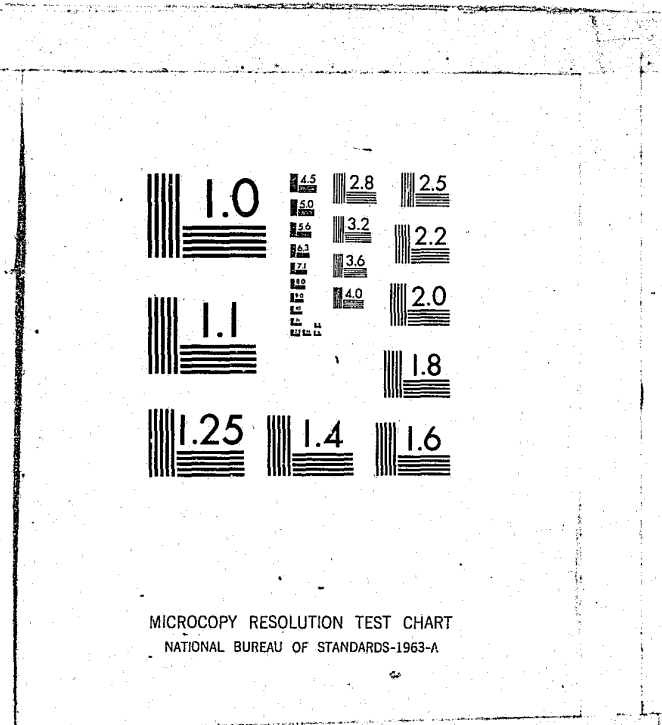


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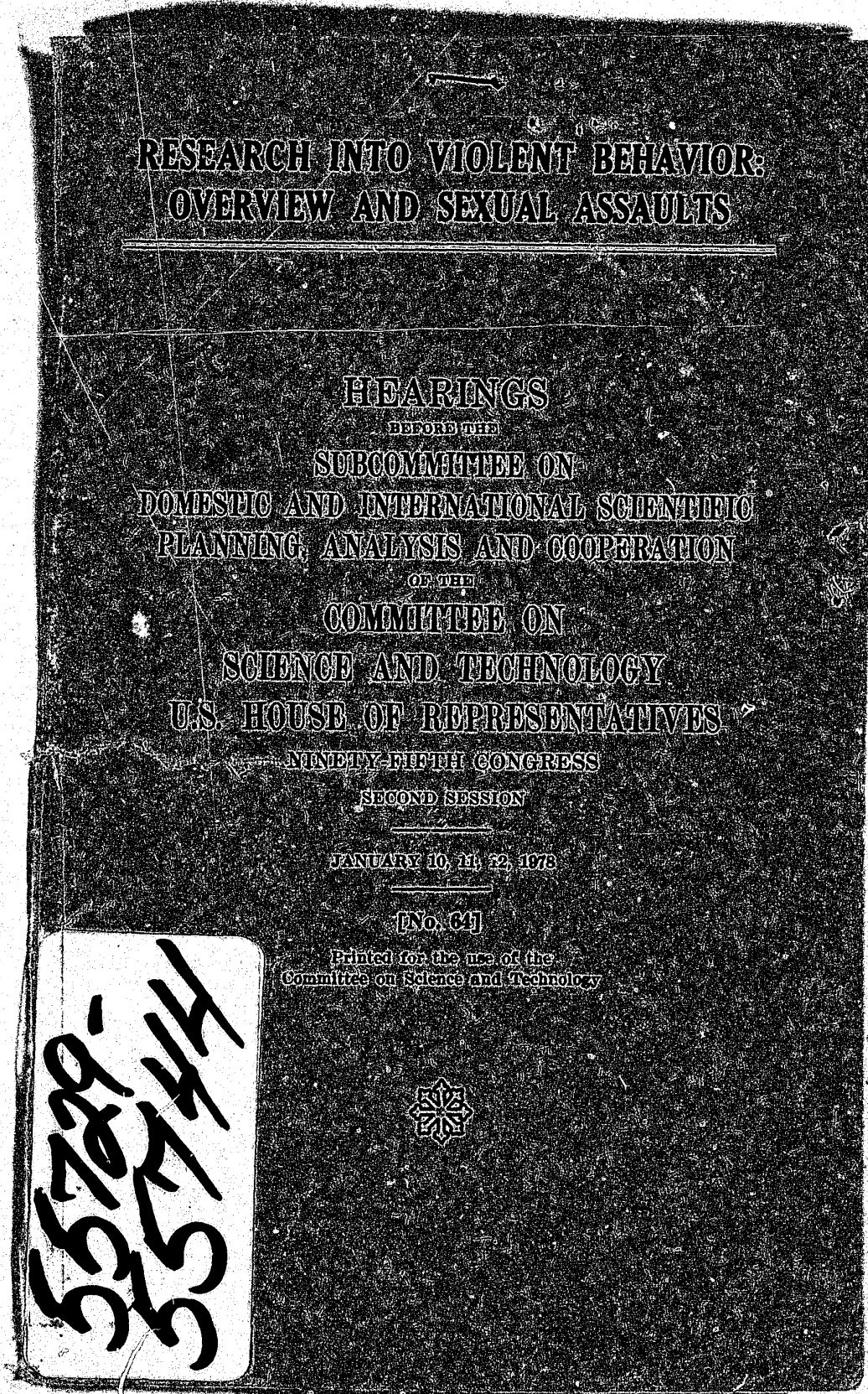
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**RESEARCH INTO VIOLENT BEHAVIOR:  
OVERVIEW AND SEXUAL ASSAULTS**

**HEARINGS**  
BEFORE THE  
**SUBCOMMITTEE ON  
DOMESTIC AND INTERNATIONAL SCIENTIFIC  
PLANNING, ANALYSIS AND COOPERATION**  
OF THE  
**COMMITTEE ON  
SCIENCE AND TECHNOLOGY**  
**U.S. HOUSE OF REPRESENTATIVES**  
NINETY-FIFTH CONGRESS  
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## ✓ VIOLENCE AND YOUTH

Testimony Submitted by Lynn A. Curtis

to the

Subcommittee on Domestic and  
International Scientific Planning,  
Analysis and Cooperation

of the

Committee on Science and Technology,  
United States House of Representatives

for

Hearings on "Research into Violent Behavior"

10 January 1978

New York, New York

## BIOGRAPHICAL SKETCH

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Introduction

I appreciate the opportunity to appear before the Subcommittee today. At the outset, I would like to make clear that I am submitting this testimony as a private citizen and professional in the field -- and not in the capacity of Urban Policy Advisor to Patricia Roberts Harris, Secretary of Housing and Urban Development.

Much of the testimony draws on my own work, and that of others, on the National Commission on the Causes and Prevention of Violence, created by President Johnson in 1968. Although there have been numerous research updates, the Commission's work remains, in my mind, the most comprehensive single overview of violence in America. Its recommendations remain as relevant today as they were ten years ago.

There is time for only the briefest summary of how youth and violence relate -- what the facts are, what explanations seem most salient, and what policy recommendations may follow.

A Factual Profile of Violent Crime in the United States

The most serious violent crimes in the United States are murder, aggravated assault, forcible rape and robbery. <sup>1/</sup> My observations are focused on these acts. The Subcommittee

would do well to keep in mind the following realities:

- Violent crime is concentrated among youths in their late teens and early twenties. In arrests reported for 1976, the heaviest involvement was in the 18-22 age group for murder, age 19 for aggravated assault, the 16-20 age group for forcible rape, and the 15-19 age group for robbery. In 1975, those aged 14-24 made up 21 percent of the population, but accounted for 44 percent of the reported arrests for murder, 56 percent of the arrests for rape and 71 percent of the arrests for robbery. Victimization survey statistics also show youth involvement to be the highest.<sup>2/</sup>
- Reported violent crime has risen dramatically in the last two decades. Part of the increase is due to an extraordinarily high proportion of the population being in the high-crime years over these decades. In 1950, the ratio of persons 24 and over to persons 14-24 was 3 to 1. By 1970, the ratio had fallen to 2 to 1 -- as post-World War II babies grew through their youth.<sup>3/</sup> One estimate is that perhaps 12 percent of the increase in arrests for violent crimes between 1950 and 1965 was due to the greater proportion of those aged 10-24 in 1965, compared to 1950.<sup>4/</sup>

- Violent crime in the United States is primarily a phenomenon of large cities, disproportionately involves males, and disproportionately is concentrated in the ghetto-slums and barrios where poor minorities live.<sup>5/</sup> Even though age is a critical identifier of the violent offender, sex, socio-economic status and race also are important descriptors. Violent crime is disproportionately committed by young, poor, urban minority males. All of these factors are intertwined. No consideration of violence easily can isolate the role of youth from the other elements.
- The victims of murder, assault and rape tend to have the same characteristics as offenders. Victimization rates generally are highest for youths, males (except for rape), poor persons and non-whites.<sup>6/</sup>
- Robbery appears to have the largest interracial component. Although a large proportion of robberies involve nonwhites as offenders as well as victims, it is likely that a roughly equally large component involves nonwhite offenders and white victims.<sup>7/</sup>

- Contrary to common fears of "violence in the street" committed by strangers, there is a strong likelihood that, when murder and assault occur, they will be between relatives, friends, or acquaintances in the home or other indoor locations. Forcible rape is considerably more likely to be perpetrated by a stranger who may pick up a woman on the street but will most probably commit the act indoors. Robbery usually occurs outside among strangers, and so may be the only serious violent crime consistent with certain popular conceptions.<sup>8/</sup>
- Alcohol, narcotics, and dangerous drugs are deeply intertwined with violent crime in both fact and popular belief. Their actual role in violent incidents is, however, difficult to determine. Sensational press reports of "drug-crazed" criminals create misconceptions about the relationship. Although an addict's need to support his habit often leads him to robbery, there is little evidence that narcotics and drugs cause violent behavior directly. But use of alcohol and drugs can weaken inhibiting controls, thereby making potential violence more possible. In addition, alcohol is involved in more than 25,000 (over one-half) of all auto fatalities and in many lesser accidents.<sup>9/</sup>

- Marihuana has relatively mild effects on the user, and there is no evidence that it leads to the use of more dangerous drugs or that it causes aggressive behavior. Quite to the contrary, marihuana makes many users more relaxed.<sup>10/</sup>
- There is reason to believe that the victim sometimes provokes murder or assault and, to a lesser extent, robbery. It is likely, however, that the role of the victim as a precipitator of rape is much more myth than reality.<sup>11/</sup>
- The ostensible motives in homicide and assault often are relatively trivial -- frequently involving altercations, family quarrels, jealous rages, and the like. The two crimes are very similar, and there is no reason to believe that the assaulter sets out with any less intention to harm than the killer. Except for the seriousness of their final outcomes, the important distinction is that homicides most often involve handguns while knives are most common in assault.<sup>12/</sup>
- Carefully planned and calculated violent crime probably is the exception rather than the rule. The least planned violent crimes are homicide and assault, followed by rape

and then robbery. Even in robbery, however, there are public misconceptions about the degree of cost-benefit calculation prior to the crime. Almost all studies of robbery distinguish between more and less sophisticated kinds of robbers. The sophisticated professionals act more rationally, plan carefully, usually rob institutions or persons who obviously have money, tend to be older, and carry firearms as a threat -- but rarely use them. The less sophisticated and unprofessional robbers (who appear to be in the majority among robbers) act in much less planned and more often ostensibly random ways, not uncommonly rob persons who do not have money but will fight back, usually are younger, and tend not to carry weapons -- but use physical force and inflict injury more often.<sup>13/</sup>

- A large part of violent crime is committed by repeaters, not by one-time offenders. When all offenders are compared, the number of hard-core repeaters is small relative to the number of one-time offenders, yet the former group has a much higher rate of violence and inflicts considerably more serious injury. Generally, the less serious the crime, the greater the chance that an offender will repeat. Thus, a higher proportion of robbery than homicide involves repeaters. <sup>14/</sup>

<sup>15/</sup>  
Explanations

Of the myriad ways in which these and other facts have been interpreted in an attempt to understand youth and violence, the Subcommittee identifies biological, psychological and sociological approaches in its briefing paper. These labels are as convenient as any to use, extend and modify.

Biological and Psychological Explanations

Is there something in an individual's biological and genetic makeup that can explain his violent behavior? Although there are differences among age, sex, and racial groups in the tendency to violent behavior, there is no evidence to link these variations to genetic or biological differences. Economic, social and cultural experiences appear more important in molding behavior.

Man has the capacity for aggression, but evidence that he is innately aggressive has not been persuasive. Whatever the capabilities of an individual -- whether he is intelligent or feeble-minded, suffers brain damage or chromosomal abnormalities -- the likelihood that she or he will turn to either criminal or non-criminal behavior depends not so much on these characteristics as upon the environment and the kinds of social interaction experienced.

Psychologically, potential aggressiveness and violence are lodged in all individuals. But success or failure in controlling them are dependent on the interaction between the individual and the environment. A psychoanalytic understanding of the dynamics of personal behavior may be important for the treatment of a violent person. Yet such treatment is usually only successful when violence is a symptom of some mental illness and not a functional reaction to outside forces.

In sum, biological and psychological factors can be said to account by themselves for a relatively small proportion of violent behavior. One must, accordingly, more carefully consider the external influences that help create personalities with different capacities for violence and different abilities for diverting aggression into socially acceptable channels.

#### Youth

Consistent with these conclusions, the unique role of youth in violence -- to the extent that it can be separated from, say, the roles of gender, socioeconomic position, family influence and minority group status -- has been well summarized in the following way:<sup>16/</sup>

The weight of experience has not yet produced patience with things as they are. [A youth] feels the capacity to make himself felt. He feels that he can capture fate and steer it for his own benefit and the benefit of those people and ideas he has

come to cherish. It is a time of heightened feelings of individualism. If ever the individual believes he can overcome the problems that surround him, it is during his youth...

Sex, curiosity, and physical prowess are joined together in youth. The chemical thrust to life propels the body-mind coalition during the stage of youth in a style unlike that of any other period. Energy and enthusiasm reach their apex. The secretion of sex glands is not merely a phylogenetic awakening to intercourse; it is a permeating force that affects the entire organism. Never before, never quite again, will sexuality combine with the agility of the rest of the body, and with the desire for new experience.

#### Economic and Social Explanations

But that experience also is defined by the inner city or barrio for the young poor minority male. When lack of opportunity, poverty, dilapidated housing, high unemployment, poor education, over-population, and broken homes are combined, an inter-related matrix of powerful criminogenic forces is produced.

Mix in the great emphasis on achievement in our (male-oriented) culture, especially as measured in material terms. There is pressure to desire goods and services, to feel successful if one obtains them, and to feel unsuccessful if one does not. The network of mass communications spreads a culture of consumer desires over a vast audience. Happiness, we are endlessly reminded, is obtaining and having things.



Most Americans operate on the premise that in the race to material success all men have an equal chance at the starting line and that anyone who falls behind has only himself to blame. Yet not all are at the front of the pack, especially not those who started far behind in the first place. And the race has different rules for different participants.

There are many different ways of coping with the frustration of failure. Some take solace in the fact that others are even further behind. Some withdraw entirely from the race: alcohol, drugs, mental illness and suicide are avenues of escape. In the inner city, where the chances of success are less, many adopt illegal means in the effort to achieve their goals of securing more money and higher status among their peers.

To be a young, poor male; to be undereducated and without means of escape from an oppressive urban environment; to want what the society claims is available (but mostly to others); to see around oneself illegitimate and often violent methods being used to achieve material success; and to observe others using these means with impunity -- all this is to be burdened with an enormous set of influences that pull many toward crime and delinquency.

To also be a black, Mexican-American or Puerto Rican and subject to discrimination adds a critical underlying element to the web of causation. The racism we see today is more subtle than in the past, but it remains powerful, pervasive. Institutional racism is perhaps best seen in selective job hiring, firing and promotion and in real estate practices that assure segregated, overcrowded and overpriced housing.

One noted observer, writing on life in the ill-fated Pruitt-Igo public housing project of St. Louis, summarized the relationship between white racism and minority violence this way:<sup>17/</sup>

White cupidity  
creates  
structural conditions highly inimical to social adaption  
to which nonwhite minorities adapt  
by  
social and personal responses which  
serve to sustain the individual in his punishing world  
but which  
also generate aggressiveness toward the self and others  
which results in  
suffering directly inflicted by nonwhite  
minorities on themselves and on others

Believing they have no stake in the system, some young ghetto men see little to gain by playing according to society's rules and little to lose by not.

The step to acquisitive violence is not great, for in an effort to obtain material goods and services beyond those available by legitimate means, lower-class persons without work skills and education resort to crimes for which force or threat of force has a functional utility. This is especially so for robbery, the principal street crime. At the street level and given the alternatives, even a robbery involving high risk may make sense -- even though it may be "irrational" in Rand Corporation cost-benefit terms.

Just as theft is one of the more viable available ways of achieving masculine success, however transitory, so physical toughness is one means of traditional masculine expression that is less blocked to minority youths by the white male dominated mainstream society than other expressions. One black scholar has written:<sup>18/</sup>

Being a man means more than being a male biologically speaking. It means being able to take care of one's family, being looked up to as a man among men, and being respected by one's children and spouse, because he is head of the household. Few black men, because of their economic disenfranchisement in the country, have been able to assume [such a] masculine role. This fact helps to explain why so many black men exaggerate the most obvious, external signs of masculinity.

Street corner toughness and the perception of a wide range of situations justifying violent responses: these behaviors and attitudes help explain the kinds of motives most frequently recorded in homicides and assaults in the inner city or barrio. An altercation with overtones threatening a young man's masculinity, a misunderstanding between husband and wife, competition for a sexual partner, the need to get hold of a few dollars -- these "trivial" events can readily elicit a violent response in an environment which allows easy access to weapons by some who may accept violence as a norm.

If the poor, young minority male is conditioned in the ways of violence by his immediate environment, he also is under the influence of many forces from the mainstream American culture. The frequency of violent themes in the media tends to foster permissive attitudes toward violence. Much the same can be said about guns in American society. The highest gun-to-population ratio in the world, the glorification of guns in our culture, and the television and movie displays of guns by heroes surely contribute to the scope and extent of urban violence.

Taking all the foregoing into account, perhaps we should marvel that there is not more violent crime among the youth in the cities of our nation.

"Improved Conditions" and Relative Deprivation

If the conditions of life for inner-city populations are responsible for the sharp difference in reports of violent crime rates between these populations and other groups in our society, there remains a puzzling paradox to be considered: Why have reported urban violent crime rates increased substantially during the past two decades when the conditions that are supposed to cause violent crime have not worsened -- have indeed, generally improved?

One important answer to this question is that conditions have not really improved for the minority youth disproportionately associated with violence and street crime.

Figures from the Bureau of Labor Statistics and the National Urban League show that the level of unemployment for black teenagers has increased over the period when the crime committed by so many of them has also increased. In the absence of programs that better address their needs, these youths can be regarded as part of a secondary labor class, with little

chance of escaping perpetual joblessness or gaining more than low-paying jobs that lack security or chances of advancement. In 1976, government-estimated unemployment for black teenagers was 40 percent; the National Urban League estimate was over 60 percent.

I'm certain that this Subcommittee is well aware of the relationship between unemployment, especially of youths, and crime as brought out by Representative Conyers' recent hearings for his Subcommittee on Crime of the House Judiciary Committee. The latest in a series of scholarly studies was presented demonstrating statistically that changes in the rate of unemployment have a bearing on the percentage increase or decrease in crime.

Youth and unemployment aside, any discussion of "improved conditions" for minorities over the years when reported violent crime rates have risen should distinguish between absolute improvements and improvements relative to whites.

For example, the absolute level of black income has indeed risen over the last two decades. But there has been no change in the large gap between black and white incomes -- the relative standing of blacks on the income ladder compared to whites. Thus, U.S. Census figures show that, whereas black income

rose from 58 percent of white income in 1964 to 61 percent in 1969, it fell back to 58 percent by 1974. Although the percentage of persons below the poverty line has dropped since 1959, it has dropped more for poor whites than poor nonwhites. Nonwhites, who compose about 12 percent of the population, made up 28 percent of the poor in 1959 but 34 percent in 1972. During this time, inflation reduced the real incomes of black ghetto dwellers proportionately more than white suburbanites.

All of this is important if, as many believe, poverty is perceived not only absolutely, but also in terms of relative deprivation. Does a poor black youth in Harlem rejoice in periodic increases of the minimum wage (for dead-end jobs) and think how much better off he is than his brother in Soweto? Or does he also compare his experience to the rich older white man on Park Avenue?

Poverty defined as relative deprivation, then, has not necessarily declined over the period when violent crime has risen.

Policy

No explanations cover more than a part of the complex phenomenon called violent crime. I have chosen those perspectives which, in my view, account for more of the behavioral variations than other perspectives among the populations which are disproportionately associated with murder, assault, rape and robbery during this particular stage of our history.<sup>18A/</sup>

My interpretations and the policies that follow from them are not dissimilar from those of U.S. Circuit Chief Judge David L. Bazelon, who, in an address at the 1977 annual meeting of the American Criminological Society, accused the nation's criminologists of being more concerned with government funding than the causes of crime. Judge Bazelon said that the conservative law and order strategy of the federal government during the first part of this decade has "left a legacy of repressive attitudes among many criminologists."<sup>19/</sup>

I warn you today against the new repressiveness in criminology -- one which sells half truths about how it is foolish and infeasible to address basic causes and how only a strategy of deterrence is realistic.



The net impact of this philosophy is to provide intellectual rationalization for the continued Vietnamization of the criminal justice system -- more men, more equipment, more incursions, swift and sure punishment to deter a nonwhite enemy whose psychology the white power brokers of this nation presume to understand. This overall tone is not warranted by the facts at hand, not the canons of scientific inference, nor -- perhaps most important -- by the realities of ghetto street and gang life.

#### Deterrence

Those who argue for deterrence as the major strategy against crime make the critical assumption that offenders act "rationally," and so will reconsider potential crime if its costs are raised sufficiently. One conservative new criminologist asserts that, "If the expected cost of crime goes up without a corresponding increase in the expected benefits, then the would-be criminal -- unless he or she is among that small fraction of criminals who <sup>20/</sup> are utterly irrational -- engages in less crime."

Yet, as I have tried to show, a continuum of "rational" to "irrational" behavior, especially as measured by a remote white intellectual calculus, does not really capture the events, precipitants, motives, perceptions and decisions underlying a

great deal of homicide, assault, rape and robbery by poor young minority males. This way of thinking has only limited relevance to real-world street values and ghetto life experiences. A random, poorly planned, violent street ripoff that is illogical to a conservative new criminologist may not be felt as much of a risk to a heroin addict or to someone who feels that he has little to lose and the acceptance of gang co-members to gain.

To be sure, there are studies by economists that show a statistically significant but weak negative association between certainty and severity of punishment on the one hand and crime rates on the other. To a limited but statistically significant degree, more punishment is associated with less crime and less punishment with more crime. Yet, as my colleague Alfred Blumstein has warned, this situation does not necessarily prove that punishment deters crime. An equally plausible inference is that crime deters punishment. That is, the findings can be interpreted as saying that more crime overwhelms the police, the courts, and the prisons, making it less likely that criminals will be caught and jailed. <sup>21/</sup>

The National Council on Crime and Delinquency has reviewed research on the deterrent effects of criminal penalties. For every report indicating some deterrent effect,

there were at least two that did not. This observation is not to argue that the criminal justice system has no deterrent effect on certain offenders in certain crimes and situations. Any doubter need only observe the increase in crime during police strikes and slowdowns. The point is that, from what is known, we cannot confidently predict that more severe and more certain punishment will make much of a difference on violent crime rates.<sup>22/</sup>

More generally, much of the work on deterrence is either based on untested assumptions or invalid generalizations made from limited statistics.

#### Repeaters

Where there does seem to be consensus among the conservative new criminologists, other professionals, and the citizenry is on doing something about the small group of repeaters which I have described as associated with so much of the violent crime. The safety of the population -- especially the minority poor whose victimization rates are the highest -- demands swift and sure handling of repeaters by the criminal justices system.

Even here, however, no one has worked out a comprehensive policy, many questions remain unanswered, and costs have not been systematically compared to benefits.

Do we keep these repeaters, a large proportion of whom are in their teens, locked up at least until after the age of 24, when their crime rates begin to lower -- or do we perhaps follow the recommendation of one conservative new criminologist and continue detention of certain offenders after completion of their prison terms?<sup>23/</sup> Might the removal of repeat offenders from the community merely create a vacuum, which successive new waves of repeaters will fill? Might such a policy simply shift criminal activity to other fields, less identified with repeaters?

Even with swifter handling of repeaters, some judges have hesitated to imprison them because it is well known that prisons are the best schools for crime, nonrehabilitative, under-financed and overcrowded. Nationwide, the average prison population stands at about 110 percent to 115 percent of capacity. It is 175 percent in some southern prisons. A judge in Alabama recently interpreted such conditions as "cruel and unusual punishment in violation of prisoners' Eighth Amendment rights."<sup>24/</sup>

Are we prepared to significantly expand prison capacity? One estimate is that, if 2 in 10 convicted offenders were sent to prison instead of the present rate of 1 in 10, up to \$5 billion would be needed immediately to improve current conditions and to

insure the housing, feeding and care of the new group. If crime rates continue to rise and if reforms that logically interface with prison expansion are carried out (such as expansion of court and prosecutor staffs and facilities), the cost of criminal justice reform is estimated at up to \$15 billion. (Presently, the federal criminal justice agency, the Law Enforcement Assistance Administration, has an appropriation of \$700 to \$800 million and, because of block grants, most of this money is outside of its control.)<sup>25/</sup>

Such a course would also carry opportunity costs: 26/

What is it likely to mean to our society to embark upon a course of prison building? How likely it is that, once these prisons are built, we will be able to maintain enough empty cell space to guarantee a continued incarceration (deterrent) option to judges? How likely is it, on the contrary, that once these empty cells exist, they will tend to be filled, in response to, say, an increasingly punitive philosophy or to some bureaucratic incentive to fill voids and justify appropriations? What alternative investment expenditures will we need to forego in order to create a meaningful criminal justice deterrent, and what will this do both to short-term and long-term national priorities?

Research is underway on some of these issues, and there are a growing number of programs against career criminals in cities throughout the nation. But there still are no assurances that the time and money needed to develop a strategy of deterrence and incapacitation alone will be less than nor

the success greater than a policy that simultaneously addresses some of our major social ills and some of the determinants of crime.

#### Reform

Even the 1967 Crime Commission, chaired by Nicholas Katzenbach and focused on the criminal justice system, concluded that:<sup>27/</sup>

Warring on poverty, inadequate housing and unemployment is warring on crime. A civil rights law is a law against crime. Money for schools is money against crime. Medical, psychiatric, and family-counseling services are services against crime. More broadly and most importantly, every effort to improve life in America's inner cities is an effort against crime.

Let us, then, pursue reform directed at the structural inequalities of American society while at the same time we continue strategies designed to make the criminal justice system more efficient and to defend the most likely victims of crime.

The spirit and letter of the Kerner Commission on urban disorders, the Douglas Commission on urban problems, and the Kaiser Commission on urban housing need to be renewed. Let

us acknowledge that there are significant defects in the operating institutions of American society; that these defects place an unfair burden on the backs of the minority poor; that minority young people are not adequately incorporated into adult society; that the inequities need to be redressed; that changes are not likely to occur overnight; but that immediate and significant movement can be initiated after the recent years of government inaction.

Let us be careful in our expectations and evaluate success in sensible ways. Violence cannot be "eliminated" in our complex society, but the rate of violent crime can be reduced. One realistic goal might be to lower through economic and social reforms nonwhite crime rates to levels more comparable to the crime rates of whites.

This is not the time nor place to lay out a point-by-point program -- though mine would range from firearms control<sup>28/</sup> and more creative services for victims to expanded use of community development corporations and a national neighborhoods policy that also embraces the objectives of the civil rights movement. Yet, given what is known, there probably is no more cost-effective means of crime reduction in the long run than the provision of jobs integrated into careers. I concur with Senator Humphrey:<sup>29/</sup>

Viewed comprehensively, the hearings [of Congressman Conyers' Subcommittee] clearly show that one of the most effective ways of fighting crime in general is to establish and sustain a full employment economy that will provide meaningful job opportunities paying decent wages for the families of the 25 million people who constitute the country's poverty stricken.

A guaranteed jobs program sensitive to the structural urban unemployment of minority youth is a vehicle that automatically responds to the demographic cycles that periodically pass through the population the kind of high-crime youth cohort experienced in recent years. A full employment program surely is a more humane and efficient response than the benign neglect of some deterrence-centered advocates who lament that we must sit through such demographic cycles, which we cannot control, and respond mainly with law and order holding actions.

There are scale economics to be had if jobs for minority youths can be linked to the physical and social development of the inner city that nourishes so much violent crime. "Targeting" is a principal theme of the Carter Administration's emerging urban policy. If labor market supply and demand can be linked on a broad enough scale, in a creative enough way to help the most desperate people in the critical places, then an impact can be made on violent crime.



It follows that the national "urban policy" cannot be divorced from our "crime policy." Crime prevention needs to be perceived as a critical component of urban development. There is a great potential for new policy development by the Administration based on this principle.

A Final Note, on Public Opinion

And what does the public believe?

A 1977 Gallup Poll showed urban Americans to be most concerned with crime and, secondly, with housing and slums. There is a connection in the minds of the citizens.<sup>30/</sup> When they were asked in another recent poll what to do about crime, the most frequently mentioned response was "cleaning up social and economic conditions in our slums and ghettos that may breed drug addicts or criminals."<sup>31/</sup>

In probably the most comprehensive Gallup Poll on what the public thinks the federal government ought to be doing, the authors concluded:<sup>32/</sup>

The priorities ... tend to negate the notion that the public has turned its back on the ... social programs instituted first with the New Deal and continued through the Great Society ... The public indicated substantial willingness to spend tax money to alleviate ... many of the domestic problems facing the country.

These are the classically difficult budgetary and political tradeoffs I raise. But it is not unwise for Members of Congress to listen to the people. Whatever you can do, or dream you can, I suggest that you begin it. Boldness, as youth, has genius, power and magic in it.

## BIBLIOGRAPHY

- Banfield, Edward C., The Unheavenly City Revisited. Boston: Little, Brown, 1974.
- Chelmsky, Eleanor, "Some Notes on Crime Control Policy, 1976: The Courts and the Failure to Deter" Washington, D.C.: The MITRE Corporation, May 1976.
- Congressional Record, House of Representatives, "Crime and Unemployment: Two Sides of the Same Coin" V. 123, N. 175, 28 October 1977.
- Conyers, John, Jr., "Congressman Conyers' Subcommittee on Crime to Examine Unemployment and Crime in California," Press Release, Washington, D.C., 29 November 1977.
- Curtis, Lynn A., Criminal Violence. Lexington, Mass: D.C. Heath-Lexington Books, 1974.
- Curtis, Lynn A., Violence, Race and Culture. Lexington, Mass: D.C. Heath-Lexington Books, 1975.
- Curtis, Lynn A., "The Conservative New Criminology," Society, V. 14, N. 3, March/April 1977.
- Egan, Richard, "The Drop in Violent Crime," The National Observer, 5 February 1977, p. 1.
- Federal Bureau of Investigation, Crime in the United States, 1976. Uniform Crime Reports. Washington, D.C.: G.P.O., 1977.
- Fairlie, Henry, "In Defense of Big Government," The New Republic 13 March 1976, p. 24.
- Harrington, Michael, "The Big Lie About the Sixties," The New Republic, 29 November 1975, p. 15.
- Hunter, Charlayne, "Black Teen-agers Jobless Rate Constant Despite U.S. Recovery," New York Times. 11 July 1976, p. 1.
- Lewis, Anthony, "South Africa's Apartheid, A Violence-Prone Policy" News of the Week in Review, The New York Times, 20 June 1976, p. 2.

- Malloy, Michael T., "Punishment is a Deterrent to Crime," The National Observer, 19 June 1967, p. 1.
- McBride, Stewart Dill, "Gallup Poll Finds Cities' Future in the Neighborhoods," The Christian Science Monitor, 23 December 1977.
- Mulvihill, Donald J., and Tumin, Melvin M. with Curtis, Lynn A., Crimes of Violence, Task Force Report on Individual Acts of Violence, National Commission on the Causes and Prevention of Violence, Washington, D.C.: G.P.O., 1969.
- National Commission on the Causes and Prevention of Violence, To Establish Justice, To Insure Domestic Tranquility. Final Report. Washington, D.C.: G.P.O., 1969.
- Rainwater, Lee, Behind Ghetto Walls: Black Families in a Federal Slum. Chicago: Aldine, 1970.
- Robinson, Timothy S., "Criminologists Accused of Ignoring Crime Causes," The Washington Post, 20 November 1977.
- Silberman, Matthew, "Toward a Theory of Criminal Deterrence," American Sociological Review, V. 41 (June 1976): 442-461.
- Thurow, Lester, "Tax Wealth, Not Income," New York Times Magazine, 11 April 1976, p. 32.
- U.S. Bureau of the Census, The Social and Economic Status of the Black Population in the United States, Special studies series P-23, No. 54. Washington, D.C. Government Printing Office, 1975.
- U.S. Department of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, Sourcebook of Criminal Justice Statistics - 1976, Washington, D.C.: G.P.O., 1977.
- Van den Haag, Ernest, Punishing Criminals. New York: Basic Books, 1975.
- Vontress, C.E., "The Black Male Personality," The Black Scholar, 2: 10-16, 1971.
- Watts, William and Free, Lloyd, State of the Nation, 1974. Washington, D.C.: Potomac Associates, 1974.
- Watts, William and Free, Lloyd, America's Hopes and Fears -- 1976, Washington, D.C.: Potomac Associates.
- Wilson, James Q., Thinking About Crime, New York: Basic Books, 1975.

Wolfgang, Marvin E., Youth and Violence, Report Submitted to the Office of Juvenile Delinquency and Youth Development, U.S. Department of Health, Education and Welfare, January 1969.

Wolfgang, Marvin, Figlio, Robert and Sellin, Thorsten, Delinquency in a Birth Cohort, Chicago: University of Chicago Press, 1972.

## FOOTNOTES

1. In the official federal crime reporting program, the annual Uniform Crime Reports, the F.B.I. defines murder as the willful killing of another. Aggravated assault is defined as the "unlawful attack by one person upon another for the purpose of inflicting severe bodily injury usually accompanied by the use of a weapon or other means likely to produce death or serious bodily harm." Forcible rape is defined as the carnal knowledge of a female through force or the threat of force. Robbery is defined as the stealing or taking of anything of value from the care, custody, or control of a person, in his presence, by force or the threat of force. (F.B.I., 1977).
2. See F.B.I. (1977) and U.S. Department of Justice (1977).
3. See F.B.I. (1977), Mulvihill and Tumin with Curtis (1969), U.S. Department of Justice (1977) and Wilson (1975).  
  
The age 14 to 24 bulge is now receding, as these individuals become adults. But another expansion will take place in the 1990's, when the children produced by the post-World War II cohort become teenagers.
4. See Mulvihill and Tumin with Curtis (1969).
5. For statistics, see F.B.I. (1977), Mulvihill and Tumin with Curtis (1969), U.S. Department of Justice (1977), and Wolfgang, Figlio and Sellin (1972).
6. See Curtis (1974).
7. See Curtis (1974).
8. See Curtis (1974).
9. See Mulvihill and Tumin with Curtis (1969).
10. See Mulvihill and Tumin with Curtis (1969).
11. See Curtis (1974).
12. See Curtis (1974).
13. See Curtis (1975).
14. See Wolfgang, Figlio and Sellin (1972).

15. Unless noted otherwise, this section is based on Curtis (1975), Curtis (1977), Congressional Record (1977), Mulvihill and Tumin with Curtis (1969), National Commission on the Causes and Prevention of Violence (1969), and Wolfgang (1969).
16. Wolfgang (1969).
17. Rainwater (1970). I have slightly modified Rainwater's paradigm.
18. Vontress (1971).
- 18A. Even though I have concentrated on just the four most serious violent crimes, considerably more needs to be said about the behavioral dynamics that encompass each of the acts. In particular, my brief remarks have not been able to detail the processes of forcible rape. This is done in Curtis (1974) and Curtis (1975), but I have assumed for this testimony that the many witnesses specifically addressing sexual assault will more than adequately review the subject for the Subcommittee.
19. Robinson (1977).
20. Wilson (1972).
21. Curtis (1977).
22. Curtis (1977).
23. Van den Haag (1975).
24. Chelimsky (1976).
25. Chelimsky (1976).
26. Chelimsky (1976).
27. National Commission on the Causes and Prevention of Violence (1969).
28. My own work (Curtis 1974) has generated a number of arguments for firearms control.  
One argument is based on the conclusions, earlier, that homicide and assault are similar, except for final outcome, and that firearms are more frequent in killings but knives in attacks. The fatality rate for firearm

attacks is approximately five times as high as for knives. Thus, "a rough approximation would suggest that the use of knives instead of guns might cause four-fifths, or 80 percent fewer fatalities." Effective handgun control would not reduce the motivation or desire to kill, but it could necessitate the use of less efficient and more deadly weapons. Thus, relatively fewer homicides and more aggravated assaults might be expected to occur.

A second argument is that guns predominate as the weapon used in armed robbery. There is every reason to believe that the gun is often essential for the armed robber and that, without it, many would be unable to produce the threat of force needed to carry out such a crime. In addition, the fatality rate for armed robberies involving firearms is approximately four times as great as for armed robberies involving other weapons.

Third, consider the common practice of keeping firearms in the home for purposes of self-defense. There is an assumption here that a great deal of violence is by strangers intruding into the home and that firearms are an efficient defense. Yet criminal homicide, while often occurring at home, is not preoccupied with strangers. Aggravated assault has proportionately more strangers, but it also occurs outside more often. Even for the relatively few homicides and assaults where strangers penetrate a home, existing evidence indicates that the element of surprise substantially limits the effectiveness of personal defense. Robbery occurs between strangers most of the time, yet it rarely happens in the home; even when it does, the element of surprise exists. Burglary has a much higher incidence rate than the four major violent crimes, is the most common type of intrusion by a stranger, and causes the greatest property loss. Yet burglary rarely threatens the homeowner's life.

Not only do the facts show the limits of firearms as protective devices, but they also suggest that guns are often hazardous in the home. In the heat of an altercation, family quarrel, or jealous rage, guns stored for protection against strangers can be used on friends and loved ones. Nor does the shooting need to be criminal; a substantial number of the 23,000 annual firearms accidents in the country occur in the home.

29. Congressional Record (1977).
30. McBride (1977).
31. Watts and Free (1974).
32. Watts and Free (1976).



**END**