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DETERRENCE OF CRIME  
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A Reformulation of Chambliss'  
Typology of Deterrence

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The Metropolitan Criminal Justice Center operates the Pilot City program in Chesapeake, Norfolk, Portsmouth, and Virginia Beach, Virginia. Established in September, 1971, the Center is a research and program planning and development component of the College of William and Mary in Williamsburg, Virginia. The Center's Pilot City program is one of eight throughout the nation funded by the Law Enforcement Assistance Administration of the U. S. Department of Justice. The basic purpose of each Pilot City project is to assist local jurisdictions in the design and establishment of various programs, often highly innovative and experimental in nature, which will contribute over a period of years to the development of a model criminal justice system. Each Pilot City team is also responsible for assuring comprehensive evaluation of such programs, for assisting the development of improved criminal justice planning ability within the host jurisdictions, and for providing technical assistance to various local agencies when requested.

The Pilot City Program has two primary responsibilities -- to the host municipalities and to the improvement of the criminal justice system. In Virginia, responsibility for adult corrections, except for offenders sentenced for one year or less to local jails, rests entirely with the State Department of Welfare and Institutions. Thus, the Pilot City Program's activities in the adult corrections area consist primarily of program planning assistance to local correctional efforts and research regarding such currently important issues in Virginia as sentencing procedures and criteria (as reflected in this monograph), community corrections, and institutional programming and management.

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## DETERRENCE OF CRIME

### A Reformulation of Chambliss' Typology of Deterrence\*

Criminologists have historically subscribed to the belief that the threat or utilization of legal sanctions were effective means for insuring social control and directing desired processes of social change in an orderly manner (cf. Vold, 1958:14-26; Mannheim, 1960; Schafer, 1969: 17-110). Bentham and Beccaria, for example, suggest that man is a rational creature who is endowed with the capability to control and direct the course of his own destiny. In the course of his activities he seeks to avoid unnecessary costs or punishment; thus, should he find that a given behavior is paired with a sanction of greater magnitude than the potential rewards associated with the behavior, he will elect some alternative course of action.

Elaboration of the frequently misunderstood classical school is not central to the purpose of this paper. Suffice it to say that members of this school generally believed that the legal system could be molded into a just and equitable tool by means of which man's rational faculties could be appealed to in such a way as to deter him from becoming involved in legally proscribed behavior ("specific deterrence") and to remind others within the society that certain behavior is not profitable ("general deterrence").

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However, the emphasis on the rational nature of man and his free will, plus the preoccupation with the structure of the legal codes rather than the determinants of criminal behavior, proved incompatible with the individualized focus and deterministic orientation of the positive school of criminology that was developing during the latter part of the 19th century. Indeed, following the demise of the classical school and the rise to dominance of the positive school, the basic causal assumptions and general orientation of criminology did little to encourage any objective and systematic analysis of the deterrent efficacy of punishment. Moreover, particularly in the United States, criminology soon became associated with the drive for social reform, a movement which among other things held that a humanitarian response to offenders was a necessary condition for their rehabilitation.

The defects inherent in the argument that a humanitarian response will lead to the amelioration of social conditions while punitive responses will prove counterproductive to such goals were noted if not accepted (Sutherland and Cressey, 1970:366-367). Within the past decade or so a relatively small but influential number of writers have attempted to re-direct attention toward an objective assessment of the deterrent functions of legal sanctions (cf. Chambliss, 1967; Gibbs, 1968; Andenaes, 1952, 1968; Zimring and Hawkins, 1971, 1973). The logic of the current re-assessment of deterrence fits rather well within the conceptual framework that has been advanced by the social behaviorists, a

paradigm which provides important encouragement for sound empirical analyses of the relationship between sanctions and deterrence (cf. Burgess and Bushell, 1969; Singer, 1972). Drawing on the reinforcement paradigms of experimental psychology, proponents of social behaviorism define negative sanctions as reactions to behavior that decrease the probability that the behavior will be engaged in subsequent to the reactions. Further, because individuals learn by means other than direct personal experience, they may be deterred from proscribed behavior through their knowledge or belief that such behavior will generally elicit a degree of punishment that exceeds the potential rewards associated with the criminal activity. In other words, deterrence can operate on both a specific and a general level. On an individual level the application of punishment is expected to reduce the probability of future involvement in behavior similar to that which drew the punishment. On a general level the punishment of one individual is expected to reduce the probability that those who become aware of the punishment will become involved in similar behavior. As we noted earlier, neither of these expectations are new, but until recently the commentary on the effects of sanctions has focused largely on the debate over the utility of capital punishment (cf. Gibbs, 1968; Bedau, 1971). Thus, systematic inquiry typically has been quite limited in scope and has often been more devoted to philosophical debate than to scientific analysis.

In this paper we will focus on what we feel are two important and inter-related aspects of deterrence that have not drawn

adequate attention. Specifically, the behaviorist paradigm suggests that negative sanctions will reduce the frequencies of behavior when the sanctions are swift, certain and appropriately severe. Although much remains to be done with respect to explicating both the relationship between certainty and severity and the operational definition of each of these concepts (Jeffrey, 1965; Gray and Martin, 1969; Bailey and Smith, 1972), the available literature tends to support the notion that certainty of punishment should be a primary concern (Gibbs, 1968; Tittle, 1969; Chiricos and Waldo, 1970; Logan, 1972; Bailey, et al., 1973). An implicit assumption in this approach to deterrence, however, is that the various reinforcement contingencies impinge upon all types of proscribed behavior in a similar fashion. This assumption has been seriously challenged (cf. Chambliss, 1967). Thus, the central problem for our analysis is the elaboration and examination of a conceptual orientation that explicitly takes into account both the probability of sanctions and the type of offense being sanctioned in order to better understand the conditions under which negative sanctions are most likely to exert a deterrent effect on illicit behavior.

#### Conceptual Orientation

The general argument is perhaps best introduced by outlining an analogous problem in social psychology. A crucial issue in attitude theory and measurement is the apparent inconsistency in the association between verbal attitudes and overt behavior. The debate over various perspectives on this problem is far from com-

plete, but the work of Melvin DeFleur and his associates has done much to explicate what many felt were fundamental inconsistencies (cf. DeFleur and Westie, 1958; Warner and DeFleur, 1969; Albrecht, DeFleur and Warner, 1972; Acock and DeFleur, 1972). Their findings provide considerable support for the "postulate of contingent consistency". The basic principle is that attitudes and behavior are not related to one another in a vacuum. The linkage necessarily takes place (or fails to take place) in a social situation. Unless the manner in which other factors in the social situation impinge upon the expected connection is fully understood, inappropriate conclusions about the viability of the associations may develop. Recently, researchers have been examining the conditions under which attitudes are directly related to behavior rather than merely focusing on the more simplistic issue of whether an association exists.

A similar situation has hampered the progress of research on deterrence. The literature focuses almost exclusively on whether there is an association between various forms of sanctions and deterrence. Researchers rarely suggested a solution comparable to DeFleur's notion of contingent consistency; Chambliss (1967) is an important exception. Upon a review of research on various types of offenses, including work that he had completed earlier (Chambliss, 1966); he concludes that it is necessary to distinguish between the types of offenses when considering the problem of deterrence. First, he argues, we must understand the basic distinction between expressive and instrumental offenses. If the



behavior is primarily a means to an end, as would appear to be the case with the majority of crimes against property, it may be categorized as instrumental behavior; if the behavior is an end in itself, as is often true with what have come to be termed "crimes of passion", it may be called expressive. Second, he suggests that those acts committed by persons who have a high degree of commitment to crime as a way of life should be distinguished from those acts involving people who have a low commitment to crime as a way of life. Chambliss concludes that low commitment-instrumental and high commitment-instrumental offenses are those most likely to be deterred by punishment and that low commitment-expressive and high commitment-expressive offenses are the least likely to be deterred.

We fully agree with Chambliss' position with respect to the need to consider types of actors and types of behavior in the specification of the conditions under which the imposition of sanctions can be expected to serve a deterrent function. We further agree that the distinction which can and should be made between instrumental and expressive criminal acts is very important in this regard. On the other hand, it appears to us that Chambliss has chosen to assign undue importance to commitment to criminal careers in the development of his typology, and we propose a basic revision in his model in that regard. By so doing, we do not mean to suggest that the variable of commitment to a criminal career is not relevant. Instead, it is our feeling that the model would be far more useful in the analysis of a broader spectrum of criminal offenses if the notion of commitment took

as its empirical referent the affective link between the actor and his act, the priority of a given act to the actor relative to his alternative courses of action, and the relationship between the actor's conception of self and the act. Similar on the surface to the typology suggested by Chambliss (1967:713), this distinction between type of offense and of commitment to the offense implies four types of criminal deviance.

TABLE 1. Types of behavior and level of commitment\*

		Type of Behavior	
		Expressive	Instrumental
Level of Commitment	High	TYPE I (e.g., many murders and assaults)	TYPE II (e.g., professional crimes)
	Low	TYPE III (e.g., many statutory rapes)	TYPE IV (e.g., most white collar crime and many nonprofessional property offenses)

\* This table is a modified version of that presented by Chambliss (1967:713).

Readers familiar with Chambliss' important article will note that the superficial similarity between Chambliss' typology and ours is just that. For example, while Chambliss refers to most murderers as examples of low commitment-expressive types, we classify them as high commitment-expressive types. The reason is simple. While Chambliss correctly notes that most murderers do not show high degrees of commitment to crime as a way of life, we feel that these same offenders quite frequently show high degrees of commitment to the use of violence under some circumstances relative to the behavioral alternatives available to them. Moreover, in such contexts, the use of force may virtually be required of the actor by the subcultural system within which he is a participant (cf. Wolfgang and Ferracutti, 1967; Sellin, 1938). Further, we arrive at somewhat different conclusions about the relative deterrence potential that should be assigned to the four basic types of criminality. We suggest that high commitment-expressive acts are the least likely to be deterred; high commitment-instrumental acts are somewhat prone to deterrence; low commitment-expressive acts rank second in deterrence potential; and low commitment-instrumental acts seem most prone to deterrence.

Because we lack data on levels of commitment, we have necessarily focused on the distinction between expressive and instrumental acts in an exploratory test of our hypothesis. Although this is a limitation of our study, it is not as great a flaw as one might expect because of the substantial association expected

between expressiveness and commitment. Expressive criminal behavior typically involves higher levels of commitment than is implied by most instrumental criminality. Many crimes of violence, for example, are expressive acts that imply high levels of commitment, but many profit-motivated crimes are instrumental acts that do not involve high levels of commitment. This does not mean that those who commit acts of violence are committed to violence as a way of life, nor does it mean that those who are frequently involved in such acts as burglary do not value such behavior. On the contrary, a behavioristic perspective leads to the conclusion that persons involved in profit-motivated crimes are rewarded each time they manage to escape detection. Such reinforcement should increase the probability of similar behavior in the future. But that is not the point we wish to raise. Instead, the notion of commitment refers to both the importance of a behavior to an actor relative to behavioral alternatives and the extent to which the behavior is central to his conception of self. It is for exactly this reason that we find exceptions to the general expectation that expressive crimes tend to evoke high levels of commitment while instrumental crimes imply low commitment. Among professional criminals, for example, crime is an instrumental type of behavior but one that includes a high level of commitment. In other words, the criminal activity may be viewed as a means to an end and involvement in the behavior is central to the actor's conception of self (cf. Sutherland and Cressey, 1970: p. 278-292;

Bloch and Geis, 1970: p. 167-189). Such exceptions notwithstanding, the evidence supports the hypothesis that instrumental acts tend to imply low levels of commitment while expressive acts imply higher levels of commitment. This is particularly true with felony offenses. Thus, because our analysis is restricted to serious offenses, our lack of data on commitment is not as pronounced a limitation as might otherwise be the case.

### Research Methodology

As indicated earlier, the primary intent of our analysis is to explore the association between the relative expressiveness of various types of criminal behavior and the probability that these behaviors can be deterred by the certainty of punishment. Thus, our initial methodological task was the development of a measure of the degree of expressiveness implied by a number of "Type I" offenses. This measure was developed in three stages. First, we asked 100 undergraduate students to evaluate the degrees of expressiveness implied by the offenses under consideration (homicide, aggravated assault, sex offenses, auto theft, robbery and burglary). Second, the same task was presented to a number of our faculty associates. Finally, the expressiveness rankings obtained from these two sources were compared with available characterizations in the literature (Chambliss, 1966, 1967; Bowers, 1968). Our intent was only to determine fairly gross rankings on a small number of offenses that had been studied in the prior literature on deterrence. Still, the ordered categories that were developed at each of the stages were very consistent

with one another. Thus, they should provide a reasonable means whereby the association between expressiveness and deterrence may be examined.

Our index of deterrence was obtained through a secondary analysis of data presented in four recent studies (Tittle, 1969; Logan, 1972; Chiricos and Waldo, 1972; and Bailey, et al., 1973). Deterrence ranks were defined in terms of the association between offense rates for each of the offenses and the probability that such offenses would result in confinement. Each of the studies that we reviewed determined offense rates by obtaining either the mean or median number of the offenses known to the police during a specific time period. These numbers were then standardized by dividing them by the population size of the period under examination. Certainty of imprisonment was determined by dividing the total number of admissions to state prisons for each of the offenses during a given time period by the total number of these offenses that were known to the police. Although slight variations in technique were noted between the studies in terms of how these two measures were derived, the differences should not be significant for our purpose in this analysis. Before proceeding into the analysis, however, it is necessary to specify a few basic qualifications that should be placed on this measure of deterrence.

First, the reliability of the data on which the measure is based may be questioned. Criticisms of officially reported crime statistics are both plentiful and familiar (cf. Wolfgang,

1963; Shulman, 1966; Wheeler, 1967; Sutherland and Cressey, 1970: p. 25-47). There is consensus on the assertion that many offenses never become known to the police (Ennis, 1967). Further, the probability of a formal reaction to criminality appears to be contingent upon a variety of legal, social and offense-specific influences (cf. Goldman, 1963; Ennis, 1967; Terry, 1967; Black, 1970; Williams and Gold, 1972). Because of these and other problems, many criminologists are prone to view such sources of data as the Uniform Crime Reports as a better index of the level of police activity than of the true volume of criminal behavior. This obviously means that the computation of offense rates is a rather risky business. Still, it would be foolish to call a moratorium on deterrence research because there are flaws in our sources of data. We simply do the best we can with the data that are available.

Second, one can also question the correspondence between our empirical indicators and the concepts we are attempting to measure. Indeed, we suspect that this is one of the most significant questions in contemporary behavioral science. Specifically, the use of rates of confinement as a measure of the certainty of punishment is perhaps extreme. For example, proponents of the labeling or interactionist perspective have provided rather compelling evidence on the hypothesis that arrest, trial, and conviction are each significant formal sanctions regardless of the formal disposition made at any of these levels of processing (cf. Schwartz and Skolnick, 1963; Schur, 1971;

Scott and Douglas, 1972). Thus, one might well calculate a ratio of crimes known to the police and crimes cleared by arrest as an alternative indicator of certainty. We accept that criticism and are presently involved in the analysis of data on that issue. Nevertheless, in this essay we employ rates of confinement as a measure of certainty in order to relate our measure of expressiveness to the existing research on deterrence and earlier work has focused on this indicator of certainty. In addition, because the measure does represent an extreme position, it should provide a conservative rather than an inflated measure.

#### Analysis and Findings

In Table 2 we have provided the rankings of the six offenses on both our expressiveness measure and the deterrence rankings derived from the four studies cited earlier.

TABLE 2. Rankings of six crimes according to their degree of expressiveness and deterrability.

Crime	Expressive Rank	Deterrence Rank			
		Chiricos-Waldo*	Bailey**	Logan	Tittle
Homicide	1.5	4	6	6	5
Assault	1.5	2	5	5	2
Sex Offenses	3.5	-	1***	1	1
Auto Theft	3.5	5	4	4	6
Robbery	5.5	3	3	2	3
Burglary	5.5	1	2	3	4

\* Only the 1963 time period is used here.

\*\* Only the 1964 time period is used here.

\*\*\* Estimated from 1950 data.



The lower the ranking on the expressiveness measure the more expressive the offense; the lower the ranking on the deterrence measure the greater the level of the association between certainty of punishment and deterrence. Spearman's coefficient of agreement was calculated in order to determine the degree of relationship between expressiveness and deterrence. The same measure was used to determine the consistency between the deterrence rankings derived from the earlier studies. Table 3 provides the obtained intercorrelations.

TABLE 3. Spearman's rho coefficients between ranks on expressiveness and deterrence.

	1	2	3	4	5
1	1.00	-.76	-.64	-.64	-.04
2		1.00	.57	.54	.69
3			1.00	.97	.49
4				1.00	.54
5					1.00

- 1 = expressiveness ranks
- 2 = Chiricos and Waldo ranks on deterrence
- 3 = Bailey, et al., ranks on deterrence
- 4 = Logan ranks on deterrence
- 5 = Tittle ranks on deterrence

The intercorrelations among the deterrence rankings derived from the four studies show moderate to very high levels of associations. The highest level of agreement was found between the rankings reported by Bailey and by Logan ( $r = .97$ ) and those of Chiricos and Waldo with Tittle ( $r = .69$ ). This is related to the comparable measures of deterrence employed in these two pairs of studies (Chiricos and Waldo used dichotomous ordinal variables as Tittle had done earlier; both Bailey and Logan treated their variables as continuously distributed). The measurement technique employed in the Logan and Bailey studies should allow a somewhat more precise prediction of deterrence.

A pooled estimate of the overall agreement between the four deterrence rankings was determined by averaging the six coefficients reported in Table 2 (Mueller, Schuessler and Costner, 1970: p. 274-276). The overall level of agreement was .63. This is interpreted as a substantial level of agreement given the fact that the respective pieces of research were conducted independently of one another and that they had often used data from different time periods.

Substantial support also is provided for our hypothesis that the expressiveness of criminal behavior is associated with the probability that it can be deterred by the certainty of punishment. The strongest level of association is found between our index of expressiveness and the deterrence rankings derived from the Chiricos and Waldo study ( $r = -.76$ ). This correlation shows a strong level of association, and the finding is more

impressive when we consider the fact that our expressiveness scale is a crude measure and when we recognize the number of ties that exist. The ties found in the expressiveness ranks tend to have a depressing effect on the general relationship, so we would expect the rho values to increase were we able to rank the offenses more precisely. At the same time, however, the small number of criminal offenses under consideration tends to raise the observed levels of association, and the Chiricos and Waldo study focused on only five of the six offenses.

Because the intercorrelation between the Bailey and Logan studies was so high, we would immediately expect similar levels of association between our expressiveness index and each of their rankings. Table 3 shows that the associations are identical ( $r = -.64$ ). In both cases the research hypothesis linking expressiveness and deterrence is strongly supported.

The relationship is very low between Tittle's rankings on deterrence and our expressiveness rankings. This contrary finding may be due to several factors including both measurement and statistical problems. Our method of determining rank on expressiveness is admittedly crude. Also, the statistic used by Tittle ( $\tau$ ) on dicotomized data may not accurately reflect the association between certainty of imprisonment and crime rate. No justification is given by Tittle for using  $\tau$  even though there are other measures of association available that might have been more appropriate, e.g., gamma. Thus, we are inclined to think that our negative finding may be due to Tittle's

technique of measuring deterrence. This notion would appear to be supported by the fact that all four rankings on deterrence are interrelated. Further, consistently high levels of association were observed between expressiveness and the other three deterrence rankings.

### Conclusions

Criminological research on the potential for deterring criminality through the application of punishment has been hampered by the heated debate over capital punishment and by the lack of consistency in the observed associations between sanctions and deterrence. As we noted in our discussion of an analogous problem in social psychology, we feel that more progress can be made in this area if less attention is directed toward the rather simplistic search for associations between punishment and deterrence. Instead, attention should be shifted to the various contingencies that may alter the levels of associations between these variables. Toward that end, we have presented what we feel is a significant modification of a taxonomy originally presented by Chambliss (1967). This extension of Chambliss' work suggests the necessity of focusing research on four specific types of behavior, i.e., expressive acts that imply high levels of commitment on the part of the offender, expressive acts that imply low levels of commitment, instrumental acts that imply high levels of commitment, and instrumental acts that imply low levels of commitment. The primary distinction between our conceptualization and that of Chambliss is in our

definition of commitment. Chambliss viewed commitment as a reflection of the actor's involvement in a criminal career. We certainly agree that this is an important consideration, but we feel that his definition of high commitment would have very limited applicability. Thus, we have defined commitment to a criminal act in terms of the affective link between actor and act, the priority of a given act to the actor relative to behavioral alternatives, and the level of association between the act and the actor's conception of self.

On the basis of the conceptual model that we presented, we hypothesized a high level of association between degree of expressiveness and degree of commitment, particularly when the contingency of severity of the offense is taken into account. We also hypothesized that both expressiveness and commitment are inversely associated with deterrence, i.e., the more expressive the act, the lower the probability of its deterrence; the more committed the actor to the act, the lower the probability of its deterrence. Thus, expressive acts involving high levels of commitment are the least deterrable and instrumental acts involving low levels of commitment are the most deterrable.

In our analysis we focused on the associations between degree of expressiveness and degree of deterrence by correlating our measure of expressiveness with four independent rankings of deterrence of several serious felony offenses. Our findings show a remarkable consistency in the deterrence rankings that we derived from prior research. More importantly for the purpose

of this paper, we also found consistently strong associations between deterrence and expressiveness, that is, the greater the degree of expressiveness the lower the probability of deterring the offender.

We are well aware of the limitations of our study and have been careful to note that our primary intent was to explore the utility of our modification of the model presented by Chambliss. Notwithstanding these limitations, the introduction of expressiveness as a contingency that mediates the linkage between certainty of punishment and the deterrence of criminal offenses was tentatively verified. This supports the adequacy of the conceptual framework that we have presented and will, we hope, have direct implications for subsequent research in this area.

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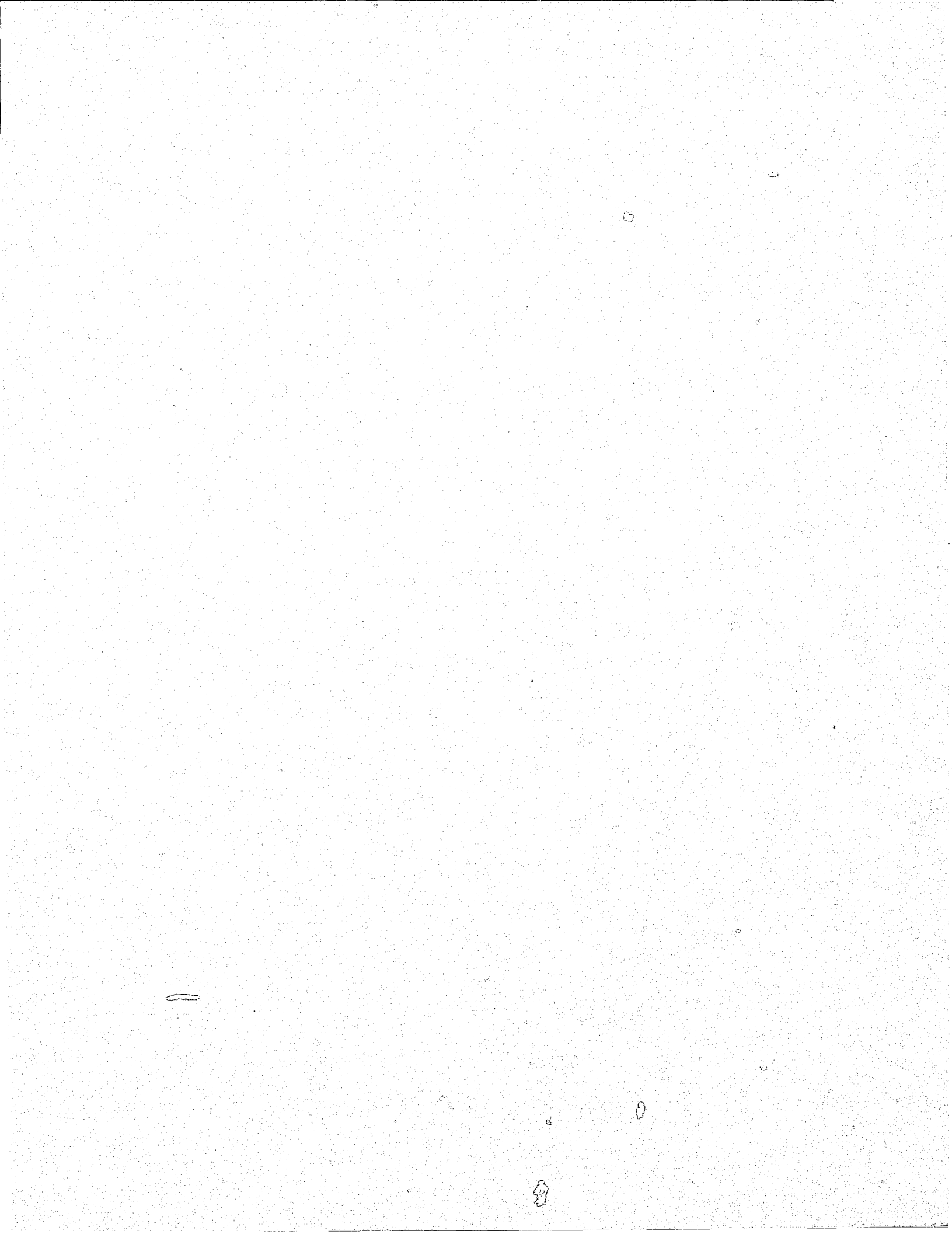
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