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Criminological Highlights

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Criminological Highlights is designed to provide an accessible look at some of the more interesting criminological research that is currently being published. Each issue contains “Headlines and Conclusions” for each of 8 articles, followed by one-page summaries of each article.

Criminological Highlights is prepared by Anthony Doob, Rosemary Gartner, Samantha Aeby, Jacqueline Briggs, Jessica Bundy, Giancarlo Fiorella, Maria Jung, Tyler King, Jihyun Kwon, Alex Luscombe, Audrey Macklin, Holly Pelvin, Andrea Shier, and Jane Sprott.

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This issue of *Criminological Highlights* addresses the following questions:

1. Can judges reduce reoffending by handing down ‘tough sentences’?
2. Why do nonfatal gunshot cases have lower clearance rates than fatal gunshot cases?
3. Why don’t inner-city Black youths cooperate with the police in their investigations of gun violence?
4. In what ways can family support of prisoners returning to the community reduce reoffending?
5. Does the likelihood of reoffending of people convicted of sex offences decrease with time?
6. Is the willingness to be cooperative with police during interrogations affected by whether or not the suspect knows that the interrogation is being recorded?
7. Why does the use of solitary confinement persist even in the face of consistent criticism of its use?
8. Does it matter if police officers believe ‘rape myths’?

Offenders convicted of violent offences who were sentenced by ‘tough’ judges were equally likely to commit further offences as were those who, on the basis of a random process, were sentenced by more ‘lenient’ judges.

Although the findings show a short-term incapacitation effect (while in prison a person is precluded from offending in the community), this ‘benefit’ is short-lived. As soon as a person is released, they commit offences at the rate they would have had they had the opportunity to do so. Said differently “imprisonment did not prevent post-release violence in the community” (p. 674). It simply delayed its occurrence. The results “suggest that imprisoning fewer people for violent offences on the margin between prison and probation would have relatively small effects on violence in the community, and that alternative policies and interventions to prevent violence may show greater benefit at reduced social and economic costs” (p. 675).

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A comparison of police clearance rates of gun murders and gunshot assaults demonstrates that the amount of resources police invest in their investigations makes a difference. Gun murders are more likely to be solved than assaults because the police invest more resources in investigating them. The more resources that are invested in timely investigations of serious violent crime, the more likely they are to be solved.

“Given that fatal and nonfatal cases occur in similar circumstances, the greater volume of evidence collected in fatal cases was likely the direct result of extra investigative resources” (p. 543). And greater investigative resources appeared to be linked to higher numbers of suspects being identified. Obviously, the results of one carefully executed study cannot definitively explain the difference in the clearance rates between these two types of cases. However, “If it is true that most of the clearance-rate gap between fatal and nonfatal cases is a result of the extra resources that police departments commit to homicides, then it should be possible to increase arrest rate for nonfatal shooting cases greatly by giving them near-equal priority to homicides” (p. 544).

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A study of Black youths’ lack of cooperation with police in their investigations of gun violence suggests that little will change until the police regain the confidence of the community.

Given that it is broadly thought to be in the public interest for there to be cooperation between the community and the police on solving and avoiding gun violence, it would seem that the first moves have to be with the police. Putting extra resources into solving nonfatal shootings (see *Criminological Highlights* 18(2)#2) might be one way of demonstrating concern with violence in high crime areas. But more generally, it would appear that the lack of cooperation of those most likely to be victimized in disadvantaged neighbourhoods relates to the manner in which the police are perceived. Addressing that is likely to require fundamental changes in the manner in which policing of these neighbourhoods takes place.

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Families help reduce substance abuse and reoffending by prisoners who are returning to the community by providing them with advice or assistance with financial matters, housing, and jobs.

This study examined the reentry process of serious and violent prisoners in the US who had an average of about 6 prior convictions. They had been incarcerated for an average of 2.5 years prior to being released into the community. Instrumental support, but not emotional support, from families appears to reduce subsequent offending, reincarceration and drug use. The problem, of course, is that many families are not capable of providing this type of support. One suggestion is that people who are released from prison whose families cannot provide instrumental support would benefit from instrumental support either from criminal justice agencies or from other community groups.

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A study of over 7,000 people convicted of sex offences in 8 countries demonstrates that after about 10-15 years, most individuals with a history of sexual crimes are very unlikely to commit another sex offence. Risk of reoffending decreases dramatically with time for all age groups of offenders and for people who, when released, were originally identified as either being high or low risk to reoffend.

Given the well-documented decline over time in the likelihood that a person convicted of a sexual crime reoffends sexually, the special restrictions placed – sometimes forever – on those once convicted of sex offences need to be reevaluated. If these restrictions are based on actual risk, it would make sense for there to be an opportunity for reassessment in a timely fashion. “Any public protection policy that does not allow for diminished risk over time should be immediately suspect” (p. 58). Furthermore, “there should be an upper limit to the absolute duration of public protection measures” such as restrictions on pardons, requirements of registration and notification, as well as restrictions related to residence, education and employment. “If the goal is increased public protection (not retribution or punishment) then efficient policies would be proportional to the risk presented” (p. 59) -- a risk that declines dramatically with time.

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The video recording of interrogations of suspects in ordinary criminal cases does not appear to affect the content or the outcome of those interrogations nor does it appear to have any impact on the outcome of the cases.

Although there were no differences between those suspects who were told that their interrogation was being recorded and those who were not told, most suspects, at some point in the interrogation, denied involvement in the crime. However, at some point in the interrogation, many suspects made some kind of remark that could be self-incriminating. Once again, however, it did not matter whether the suspect had been told that their interrogation was being recorded. It is suggested that the results should allay fears that telling suspects that their interrogations will be recorded will affect the outcome of those interrogations.

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The use of solitary confinement in American prison systems “has remained in use at the deep end of punishment for more than two centuries” (p. 1605) even though it has been repeatedly criticized and reinvented with some variations under a variety of names.

“While some justifications for [the use of solitary confinement] varied, its appeal to prison administrators as a technology of control was omnipresent.... Solitary confinement persisted at least in part because of its ability to satisfy administrative goals like institutional control” (p. 1626). “Modern penal officials insist that they are not using solitary confinement, seeking to differentiate themselves from widely condemned practices... In other words [they] want to distance themselves from something that was perceived as inordinately harsh and to argue that they are imposing something more civilized In light of this history, the total abolition of solitary confinement ... seems unlikely, absent broader changes to the structure of incarceration, and especially the control that prison administrators wield” (p. 1627).

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Police officers who score high in their acceptance of ‘rape myths’ when given a description of a rape rate women as more responsible and men as less responsible for the outcome than police officers who score low in their acceptance of rape myths. Those who accept rape myths are also less likely to describe the event as a rape.

The results are quite straightforward: officers high in rape myth acceptance see descriptions of rape differently from those with lower rape myth acceptance. The former group are less likely to view the event as a rape, seeing the victim as more responsible and the perpetrators as less responsible than do police officers who do not believe rape myths. It appears that those who accept rape myths rely, to some extent, on these beliefs when assessing the parties and the events in question. Findings such as these suggest that it is important, when selecting officers to investigate sexual assaults, to avoid choosing officers whose starting point is skepticism about the existence of rape and other sexual assaults.

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Offenders convicted of violent offences who were sentenced by ‘tough’ judges were equally likely to commit further offences as were those who, on the basis of a random process, were sentenced by more ‘lenient’ judges.

There is a substantial amount of research that concludes that harsh sentences do not deter the person sentenced from future offending nor do harsh sentences act as a deterrent to others in the community. For example, one study (*Criminological Highlights 11(4)#2*) demonstrated that the reoffending rates of those convicted of drug felonies were the same whether they were randomly assigned to be sentenced by a harsh or a lenient judge.

This study takes advantage of the fact that between 2003 and 2006 cases were randomly assigned to Michigan judges. Eliminating those cases which, for various reasons, were not randomly assigned, as well as the cases in which judges had no discretion on the use of prison vs. probation, this study examines the 1-, 3-, and 5-year outcomes of being sentenced by harsh or lenient judges. Various case characteristics as well as the county in which a person was being sentenced were controlled for in order to detect potentially small effects of sentencing variation across cases.

A very important challenge is to address when the ‘recidivism period’ starts. If the period begins at sentencing, then the ‘three year recidivism’ measure means that people sentenced to probation have 3 years of opportunity to reoffend in the community. People sentenced to 1 year in prison, on the other hand, have only two years of opportunity to offend in the community if the recidivism measure starts at sentencing.

For this reason, two separate ‘start times’ were considered: “time since sentence” and “time since release”. In the latter case, people given prison and non-prison sentences have an equal opportunity to offend. The study was focused on violent crime after sentence or after the release from prison for the original offence. Two groups were examined: those whose original case involved at least one violent offence, and those without any violent offences included in their original case.

The results were consistent across recidivism periods and similar for those with and without a violent offence in the original conviction.

Looking at ‘time since release from prison’ there was no effect of prison vs. probation for arrest or conviction at either 1-, 3-, or 5-years since release.

However, if one looks at “time since sentence”, not surprisingly, those who had been sentenced to prison were less likely to be arrested or convicted. This, quite obviously, is an effect of incapacitation: while in prison, those sentenced to prison rather than probation had no opportunity to offend.

Conclusion: Although the findings show a short-term incapacitation effect (while in prison a person is precluded from offending in the community), this ‘benefit’ is short-lived. As soon as a person is released, they commit offences at the rate they would have had they had the opportunity to do so. Said differently “imprisonment did not prevent post-release violence in the community” (p. 674). It simply delayed its occurrence. The results “suggest that imprisoning fewer people for violent offences on the margin between prison and probation would have relatively small effects on violence in the community, and that alternative policies and interventions to prevent violence may show greater benefit at reduced social and economic costs” (p. 675).

Reference: Harding, David J., J. D. Morenoff, A.P. Nguyen, S.D. Busway, & I.A. Binswanger. (2019). A Natural Experiment Study on the Effects of Imprisonment on Violence in the Community. *Nature Human Behaviour*, 3, 671-677.

A comparison of police clearance rates of gun murders and gunshot assaults demonstrates that the amount of resources police invest in their investigations makes a difference. Gun murders are more likely to be solved than assaults because the police invest more resources in investigating them. The more resources that are invested in timely investigations of serious violent crime, the more likely they are to be solved.

“Fatal and nonfatal gunshot assaults are similar with respect to victim characteristics and circumstances, yet the clearance-by-arrest rates tend to be considerably higher for fatal cases” (p. 525). This paper examines the hypothesis that the difference in clearance rates is due largely to the priority that is given, by police departments, to fatal cases.

A representative sample of case data where one or more people were killed or wounded with a firearm in a criminal incident between 2010 and 2014 in Boston, Massachusetts were examined. Most (83%) were deemed by the Boston police to be the results of gang- or drug-related disputes. Cases in which the main *suspect* was dead were excluded.

The clearance rate for completed homicides was about twice that of non-fatal cases (40% vs. 19%). Fatal and non-fatal gun crimes were the same on most dimensions (e.g., gang/drug vs. other, number of victims, age, gender and criminal record of the victims). The one dimension in which they differed was that shootings that took place indoors were more likely to be fatal (perhaps because the distance between shooter and victim was less than outdoor shootings).

Holding the characteristics and circumstances of the shooting constant, fatal shootings were still considerably

more likely to be cleared. The clearance rates in the first week or so after the shootings were almost identical. However, after the first week, few additional people were ever charged in non-fatal shootings. In fatal shootings, however, the proportion of cases cleared continued to increase up to a year after the shooting took place.

Six categories of crime scene evidence (e.g., witnesses interviewed, computer checks) were examined. The average amount of evidence gathered for fatal cases was much higher – typically twice as high – than for non-fatal crimes. The exception was whether any firearms were recovered. Few were recovered and there was no difference between fatal and non-fatal shootings on this one measure. Generally, when one looks at police actions subsequent to the initial investigation (e.g., ballistic tests, DNA, search warrants executed), it was clear that the police concentrated efforts more on fatal than non-fatal shootings.

Conclusion: “Given that fatal and nonfatal cases occur in similar circumstances, the greater volume of evidence collected in fatal cases was likely the direct result of extra investigative resources” (p. 543). And greater investigative resources appeared to be linked to higher numbers of suspects being identified. Obviously, the results of one carefully executed study cannot definitively explain the difference in the clearance rates between these two types of cases. However, “If it is true that most of the clearance-rate gap between fatal and nonfatal cases is a result of the extra resources that police departments commit to homicides, then it should be possible to increase arrest rate for nonfatal shooting cases greatly by giving them near-equal priority to homicides” (p. 544).

Reference: Cook, Philip J., Anthony A. Braga, Brandon S. Turchan, and Lisa M. Carao (2019). Why Do Gun Murders Have a Higher Clearance Rate than Gunshot Assaults? *Criminology & Public Policy*, 18, 525-551.

A study of Black youths' lack of cooperation with police in their investigations of gun violence suggests that little will change until the police regain the confidence of the community.

When an urban shooting of a Black person takes place, police will often “decry the lack of eyewitnesses willing to come forward with valuable information” (p. 624). It needs to be noted, however, that “the code of silence is not unique to distressed communities of colour” (p. 626).

This paper reports the results of interviews with 50 young Black men (age 18-29) in New York City who had extensive experience with gun violence. Gun violence in the US is concentrated in disadvantaged communities of colour. Drug and gang related shootings are especially unlikely to be solved.

The young men who were interviewed lived in neighbourhoods with violent crime rates much higher than in other parts of the city. Most (94%) had a friend or family member who had been shot at. 74% reported having been shot at themselves.

Lack of cooperation with the police was explained by these young men as reflecting their views of local police. For example, some reported having been threatened or harassed by the police for non-criminal matters. More than half pointed to “widely publicized instances of officer misconduct [e.g., fatal police shootings of unarmed Black men] as justification for their entrenched mistrust [of the police]” (p. 633). Many noted that the police appeared to concentrate on arresting people in their neighbourhoods for low level crime rather than concentrating on matters (e.g., violence) of concern to most people.

Citing apparent poor performance in arresting people for violent acts in their own neighbourhood, the young men suggested that the police didn't care what happened to them or their friends. The result of these views was clear: 90% of the respondents indicated they would not call the police even if they or a loved one were threatened with gun violence.

Lacking confidence in the police, many (90%) indicated that concerns about violence influenced their decisions to carry guns themselves. Not surprisingly, then, most (92% of those interviewed) “preferred self-help in the form of retaliatory violence over cooperating with police after shootings” (p. 637). As one respondent put it, the police are “not here to help me. They just want to take somebody down, put somebody away” (p. 638).

Most (88%) of the respondents understood that they would face lengthy prison terms if arrested with a gun and were concerned about that possibility. At the same time, they felt that the known risks of being caught with a gun were outweighed by perceived victimization risks if they weren't armed. One stated the tradeoff in stark terms: “A prison cell is better than a coffin” (p. 640).

Conclusion: Given that it is broadly thought to be in the public interest for there to be cooperation between the community and the police on solving and avoiding gun violence, it would seem that the first moves have to be with the police. Putting extra resources into solving nonfatal shootings (see *Criminological Highlights* 18(2)#2) might be one way of demonstrating concern with violence in high crime areas. But more generally, it would appear that the lack of cooperation of those most likely to be victimized in disadvantaged neighbourhoods relates to the manner in which the police are perceived. Addressing that is likely to require fundamental changes in the manner in which policing of these neighbourhoods takes place.

Reference: Brunson, Rod K. and Brian A. Wade (2019). “Oh Hell No, We Don't Talk to Police”. Insights on the Lack of Cooperation in Police Investigations of Urban Gun Violence. *Criminology & Public Policy*, 18, 623-648.

Families help reduce substance abuse and reoffending by prisoners who are returning to the community by providing them with advice or assistance with financial matters, housing, and jobs.

Previous research has highlighted family support as a key component to successful reentry of former prisoners into the community. This paper identifies the key elements of family support that are responsible for reducing reoffending, substance use, and reincarceration in a sample of 1,002 serious and violent prisoners released to the community.

There are two broad categories of help that families might give people returning to the community from prison. Families can provide “emotional support characterized by love, warmth and affection.” But in addition, they can provide “instrumental support like financial resources, transportation, or housing” (p. 485). These are obviously quite different and it is possible that both types of support, or only one, is important in accounting for the relationship between family support and successful integration.

This study, using data from the “Serious and Violent Offender Reentry Initiative,” collected data from prisoners in the month prior to release as well as at three points in time after release (3, 9, and 15 months post-release). Data from the offenders as well as from state agencies were used. Three outcome measures were examined: reincarceration data (from the state agencies), self-reported drug use, and self-reported offending. Instrumental support was assessed with responses to such questions as “I have someone in my family to provide help or advice finding a job” or “I have someone in my family to provide transportation to work/appointments” (p. 496). Emotional support and interactional

support were assessed with questions such as “I have someone in my family to talk to who understands my problems” or “I feel close to my family” (p. 496).

Various controls were also included in the analyses, including contact during incarceration with the family, family conflict, the family’s involvement in the criminal justice system, criminal peers, criminal history, length of incarceration, age, and race.

The results were consistent across outcome measures. Emotional and interactional support were not related to reincarceration, substance use, or self-reported criminal behaviour. On the other hand, high levels of instrumental support (an index giving high weights to direct help and advice with accommodation, transportation, and employment) were associated with decreased reincarceration, self-reported substance use, and self-reported criminal offending. Said differently, “affectionate-type bonds do not significantly relate to reincarceration, substance use, or offending during the reentry process” (p. 510). But practical support does have a positive impact on prisoners who are returning to the community.

Conclusion: This study examined the reentry process of serious and violent prisoners in the US who had an average of about 6 prior convictions. They had been incarcerated for an average of 2.5 years prior to being released into the community. Instrumental support, but not emotional support, from families appears to reduce subsequent offending, reincarceration and drug use. The problem, of course, is that many families are not capable of providing this type of support. One suggestion is that people who are released from prison whose families cannot provide instrumental support would benefit from instrumental support either from criminal justice agencies or from other community groups.

Reference: Mowen, Thomas J., Richard Stansfield, and John H. Boman, IV (2019). Family Matters: Moving Beyond “If” Family Support Matters to “Why” Family Support Matters During Reentry from Prison. *Journal of Research in Crime and Delinquency*, 56(4), 483-523.

A study of over 7,000 people convicted of sex offences in 8 countries demonstrates that after about 10-15 years, most individuals with a history of sexual crimes are very unlikely to commit another sex offence. Risk of reoffending decreases dramatically with time for all age groups of offenders and for people who, when released, were originally identified as either being high or low risk to reoffend.

This paper examines the data relevant to the belief that those convicted of a sex offence present an enduring risk to society even after many years of crime-free living in the community. In Canada, for example, people convicted of a single sex offence involving a child are never eligible for a pardon.

The belief that those once convicted of a sex offence are forever dangerous goes against the conclusion that “The general tendency for recidivism risk to decline over time is among the most replicated results in empirical criminology” (p. 49). In general, long-term follow-up studies of sexual recidivism find that the highest rates of reoffending are in the years immediately following release into the community. As with any recidivism study, it is impossible to measure “offending” directly; what can be measured are charges or convictions. This study examines the long-term criminal justice indicators of sexual offending of those once convicted of a sex offence.

Data were gathered from 20 studies carried out in 8 countries. The studies examined reoffending by convicted sex offenders after their release back into the community. Recidivism of those in the community was calculated in 6 month intervals starting with release into the community. In some samples, people were followed for up to 25 years.

Over time, the likelihood of sexual recidivism dropped dramatically from about 3% in the first 6 months to close

to zero after 25 years. Across time, of course, the overall proportion of the sample who reoffended increased from 9.1% of the sample at 5 years to 18.5% in 25 years.

Putting these two sets of findings together is important: While 13.2% of the sample committed a sexual offence in the first 10 years, only 4.9% reoffended in the next decade. Furthermore, the relative risk reduction over time was similar for those originally estimated to be either high or low risk to reoffend. The results also hold for offenders of all ages. Even when looking at the higher risk group, most (about 80%) were never reconvicted of another sexual offence. And if they did reoffend, they tended to reoffend soon after being released back into the community.

It appears that “there is wide variability in recidivism risk for individuals with a history of sexual crime; risk probability declines over time; and risk can be very low – so low, in fact, that it becomes indistinguishable from the rate of spontaneous sexual offences for individuals with no history of sexual crime but who have a history of nonsexual crime” (p. 58).

Conclusion: Given the well-documented decline over time in the likelihood that a person convicted of a sexual crime reoffends sexually, the special restrictions placed – sometimes forever – on those once convicted of sex offences need to be reevaluated. If these restrictions are based on actual risk, it would make sense for there to be an opportunity for reassessment in a timely fashion. “Any public protection policy that does not allow for diminished risk over time should be immediately suspect” (p. 58). Furthermore, “there should be an upper limit to the absolute duration of public protection measures” such as restrictions on pardons, requirements of registration and notification, as well as restrictions related to residence, education and employment. “If the goal is increased public protection (not retribution or punishment) then efficient policies would be proportional to the risk presented” (p. 59) -- a risk that declines dramatically with time.

Reference: Hanson, R. Karl, Andrew J.R. Harris, Elizabeth Letourneau, and L. Maaiké Helmus (2018). *Psychology, Public Policy, and Law*, 24(1), 48-63.

The video recording of interrogations of suspects in ordinary criminal cases does not appear to affect the content or the outcome of those interrogations nor does it appear to have any impact on the outcome of the cases.

False confessions are an important contributing factor to wrongful convictions. “Perhaps the most significant proposed safeguard [to preserve the integrity of the interrogation] is to require the electronic recording of interrogations – the entire process, not just the confession” (p. 46). This is done in some jurisdictions, but not others. Concern has been expressed that if suspects know they are being videotaped during interrogations, the police will not be as successful in obtaining relevant information.

About half of US jurisdictions require full recording of custodial interrogations. This paper examines whether telling suspects that their interrogation is being recorded makes a difference to the outcome of the case. The police in one US city allowed researchers to randomly tell about half of a sample of 122 suspects that their interrogation was being recorded with a hidden camera. The other half were told nothing about the recording (which in all cases actually took place using a hidden camera). In most of the cases, the lead detective did not know whether the suspect had been informed or not of the experimental condition. All suspects were adults; their crimes involved everything from prank phone calls and disorderly conduct to robbery, felony assault, and counterfeiting. Cases involving homicide, drugs or juveniles were excluded from the study.

The interrogations were then coded by independent researchers. On none of the various dependent measures related to the success or quality of the interrogation was there a difference between suspects who were made aware they were being recorded and those who were not. Dependent measures included: Interrogation length, invoking the right to silence or the right to a lawyer, the likelihood of denying guilt or making an acknowledgement of guilt, implicating someone else, or providing crime relevant or crime-irrelevant details.

The detectives rated the suspects as equally talkative and cooperative in the two conditions. Of the cases that had been resolved within 14 months after the data were collected, there was no difference in the outcome between the two conditions. “Suspects exhibited little awareness or concern about the presence of a camera.... [None] refused or expressed a reluctance to proceed because of being recorded” (p. 52).

Conclusion: Although there were no differences between those suspects who were told that their interrogation was being recorded and those who were not told, most suspects, at some point in the interrogation, denied involvement in the crime. However, at some point in the interrogation, many suspects made some kind of remark that could be self-incriminating. Once again, however, it did not matter whether the suspect had been told that their interrogation was being recorded. It is suggested that the results should allay fears that telling suspects that their interrogations will be recorded will affect the outcome of those interrogations.

Reference: Kassin, Saul M., Melissa B. Russano, Aria D. Amron, Johanna Hellgren, and Jeff Kukucka (2019). Does Video Recording Inhibit Crime Suspects? Evidence From a Fully Randomized Field Experiment. *Law & Human Behavior*, 43(1), 45-55.

The use of solitary confinement in American prison systems “has remained in use at the deep end of punishment for more than two centuries” (p. 1605) even though it has been repeatedly criticized and reinvented with some variations under a variety of names.

The question raised by this paper is a simple one. Though the practice of solitary confinement has been denounced “as an immoral and inhumane punishment” and “forceful calls for reform” (p. 1605) have been repeatedly made, why does it persist?

Part of the answer to this question may relate to the fact that the stated purpose of solitary confinement has shifted over time. In its earliest incarnation in the 1790s and early 1800s, solitary confinement was seen as having a number of quite different purposes in dealing with offenders: to keep them from influencing other prisoners, to encourage prisoners to follow the rules and to allow time for reflection and reformation. Total solitary confinement, however, was, by the 1820s seen as too expensive and interfering with prison labour which, by then, was seen as both a cost-saver and an essential ingredient of prisoner reformation.

By the end of the 19th century, two justifications for solitary confinement had emerged: prisoner reformation and punishment (for disorderly behaviour). At two of the best-known US prisons of that period “prison administrators... responded to critiques [of solitary confinement] by repeatedly refining the quality and quantity of their isolation practices” (p. 1618). Though in the 20th

century, long-term solitary confinement was seen as unacceptable, it remained in use, though its duration was, in some instances, limited by court decisions.

In the latter part of the 20th century, the use of solitary confinement continued with the dual justifications of order maintenance and discipline. However, other forms of isolation developed over time: Long-term “lockdowns” of all prisoners and the building of “supermax” prisons in which prisoners spent 22-23 hours a day in their cells with minimal human contact. But the term “solitary confinement” was not typically applied to these institutions. Instead they were described as, for example, a “Security Housing Unit” (p. 1624). Similar institutions were built in other countries.

Conclusion: “While some justifications for [the use of solitary confinement] varied, its appeal to prison administrators as a technology of control was omnipresent.... Solitary confinement persisted at least in part because of its ability to satisfy administrative goals

like institutional control” (p. 1626). “Modern penal officials insist that they are not using solitary confinement, seeking to differentiate themselves from widely condemned practices... In other words [they] want to distance themselves from something that was perceived as inordinately harsh and to argue that they are imposing something more civilized In light of this history, the total abolition of solitary confinement ... seems unlikely, absent broader changes to the structure of incarceration, and especially the control that prison administrators wield” (p. 1627).

Reference: Rubin, Ashley T. and Keramet Reiter (2018). Continuity in the Face of Penal Innovation: Revisiting the History of American Solitary Confinement. *Law & Social Inquiry*, 43(4), 1604-1632.

Police officers who score high in their acceptance of ‘rape myths’ when given a description of a rape rate women as more responsible and men as less responsible for the outcome than police officers who score low in their acceptance of rape myths. Those who accept rape myths are also less likely to describe the event as a rape.

Rape myths are typically defined as “descriptive or prescriptive beliefs about rape – its causes, content, consequences, [as well as the] perpetrators, victims, and their interaction – that serve to deny, downplay, or justify sexual violence that men commit against women.” In this paper, English police officers’ acceptance of rape myths was assessed. They were then asked to respond to vignettes that clearly met the legal definition of rape in England.

Studies of police officers in the US and England suggest that “a substantial minority of officers exhibit some level of agreement” with statements such as “any victim can resist a rape if they want to” (p. 101). The earlier studies suggest that officers’ views of how a victim should behave and what a rape should look like affect their judgements of particular fact situations.

In this study, 808 police officers in the London, England, police service, representing a variety of ranks and ethnicities, were given a 30-item questionnaire in which they indicated their agreement with statements such as “Many women tend to misinterpret a well-meant gesture as a sexual assault” and “A lot of women strongly complain about sexual infringements for no real reason, just to appear emancipated.” Officers were also given one of 16 vignettes describing the details of a rape. These varied according to victim-perpetrator relationship (stranger, acquaintance, partner, ex-partner), victim reputation (good, bad), and initial point of resistance (early, late). Officers were characterized (divided at the median) as being either high or low in rape myth acceptance.

After reading one of the 16 vignettes, each officer was asked three questions assessing victim responsibility for what happened, one question on perpetrator’s responsibility, and one question on whether the scenario qualified as an authentic rape.

‘Good’ victims were seen as having less responsibility for the rape than were ‘bad’ victims. Similarly, those victims who resisted early were seen as having less responsibility than those who resisted later. Perpetrators were seen as having more responsibility when the victim resisted early in the interaction.

Compared to officers who did not accept rape myths, officers high in rape myth acceptance saw victims as being more responsible for what happened to them. Those officers high in rape myth acceptance saw perpetrators as having less responsibility than did those low in rape myth acceptance. More generally, the interaction described in the vignette was less likely to be rated as an authentic rape by those high in rape myth acceptance.

Conclusion: The results are quite straightforward: officers high in rape myth acceptance see descriptions of rape differently from those with lower rape myth acceptance. The former group are less likely to view the event as a rape, seeing the victim as more responsible and the perpetrators as less responsible than do police officers who do not believe rape myths. It appears that those who accept rape myths rely, to some extent, on these beliefs when assessing the parties and the events in question. Findings such as these suggest that it is important, when selecting officers to investigate sexual assaults, to avoid choosing officers whose starting point is skepticism about the existence of rape and other sexual assaults.

Reference: Hine, Benjamin and Anthony Murphy (2019). The Influence of ‘High’ vs. ‘Low’ Rape Myth Acceptance on Police Officers’ Judgements of Victim and Perpetrator Responsibility, and Rape Authenticity. *Journal of Criminal Justice*, 60, 100-107.