identity thieves, Medicaid fraudsters, and general occupational criminals (e.g. nurse, occupational therapists) call forth neutralizations to either save face or ease their conscience prior to the commission
of their illicit acts (Benson, 1985; Dabney, 1995; Gauthier, 2001; Jesilow, Pontell, & Geis, 1993; Evans & Porshe, 2005; Klenowski, Copes, & Mullins, 2011; Copes & Vieraitis, 2012; Klenowski, 2012; Schechter & Levi, 2013). Such findings are consistent with Cressey’s ideas about the importance of verbalizations for the commission of crime.

Although Cressey’s hypothesis has been loosely tested on a few occasions, most of this research has failed to test his theory in its entirety. Thus, to fully test all three components of his classic hypothesis, our research question asks, “Is Cressey’s original research hypothesis regarding trust violating behavior applicable to today’s occupational white-collar offenders?” Specifically, we relied on interviews with 25 occupational offenders to determine if their crimes were spawned by a non-shareable problem, and if they relied on verbalizations to excuse or justify their crimes. We did not elaborate on the idea of skill and opportunity because all 25 offenders interviewed admitted to committing the crimes during the course of their legitimate occupation, thus verifying that they did have the opportunity to do so.

**METHODS**

To test Cressey’s hypothesis, we used data from semi-structured interviews with 25 male inmates who were federally convicted for occupational crimes. To meet the sampling criteria for inclusion, inmates had to have been convicted of an occupational-based white collar offense while in a legitimate position of fiduciary trust within their respective occupations. This was purposely sought so that we could follow Cressey’s original methodology as closely as possible. Offense types that made inmates eligible for the study included embezzlement, false corporate reporting, false bank or credit loans, various forms of fraud (e.g. wire, mail), securities and exchange violations, and tax fraud.

We interviewed inmates from various Federal Bureau of Prison (BOP) facilities in the Bureau’s Mid-Atlantic and Northeast regions. While the BOP granted permission to conduct research in their facilities, they were unable to provide a list of inmates who had been convicted of occupational offenses. To recruit participants, we relied on volunteers and snowball sampling within the facilities. We began by asking specific administrators at their facilities if they knew of individuals who met the study’s criteria. We also placed recruitment fliers throughout the various prisons that asked interested inmates to indicate their possible willingness to participate by contacting their unit or case manager. Prison officials then generated a list of those who volunteered and passed it along to the institutional contact for each facility who then assisted us with scheduling site visits for interviews. Additionally, some of the inmates interviewed vouched for us to others who fit the sampling criteria. This process was done until we recruited and interviewed 25 male
white collar offenders, a sample size consistent with qualitative research in the field (Copes, Brown, & Tewksbury, 2011).

With respect to sampling demographics, the average age of participants at the time of the interview was 45, with ages ranging from 28 to 70; there were 18 white and 7 non-white participants. Five had high school diplomas or GEDs; 7 had completed some college courses; 7 had completed at least a bachelor’s degree; 2 had completed some Master’s level work; the remaining 4 had earned a graduate degree. Seven participants had never been married, 10 were currently married, and 8 were no longer married (i.e., widowed, divorced, or legally separated). The average yearly income of participants was formerly over $100,000; however, salaries of the participants ranged from $40,000 to $10 million. The median annual income for the sample was close to $160,000. Thirteen of the participants owned and operated their own companies with multiple employees working for them. The remaining twelve respondents held high ranking positions of fiduciary responsibility within their respective companies. Industries that were represented by the sample include: investment, credit and finance, construction, automobile, environmental assessment, international import/export, real estate and mortgage, travel and tourism, home delivery, military operations, and franchising and marketing. Illegal earnings from the participants’ criminal activities ranged from a few thousand dollars to tens of millions of dollars.

Our interviews with participants were semi-structured. This style of interviewing involves outlining a set of issues to be explored with each respondent (Patton, 2002). By using a semi-structured interview guide approach, we were able to word questions spontaneously, establish a personal and friendly rapport with each participant, revisit or ask for more elaboration on a particular topic, and establish an informal interview style that focused on areas of interest. While this style of interviewing allowed participants to guide the conversation, we took care to ensure that all participants were asked questions that pertained to their thoughts and events leading up to the commission of their crimes. The majority of questions in the guide focused on the history and demographics of the offender, a detailed explanation of the offense, the presence of a non-shareable problem as a catalyst, and the use of language (i.e., verbalizations or neutralizations) prior to the commission of the offense. While the specific wording of the questions varied, general questions asked included: Please explain the events leading up to the committing the act; What were you thinking before you committed the act; What were you saying to yourself before and during the act; What caused you to think about committing the act; Were there any mental barriers (anxiety, fear, guilt) that you encountered; and How did you feel after committing the act. If the offenders mentioned some type of non-shareable problem and used verbalizations prior to commission of their crime, we asked additional follow-up questions to further understand and validate their accounts.
When possible, we recorded the interviews using a standard audio recorder. Only when prison administrators refused our request to use a recorder or when the participants did not consent to the recording, did we not record the interviews. This was the case for 9 of the 25 interviews. Regardless of whether the interviews were recorded or not, we took detailed field notes during all sessions. To ensure confidentiality of participants, we removed identifying elements during the transcription and assigned each participant an alias, which is used in the presentation of quotes here. To aid in analysis, we transcribed all interviews to mirror the spoken words as closely as possible.

To analyze the data, we relied on a thematic content analysis. While the research is qualitative, we relied on a deductive analysis to determine whether or not Cressey’s hypothesis of trust violating behavior was supported. Specifically, we read all interviews to determine if they mentioned the core components of Cressey’s theory (i.e., presence of a non-shareable problem and verbalizations). We used coding strategies commonly used when constructing grounded theory, including open coding and axial coding (Charmaz, 2006). We began our open coding by reading the transcripts and marking notes indicating the various concepts discussed by Cressey (deductive coding). We also coded passages that reflected motivations and verbalizations not discussed by Cressey (inductive coding). Once all transcripts were coded, we came to agreement on axial codes by organizing codes in ways consistent with Cressey’s original findings and our new themes. We then recoded all transcripts using the axial codes we developed, which are reflected in the major themes discussed in the results.

FINDINGS

Presence of Non-Shareable Problems

To describe the results of our analysis, we begin by discussing the presence of non-shareable problems and then elaborate on the use of verbalizations or neutralizations by these offenders. Of the participants, 14 (56%) verbalized that a non-shareable problem had inspired or encouraged them to commit their particular crimes. Of the six categories of non-shareable financial problems proffered by Cressey, only five were mentioned by our participants. Physical isolation as a non-shareable problem (when people in financial trouble are geographically separated from the people who can help them) was never mentioned by those we interviewed. It is important to remember that non-shareable problems, according to Cressey, can be construed as the catalysts for why people commit violations of trust in the workplace. Furthermore, the individuals who committed these acts believed that they could not share with anyone the problems that they had encountered, causing them to seek illicit and secret means to solve the so-called non-shareable
problem. In the pages that follow, we discuss the extent to which participants made reference to the non-shareable problems proffered by Cressey.

Problems Resulting From Personal Failure

Problems resulting from personal failure occur when an individual fears loss of social status and is afraid to admit this to anyone who could alleviate the situation. This was the most commonly reported non-shareable problem among the sample, with 7 individuals (28%) mentioning this motive. Jarod owned and operated a legitimate home delivery company in a major east coast city. He said that his fraud was a means to get back at the federal government and the health care system which wronged both him and his family. Furthermore, he mentioned his own failures in life, and how he wanted to right the wrongs he may have caused others.

My father was dying in one of those elderly care homes and the level of care that they were providing for him was, needless to say, less than adequate, so there was a personal vendetta that I had against the healthcare industry, and that was one of the triggers that caused me to, and the fact that my first wife had left me, my son had got incarcerated, my brother had gotten shot...When I got out of the military, I opened up an insurance agency that also failed during that period that my father got sick...There was a series of events that caused me to start smoking and a lot of times...I started smoking because I couldn't really deal with the person that I was. I had issues and I didn't know who to talk to about it. In fact I was falling and I didn't see it...My own failures were looking me in the face every day; as far as my wife and kids, I wanted somebody to pay for it and I felt like I was entitled to a better lifestyle than what I had so I just started, I mean at the time it really looked like an opportunity you know, in my mind, I thought it was, it was an opportunity to do something good.

When DeMarcus was apprehended by the federal government, he had been making close to $500,000 a year illegally selling packets of false identities to those with bad credit, to illegal aliens, and to others who needed such credentials. He was using false identities to live a life of duplicity to avoid his past failures and negative experiences in life. He explained:

I am an African-American college dropout who had bad credit and a suspended license. When you are a childless, middle-aged African American male who watches Formula One racing, reads the Wall Street Journal and plays classic rock, doing what I was doing makes for a paranoid, lonely, depressed life that few could relate to. Who could I confide in? Using multiple assumed names in order to live the American Dream of driving cars and owning property was, ironically,
hard on my social life. I would introduce myself, not by my real name. I agonized over what name I would use when I got married and started a family. Seeking financial freedom became a bondage of its own. I unknowingly developed bipolar disorder and tried to treat pathetic chaos with powder cocaine, champagne, cognac, kind bud, fishscales, ecstasy, exotic dancers and ironically, helping everybody "get on." I can still remember the real me: an artist, a writer, a musician, a people-person.

As already indicated, this particular category of non-shareable problem was found with highest frequency in our sample. Thus, it appears that this particular problem may in fact warrant further empirical assessment, possibly through the application of general strain theory, but on an individual level.

Problems Resulting from Status Gaining

Problems related to status gaining is when the individual realizes that he or she does not have the financial means necessary for continued association with persons on a desired status level. The problem becomes non-shareable when the actor believes that he or she can neither renounce high aspirations for membership in the desired group nor obtain the symbols necessary for membership. Four participants (16%) mentioned this problem as the impetus of their crimes. Louis elaborated on his lifestyle and its importance to him:

An example of the racket that I was caught up in, I would buy a house for $40,000, pay cash for them, appraise them at $150,000, borrow at $150,000, the difference would be $110,000: 20K to fix it up and 40K back for the loan. The very first deal that I orchestrated was for $550,000 right on the water on the Bay. In all honesty, we thought we were legit. Deep down I guess we knew that it was also somewhat wrong. I did what I did for money and the thrill of it. I was extremely bored, plus I had a lifestyle that I couldn't afford. I like the fast cars, I like the nice houses, I like the trophy wives. Paul, I will tell you that all three of my wives were trophy wives, blonde hair, blue eyes, 5’10” or taller, skinny with the breast implants, the whole nine.

Robert, a director of finance for a major non-profit company in the United States, also alluded to problems related to status gaining. Before his incarceration he had over 75 employees working for him and a base salary of over $160,000 a year. He openly admitted:

I wanted more for myself, my kids, my family. I spoiled the hell out of my family. I did what I had to do. I dealt with executives from some of the major U.S. television networks and I saw how they lived and I was jealous. They or the trustees of my company would take me on their jets for a conference in
Vegas or to such and such and they lived the life that I wanted...I wanted that lifestyle too. I wanted to be able to spoil people. I wanted my own private jet, my own boat, a summer home. So I started taking from the company. I took that money and started playing the market...it was so easy to do. I got hooked though and I began losing. And eventually I got my $140k boat...I never told [my wife] or anyone else, I couldn’t. I made sure nobody knew or found out. As far as my wife was concerned I would show her that the stocks I was playing were going up and I would just have to be sure to calculate it right. I couldn’t share this with anyone.

Although the frequency of this category is not conspicuously significant, it appears that a larger sample of offenders could provide further validation of its significance as a catalyst for these types of occupational offenses. Thus, further replication of this study that utilizes a larger sample of offenders may provide more conclusive results regarding this particular non-shareable category.

**Violations of Ascribed Obligations**

Violation of ascribed obligations refers to being unable to pay one’s debts and admitting this to one’s employer, family, or friends after the fact. These debts typically include gambling, drugs, or credit. Three participants (12%) offered accounts that were consistent with violations of ascribed obligations. Corey, who worked as a pharmacy technician, offered the following description of what led to his crimes:

I just did a tour in Germany, just got back to the States...and I just got divorced. I had met a girl while I was in Germany and gotten remarried and between paying child support and trying to find a place to live, the money was just tight, so I came up with this offense to try to make a little bit of money to get on my feet.

Louis had a legitimate job and opted to engage in this activity on the side because of the non-shareable financial problems related to debt he incurred. In his words:

My ex-wives drained me. Going back to the money issue, after my second divorce, I was living in my car. She had taken my Lexus, my Cadillac, my furniture, everything. I also had financial responsibility. I had to take care of my mother. I will tell you this, never trust family and friends. I will tell you this, when you come to federal prison you find out who your true family and friends are. The first thing my mother said to me when I came to prison, “Who is going to take care of me now, who is going to pay my bills?” Let’s face it, in the real estate business, everybody else is doing it, why couldn’t I? People
do it in bulk, they just don’t get caught. People buy houses for $2,000, foreclosure from the Federal Government, then they turn around and sell them for $80,000. That’s pure profit that is legitimate. We added a couple twists and turns in the road to make ours illegitimate. Let’s face it, Paul; a lot of people are in Federal prison or in prison in general because of family. Everybody hustles. We have to and in my case it was to help my Mother. I also helped my sister. My sister actually wore a wire also for the Government and testified against me. I have two kids who are in college, another one in high school and then I have three step-children. A lot of my problems were due to my financial responsibility. However, I can’t say that I did not like the lifestyle as well...so the motivation would be money however when it came down to it in my thought process, I was doing what I had to for my family.

As with the previous non-shareable problem category regarding personal failure, it appears that this specific category would also benefit from further empirical assessment. In fact, much of the neutralization literature regarding white collar occupational offenses references the “appeal to higher loyalties” as a significant factor discovered when analyzing offender’s qualitative accounts of their own behavior (Dabney, 1995; Maruna & Copes, 2005; Klenowski et al., 2011; Klenowski, 2012). Thus, it does appear that this particular non-shareable category may in fact be linked to this specific neutralization; an idea that could be tested with further empirical replications of this study.

Problems Resulting From Business Reversals

According to Cressey (1953), problems resulting from business reversals include those situations where financial reversals stem from conditions beyond the actors’ control (e.g., inflation, debt, high interest rates, or raising capital). Those expressing these problems tend to do whatever it takes to keep their businesses afloat. Three participants (12%) shared this rationale for why they committed their particular offenses. Alex, whose family owned a large sports equipment distribution company, was indicted for counterfeiting and selling various items. He explained why he and his family did what they did.

Competition was getting extremely tough; we had to protect our name. We did what we had to do. We did our own survey to see what was going on with the market. We had to fill a public demand. This was my job, my life. We had to do something.

Greg also reported a non-shareable problem that could be categorized as a problem resulting from a business reversal. He was a CPA and worked as a controller earning $125,000 a year for a large jewelry manufacturer and
wholesaler that employed over 150 people. The company had been quite successful and was grossing nearly $75 million a year in sales. The company fell into some financial hardship and was in jeopardy of filing for bankruptcy. He explained what happened and why he and his boss committed their crimes.

As I mentioned before, the company had hit some financial difficulty. We sold to a lot of mom and pop stores throughout the country and we were not collecting receivables and people were not paying their bills. So the CEO of the company came to me and said this is what has to be done, let's get through this so we can all get some sleep. I wanted to keep my job and I wanted to save the company. The boss said “everybody does it and we have to do it to stay in business.” So I orchestrated a way to keep us in business.

As with the last two non-shareable categories, it does appear that this particular problem may be part of the causal equation that leads one to commit a violation of trust in the workplace. This particular category may in fact be offered at a higher frequency if a sample of more recent offenders would be queried, especially those who were indicted and subsequently incarcerated during the last five years, during the height of the nation's economic crisis. Again, further empirical analysis is warranted.

Problems Resulting From Employee-Employer Relations

Problems resulting from employer-employee relations occur when an employed person resents his or her status within an organization. The resentment can come from perceived economic inequities such as pay or from the feelings of being overworked or underappreciated. Three participants (12%) offered responses that reflect problems resulting from employee-employer relations. After owning his own successful business, Vincent opted to sell it to another company. The selling of his company and the promises he was made prompted him to take illegal action.

I had this company, the Internet credit card company, and I was approached by another company that was interested in buying that company...Shortly after the acquisition was complete, I discovered...that their financial condition was actually not at all good even though they led me to believe that it was good initially. As I said, they were supposed to pay using part stock and part cash so I got the stock right away but the cash was delayed. A few months went by and I got kind of worried about the fact that I wasn't receiving the money I was supposed to receive. They were paying my salary because part of the agreement was that I would be their employee for three years but not the cash portion of the acquisition agreement and after a while I began to get anxious about the fact that that wasn't being paid. I went out and visited their cor-
porate headquarters. I learned more about the fact that they weren't paying a lot of their other bills either and I eventually got so anxious; also, situations in my personal life had started to come up. I learned that I had a son on the way, and all these other things that were occurring that I guess conspired to make me feel so anxious that it led me to decide to take the money that was owed to me by force, if you want call it that, so I devised a scheme whereby over a period of several months I would wire portions of the money that was owed to me to myself. That was the criminal decision I made, if you want to call it that.

This category of non-shareable problem yielded a surprisingly small sample of offenders. Further replication of this study would benefit from the inclusion of a larger sample that was stratified by such demographics as gender, race, and age to see if such factors increased the frequency of this category as a motivational catalyst for such offenders to carry out their illicit acts.

VERBALIZATIONS

All 25 participants mentioned one or more verbalizations or neutralizations when describing their thoughts prior to the commission of their crimes. In analyzing the verbalizations of the offenders, we used insights gained from the decades of research on neutralizations and accounts that followed Cressey's work. Specifically, we used neutralization theory as developed by Sykes and Matza (1957) and expanded by others (see Maruna & Copes, 2005 for review). Accordingly, the assumption is that offenders call forth these neutralizations/verbalizations before they commit the crime in an attempt to minimize the guilt of their actions.¹

We found that the most common way that these offenders justified their crimes was by calling forth the provider or bread winner role for their families or as the protector role for their respective companies (i.e., the appeal to higher loyalties). When doing so, they framed their illegal behaviors as a type of sacrifice for others, usually their nuclear or extended families, their organization, or their clients. Nineteen participants (76%) offered this verbalization (usually coupling them with other justifications). Exemplifying this technique, Stuart explained why he committed his crimes:

I guess when I was committing my acts, I believed that maybe I was doing some of this for my family. I wanted to have the time and the financial security to be around my family to make sure I would be there for my children, so I guess family also subconsciously played into why I did what I did. It all boils down to power and greed and decisions you make in life, in my case, my family was part of my decision making for why I did what I did.
Similarly, Victor wanted to help a colleague and to support the larger community. When asked why he was trying to help this particular individual Victor replied, “I honestly believe my underlying motivation was the loyalty and the continued relationship with my clients for future business, not just for the one transaction; I wanted them to become repeat customers.”

The second most common way that these offenders framed their illegal actions was by denying that anyone was hurt by their crimes (i.e., arguing that they were “only borrowing the money”). Eleven participants (44%) provided this verbalization when recalling their thoughts prior to their criminal acts. This framing was the most common verbalization offered by Cressey’s embezzlers. Fearing bankruptcy and discovery of his crimes by the federal government, Wallace said he “borrowed” against assets from other clients. In justifying his actions he said:

> In my mind, as I made money with new clients, I was going to put back the money that had taken from other clients. In my mind, I was only borrowing the money, so it was okay, because I was going to put it back.

Similarly, when asked why he did it, Steve said, “Here’s what we came down to in our minds, there was no real financial loss for our clients at the time; if there is no loss, there is no victim. If there is no victim, there is no crime and how could you be accused.”

Both Wallace and Steve framed their actions as anything but theft. By using phrases like “there is no real loss” and “I was only borrowing the money” they could claim that they did not cause any real harm to others and at the same time reinforce their roles as providers.

Nine participants (36%) said that they should not be held responsible for their crimes by pointing to their poor upbringing and abusive parents. Kent said that living through poverty was the catalyst for his criminal acts. He made direct references to his upbringing as leading directly to his decision making that ultimately led to his crime and stated:

> I always had some guilt in feeling as though that I did not get the proper upbringing at a primary level, that I did not have the proper parental guidance that I know other children had. I always had to try to make more, to work harder. No matter what I did growing up, I wanted to be number one at what I did...You just have to take a close look at yourself. I see a lot of the inmates here are attention deficit, a lot of them and they need therapy, they need pills, they don’t need prison. These are hyper individuals. They were hyper children, out of control. They became hyper adults, out of control. And I know I was ADD as a child and never diagnosed. I could not sit still, I couldn’t sit still. I couldn’t concentrate but I had a high intel-
lect and it was all over the place. There was no focus. It was a shotgun effect rather than a rifle effect.

Similarly, Neal provided a similar account when discussing the underlying verbalizations behind his crimes:

I was involved in events not of my making and not under my control. I am not a type A real control freak but I like to have control over my environment to the extent possible to rectify things, to try to correct things. I felt a complete loss of control, I was reliant on another person for information, for strategy for everything and we disagreed on strategy and now, look where it got me.

Eight respondents (32%) claimed their crimes were justifiable because others in their respective industries were committing the same types of behaviors with impunity. This neutralization is similar to what others have called the claim of normality (Coleman, 2002). Alex justified his crimes by saying:

We had to stay up with the competition. The competition was doing it, why couldn’t we? Why can’t we all do it? We had to stay up with the competition. They were doing it, why couldn’t we?

Echoing this same sentiment, Peter stated, “This whole industry [real estate] is based on lies. Manipulation of buyers is the name of the game. ... Everybody does it.” Thus, these offenders could claim that their actions were in line with business expectations of the times.

Eight of the offenders (32%) sought to condemn the condemners by redirecting the focus of their actions (i.e., their frauds) to the hypocrisy of the federal government. James perhaps best illustrated this verbalization when we asked him why he chose to commit his frauds

The laws are too strict. Federal and state governments force people in this field to be criminal. Let’s face it; we have to make money too—to earn a living. I would say 5% of this is my fault, 95% is my partner’s fault, but the government acts like it plays no part, when in fact, it motivates us to do what we do. Why should we follow regulations that the government itself does not follow?

Further supporting this verbalization, Martin said that his negative perception of the government facilitated his decisions.

Fuck the Government, if we can do something under the table, let’s do it. I mean that was it more so than anything else was the Government, that’s how it started, that’s what caused this all to start.
Six participants (24%) framed their crimes as excusable based on the deservedness of their victims. Those using this verbalization technique said that they believed themselves to be the real victim and that their victims “had it coming.” Thomas, for example, said that he despised and disagreed with his bosses he worked for because their ineptitude.

I was frustrated because the systems we have are always breaking down, it wouldn’t print reports, we couldn’t print receipts, we couldn’t get information for people and I think the frustration of people yelling in your ear and I think some of that led to it as well, you know, which isn’t a good excuse but I just think, “This isn’t worth it,” so I think that was part of it as well. I could have just snapped at that point like I’ve had enough because the city had a lot of problems. They almost considered going to bankruptcy and the first year I was there, property taxes were due in January and July, and they added another tax bill to try and cover the deficit, so that was a rough year trying to collect the third tax bill from everyone, so bomb threats, people saying, “Fuck this, Fuck that,” you know, so I think and then the systems went bad, we had different operators and I think that probably played a factor in me just saying, “Oh, I’ve had enough they need to learn.”

Five participants (20%) believed that they were entitled to the spoils of their crimes. Each said that their crimes were simply a means of receiving what was justly owed to them. Jason, who served in the U.S. military felt wronged by representatives of the Federal Government. He shared:

Once again, the fact that I had served my country admirably and when I had gotten injured due to a service connected disability, they kind of pushed me out of the military and I was no longer good enough for the Federal Government…I felt entitled somewhat, you know, giving my life, putting my life on the line every day for the military and then you know, having them treat my Father the way that they did…I felt like I was entitled to a better lifestyle than what I had so I just started, I mean at the time it really looked like an opportunity you know, in my mind, I thought it was, it was an opportunity to do something good.

When they were asked what had allowed them to violate the law, those who used this technique said that working hard and following the rules did not allow them to meet their financial expectations. This led to feelings that they were entitled to the extra benefits.
DISCUSSION

The aim of the current research was to replicate Cressey's (1953) inductively generated theory of occupational crime. Our results provide moderate support for Cressey's original hypothesis of trust violating behavior. In reference to his first element regarding the presence of opportunity and skill, it was determined that all 25 participants had both the opportunity and skill necessary to commit their violation of trust. This result was both logical and expected due to the fact that the occupational positions that each of the participants held within their respective companies involved a significant level of trust, fiduciary responsibility, and skill. Thus, we believe that our findings fully support this particular theoretical component of Cressey's original hypothesis.

Cressey's next criterion involving the presence of a non-shareable financial problem as a potential catalyst for one to commit a violation of trust was present for 14 participants (56%). This idea of a non-shareable financial problem was initially proffered by Cressey (1953) as the most significant aspect of his theory on trust violating behavior. However, he later recanted this statement and revised his theoretical stance stating that a non-shareable problem may be present but is not always a necessary and sufficient condition for a trust violating crime to occur (Cressey, 1973). Furthermore, he also acknowledged that a non-shareable problem did not always have to be financial in nature. Thus, it is possible that other non-shareable problems existed among this group. We found that nearly half of the participants did not mention a financial non-shareable problem. In addition, no participants mentioned physical isolation as a catalyst for their crimes. This lack of support for Cressey's original contention about the importance of non-shareable problems is consistent with that found by others. Most notably, Zeitz (1981) reported that female embezzlers typically did not articulate financial, non-shareable problems when discussing their crimes. While she attributed this to gender (i.e., that women were less likely to be driven by non-shareable problems than men), it is possible that the differences among the studies is a cultural change in people's perceptions about sharing.

It is possible that the male inmates were more willing to share their feelings with others than has occurred in the past. This ability to share may reduce the shame or embarrassment of letting others know of emerging problems. As such, trust violators may now be less likely to express their inability to share as a significant motivator for their illicit acts. Also, it is possible that recent technological advances in communications have lessened the empirical significance of physical isolation as a non-shareable problem. The prevalence of cell phones and internet communication means most of us are in easy contact with friends and family.

Deciphering why non-shareable problems may be less prevalent (and relevant) now than in the past, is beyond the scope of this project, but should
be considered in future research regarding occupational offenses. Nevertheless, examining the accounts of trust violators and the changes in their reasons for trust violations may provide a more informed understanding of the mindset of trust violators and the impact of cultural factors that may lead to their decisions to commit such offenses.

Two decades after his groundbreaking study, Cressey admitted that while the non-shareable problem was important for understanding trust violating behavior, it was not “critical,” and that it was the “neutralization of the criminal behavior” that was his most salient finding (Cressey, 1973; Laub, 1983, p. 138). Specifically, Cressey points out that in the vast majority of cases he studied, at some time prior to the crime, the individuals believed there existed certain situations in which trust violation was acceptable given their specific situation or predicament. Referencing his original work years later, Cressey again elucidated the necessity of verbalizations for the process of occupational offenses to occur. Cressey (1970, p. 11) stated, “I am thoroughly convinced that the words and phrases that the potential embezzler uses in conversations with himself are actually the most important elements in the process that gets him into trouble.”

The results of this study further support Cressey’s claims about verbalizations or what we refer to here as neutralizations. All 25 participants offered neutralizations to excuse or justify the commission of their crimes. Although our sample was smaller than Cressey’s, it can be concluded that the presence of neutralizations played a significant role in the commission of their crimes. This finding validates earlier research regarding occupational-related white collar offenders and their frequent use of neutralizations (Benson, 1985; Jesilow, Pontell, & Geis, 1993; Dabney 1995; Gauthier, 2001; Payne, 2003; Shover, Coffey, & Hobbs, 2003; Evans & Porshe, 2005; Piquero, Tibbetts, & Blankenship, 2005; Copes, Vieraitis, & Jochum, 2007; Copes & Vieraitis, 2009; Klenowski, Copes, & Mullins, 2011; Klenowski, 2012; Schuchter & Levi, 2013). Furthermore, some argue that white collar offenders may invoke these neutralizations more often than regular street offenders, a suggestion that is beyond the scope of this paper (Shover & Hochstetler, 2006). However, at the least, the findings of this study regarding the verbalization criterion of Cressey’s study deserve further qualitative assessment to determine more concrete empirical information, especially the significance of the neutralization as it pertains to the commission of trust violating behavior.

Due to the conservative sample size, we cannot make claims about the relative frequency of each non-shareable problem and verbalization. While we can say that the various problems and verbalizations were used by offenders, our claims can go no further. Further replication using a larger sample that is stratified by specific demographic characteristics may yield a more decisive understanding of what motivates individuals to commit crimes in the workplace. Additionally, the standard cautions on generalizability of qualitative research should be maintained here as well.
CONCLUSION

Much has been written about white collar crime since Sutherland's first mention of the term some 70 years ago. However, the actual empirical effort and perseverance of criminologists and sociologists to attempt to understand the various forms of white collar crime, especially occupational offenses, continues to be years behind research on conventional street crime (Friedrichs, 2010). The potential reasons for the paucity of research on occupational crime are beyond the scope of this paper; however, it should be noted again that Cressey opened the door to qualitative inquiry with respect to understanding the minds and actions of occupational offenders and continued to champion its overall importance throughout his career. He remarked that "to truly comprehend and explain violations of trust in the workplace, criminologists must learn to refocus and concentrate their efforts on the individual white collar offender." He further stated, that "only individuals can make decisions" and "only individuals can act" (Cressey, 1989, pp. 53-4). Therefore, it is the offender's behavior and their reasons and motivations for crime that needs to be understood.

The importance of each offender's narrative regarding their actions provides unique insights into the thought process behind their illicit behavior (Hamlin, 1988; Presser, 2009; Vaughan, 2007). In particular, posing questions about the motivations and thoughts leading up to such illegal acts may be helpful for unraveling not only the process of accounting for wrongdoing, but more importantly, the selection and application of specific language (i.e., neutralizations) used to pacify one's feelings of guilt or shame prior to the commission of a trust violating behavior (Klenowski, Copes, & Mullins, 2011). We agree with this notion that qualitative research provides a descriptive understanding of the thoughts and actions of occupational white collar offenders and allows for the development of theory. But such inductively driven theories should be tested and replicated to improve generalizability. Additionally, criminologists should seek to follow the advice of David Matza (1969):

The student must suspend his or her moral judgments and get inside the thinking of subjects to understand human behavior, particularly human behavior. One must learn subject's definitions and morality—not accept them, but learn them. This is only accomplished by pulling close to research subjects. Invariably, achieving an understanding of their human- ness. They operate with values, sentiments, fears, and aspirations; have intelligence; and are kind and loyal to other people, maybe not all other people, but at least people to whom they are close. In other words, they are much like “us.”
Like Matza, we believe that academics should take responsibility in preparing the next generation of qualitative scholars who may continue what others, like Cressey, have so proudly started.

Scholars who choose to follow in the footsteps of Cressey by interviewing offenders will continue to add to the diminutive body of research on occupational crime. Such narrative accounts provide a detailed and humanistic look into the minds of the occupational offender, a determination that is unattainable with a mere survey instrument. More specifically, there should be a more informed understanding of whether the existence of a non-shareable problem coupled with the use of neutralizations is, in fact, a significant component of the trust violating process. By continuing to gather and assess accounts of these offenders, scholars may begin to assemble a more holistic conception of factors (e.g., individual pathology, macro-social economic factors, and organizational culture) that may lead one to commit violations of trust in the workplace.

ENDNOTES

1 Not all agree about the temporal order of neutralizations. Some argue that these linguistic devices are more geared toward a social audience and come after the offense when they are questioned about their actions (e.g., Scott & Lyman, 1968).

REFERENCES


**AUTHOR BIOGRAPHIES**

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How Families of Murder Victims Feel Following the Execution of Their Loved One’s Murderer: A Content Analysis of Newspaper Reports of Executions from 2006-2011

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Abstract
Two common assumptions are that family members of murder victims (i.e. co-victims) will achieve closure and perceive a sense of justice following the execution of their loved one’s murderer. Those acting on behalf of co-victims and purporting to represent their best interests often use closure and justice discourses to bolster their arguments in favor of capital punishment in a particular case. However to assume, unequivocally, that family members will view the execution as the last of several steps in the journey to closure and perceived justice is to ignore a significant number of co-victims who may feel differently. Drawing on family member statements from newspaper articles reporting on 138 executions in the United States from 2006-2011, the current study examined family member post-execution feelings and attitudes as reported in the media. The results indicate that family member closure and perceived justice following the execution, although among the most prominent and specific themes that emerge, are still relatively uncommon. For instance, only 35% of family members stated that the execution represented justice while only 31% of family members stated that the execution gave them closure, healing or a step toward either. Results are discussed in the context of previous literature on family member post-execution feelings and attitudes. Societal and policy implications are also discussed.

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INTRODUCTION

The current study addressed a research question concerning the feelings and attitudes that were most commonly expressed by family members of murder victims whose loved one’s killer was executed, according to newspaper reports following executions. Two common assumptions are that co-victims will achieve closure and perceive a sense of justice following the execution of their loved one’s murderer (Dicks, 1991; Wolff & Miller, 2009). This may occur because the execution represents the final chapter in a long, difficult process between the commission of the crime and the execution. However, what is known about the post-execution experience for victims’ family members is limited primarily to a small number of exploratory analyses of family members’ accounts of their post-execution feelings and attitudes (Burns, 2006; Gross & Matheson, 2003; Vollum & Longmire, 2007).

The current study is similar to others in regard to methodology and scope (Gross & Matheson, 2003; Vollum & Longmire, 2007). However, it is unique in that data are drawn from a nationwide sample of news articles covering executions rather than articles from one newspaper (Vollum & Longmire, 2007) and the data cover a time period of six years rather than three and a half years (Gross & Matheson, 2003). Using a nationwide sample of newspapers instead of only one newspaper from a conservative state such as Texas may enhance the range of data available in the news stories by introducing various sociocultural differences in reporting. Also, drawing the data from a nationwide sample of newspapers and covering a period nearly twice as long as the previous study to examine a nationwide sample of newspapers (Gross & Matheson, 2003) could support or call to question results from that study. In addition, the unit of analysis also differs slightly. Whereas Gross and Matheson (2003) and Vollum and Longmire (2007) used the actual execution or “cases” as their unit of analysis, our study examined the family members as the unit of analysis. In this regard, the current study addressed the experiences of individuals rather than sets of (presumably similar) family members. The data in this study were analyzed by way of content analysis. Family member statements from news articles covering 138 of the 273 executions occurring in the United States from 2006-2011 were content analyzed and divided into thematic categories. The analysis provided an overall view of the frequency in which each of the conceptualized varieties of themes (coded variables) were expressed. The family members’ responses in post-execution statements to the media were examined as well as how their remarks were influenced by the passage of time.

From a policy perspective, understanding how executions affect the co-victims of homicide may influence policies which encourage actors in the justice system to be more accountable to the needs of families in their decisions in death penalty cases. In addition, policies which currently allow family members to view the execution of their loved one’s murderer may need to be revisited. From a societal perspective, this study addressed assumptions
about post-execution feelings of closure and justice and more specifically the arguments that prosecutors in capital trials make to juries in their closing arguments based on closure and justice discourses.

**LITERATURE REVIEW**

It is, at times, assumed that for the family member of a murder victim, the execution of their loved one’s killer is the final chapter of a long process that allows the family member to move on from the crime and their loss associated with the crime (Armour & Umbreit, 2006; Berns, 2009). The question is, what do family members “move on” from and to what degree does the execution serve such needs? Various works have suggested a number of individual feelings a family member may experience when losing a loved one to homicide as well as interpersonal conflicts that may arise. An examination of family member feelings and attitudes through use of semi-structured interviews (not employed in the current study) and through the lens of media reporting may serve as an initial step to address assumptions about whether the execution serves to ameliorate some of the negative effects of losing a loved one to homicide.

**Effects of Family Member Passing and the Death Penalty Process on Families**

Following the homicide of a loved one, family members may experience myriad negative feelings. Some of these feelings are personal while others are interpersonal. Most broadly, such feelings include frustration with the criminal justice system (Armour, 2002; Rock, 1998), personal grief (Clements, Asaro, Henry & McDonald, 2005; Parks, 1993; Rando, 1993; Rock, 1998; Rynearson & McCrery, 1993; Spungen, 1998), stigmatization by family and associates (Hatton, 2003; Doka, 1988), apathetic attitudes about the world (Janoff-Bulman, 1992), and psychological maladies (Amick-McMullan, Kilpatrick & Resnick, 1991; Zinzow, Rheingold, Byczkiewicz, Saunders & Kilpatrick, 2011). In interviews with 15 children who had been the co-victims of the homicide of an older sibling, Freeman, Shaffer and Smith (1996) also showed many of the negative consequences of homicide co-victimization including depression, Post Traumatic Stress Disorder (PTSD) and other negative psychological maladies. In addition, King (2004) noted disparate grieving patterns between those who lose a family member to homicide and those who suffer such a loss due to natural causes. Losing a family member to homicide is much more overwhelming in the sense that the normal grieving process is compounded by anger or rage (King, 2004). In addition, co-victims of homicide tend to have a difficult time letting go of their grief and simply become more proficient in keeping such grief below the surface after a period of years (King, 2004). In cases in which the death penalty is sought, the process of grieving may be further prolonged and exacerbated (Dicks, 1991; Kanwar, 2002; King, 2003; Lifton & Mitchell, 2000). Each of these feelings may greatly
hinder the processes of grieving and healing to an extent which potentially makes losing a family member to homicide worse than losing a loved one to more natural phenomena.

Interviews with family members have suggested that family members often perceive maltreatment by the criminal justice system (Armour, 2002; Rock, 1998). Family members may feel as though the justice system is unresponsive to their needs with regard to providing information about the case (Armour, 2002). Such information includes autopsy results or the progress of the investigation. In addition, family members may perceive a sense of injustice as the procedural aspects of the case take precedence over the needs and desires of the families. Such perceived maltreatment may be attributable to the justice system's view of the crime as an offense against the state as opposed to a crime against the co-victims. Although family members are understandably curious about information surrounding a particular case, actors in the justice system have a right and responsibility to protect information that is crucial to investigations. If the police, for instance, release information about a suspect or the details of a death investigation to the families, they have no control over to whom the families may further disseminate that information. Therefore, family members should not view such treatment by the justice system as a personal affront but rather a necessary condition of conducting a proper investigation and trying to achieve justice for the victims (both the primary and co-victims).

Family members may also experience a number of negative social and psychological side effects as a result of losing a loved one to homicide. Such an experience has been linked to recurring nightmares (Rando, 1993), PTSD (Amick-McMullan et al., 1991; Freeman et al., 1996; Zinzow et al., 2011), survivor's guilt (Rando, 1993; Rock, 1998), negative personality issues (Rando, 1993), the perception that the world is an unfriendly place (Janoff-Bulman, 1992), negative feelings about personal safety (King, 2004) an intense feeling of trauma that overrides the ability to mourn (Clements et al., 2005; Parks, 1993; Rando, 1993; Rynearson & McCreery, 1993; Rock, 1998; Spungen, 1998), a feeling of social stigmatization (Doka, 1988; Hatton, 2003; King, 2004), difficulty coping (Allen, 1996) and physical illness (Baliko & Tuck, 2008). Rock (1998) describes feelings of powerlessness and vulnerability experienced by the families because they could not save their loved one or prevent the crime from occurring. Family members may also experience powerlessness if they do not receive adequate assistance in "reconstructing their lives" or getting back to a sense of normalcy (Rock, 1998). These negative consequences may be experienced individually or in combinations. The death of a family member by homicide is characterized by the inherent suddenness with which it occurs. Thus, in an attempt to make sense of what has occurred and to begin the process of grieving, the sudden trauma of the incident can override the ability to grieve. The process may be further exacerbated by perceived maltreatment by the criminal justice system. In addition, other family members
or associates (who may never have experienced a similar loss) may distance themselves from the traumatized or grieving family member due to a lack of understanding of the issue. Rock (1998) found support for the notion that even the most compassionate outsider could not fully understand the experience of co-victimization. While closure and a sense of achieving justice may not be explicitly stated by many survivors, these are issues that are common throughout the stated desires, needs and reactions of such persons. Being able to integrate the murder of one’s loved one to one’s life and to move on in a healthy, non-fixated manner is the common need of loved ones. These are needs that incorporate closure and a sense of justice.

**Interviews with Families of Murder Victims**

There is limited scholarship examining the experiences of family members of offenders on death row (Jones & Beck, 2006; Smykla, 1987), as well as limited scholarship on the families of murder victims. Burns (2006) conducted the first empirical assessment (using semi-structured interviews) of families’ feelings and attitudes following the murder of a loved one. In her work, the researcher addressed family member feelings within the framework of satisfaction with and responses of the criminal justice system and victims’ rights. Her study reveals insights into the views and perspectives of the family members.

Drawing on 23 semi-structured interviews with family members whose loved one’s killer was executed, was on death row, or had previously been on death row, the feelings of such persons encompassed closure, justice and forgiveness (Burns, 2006). It should be noted, however, that the results of Burns’ work are difficult to generalize to those family members who viewed or experienced the execution. All of Burns’ interviewees believed there could never be full closure, primarily because the family member was still gone. The majority of her interviewees said they could not forgive their loved one’s killer and all of her interviewees favored the death penalty in some fashion, suggesting that they believed the execution to be just (Burns, 2006). In addition, most of the respondents in her study stated that the offender deserved the punishment he or she was receiving, supporting the belief that the execution was just.

While Burns’ research is informative, her results introduce nearly as many new issues as she addressed. Included among these family members were those whose loved one’s killer was still on death row, had previously been on death row or had been executed. All three varieties of family members are considered together, regardless of whether executions were yet to occur, no longer scheduled to occur, or had been completed. There may well be differences in how these sets of individuals feel about these situations.

**Previous Media Studies of Family Members’ Post-Execution Feelings**

The literature that specifically addresses the feelings and attitudes of family members of homicide victims whose killer has been executed is re-
restricted in scope and focus. Vollum and Longmire (2007) examined executions occurring in Texas from 1982-2004. Family member post-execution statements were collected from newspaper articles covering 159 (49.5%) of the 320 executions during this time. As their lone source, the authors gathered statements from the *Huntsville Item*, a newspaper that regularly sends a reporter to attend executions occurring in Texas. Using content analysis, Vollum and Longmire (2007) found that in 40.9% of the 159 cases, family members expressed that the execution brought a feeling of closure. In 28.9% of the cases, the family members stated that the execution did not bring a feeling of closure. In regard to justice, in 22.6% of the cases, family members whose statements were reported by the media expressed that the execution represented “justice for society.” Family members expressed forgiveness for the executed person in 11.9% of cases.

Gross and Matheson (2003) examined news articles covering 138 executions occurring in multiple states from 1999-2000 and from January 2001-June 2002. They noted that the most common issue raised by the family members in the media was closure, the hope that the execution would allow the family member to put the murder behind them, or the fear that they would never be able to do so. These issues were found in more than one-third of the executions Gross and Matheson researched. In about one-fourth of the cases, the family members were quoted by the media as stating that the execution represented justice. Finally, in about one-sixth of the cases, the family is reported to have asked for clemency for the condemned person or to have expressed compassion or well wishes for the executed person's family.

The limited literature reveals that family members may experience a wide variety of feelings and attitudes following the execution of their loved one's murderer. Our research (employing a similar methodology and analytic technique) expands on the question of how family members experience and respond to the execution of their loved one's murderer.

**THE CURRENT STUDY**

Family member feelings and attitudes expressed in news articles covering 138 of the 273 executions occurring in the United States from 2006-2011 were examined in our research. This study expanded on previous work by examining a nationwide sample of newspaper articles as opposed to focusing on one newspaper (Vollum & Longmire, 2007) and covers a more recent and broader range of time than previous studies have addressed that also examined a nationwide sample of newspaper articles (Gross & Matheson, 2003). In addition, the unit of analysis in the current study shifted from executions or cases (Vollum & Longmire, 2007; Gross & Matheson, 2003) to individual family members. While it is possible, and perhaps even probable, that multiple family members may have witnessed or experienced the execution, the focus here is on the reactions of identifiable survivors.
METHODS/ANALYSIS

A list of all executions occurring in the United States from 2006-2011 was compiled from information on the Death Penalty Information Center website. Subsequently, a Google® search for local news stories related to each execution was conducted. These articles were from newspapers located in the same state as where the execution occurred (one exception to this would be the examination of articles from the local newspaper in Augusta, GA of executions occurring in South Carolina, because the relatively close geographic proximity). Additionally, the Clark County, Indiana Prosecutor’s Office website (which includes very detailed information about executed persons’ cases and executions) was also reviewed to identify additional news stories covering each execution.

Only post-execution news stories in which the victims’ family members expressed feelings about the execution, the executed person, or their family that were published within three days of the execution were included in the data; however, it is unlikely that many stories about an execution appear more than three days following the execution. The purpose in limiting the analysis to those of statements gathered within three days of the execution was to capture the immediate feelings and attitudes of the family members at the close, or shortly following the close, of the judicial process. Family members included in the study were both immediate and extended family members (including mothers, fathers, sons, daughters, brothers, sisters, aunts, uncles, cousins, grandparents, step-parents and step-children). From these stories, individual family member statements or collective family member statements were identified. Individual family member statements are those which reflect the feelings and attitudes of one individual. On the other hand, collective family member statements are those articulated by one individual on behalf of several family members. All family member statements were copied and pasted directly from the online article and into the database for this study. Statements from 196 family members across 138 of the 273 executions from 2006-2011 were included in the final analysis.

Data were analyzed using content analysis as outlined by Berg (2009). The first step in the analysis was to conduct open coding of the data, identifying and collating all possible themes or patterns that emerge in the data, however minute. In the current study, 40 such themes emerged (see Appendix A). Following open coding, a process of axial coding was conducted. In this phase, the product of the open coding process was sorted into larger, identifiable themes or concepts. The 40 themes identified during open coding were subsequently aggregated into seven, broader conceptual variables (see Appendix B).

The results are presented as the percentage of family members comprising each conceptual theme. Additionally, statements were assessed from
family members who include references to the amount of time between the commission of the crime and the execution in their statements.

RESULTS

Examination of family member statements to the media following the execution of their loved one’s killer revealed that there are seven conceptual themes present in such statements. These themes were “Execution Represents Closure, Healing or Step Toward Either,” “Execution Does Not Represent Closure, Justice or Positive Feelings,” “The Execution Represents Justice,” “The Punishment Was Too Easy,” “Family Expressed Well-Wishes, Condolences and Forgiveness,” “Family Expressed Negativity About the Executed Person’s Demeanor” and “Family Expressed Positivity About the Executed Person’s Demeanor” (see Appendix B). The percentage of individual family members providing statements or collective family statements falling into each of the seven conceptual themes is presented in Table 1.

Table 1
Percentage Breakdown of the Seven Variables versus Total Family Members

<table>
<thead>
<tr>
<th>Variable</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Execution Represents Justice</td>
<td>35%</td>
</tr>
<tr>
<td>Execution Represents Closure, Healing or Step Toward Either</td>
<td>31%</td>
</tr>
<tr>
<td>Execution Does Not Represent Closure, Justice or Positive Feelings</td>
<td>19%</td>
</tr>
<tr>
<td>The Punishment Was Too Easy</td>
<td>13%</td>
</tr>
<tr>
<td>Family Expressed Well Wishes, Condolences and Forgiveness</td>
<td>11%</td>
</tr>
<tr>
<td>Family Expressed Negativity About the Executed Person’s Demeanor</td>
<td>9%</td>
</tr>
<tr>
<td>Family Expressed Positivity About the Executed Person’s Demeanor</td>
<td>4%</td>
</tr>
</tbody>
</table>
The most commonly voiced themes emerging in these statements were “The Execution Represents Justice” (35% of all family members) and “Execution Represents Closure, Healing or Step Toward Either” (31% of all family members). Other themes present in the statements are “Execution Does Not Represent Closure, Justice or Positive Feelings” (19%), “The Punishment Was Too Easy” (13%), “Family Expressed Well Wishes, Condolences and Forgiveness” (11%), “Family Expressed Negativity About the Executed Person’s Demeanor” (9%) and “Family Expressed Positivity About the Executed Person’s Demeanor” (4%) as the least frequently expressed view.

Overall, Table 1 provides support for the idea that family members see executions as being more of a positive than negative experience. In total, 31% of family members were reported as stating that the execution represented closure, healing or a step forward compared to only 19% of family members who were reported as stating that the execution did not represent closure, justice or positive feelings. In examining these two themes, it was important to draw distinctions between closure and healing as well as non-closure and non-justice. Closure was typically expressed as a feeling that the family member will no longer have to deal with the emotional pain or to be constantly reminded of the murder and the events leading up to and including the execution. This feeling was typically expressed in terms of finality as opposed to healing which is a process representing movement toward complete closure. These two feelings were categorized into one larger concept because in spite of one being more final than the other, the two feelings represent positive emotional responses. When family members stated feelings of non-closure or non-justice, it was also important to make distinctions between these individual feelings. Non-closure is essentially the opposite of the feeling of closure; the execution does not bring final closure nor does it represent a step forward in the process of healing. A feeling of non-justice referred to any feeling that reflected the idea that the execution could neither induce a positive response regarding the justice system or for its actors nor could the family member philosophically believe that the execution was a fair punishment, even for murder. These two feelings were categorized into one larger conceptual theme (falling into “Execution Does Not Represent Closure, Justice or Positive Feelings”) because both represent negative responses to the execution itself.

Across these family members, a feeling of closure was expressed in a number of ways. For example, one victim’s son in a 2011 quote expressed a spiritual belief that the execution would benefit his late father:

“It means finally, my dad’s soul is put to rest after 33 years.”
(Farrington, 2011).

Family members also expressed feelings of non-closure or non-justice in a number of ways. One victim’s wife in a 2011 quote said that the execution provides nothing in the way of closure,
“Understanding, this execution will not bring Richard back nor will it give me the closure I am looking for.” (Petersen, 2011).

Others stated that the execution did not bring them pleasure. A 2010 quote from one victim’s father clearly expressed this sentiment,

“I didn’t expect pleasure, and I didn’t receive it.” (Turner, 2010).

Another victim’s daughter was quoted in 2009 as stating,

“This is a difficult day and there are no winners on either side.” (Graczyk, 2009b).

Providing further support to the notion that the execution is reported as more of a positive than negative experience for the family members is that 35% of family members were quoted as stating that the execution represents justice. This sentiment was also expressed in a number of ways across individuals. In a 2010 quote, one victim’s stepmother stated,

“Speaking for my husband and I, we are glad justice has finally been done, and we can close this chapter.” (Elofson, 2010).

Another quote given in 2009 as a collective family statement read,

“What a great state to live in to know justice was served.” (Graczyk, 2009a).

Also in 2009, another victim’s father commented,

“I’m not a person that likes harm done to anybody, but I believe in justice being done.” (Graczyk, 2009c).

Providing additional support to the idea that the execution is reported as being more positive than negative is the finding that only 13% of family members were reported as stating that the execution was too easy. A 2008 quote which clearly expressed this idea was given by one victim’s mother,

“It was too easy. It’s as much justice as we’re going to get, as much closure as we’ll get, but it was just too easy.” (Sims, 2008).

Another victim’s sister in 2009 stated,

“I myself think it went too smooth. I think he should have gone through some pain for what he did.” (Johnson, 2009).

Very few (11%) of the family members were reported as expressing well-wishes, condolences or forgiveness. A 2011 collective family statement released by one victim’s brother said,

“We have no anger towards Mr. Bradford and forgive him.” (Scott, 2011).

In 2010, one victim’s mother simply stated,
“I have forgiven him.” (Rainwater, 2010).

Finally, uncommonly expressed feelings included negative views about the executed person’s demeanor prior to the execution (9%) and positive views about the executed person’s demeanor prior to the execution (4%). Speaking negatively about the condemned person’s demeanor, one victim’s sister in 2011 commented,

“It was fake, he wasn’t sincere.” (Graczyk, 2011).

This statement was in reference to the executed person’s apology prior to the execution. Also in 2011, one victim’s sister stated,

“My understanding is he had no remorse, he was unrepentant.” (Turner, 2011).

However some family members expressed positive feelings. In 2009, one victim’s sister stated,

“I really do think he was sincere.” (Gordon, 2009).

Consideration of Length of Time

In addition to the types of themes identified in the content of the family members’ statements, some individuals also commented on the length of time between the commission of the crime and the execution. In many cases, this included a statement regarding the belief that this period was too long. However, in many instances, family members simply noted the length of time between the offense and the execution. Regardless of whether explicitly criticizing the period as too long or not, family members conveyed a sense of having to wait a long time and feeling relieved to have the waiting completed. As one collective family statement given in 2009 read,

“‘We have waited nearly 14 years for this day.” (Murphy, 2009).

Another quote given by a victim’s mother in 2009 was,

“I miss my son dearly and have waited for this day to finally get here.” (Rainwater, 2009).

Clearly, family members who expressed these sentiments felt a degree of anxiety in awaiting the execution. However, whether this feeling of anxiety is related to what other varieties of feelings were experienced is not initially clear. Therefore, analysis also examines themes present in statements where family members do and do not specifically note the time between offense and execution. Table 2 presents the distribution of family members who express each of the identified thematic sentiments.
Table 2

Family Members Addressing Length of Time between Crime and Execution Also Expressing Identified Themes

<table>
<thead>
<tr>
<th>Variable</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Execution Represents Justice</td>
<td>42%</td>
</tr>
<tr>
<td>Execution Represents Closure, Healing or Step Toward Either</td>
<td>27%</td>
</tr>
<tr>
<td>Execution Does Not Represent Closure, Justice or Positive Feelings</td>
<td>12%</td>
</tr>
<tr>
<td>The Punishment Was Too Easy</td>
<td>9%</td>
</tr>
<tr>
<td>Family Expressed Well Wishes, Condolences and Forgiveness</td>
<td>6%</td>
</tr>
<tr>
<td>Family Expressed Negativity About the Executed Person’s Demeanor</td>
<td>6%</td>
</tr>
<tr>
<td>Family Expressed Positivity About the Executed Person’s Demeanor</td>
<td>0%</td>
</tr>
</tbody>
</table>

Table 2 shows recalculated percentages from Table 1 where family members mention the length of time between the crime and the execution. Table 2 shows that even when family members mention the length of time between commission of the crime and the execution, the associated feelings remain more positive than negative (42% of the family members believed that justice had been served compared to 12% of the family members whose comments reflected that the execution does not represent justice, closure or positive feelings; 27% of the family members commenting on the length of time believed that the execution represented closure, healing or a step toward either). Table 2 also shows that fewer family members express each of the other themes than is present across the sample as a whole. Overall, 13% of the family members were quoted as stating that they felt the punishment was too easy but when the additional consideration of time is included, this number falls to 9%. Similar decreases were shown in the variables “Family Expressed Well Wishes, Condolences and Forgiveness” (a decrease from 11% to 6%), “Family Expressed Negativity About Executed Person’s Demeanor” (a decrease from 9% to 6%) and “Family Expressed Positivity About the Executed Person’s Demeanor” (a decrease from 4% to 0%).
HOW FAMILIES OF MURDER VICTIMS FEEL

According to Table 2, the media may present the image of a family member who believes that the time between the crime and the execution is lengthy (perhaps too lengthy) yet in the end, this sentiment did not affect their post-execution feelings and attitudes in a significant way. Forty-two percent of those family members who mentioned the lengthy process also believed that the execution was just. A 2011 quote illustrates this point. In this particular quote a victim’s mother stated,

“Twenty-three years is a long time and this needed to happen. Justice is served today.” (Gilbert, 2011).

Another victim’s mother expressed this sentiment in two separate quotes given in 2008,

“Seventeen years is way too long to wait for justice. And without justice there is no closure.” (Tisch, 2008).

In a subsequent quote from the same news story this individual commented,

“The universe has brought about balance, justice and the law of consequence.” (Tisch, 2008).

Table 2 also shows that when the media reported family members mentioning the lengthy judicial process, this was also more likely to be accompanied with media reporting of family member feelings of closure, justice or positive feelings. Twenty-seven percent of those family members who mentioned length of time fell into this conceptual category. One victim’s mother in 2009 said,

“It’s been a long time coming, after tonight it will be relief.” (Matthews & Hale, 2009).

In 2006, another victim’s brother stated that the execution was “long overdue” and,

“We’re all relieved that it’s all over with.” (Talley, 2006).

In contrast, only 12% of the family members mentioning length of time fell into the conceptual category of non-closure, non-justice or did not associate the execution with positive feelings. In 2010, one victim’s father said,

“Seventeen years is a long time to have something eating on you like that. We think about those girls every day.” (Tolson, 2010).

This same individual also stated,

“We can say it’s the end, but it’s never going to be closure...The execution doesn’t really make me feel any better.” (Tolson, 2010).

Very few family members (9%) were reported as mentioning the length of time between the crime and execution and a corresponding belief that
the punishment was too easy. One victim’s mother in 2008 expressed this sentiment,

“Seventeen years is way too long to wait for justice.” (Tisch, 2008).

This same individual also stated,

“That was the most peaceful passing I’ve ever been to, and I wish I could know that my son passed as peacefully.” (Tisch, 2008).

In sum, these findings suggest that the family members were more likely to report positive as opposed to negative feelings and attitudes to the media following the execution of their loved one’s murderer. The most common expressions from family members were those stating that the execution represents closure, healing or a step toward either as well as a positive feeling that the execution was just. This result is similar to results found in other studies. In one study, Vollum & Longmire (2007) reported that family members expressed feelings of closure or the hopes that they would achieve closure in 40.9% of their cases while other family members expressed the negative feeling of non-closure in 28.9% of their cases. Similarly, Gross and Matheson (2003) stated that in slightly more than one-third of their cases, family members expressed feelings of closure or the hope that they would achieve it. This is most similar to the finding in the current study that 31% of the family members reported feelings of closure, healing or a step toward either. Supporting this idea is that very few family members were reported as commenting that the execution was too easy, perhaps implying that most family members believe that the execution was an appropriate punishment. Yet less common are family members who expressed the view that the execution did not represent closure, justice, or positive feelings. These themes in expressions and their relative frequency among family members did not show variation when the length of time between commission of the crime and the execution are included in statements.

**DISCUSSION**

**Comparing the Results of the Current Study with Previous Research**

The results of the current study both reflect and add to previous studies examining the reported statements of family members of murder victims whose killers are executed. This holds despite the focus in the current study on individual family members rather than individual executions or cases (Gross & Matheson, 2003; Vollum & Longmire, 2007). Similarities are evident between the current study results and those of Vollum and Longmire (2007) who found that in 40.9% of their cases, family members reported a feeling of closure or the hopes that they would achieve it, compared to 28.9% of their cases in which family members were reported as feeling non-closure.
This compares most similarly to the findings in the current study that 31% of the family members expressed statements that communicated “Execution Represents Closure, Healing or Step Toward Either” and 19% of the family members whose statements reflect a belief that “Execution Does not Represent Closure, Justice or Positive Feelings.” Vollum and Longmire (2007) also found that more family members reported feelings of closure than non-closure. In addition, in 11.9% of their cases, family members were reported as expressing feelings of forgiveness, according to Vollum and Longmire (2007). This result is nearly identical to the finding in the current study in which individual family members or family sentiments expressed in collective family statements expressed feelings of forgiveness, well-wishes or condolences (11%).

Similarly, Gross and Matheson (2003) reported that in slightly more than one-third of their cases, family members expressed feelings of closure or the hope that they would achieve it. This is most similar to the finding in the current study that 31% of the family members expressed feelings of closure, healing or a step toward either. In addition, in 16% of the cases in Gross and Matheson (2003), the family members were reported as having asked for clemency, implying that the family member had forgiven the executed person. The current study does show that 11% of the family members expressed forgiveness, well-wishes or condolences, feelings that can be seen as very similar to supporting clemency.

In sum, several themes identified in the previous research on the topic (Gross & Matheson, 2003; Vollum & Longmire, 2007) continue to emerge in similar fashion and frequency in the current study. The similarities are notable in that the data drawn upon in the current study are more recent and more broadly based than that used in previous studies. This suggests that results concerning family members’ feelings and attitudes following the execution of their loved one’s killer do not change much even when a slightly different methodology is employed.

It is also notable data on family members who mentioned the length of time between the commission of the crime and the execution do not show any substantial differences in their views or the frequency with which such family members expressed particular views. Future research which examines the number of months or years between the initial homicide and the execution may support or refute the idea that actual length of time (as opposed to the family members’ mentioning of the length of time) affects families’ post-execution feelings and attitudes.

Limitations

The current study is not without limitations. The findings are based solely on what is reported in news stories. It is possible that other, perhaps divergent, feelings and attitudes are being expressed and are not being reported. Such a limitation is further exacerbated in that many of the news articles we
used for research were gathered from the Clark County, Indiana Prosecutor's Office website, which is often viewed as being heavily pro-death penalty. This study also only reports those feelings and attitudes being expressed within three days of the execution. Based on the present data, it is not possible to know how such feelings and attitudes would change months or even years later. Future research which expands on the work of Burns (2006) would be valuable in capturing potential changes in these feelings and attitudes. The reported feelings and attitudes in this study are based on only short quotations collected from family members who address the media in the immediate aftermath of the execution. To explore this issue in more depth and more comprehensively, future researchers would be wise to examine family members’ feelings and attitudes through one-on-one or focus group interviews, and perhaps after the passage of more time following the executions. The present study is limited as a matter of representativeness. The feelings and attitudes of the family members who either do not attend the execution or choose not to correspond with the media following the execution are not presented in the findings. The data in the current study were not subject to examination by an independent rater. However, most of the family member statements obtained from the news stories are explicit and could not be categorized any other way according to the coding method employed in the study. An independent rater is likely to find little if any variation in the results. Finally, the data used in the current study create difficulties distinguishing between family members who have achieved emotional closure or have achieved a sense relief as a result of the end of the criminal justice process, two very substantively different types of closure. Future research which more closely examines the differences between family members expressing these two very distinct types of closure would be beneficial and contribute greatly to the literature.

Implications

In spite of the limitations, the current study yields important implications. Often, it is assumed that the execution of a loved one’s murderer will bring about a feeling of closure and justice for the family members of murder victims. Although closure and justice are the most common themes in the current study, they are expressed by only a minority of all family members. The fact that 31% of all quoted family members expressed feelings of closure and 35% of all quoted family members expressed feelings of justice is hardly evidence that such feelings are universal, or even common. Future, more expansive research should address this assumption and if more support is found for closure and justice not being an overpowering theme, policies and practices driven by this assumption may need to be re-addressed. Future research should also examine the specific relationship between the amount of time between crime and execution and what effects passage of time may have on family member feelings and attitudes. Policies that may potentially need to be re-visited include those which allow family members to view the
execution of their loved one’s murderer. If such an event does not yield the desired cathartic effect, it may be possible that this serves as more of a distraction to the process of carrying out the execution at the cost of not being beneficial to family members.

Additionally, defense attorneys may consider calling expert witnesses during proceedings to make the point that closure is not necessarily something that can be achieved through an execution. If juries are emotionally swayed by this discourse (which assumes family member closure), then it is possible that they could base their decisions regarding guilt or recommendations for sentences at least in part on family member closure, which could undermine due process for the defendant. In this case, defense attorneys may have grounds for objecting to such statements and if overruled, perhaps have laid the grounds for either a mistrial or reversal of conviction upon appeal. In addition, if judges are emotionally swayed in the same manner as juries, it may more difficult for them to make impartial decisions during the sentencing phase of a capital trial.

Prosecutors may also, as a general rule, need to be more responsive to the needs of the families when making the decision whether to seek the death penalty. If one assumes that justice is using available resources in an effective and efficient manner to serve the needs of the victim(s), or in this case, the co-victims of homicide, as well as to apply to appropriate sanctions against the offender, it may be that ignoring the needs of the families undermines justice. The degree to which prosecutors consider the needs of family members is an under researched line of inquiry that deserves research attention.

CONCLUSION

Family members are the co-victims of murder victims and experience a range of emotions as well as many psychological and sociological consequences following the death of their loved one(s). Such negative consequences are often exacerbated by perceived maltreatment from the criminal justice system or a lack of understanding by other family members or associates. Ultimately, co-victims seek ways to cope with and move on from the crime and their loss associated with it. The question is whether the execution of their loved one’s murderer serves such needs.

Our research demonstrates similar results as previous studies employing similar methodologies, and provides support for the notion that executions do help co-victims move on from the experience. However, it is important to note that the process of closure and restoration is much more complex than that which can be examined in this research. While our current study expands on and in many ways supports the previous literature on the topic, the need for future, more expansive research is apparent. The hope is that a deeper understanding of co-victims’ feelings and attitudes throughout the entire grieving process and beyond the close of the criminal justice pro-
cess will influence, for the good, the ways in which society and actors in the criminal justice system view and treat family members of murder victims.

**APPENDIX A**

<p>| Execution does not bring victim back | Punishment was too lenient in general |
| Execution does not bring emotional closure | Punishment too lenient compared to victim suffering |
| Family can never feel emotional closure | Family member would have inflicted more severe punishment |
| Family member cannot forgive | Justice had not been served |
| Execution does not change what happened | Execution is first/next step in healing |
| Family expressed condolences/Well wishes to executed person’s family | Family will try to move on from everything surrounding the crime and emotionally |
| Family believes the executed person may find salvation/peace | Family did not get to say goodbye to their loved one |
| Positive step in healing (no more appeals) | Family felt bad for the executed person |
| Family is happy with justice system/entities | Family member did not get pleasure from viewing or experiencing the execution |
| Family perceived justice had been served with the execution | Closure only comes from God/forgiveness |
| Executed not sincere in apology or showed no remorse | Family mentioned that the executed never admitted fault or wrongdoing at any point |
| Executed was sincere/remorseful before death | Expressed belief in the death penalty |
| Family glad executed apologized | Expressed opposition to the death penalty |
| Family wished executed had apologized (Prior to execution) | Family had already forgiven the executed person and put the crime behind them |
| Family wished they could have spoken with executed person beforehand | Family has no feelings or care for the executed person or their family |</p>
<table>
<thead>
<tr>
<th>Time between crime and execution was lengthy or too long according to the family</th>
<th>Executed person deserved to die</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family member feels closure/relief</td>
<td>Family wished for admission of guilt</td>
</tr>
<tr>
<td>Family believes the victim can now rest in peace</td>
<td>Family is now crushed or ruined</td>
</tr>
<tr>
<td>Family member forgives executed person</td>
<td>Execution is better for executed person than for the victim's family</td>
</tr>
<tr>
<td>Family can now celebrate life of the victim</td>
<td>Family unhappy with justice system/entities</td>
</tr>
</tbody>
</table>

### APPENDIX B

**Variable 1: Execution Represents Closure, Healing or Step Toward Either**

- Positive step in healing (no more appeals)
- Family member feels closure/relief
- Family believes the victim can now rest in peace
- Family can now celebrate life of the victim
- Execution is first/next step in healing
- Family will try to move on from everything surrounding the crime and emotionally
- Family believes the executed person may find salvation/peace

**Variable 2: Execution Does Not Represent Closure, Justice or Positive Feelings**

- Execution does not bring victim back
- Execution does not bring emotional closure
- Family can never feel emotional closure
- Family wished they could have spoken with executed person beforehand
- Family unhappy with justice system/entities
- Justice had not been served
- Family did not get to say goodbye to their loved one
- Family member did not get pleasure from viewing or experiencing the execution
- Family member cannot forgive
- Family is now crushed or ruined
Execution does not change what happened
Execution is better for executed person than for the victim’s family
Family has no feelings or care for the executed person or their family
Expressed opposition to the death penalty
Closure only comes from God or forgiveness

<table>
<thead>
<tr>
<th>Variable 3: The Execution Represents Justice</th>
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<tbody>
<tr>
<td>Family is happy with justice system/entities</td>
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<tr>
<td>Family perceived justice had been served with the execution</td>
</tr>
<tr>
<td>Expressed belief in the death penalty</td>
</tr>
<tr>
<td>Executed person deserved to die</td>
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<table>
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<tr>
<th>Variable 4: The Punishment Was Too Easy</th>
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<tr>
<td>Punishment was too lenient in general</td>
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<td>Punishment too lenient compared to victim suffering</td>
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<td>Family member would have inflicted more severe punishment</td>
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</table>

<table>
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<tr>
<th>Variable 5: Family Expressed Well Wishes, Condolences and Forgiveness</th>
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<tr>
<td>Family expressed condolences/Well wishes to executed person’s family</td>
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<tr>
<td>Family member forgives executed person</td>
</tr>
<tr>
<td>Family had already forgiven the executed person and put the crime behind them</td>
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<tr>
<th>Variable 6: Family Expressed Negativity About the Executed Person’s Demeanor</th>
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<tr>
<td>Family wished executed had apologized (Prior to Execution)</td>
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<tr>
<td>Executed not sincere in apology or showed no remorse</td>
</tr>
<tr>
<td>Family mentioned that the executed never admitted fault or wrongdoing at any point</td>
</tr>
<tr>
<td>Family wished for admission of guilt</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Variable 7: Family Expressed Positivity About the Executed Person’s Demeanor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executed was sincere/remorseful before death</td>
</tr>
<tr>
<td>Family glad executed apologized</td>
</tr>
<tr>
<td>Family felt bad for the executed person</td>
</tr>
</tbody>
</table>

**ENDNOTES**

1 Although our data do not allow us to conclusively know whether there are any substantive differences between the executions for which media
coverage is provided and identified for this study and those executions that are not included here, there are no indications that the included executions differ in any substantive way from those not included. The only difference appears to be that there are identifiable newspaper accounts of the executions.

2 We acknowledge that not all family members, nor all witnesses to the execution, are represented here. A more comprehensive approach would draw on interview data with survivors/witnesses conducted immediately following the execution. However, our retrospective method of studying past executions does not allow for such data collection. Future studies assessing all surviving family members via interviews would be desirable for answering the question of how such persons experience such executions.

REFERENCES


**AUTHOR BIOGRAPHIES**

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**Richard Tewksbury** is Professor of Justice Administration at the University of Louisville. He holds a Ph.D. in Sociology from The Ohio State University. His work focuses on issues of criminal victimization risks, sex and gender identity constructions and experiential aspects of living, working and being affected by the criminal justice system.
A Formative Approach in Applying a Meta-Ethnography across the Qualitative Professional Criminal Literature

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Abstract
This paper aims to introduce and teach readers step-by-step how to conduct a meta-ethnography within the field of criminology. In order to accomplish this, we purposefully selected a very narrow area of study, professional criminals as presented in well-known classic criminological monographs and then further restricted it to a rational choice perspective, a theoretical rubric easily addressed via the meta-ethnography. These limiting decisions were done so that readers would not get lost in the substance of the meta-ethnography. A search of qualitative research monographs and related online bibliographic databases identified a total of 32 research monographs, 6 of which met the inclusion criteria for the critical appraisal process. Following the methodological approach offered by Noblit and Hare’s (1988) traditional meta-ethnography analytical framework, 24 of the most prevalent rational choice concepts were identified and collapsed into a Line of Argument Synthesis of 11 metaphors highlighting the intrinsic and nuanced connections among taken-for-granted rational

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choice concepts (e.g., rationality, perceptions of risks/costs/benefits, etc.), criminal decision-making processes, and related lifestyle. The implications of meta-ethnography as a methodological tool for theoretical assessment in criminology and criminal justice are discussed.

INTRODUCTION

Within criminology, meta-analyses of quantitative studies are a robust analytic technique in assessment and evaluation of theory. Meta-analysis involves the coding and classification of study characteristics and findings relating to an identified topic, followed by a rigorous quantitative analysis that can, in turn, provide a more reliable understanding of the body of work. However, broader adoption by the discipline has been slower than that observed in other social science disciplines, according to Wells (2009), who contested that the use of meta-analysis has been delayed in the discipline because it is a "composite-derived field of study" (p. 288). Ideas and methodologies have been adapted from several other disciplines (e.g., economics, sociology, psychology, biology) and have taken longer to evolve. Furthermore, despite its rich history of ethnography, meta-syntheses of qualitative research have remained completely absent from criminology.

Qualitative research synthesis (QRS) is an iterative process that involves the identification, comparison, reduction, interpretation, and synthesis of a large body of qualitative works. QRS may be used to systematically categorize and synthesize existing qualitative studies, identify gaps in specific bodies of research, and provide different perspectives than those offered by quantitative approaches. In addition, QRS adds depth to individual qualitative studies and may aid in theory development (Major & Savin-Baden, 2010).

Meta-ethnography, a form of QRS analogous to the meta-analysis of quantitative studies, is an effective technique for the integration of key findings and concepts found within qualitative studies examining similar phenomena (Bondas & Hall, 2007; Hodson, 2004; Maher & Hudson, 2007; Major & Savin-Baden, 2010; Noblit & Hare, 1988; Sandelowski & Barroso, 2007; Sandelowski, Docherty, & Emden, 1997; Zimmer, 2004). The objective of meta-ethnography is to provide a greater wealth of knowledge and a more extensive understanding of both the theory and the related phenomenon being studied through the systematic identification, comparison, and integration of relevant albeit critical themes and concepts across targeted studies, leading to theoretical reappraisal, elaboration, and new insight into the phenomenon (Bondas & Hall, 2007; Campbell et al., 2003; Doyle, 2003; Noblit & Hare, 1988). Unlike meta-analyses of quantitative data, which attempt to reduce data findings to a unit of commonality and are aggregative in nature, meta-ethnography aims to enhance theory through the interpretive synthesis of
data and a reconceptualization of critical theoretical constructs (Campbell et al., 2003; Noblit & Hare, 1988; Sandelowski et al., 1997). While this form of QRS has been gaining popularity among qualitative researchers in health care and the social sciences over the last decade, it has remained conspicuously absent from the fields of criminology and criminal justice.

The primary objective of our study was to demonstrate the application of a meta-ethnography process and thereby provide readers with a step-by-step approach explicating its utility as a qualitative research method analogous to meta-analyses. Therefore, we purposefully selected a very narrow area of study (professional criminals) and a theoretical rubric familiar to most in the discipline (the rational choice perspective) so that readers can more easily focus on the methodology of a meta-ethnography and not be diverted by substantive and/or theoretical elements of the study.

**QUALITATIVE RESEARCH SYNTHESIS**

Throughout the past decade, researchers from several disciplines have become increasingly interested in QRS as they recognized the need for a methodological tool to better evaluate qualitative research findings (Sandelowski & Barroso, 2007). Advocates of qualitative research who were determined to find a “qualitative counterpart to quantitative-meta analysis” (Sandelowski & Barroso, 2007, p. 3) have encouraged the critical appraisal and synthesis of qualitative research with the goal of developing “a full understanding of a phenomenon, rather than generate predictive theories” (Suri & Clarke, 2009, p. 402; Also see Jensen & Allen, 1994, 1996; Sandelowski & Barroso, 2002a, 2002b; Sandelowski, Docherty, & Emden, 1997; Walsh & Downe, 2005; Whittemore, 2005). Methodological advances in QRS (e.g., Doyle, 2003; Noblit & Hare, 1988) and the critical appraisal of qualitative studies in general (e.g., Sandelowski & Barroso, 2002b) have fostered the recent development of QRS studies in health care, education, and the social sciences (e.g., Campbell et al., 2003; Hodson, 2004; McCormick, Rodney, & Varcoe, 2007; Also see Major & Savin-Baden, 2010).

Qualitative research synthesis is characterized by the systematic and comprehensive identification and examination of qualitative studies with an interpretive emphasis on the findings; it uses a constant comparative method (i.e., interaction between the data, a selected set of qualitative studies, and guiding theoretical framework that are constantly being examined throughout the research process) to provide deeper insights into the phenomenon as a whole through the recognition and refinement of shared theoretical concepts (Campbell et al., 2003; Doyle, 2003; Glaser & Strauss, 1967). In this way, QRS is distinct from meta-analysis (i.e., focus on the aggregation of study findings) and moves beyond narrative-based literature reviews (i.e., focus on providing descriptions and summarizations of general findings of qualitative research studies and attempting to link them in a linear manner) in that
QRS focuses on synthesizing (i.e., integrating) the substance of qualitative data and bringing to light conceptual themes which, as a whole, are “greater than the sum of parts” (Campbell et al, 2003, p. 672; Also see Doyle, 2003; Hodson, 2004; Major & Savin-Baden, 2010; McCormick et al., 2007; Noblit & Hare, 1988; Suri & Clarke, 2009).

While qualitative research synthesists have differed in their naming and employment of QRS methods, (See Bondas & Hall, 2007; Major & Savin-Baden, 2010; Sandelowski & Barroso, 2007; Sandelowski et al., 1997; Zimmer, 2004), the goal of identification, comparison, reduction, interpretation, and synthesis of a large body of qualitative work remains common across these techniques. Meta-ethnography is one form of QRS with the goal of providing a greater wealth of knowledge and a more extensive understanding of both the theory and the phenomenon being studied through the recognition and integration of patterns and concepts found in the data. Meta-ethnography is used to synthesize ethnographic accounts by forming analogies between the studies and presenting individual findings in a new interpretive and holistic context. We have applied the meta-ethnography process to qualitative studies of professional criminals within a rational choice framework to provide the reader with a step-by-step demonstration of its utility.

METHODOLOGY

Analytical Strategy

Although we consulted several past studies employing a meta-ethnography approach that offered templates for reading, appraising, and synthesizing qualitative studies as well as recommendations for enhancing the meta-ethnography process (e.g., Campbell et al., 2003; Doyle, 2003; Hodson, 2004; McCormick et al., 2003; Sandelowski & Barroso, 2002b), we used Noblit and Hare’s (1988) original model of the meta-ethnography process to guide our analytic strategy. Our decision to use this model was based on: 1) its ability to serve as a guiding framework for demonstrating to the reader how to conduct a meta-ethnography while including enhancements to the process offered by other qualitative researchers; 2) its familiarity in the literature; and 3) because it was the most appropriate method for the synthesis of interpretive accounts found in the form of research monographs that comprised our sample. Therefore, our analytical strategy was grounded in Noblit and Hare’s (1988) seven phase approach:

Phase 1:  Getting started—identifying an intellectual interest that may be informed by qualitative research and is worthy of a synthesis effort;

Phase 2:  Deciding what is relevant to the initial interest—purposefully selecting studies appropriate for the synthesis effort and excluding studies not bound by the case requirements specified at the start of the synthesis process;
Phase 3: Reading the studies—the repeated and dynamic process of carefully scrutinizing the texts throughout the synthesis process;

Phase 4: Determining how the studies are related—identifying key concepts to be coded and recognizing similarities, differences, patterns, and themes across the sample of texts;

Phase 5: Translating the studies into one another—creating a list of common metaphors (i.e., holistic interpretations of concepts) that can be used to represent concepts across the entire sample;

Phase 6: Synthesizing translations—synthesizing metaphors in a way that provides a broader view of the phenomenon while preserving the original contexts and meanings of the initial concepts;

Phase 7: Expressing the synthesis—effectively and appropriately communicating the synthesis to the audience in a meaningful way (See Noblit & Hare, 1988, pp. 26-29).

PHASE 1: GETTING STARTED

The beginning of any meta-ethnography involves the identification of an intellectual interest that may be informed by qualitative research (i.e., a comparison of a given set of studies) and is worthy of a synthesis effort (i.e., the integration of study findings). The synthesist must identify the specific purpose of the meta-ethnography, keeping in mind that the general purpose of a meta-ethnography is "synthesizing understanding from ethnographic accounts" (i.e., using induction and interpretation to produce new knowledge that is both integrative and interpretative), while considering the intended audience (Noblit & Hare, 1988, p. 10). The synthesis of qualitative studies requires interpretive explanation whereby the meaning of social phenomena (i.e., the potential connections and interactions of these phenomena in different situations) may be understood by a larger audience and through multiple perspectives (Noblit & Hare, 1988). The research interest may relate to a broad or narrow phenomenon and the continual reading of relevant studies (i.e., interpretive accounts) may continue to influence how the synthesist approaches and shapes the initial interest throughout the synthesis effort (Noblit & Hare, 1988; Paterson et al., 2001).

The selection of a guiding theoretical framework for the synthesis effort: 1) assists the synthesist in defining relevant ideas and concepts; 2) guides the sampling process; 3) establishes a foundation for interpreting the findings; and 4) assists in defining the phenomenon under study (Paterson et al., 2001). The synthesist should derive conceptual and operational definitions of concepts from both the data and the guiding theoretical framework (Strauss & Corbin, 1994). Engaging in a research process that allows for the constant interaction between data and theory aids the synthesist in determining how well the concepts used in the synthesis “fit” (i.e., the concepts’
applicability to and representativeness of the data) and "work" (i.e., the relevance and explanatory power of the concepts) by approaching and developing concepts in the context of interactions between concepts as they are described in the monographs, as well as how concepts are originally defined in the guiding theoretical framework (Glaser & Strauss, 1967, p. 3; Also see Strauss & Corbin, 1994).

The primary objective of our study was to demonstrate the application of a meta-ethnography process by providing readers with a step-by-step approach in its use as a qualitative research method in assessing key criminological constructs in the related ethnographic research literature. We purposefully selected a very narrow area of study, professional criminals as presented in well-known classic criminological monographs; we further restricted our study to a rational choice perspective (RCP), a theoretical rubric familiar to most and easily addressed via the meta-ethnography.

PHASE 2: DECIDING WHAT IS RELEVANT TO THE INITIAL INTEREST

Once the initial interest is determined, the synthesist must purposefully select studies appropriate for the synthesis effort and exclude studies not bound by the case requirements specified at the start of the synthesis process. Deciding what studies should be included in the study (i.e., boundary conditions for case requirements) is based on the interests of the audience and the synthesist, as well as the availability, comparability, and credibility of the relevant studies (Noblit & Hare, 1988). The sampling strategy is purposive and not exhaustive, because the goal of a meta-ethnography is an "interpretive explanation and not prediction" (Doyle, 2003, p. 326; Also see Campbell et al, 2003; Noblit & Hare, 1988). The goal of a meta-ethnography is not to predict future behavior or provide "a means to a greater 'truth," but rather to take into account multiple perspectives, consider new ways to approach and reflect upon the data, and provide a holistic interpretation of the phenomenon being studied (McCormick et al., 2008, p. 936; Also see Noblit & Hare, 1988).

Since ethnographic research is likely to be in monograph or book form, searches for appropriate studies may require computer assisted searches of online libraries and a review of references at the end of relevant studies, as well as assistance from researchers familiar with the general area of study. A Critical Appraisal Process (CAP) should be employed to assess the qualitative integrity of the monographs selected for the sample; several checklists exist for the purpose of evaluating qualitative research studies, such as use of a Critical Appraisal Skills Programme (Campbell et al., 2003; Sandelowski & Barroso, 2002b). The CAP is employed across the initial sample for purposes of assessing each monograph's conceptual and methodological framework, sampling strategy, analytical plan, reliability (i.e., consistency),
construct validity (i.e., transferability) and theoretical/conceptual relevan-
cy (Campbell et al., 2003; Doyle, 2003; Kirk & Miller, 1986; Lincoln & Guba,
1985, Sandelowski & Barroso, 2002b; Treloar, Champness, Simpson, & Hig-
ginbotham, 2000). The goal of the CAP is to screen out cases that are either
inappropriate for inclusion or are of poor quality (Campbell et al., 2003;
Sandelowski & Barroso, 2002b). Across published QRS studies, sample sizes
vary according to breadth of topic, research questions, objectives, and method-
odological/analytical approaches. For QRS studies of a singular concept and
specified context, sample sizes ranging from 2 to 10 are “optimal to provide
sufficient yet manageable data” (Major & Savin-Baden, 2010, p. 54; Also see
Doyle, 2003; Finfgeld, 1999, 2000; McCormick et al. 2003; Protheroe, Rogers,
Kennedy, Macdonald, & Lee, 2008; Russell, Bunting, & Gregory, 1997; Sand-
elowski et al., 1997).

We employed computer assisted searches (e.g., ISI Web of Knowledge/
Web of Science, Google Scholar, etc.) and then formally reviewed noted bib-
liographies of these indexed studies for identification of additional qualita-
tive research monographs not previously identified by search engines. These
search procedures revealed 32 monographs containing the criminal experi-
ences and life histories of professional criminals. The qualitative methods
employed within the 32 monographs considered for inclusion within the
sample varied from informal yet guided conversations, direct observations,
and in-depth structured interviews resulting in case studies and life-histo-
ries with varied sample sizes.

The boundary conditions for case requirements (i.e., inclusion/exclu-
sion criteria) (Campbell et al., 2003; Doyle, 2003) for our research consisted
of the following: (1) Monographs were researched that consisted of nar-
ratives focusing on the lives of professional criminals, (2) Corresponding
methodological, analytical strategies, and findings were grounded in basic
qualitative research principles, (3) The featured theoretical construct was
a rational choice perspective, and (4) Monographs were authored by either
a researcher or co-authored with a participant (i.e., a professional criminal).
The CAP process of our study revealed that several monographs (a) were
not qualitative or ethnographic accounts but rather journalist renderings of
professional criminals, (b) lacked evidence of an easily discernible research
methodology, (c) were not “pure” qualitative research accounts but rather
joined as an adjunct in a mixed methods study of professional criminals,
and/or (d) its study population were either not of professional criminals as
conceptualized by those who have previously studied this offender group
(e.g., viewing crime as a career, exhibiting higher levels of organization, risk
management and rationality rather than what may be seen in the criminal
activity of street offenders, thereby offering them greater levels of status
and success (see Adler, 1993; Chambliss, 2004; Klockars, 1974; Steffensmeier,
1986; Steffensmeier & Ulmer, 2005; Sutherland, 1937) or included multiple
subgroups of offenders. These coding processes become overcomplicated
when trying to collect “detailed information for a specific identifiable group” (Hodson, 2004, p. 13). The topical similarity and methodological comparability of the monographs chosen for the final sample of a meta-ethnography are important determinations to make at the beginning of a complex synthesis process; the monographs initially selected that did not meet the inclusion criteria for our CAP were excluded from our final sample so they would not jeopardize the quality of the final synthesis (Bondas & Hall, 2007; Campbell et al., 2003; Hodson, 2004; Maher & Hudson, 2007; Noblit & Hare, 1988; Sandelowski, Docherty & Emden, 1997; Zimmer, 2004). The CAP process led to the final sample size of six qualitative research monographs whose characteristics are summarized in Table 1.

**PHASE 3: READING THE STUDIES**

Once the final sample has been determined, the synthesist engages in the repeated and dynamic process of carefully scrutinizing the texts. While reading the studies, the synthesist is focusing on the substantive details of the accounts and identifying metaphors throughout the synthesis process, according to Noblit and Hare (1988), who used the term *metaphor* to refer to “themes, perspectives, organizers, and/or concepts revealed by qualitative studies” (p. 14). Within a meta-ethnography, metaphors are translations of analogies that are complex, abstract, and preserve the relations between concepts (Noblit & Hare, 1988). The creation and interpretation of metaphors in the synthesis process is influenced by the phenomenon under study, the guiding theoretical framework, and the perspective of the synthesist. The purpose of identifying Phase 3 as a distinct phase is to remind the synthesist that the synthesis is a dynamic process that develops throughout the entire meta-ethnography process (Noblit & Hare, 1988).

**PHASE 4: DETERMINING HOW THE STUDIES ARE RELATED**

In order to conduct a synthesis, the synthesist must identify the relationships between the monographs in a way that allows the interpretive accounts to be “put together” (Noblit & Hare, 1988, p. 28). An heuristic approach is adopted (see Kleining & Witt, 2000; Moustakas, 1990; Seidel, 1998) whereby the synthesist creates a list of theoretically relevant concepts based on recurrent themes and concepts derived from the broader literature and identified within the final sample. Each monograph within the final sample is carefully reviewed allowing for the number of concepts deemed important for inclusion to expand and contract as commonalities between the concepts found in each monograph emerge. A documentation strategy is implemented in which etic codes (i.e., developed from the related literature and related concepts) are created for each concept to aid in the synthesis process (see Table 2). The documentation strategy’s heuristic process allows for the constant revision of conceptual and operational definitions as long as they are grounded in
<table>
<thead>
<tr>
<th>Author</th>
<th>Study Location</th>
<th>Methods</th>
<th>Professional Criminal Subgroup</th>
<th>Number of Participants</th>
<th>Age</th>
<th>Race/Ethnic Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sutherland (1937)</td>
<td>Not documented</td>
<td>Written descriptions by participant on topics prepared by the author and in depth discussions</td>
<td>Thief</td>
<td>Chic Conwell (male)</td>
<td>50</td>
<td>Not documented</td>
</tr>
<tr>
<td>Klockars (1974)</td>
<td>Not documented</td>
<td>Case study In-depth interviews Observation</td>
<td>Fence</td>
<td>Vincent Norfior Swaggi (male)</td>
<td>Approx. 60</td>
<td>Not documented</td>
</tr>
<tr>
<td>Steffensmeier (1986)</td>
<td>Midstate penitentiary &amp; Sam’s home post-release (unnamed cities)</td>
<td>Case study In-depth interviews Observation</td>
<td>Fence</td>
<td>Sam Goodman (male)</td>
<td>60</td>
<td>White</td>
</tr>
<tr>
<td>Adler (1993)</td>
<td>Southwest County, California</td>
<td>Unstructured, open-ended taped interviews and follow-up interviews with key informants and participant observation</td>
<td>Drug dealer</td>
<td>Observation of 65 dealers/ smugglers Taped interviews with 24 Smugglers: Male Drug Dealers: 10% Female</td>
<td>25-40</td>
<td>Predominantly White</td>
</tr>
<tr>
<td>Chambliss (2004)</td>
<td>Seattle, Washington</td>
<td>Interviews, direct observations, transcribed tapes</td>
<td>Thief</td>
<td>Harry King (male)</td>
<td>Approx. 60</td>
<td>White</td>
</tr>
<tr>
<td>Steffensmeier &amp; Ulmer (2005)</td>
<td>Sam’s home; Hospital (unnamed city)</td>
<td>Case study In-depth interviews Observation</td>
<td>Thief</td>
<td>Sam Goodman (male)</td>
<td>Approx. 60</td>
<td>White</td>
</tr>
</tbody>
</table>
the data, guided by theory, and aim to illuminate relationships, patterns, and themes within the sample (Strauss & Corbin, 1994). For example, the concept of “Enjoyment” in our study was joined with the concept of “Excitement,” because the data suggests that these emotions were tied closely together and viewed as some of the non-monetary benefits experienced by the offenders. In addition, the concept of “Specialization” was subsumed within the “Career Opportunities/Transitions/Trajectories” concept because references to offender specialization were made in the context of an offender’s career path. The review process demonstrated that the concept of specialization was not common or salient enough to contribute to the synthesis or offer conceptual clarity within the RCP framework on its own. Several other concepts were derived from the broader literature (e.g., “Shame/Embarrassment,” “Anxiety,” “Fear,” “Morals/Values,” “Guilt,” and “Necessity”) or the monographs (e.g., “Situational Opportunity,” “Opportunity from Tips,” “Anger,” and “Property”). These items were also subsumed within other concepts or removed from the final list of concepts for this reason. Throughout the review process, the synthesist also identifies “key descriptors” and records specific words or lines of text to maintain the “salient language” of the books in the sample (See Table 3 for examples) (Doyle, 2003, p. 333). The synthesist chooses key descriptors that will preserve the original meanings and contexts of the monographs while also facilitating the creation of metaphors; the synthesist uses his/her own personal judgment to choose key descriptors based on an examination of the monographs and familiarity with the texts.

Once the documentation process is complete (i.e., the list of concepts, operationalizations, etic codes, and key descriptors has been created and finalized), the synthesist manually counts the etic codes for each monograph to determine the overall prevalence of the identified concepts. While counting the etic codes does not provide insight into the substantive meaning of the concepts (e.g., a high prevalence of etic codes representing “perceived probability of costs” or “perceived risks” in our study did not necessarily indicate that offenders viewed certain criminal activities as being particularly risky), this process facilitates the subsequent analytic processes of the synthesis by encouraging the synthesist to identify similarities/differences and common patterns/themes across the monographs. The importance of the individual concepts is determined through the careful observation of the data (e.g., the language used, the meaning of concepts in the context of other concepts and across each of the monographs). By the end of this phase, the synthesist is able to make an initial assumption about how the monographs are related (Noblit & Hare, 1988).

The identification of theoretical concepts within the monographs of our sample and the corresponding coding process were based on contemporary models of the rational choice perspective (RCP) because they offered a more conceptually complete theoretical framework for explaining individual choice compared to the early economic models that disregarded social,
psychological, and situational factors (Clarke & Cornish, 1985; Clarke & Cornish, 1986; McCarthy, 2002). This more holistic RCP approach brings notions of human rationality vis-à-vis the process of choice to the foreground in an attempt to examine the link between respective RCP theoretical concepts and criminal decision-making processes (e.g., target/victim selection and risk management) while recognizing an offender’s limited (i.e., bounded) rationality and making the distinction between criminal involvement and criminal events (Clarke & Cornish, 1985; Cornish & Clarke, 1986; Clarke & Felson, 1993; Grasmick & Bursik, 1990). The concepts that were identified as relevant to the decision-making processes of the professional criminals that were included in our sample were derived from the broader RCP literature and were frequently referenced or identified as important by the authors of the monographs or the professional criminals themselves (e.g., Carmichael & Piquero, 2004; Carroll & Weaver, 1986; Cherbonneau & Copes, 2006; Clarke & Cornish, 1985; Clarke & Felson, 1993; Cornish & Clarke, 1986; Grasmick & Bursik, 1990; Hochstetler, 2002; Hochstetler & Copes, 2003; Jacobs & Wright, 1999; Paternoster & Simpson, 1996; Tibbetts, 1997; Zimmerman, 2008).

Since one of the objectives of a meta-ethnography is to offer conceptual clarity within the guiding theoretical framework, we also included the traditional concepts of expected utility (i.e., perception of the probability, intensity, and salience of costs and benefits) to assess the utility of the operational enhancements made by contemporary RCP models and to clarify concepts that have often been taken for granted within the RCP framework. The final list of key concepts, etic codes, and operationalizations are provided with examples in Table 2. Examples of key descriptors used in our study are provided in Table 3.

We then identified the RCP concepts that had the greatest prevalence among the sample of monographs included in the final sample by counting the number of times their respective codes were recorded. The most prevalent RCP concepts across the monographs in the sample were: (1) “rational techniques,” (2) “perceived risk,” (3) “crime as a way of life,” (4) “criminal subculture,” (5) “crime as business,” (6) “career opportunities/trajectories/ transitions,” (7) “money,” (8) “offender status,” (9) “opportunity,” (10) “connections with the law,” (11) “incarceration,” (12) “cost management,” and (13) “excitement/enjoyment.”

The traditional expected utility concepts were also highly prevalent in each of the monographs included in the sample, with the highest prevalence of references to the perceived probability of costs, the perceived intensity of costs, and the perceived intensity of benefits, with the lowest prevalence of references to the perceived probability of benefits. The counts of the etic codes are displayed in Table 4.

The identification of RCP concepts and their respective prevalence in the data provided the opportunity to recognize similarities and differences be-
Table 2. Theoretical Concepts, Etic Codes, Operationalizations, and Examples

<table>
<thead>
<tr>
<th>Concepts and Etic Codes</th>
<th>Operationalizations</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perceived Probability of Benefit (PPB)</td>
<td>Perception of the likelihood of obtaining benefits from criminal offending.</td>
<td>“He claims to have easily cleared $300-a-week profit and to have saved $10,000 during that year.” (Klockars, 1974, p. 47)</td>
</tr>
<tr>
<td>Perceived Intensity of Benefit (PIB)</td>
<td>Perception of the level of gains obtained from criminal offending (e.g., amount of money attained).</td>
<td>“The giant profits that could be accumulated after even a short period of smuggling or heavy dealing could run into hundreds of thousands of dollars a year, which seemed like an endless supply to most participants.” (Adler, 1993, p. 86)</td>
</tr>
<tr>
<td>Perceived Salience of Benefit (PSB)</td>
<td>Perception of the importance of obtaining benefits in criminal offending.</td>
<td>“Sometimes they became so overcome by their material wealth that they just gloriied in it.” (Adler, 1993, p. 86)</td>
</tr>
<tr>
<td>Perceived Probability of Cost (PPC)</td>
<td>Perception of the likelihood of incurring certain costs of a criminal act (i.e., risk of getting caught).</td>
<td>“Vincent correctly considers his conviction exceedingly unlikely and his serving a maximum sentence impossible” (Klockars, 1974, p. 138)</td>
</tr>
<tr>
<td>Perceived Intensity of Cost (PIC)</td>
<td>Perception of the level or severity of costs that may be incurred as a result of criminal activity (e.g., length of incarcerations).</td>
<td>“We were looking at a 10 to 20 there. It ended up, Dwayne and Jesse each got six months to a year, and I got one and a half to three on account of my record. With good time and that, I actually done about fifteen months.” (Steffensmeier, 1986, p. 55)</td>
</tr>
<tr>
<td>Perceived Salience of Cost (PSC)</td>
<td>Perception of the importance of incurring costs in criminal offending.</td>
<td>“I sat down and thought about it a lot of times. Prison takes something out of you. I can't explain it. You come out a different person. I don’t' know if it makes you bitter, hard, or whatever. You learn to trust only yourself in life.” (Steffensmeier &amp; Ulmer, 2005, p. 328)</td>
</tr>
<tr>
<td>Perceived Risk (PR)</td>
<td>General or specific feelings about the riskiness of a criminal act/offending style.</td>
<td>“When you steal, you're working against terrific odds. One little slip will make a great deal of difference.” (Chambliss, 2004, p. 31)</td>
</tr>
<tr>
<td>Concepts and Etic Codes</td>
<td>Operationalizations</td>
<td>Examples</td>
</tr>
<tr>
<td>-------------------------</td>
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</tr>
<tr>
<td>Incarceration (Inc)</td>
<td>Specific references to serving time in jail/prison.</td>
<td>“Ya see, in those days it was better in jail than today. The guys in there knew what they were doing. They were wise to it.” (Klockars, 1974, p. 65)</td>
</tr>
<tr>
<td>Money (M)</td>
<td>Monetary gains (may also include the symbolic importance of these gains with respect to feelings of status or success).</td>
<td>“When asked why he did what he did, he always quickly answered something like, “What do you mean, why did I do it? Because it was good money!”” (Steffensmeier &amp; Ulmer, 2005, p. 348)</td>
</tr>
<tr>
<td>Excitement/Enjoyment (E)</td>
<td>Experiences of positive emotional rushes in the process of committing a crime.</td>
<td>“In some ways I enjoyed it because there was an excitement in it, a certain kick I was getting out of it.” (Steffensmeier &amp; Ulmer, 2005, p. 50)</td>
</tr>
<tr>
<td>Offender Status (OS)</td>
<td>Feelings of high standing in the criminal hierarchy, levels of respect gained from peers, and feelings of pride.</td>
<td>“The professional thief, like any other professional man, has status. The status is based upon his technical skills, financial standing, connections, power, dress, manners, and wide knowledge acquired in his migratory life. His status is seen in the attitudes of other criminals, the police, the court officials, newspapers, and others.” (Sutherland, 1937, p. 200)</td>
</tr>
<tr>
<td>Opportunity (O)</td>
<td>Chances to engage in criminal activity which are recognized by a professional criminal as attractive. Opportunities may require careful planning techniques and strategies (e.g., staking out a residence or following a potential victim), arise from specific situations (e.g., seeing an unlocked door or open window), or arise from information given to professional criminals from a variety of sources (e.g., other offenders, court officials).</td>
<td>“To become a successful fence, however, one cannot rely on chance opportunities alone. It is as true of illegal life chances as it is of legal ones, that people not only discover or act upon opportunities, they also make them.” (Steffensmeier, 1986, p. 196)</td>
</tr>
<tr>
<td>Concepts and Etic Codes</td>
<td>Operationalizations</td>
<td>Examples</td>
</tr>
<tr>
<td>------------------------</td>
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<td>----------</td>
</tr>
<tr>
<td>Rational Techniques (RT)</td>
<td>Specific criminal methods used by professional criminals that demonstrate their careful planning and rational decision-making processes.</td>
<td>“Second, every act is carefully planned. The selection of spots, securing of the property, making a get-away, disposing of the stolen property, and fixing cases in which he may be pinched (arrested) are all carefully planned.” (Sutherland, 1937, p. 3)</td>
</tr>
<tr>
<td>Target Selection (TS)</td>
<td>Selection of a potential victim/establishment which offers the greatest likelihood of success or reward with the least amount of risk (e.g., armed robbers searching for a victim perceived to offer little resistance, burglars searching for a house with no alarms).</td>
<td>“Next thing, we’d scout some of the places. Check out the vicinity. Maybe have lunch in that town, get a feel for the place. Many hours we spent just driving around spotting and looking for places and then scouting and planning how we would clip the spot.” (Steffensmeier &amp; Ulmer, 2005, p. 75)</td>
</tr>
<tr>
<td>Connections with Law (LC)</td>
<td>Use of public officials (e.g., cops, lawyers, judges) to minimize potential risk or costs of a criminal activity.</td>
<td>“Access to a &quot;good&quot; criminal lawyer is a must but the list of helpful contacts also may include a reliable bondsman or loan shark, as well as a corrupt police officer, prosecutor, or judge.” (Steffensmeier &amp; Ulmer, 2005, p. 66)</td>
</tr>
<tr>
<td>Cost Management (CM)</td>
<td>Methods used to manage costs already incurred to limit their negative effect (e.g., behaving well in prison, controlling snitches/associates).</td>
<td>“It is generally possible to get privileges, like jobs and special food, that help to make prison life tolerable. This can be arranged through friendship, politics, and occasionally for money.” (Sutherland, 1937, p. 135)</td>
</tr>
<tr>
<td>Morals/Values/Rationalizations (M/V/R)</td>
<td>Recognition or awareness of one’s own feelings about the criminal activity they are involved in and related justifications of one’s criminal acts/lifestyle (e.g., blaming the victim, denying that one’s actions are harmful).</td>
<td>“The prospective dealer who is unable to rationalize his guilt and is unable to reconcile his wish for a positive self-image with his actual career in crime, will be inclined to relinquish the fencing behavior, to retreat to conventional society and conform.” (Steffensmeier, 1986, p. 236)</td>
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<tr>
<td>Concepts and Etic Codes</td>
<td>Operationalizations</td>
<td>Examples</td>
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<tr>
<td>Situational Factors (SF)</td>
<td>Specific situations or conditions that may arise during a criminal activity and how they may affect a professional criminal’s decision-making process (e.g., victim resistance, police presence).</td>
<td>“The ability to keep cool, remain in control, and exercise fast-action judgments in situations that are unpredictable and suspenseful are highly valued work skills.” (Steffensmeier &amp; Ulmer, 2005, p. 129)</td>
</tr>
<tr>
<td>Criminal Codes/Rules of Ethics (CC/RE)</td>
<td>Common understandings between professional criminals which guide one’s criminal endeavors (e.g., not snitching on other offenders, splitting a cut from a score fairly, not speaking about criminal endeavors with friends/family outside of one’s criminal peer group).</td>
<td>“Is less of a code today. Used to be a helluva code. Even in prison the code is a lot less. Is less honor among thieves. The snitching is a lot worse today. Why? The quality of thief is less today, are more assholes, and the dope adds to it. But the main reason is, the cops rely on the snitching today.” (Steffensmeier &amp; Ulmer, 2005, p. 256)</td>
</tr>
<tr>
<td>Desistance (D)</td>
<td>Instances when professional criminals stop engaging in criminal activity and may be due to: aging out, lack of opportunities, or a greater awareness of risks.</td>
<td>“I really don’t know why I went straight. I just decided that after I got out. It wasn’t fear of the law; it isn’t fear of the penitentiary, ’cause I’ve sat down and thought it out very seriously, but I had just had enough of it, that’s all. The last time I was in the penitentiary I guess I was making a change then and didn't realize it.” (Chambliss, 2004, p. 135)</td>
</tr>
<tr>
<td>Criminal Subculture (CSC)</td>
<td>References to elements specific to the criminal underworld (e.g., criminal hierarchy, language).</td>
<td>“…professional thieves have many things in common. They have acquaintances, congeniality, sympathy, understandings, agreements, rules, codes of behavior, and language in common.” (Sutherland, 1937, p. 4)</td>
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<tr>
<td>Concepts and Etic Codes</td>
<td>Operationalizations</td>
<td>Examples</td>
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<tr>
<td>Crime as Business (CB)</td>
<td>References to the business aspects of professional crime (e.g. location, ready money, reputation).</td>
<td>“Professional stealing as a business is much like any other business...Business possibilities, conditions, and returns are the foremost subject of conversation, and just as the salesman learns of fertile territory, new methods, new law, which affect the business, so does the thief.” (Sutherland, 1937, p. 140)</td>
</tr>
<tr>
<td>Crime as Way of Life (CWL)</td>
<td>An offender who persists in criminal activity for an extended period of time and views crime as a lifestyle while making one's living primarily from the illegal activities in which one is engaged.</td>
<td>“I'm talking about what happened among professional criminals now—the guys that devote their whole life to crime, that's not just ordinary or normal criminals. We never let anybody become involved in our conversations that wasn't a professional criminal.” (Chambliss, 2004, p. 12)</td>
</tr>
<tr>
<td>Career Opportunities/ Trajectories/ Transitions/ Specialization) (CO/T/T/S)</td>
<td>Existence and recognition of opportunities over the course of the criminal career that may heavily influence an offender's transition to different forms of criminal offending or specialization in one form of criminal activity.</td>
<td>“In other words, Sam experience competing pushes and pulls toward and away from theft, fencing, and coaching or tipping off thieves. The scale and frequency of Sam's criminal activity would wax and wane as Sam would dabble or “moonlight” in fencing on the side, and then would start getting “sucked into” the game more. (Steffensmeier &amp; Ulmer, 2005, p. 171)</td>
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<td></td>
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<tr>
<td>Sutherland</td>
<td>“frequently arrested, occasionally convicted, rarely compelled to do a bit”</td>
<td>“business opportunities”</td>
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<tr>
<td>(1937)</td>
<td>“long sentence can be a shock”</td>
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<td></td>
<td>“isolation”</td>
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<td>“counterfeit existence”</td>
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<td>“social outcast/renegade”</td>
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<td>Klockars</td>
<td>“rarity of costs incurred from law”</td>
<td>“contacts”</td>
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<tr>
<td>(1974)</td>
<td>“jail as vacation”</td>
<td>“willing and able”</td>
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<td>“estrangement from legitimate society”</td>
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<td>“regular suspect”</td>
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<tr>
<td>Steffensmeier</td>
<td>“wears on a person”</td>
<td>“larceny sense”</td>
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<tr>
<td>(1986)</td>
<td>“major losses”</td>
<td>“risk management affects perception of opportunity”</td>
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<td></td>
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<td>“willing and able”</td>
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Table 3. Examples of Key Descriptors
Table 3 (Continued). Examples of Key Descriptors

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<td>“feelings of failure”</td>
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<td>“prestige hierarchy”</td>
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<td>“peer social organization”</td>
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<td>Chambliss</td>
<td>“sometimes too hot”</td>
<td>“insatiable curiosity”</td>
<td>“fixing hundreds of arrests”</td>
<td>“people beg for it”</td>
<td>“language”</td>
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<td>(2004)</td>
<td>“brutality”</td>
<td>“marks everywhere”</td>
<td>“corruption everywhere”</td>
<td>“not ashamed”</td>
<td>“changes in underworld”</td>
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<td>“thrown to lions”</td>
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<td>“bear in hibernation”</td>
<td>“situational” “tips”</td>
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Table 4. Counts of Etic Codes

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Table 4 (Continued). Counts of Etic Codes

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<td>Criminal Subculture (CSC)</td>
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tween the monographs in the sample, as well as identifying overall patterns and themes across the sample as a whole. The most overwhelming similarity between the offenders in our sample with respect to their motivation to offend was their desire to make money. While respect and thrill were also commonplace among the perceived non-monetary benefits of these offenders, the primary benefit in their criminal activity was the acquisition of money and the spending of it. Other similarities between the offenders in the monographs were their constant adaptation and progression of methods and techniques (rational techniques), their use of the “fix” as a risk/cost management strategy (connections with the law), their clannish behavior (criminal subculture), their understanding of criminal classes (criminal subculture), their belief that prisons do not rehabilitate (incarceration), their perceptions of places or situations getting “hot” (perceived risk), and the difficulty in going straight due to an isolation and/or estrangement from legitimate society in conjunction with the constant temptation and opportunities to engage in criminal activity (career opportunities/trajectories/transitions/specialization) (See Table 2). While each of the professional criminals in the sample possessed specific attributes and highly specialized skills (e.g., awareness, heart, confidence, wits, front, ability to manipulate), certain unique attributes and skills were observed to pertain to specific types of offender subgroups. A successful professional fence, for instance, must have a comprehensive knowledge of the theft and business worlds and maintain working relationships with both legitimate and illegitimate members of society.

Two themes found within the sample consistent with the RCP and professional criminal literature, respectively, were that professional criminals exhibited high levels of rationality in their criminal activity; they used highly developed skills and relied on planning and risk management strategies that were constantly being developed. In addition, they viewed crime as a business; they were dedicated to their work and used specific angles and techniques to maximize their profit. Common risk management strategies were related to the planning and execution of crimes, the disposal of stolen goods, the fixing of cases, and controlling the situation. At the same time, and despite some feelings of invulnerability, most of the offenders in the sample also believed in “the law of averages” and considered being arrested a part of the criminal lifestyle. Most of the offenders attributed their arrests to the luck of the police or their own greediness/carelessness. Overall, if one was careful and engaged in the rational techniques described above, the professional criminal may have been frequently arrested, but was only “occasionally convicted, and very rarely compelled to do a bit” (Sutherland, 1937, p. 122). They were frequently arrested because of their known presence in the criminal subculture (which often made them prime suspects in a number of cases) but they were only convicted if they could not “fix” the case prior to or during the trial, which was certainly not the norm (thus making time in prison highly unlikely). In the rare occasion that one was actually caught and sent to prison, the professional criminal viewed incarceration as an op-
Another theme within the sample was the oscillation of criminal activity within an offender's career (e.g., specialists and generalists, full-time operating and moonlighting, desistance and a return to a criminal lifestyle). These offending pathways were based on the skills, opportunities, and desires of the offender and were often age-related (Steffensmeier & Ulmer, 2005). Across the monographs in the sample, the theme of career oscillations represented a non-dichotomous view of desistance and acknowledges that many trajectories are possible over the course of a criminal career. Additional findings across the sample were consistent with the criminal career literature. Professional criminals used strategies to increase confidence and reduce fear or anxiety (Cherbonneau & Copes, 2006; Hochstetler & Copes, 2003). They developed criminal identities and self-perceptions of expertise and prominent criminal status resulting from consistent success in their criminal endeavors (Hochstetler & Copes, 2003), and internalized criminal self-concepts became embedded into the decision-making process and often shaped their criminal activities and decision-making processes (e.g., level or frequency of offending, perception of the risks and rewards of the situation) (Hochstetler, DeLisi, & Puhrmann, 2007).

Several authors occasionally referenced other monographs included in the sample to address specific issues (e.g., Steffensmeier’s (1986) reference to Sutherland’s (1937) issues of specialization; Steffensmeier’s (1986) reference to Klockars’ (1974) necessary conditions for becoming a fence; Steffensmeier & Ulmer’s (2005) reference to Sutherland’s (1937) basic features of thievery). In addition to facilitating the process of identifying similarities, differences, patterns, and themes across the monographs, these references also demonstrated how the concepts used in the synthesis “fit” (i.e., the concepts’ applicability to and representativeness of the data) and “work” (i.e., the relevance and explanatory power of the concepts) within an RCP framework (Campbell et al., 2003; Glaser & Strauss, 1967). Further, these references demonstrated the ability of our meta-ethnography to place the lives of professional criminals in a historical context; this is due to the inclusion of books written in a wide range of time periods (1937-2005), as well as the inclusion of two books that present case studies on the same offender 19 years apart (i.e., the study of Sam Goodman’s criminal career in Steffensmeier’s The Fence (1986) and in Steffensmeier & Ulmer’s Confessions of a Dying Thief (2005)). For example, several elements of the professional criminal lifestyle that have evolved from their original conceptualization by Sutherland (1937) include the professional criminal’s ability to predict or determine one’s earnings at any given time and a desire for and enjoyment of the thrill found in criminal activity. Additional insights gained from the review process with respect to the professional criminal subculture across this time period include: professional theft is “falling apart” because thieves will do anything for money and do not ex-
hibit the same kind of loyalty to one another anymore; there is still a stratification system (i.e., “pecking order”) but levels of respect for higher classes of criminals have declined over the years; there are new languages being used within the subculture; there is less of a criminal code and increased risk due to the impact of drugs and the federal government on professional crime; and there has been an evolution of the structure and social organization of criminal offending as a response to changes in price, supply and demand, and law enforcement (Chambliss, 2004, p. 69; Also see Adler, 1993; Klockars, 1974; Sutherland, 1937; Steffensmeier & Ulmer, 2005, p. 218).

Once theoretical concepts, similarities and differences, patterns, and themes were identified, we had a better understanding of how the RCP concepts originally identified within the sample might take on new interpretive meanings and be integrated on a holistic level. The final analytic step became the reduction and synthesis of these concepts in a way that provided a broader view of the phenomenon while preserving the original contexts and meanings of the initial concepts (McCormick et al., 2003).

**PHASE 5: TRANSLATING THE STUDIES INTO ONE ANOTHER**

In order to conduct a synthesis that fits with the sample used in the study, it is first important to determine how the studies are related to one another. Noblit & Hare (1988) suggest three ways in which the studies may be related: 1) a reciprocal translation (i.e., direct translation)–ethnographies are synthesized when they are generally about a similar phenomenon; 2) a refutation (i.e., translation of refutational accounts)–ethnographies possess competing explanations of a similar phenomenon; or 3) a line of argument–ethnographies are viewed as parts of a whole. Once the relationships among the studies are determined, the synthesist creates a list of common metaphors (i.e., holistic interpretations of concepts) that can be used to represent concepts across the entire sample. Translation using metaphoric reductions involves “treating the accounts as analogies” and expressing them through “idiomatic translations” of salient categories of meaning (Noblit & Hare, 1988, p. 28). The metaphors are not literal translations of text, but rather are translations of the meanings of the text. Translations should maintain the key concepts and metaphors of the individual monographs in the context of the other monographs while comparing all of their respective interactions across each of the accounts (Noblit & Hare, 1988). Metaphors are considered adequate when they meet the following five criteria: economy (i.e., parsimony)–“the simplest concept that accounts for the phenomena” (p. 34); cogency–metaphors are non-ambiguous, non-contradictory, and non-redundant; range –ability to integrate a wide range of data relative to a similar phenomenon; apparency–successfully demonstrating the meaning of the data; and credibility–the metaphors are understood by the audience (Noblit & Hare, 1988).
By engaging in the iterative/heuristic process of reviewing concepts, similarities and differences, themes and patterns, and key descriptors in our study, the synthesist was able to reduce 24 concepts derived from the RCP literature and the data (as guided by the RCP framework) into 11 adequate metaphors: “larceny sense;” “respect;” “networks;” “prestige hierarchy;” “subculture;” “money;” “adventurous deviance;” “competitive play;” “loopholes of morality;” “commitment;” and “career oscillations.”

The synthesist created these metaphors to serve as holistic representations of the most common and salient concepts/themes found in the data that also maintained the original language of the monographs; the synthesis of these metaphors aimed to provide an integrated and interpretive perspective of the lives and decision-making processes of professional criminals. The definitions, descriptions, and examples of these metaphors are provided in Table 5.

PHASE 6: SYNTHESIZING TRANSLATIONS

The purpose of the synthesis phase within a meta-ethnography is to attain a deeper understanding of the phenomenon and higher levels of conceptual clarity within the guiding theoretical framework, rather than what would be offered by any of the individual qualitative studies (Campbell et al., 2003; Estabrooks, Field, & Morse, 1994; Noblit & Hare, 1988). The primary objective is to preserve the perspectives of the participants in each research monograph as well as the interpretations of the original authors, while presenting concepts and metaphors in a new interpretive and holistic context (Kirk & Miller, 1986; Noblit & Hare, 1988). The general purpose of a meta-ethnography is “synthesizing understanding from ethnographic accounts” (i.e., using induction and interpretation to produce new knowledge that is both integrative and interpretative), while considering the intended audience (Noblit & Hare, 1988, p. 10). The synthesis of qualitative studies requires an interpretive explanation whereby the meaning of social phenomena (i.e., the potential connections and interactions of these phenomena in different situations) may be understood by a larger audience and through multiple perspectives (Noblit & Hare, 1988). The synthesist accomplishes this by placing the metaphors into a new interpretive order; the synthesis of metaphors (i.e., translations of analogies that are complex, abstract, and preserve the relations between concepts) tells a story about how the metaphors are related or connected, how they may be “put together,” and how they may represent the data in a holistic manner (Noblit & Hare, 1988, p. 28).

Since the monographs selected for synthesis in our study were representative of a specific criminal subculture, the most appropriate analytic technique for our study was a line of argument synthesis (Noblit & Hare, 1988). This type of synthesis allows for the drawing of inferences about a particular culture or organization as a whole by examining studies based on its compo-
Table 5. Definitions, Descriptions, and Examples of Metaphors

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<th>Metaphor</th>
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<tr>
<td>Larceny Sense</td>
<td>“natural aptitude and a range of specialized knowledge” (Adler, p. 105) possessed by professional criminals</td>
<td>The common attributes and (highly specialized) skills possessed by professional criminals, which increase one’s levels of success when compared to other kinds of offenders, are only utilized to their full potential when one recognizes that “crime is a business” (Steffensmeier &amp; Ulmer, 2005, p. 330). The professional criminals in all six monographs in the sample identified the importance of viewing crime as a legitimate business, and implementing business-oriented techniques and strategies (e.g., utilizing knowledge of market conditions, negotiation tactics, buying and selling strategies) to increase the likelihood of success. They were also “observant and sensitive to circumstances and opportunities for illicit gain, and know when to take advantage of them or to desist” (Steffensmeier, 1986, 190). Further, they have a “working knowledge of the theft subculture, the business community, and the society at large” (p. 187) and possess attributes of trustworthiness, heart, awareness, luck and brazen which help him “manage relationships with different audiences from both legitimate and illegitimate walks of life” (Steffensmeier, 1986, p. 187).</td>
<td>“The professional thief has a complex of abilities and skills, just as do physicians, lawyers, or bricklayers. The abilities and skills of the professional thief are directed to the planning and execution of crimes, the disposal of stolen goods, the fixing of cases in which arrests occur, and the control of other situations which may arise in the course of the occupation. Manual dexterity and physical force are a minor element in these techniques. The principal elements in these techniques are wits, “front,” and talking ability.” (Sutherland, 1937, pp. 197-198)</td>
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<td>Respect</td>
<td>“an expectation of occupational loyalty and a kind of professional respect” (Klockars, 1974, p. 155)</td>
<td>These expectations were warranted based on their development of “a certain sophistication and elegance” (Klockars, 1974, p. 93) in their occupational dealings. The possession of good ethics and reputations are also important components to being respected, as well as the level of success enjoyed in one's criminal lifestyle. While some offenders “relished the spread of their reputations” (p. 94) as it fed their ego and sense of prestige, the overwhelming connotation of respect as it pertains to the offenders studied within this sample is the professional level of respect that one gains through one's skills, attributes, success, and status as a professional criminal.</td>
<td>“Fences are viewed as skillful, well-connected, and as making good money. They are also seen as having a respectable hustle or a preferred kind of criminal business in that fencing is dependable, yields a good profit, allows for considerable independence and control, and is reasonably legitimate because it is built around a regular business. Furthermore, while not all fences are pillars of integrity, Sam takes special pride in being somebody who is solid, and more generally, is recognized as “good people.”” (Steffensmeier, 1986, p. 221)</td>
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<td>Networks</td>
<td>“multiple layers and types of relationships” (Adler, 1993, p. 63).</td>
<td>Not only does “a network of contacts” (p. 67) lead to a consistent presence of criminal opportunities, but it also allows one to receive assistance from other “connected” (p. 67) professionals (Steffensmeier &amp; Ulmer, 2005). Networks may consist of “partnership bonds,” “connectional liaisons,” “friendship networks,” and a “circle of acquaintances” which are often based on reputation (Adler, 2005, pp. 63-64).</td>
<td>“In sum, most dealers and smugglers reached the upper levels of doing business not so much as a result of their individual entrepreneurial initiative but through the social networks they formed in the drug subculture. Their ability to remain in these strata was largely tied to the way they treated these drug world relationships.” (Klockars, 1974, p. 130)</td>
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<td>Prestige Hierarchy</td>
<td>Stratification of offenders across a “vertical continuum, or hierarchy of levels” (Adler, 1993, p. 55)</td>
<td>Professional criminals, who reside at the top of this continuum, belong to “a more elite class of underworld members” (p. 223) who make specific distinctions between different classes of offenders (Steffensmeier, 1986). For example, “violent behavior was least prevalent in the upper echelons of the prestige hierarchy” (Adler, 1993, p. 119) and offenders who “steal through necessity...[and] do it as a matter of supporting the habit, not because it’s a lucrative trade” aren’t “considered to have any class at all” (Chambliss, 2004, p. 62). While each offender provides their own “stratification system of the underworld” (p. 218) based on their specific offending subgroup and racket, the “pecking order” (p. 218) for classes is consistently based on skills, pride, respect/status, ethics, and success.</td>
<td>“Their rankings on the prestige hierarchy were based on their reputations for having certain styles of dealing and histories of past performance. These criteria for stratification included: character, business acumen, and the ability to avoid legal entanglements. In addition, dealers’ and smugglers’ reputations were based on their previous dealing-related behavior within the community.” (Adler, 1993, p. 99)</td>
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### Table 5 (Continued). Definitions, Descriptions, and Examples of Metaphors

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<td><strong>Subculture</strong></td>
<td>&quot;acquaintances, congeniality, sympathy, understandings, agreements, rules, codes of behavior, and [common] language&quot; (Sutherland, 1937, p. 4).</td>
<td>The criminal underworld is an exclusive society with common attitudes, activities, and codes that attest to the professional courtesy and loyalty inherent to the subculture (Sutherland, 1937). In addition, professional criminals have a common love (money) and a common enemy (the law) (Sutherland, 1937). Professional criminals are clannish in nature, and often congregate outside of their business activities to discuss capers and techniques (in their own language) in a fraternity setting (Chambliss, 2004).</td>
<td>“The professional thief lives in the underworld and has sympathetic and congenial relationships there. He is isolated from legitimate society except as he contacts it in his professional capacity, and legitimate society is largely isolated from the underworld. The underworld is an exclusive society because of the danger involved from strangers. Within the underworld communication regarding the law, which is the common enemy, is free.” (Sutherland, 1937, p. 16)</td>
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<td><strong>Money</strong></td>
<td>Highest priority of the offenders in the sample with respect to their objectives and measures of success</td>
<td>While “it is impossible to estimate how much he will have at the end of the year” (Sutherland, 1937, p. 143) based on one's irregularity of earnings, the monetary successes enjoyed by the professional criminals in this sample were overwhelmingly positive. The professional criminals enjoyed making, having and spending money and often enjoyed &quot;dramatic economic advances&quot; (Klockars, 1974, p. 67) in their careers in which exclusive and lavish clothes, cars and homes were a constant reminder of their lucrative criminal enterprise.</td>
<td>“However, the first and foremost attraction of theft and criminal enterprise for Sam was the money—both having it and the fun of making it. One could say that money was perhaps the central preoccupation of Sam's life.” (Steffensmeier &amp; Ulmer, 2005, p. 348)</td>
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<td>Adventurous Deviance</td>
<td>Ways in which “the uncertainty, the anxiety, the risks involved are an intrinsic source of pleasure. When kept at a manageable level, the risks may be viewed as excitement, challenge, or fun” (Steffensmeier, 1986, p. 225).</td>
<td>Adventurous deviance as a metaphor represents the non-monetary benefits of offending with respect to the thrill of the act, where offenders were “doing it for fun, the devilment and to bullshit with your buddies about what you pulled” (Steffensmeier &amp; Ulmer, 2005, p. 46). Offenders were often “drawn to the excitement and action of making money from crime” (Steffensmeier &amp; Ulmer, 2005, p. 349). In this way, “the risk of getting caught, the possibility of a really big deal, were all sources of stress and tension, but also excitement” (Steffensmeier &amp; Ulmer, 2005, p. 349). These offenders “reveled in the thrill-seeking associated with their close scrapes [and] their ever-present danger” (Adler, 1993, p. 85).</td>
<td>“Fencing is hard work, don’t get me wrong, but I like the excitement of it. It was never boring, always something happening. That, and having to be on your toes all the time, ‘cause you can get burned bad if you’re not careful. It’s not like a high but in a way it is. There’s a thrill there. See, there’s a risk in fencing—with the cops, with whether you can get rid of what you buy, is your back covered? To me, that risk was tensions, but it was enjoyment, too. In different ways, there is a challenge in fencing that in truth I could say I liked.” (Steffensmeier, 1986, p. 225)</td>
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<td>Competitive Play</td>
<td>Professional criminal’s desire and ability to “match wits with others” (Steffensmeier &amp; Ulmer, 2005, p. 349).</td>
<td>Competitive play may appear in financial transactions, evading the law, legal maneuvers, and in other dealings with a variety of “thieves, buyers, and police” (Steffensmeier &amp; Ulmer, 2005, p. 349). Competitive play serves as an intrinsic source of pleasure for the professional criminals in the sample, as their ability to outwit their competitors provides them not only with a sense of enjoyment, but aids in their development of status and earning of respect.</td>
<td>“In other respects, running a fencing business is for Sam a kind of “competitive play,” a way of matching wits with others. One kind of play is to buy stolen goods cheaply, to sell them for a nice profit, and to have defeated the law and its agents in the process.” (Steffensmeier, 1986, p. 225)</td>
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<td>Loopholes of Morality</td>
<td>Rationalizations or justifications of their criminal behavior.</td>
<td>Three basic rationalizations of their action: 1) what they did wasn't wrong or immoral (&quot;denial of responsibility&quot;); 2) what they did didn't hurt anyone (&quot;denial of victim&quot;); and 3) the &quot;victims&quot; either deserved it or had just as much &quot;larceny in [their] heart[s]&quot; as the professional criminals being studied (Klockars, 1974, p. 147; Steffensmeier, 1986, p. 251). An offender who is &quot;unable to rationalize his guilt and is unable to reconcile his wish for a positive self-image with his actual career in crime&quot; (p. 236) will often have to desist from criminal activity altogether (Steffensmeier, 1986). These offenders saw what they did as justified and their interaction with &quot;legitimate&quot; members of society made their criminal lifestyles easy to rationalize, especially when one &quot;adheres to deeply ingrained &quot;American&quot; values—competition, material success, individual action, freedom, hard work, acquisitiveness, and loyalty&quot; which allows them to feel part of the general &quot;moral order&quot; (Steffensmeier, 1986, p. 251).</td>
<td>&quot;But, as we have seen, Vincent's eye for the loophole works as well with the metaphor of the ledger as it does with the morality (and law) of criminal receiving. His sense for the balance between good acts and bad, for the credit he earns for his charity, and for the existence of a debit column in every man's ledger allows him to make a favorable accounting of his life. In so doing, he manages to preserve his faith in a moral order not notably different from that which most of us accept. However, his sense of the metaphor of the ledger allows him to loosen the restraints of that moral order just enough to emerge from a thirty-year criminal career with a positive, moral, decent self-image.&quot; (Klockars, 1974, p. 161)</td>
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<td>Commitment</td>
<td>Investment in crime as a way of life based largely on the &quot;rewards, positive emotions and attitudes, preferences, and valued identities&quot; inherent to the criminal lifestyle.</td>
<td>“Positive attitudes toward his criminal activities themselves” (p. 348) and “associations with and mutually positive attitudes toward others in the underworld” (p. 350) that reinforce a professional criminal's desire to remain in one's criminal lifestyle (Steffensmeier &amp; Ulmer, 2005). Admiration of money, prestige and power, in conjunction with a love of criminal underworld activities become embedded in a professional criminal's self-concept and criminal identity (which are often inseparable) (Steffensmeier &amp; Ulmer, 2005). The importance of recognizing an offender's level of commitment to their criminal lifestyle is that “one cannot understand the continuity and longevity of [an offender's] criminal career without understanding the degree to which [one is] personally invested in the social world of criminal enterprise, and [finds] it personally rewarding” (Steffensmeier &amp; Ulmer, 2005, p. 348).</td>
<td>“Finally, a key source of personal commitment to crime for Sam was that his self-concept was wrapped up in his criminal identity...Sam thought of himself as a good thief and, later, a successful fence, and enjoyed being a wheeler-dealer and an underworld player. Over the whole course of his life, these were Sam's most salient identities by which he defined and evaluated himself. Overall, Sam was a man remarkably comfortable in his own skin.” (Steffensmeier &amp; Ulmer, 2005, p. 351)</td>
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<td>Career Oscillations</td>
<td>“considerable ebb and flow in (most) criminal careers as offenders adjust to shifts in tastes, abilities, and opportunities” (Steffensmeier &amp; Ulmer, 2005, p. 302).</td>
<td>While professional criminals are distinct from other types of situational or opportunistic criminals in that they view crime as a career and engage in criminal activity on a regular basis as their primary occupation, there are “different pathways and trajectories of offending careers” (Steffensmeier &amp; Ulmer, 2005, p. 310). An important insight within this metaphor is that desistance is not a dichotomous concept, in that within these career oscillations, possibilities for specialization and/or moonlighting (background operating) phases are always present as long as the offender maintains the skills and connections needed to engage in criminal activity. As a result of these opportunities, offenders often feel an “itch,” where “the danger of returning to the old life always is there” (Steffensmeier, 1986, p. 60; Chambliss, 2004, p. 122).</td>
<td>“Just as their deviant careers were temporary, so too were their retirements. Potential recruits, therefore, were lured into the business by materialism, hedonism, glamour, and excitement. Established dealers were lured away from the deviant life and back into the mainstream by the attractions of security and social ease. But once out, retired dealers and smugglers were lured back in by their expertise, by their ability to make money quickly and easily. People who were exposed to the upper levels of drug trafficking found it extremely difficult to quit permanently.” (Adler, 1993, pp. 141-142)</td>
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The line of argument (Figure 1) for our study revealed several important factors concerning the lives and decision-making processes of professional criminals within a rational choice framework.

Figure 1. Line of Argument Synthesis

First, there are several factors that secure one's place in professional crime that may be organized along a cyclical path that is in perpetual motion. In order to be considered a "professional," an offender must possess "larceny sense," which has been conceptualized in our study as having business sense and a special set of skills and attributes that increase the likelihood of success when used in a rational manner. Whenever working, a criminal must devote all available time and effort to the careful planning and execution of each criminal act; crime commission requires just as much hard work as any legitimate business. In order for one to employ a successful business at-
titude of crime, one must possess the skills necessary to be successful (e.g., discipline, patience, and "people skills") and also work hard to successfully implement these skills while staying up to date on new laws, methods, and opportunities in order to finely tune one's own methods and criminal strategies (Steffensmeier & Ulmer, 2005, p. 349). The professional criminal does not rely on physical or manual skills but rather takes advantage of mental abilities such as one's "wits, 'front', and talking ability" (Sutherland, 1937, p. 198). The professional criminal must also manipulate one's appearance and project the image of a conventional lifestyle to avoid being detected in the first place. Unlike street-level criminals, professional criminals understand the importance of planning, ingenuity, and delaying gratification in order to achieve a much bigger pay off in the long run. Professional criminals are persistent offenders due to their ability to apply their specialized skills and attributes to one's criminal endeavors (i.e., ability to evade the law and avoid negative consequences of their criminal acts), and are successful offenders due to their highly rational approach to one's criminal activity (Also see Cherbonneau & Copes, 2006; Cornish & Clarke, 1986; Hochstetler, 2002; Paternoster, 1989).

Once the professional criminal becomes proficient in the implementation of these skills and has attained the reputation of being successful, he earns the respect of other criminals. Respect is both a symbol of status as well as a reward in itself, for professional criminals find pride in their work and pleasure in earning the admiration of others. Professional criminals who earn such a reputation take great pride in their success and perceive themselves as surpassing other criminals who lack their special technical, intellectual, and intuitive skills (Hochstetler & Copes, 2003). Along the different pathways of a criminal's career, the level of respect one has achieved then determines a place in the "prestige hierarchy," a vertical stratification of offending classes. Professional criminals must maintain the skills, techniques, and attributes that led them to a life of professional crime in the first place in order to remain at the top of this hierarchy. Their establishment in the prestige hierarchy promotes the development of criminal identities and self-perceptions of expertise and prominent criminal status (Hochstetler & Copes, 2003). As time goes on, the professional criminal's place in the prestige hierarchy also affords one the benefit of congregating with other elite classes of professional criminals outside of the criminal activities themselves. This subculture is a clannish underworld where language, criminal codes/rules of ethics, and understandings are shared among professional criminals. The subculture of professional criminals also leads to the creation of criminal networks, which exist as a web of relationships composed of friends, acquaintances, and partners. These networks offer opportunities to learn, refine techniques, or engage in specific criminal activities, potentially leading back to the development of skills within their repertoire of "larceny sense."
While the elements of this cycle are not dependent on one another in a strictly causal manner, they do represent the fluid nature of a professional criminal’s career. If any of these links should dissipate (e.g., violation of a code of ethics leading to a loss of respect, the loss of skills due to age), the cycle may be broken, leading to the disappearance of networks, and the ultimate casting out from the top of the prestige hierarchy or the expulsion from the professional criminal subculture altogether.

At the center of this cycle, the professional criminal has three main motivations: “money,” “adventurous deviance,” and “competitive play.” Money refers to the primary objective and most important component of criminal offending among this sample of professional criminals: the acquisition of material wealth. Other important motivations and benefits for the professional criminals in this sample are a sense of “adventurous deviance” (i.e., the thrill inherent in the criminal act) and “competitive play” (i.e., the ability to match wits with others). It is important to recognize that these professional criminals do not create arbitrary risks, and their inclination toward adventure and thrill-seeking activities is not impulsive by nature. Professional criminals actively seek out and identify criminal opportunities that pose the least amount of risk (i.e., avoiding crimes that possess high levels of danger or publicity), carefully plan and execute the criminal act while taking into account potential situational factors (e.g., how to obtain and dispose of property, how to fix a case (i.e., use connections with law officials to escape punishment in which an arrest is unavoidable)). Professional criminals have solid connections with law officials on several fronts (e.g., police officers, lawyers, court officials), so that if caught one would be able to handle the situation without much fear of legal recourse.

Professional criminals also engage in several mental processes which serve as “loopholes of morality.” This metaphor illustrates the rationalization processes of professional criminals, in which they justify their actions by maintaining a positive self-image, focusing on the corruption of the average citizen, and denying responsibility or injury to others. While morals and values do not affect how a professional criminal views crime in general (i.e., as a deterrent factor), they often act as a prism through which certain criminal acts, lifestyles, and classes (i.e., types of offenders) are viewed and/or rationalized and are a necessary part of the professional criminal’s mental processes. If these offenders felt shameful of their actions and could not rationalize their guilt, they would be unable to remain personally committed to their criminal lifestyles (Also see Cornish & Clarke, 1985; Green, 1989; Greenberg, 1981; Pogarsky, 2005)

A professional criminal’s commitment is based on the rewards and positive emotions acquired through one’s criminal activity, including appreciation of money, prestige, power, and collegiality with fellow professional criminals. Further, professional criminals who are committed to the lifestyle: a) have achieved skill levels and confidence that minimize perceptions of risk
during criminal activity, b) have developed sophisticated target selection procedures and risk-management strategies to increase the probability of success; and c) no longer fear prison and view incarceration as an opportunity to refine one’s skills and strategies (Hochstetler & Copes, 2003). While professional criminals are committed to their way of life for the majority of their career, certain factors may contribute to career oscillations, the trajectory of their career path (e.g., specialization, background operation, desistance). These trajectories are not cut-and-dried, and oscillations within the criminal career are subject to “considerable ebb and flow... as offenders adjust to shifts in tastes, abilities, and opportunities” and deal with potential losses (e.g., financial, acquired knowledge, identity, reputation, power, fun/excitement) and problems (e.g., fatigue, respectability, depression) that may result from a downward shift in their criminal activity and/or lifestyle (Steffensmeier & Ulmer, 2005, p. 302).

One of the most important insights gained through the line of argument synthesis is the fluidity of the professional criminal’s career. While there are individual motivations and components that shape the path of a professional criminal’s career and provide a sense of commitment to crime over an extended period of time (which in turn may dictate specific decision-making processes depending where they are along this path), these factors are also highly dependent on one other. Within the cycle of sub-cultural and hierarchical factors based on skills/attributes and status/respect, many of the concepts included in the line of argument co-exist in a delicate balance of criminal offending. For example, a good reputation among professional criminals may lead to the development of certain contacts that provide an offender with particular criminal opportunities. These opportunities may require a specific set of skills that a professional criminal develops over time, and in conjunction with continued interaction with these particular networks, may result in specialization (Steffensmeier & Ulmer, 2005). This path, as well as all career trajectories among professional criminals, is different for each offender and relies on the interplay between the factors in the line of argument synthesis.

PHASE 7: EXPRESSING THE SYNTHESIS

The final step of the synthesis process is to effectively and appropriately communicate the synthesis to the audience in a meaningful way. The translations of studies achieve synthesis when they are presented in the audience’s particular language; the audience can then view the phenomenon in the context of the new perspective or interpretation. Further, the synthesis must be presented in an appropriate form and use intelligible concepts to be effectively communicated to the audience (Noblit & Hare, 1988).

The line of argument synthesis of our study is graphically displayed (Figure 1) to clearly illustrate to the reader the interaction and fluidity of the
metaphors identified in the sample of monographs. The synthesis was not expressed this way to signify causality between decision-making points or life-stages within a professional criminal's career, but rather to convey how each element of the cycle is strongly influenced by the continual flow of the other elements. The graphic depiction of the line of argument also displays the main motivations of professional criminals and the processes inherent in one's commitment to the lifestyle.

**DISCUSSION & CONCLUSIONS**

The primary objective of our study was to demonstrate the application of a meta-ethnography process by providing readers with a step-by-step approach in its use as a qualitative research method in assessing key criminological constructs in the related ethnographic research literature. In order to assess the feasibility of applying a meta-ethnography across the criminological literature we examined the lives and decision-making processes of professional criminals within a rational choice framework. Professional criminals, an offender group that has rarely been studied in criminology yet who exhibit many elements of rational choice in their decision-making processes, provided a universe by which shared concepts of rational choice could be systematically identified, coded, and synthesized. From a theoretical standpoint, the line of argument synthesis offered a specific model of the professional criminal's career within an RCP framework, taking into account motivations and other factors central to the decision-making processes. The line of argument synthesis offered within our research may be used to aid future studies that attempt to model the detailed decision-making processes of a particular class of offenders, specifically those whose accounts are mostly available in the form of ethnographies and other forms of qualitative materials. Further, the introduction of meta-ethnography to the field of criminology in general provides an innovative and valuable technique for qualitative researchers who intend to enter the field for data collection.

Through the use of a meta-ethnography among a sample of qualitative studies of professional criminals (offenders who exhibit many tenets of the RCP), our study recognized the RCP's immense explanatory power with respect to professional criminals. Further, we were able to conceptually refine and develop the RCP as a theoretical framework by successfully demonstrating how 24 concepts derived from the RCP literature and the data (as guided by the RCP framework) could be reduced to 11 metaphors that could be synthesized in a way that maintained the meanings of these original concepts while presenting them in a simplified and holistic manner within the context of professional criminals; our meta-ethnography enhanced the parsimony and transferability (i.e., generalizability) of qualitative research findings relating to a specific phenomenon through the identification (Phases 1-2), comparison (Phases 3-4), reduction (Phase 5), interpretation (Phases 5), and synthesis (Phases 6-7) of RCP concepts found in the six monographs included.
in our sample, offering a greater understanding of both the RCP and the lives and decision-making processes of professional criminal than what might otherwise have been gained from the individual monographs and communicating this to the audience in a meaningful way (Sandelowski et al, 1997).

Some criminologists may contest that focusing on decision-making processes and crime over the life course is a tangent of focus within a rational choice framework, and that it is more important to study the specific crime (situational factors) and not the career of the criminal/offender (Cornish & Clarke, 1986). However, our meta-ethnography illustrates the utility of viewing crime as a way of life and addressing the involvement processes of professional criminals as well as the criminal events themselves. In this way, levels of rationality and patterns of decision-making processes can be examined over the course of a professional criminal's career (Cornish & Clarke, 1986). The RCP recognizes that the attractive features of crime may vary with persistent offenders depending on one's criminal lifestyle, one's status in the community, and the availability of alternatives throughout one's criminal career (Hochstetler et al., 2007). In addition, growing levels of expertise may lead to changes in learning and information processing strategies over the course of a professional criminal's career (Carroll & Weaver, 1986). Our line of argument synthesis demonstrates that the RCP is well-equipped to explain the variation in criminal motivation, opportunity, and decision-making processes over the life course of professional criminals.

Our research demonstrates the use of meta-ethnography as a tool for qualitative research synthesis in the field of criminology. While the analytic process is time-consuming and labor intensive, the reward of the process may be seen in the depth of insight gained into the phenomenon under investigation and the potential for providing conceptual clarity within the guiding theoretical framework. The quality of the final synthesis is determined by the commitment to the analytic process and the synthesist’s faithfulness to the seven phases outlined in this article.

**Limitations**

One limitation of our study is the lack of methodological consensus in terms of meta-ethnography sampling and analytic techniques (Sandelowski et al., 1997; Sandelowski & Barroso, 2002a). We attempted to reconcile this by closely adhering to Noblit and Hare’s seven phase analytical approach (1988). Other limitations within the current study pertain to the difficulties in locating qualitative literature, such as difficulties in identifying appropriate books to include in the synthesis through searches or references of books that have been obtained, and the absence of computer programs to aid in the coding and analytic processes, thereby increasing the chances of human error in the complex analytic processes employed in a meta-ethnography (Campbell et al., 2003). In addition, Lincoln & Guba (1985) and Doyle (2003) suggested the use of member checks (i.e., contacting the original authors of
the books in the sample) to contribute to the internal validity of a meta-ethnography; our study’s only measure of internal validity pertains to the careful implementation of grounded theory methods to assess the consistency of data across the sample and relative to the RCP framework and does not benefit from this added measure of validity. As an additional analytical step, a Critical Appraisal Process (CAP) was employed to assess the qualitative integrity of the final sample relative to the RCP framework.

An additional limitation worth noting in this study focuses on the nonuse of multiple coders. However, our application of the meta-ethnography was used as a teaching tool and the detailed documentation strategy and heuristic process we used were taken to minimize the inherent and legitimate concerns for coding bias. It is recommended that future studies implementing a meta-ethnography use multiple coders to aid in the analytic process and check inter-rater reliability with respect to the selection of concepts, etic codes, key descriptors, and metaphors.

While including two monographs that study the same offender (i.e., Sam Goodman in Steffensmeier’s *The Fence* (1986) and Steffensmeier & Ulmer’s *Confessions of a Dying Thief* (2005)) may help provide historical context in the meta-ethnography, the perspective of the offender (Sam Goodman) and author (Steffensmeier) used in these monographs may have had a larger influence on the creation of metaphors and the synthesis process than the other monographs in a study (due to the small sample size used in a meta-ethnography). However, both of these monographs possess unique and fruitful data that offer new insights into the concepts derived from the other monographs in the sample as well as the guiding theoretical framework. The inclusion of *Confessions of a Dying Thief* (2005) also presents a new voice within the synthesis (i.e., Ulmer’s perspective and interpretations of Sam’s criminal accounts).

**Future Research**

This study has demonstrated the utility of applying a meta-ethnography across a particular theoretical framework *vis-à-vis* qualitative research monographs. We encourage the continued use of this methodological technique (and qualitative research synthesis in general) in the field of criminology and criminal justice, with the recognition that a diverse set of offender groups and theoretical frameworks may be used as long as the study embraces qualitative methodological techniques and aims to offer explanations that are interpretive in nature. For example, persistent offenders who were not considered professional as conceptualized within our study would serve as a suitable offender group to study in a research endeavor implementing a meta-ethnography within an RCP framework. Further, comparing and contrasting the lives and decision-making processes of persistent offenders and professional criminals using this methodology would: 1) allow for the assessment of the explanatory power of the RCP with respect to a group of
offenders who are persistent but not professional; and 2) provide further conceptual clarity within the RCP framework by exploring the efficacy of RCP concepts in a comparative context relative to these two specific offender groups. By implementing a meta-ethnography that can make these kinds of comparative and interpretive statements, the efficacy of the RCP as a theoretical framework can be more sufficiently assessed with respect to the explanation of criminal offending in general.

Future studies employing a meta-ethnography approach may also revisit alternative approaches and recommended enhancements to Noblit and Hare's (1988) original model (e.g., Campbell et al., 2003; Doyle, 2003; Hodson, 2004; McCormick et al., 2003; Sandelowski & Barroso, 2002b) to assess the utility of these recommendations and identify the potential for additional enhancements to the methodology. For example, documenting the number of within-sample citations (i.e., a monograph's reference to another monograph within the sample), similarities across the bibliographies of the monographs, and reviews of the monographs included in the sample may also be presented in table form to help the reader identify the links between the monographs in the sample and assess the influence of each monograph within the field.

Research studies that embrace this type of highly iterative methodological process may enhance the transferability (i.e., generalizability) of qualitative research findings and offer a greater understanding of theory than what might otherwise be gained from individual studies (Sandelowski et al., 1997). Without efforts to integrate the findings of different qualitative studies which address a common research area, “qualitative research will remain underutilized in practice disciplines” (Sandelowski & Barroso, 2002a, p. 215). Our efforts are an initial step in moving meta-ethnography more toward the practice disciplines of criminology and criminal justice.

REFERENCES


**AUTHOR BIOGRAPHIES**

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Examining the Decision-Making Processes of Sex Tourists Using On-line Data

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Abstract
Criminological research has increasingly focused on the decision-making processes of offenders in order to better understand criminal behavior as a whole. A small body of research has considered how the bounds or limits of offender decision-making are shaped by various factors. In addition, limited research has considered the role of preference and bounded rationality in crimes where long-range planning and careful consideration of options are possible. To that end, this study explores both the factors that influence individual decisions and the way that they interact with preference to shape the decision-making process of sex tourists or individuals who travel to foreign countries in order to have sex with prostitutes and others in or out of the sex trade. This study uses a qualitative analysis of posts from multiple web forums on-line used by individuals interested or actively involved in sex tourism across the globe to identify the salient factors that affect tourist decision-making during the planning and execution of a tour. The implications of this study for rational choice theory and the value of on-line data to examine the decision-making process will be discussed in depth.

INTRODUCTION
Criminological research has increasingly focused on the decision-making processes of offenders in order to better understand criminal behav-

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Thomas J. Holt, Michigan State University, School of Criminal Justice, 434 Baker Hall, East Lansing, MI 48824 USA, e-mail: holtt@msu.edu
ior as a whole (Becker, 1968; Clarke, 1983; Cornish & Clarke, 1987). These studies use the rational choice perspective in which offenders are viewed as active thinkers who decide to engage in crime based on their assessments of both perceived risks and potential rewards of the criminal activity (Cornish & Clarke, 1987). The decision-making calculus is informed and influenced by a variety of situational factors including environmental cues and both vicarious and personal experiences with punishment and avoidance techniques (Clarke, 1997; Hochstetler, 2002; Piquero & Rengert, 1999). The rational choice perspective has stimulated significant study of the offending processes of armed robbers (Piotrowski, 2010; Wright & Decker, 1997), auto thieves (Cherbonneau & Copes, 2006; Copes, Hochstetler, & Cherbonneau, 2012), burglars (Cromwell & Olson, 2004; Wright & Decker, 1994), the customers of prostitutes (Holt, Blevins, & Kuhns, 2008, 2009), drug dealers (Jacobs, 1996, 2000), and individuals who use retaliatory violence (Jacobs & Wright, 2010). These studies provide important insights into the rewards and enticements of crime, as well as the ways offenders identify certain targets and manage their emotions while in the course of an offense (Cherbonneau & Copes, 2006; Copes et al., 2012; Cromwell & Olson, 2004; Jacobs, 1996, 2000; Katz, 1988; Wright, 2000; Wright & Decker, 1994, 1997).

While these studies provide substantive insights into the decision-making processes of offenders, decisions are limited by the information readily available to an actor at a specific point in time, as well as their overall knowledge of the environment, opportunities, and available alternatives (Johnson & Payne, 1986; Piotrowski, 2010; Simon, 1957). The significance of bounded rationality cannot be understated; it is impossible to identify or understand all the information needed to make a completely informed decision. Individual preferences for a certain target or method of offending may have greater sway over individual action when presented with an opportunity to offend (Copes et al., 2012; Katz, 1988; McCarthy, 2002; Wright & Decker, 1994). In turn, lack of complete information may hinder the overall range of options offenders consider because they do not have the time or capability to recognize different outcomes.

With this in mind, it is possible that the rational choice perspective may better apply to situations where all options, preferences, and outcomes from an action can be identified and considered (Jacobs & Wright, 2010; McCarthy, 2002). These situations, however, are rare, for decision-making occurs in tandem with, and is bound by, emotion and preference to produce certain outcomes. Katz (1988) argued that emotion and attitude are key in understanding offender decision-making and the construction of the choice to offend within their own moral framework. To that end, research by Jacobs and Wright (2010) demonstrates that street criminals’ decisions to use retaliatory violence are bound by anger, uncertainty, and time constraints. For example, those with higher levels of anger may use more serious acts of violence against a range of targets, while uncertainty over the origins of an ini-
tial slight or a feeling that too much time may pass before retaliation against the source occurs may force an actor to strike out against the closest possible target (Jacobs & Wright, 2010).

These studies are pivotal to refining our understanding of bounded rationality in the context of serious offenses like violence and robbery. There is, however, less research examining the role of preference and bounded rationality in crimes where long-range planning and careful consideration of options is not only possible, but preferable. For instance, individuals who travel to foreign countries for the purpose of having sex with prostitutes and other sex workers, a practice known as sex tourism, must engage in some degree of planning to arrange their travels (Chow-White, 2006; DeCurtis, 2003; Katsulis, 2009; O’Connell Davidson, 2000; Ryan & Hall, 2001; Ryan & Kinder, 1996; Taylor, Fritsch, Liederbach & Holt, 2010; Telepus, 2008). As a consequence, an actor’s knowledge of where to travel, how to interact with locals, where to seek out sexual services, and the expected costs for paid encounters may vary substantially based on personal experience in an area.

Sex tourists are commonly thought to be men from western nations who visit developing countries where there is less risk of detection or fewer legal restrictions on individual behavior (DeCurtis, 2003; Katsulis, 2009; O’Connell Davidson, 2000; Taylor et al., 2010; Telepus, 2008). Travelers’ soliciting behaviors may violate the local laws of their destination country depending on local mores regarding prostitution, though there is increasing criminal legislation to combat sex tourism in Western nations. For example, the US PROTECT Act of 2003 established that U.S. citizens who travel for the purposes of illicit sex with a minor could be fined and imprisoned for up to 30 years, as could anyone who facilitates travel or procures resources to enable these encounters (Taylor et al., 2010). The role of sex tourism in facilitating human trafficking also increases the likelihood of criminal sanctions for tourists who travel for sexual services (Taylor et al., 2010; Telepus, 2008). Such variation suggests that sex tourism can be viewed as a deviant or criminal act depending on the laws of the tourists’ home countries and their destination nation.

The emergence of computer-mediated communications and high speed Internet connectivity has enabled the formation of communities in which individuals actively seeking paid sexual encounters connect with others who share their interests (Blevins & Holt, 2009; Castle & Lee, 2008; DeCurtis, 2003; Holt & Blevins, 2007; Holt et al., 2009; Lee-Gonyea, Castle, & Gonyea, 2009; Sanders, O’Neill, & Pitcher, 2009; Weitzer, 2005). Many websites operate forums specifically for the customers of sex workers to discuss prostitution in cities around the globe (Blevins & Holt, 2009; Holt & Blevins, 2007; Hughes, 2003; Sharpe & Earle, 2003; Soothill & Sanders, 2005), and facilitate sex tourism as a whole (Chow-White, 2006; DeCurtis, 2003; Katsulis, 2009). In fact, Chow-White (2006) argued that on-line forums provide a mechanism for the “intensification and deepening of the development of sex tourism”
Virtual communications enable individuals to engage in social interactions that augment their paid sexual encounters off-line (Katsulis, 2009). Specifically, forum users discuss information with proximal application for travel, including advice on how to plan a sex tour, the characteristics of sex workers, solicitation methods, budget issues, and specific sexual activities (DeCurtis, 2003; Katsulis, 2009). There are also conversations related to the culture and traditions of a given nation, and the effect of government and politics on the sex trade (Katsulis, 2009).

Examination of the exchanges between individuals in forums related to sex tourism can uncover substantive information on the factors that influence individual decisions regarding sex tourism, and the way their preferences shape the decision-making calculus of offenders (see also Holt et al., 2008, 2009). Thus, the present study uses a qualitative analysis of posts from multiple forums used by individuals interested in or actively involved in sex tourism across the globe to identify the salient factors that affect their decision-making during the planning and execution of a tour. The findings demonstrate that governmental, legal, and social conditions interact with tourist preferences for sex destinations and partners. In addition, this study considers the impact of on-line communications in diminishing the bounds of knowledge to facilitate offender decision-making. The implications of this study for rational choice theory and the value of on-line data to examine the decision-making process will be discussed in depth.

**DATA AND METHODS**

This qualitative study uses a sample of 10 public web forums run by and for individuals who post about and/or visit sex workers in one or more of five selected nations. Web forums are on-line discussion groups where individuals converse on a variety of issues. These forums are composed of posts in which an individual can ask a question, respond to others, or share past experiences (Holt, 2010; Mann & Sutton, 1998). Others respond to the posted remarks with comments of their own to create a running dialogue, called a thread. Since individuals, termed users, often respond to the ideas of others, the exchanges present within forums "resemble a kind of marathon focused discussion group" (Mann & Sutton 1998, p. 210). This form of computer-mediated communication enables subcultural diffusion between participants (Markham, 2011), particularly criminal groups (Blevins & Holt, 2009; Durkin & Bryant, 1999; Holt, 2007, 2010). The anonymity afforded by the Internet makes on-line forums a key resource within the sex trade as a means to identify new methods, locations, and opportunities to solicit sex workers domestically (Castle & Lee, 2008; Holt & Blevins, 2007; Holt et al., 2008, 2009; Sanders et al., 2009; Sharpe & Earle, 2003; Soothill & Sanders, 2005) and internationally for the purposes of sex tourism (Chow-White, 2006; DeCurtis, 2003; Katsulis, 2009). Therefore on-line data can speak directly to offender
perceptions of risk and the general decision-making processes of offenders (e.g., Holt, 2010; Holt et al., 2008; 2009).

Our sample of nations was based on two factors: 1) the percentage of their gross domestic products derived from sex tourism, and 2) nations discussed in research literature as sex tourism destinations. The U.S. Department of Justice report on child sex tourism (Nair, 2008) states that sex tourism comprised 2% to 14% of the gross domestic products of Indonesia, the Philippines, Thailand, and Malaysia (International Labour Organization, 1998, 2005). Additionally, research suggests that Mexico and Central American nations have become increasingly popular sex tourist destinations (O’Connell Davidson, 2000; Phinney, 2001). Using this information, we developed a purposive sample of web forums selected from the large number of websites offering discussions for the customers of sex workers in every country around the globe.

Using Southeast Asia and Central America as a base, we sought out web forums for these locales where individuals actively discuss sex tourism and travel. Publicly accessible websites were sought because they do not require individuals to register with the site to examine posted content. Virtually anyone can access the forums without the need to interact with users, reducing the potential for researcher contamination or bias (Holt, 2010; Silverman, 2001). Sites with a large number of existing or archived posts were also preferred since frequent posting suggests high activity, interest, and information exchange (see Holt, 2007, 2010). Upon examination, two sites were found that had country-level forums for these regions, though there was a significantly higher volume of posts for Thailand, the Philippines, Malaysia, Costa Rica, and Mexico compared to the remaining Central American nations and Indonesia.

Our research team focused on Thailand, the Philippines, Malaysia, Costa Rica and Mexico to better understand sex tourism and sex work within Southeast Asia and Central America, and the ways that the Internet facilitates sex tourism in general. The threads from each country-level forum were collected pertaining to general information and travel plans.2 The general information threads provide a sense of the phenomenon of sex tourism in a country, including the process of procurement and prices for specific sexual services, and the experience of mongering, a term users used to describe their sex tourism activities (see also Blevins & Holt, 2009; Holt & Blevins, 2007). In addition, four of the country specific “travel plans” sections were examined to obtain more information regarding the importance of pricing, economics and timing of trips.

There were no travel plans sections in the Malaysia forums due to the fact that, unlike the users of the other forums, most of the Malaysia forum users were residents. It is possible that some of these forum users are expatriots residing in country, though a more likely explanation is that native
Malaysians simply use this existing space to discuss pertinent issues related to sexual services. However, we suspect that many of these users had immigrated to Malaysia, instead of being native to the country, due to their use of an English-language web forum. Thus, there were few discussions on the practical issues of foreign tourism in Malaysia. Still, the Malaysia forums contained similar posts to the other four forums in regard to pricing, tips on accessing, and locations where specific services might be obtained. These data illustrate the factors that affect the practice of sex tourism from the tourist's perspective.

An important concern must be raised concerning the content of this online data. Some users may deliberately post false information to disrupt the flow of information (Blevins & Holt, 2009; Holt, 2007, 2010; Holt & Blevins, 2007). Law enforcement agents may also infiltrate the forums and create threads with bogus information in an attempt to limit the overall utility of the sites (Holt, 2010). The authenticity of information provided in virtual environments has been a subject of great debate due to the difficulties in validating the identity and actions of participants (Hine, 2000; Holt, 2010; Markham, 2011; Steinmetz, 2012; Wynn & Katz, 1997). These forums also operate as a medium to exchange valuable information on sex tourism, which is a relatively hidden and culturally bound issue (Hine, 2000; Markham, 2011). Individuals who visit sites for information on sex markets have little to gain by providing inaccurate information (Blevins & Holt, 2009; Holt & Blevins, 2007). In fact, individual users often noted and berated other users if they provided false information. This suggests the posts are genuine and should provide significant insight into the decision-making processes of sex tourists.

In addition, based on their usernames and discussions of encounters with female sex workers, most users in the forums appear to be males discussing heterosexual experiences. There were virtually no discussions of homosexual experiences, and limited conversations on the issue of transgender sex workers in Thailand. It is possible that the participants in these forums actively seek out homosexual experiences but eschew discussions of these issues in order to construct a heterosexual identity on-line, in keeping with the mutable nature of identity in on-line environments (DiMarco & DiMarco, 2003; Markham, 2011). Regardless, this limits the generalizability of the findings to heterosexual sex tourists and tourism in general. Research on sex tourism indicates that females also engage in travel for the purposes of paid sexual encounters with males (Herold, Garcia, & DeMoya, 2000), and that there is a small demand for homosexual sex tours (Padilla, 2007). Much like traditional domestic sex markets, however, the majority of encounters appear to involve male customers seeking female sex workers. Thus, this study will focus on heterosexual sex tourists’ perspectives.

The threads from each country forum were copied, pasted, and saved to word processing files for systematic analysis. This strategy generated a copi-
ous amount of data and a wide range of user populations (Table 1). The data provide significant insights in regard to cultural dynamics and social conditions, including elections and economic downturns that affect the behavior and activities of sex tourists and workers alike. Hence, this data can be used to illustrate the ways in which sex tourists are affected by and negotiate the various social and cultural landscapes of a country in order to engage the local sex trade.

Table 1: Descriptive Data from Forums

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Posts</th>
<th>User Population</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Forum 1</td>
<td>Forum 2</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>199</td>
<td>868</td>
</tr>
<tr>
<td>Malaysia</td>
<td>892</td>
<td>286</td>
</tr>
<tr>
<td>Mexico</td>
<td>158</td>
<td>188</td>
</tr>
<tr>
<td>The Philippines</td>
<td>1007</td>
<td>3954</td>
</tr>
<tr>
<td>Thailand</td>
<td>2288</td>
<td>258</td>
</tr>
<tr>
<td>Total Sample</td>
<td>4544</td>
<td>5554</td>
</tr>
</tbody>
</table>

In addition, the forum data enabled us to identify the current country of residence for 54% of users (Table 2). One of the two forums in the sample allowed users to include their current country of residence as part of a brief user profile attached to each post. Country location in the other forum was determined based on information provided in posts by users, though this resulted in missing information on many users. Based on the information provided in both forums, the majority of users for each country’s forums appeared to reside in the United States with one exception: Malaysia. Users in the Malaysia forums were primarily located in-country, causing some substantial differences in thread topics between the Malaysia and other country forums. There were fewer discussions about issues affecting international tourism, such as economics and language of the destination country that were noted in the other countries’ forums. This issue did not, however, diminish the insights provided by forum users about their perspectives on the risks and outcomes of engaging the sex trade in the country.
The forum content was printed and analyzed by hand using inductive methods derived from grounded theory techniques (Bryant & Charmaz, 2010; Charmaz, 2006; Corbin & Strauss, 1990; 2007). This methodology is particularly useful because its procedures permit the researcher to develop a thorough, well-integrated examination of any social phenomena. Any concepts found within the data must be identified multiple times through comparisons to identify similarities (Corbin & Strauss, 1990; 2007). In this way, findings are validated by their repeated appearances or absences, ensuring they are derived from and grounded in the data (Bryant & Charmaz, 2010; Charmaz, 2006). For example, users’ repeated comments or observations relating to the role of money in the selection of flights, hotels, brothels, and food provide insight into the way that economic decisions are impacted by personal preferences concerning comfort, sex, and entertainment.

This strategy is used to structure the analysis with examples and quotes from the data where appropriate to illustrate a point and with all spelling, grammar, syntax, and punctuation errors intact. The use of direct quotes from forums and other computer-mediated communications in qualitative research has been the subject of contentious debate because websites and participants may be identified through their comments (Bell, 2001; DiMarco

Table 2. Counts of Forum Users From Specific Countries or Regions

<table>
<thead>
<tr>
<th>Country/Region</th>
<th>Thailand</th>
<th>The Philippines</th>
<th>Costa Rica</th>
<th>Mexico</th>
<th>Malaysia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thailand</td>
<td>57</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>The Philippines</td>
<td>10</td>
<td>15</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mexico</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>Malaysia</td>
<td>35</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>160</td>
</tr>
<tr>
<td>Canada</td>
<td>53</td>
<td>13</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>United States</td>
<td>535</td>
<td>197</td>
<td>86</td>
<td>39</td>
<td>13</td>
</tr>
<tr>
<td>Latin America*</td>
<td>20</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Europe</td>
<td>338</td>
<td>46</td>
<td>5</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Africa</td>
<td>26</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Asia/The Middle</td>
<td>80</td>
<td>25</td>
<td>1</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>East/India**</td>
<td>89</td>
<td>24</td>
<td>1</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Oceania</td>
<td>569</td>
<td>616</td>
<td>298</td>
<td>51</td>
<td>153</td>
</tr>
<tr>
<td>Total</td>
<td>1815</td>
<td>947</td>
<td>402</td>
<td>111</td>
<td>370</td>
</tr>
</tbody>
</table>

*Not including Costa Rica or Mexico  
**Not including Thailand, The Philippines or Malaysia
& DiMarco, 2003; Hine, 2000, 2005; Holt, 2010; Markham, 2005, 2011; Steinmetz, 2012; Sveningsson, 2004). However, using abbreviated or paraphrased language derived from a participant’s posts does not provide the same richness and insight into individual values and beliefs as do direct quotes (Holt, 2010; Steinmetz, 2012; Sveningsson, 2004).

We therefore use quotes from publicly accessible forums since the operators and users of such forums are reasonably aware that the content may be viewed by outsiders. In addition, virtually all participants provided no personally identifiable information such as their actual names, home addresses, age, or occupational details. As a consequence, the participants appear to recognize the risks of posting and engaging in on-line discussions and insulate themselves from potential identification. Still, all usernames have been changed by the researchers in order to maintain some confidentiality for the participants (see also Holt, 2010; Steinmetz, 2012).

**FINDINGS**

Analyses of the forum content demonstrated that multiple macro-level factors directly influence the micro-level decision-making processes of sex tourists in the course of planning and executing their trips: economics, policing and law, governmental stability, and the languages spoken in the chosen destination country. These conditions operate at the micro-, mezzo-, and macro-level to influence justifications for behaviors and attitudes toward sex workers and their home countries and to structure the identity of a sex tourist while abroad. The intersections of these forces are explored in the following analysis, using quotes from the forums when appropriate. Additionally for consistency, the term *monger* is used throughout the text to refer to forum users and the term *mongering* is used to refer to acts involved in sex tourism (see also Blevins & Holt, 2009; Holt et al., 2009; Katsulis, 2009; Sharpe & Earle, 2003). Though individual users employed many terms to refer to themselves and their activities (Katsulis, 2009), the term *monger* was used most frequently.

*Information Sharing*

Before discussing the factors affecting the decision-making process of sex tourists, it is critical to consider the way in which information provided in on-line environments affects user behavior off-line. The deviant or illegal nature of sex tourism coupled with the distance separating tourists from their destination of choice makes it difficult to understand the local dynamics affecting the sex trade and tourism generally. Thus, the forums hinge on discussions of individual experiences with citizens, sex workers, and resources in country. This notion was demonstrated by the user Machete as he described why he regularly participates in a Mexico forum:

Mexico is one big sex trip if you want! All you have to do is read the [forum] posts from each city and you will be able to
put your own sextrip together. There is hotel, flight, taxi, club, massage parlor and other pertinent info for meeting women in Mexico. In fact that is what I thought the [forum] was for.

The open discussion in these forums affords users the opportunity to act on the information provided to improve their overall experience while traveling. There is no immediate way, however, to determine how many individuals acted on the advice provided because of the nature of forum use generally (Holt, 2012; Holt et al., 2008, 2009). Some individuals post frequently; others post infrequently and may or may not give their opinion. There are also some individuals referred to as lurkers who never post but read the comments provided (see Holt et al., 2009). As a result, many may be exposed to forum content, but it is unclear how much this influences their actions in the real world.

It appears that many users do read the forum posts to plan trips and activities. For example, users posed questions about older posts for clarification or more information. Additionally, users often posed questions directly to the group for help in organizing a specific activity. For instance, a user in the Malaysia forum was trying to set up a sexual encounter with two prostitutes and requested help from the forum users to achieve this:

Anyone can help? I like to take 2 gal (can do lesbian), good service, can do anal sex, can cum in mouth. Good Blow job, good fucking and good to fuck anal. Can I get malays gal to do this...or Chinese or Indians or thai or Indonesians...where can i get this girl...can u give me the hotel, contact person or your phone nos. waiting for reply from u all. URGENT. Thanks.

In some instances, users even invited others in the forums to join them on their sex trips or to compare itineraries if they were going to be in the country at the same time. For instance, a user in the Mexico forum noted: “If anyone Wants to Monger with Me Then in December in Mexico. P.M. Me or Post back here.” Similar comments were present in the Thailand forums, as in the case of three users who were in and around Thailand at the same time. As a result, one user posted the following message: “can’t make it to [city removed], as I told you before, but going to [city removed] in 2 weeks. Let’s fly in together, I’ll spot you some miles. [Username] owes me dinner at the swankiest place in town, you can tag along.” As a result, some users clearly benefit from the connectivity afforded by the forums to directly connect with others and engage in sex tourism.

Due to the volume of information posted in the forums, some users noted that there was no guarantee that acting on this information would produce the same outcome. For instance, the user Rambler in the Thailand forum suggested: “The specific advice people provide on this forum is great, but you need to remember that you may not be able to replicate that experience and it would be naive of you to expect to be able to do so.” As a result, some us-
ers would insert the phrase “YMMV,” or “your mileage may vary,” to indicate how experiences may change based on information provided. This was demonstrated when an individual asked

*Earlyriser:* I am going on a tour of SE Asia in about a month. I will spend 10 days in various spots in Thailand, the rest in SGP and Bali.

While the posts... are very useful, I could use local tour guides who are familiar with the best places for girls, food, entertainment, sight seeing etc...

I prefer someone with culture rather than the low-brow tuk-tuk and taxi drivers.

*Subgum:* It’s a bit of a hit-and-miss, but in BKK, some of the P4P [Pay For Play] girls make excellent guides. In fact, I’ve found some that are better transalots/fixers than the assistants available through local temp service agencies or the business centers of the major hotels. Problem is finding the right girl. It can be an arduous job in itself, but the interview process is kind of fun. If you find the right girl as your guide, she’ll take a lot of pride in the assignment and make impeccable arrangements for you.

This suggestion won’t work every time and YMMV, but it’s definitely worthwhile.

If an individual felt that he had a successful experience based on information from the forum, he may then thank the larger population of users publicly. For instance, the user *Frank* from the Thailand forum indicated that “I’ve gotten great advice from the board, especially learning about Livingstone’s Lodge. I’m planning my return trip for the first or second week next month. Any one else [from the forum] planning to be at Giotto’s around the same time?” The quantity of information provided in the forums engendered all facets of travel abroad, as evident in this post from the user *herbaceous* in the Thailand forum:

Thanks to information gleaned on this forum, before leaving Oz I arranged for some dental treatment whilst I am in BKK [Bangkok]...Well today I trotted off to the [clinic name removed] and was extremely pleasantly surprised...Without going into the gory details the treatment was better than anything else I have experienced in the world...In short, what I had done cost a total of 3600 Baht...All in all, thanks to board members who provided the initial advice. My mouth and bank balance are most appreciative.
Taken as a whole, there is clear evidence that the information provided online can directly influence user behavior related to both paid sexual encounters and general issues in the real world.

**Economics**

In light of the information provided in the forums used by sex tourists, it appears that their decisions are substantively influenced by money, particularly the economic conditions of a destination country. Forum users indicated that money had a substantive effect on their decisions at all phases of a tour, ranging from airline prices to which specific sex workers to solicit for what services. The information available in the forums was invaluable for sex tourists to identify all the various costs they may incur while on a tour. In turn, access to this information could greatly expand the bounds of an individual's knowledge base and enable more informed decision making.

In fact, mongers regularly discussed the various methods they could employ to get the most value for their money while traveling. All of the nations within this sample fell below the top one-third of countries on gross national income per capita according to the World Bank's 2008 ranking of 210 nations (World Bank, 2009). The majority of users with known countries of residence, however, indicated that they resided in or posted from the United States, which is ranked 14th overall in this index (World Bank, 2009). As a result, the strong purchasing power of the American dollar in these destination countries enabled individuals to engage in lavish or decadent tours (see Katsulis, 2009; Telepus, 2008). This was evident in a post by Rollito in the Mexico forum, stating he formerly mongered in the United States, but "that doesn't interest me much any more. Everything is cheaper and more fascinating in Mexico."

The importance of money in the decision-making process of mongers was evident across the forums where users shared tips on how to save funds on everything from food to sex workers. For instance, the user Stagnant from one of the Thailand forums suggested:

> your budget [for an entire sex tour] can be condensed if you find a nice girl that you have good chemistry with and simply pay her to be your guide to the floating market and the temples. There's nothing like having a Thai girl as a tour guide because the men do not fuck with them and no one will try to gouge you or rip you off (i.e. taxi cabs taking the 10 mile route instead of the direct route and running your mileage up, or tuktuks overcharging, etc.). Plus [you] will be able to pay her half of what an expensive company would cost and you get the benefit of eye-candy with all the scenery, plus she can explain things to you that no guide would do...And do not forget that if you have a Thai puta with you then she will be pointing you to the cheap, delicious foods that will not get you
sick...Trust me on this and you will be amazed at how much money she will save you.

This suggests mongers employed various tactics to save money in every conceivable aspect of their trips, including hotel rates, airfare, meal costs, and the fees charged by the sex workers for various sexual activities.

The desire to obtain sexual services at the lowest possible price created some conflict with the local residents’ relative income and perceptions of wealth. This was evident in a variety of posts from the Thailand forums, where individuals discussed the prices sex workers were willing to accept for their services.

Zenadrine: In Pattaya its 1,000 baht for a short time with a go go girl and a real hottie will want more. In Bkk[Bangkok] its 1,000 to 1,500 for a ST [short term sexual encounter]. IME [in my experience] anyway. No doubt the less attractive girls can sometimes be bargained down even lower but I wouldn’t know about that😊

Effective: 500 baht is two and a half days wages here [in Thailand], equivalent to offering a hoar in England 250 quid for a shag! More than enough. You obviously don’t understand the Thai economy or pricing structures here. But, all I hear from people these days is how LOS [Land of Smiles, or Thailand] has been ruined in the last ten years by overpaying and stupid Farangs [foreigners] comparing it to Europe. Pay Her 500 or pay Her 1500 ST you will get the same experience 100% guaranteed.

These comments indicate that foreigners can drive service rates up in tourist destinations. Similar comments appeared in the Malaysian forums, but were especially frequent in the Philippines where mongers believed that Japanese and Korean tourists paid sex workers at a higher rate. As a result, local mongers were forced to pay sex workers more for the experience, as exemplified in a post by Sexitime in the Philippines forum:

Supply and demand will determine the price for the product in question. Fact is we are competing heavily now with the japanese and koreans who pay large amounts - 5000+pesos is not uncommon - so who do you think the girls will favor? Only a matter of time before the japanese and koreans start to gravitate towards cheaper AC [Angeles City] and the same thing will happen there.

Since mongers preferred to pay as little as possible for sexual encounters, they learned through the sharing of information that the general social conditions of a destination country had a significant impact on the overall cost and availability of sex workers. As a consequence, the decision to go a spe-
specific nation was often affected by the economics of that nation and the available resources. For example, an individual in the Thailand forum suggested:

If you want cheap girls you have to go where cheap prices are. This means poor infrastructure, bad economy, no jobs and everything else that’s associated with the “3rd world”. Thailand now has nice roads, lots of shops, decent airports, lots of hotels, lots of restaurants etc...so its no longer going to be cheap is it compared to a Calcutta whorehouse. If you want cheap now then get off to Cambodia, that’s cheap, very cheap for lots of pussy...If you want “comfort” and good value compared to Europe of [or] the US then try Thailand, Philippines etc...

Mongerman, from the Costa Rica forum, echoed the sentiment by stating that “the main reason that I go to the third world to monger is that it is much cheaper than in first world nations.” Users often spoke of exploiting the conditions of rampant poverty evident in the destination countries (see Katulis, 2009). For example, in late 2008 a Mexico forum user posted a link to a news story about the decline of Mexico’s largest oil field, commenting “Bad news for the peso and good news for mongers. 2009 is quickly shaping up to becoming a banner year for mongering in MX.”

One way that some mongers saved money and ensured a successful tour was through the use of a “girlfriend,” particularly for users of the Philippines and Mexico forums. This term was used by users to refer to someone with whom a tourist could socialize, take on dates, and have sex with for free less the normal costs associated with dating. The term girlfriend did not, however, imply an extended, loving, committed, or permanent relationship for mongers. In the Philippines forums, the mongers believed that many of the sex workers preferred to be treated as girlfriends rather than as prostitutes. This was exemplified by a quote from a user in the Philippines forums who stated:

...a lot of the working girls I have known in the PI [Philippine Islands] are generally less ‘professional’ than elsewhere. Many times they prefer to think of themselves as a girlfriend, at least for a while, more than a provider of a specific service for a fee. This is one of the things I like about the place...

This suggests the relatively large incomes of Americans compared to those in the destination countries facilitated both their mongering and dating. One American ex-pat in Mexico, abracachupacabra, explained it this way:

I found as a “foreigner” (gringo), I was out by younger women because they recognized I would be earning an “ex-pat” income that would, in their terms, provide a level of security they would welcome. Worked the same with casual dating and finding providers.
This post, and others, demonstrated that sex workers would seek out financially stable customers in order to gain better payments for sex, as well as potential extras such as meals or cab fare. While such expenses may increase the overall cost of a tour, the promise of regular sex and local knowledge would offset this cost.

In order to secure more successful tours in the future, some forum users were willing to send money to sex workers they met while mongering periodically after they returned to their home country. This kind of continued support was questioned by some users and met with hostility by others because of the added expense this posed over the long term. For instance, the user Deminfly in the Thailand forums suggested that there is some expectation that Thai women will be cared for, particularly by foreigners:

Do we agree that as soon as you engage in a somehow serious relationship with a Thai girl, the question of “taking care” i.e. financial support comes up. Being a farang, this process shocks me and I don’t feel sending her an amount of money on a monthly basis to help her living a better life and supporting her poor family [is necessary]. I am not a Social security office. Still, if I chose to be involved in an affair in a cou[n]try like Thailand, I cannot avoid complying with Thai culture and I cannot avoid to “support” her in some way. Otherwise, she would feel abused and looked down [on] by her Thai friends as a stupid girl who sleeps with a farang without receiving any concrete proof of his feeling for her nor any comp[ens]ation for her family. She would lose face because of this and our relation could never be a happy one. Do we agree? (Once again, she does not get paid for sleeping as she is not a prostitute. OK, we are all mongers here and I know most of you are already laughing at me).

These comments illustrate that there is some cultural context for the need to support sex workers, as well as women in general. This was not necessarily supported by mongers because regular payments, sponsorships, were costly and did not actually guarantee any sort of relationship. For instance, the user houston felt that individuals who send money to their Thai girlfriends caused problems for mongers in general:

they [people sponsoring sex workers] are fucking up everything. I think there are just a few hundred of these mother jones reading, new age softee, douchebags in thailand sending money to dozens of bargirls so they won’t be ‘exploited’ by us...these guys are sending money to these girls while other dicks like them are doing the same thing. peter visits in january, paul visits in july, jack visits in august. each sends
money after his visit so that she doesn’t have to work, but she does anyways.

There has got to be a way to fight back. I think it’s time to start screwing BGs [bargirls] at their own game. I say use a BG, don’t give her money when you leave, but promise something more lucrative - monthly sponsorship or marriage. The dumb BG will succumb to her own extreme greed and take the bait. When you leave, you leave for good and never speak to her again. Free sex and it can be done over and over again.

This comment demonstrates the negative response that mongers have toward behaviors that increase the cost of sexual services. In addition, these posts generally reflect that mongers seek to gain the greatest economic advantages possible in the course of their travels and benefit from the poor financial climate of destinations for sex tourism.

Policing and Law

In addition to economic issues, legal concerns also greatly impacted the practices and decision-making processes of mongers (see Ryan & Kinder, 1996; Telepus, 2008). Many threads in the forums were concerned with the legality of prostitution in their respective destination countries and governmental attempts to interrupt the sex trade. Prostitution is legal for adults in Mexico and in Costa Rica (US Department of State, 2008a, 2008b); in Malaysia, prostitution is not a criminal offense, though it is illegal to solicit a sex worker (US Department of State, 2008c). Prostitution is illegal in the Philippines and in Thailand; however, according to the US Department of State, it is a "widespread" problem in the Philippines and "practiced openly" in Thailand (2008d, e). Consequently, the Thailand forums contained relatively few posts related to police operations against prostitution.

The remaining countries’ forums in this sample contained frequent discussions or concerns of police raids. Information about the occurrence of raids affected mongers’ decisions to visit certain places or caused them to carefully time their visits to certain brothels and clubs. For example, a user in the Malaysia forum posted: “Last Saturday, I watched in EdisiSiasat that Brickfields area was raided by polices. Too bad. It’s a nice cheap place to do it. Furama hotel was also raided last time. Sad, sad.” In an effort to share information and avoid arrest, mongers regularly asked if a specific location or business was safe (see Holt et al., 2008, 2009). For example lumpiaboy asked other users about the status of a known brothel location: “Btw is Cyrstal Crown safe? There has been a lot of raids recently I am rather afraid to go to these places nowadays?”

Mongers spent a significant amount of time discussing their own risks in the context of police sting operations and busts rather than that of sex workers (see Holt et al., 2008; 2009). This was demonstrated in a post from the
Malaysia forum where the user wondered if the citizenship or immigration status of the prostitute would affect the customer’s risk:

also, the raid...do they do anything to the customers? Or do they let the customer’s go? what about does customers who were in the action...I mena what if u were caught while doing it with a girl? what happens? will there be a difference if the girl u r doing [it] with is a local or malay or a PRC [from the People’s Republic of China]??

Similar posts were found in the Philippines forums, where users discussed whether or not the bar or club that had been raided had been shut down and when it would reopen. For example, up4grabs reported that the bar Papillon was “Raided by the police a few months ago, [but] Papillon is now back to full swing.” Posts in the Philippines forum indicated that when raids occurred, the affected establishments generally reopened quickly. In one instance, a user noted that one of his frequent mongering locations “has been raided on several occasions with business ‘suspended’ while the under-age girls were removed. Then it was back to business as usually within the hour.” Thus, police raids did not appear to discourage mongers from visiting brothels and bars, primarily because the customers were not generally penalized.

Tourists were also cognizant of the significant degree of corruption prevalent among law enforcement agencies and government in a country (Fi-jnaut & Huberts, 2000; Ryan & Kinder, 1996). For example, a user from the Philippines forum indicated:

This “sex Den” was exposed when one of the girls complained about a discrepancy in her ‘pay check’, then all of a sudden all those lurid sex acts became despicable. Since the police didn’t know about it’s existence, therefore were not receiving their fair share of the loot, of course they had to make a raid in order to teach the wicked foreigner who is really in charge. That is how things work in this country, you can get away with whatever you want as long as the conga line of officials and police get their nick. If not, expect lights, cameras and TV patrol to descend upon you in their righteous indignation.

In addition, Flybynite offered a summary of the Philippines governmental response to the sex tourism industry:

The assumption typically made here when raids such as this occur, is that the bar owner did not pay the police or other law enforcement officials the expected amount, or did not pay at all. Usually, when such clubs get raided here, they’re shut down for a week or so, and then reopen as if nothing untoward had occurred. Again, the assumption is generally made that the payoff situation got straightened out. It’s very dif-
ficult (try impossible) for me to believe that there’s any moral concern, on the part of the authorities, about prostitution. Everything in this country always comes down to money, payoffs, and simple graft.

Similar comments were noted across the forums, such as in this post from candyman in the Mexico forum who felt that the police “collect protection money from everybody involved including mongers they can shake down.” In addition, a multi-page thread from one of the Thailand forums explored experiences with crime, corruption and interactions with the Thai police. This exchange was exemplified by a post from the forum user mr.chips:

if you put yourself in the position of a poor Thai person the number of potential vicitms to scam and rob must be of great opportunities...drunk foreign tourists...

Few ‘scams’ I encountered was a police officer fining (bribing) me and my buddy some crazy amount for driving a moped up a one-way soi??

And the baht bus folding notes over so pretending to give me say 80baht change when really only 40baht...then they drive off quick...Yet now I think about it if I go back again I should really be more ‘aware’ and play it safe...

Taken as a whole, forum users felt that police activity and corruption have a significant impact on mongering. Police raids in bars and nightclubs affected mongers’ decisions as to which establishments they visited to purchase sex. Individuals sought to avoid being caught up in police raids and attempted to verify the safety of places that were recently investigated by local law enforcement (Holt et al., 2008, 2009). Furthermore, forum users mentioned the importance of avoiding any circumstances that would place them on the wrong side of corrupt law enforcement officials. Mongers used the forums to increase their knowledge of local legal sanctions and policing techniques to reduce their overall risk and increase the likelihood of a satisfactory trip to a given nation.

**Government Stability**

The stability of the government of a destination country can negatively impact a tourist’s behaviors in much the same way that law enforcement affects them. Social unrest and political upheaval could disrupt an individual’s plans, leading to the cancellation of sex tours. As a result, the ability to gather information on the conditions within a country from individuals experiencing events first hand help to increase tourists’ knowledge of a given nation. For instance, users in the Malaysia forums regularly discussed going to nearby Betong, located in southern Thailand just over the northern border of Malaysia. Unrest in Betong, however, caused Horngo to call off his trip with fellow monger fongfong, stating: “About the Betong trip, Mayfai, forget
about it. Apparently that place is not that safe at the moment. I don’t want to end up in the hospital, worse, dead.” At the same time, mongers recognized that taking trips during periods of instability could have significant benefits. This was evident in a post from the Philippines forum noting that there were significant price breaks in Betong during times of instability:

If u really wanna go there, well, there are benefits as well. When the situation get dangerous, the rate of tourists aka customers deteriorates and therefore price will fall automatically. This had happened in Bali b4. Question is, would u sacrifice the risk for cheaper sex? I know i would. But, maybe I am not that desperate for now.

Thus, the prospective risk to personal safety could be offset by economic concerns and the promise of low prices. This was evident in myriad posts in the Thailand forums due to the frequent coups and political strife within that country. Users in this forum appeared unconcerned about the ways that social conditions would affect their ability to monger, as exemplified in a post by xelent, who stated:

I don’t think there will be tanks on the streets. It will be the kind of coup that the average tourist won’t even notice.

As long as they have the King’s and the main Generals support, all they will have to do is, basicly, arrest Thaksin. The people are not a danger...Thaksin’s support is in the country, not in BKK. And I don’t think farmers will attack the newgov. if the King supports it!

The King is the key in Thailand. This is not Cambodia.

What would keep families away is a terrorist attack in a main tourist place...

well...that would scare pretty much everybody! lol

The above quote demonstrates that forum users could greatly expand their knowledge of a destination country’s political dynamics, and this could substantively improve their decision-making processes.

Mongers living in the country and abroad facilitated the exchange of information about the social climate of Thailand beyond what could be obtained through traditional media resources. There were several multi-page threads related to occurrences of social unrest, including the 2006 coup d’etat against then Prime Minister Thaksin. During this event, the forum served as a primary news outlet, since a user provided information from Thailand before major news agencies. This was demonstrated in a post from rjb007, stating: “Xcellent job...your post was the first news of the coup. Long before AOL got wind. Now the interesting part will be when Thaskin’s plane lands and who is waiting for his arrival on Thursday.” The provision of news
on the coup was informative, but also served as a warning to some mongers to cancel impending trips to Thailand to avoid the potentially tense situation. This knowledge helped them navigate times of political uncertainty and determine whether their tourist activities would put them in danger.

Exchanges between forum users in the Philippines also demonstrated the importance of communicating intimate knowledge of the country to determine the safety of travel. Users regularly stated their worries about traveling there during times of political unrest. This was demonstrated in a post by MongerinFool, who warned fellow mongers that, “...it might be best to avoid the PI whenever election campaigns are in full swing. Violence, both political and non-political in nature, seems to spike at such times.” For example, mongers expressed concern over an event in which approximately 30 rogue members of the Philippines military attempted to overthrow the government in 2003. However, during this time sex tourists were able to go about their business as usual. This was demonstrated in the following post:

I was in Makati about three years ago when there was the real attempted coup by some military officers. Even that one was really less then played up by the press. In most cases the protesters are paid to run the streets by the opposing party if you ask me. I have been told this by locals. For 20 pesos they will go protest for you and vote for the way you ask as well, although that would be hard to prove as they could vote for anyone once in side the polls and tell you anything. One surprising thing, or at least to me it was surprising, is during this attempted military coup by the some renegade officers in the military I was in the P. Burgos bars on most the nights. They never closed of course.

These comments clearly illustrate that tourists’ knowledge of local events and political dynamics can greatly improve their ability to engage in an effective and enjoyable tour. The forums provide access to individuals with first-hand knowledge of the effects of protests and coup attempts which can greatly expand the boundaries of a tourists’ knowledge base. In turn, they can make better decisions concerning their personal safety and sexual solicitations through the promise of lower prices or interesting experiences during periods of political instability.

Language Barriers

A final condition affecting the decision-making process of mongers was concern over a tourist’s ability to speak the language of the destination country. An inability to communicate clearly with native people and sex workers could make it difficult for mongers to engage in various activities while traveling. As a consequence, mongers, particularly first-time visitors who were planning to travel but did not know the language sought out information on how to overcome these limitations while visiting. Regular users who had fre-
quently traveled to the destination countries helped put others at ease by reporting that navigating the countries and their respective mongering scenes could be quite easy. Costa Rica, Mexico, and the Philippines were regarded as good mongering destinations due to the high percentage of English speakers in these nations. Users in both the Philippines and Thailand forums further indicated that the majority of sex workers spoke English fairly well and could discuss their services with prospective clients.

The importance of language was critical for some mongers because they simply wanted to be able to communicate with sex workers regarding basic transaction details. Those with a rudimentary understanding of a country’s primary language could achieve favorable results, as demonstrated in a post by Porequa of the Costa Rica forum who wrote: “Your lack of Spanish is an impediment but not a deal breaker in San Jose. I’d say that’s the best choice for Latina talent by a mono-linguistic monger.” Another Costa Rica forum user added: “I would recommend Costa Rica over Cuba simply because it is so easy for a non-Spanish speaker to visit and partake in our kinds of activities.” Additionally, users in the Thailand forums noted that sex workers could speak some English and regularly discussed things with prospective mongers in broken English rather than Thai. The ability to speak limited Thai could be useful, however, in order to develop a rapport and avoid being swindled by a sex worker. This was noted in the following exchange:

Steve Jones: any attempts to speak the [Thai] language are often rewarded. There is the perverse view often held by Thai girls that a punter [monger] who knows the language knows too much and that does not mean good business, but there are a lot of others whose more positive attitude can compensate.

WendelX: Steve is quite right about “knowing too much.” Basically if you are wise to their game it is not fun for them to try and trick you. Almost all of the pros want to maximize their income, so a little Thai goes a long way.

Those individuals who could easily communicate with sex workers were able to generate a much more favorable outcome. For instance, mongers who spoke Thai felt that they were better able to negotiate and interact with sex workers. This was evident in one thread titled “A Monger’s Guide to Thai” that provided various sexual and romantic Thai phrases that could be said to a woman. The following exchanges demonstrate the quantity and quality of information individuals obtained on the Thai language:

The Agency: How do you say??

1. Please do not lie to me?
2. If you lie? I stop seeing you.
3. Please treat me with respect.
4. Do not try to play games with me
Might come in handy!!

_Dirtnasty:_
1. Di-plodeyagohokephom
2. Ta Khungohokephom jam-maibpai ha khunlekjooa (not sure)
3. Di-plodedoo-lerphom (please look after me)
4. Ya-lin game (English same as Thai) gab phom

Hope this helps........

_Rocky:_ Penis is **Hum** where it's the testicles that are called **Kai** (egg in Thai)

Big breast **Nom yai** (I know it's breast big but the Thais don't understand it if the sequence of words isn't correct to them.

They always like to be told they are pretty.

Kun me Na swy (you have face beautiful) if you say you have beautiful face they don't understand...Scarey but true 😖

The above quote illustrates that the mongers seek to use the Thai language to their advantage in sexual situations and to save money, but have generally little interest in learning more practical conversational components. Indeed, _Rocky_ denigrates certain aspects of the language and its speakers through his incredulity over the Thai language ordering of adjectives and nouns. In all, these forums indicate that language barriers may influence a monger's choice of destination for sex tourists. These limits can, however, be easily overcome and do not impede paid sexual encounters.

**DISCUSSION AND CONCLUSIONS**

This study sought to explore the ways in which the bounds of rational decision-making are altered by participation in on-line web forums for sex tourism. The findings demonstrate that macro-level factors, most notably economics, affect the decision-making processes and tactics of sex tourists who use on-line web forums. Discussions pertaining to the costs of travel comprised a significant portion of the discussion in these forums (Chow-White, 2006; Katsulis, 2009; O'Connell Davidson, 2000; Telepus, 2008). Mongers who may have limited funds exploited poverty in tourist destinations by paying as little as possible for sexual encounters, food, and travel. Some discussed identifying a sex worker who would serve as both a sexual partner and tour guide during the course of their trip. To that end, micro-level economic factors as well as macro-level forces at the country level influence tourist behaviors. The amount of information provided by forum users enabled mongers to greatly expand the bounds of their knowledge in a destination country and thereby make more cost-effective decisions before and during a tour (Chow-White, 2006; Katsulis, 2009; O'Connell Davidson, 2000; Telepus, 2008).
The significance of economic conditions in the decision-making process of tourists also intersected with the legal dynamics within a nation. For example, governmental instability could create social upheaval that may affect travel and local services. Forum users indicated that these conditions may actually decrease the cost of services and therefore improve the overall quality of a tour. Additionally, mongers who lived in the destination country were able to provide others with first-hand information on major events. Such information could prove invaluable to others to better understand risks and reduce the bounds of their knowledge of the country. In turn, the information provided by forum users on the practices of local police officers could substantially reduce their risk of arrest and improve their interactions with law enforcement while on tour.

Finally, language deficits affected the activities of mongers while on their tours, but not necessarily their desire to travel to a given country. Users across the forums indicated that they did not need a strong command of the primary language used in any of the sampled destination countries, since most sex workers could speak some English. Several mongers also provided users with basic terms and phrases in the primary language of the destination country in order to facilitate negotiations with providers. As such, sex tourists may be somewhat insulated from the local cultures of a destination nation due to their sole pursuit of successful sexual encounters (Katsulis, 2009; O'Connell Davidson, 2000).

The findings of this study demonstrate that a sex tourist's decision-making calculus focuses on economic conditions; many of their activities and choices are made based on the impact to the individual's budget. The general users' participation in these forums over time suggests that tourists are not only frequently thinking about tours, whether or not they are traveling in the immediate future, but they are willing to provide information and insight to help others plan their own tours. Through this exchange of information, offenders appear to make decisions regarding their travel destinations and activities based on substantive macro-level factors operating at social or political levels, as opposed to those situational and individual level concerns that may drive expressive offenses such as retaliatory violence (Jacobs & Wright, 2010; McCarthy, 2002). In addition, sex tourists' decisions appear to involve more careful calculation than the decisions made by actors seeking street or Internet-based prostitution within a local area, though both are influenced by economic considerations (Holt & Blevins, 2007; Holt et al., 2009). Therefore, sex tourist activities may not easily be deterred through traditional criminal justice mechanisms that increase the risk of detection; through on-line forums, offenders have the ability to identify tactical and strategic methods of displacement to other nations or locales that are more accepting of sex tourist activities.

The findings illustrate that on-line forums provide a mechanism to more completely inform an offender's decision-making calculus. Forum users
shared first-hand information on the locations, resources, and practices of tourists and their originating location. These observations are a critical resource for tourists who may know little about a destination to learn from experienced travelers and garner insights into the processes of the sex trade in that locality (Chow-White, 2006; Holt & Blevins, 2007; Katsulis, 2009; Sharpe & Earle, 2003). As a result, participation in forums allows active travelers to greatly expand the bounds of their knowledge and make more informed and effective decisions while in-country.

As a consequence, on-line forums may provide an important resource to enable mongers to obviate strategies designed to reduce sex tourist activities (see Holt & Blevins, 2007; Holt et al., 2008). The diffusion of information through these forums facilitates mongering while at the same time reducing risks and costs. Thus, participation in these forums may prove invaluable for sex tourists to more effectively travel and solicit sex abroad. The use of sex tourism forums diminish the bounds of an individuals’ knowledge, making their decision-making processes more informed and therefore simplifying the process and risks of sex tourism through increased access to information and effective strategies to use while traveling (Chow-White, 2006; DeCurtis, 2003; Holt & Blevins, 2007; Sharpe & Earle, 2003).

This analysis also demonstrates the need for international law enforcement agencies to recognize and adapt to the challenges of efficient and widely available criminal-to-criminal communication mechanisms (see Holt, 2010; Holt et al., 2009). Sex tourism is commonly prosecuted by law enforcement agencies in the tourists’ home country. However, based on the hidden nature of this phenomenon, it is difficult to identify sex tourists (Phinney, 2001; Taylor et al., 2010). The Internet may serve as a pivotal resource in the development of cases and investigation of offender behavior through the establishment of an undercover program to solicit criminal intelligence (Holt et al., 2008, 2009). Such programs may prove invaluable in light of increasing budgetary constraints among law enforcement and the distributed nature of sex tourism generally.

The preliminary results of this study, however, require careful exploration to understand the impact of these findings on the larger literature on offender decision-making. Specifically, the long-range planning required for sex tourism may make the decision-making process for this offense distinct relative to other crimes which may hinge on short-term opportunity structures (Copes et al., 2012; Jacobs & Wright, 2010). A small body of research has explored the nature of offender decision-making in the context of acts that allow for more careful selection of prospective targets or tactical decisions in advance, such as computer hacking (Holt, 2007) or malicious software creation (Chu, Holt, & Ahn, 2010). More research is necessary to better identify the factors that influence the decision-making calculus for those crimes that engender prospective planning of an offense.
Additional research is also needed to clarify the role of on-line communications in real-world offending practices (Holt & Blevins, 2007; Holt et al., 2009). While this study illustrates a connection between on- and off-line communication, there have been minimal research studies exploring how much an on-line conversation truly impacts individual decision-making. Interviews with tourists who use forums could improve our knowledge of the impact of forums on solicitation practices and tourist activities. Such data would allow for more accurate estimates of both sex tourism and the extent to which practices are modified as a consequence of on-line communications. Furthermore, this could shed light on the relationship between participation in on-line communities and off-line human agency.

There are several limitations that must be addressed within this data set. Specifically, few if any users discussed the presence of underage prostitutes in the sex trade. There is some evidence to suggest that the countries included in this sample have a significant proportion of sex workers who are minors (International Labour Organization, 2005; O'Connell Davidson, 2000; Ryan & Hall, 2001). The absence of posts on this issue may be a reflection of forum rules prohibiting posts related to underage prostitution. As a result, there is a need for researchers to develop alternative sampling frameworks, including interviews with and observations of sex tourist behavior, to better capture the scope of this problem and its influence on sex tourism generally (Weitzer, 2005).

The forum users also largely focused their discussions on heterosexual encounters with sex workers, although this is only one facet of the sex trade as a whole (Weitzer, 2005). This is likely a reflection on one of the forum's rules that prohibits discussion of homosexual activity. Research exploring the ways that homosexual, bisexual, and transgendered sex factor into the practices and decision-making process of sex tourists is needed. Such research can improve our knowledge of the overall process and composition of sex tourism and the characteristics and motives of sex tourists in general. Additionally, the data for this study were generated from English-language forums, limiting the potential for non-English speakers to easily use and participate in these exchanges. Researchers must also examine any variation in the practices of sex tourists based on their country of origin and the role of ex-patriots and foreign nationals in facilitating sex tourism in various countries. This can improve our knowledge of the social mechanisms that facilitate the sex trade around the world.

ENDNOTES
1. The terms “forum,” “discussion board,” and “message board” are often used interchangeably to refer to any asynchronous communications site where individuals “post” information for others to read that can be archived for long term viewing (see Hine 2005). This study uses the term
forum to reference these spaces in keeping with the terminology used by participants and moderators in the sites sampled.

2. The names and urls of the forums identified and used in this analysis are excluded here to provide a degree of confidentiality for the participants (DiMarco & DiMarco, 2003; Hine, 2005; Holt, 2010).

3. The researchers attempted to verify the occurrence of police raids by searching news organizations’ and governmental websites. Some reports of police raids were located for Malaysia and the Philippines in this fashion (Sagayam 2006; The Star Online 2007), though the reported raids could not be immediately connected to specific forum posts about such events. Thus, the researchers were only able to verify that raids occurred in the countries included in this sample.

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“We’re All Born with Equal Opportunities”:
Hegemonic Individualism and Contextual Mitigation Among Delaware Capital Jurors

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Abstract
The Supreme Court has ruled that evidence derived from a capital defendant’s life history is crucial for making the reasoned moral judgment that is central to the death penalty’s constitutionality. However, Dunn and Kaplan (2009) suggested that individualism is so embedded in American culture that most people defer to it uncritically, which makes the use of such contextualizing mitigating evidence challenging. Prior studies suggest that capital jurors do not understand mitigation and focus on guilt-related issues when making their sentencing decisions, but they do not examine why this is so. This study extends these prior works by comparing the content of penalty trial transcripts to the evidence discussed by 35 former capital jurors from eight trials (four that ended with a life sentence and four that ended with a death sentence) in Delaware. The results indicate that whether they voted for life or death, the jurors based their sentencing decisions primarily on the individualistic guilt-centered question of culpability because they rejected the relevance of contextualizing life history evidence, thus supporting and extending Dunn

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and Kaplan's (2009) theory. Theoretical and practical implications are discussed.

INTRODUCTION

One of the most trying and difficult things American citizens can be asked to do is to sit on a capital jury and try to determine whether someone deserves to live or die. Complicating the gravity of the decision they must make is the fact that they are often bombarded with a deluge of information about the defendant’s background, character, family, propensities, and life history at the penalty phase. Such a responsibility comes after being forced to confront—in the guilt phase—the usually horrific details of a capital murder. This is a monumental undertaking that very few people can even imagine. In *Gregg v. Georgia* (1976), the Supreme Court attempted to aid sentencers in making this decision and to reduce arbitrariness by approving the use of guided discretion statutes that are supposed to help channel and direct the decision making of capital sentencers. In subsequent cases, it attempted to clarify and perfect these statutes. Particularly important to the Court’s jurisprudence of death are the concept of mitigation and the inclusion of a full range of evidence from the defendant’s past that can shed light on the defendant’s character and propensities (*California v. Brown*, 1987; *Eddings v. Oklahoma*, 1982; *Lockett v. Ohio*, 1978; *Morgan v. Illinois*, 1992; *Penry v. Lynaugh*, 1989).

However, American culture and the legal system are highly individualistic, which makes mitigation somewhat of an anomaly. Dunn and Kaplan (2009) argued that individualism is so infused in American culture that it is hegemonic—that is, it is so ingrained in cultural institutions that most people accept it uncritically and without thinking about potential causes of human behavior beyond free will and rational choice. They suggest that individualism is so hegemonic that even capital defense attorneys and experts will be forced to rely upon it in their mitigation cases. If accurate, Dunn and Kaplan’s (2009) theory offers an explanation for why attempts to reduce the arbitrary and discriminatory nature of the death penalty have largely failed (Baldus, Woodworth, Zuckerman, Weiner, & Broffitt, 1998; Blume, Eisenberg, Johnson, & Hans, 2008; Bowers, Sandys, & Brewer, 2003; Bowers, Steiner, & Sandys, 2001; Donohue, 2011; Johnson, Blume, Eisenberg, Hans, & Wells, 2012; Lenza, Keys, & Guess, 2005; Pierce & Radelet, 2005; Williams & Holcomb, 2001). However, Dunn and Kaplan (2009) only explore one aspect of hegemonic individualism: the construction of mitigation cases by “helping” institutions, defense attorneys, and experts. They say nothing of the decision making processes of capital jurors.

Prior studies have demonstrated that capital jurors are likely to focus predominantly on the facts of the crime when making their decisions (Gar-
vey, 1998; Haney, 1997; Haney, Sontag, & Costanzo, 1994; Sandys & McClelland, 2003) and spend more time discussing culpability and premeditation than they spend talking about the defendant’s life history (Hoffman, 1997), but since these studies did not use trial transcripts, it is not clear why capital jurors do this. My research, therefore, extends the literature in two ways. By using interviews with 35 capital jurors who served on eight different capital trials in Delaware, four with a death sentence and four with a life sentence, this study extends Dunn and Kaplan’s (2009) theory to the jury room. Secondly, by using trial transcripts to explore the specific content of what jurors ignore and what evidence they consider meaningful in making their sentencing decisions, it is able to extend the literature on juror decisions beyond the question of what evidence jurors use to make decisions to an understanding of why. I propose that because individualism is so deeply embedded in all major American social institutions, jurors will uncritically defer to individualistic causal explanations and reject alternative theories of behavior that challenge this hegemonic discourse.

DUNN AND KAPLAN’S THEORY OF HEGEMONIC INDIVIDUALISM

According to recent theoretical work by Dunn and Kaplan (2009), individualism is engrained so deeply in American culture and institutions that American society can be characterized by the hegemony of individualism. This theory argues that individual responsibility is a fundamental aspect of American society that lies at the heart of capitalism and the classical liberal political experiment upon which the nation was founded. The Founders were strongly influenced by Enlightenment principles of rationality and individualism that depict individuals as the sole causal agents and dismiss the relevance of external causal factors. Because these ideals became enshrined in the Constitution and most American institutions reinforce and even venerate them, individualistic explanations for behavior and life outcomes became naturalized. Individualism is the basis for the civil liberties most Americans cherish; it provides the philosophical foundations for capitalism, and it is the primary focus of courts when adjudicating criminal cases, civil suits, and even claims of racial discrimination. Because courts “are part of the institutional tapestry” (Dunn & Kaplan, 2009, p. 345) of the US, they serve a “negative educative function” for accomplishing hegemony (Gramsci, 1971, p. 258). The American legal system was also built on Enlightenment ideals and formed primarily during the nineteenth century when psychological individualism was the dominant explanation for human behavior, so it is designed solely to handle questions of individual responsibility and cannot assign blame to social conditions (Barton, 1998; Haney, 1982; Hurst, 1956). Individualism, therefore, has deep roots in American culture and its legal system and influences the way Americans conceptualize and attempt to solve social problems, especially crime (Scheingold, 1984). Through a belief system
Scheinberg (1984) called the “myth of crime and punishment,” American culture presents crime as “a rather straightforward problem whose diagnosis and treatment are embodied in widely accepted and universally understood moral truths” (p. 59). Crime is a result of bad people who are fundamentally different from everyone else, and harsh punishment is the appropriate response to criminal behavior because it “is both morally justified and practically effective” (Scheinberg, 1984, p. 60).

Dunn and Kaplan (2009) argued that individualism is so taken-for-granted that no matter what one’s goal, one will most likely rely upon and reinforce individualism; they suggested that even institutions designed to help those most adversely affected by capitalism and capital defense attorneys seeking to contextualize their clients’ behaviors have to rely on individualizing discourses, thereby reinforcing the theme (Dunn & Kaplan, 2009). As Ewick and Silbey explained, because stories “are constitutive of...social contexts, they are as likely to bear the imprint of dominant cultural meanings and relations of power as any other social practice” (1995, p. 211). This is precisely what Dunn and Kaplan (2009) discovered in their study of one capital murder defendant. “Daniel” had his life de-contextualized by social service agencies, and social interventions on his behalf relied upon individual responsibility as a frame of reference. This reality forced defense attorneys to rely upon individualizing records in their attempts to display mitigating evidence from Daniel’s past and thus to reinforce individualism.

Studies of the general public tend to support Dunn and Kaplan’s (2009) contention that individualism is accepted uncritically, as part of the average American’s commonsense understandings of the world, especially when it comes to understanding crime (Beckett, 1997; Beckett & Sasson, 2000; Cullen, Clark, Cullen, & Mathers, 1985; Haney, 1995, 1997; Sasson, 1995; Scheinberg, 1991). Although there are narratives that compete with this dominant cultural narrative, the key to hegemonic discourses is not that they offer complete or uncontroverted explanations. Rather, their success rests on their ability to construct a commonsense viewpoint upon which one is likely to rely even when competing discourses are acknowledged (Gramsci, 1971). So although some surveys suggest that Americans often do identify environmental factors as the cause of crime (Beckett & Sasson, 2000, p. 137), individual disposition is more recognized as a causal factor (Flanagan, 1987), and there has been a marked return to individualistic explanations of crime since the challenges offered to this perspective by the leftist movements of the 1960s. By the 1980s, there was “an increased tendency to locate the origin of crime in a person’s will rather than in his or her social surroundings” (Cullen et al., 1985, p. 324). Throughout the 1990s, surveys found that despite declining crime rates support for harsher punishments was increasing (Beckett & Sasson, 2000), thus suggesting that people were continuing to rely on individualistic explanations for criminal behavior.
It is important to note that there are numerous ways of conceptualizing the idea of “individualism.” In fact, Beccaria’s (1777) treatise that serves as the philosophical underpinnings for deterrence theory explicitly rejects the use of the death penalty (except in rare limited circumstances) because he considered it an affront to individual rights. There is an element to modern capital punishment that dehumanizes and de-individualizes capital defendants (Fleury-Steiner, 2004), and good mitigation is supposed to resist this tendency by enabling jurors to view the defendant as an individual with his own rights, experiences, and ability to suffer rather than as a dehumanized “other” (American Bar Association, 2003, 2008; Bruno, 2010; Holdman & Seeds, 2008; Woodson v. North Carolina, 1976). However, the retributive aspect of the American death penalty is tied to deeply rooted American notions of individual responsibility that are focused exclusively on the role of human agency and free will in explaining behavior while excluding situational or environmental causal explanations for behavior. This is the form of individualism to which Dunn and Kaplan (2009) were referring and on which this inquiry focuses.

INDIVIDUALISM AND CAPITAL JURORS

Dunn and Kaplan (2009) suggested that mitigation often fails to contextualize the defendant’s behavior, but they did not explore how jurors respond to mitigating evidence, especially when they are forced to confront evidence that contradicts the individualistic ethos. Because of the hegemonic influence of individualism, Dunn and Kaplan’s (2009) theory would predict that even when they are exposed to contextualizing mitigation, jurors would still base their decisions on individualizing discourses. As Ewick and Silbey explain, “our stories are likely to express ideological effects and hegemonic assumptions. …[S]tories...often articulate and reproduce existing ideologies and hegemonic relations of power and inequality” (1995, p. 212). At the same time, Ewick and Silbey (1995) suggest that narratives have the capacity not just to be hegemonic but to be subversive. In the case of capital jurors, however, Haney (2003) argued:

Jurors are predisposed to posit violent acts as the product of an odd combination of equally free and unencumbered evil choices, on the one hand, and monstrously deranged, defective traits, on the other. Indeed in most of the “crime stories” that form the basis of jurors’ “common knowledge” about these issues, they are taught that extreme violence of the sort that they confront and attempt to comprehend in capital cases is carried out by dehumanized, anonymous figures or monsters rather than real people (p. 470-471).

Studies of capital jurors support this position by finding that most are quite dismissive of mitigation that derives from the defendant’s life histo-
ry and that the most influential mitigating circumstance is lingering doubt regarding the defendant’s guilt (Garvey, 1998; Sandys & McClelland, 2003). Research indicates that capital jurors tend to misinterpret the judge’s instructions on mitigation and fail to understand its purpose (Bowers, 1996; Tiersma, 1995). Very few capital jurors are affected by mitigating evidence (Sandys & McClelland, 2003), and many jurors mistakenly believe that certain aggravators such as perceived future dangerousness or a “heinous, vile, or depraved” crime require a death sentence (Bowers, 1996; Bowers, Fleury-Steiner, & Antonio, 2003). Consequently, many of them focus entirely on the nature of the crime during the deliberations, ignoring background and context (Haney, Sontag, & Costanzo, 1994). As Bentele and Bowers (2001) discovered, jurors are often preoccupied with evidence of guilt during punishment deliberations, believe that aggravating circumstances mandate (rather than permit) a death sentence, and fail to consider mitigating evidence. Even when the defendant’s background is considered, jurors spend substantially more time discussing things like culpability and premeditation than they do discussing life history or upbringing (Hoffman, 1997). Many capital jurors even erroneously believe they are supposed to exclude any evidence not related directly to the commission of the crime; others dismiss presented mitigation because they do not understand that it is supposed to be considered as such (Haney, 1997).

Through interviews with jurors from one capital case in Georgia, Sarat (1995) found that the central question for jurors was the agency and culpability of the defendant. They assigned the defendant responsibility not just for the murder but for its legal consequences and refused “to accept the picture of a social world of events governed by causes beyond human control; instead, they constructed a moral world of free agents making choices for which they should be held to account” (Sarat, 1995, p. 1129). Overall, jurors from the first phase of the Capital Jury Project were most likely to assign primary responsibility for the defendant’s punishment to the defendant (Bowers, Fleury-Steiner, & Antonio, 2003; Hoffman, 1997). Even when jurors acknowledged and discussed mitigating evidence, they often dismissed such evidence or the mitigation experts as lacking in credibility because the experts’ stories did not comport with the jurors’ own theories of human behavior (Sundby, 1997); many of the jurors even used anecdotal accounts of persons who experienced similar misfortunes as the defendant did but who did not turn out to be criminals to justify their own individualistic belief systems (Fleury-Steiner, 2002, 2004; Sundby, 1997).

However, in none of these prior studies did investigators compare what jurors remembered about the trial or what factors they considered to the evidence actually presented at trial, something that is imperative if we are to draw any conclusions about the effect of hegemonic individualism on jurors’ decisions or the types of evidence that jurors think of as important. My research, therefore, extends these previous studies by using trial transcripts in
an attempt to uncover why jurors are primarily concerned with guilt phase evidence. In the process, it expands on the work of Dunn and Kaplan (2009), who only examined the mitigating evidence presented in a single case that resulted in a death sentence, by exploring the sentencing rationales used by jurors in eight capital trials, half of which ended with a life sentence, and comparing those rationales to the stories told by defense attorneys and mitigation experts during the penalty phase in order to explore how individualism works in the jury room.

METHODS

The data for this study come from interviews with 35 former capital jurors from eight capital cases (four life and four death) in Delaware. These interviews were conducted as part of the third phase of the Capital Jury Project (CJP3). In order to improve juror recall, only defendants who were sentenced after 2000 were included and, in order to reduce the number of cases that would still be out on appeal (and thus have limited data availability), defendants needed to be sentenced by the end of 2005 to be considered. Eleven persons were sentenced to death in Delaware during this period. Three of them have since had their death sentences overturned, and one refused to allow his attorneys to present any mitigating evidence. These four cases were removed from the analysis. In order to be included in the sample, the penalty phase transcripts needed to be available in order to compare the jurors’ responses to what actually occurred at trial and to try to revive the jurors’ memories. Of the remaining seven death cases, four were chosen because electronic copies of the trial transcripts were readily available for no cost from the Philadelphia Federal Defenders Office, which was handling their appeals. There were 13 persons sentenced to life following a bifurcated capital penalty trial held before a jury during this period. Since double-jeopardy protections prevent life sentences from being appealed and because transcribing cases is time-consuming and expensive, most life cases did not have the penalty phase transcription available in the court file. The transcripts had to be either tracked down from the defendant’s current appellate attorney (if one existed) or requested from the court reporter at a prohibitively expensive rate. Only four of the penalty phase transcripts could be located, which limited the sample size to four life and four death cases.

Jury lists for each of these trials were compiled from official court records, and jurors who served on both the guilt and the sentencing phases of the trial (a requirement of the CJP3) were selected systematically. The goal was six jurors from each trial with systematically selected jurors being replaced if efforts to interview them failed. The jurors were ensured confidentiality and compensated for their time. In the end, 35 of the intended 48 jurors were interviewed, 13 from the 4 death cases (all of whom voted for death) and 22 from the 4 life cases (11 of whom voted for death). Although the over-representation of jurors from life cases is a little concerning, it is
not overpowering. Since this is a study of mitigation, jurors from life cases (where mitigation is presumably stronger) are likely to be more informative, and because this is an exploratory, qualitative study, representativeness is not an overriding concern. It should also be noted that the Delaware capital sentencing law relegates jurors to an advisory role and gives final sentencing authority to judges. This reality may affect the jurors’ decision-making process, a possibility that will be discussed in the conclusion, since it does not require unanimity and insulates jurors from responsibility for the sentencing decision.

Interviews lasted between 2.5 and 4.5 hours, with a median time of just over 3 hours and included both open- and close-ended questions in order to obtain both depth and breadth from respondents. Thirty-one interviews were conducted in-person, 3 were conducted over the phone, and 1 was conducted half on the phone and half in-person. Although most interviews were completed in one session, 6 were conducted over multiple meetings. The goal of the interviews was to understand the decision-making process of capital jurors and juries, the dynamics of jury interaction, the experiences of capital jurors, and their use of discretion. In addition to asking jurors what they remember about the crime and the defendant and why they voted the way they did, the 53-page, 138-question CJP3 interview guide asks jurors directly about their recall of certain witnesses during the penalty trial, what they remember about such witnesses’ testimonies, the jurors’ impressions of such witnesses, and how certain testimony may or may not have impacted their final punishment decisions. These questions get to the heart of jurors’ receptivity to mitigating evidence and allow jurors’ responses to be linked with the actual mitigating evidence presented by the defense.

Careful reading of the trial transcripts identified four themes upon which defense attorneys relied in their mitigation cases: Life history evidence, the effect of an execution on the defendant’s family, the defendant’s culpability, and the ability of the alternative penalty to punish, incapacitate, or deter. These passages were then coded for whether they were individualizing (focused on causal factors internal to the defendant) or contextualizing (focused on causal forces outside the defendant). Since only trial transcripts and not court exhibits were available, the data on the mitigation comes solely from the trial transcripts. The jurors’ responses were first coded for whether they used dispositional/individualistic or situational/environmental explanations for the defendants’ behavior, and then, for each juror, the mitigating evidence identified in the trial transcripts was coded for whether they ignored/forgot it, remembered it but did not consider it relevant, remembered it but were hostile to it, or considered it important to their sentencing decision. In order to ensure juror confidentiality, pseudonyms will be used to refer to all defendants, and all jurors will be referenced by masculine pseudonyms and pronouns, regardless of their actual gender.
FINDINGS

The reliability of capital jurors’ sentencing recommendations is premised on the jurors providing a “reasoned moral response” (California v. Brown, 1987; Penry v. Lynaugh, 1989) in which they consider all relevant mitigating evidence (Eddings v. Oklahoma, 1982). The Supreme Court has ruled that life history evidence constitutes an important part of mitigation (Rompilla v. Beard, 2005; Wiggins v. Smith, 2003; Williams v. Taylor, 2000), and the American Bar Association (2003, 2008) has instructed capital defenders to investigate and present such factors due to their relevance for understanding how and why capital defendants ended up in their present situations. Prior studies of capital jurors suggest that jurors are not considering important mitigating factors, but none of them examined the trial transcripts to determine what contextualizing mitigation, if any, was actually presented to the jurors. As Dunn and Kaplan (2009) predicted, all eight mitigation cases presented in this sample relied on much individualizing evidence, and there were some cases that contained no contextualizing evidence. However, unlike the case of “Daniel,” there were also cases in this sample that contained contextualizing life history evidence that clearly tried to show how defendants are influenced by environmental factors beyond their control. The analysis reported below focuses on these cases. Interviews with jurors from these same trials suggest that they do not give true consideration to mitigation, even when they support a life sentence. These jurors made it clear that they based their sentencing decisions almost entirely on the defendant’s culpability because they either ignored contextualizing mitigating evidence or rejected it as irrelevant.

Whether they recommended a life or a death sentence, the jurors in this sample nearly universally focused on the criminal act rather than the “character and propensities of the offender” (Del. C., Title 11, §4209 (c), (d), and (e), 2012). Jurors recommended a life sentence if they had doubts as to the defendant’s culpability and recommended a death sentence if they were convinced the defendant intended to kill the victim. Most of the jurors (60%) indicated that they had made up their minds on punishment at the conclusion of the guilt phase. When specifically asked about the presentation of mitigating life history evidence, most jurors either claimed to have no memory of it or explicitly denied its relevance. This finding is consistent with prior research on the decision making of capital jurors, but it extends this knowledge by showing why jurors are focused on culpability: they are beholden to a hegemonic discourse that denies the causal relevance of external factors.

These findings are not a criticism of the jurors for the decisions they made during a psychologically stressful situation, for in most cases they were doing their best to do their duty and uphold the law. On the contrary, what these findings indicate is the power of hegemonic stories. Because hegemonic tales are self-evident (Comaroff & Comaroff, 1991), the stories “that are culturally available for our telling” (Ewick & Silbey, 1995, p. 212) are limited by
the dominant narrative. In this way, the stories told by capital jurors “may actually be complicit in constructing and sustaining the very patterns of silencing and oppression” (Ewick & Sibley, 1995, p. 205) that are so conducive to lethal violence in the first place. Rather than engaging in a thoughtful and deliberative weighing process to reach a reasoned moral judgment, these jurors are driven by commonsense ideas of individual responsibility to reject the importance of environment and are therefore left with only one thing upon which to base their sentencing recommendations: culpability. This is precisely what the theory of hegemonic individualism would predict, but it also extends the theory by showing how individualism manifests itself in the minds of capital jurors to influence their decision making.

**Life Recommendations When Intent is in Doubt**

None of the jurors who voted for life did so because of the horrendous social conditions that may have influenced the defendant; rather, 7 of the 10 jurors who reported recommending a life sentence and 1 juror who claimed he did not serve on the penalty phase despite court records indicating the opposite (and who based upon his answers probably recommended life) had already decided the defendant should be spared prior to the start of the penalty phase, when they could have first been exposed to the defendant’s past. Even when the jurors were exposed to and could recall contextualizing evidence, they made it clear that such evidence was not meaningful to them, even to those who opposed a death sentence.

The jury from Donald’s trial provides an example of jury decision making. Donald was convicted for his involvement in a robbery-murder of a clerk; video surveillance of the incident made the shooting appear deliberate but spontaneous rather than planned and could not conclusively show whether Donald or a co-perpetrator pulled the trigger. Donald received a life sentence after seven jurors recommended life. Donald’s mitigation case involved a substantial amount of individualizing evidence focused on his role in the crime and culpability for the victim’s death. However, his attorneys also used two social workers to contextualize his behavior through a description of his upbringing, which included evidence that while growing up his mother was a drug addict, his father was absent, and his grandmother was forced to raise him despite being ill-equipped to raise him in a high crime and violent neighborhood. The social workers even testified in detail how these factors led the defendant to associate with anti-social peers beginning at a young age. As Donald’s attorney argued in his opening statement,

> [T]hese risk factors are factors that are outside the control of the person who is at risk. They’re things that he didn’t have any control over. And as I said, they’re not excuses. They’re offered to help you understand why this person might be in a situation he’s in as opposed to another person (Penalty Trial of Donald, Day 1, p. 18, emphasis added).
This idea was reiterated during the expert testimony when one of the social workers testified that the risk factors Donald experienced were, “For the most part, not in their [sic] control” (Penalty Trial of Donald, Day 2, p. 76), and in his summation, the defense attorney again reminded the jury “that people just aren’t plain evil; that otherwise good kids can end up being at risk to do violence from many factors outside their control” (Penalty Trial of Donald, Day 3, p. 31, emphasis added) and asked the jurors to consider how Donald would have turned out if he had not been exposed to so many negative experiences.

Despite this attempt to contextualize Donald's behavior, none of the interviewed jurors who voted for life used this evidence in reaching their recommendation. In explaining why they voted the way they did, the jury members who supported a life sentence either ignored or downplayed the contextual evidence and focused instead on Donald's culpability. One juror, Chris, even insisted that no evidence as to what the appropriate sentence should be was even presented and that the jurors were dismissed following the guilty verdict. Although his vote was coded as “missing” because of this faulty memory, he indicated in the interview that he believed Donald did not deserve a death sentence: “I definitely didn't think he should be given a death sentence” because “there was no doubt in my mind then [when evidence of the co-perpetrators' involvement was presented] he was not the guilty one.” Chris's belief that a co-perpetrator fired the fatal bullet led him to conclude that the defendant did not deserve death, and he made it clear that nothing beyond that question entered into his decision making.

The other five jurors from this case who were interviewed all recalled serving on the penalty trial, but the same line of reasoning and justification was evident in the decision-making processes of the two who recalled recommending a life sentence. Mark, who voted for life, was able to recall that the defense presented evidence of the defendant's upbringing, but he said that neither defense expert was effective. Rather, Mark was unable to recommend a death sentence because he realized during the penalty phase that he did not know if the defendant was the gunman:

In my mind I came to the realization of whether he was the gunman or whether he wasn't, I couldn't tell you that... Whether he was an accomplice or pulled the trigger, I can't tell you that...I can't tell you whether he pulled the trigger [so] I can't tell you whether he should get the chair or lethal injection—I'm not sure how Delaware does it...I [decided on] life in prison because I still was not convinced [whether] he did not pull the trigger or he did.

Mark later indicated that uncertainty about culpability was most helpful to him in reaching his punishment decision and that even though the jury discussed whether or not someone's marginalized upbringing is relevant, the
jury’s sentencing recommendation was “based on the fact that we believed he was associated with it, but we could never—if I remember right—finger him with the gun or determine that he was the person that pulled the trigger.” Tom, the other interviewed pro-life juror, suggested after the interview was over that jurors do not care about life history, and when he was asked during the interview if he recalled the testimony of either defense social worker who testified during the punishment phase, he said that he did not. When asked what evidence was most helpful to him in reaching his punishment decision, he responded, “There really wasn’t any specific.” When asked why not, he answered,

Because I came in there knowing that based on our previous verdict on him not necessarily being the one that pulled the trigger that I was not comfortable having a person sentenced to death for that uncertainty. From a moral standpoint I didn’t think that was appropriate.

The pro-life jurors in Ted’s case demonstrated a similar logic. During a botched robbery attempt, Ted’s gun discharged as he struggled with one victim, who was struck in the chest and killed. A second victim was chased down and beaten but allowed to live. Again, the defense used individualizing discourse by highlighting Ted’s lack of intent, reminding the jury that Ted was convicted of negligently killing someone during a robbery, and providing psychological testimony of Ted’s internal problems. However, the defense also presented contextualizing evidence of Ted’s terrible childhood, including the fact that he was an unwanted child; he was abused and neglected; his father abused and raped his mother; he was abandoned on a porch at age 11, which caused him to believe neither parent wanted him; his father burglarized and burned the house in which he and his mother were living after his parents separated; and due to cramped space in the apartment into which they moved, he often spent nights on the streets as a pre-teen. A forensic nurse testified that Ted was so afraid of his father that he allowed a burn on his leg to go untreated for two days because he did not want his father to know he spilled soup on himself when he was supposed to be asleep (Penalty Trial of Ted, Day 3, p. 31-66). Many of Ted’s life choices were framed as the result of constrained options rather than free will. For example, his choice to roam the streets at night was cast as the result of it being “too crowded in the house” and Ted having nowhere to sleep, which then introduced him to a world of crime at a young and impressionable age (Penalty Trial of Ted, Day 3, p. 54). Although they conceded Ted made choices, the defense also suggested that “perhaps other people couldn’t have made different decisions” (Penalty Trial of Ted, Day 1, p. 39).

Nine jurors recommended a life sentence, but none of the jurors could accurately recall any of the life history testimony that was presented. Rather, the four interviewed jurors who recommended a life sentence based their decision on doubts they harbored over Ted’s intent. In the words of Gary:
I just did not believe that he went there to intentionally kill him. I know he went there to rob him. I couldn't give somebody a death penalty if I wasn't absolutely one hundred percent sure that he went there with the intentions of killing him. I wasn't a hundred percent sure, and nothing could change my mind.

Gary also indicated that the primary discussion during the punishment deliberations centered on the defendant's criminal intent. Richard corroborated this account by conceding that the jury “had decided early on that it was not premeditated” and indicated that the jury felt that since they did not believe the murder was premeditated and “didn't get the impression that he was a hardened criminal,” they “really should not put him to death.” The other two interviewed pro-life jurors also confirmed these observations. Paul stated that during the guilt trial the jury “had come to the decision that he didn't plan to kill him so that it shouldn't be a death penalty,” and Matt indicated:

Most of the jurors, myself included, thought that yes, he was responsible for killing this person, but we didn't feel like it was a premeditated “I'm gonna walk up and just shoot the person,” so most of us had the feeling that yes, he should go to jail for it, but no, he should not get the death penalty.

Throughout the interview, Matt indicated his belief that the murder was not intentional or planned, and when asked if he would have favored a death sentence if he thought the killing was intentional, he replied affirmatively. Matt indicated that the single most important factor in the jury's punishment decision was how intentional the killing was, and when asked why the defendant's intent was so important to him in making his punishment recommendation, he stated,

Because if I felt he intentionally went out to kill somebody, personally speaking. I would have voted for the death penalty, but it's hard for me to put somebody—be the person that votes to put somebody to death when I'm not necessarily convinced that that was what they were intending to do from the beginning (emphasis added).

Death for Those Who Intend Death

This culpability-based reasoning may not sound problematic among jurors who recommended a life sentence. After all, if they felt the defendant was simply not culpable enough to deserve a death sentence, there may have been no need to analyze the evidence any further. However, Matt's indication that he would have voted for death if he felt the killing was intentional suggests he would not have been swayed by any array of mitigating circumstances.
When looking at those jurors who did decide the defendant intended death, it is clear that they too ended their analysis at this point and decided that death was the appropriate sentence without giving consideration to mitigation. In other words, the decision-making processes demonstrated by the jurors who recommended life are more pronounced, and far more concerning, among the jurors who voted for death.

The penalty phase transcripts from the trials of Steve and Charlie, both of whom were sentenced to death, reveal that while defenders use an individualized focus on culpability, they also present contextualizing mitigation. However, in neither case did any of the interviewed jurors discuss this evidence. To the contrary, it was made clear that mitigation was not even considered in the jurors’ recommendations. None of the 3 jurors who were interviewed from Steve’s case could recall the mitigation experts, and both jurors interviewed from Charlie’s trial decided the defendant deserved a death sentence before the penalty phase even began. Most strikingly, the interviews with 11 jurors who voted for a death sentence in trials in which they were outnumbered by a life majority are instructive. Digging their heels in for death, these jurors’ narratives reveal the power of commonsense assumptions about human behavior and the preoccupation of jurors with individual responsibility to the detriment of defendants.

While driving around, Charlie noticed someone with whom he had had a prior altercation. He got out of the car, pulled his hood over his head, followed the victim into a local business, and shot him to death. In the process, a young boy was killed by a stray bullet. Charlie’s jury unanimously recommended a death sentence. As Dunn and Kaplan (2009) would suggest, Charlie’s defense team presented rich life history evidence that relied on individualizing discourses, such as his limited mental ability, substance abuse problems, learning disorders, clinical depression, head injuries, school failure, and self-esteem and mood problems. However, they also went beyond individualizing evidence by presenting evidence that Charlie needed interventions throughout his life that he never received. Using a social worker and a psychiatrist, the defense argued that it is likely that Charlie would have been a significantly different person had he received the interventions he needed or if he had a better and more supportive home environment. As the defense attorney stated in his opening statement, “Is [Charlie] an evil person that was begotten evil and is evil to this day, or is [Charlie] somebody who...was neglected and never got what was required for him?” (Penalty Trial of Charlie, Day 1, p. 77). Numerous examples of experiences over which Charlie had no control were presented, including a lack of positive male role models, functioning “as sort of an unwanted child,” a lack of emotional support, his parents’ refusal to get him needed counseling, and a deep sense of mistrust and rejection that was triggered when he discovered that his step-father was not his biological father (Penalty Trial of Charlie, Day 2, p. 212-242). The social worker explained to the jury that “it would have made a difference if he had had a
sounder environment that supported his needs and found constructive ways for him to identify himself” (Penalty Trial of Charlie, Day 2, p. 237-238).

Although both jurors who were interviewed from Charlie’s case were able to remember details about his upbringing when asked about the defense’s experts directly, they did not use that evidence in their sentencing decisions. Frank decided the defendant deserved a death sentence “When it became obvious he was the guy that committed what I felt was a cold-blooded killing... [because I] felt he had done it mercilessly with no remorse.” John explained that the “the nail in the coffin” was when “[the defendant’s] brother could not corroborate the defense’s position [at the guilt stage]” because the defendant’s innocence claim “didn’t make sense.” Neither of these interviews suggests that these jurors considered or weighed any of the contextual factors that they recalled from the penalty phase. In both instances, they had decided the defendant was unfit to live based solely on his guilt; the presented life history evidence was not a factor in their decisions.

A similar pattern appears in Steve’s case. Steve was involved in the beating and execution-style killings of two young men under the direction of an older man whom he admired as a father figure. Nine jurors recommended a death sentence and the judge concurred. As in Charlie’s trial, the defense presented both individualizing and highly contextualizing mitigating evidence that illuminated the defendant’s disturbing upbringing. Steve’s attorneys told the jury in their opening that they were going to present evidence to explain that Steve was “at high risk to commit violent acts” (Penalty Trial of Steve, Day 1, p. 28), and through the testimonies of a social worker and psychologist, they tried to show that “what happens to people when they are children matters tremendously to how they turn out as adults” (Penalty Trial of Steve, Day 2, p. 94). Rather than situating the blame for the conditions Steve experienced within Steve’s person, the social worker tried to explain that the risk factors he experienced existed in the environment into which he was born, but that they explain “why he is the way he is as an adult” (Penalty Trial of Steve, Day 2, p. 136). Furthermore, instead of relying on individualistic explanations, the defense’s psychologist attempted to demonstrate “how all experiences can have an impact on us as we go through life” (Penalty Trial of Steve, Day 2, p. 159) and to make the jury “understand what sort of impact [Steve’s experiences] had on [him]” (Penalty Trial of Steve, Day 2, p. 160). The experts testified that Steve grew “up in a chaotic environment” in which he received little love, support, or validation until he met the co-perpetrator, who appears to have profoundly influenced his behavior as a father figure (Penalty Trial of Steve, Day 2, p. 104-105, 135, 166-168). Steve’s biological father was a teenager when Steve was born and was never involved in his life (Penalty Trial of Steve, Day 2, p. 103). Throughout his life, Steve’s mother had several relationships with other men, but it was not until she began dating the co-perpetrator that Steve became connected to any of them as a father figure. The defense psychologist told the jury that the co-perpetrator “was
an important source of support;" without this person in his life, Steve likely would not have acted the way he did because the co-conspirator was really the first person to provide Steve with validation (Penalty Trial of Steve, Day 2, p. 166). Unfortunately, validation came in the form committing horrific acts of violence (including a prior murder).

None of the three jurors who were interviewed could recall the defense's experts, and only one mentioned Steve's upbringing as being part of the mitigation case. Asked what the defense attorney stressed most as the reason why Steve should be spared, these jurors responded: because the defendant had a daughter, he would leave loved ones behind, and that his accomplice was more blameworthy. In attending to the mitigating evidence, Larry recalled that the "defense said it wasn't really his fault. It was his upbringing, the kind of life he lived and painted it as somebody else's issue. He just happened to be in a bad circumstance," but Larry made it clear that none of this resonated in his sentencing decision. To the contrary, the most important factor in the jury's decision according to Larry was the defendant's "repetitiveness in the same type of crimes" and the evidence that was most useful for Larry was "the testimony of the repetitiveness and the callousness" of the defendant's actions. James said "the nature of the crime" was the most helpful evidence in reaching his decision, that the jurors opposed to the death penalty were concerned that the defendant did not do it, and that the jurors who were most in favor said, "That basically he was guilty." The focus of these decisions was on the defendant's culpability. The only evidence from the defendant's past the jurors used was his past criminal history. Ray, the third juror interviewed from this trial, indicated that the jury only deliberated the defendant's punishment for a "couple hours. We pretty well decided most of it during the first [phase]," which implies that the jurors were only concerned with the defendant's level of guilt, regardless of his terrible childhood experiences or the undue influence the co-perpetrator had on his behavior.

The interviews with numerous death recommenders whose defendants were spared confirm these findings. As in the death cases, several death jurors from the life cases made use of abridged background information, focusing on the defendant's prior acts of criminal violence rather than his experiences as a victim. Arthur, a pro-death juror from Donald's trial told the interviewer that the defendant's background was the most helpful evidence in helping him reach his sentencing decision "because it presented the case that this was a pattern of history," rather than because it helped the juror understand how the defendant came to the decisions he made or to associate with those he did. The "background" to which the juror was referring was not Donald's mother's drug addiction, the absence of a father-figure in his life, his early childhood exposure to drugs and violence, or his grandmother's inability to properly supervise him in the environment in which he was raised. It only referred to his criminal past.
Similarly, Ted was spared because most jurors had doubts that he intended to kill the victim. Those who did not harbor such doubts, on the other hand, recommended a death sentence. In justifying his death recommendation in Ted’s trial, Brett said, “I was pretty convinced that he would kill again,” and he later went on to indicate that during punishment deliberations the jury debated how much responsibility fell on Ted relative to his co-perpetrators and that the most helpful evidence to him was how the forensic evidence supported the co-conspirators’ testimonies that Ted was the triggerman. Eric also focused on culpability, indicating that the use of a gun in the commission of a robbery implied the defendant intended to use it:

_Interviewer:_ Why did you think [defendant deserved a death sentence at the conclusion of guilt trial but before penalty trial started]?

_Eric (Juror):_ Because I understand that it’s possible to have someone die without you wanting that to happen or planning that to happen, but that wasn’t what happened here. [Defendant] deliberately brought a gun and [victim] ended up dead.

_Interviewer:_ So because he deliberately brought this gun?

_Eric:_ Yes, and he had to have reason for bringing that. The end of the day, somebody died because of that (emphasis added).

Lastly, Roger was judged by jurors who only took a similarly partial view of his past. In his penalty phase, two social workers testified that before killing an acquaintance during a robbery, Roger had experienced a terribly deprived childhood in which he was exposed to numerous risk factors. He moved more than once a year during his pre-teen years while living in a high crime city and experiencing domestic violence and mistreatment. He had numerous family members involved in drugs and crime and attended a failing school system, among other substantial disadvantages (Penalty Trial of Roger, Day 2, p. 68-100; Day 3, p. 31-47). One of his attorneys stated to the jury that because of “the environment that he was in, it was almost inevitable that this was going to happen” (Penalty Trial of Roger, Day 1, p. 32). One of the social workers testified “that what happens to you when children is—is critical in understanding how you turn out as an adult” (Penalty Trial of Roger, Day 3, p. 25). The closing arguments of Roger’s defense counsel presented an explicit challenge to hegemonic individualism. The lawyer argued that none of the risk factors experienced by Roger were his fault, but they explain the decisions he made as an adult. He even suggested to the jury that “a person’s free will should only be judged in the context of the person’s life. We are, to a large extent, the products of our environment” (Penalty Trial of Roger, Day 3, p. 109-111).

Roger’s jury recommended a life sentence by a seven-to-five margin. The primary reason given by the five jurors who voted for death was fear of fu-
tured dangerousness, which they inferred from his criminal history, while at the same time overlooking his social history:

Interviewer: What evidence or testimony was most helpful to you in reaching your punishment decision? Why? Please explain.

Ron (Juror): His background. It showed me this wasn’t just a one-time deal. There was a history of violence.

Interviewer: So you’re talking about his criminal background?

Ron: Yes.

Interviewer: And this showed you?

Ron: This wasn’t just a one-time deal. It made me feel like this wasn’t a mistake, that there was a history there, and it was going to go on and on and on.

Interviewer: You felt he was going to continue in this pattern?

Ron: Yes, because it just kept going. It wasn’t like a one-time deal, he was a role model, and he just made a mistake one day. It wasn’t like he snapped.

The history provided by the defense’s two social workers, who testified to the far reaching negative impact of Roger’s past experiences, was overlooked. The most helpful evidence to these jurors was the evidence that suggested Roger would be violent in the future. Elliot revealed that he supported a death sentence for Roger “because they showed to me that he had no intention...of getting rid of the weapon where he would actually intended to kill again. Otherwise, he would have ditched the firearm and conceal[ed] it, but he went on to commit other crimes.” Karl leaned in favor of death “because I think if he was out again he would probably rob somebody else again or rob a store.”

Ben, who actually expressed that the only thing he could really remember from the penalty phase was Roger’s difficult childhood, went as far to say, “there would have been more [victims]...If he knew there was anybody else in the house, I believe he would have killed whoever was there.” He later said that “the fact that if the opportunity presented itself or if the necessity would have presented itself, more people would have been killed,” was the most helpful evidence to him in reaching his sentencing decision. Despite recalling Roger’s upbringing, Ben focused his sentencing decision on the defendant’s acts of violence, something the final death juror did as well. Nicholas, the last remaining death supporter, recalled Roger’s background very well, but when asked what factors were important in the jury’s and his decision, he did not mention this evidence. The most important factor to the jury in deciding punishment, according to Nicholas, was “That he shot the victim in the back.” Those most in favor of the death sentence argued that
the killing was premeditated, and the evidence most helpful to Nicholas in reaching his sentencing recommendation was, “What he did and how he did it.” If the crime appeared to be more of an accident, Nicholas suggested he may have supported a life sentence, but he concluded that the crime “was just cold and calculating.”

Taken as a whole, the death recommendations in this sample do not appear to be a function of jurors weighing all the evidence in aggravation against all the evidence in mitigation and concluding that the aggravating side is heavier. Rather, they seem to derive from a simple logic. Did the defendant intend to kill the victim? If the jurors were convinced that he did, they supported a death sentence. The defense’s presentation of mitigating life history evidence did not seem to influence these jurors or even get factored into their weighing process.

**Hegemonic Individualism: The Causal Link**

So why were these jurors so focused on the defendants’ culpabilities and dismissive of mitigation even when contextualizing evidence was presented? The responses of several jurors indicate that what was under the surface of these highly individualizing decisions was a strong adherence to commonsense notions of individual responsibility and a distrust or disbelief of any evidence that challenged this belief. Most of the jurors claimed they could not recall the defense’s presentation of life history evidence, even when they were reminded of this evidence by the interviewer, but even those who did recall such evidence rejected it as irrelevant. Not a single juror identified the defendant’s social background or life history as a factor used to determine sentence, and many explicitly denied the relevance of factors outside the defendant.

Some, like Larry from Steve’s trial, construed the contextualizing evidence as an attempt to excuse the defendant’s behavior rather than an explanation for it: “he made [his bad childhood] his mantra, didn’t seem to take responsibility. It was always who he was with.” Others rejected contextual evidence as irrelevant: “He may have had some problems, but he still committed the crime, and I think as far as having an impact I don’t, I don’t recall that that—it didn’t have much of an impact on me” (Frank from Charlie’s trial when asked about the social worker’s testimony of Charlie’s childhood experiences). A similar reaction was expressed by John, the other juror interviewed from Charlie’s trial: “[The defense] did present some background information as to his upbringing and how he found himself in the type of situation he was in, but...you still don’t kill somebody” (emphasis added). As Cliff from Donald’s trial put it, “I felt like [the defendant] did it to himself. I would say he’s the number one thing. I mean you did it, so you’re number one. You’re really responsible for yourself.” In Ted’s trial, Richard, the only juror who could remember that the defense used a forensic nurse, expressed the belief that the nurse’s testimony (which attempted to connect the events of
Ted's childhood to his subsequent behavior), “was really stretching it,” and therefore “was not credible.”

The jurors' opposition to contextual explanations for human behavior is best summarized by Elliot, who served on Roger's trial. Roger's attorneys explicitly attacked the tenets of individualism by arguing that his childhood experiences were not his fault, that he had little control over his environment, and that we are largely “products of our environment” (Penalty Trial of Roger, Day 3, p. 109-111). Elliot, who was identified as the most influential juror by the others, explained how this defense strategy really bothered him. When asked if there was anything about the crime he kept thinking about, he replied:

That they leveraged his upbringing as part of his defense when I don't particularly agree with that type of defense when we're all born with equal opportunities and equal choices, just whether or not we choose to act on good choices, so that bothered me that still entered into the defense (emphasis added).

Elliot framed Roger's criminality solely as a consequence of personal failings and individual choices by overlooking the existence of a differential opportunity structure and thus constructing an image of a world in which important contextual factors like extreme poverty, an inability to receive a quality education, and early experiences with crime and violence are irrelevant. Interestingly, the only penalty phase defense witness Elliot could recall was the social worker, but when he was asked his thoughts about the testimony, Elliot answered, “That doesn’t work well on me because everyone has choices, so it wasn’t a good defense for me.” He was then asked if the social worker's testimony backfired on the defense. He responded:

Yeah, I would agree with that statement. When someone tries to use someone's upbringing, regardless. Helen Keller, she grew up without hearing or sight and couldn't speak, yet she chose to do a good thing. She could have went another way, but that's her. Disabilities never shut her down.

By drawing on a single highly atypical (and quite ironic) example, this juror is able to reassure himself, and his fellow jurors, that anyone is capable of achieving success and that those who do not are to blame for their own failures. Considering the high degree of influence other jurors attributed to this juror, it follows that this rejection of contextualizing evidence appeared in other interviews. For example, Karl recalled that Roger had a rough life, “but it just didn't really make a difference that you had a big rough life. A lot of people have a rough life. I'm sure the victim probably had a rough life.”

These accounts clarify why jurors rely upon culpability to determine sentence: they are beholden to a hegemonic form of individualism that denies the relevance of contextualizing evidence. This is more than just the effects
of “structural aggravation” (Haney 2005), where jurors are bombarded with aggravating evidence in the guilt stage and make their sentencing decisions too early. It is also not just the result of defenders seeking “a Pyrrhic victory—winning one death penalty case while losing a more sustained battle against the ideology of individualism that fuel’s their client’s social exclusion” (Dunn & Kaplan 2009, p. 360). Although these factors are clearly part of the equation, the jurors’ reactions to contextualizing penalty phase evidence indicate that they are either deaf or outright hostile to such causal explanations. It is not just that capital jurors prefer to focus on elements of the crime when making their sentencing decisions, nor is it just a failure among defense attorneys to contextualize their clients’ actions. Rather, jurors explicitly deny the causal importance of environmental influences.

CONCLUSION

Capital mitigation is a “unique site for studying the law’s relationship to individualism” (Dunn & Kaplan, 2009, p. 363) because unlike other areas of the law, the Supreme Court has repeatedly held that mitigation is highly contextual and requires an evaluation of the defendant’s life and family history (California v. Brown, 1987; Eddings v. Oklahoma, 1982; Lockett v. Ohio, 1978; Penry v. Lynaugh, 1989; Rompilla v. Beard, 2005; Wiggins v. Smith, 2003; Williams v. Taylor, 2000; Woodson v. North Carolina, 1976). However, as Dunn and Kaplan (2009) demonstrated, mitigation often fails to contextualize defendants’ behaviors and reinforces individualistic discourse. This finding caused Dunn and Kaplan (2009) to ponder whether the American legal system is “so fundamentally individualizing that it is incapable of hearing other accounts of the human experience” (p. 363). Yet, Dunn and Kaplan (2009) did not examine the behavior of actual decision makers. My research attempted to extend their theory beyond the way defenders portray their clients to understanding the behavior of actual decision makers.

Through an examination of eight capital trial transcripts and interviews with 35 jurors who served on those trials, my study demonstrated that hegemonic individualism may indeed be influencing capital jurors and can explain why they are preoccupied with culpability when making their sentencing recommendations. The responses of these jurors indicate that they did not pay attention to life history evidence, rejected it as irrelevant, or believed they were supposed to make their sentencing decision based entirely upon culpability. The life history evidence that was presented in these eight cases made little or no impact on the jurors’ sentencing decisions. Garvey (1998) identified “lingering doubt” as the most powerful mitigating circumstance among capital jurors in his research. It appears that this is the lynchpin to most jurors’ decisions in this research as well, but by using the trial transcripts, my study was able to identify why jurors are preoccupied with culpability: they fail to see the relevance of contextualizing evidence. Those who voted for a life sentence indicated that doubts about the defendant’s culpabil-
ity were the reason. When the jurors did not harbor doubts about intent, they were supportive of a death sentence.

While in some instances the jurors’ individualistic focus likely stemmed from the individualistic nature of the mitigation case, these interviews also suggest that even when the defense offered contextualizing evidence, the jurors were preoccupied with culpability because they were not interested in the defense’s theories of external causation or, in some cases, were downright hostile to such explanations; the jurors’ sentencing decisions reflect an individualistic interpretation of the world and of human behavior. Although it is perfectly legal for jurors to consider all the evidence and conclude that aggravating evidence outweighs mitigating evidence, jurors are required to at least consider all relevant mitigating evidence (Eddings v. Oklahoma, 1982). It is important to understand that these findings are not a condemnation of the decisions made by these 35 persons. Rather, they are indicative of the powerful force of hegemonic tales and of the inability of guided discretion statutes to overcome taken-for-granted cultural understandings that are rarely questioned because they are commonsensical. Although individualistic explanations fly in the face of the bulk of the criminological literature (Pratt, Cullen, Blevins, Daigle, & Madensen, 2006), they form the dominant cultural narrative in the United States, and their pervasive influence among capital jurors suggests that Dunn and Kaplan (2009) are indeed correct about individualism exerting a hegemonic influence and that Justice Blackmun was accurate in his assertion that humans are simply incapable of devising a capital sentencing system that is able “to deliver the fair, consistent, and reliable sentences of death required by the Constitution” (Callins v. Collins, 1994, p. 1145-1146).

In few other situations are most white, middle class Americans forced to confront the horrifyingly criminogenic social conditions in which most capital defendants lived their lives (Haney, 2004). Yet, even when confronted with this evidence, these jurors continued to cling to a comfortable cultural master narrative that places the blame for things ranging from crime to poverty squarely on the shoulders of individuals rather than acknowledging that society may hold some responsibility. Acknowledging that human beings are social creatures who are strongly impacted by their social environments does not absolve them of responsibility for their actions, nor does it suggest that criminals should be treated leniently. However, the hegemony of individualism does absolve society of responsibility for the great harms it has inflicted on its members and its role in creating conditions conducive to lethal violence while simultaneously disempowering the rest of society from devising meaningful social solutions to social problems such as crime and poverty.

While this research advances the literature in numerous ways and helps increase knowledge about both mitigation and individualism, it is not without its limitations. The use of post-hoc interview data with former capital
jurors has some potential pitfalls. Jurors may have confused the timing of different events or forgotten much of the evidence presented at trial and discussions held during deliberations. However, since my project tried to discover what types of evidence are most effective and leave the most impression, this fact is not entirely damning; the time lapse may help pinpoint those testimonies or bits of evidence that left the greatest mark on jurors. Furthermore, evidence from the first phase of the Capital Jury Project (CJP1) suggests that there are no significant differences between the responses of jurors interviewed earlier and the rest of the sample, suggesting that faulty memory does not distort responses (Bowers & Foglia, 2006).

Asking jurors what factors most influenced their decisions after they have made those decisions also risks the justification bias. As Fleury-Steiner (2004) explains, “Capital jurors’ stories can often be heard explicitly as justifications for how and why they made particular decisions. Recounting their experiences, they employ moral justifications as a storytelling technique to persuade the interviewer” (p. 33). Jurors who are being interviewed after they have returned a sentencing recommendation may be searching for acceptable rationales to justify their recommendation rather than accurately recalling what influenced their original decisions. Evidence from the CJP1, however, suggests that hindsight bias does not influence jurors’ responses (Bowers & Foglia, 2007), but even if it does, there is little that can be done to combat this problem unless researchers are permitted to record jury deliberations. Of course, that methodology has its own risks, such as inducing the Hawthorne Effect, in which the very act of observing behavior influences the behavior one is trying to observe. Lastly, the risk of invalid data due to the justification bias is reduced in this project since I was looking for jurors’ use (or lack of use) of legally relevant factors rather than their use of extra-legal variables that they should not have considered and may very well wish to hide from interviewers.

The use of only eight trials from one state makes it impossible to generalize the findings of this study to even Delaware, let alone the nation, especially since Delaware uses an atypical sentencing procedure that may affect juror behavior. For example, Bowers, Foglia, Giles, and Antonio (2006) found that jurors in hybrid sentencing states like Delaware are less likely to take responsibility for their sentencing decisions, and the jurors in this sample also denied responsibility and suggested that they spent little time deliberating the sentence with other jurors (Kleinstuber, in press). It is possible that by truncating penalty deliberations, this sentencing scheme causes jurors to give less consideration to penalty phase evidence of all kinds, especially contextualizing evidence that challenges their commonsense beliefs. However, since the findings regarding the jurors’ focus on culpability confirm earlier studies from other states, it does not appear that this is a major concern. Additionally, the purpose of the study was not to reach broadly generalizable conclusions but to conduct an in-depth and detailed exploration of the
mitigation process that would have been impossible with a large sample size. It should also be noted that because my research only looked at capital jurors who convicted their defendant, the possibility exists that jurors who acquitted their defendant and potential jurors who were not selected for some reason (such as not being death-qualified) may have focused on other types of evidence in the penalty phase, had they served there. Considering the extreme nature of the death penalty and the well documented differences between death-qualified jurors and the general public—more punitive, more conservative, more conviction-prone, more likely to be white males (Fitzgerald & Ellsworth, 1984; Fleury-Steiner, 2004; Haney, 1984; Young, 2004)—this study cannot conclude that individualism is a potent theme beyond the realm of capital sentencing.

Therefore, more studies of both mitigation and of individualism are needed. In order to fully understand mitigation and its effect on capital case outcomes, further in-depth and statistical analyses from other states are clearly needed, and it is important to study how different variables such as geographic location or type of defense counsel affect the workings of mitigating evidence. This study does not take any systematic look at race or gender, but both are definitely important factors when it comes to capital sentencing and jurors’ ability to feel empathy for the defendant (Haney, 2004; Lyon, 2004). For example, it has been found that the presence of even a single black male on a jury reduces the odds of a death sentence in black defendant/white victim cases (Bowers, Steiner, & Sandys, 2001), and it has been suggested that women may be more contextual in their decision making (e.g., Gilligan, 1982). So, future studies of mitigation should consider studying how the race and gender of the defendant, victim, and juror affect mitigation. Furthermore, to be able to conclude that individualism is truly hegemonic in society, it needs to be shown to actually influence things beyond the death penalty. Research needs to explore whether Americans’ views about a whole range of social problems and social policies really are related to individualism or if their opinions and beliefs are more nuanced and complex than that.

ENDNOTES

1 This excludes the case of a 17-year-old who was sentenced to life following a penalty trial because the US Supreme Court decided *Roper v. Simmons* (2005), which bars the imposition of the death penalty on juveniles, after the penalty hearing was conducted but before the judge determined sentence. It also excludes the case of two men who received life sentences after their death sentences were overturned but their convictions were upheld; their sentencing re-hearing was held without a jury.

2 Florida and Alabama are the only other states that do this.

3 In the sample, there were 18 male and 17 female jurors.
4 Court records indicate that this juror did serve on the penalty trial and signed the sentence recommendation sheet but do not distinguish how each juror voted at sentencing.

5 Helen Keller was a socialist opposed to the individualistic mentalities of American capitalism.

REFERENCES


**AUTHOR BIOGRAPHY**

Ross Kleinstuber is an assistant professor of Sociology and of Justice Administration & Criminology at the University of Pittsburgh at Johnstown. His research interests include law & society; capital sentencing; inequality; international law, genocide, & human rights abuses; and criminological theory. His recent works include examinations of judge and jury decision-making in Delaware capital cases and reviewing criminological theories of genocide.
Book Review:
Van Den Hoonaard, D.K. *Qualitative Research in Action: A Canadian Primer*


**Reviewed by:** Deborah Landry, University of Ottawa, Canada

Dr. Deborah Van Den Hoonaard has made a distinguished career of applying qualitative methodologies to uncover the rich everyday experiences of marginal populations. Professor Van Den Hoonaard holds a prestigious position as Canada Research Chair in Qualitative Analysis, garnering the respect of her peers for her fieldwork. The savvy experience of a seasoned field researcher unfolds easily in this guidebook, which feels more like a documentary than a methodology textbook. Nodding to the ethnographic traditions of the Chicago School and McGill University (the Canadian version of the Chicago School), her engagement with contemporary approaches is couched in an informed historical context; new scholars are invited to continue the important work of getting the seats of their pants dirty (to paraphrase Robert Park). Given the trend toward Orthodox methodologies that has arguably taken place in the discipline of criminology and criminal justice since the 1980s, I offer that this book stands as an important contribution to renewing interest in the creation of knowledge about marginalized populations through qualitative research methods.

If you are searching for a book that outlines rigid steps for analyzing data, this is probably not the book for you; regardless, the primer on qualitative approaches is a valuable resource for a contemporary research methods undergraduate syllabus and a supplementary text for graduate level methodological seminars. Written intuitively to the needs of the classroom, the author introduces the reader to an extensive scope of recent literature. In an effort to encourage methods that respond to the contemporary mass media world we negotiate, the book devotes a chapter to introducing new directions in methodology, such as ethnodrama, virtual ethnography, and visual sociology (which, I suggest, is typically misplaced under the heading of content analysis in most other methodology resources).

The book is logically organized into ten topical chapters, which fits easily into a standard single semester undergraduate course. It provides a well paced guide for those who teach using independent classroom-sized research projects that develop over the course of three to four months. For courses that extend into two semesters, instructors can readily augment the book with original research referenced in the book. Each section suggests
Learning Objectives, directing readers as they work through the material. Questions for Critical Thought concludes each chapter with brainstorming ideas for in-class group work. For example, the discussion on In-Depth Interviewing encourages students to ask each other questions about best and worst classroom experiences, drawing students into curiosities about social structure that is immediately relatable. The chapter devoted to unobtrusive methods inspires students to consider all collective productions as cultural manifestations of social order, ready for analysis, including trash! Highlighting the topical work of Dr. Jeff Ferrell (2006), Van Den Hoonoord provides feasible ideas for research opportunities that are immediately accessible.

There are two key qualities of Qualitative Research in Action that qualify it as exceptional methodology book. First, Dr. Van den Hoonoord recognizes the embodied and political context in which research (particularly field research) unfolds. The book offers informed advice and sound techniques that help anxious students maneuver that strange land between proposing research and doing research. The author walks the reader through realistic coding strategies, encouraging one to trust the processes of systematic analysis without fetishizing techniques. New researchers are encouraged to rely on old school systematic coding by hand (in lieu of coding software, at least initially), learning that the process of conceptualization is a skill based on experience working with data, not software tweaking. This is a bold statement, given the publish or perish narrative that seems to characterize the pace of Western academia, a concern most recently raised by Jock Young (2011) by way of C.W Mills. Van Den Hoonoord’s reputable approach to slowing down the process of knowledge construction is a timely political statement. Her accomplishments evince the fact that this research strategy is feasible and valuable.

Second, the Canadian focus provides readers (regardless of nationality) an introduction to the global context in which principled research must be negotiated in our mass mediated world. William Van Den Hoonoord (2012), a distinguished scholar in the area of research ethics, authors a chapter that moves the issue of ethics beyond the actuarial concerns of state-specific university ethics boards. Ethics is explained as a principled process of developing a moral compass and authentic relationships with research participants over time. The ethical discussion in this book will benefit all criminology and criminal justice audiences, regardless of nationality.

This text does not provide step by step instructions, which is not the purpose of this text; the guidelines and reflexive scope of possibilities, considerations and concerns for qualitative research provided in the text are impressive given its paperback size of approximately 200 pages. The primer is authored in a welcoming accessible tone, despite communicating an important political message about the need for more reflexive critical analysis that considers the lived realities of marginalized populations. Professor D. Van Den Hoonoord’s contribution to the research methods literature has become
a staple in my methods courses, as well as the starting book for graduate students I supervise. In sum, it is a politically important and methodologically cogent pearl in a sea of methodology texts.

REFERENCES


Book Review:

Saundra D. Westervelt & Kimberly J. Cook,
*Life After Death Row: Exonerees’ Search for Community and Identity*


**Reviewed by:** Jeanne Subjack, Sam Houston State University, USA

*Life After Death Row* examines how individuals wrongly sentenced to death adjust to life after their release. The idea for the book arose in 2009, after Westervelt and Cook attended a conference and learned about the different aspects related to wrongful convictions that had yet to be addressed in academia. To gain a more thorough understanding of the events the participants experienced, the authors used life history and feminist methods to conduct their research. Although the current analysis is not necessarily focused on gender, feminist methods are useful here because they can be applied when a researcher “seeks an understanding of participants as whole people with often conflicting beliefs and feelings…” (pp. 21-22). The authors are able to gain insight into some of the more complex relationships and issues that exist by combining this methodology as a supplemental tool for life history methods.

Westervelt and Cook divide their book into four sections. The first section begins by providing statistics regarding the changes in acknowledging the issue of wrongful convictions and immediately stress that numbers do not provide the entire picture. They also set up the parameters of their research by focusing on individuals who were exonerated based on actual innocence and were so identified by the Death Penalty Information Center (DPIC). The authors examined available news coverage for the individuals, conducted life-history interviews, and recorded field notes during their interactions with the participants. There was only one instance where the authors had to conduct their interviews via written correspondence, because the individual was in federal prison. They conducted face-to-face interviews with all the other participants.

Part One also provides a closer look at who the participants are including: how long they were on death row; if their case involved the use of DNA evidence; what year they were exonerated; and if they received any compensation. Geographically, 11 states were represented, some of which had multiple participants sentenced. The average time spent on death row was 9.5 years, and ranged from 2 to 26 years for the 18 individuals. Finally, DNA
evidence was critical for the release of 3 of the participants (17%), because this evidence was not available at the time of their original trials (Westervelt & Cook, 2012).

Part Two looks at the issues the participants faced after their exoneration. Some of the issues include finding a place to live, maintaining steady employment, and rebuilding relationships with family and friends. The most basic issue exonerees face immediately after release is where to stay. Several individuals were only given a few hours’ notice of their release and were unable to better prepare themselves. Other issues include facing the deaths of family and friends, as well as losing family members who still believe in their guilt.

Part Three examines how the individuals process their official status as innocent, both while in prison and after their release. For example, Chapter 8 addresses how the participants internalize their new status as former death row inmates. It is here that the stories seem to be dominated by particular participants, and while their voices certainly need to be heard, it appears the others do not have a story to share. It is unclear why certain individuals did not have responses, but it may simply be that such issues were not addressed as thoroughly in each interview. At such a point, it is important to remember the fact that qualitative research may take unexpected detours.

The other focus of Part Three includes compensation for the exonerees. Not only do exonerees need financial stability and recognition of the time they lost having careers and income, many also felt they needed formal recognition of their innocence. The issues outlined enhance the necessity of such a book, because these are voices largely unheard, and therefore many of these issues are unknown.

The final section focuses upon the exonerees’ thoughts concerning what assistance should be provided upon release, particularly compensation and assistance in the way of employment and emotional support. Emphasis on compensation and related issues highlights the importance of addressing a topic like life after release qualitatively, because the depths of these issues largely go unnoticed in quantitative work. The final chapter, the epilogue, brings the book full circle. We met the exonerees at the beginning and learned about the situations that led to their sentencing. At the end, we learn about their lives currently, although their journey is far from over. Sabrina Butler was convicted in 1989 of the murder of her baby. Butler was 18 at the time and served 5 ½ years in prison, 2 ½ of which were on death row. At the time of the book’s publication, Butler still lived in the same town in which she was convicted. She married and now has three children. She recently filed for compensation and was still waiting to receive it.

Overall, this book provides a unique perspective on the life of a death row exoneree, both while in prison and after release. Each particular issue they faced could potentially fit its own book, and the depth of every issue is
difficult to grasp in a single chapter. None of the exonerees were from Texas, which is interesting because this state accounted for 37% of total executions as of 2011 (Fins, 2009). While there may not be exonerees from Texas, based upon the number of individuals sentenced to death, it appears as though it is possible and could be addressed. Finally, the chapter focusing on the exonerees' emotional struggles, Chapter 5, seems brief, with many of the personal anecdotes coming from the same few individuals.

Despite these criticisms, this book provides an important insight into the world of death row exonerees, and many of the issues addressed would not be otherwise known. Criminal Justice students in corrections classes would benefit from reading this book, because it raises some of the current issues in the prison system. Researchers interested in policy should also read this book. Based upon the research, it is clear that there needs to be reform related to not only sentencing policies, but also policies for post-release. Hopefully, this book will also inspire more research on this topic, particularly qualitative research. Such a harrowing experience requires personalized stories to spread awareness, because without them, numbers are irrelevant.

REFERENCES

Book Review:


**Reviewed by:** Robin D. Jackson, Sam Houston State University, USA

Drawing on biographical details, people’s experiences, and historical documents, Geoff K. Ward examines Black child savers’ efforts and struggles to transform a Jim Crow juvenile justice system into a racially democratic model of juvenile justice. In his first book: *The Black Child-Savers: Racial Democracy & Juvenile Justice*, Ward describes Black child-savers as concerned Black Americans and their allies who sought racial reform in the juvenile justice system and who intervened on the behalf of Black dependent and delinquent youth. Ward also discusses “the sociocultural origins and organization of Jim Crow juvenile justice as well as the social movement by generations of Black Americans to replace the White supremacist parental state with an idealized racial structure of democratic social control” (pg. 5).

In his introduction, Ward describes the racial history of juvenile justice as being similar to a quilt; the methodology used for this book consists of identifying and piecing together vital elements and historical accounts of race in America and in juvenile justice. Ward’s discussion of the racial history of the juvenile justice system is organized chronologically and is broken into two main parts. Part One provides readers with an overview of juvenile justice and discusses the socio-historical origins and organization of Jim Crow juvenile justice. It also highlights the role that racial group power, White supremacist ideology, and related institutional structure played in dictating liberal rehabilitative ideals. In Chapter One, Ward examines the juvenile rehabilitative ideal and provides readers with a brief historical overview of the development of the juvenile justice system while exposing the root cause of racial injustice for Blacks in the juvenile justice system Ward moves from discussing the foundations of Jim Crow juvenile justice and Black youths’ experiences in the nineteenth century American juvenile justice system to examining Progressive era Black youth’s and communities’ experiences in the emerging juvenile court in chapters 2 through 4. Part One concludes with a discussion of the "social mechanisms and implications of Jim Crow juvenile justice" (p. 105).

Part Two of the book focuses on black child-savers and their impact on the racial history of American juvenile justice. Chapters within this section
focus on black social status, oppositional politics, social movement resources, and the waves of reform led by Black child-savers. The first wave of the Black child-savers movement discussed in Chapter Five is characterized by self-help and racial uplift. This wave consisted mainly of under resourced Black women's benevolent associations who, along with Black civic leaders and the community, pooled resources to develop rehabilitative institutions for Black youth. Chapter Six discusses the second wave of the Black child-savers movement, which was characterized by a more professional approach that used civil rights organizations (i.e. NAACP), pressure group politics, legal challenges, and labor force integration. In Chapter Seven, Ward juxtaposes racial juvenile justice developments in Southern cities against changes in Harlem during 1954-1970 in order to examine integration efforts and changes in racial politics of juvenile justice. Ward closes the book with the argument that although Black child-savers achieved formal integration, contemporary juvenile justice continues to divide youth along racial lines by separating them into categories of deserving and undeserving of rehabilitation, with Black and other nonwhite youth characterized as undeserving.

In making the case for his book, Ward contends that earlier works on child-savers, such as Anthony Platt's The Child Savers: The Invention of Delinquency (1969) as well as the works inspired by Platt's book, overlook race in the child-saving movement. The purpose of Ward's book is to reexamine the child-saving movement with Black Americans at the center of the analysis in order “to understand the significance of race in American juvenile justice, historically and today” (pg. 6). Ward's examination of the role of race, specifically for Blacks in American juvenile justice, is well written and sheds much needed light on the experiences of Black youths in the juvenile justice system; it highlights how Black adults helped shape the American juvenile justice system. Because the book is an historical analysis, it devotes limited attention to contemporary causes of the disproportionate amount of Black and other nonwhite youths in juvenile and adult detention, jails, and prison facilities. Instead, Ward expertly uses the lives of Black child-savers and the efforts of Black organizations such as the NAACP to illustrate the role that slavery, Emancipation, reconstruction, White supremacy, segregation, the Great Migration, and civil rights movements play in the racial history of the American juvenile justice system. In the final chapters of the book, when Ward addresses contemporary racial issues in the juvenile justice system, he does so to demonstrate how early racial issues in the American juvenile justice system continue to be relevant today.

Unlike a vast amount of previous research into juvenile justice and the child-saving movement which tends to gloss over racial issues, The Black Child-Savers is unique in that it provides readers not only with insight into the role of race in the juvenile justice system, it also places Black Americans as participants and agents of change within the juvenile justice system. Readers more interested in contemporary race issues in the juvenile justice
system and ways to resolve those issues may find the book somewhat lacking, because it does not provide as extensive an examination into race in the juvenile justice system after the 1970s as it does for earlier time periods. This could be viewed as a potential weakness of the book. However, in addition to filling gaps in the literature, the book also provides the background and context needed to begin a scholarly and well informed discussion of race and juvenile justice. This serves as a strength of the book and also demonstrates The Black Child-Savers’ importance in laying the groundwork for future examinations into racial inequality in the American juvenile justice system.

The Black Child-Savers is an amazing and well-written account of an understudied area of the juvenile justice movement and would be enjoyed by a wide range of groups. However, it is best suited for postgraduate scholars in criminology, social justice, civil rights, American history, and law. The Black Child-Savers is an essential read for the aforementioned groups because along with providing a detailed and more complete historical account of the juvenile justice system, the lessons learned from the experiences of Black youth and Black child-savers that are discussed in the book continue to be instructive and relevant to attaining racial justice in the juvenile justice system today.

REFERENCES

Book Review:
Louise Westmarland, *Gender and Policing: Sex, Power, and Police Culture*


Reviewed by: Maria D.H. Koeppel, Sam Houston State University, USA

Originally released in 2001, Louise Westmarland’s *Gender and Policing* has been released with a new publisher. With Routledge’s rerelease of the book, it is necessary to reassess the value of its research in the field of gender and policing to determine if it is still relevant. Throughout the book, Westmarland uses qualitative data to explore gendered themes in United Kingdom police forces. More specifically, her work focuses on whether differential deployment exists in policing based on gender and explores the role of gender within policing culture in several different situations. To analyze possible gendered patterns, Westmarland bases her work on two case studies: One on a rural police force of about 1,300 officers, and one on a metropolitan police force of about 3,000 officers. In addition to the six months of ride-alongs and participant observations in each force, the author conducted in-depth interviews with over 35 officers and focus groups with an additional 35 officers.

Westmarland uses the rich data she collected to explore a number of gendered themes in policing including police roles and assignments, a strong theme that was consistent throughout the book. Framed in the concept of differential deployment, Westmarland spends the majority of the book discussing specific policing units such as sex crimes and family protection units to determine the validity of gendered stereotypes in policing, specifically pertaining to promotion. In an effort to examine the stereotype that women are deployed more often than men to sexual assault situations or family protection cases, units which do not effectively lead to promotion, Westmarland examines each unit in depth, including how the officers perceive their role in the unit and how officers perceive the opposite sex’s role. For example, one female officer noted that male officers often shy away from child related cases, despite having children themselves. Female officers, even those with who do not have children, are assumed to have the skills necessary to handle the situation. Despite the long discussion of each gender-oriented unit, Westmarland found women frequently chose to specialize in these areas, a conclusion which often ran contradictory to the anecdotes shared by female officers. Westmarland concluded that due to how calls are prioritized and
Notwithstanding the lackluster conclusion regarding differential deployment, Westmarland's book touches on several important gender themes, such as masculinity being imposed on police behavior and lack of female involvement in high status situations involving cars, guns, and horses. Additionally, she discusses the paradox of women working on sexual assault or family protection units specifically to develop skills for promotion, even though the rate of female advancement to high administration positions lags. Throughout the discourse on gender and promotion, Westmarland found that both male and female officers resent the fact that there is female resentment of marginalization to specific units. Female officers expressed feelings of being trapped in a sexist career dynamic, while male officers felt the nurturing stereotypes of women were discriminatory toward male officers who may have been interested in working on the unit. According to Westmarland, there was a constant gender divide of work assignments and roles: Male officers avoided working with the public, while female officers dealt with victims, and male officers handled pursuit and restraint of offenders, while female officers filled out paperwork. It may be argued, however, that this gender divide may not be a conscious division of labor; instead it may be a result of gender roles stemming from informal gender boundaries prevalent in the broader culture (Diamond, 2003).

Despite issues of topic jumping, lack of clear definitions, and areas of weak development, Wesmarland's book was a unique view into the culture of policing from a gendered perspective when it was originally released. She was able to obtain a "behind the blue curtain" look at the law enforcement brotherhood and provided the policing literature a glimpse into masculinity, femininity, and the profession of law enforcement. Although the original book was published over ten years ago, this release does not diminish the value of the work. However, *Gender and Policing* is no longer a unique gender-oriented book. Wesmarland's research on gender and policing is now strongest when combined with other works such as Miller's (1999) work on community policing, or Silvestri's (2003) on leadership in policing. By reading works such as these together, a more comprehensive view of the complexities of gender and law enforcement is provided, with each book providing a unique contribution to the holistic view. *Gender and Policing* not only provides a comparatively international view of gender and policing, it also provides a detailed discussion of how gender influences daily police activities such as officer assignments for arrests or roles within partners. As a result, Westmarland's book is still a strong addition to any curriculum focusing on gender and law enforcement, when combined with other key readings.
REFERENCES


Book reviews typically focus on new noteworthy books based on topics relevant to the particular journal. For JQCJC, this means qualitative studies and research methods books focusing on qualitative methodologies. Once a book has passed its expiration date—typically one to three years after publication—the book is no longer considered fresh and worth reviewing. Over time, however, some books which should not be forgotten or neglected are overlooked. Here at JQCJC, we believe that it is worth revisiting these works and evaluating their contributions (or potential contributions) to the discipline. With that goal in mind, most issues of JQCJC will include a historical book review of a noteworthy but underappreciated work with the intent to make the old relevant once again. Hopefully, these reviews will encourage scholars to sift through the academic waste bin, as Jeff Ferrell might say, to find works which have been discarded or overlooked, but still have much to offer Criminal Justice and Criminology.

Kevin F. Steinmetz
Book Review Editor
Historical Book Review:


Reviewed by: Howard Henderson, Sam Houston State University, USA

CRIMINOLOGY’S FORGOTTEN GENESIS?

Crime is a phenomenon of organized social life, and is the open rebellion of an individual against his social environment. Naturally then, if men are suddenly transported from one environment to another, the result is lack of harmony with the new conditions; lack of harmony with the new physical surroundings leading to disease and death or modification of physique; lack of harmony with social surroundings leading to crime. (DuBois, p. 235)

Seeking to understand criminological thought at the undergraduate, masters, and doctoral levels, the discipline’s paradigmatic indoctrination excluded this citation at the ideological behest of the commonly espoused foundational theorists: Cesare Beccaria with his seminal work *On Crimes and Punishment*, along with Jeremy Bentham and his notion of the panoptican. Arguably, the most dominant paradigm since the early 1900s, has remained contextualized by sociological explanations of crime with the works of the Chicago School of Sociology in the early part of the 20th century including Robert E. Parks and Ernest Burgess and their concentric zone research. Later, it was the work of Henry McKay and Clifford R. Shaw and their interest in the delinquent class created by the rise in urbanization that ushered in the idea of crime being the result of social-ecological realities, which increased the likelihood of the socio-structural dismantling of the traditionally held buffers. Edwin Sutherland introduced the notion that crime resulted from learned behavior and was contingent upon their degree and extent of socialization. Since those days, most theories have been derivatives of the work put forth by the Chicago School of Sociology and the belief that this school spearheaded the contemporary criminological movement.

Interestingly, prior to the work put forth by those most often credited as the foundation of criminological thought, there lies a work yet to receive due credit: *The Philadelphia Negro* (1899). Never mentioned in any of my crimi-
nology courses, I was introduced to this text by an African American Studies professor I was working with on a research project. To my surprise, DuBois's work was a classic piece devoted to examining the impact of urbanization on Philadelphia's Black community. As a first of its kind to use what was considered sound methodological rigor in that day, *The Philadelphia Negro* is a seminal exploration that put forth theoretical explanation, which have remained outside the purview of the traditional criminological paradigm and our somewhat blind devotion to the Chicago School of Sociology.

Arguably, the first American criminologist, DuBois compiled crime rates for African Americans living in Philadelphia, all the while, examining the gender, age, race, and ethnic differentials in *The Philadelphia Negro: A Social Study*. DuBois' research demonstrated that Black crime was (1) a result of poverty and (2) an unintended consequence of slavery, mass migration North, and institutionalized racism. He concluded that any examination of crime within the Black community that did not control for these factors would lead to gross under-examinations of the most significant contributors of crime.

Years before the findings of the Chicago School and their theory of social disorganization, DuBois noted in *The Philadelphia Negro* that crime resulted from a "lack of harmony with social surroundings" (p.235). Primarily, this work can be seen as a rebuttal to the governing ideology of that day, which held that crime was a result of the interaction between biological predispositions and the socio-economic environment in which minorities reside in conflict with the dominant White majority. DuBois' research demonstrated that African Americans were at a greater likelihood of being processed through the criminal justice system. He found racial disproportionalities in terms of police focus, arrest, crime types, prison population, and length of sentence. For example, despite only representing less than one-fourteenth the population, Black Philadelphians were responsible for at least one-third of all serious crime in the city. This realization would later be referred to by many researchers as a racial disproportionality. In attempting to explain the deeper social and individual explanations of the Black criminal element, DuBois noted that the criminal justice system had been used as a litmus test of their behavior, of which he noted:

The immense influence of the peculiar environment on the black Philadelphian; the influence of homes badly situated and badly managed, with parents untrained for their responsibilities; the influence of social surroundings which by poor laws and inefficient administration leave the bad to be made worse; the influence of economic exclusion which admits Negroes only to those parts of the economic world where it is hardest to retain ambition and self-respect; and finally that indefinable but real and mighty moral influence that causes
men to have a real sense of manhood or leads them to lose aspiration and self-respect (DuBois, p. 285)

Despite its contributions, *The Philadelphia Negro* is not without due criticism, primarily a result of hindsight. If judged by today’s standards and consistent with most social science research of that period, *The Philadelphia Negro* falls victim to non-validated survey instruments and ambiguous sampling frames. Often times, the text refers to participants in a manner which would be considered unethical in contemporary times (i.e., ignorant). Despite such criticism, coupled with the social order of the day, it is no surprise that *The Philadelphia Negro* remains outside the purview of traditional criminological thought. A seminal criminological piece, this text was a bold rebuttal to the prevailing criminological geneticists and those who refused to recognize the significance of the African American socio-political reality and its influence on criminal activity.

In summary, *The Philadelphia Negro*’s findings remain ever more pertinent in 2013, some 114 years after its initial publication. Coincidentally, in 2000, the National Institute of Justice created a DuBois fellowship program that seeks to provide an opportunity for junior faculty to research racial/ethnic disproportionalities in criminal justice. Unfortunately, this level of criminological recognition has yet to be reciprocated within mainstream criminology.
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The purpose of this special issue is to review and synthesize what has been learned thus far about the drugs violence/crime models, and also to carve out original and fruitful paths for further inquiry. Consideration will be given to papers that accomplish one or both of those goals. Submissions will be peer reviewed. Manuscripts should not exceed 30 pages double spaced excluding tables, figures, and references. An abstract of approximately 200 words and a biographical sketch must accompany the manuscript. Submissions must arrive no later than December 15, 2013. Authors must send two electronic copies of the manuscript, one full version (with cover page containing the author’s name, title, institutional contact information; acknowledgments; grant numbers; and the date, location, and conference at which the manuscript may have been presented), and one blind copy (minus all identifying information) to Dr. Jacques at sjacques1@gsu.edu. Manuscripts should be in MS Word and adhere to the formatting style of the Publication Manual of the American Psychological Association (5th ed.) and CJR formatting guidelines.