EDITORS' PREFACE

Greetings! In this issue of the newsletter, readers will find announcements regarding the Division's participation at the annual meeting in Philadelphia, the winner of the Lindesmith Award, call for SSSP resolutions, member news and announcements. Dr. Stacy Burns and Dr. Patricia Yancey Martin have provided excellent abstracts of new books (p. 5). Sarah Murray has shared with us her valid and provocative graduate research (p. 3).

We are excited about this year's conference. Your Law & Society Division will be sponsoring/co-sponsoring several sessions. We ask that you attend and encourage your colleagues. Philadelphia also has a wide array of activities for all to enjoy!

Division members are encouraged to send in "Law and Social Problems Essays" or other scholarly contributions of interest to the division membership. These contributions can be sent to either of the editors (see info below). The newsletter is an excellent medium to expose your current research to an interesting and interested readership. Graduate students are especially encouraged to submit their work!

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SSSP LAW AND SOCIETY @
PHILADELPHIA MEETING 2005

This year's SSSP meeting will be held at the Crowne Plaza Hotel in Philadelphia, August 12-14. The theme of the meeting is "Blowback: The Unintended Consequences of Social Problems Solutions." See pages 6-8 for more details.

2005 ALFRED R. LINDESMITH AWARD GOES TO GABRIELLE FERRALES

The winner of the Lindesmith Award is Gabrielle Ferrales for her paper "Domestic Violence Crime Control Policy and Practice: Implications for Arguments Concerning Penal Theory." See page 9.

Gabrielle will be presenting at the Student Award Winning Paper Session on Friday, August 12, 4:30 p.m. to 6:10 p.m.
SSSP resolutions constitute an important opportunity for our scholar-activist membership to publicly declare their sentiments, thereby creating a channel for greater visibility and more direct influence upon a variety of "publics," i.e., fellow activists, scholars, students, decision-makers, social action groups, voters, and others. Thus, as Vice-President this year, I am calling on the membership to submit resolutions for discussion, debate, and in some cases, passage. To do so, simply forward your resolution or your idea for a resolution to the appropriate SSSP Division Chair. When doing so, remember that proposed resolutions can serve as useful discussion points for SSSP members, helping to increase and enhance communication and activities during the long period between annual meetings. Resolutions that are submitted to Division Chairs should contain a concise position statement concerning a social problem of urgent concern to the Division. In most cases, the resolution should include some sort of call for viable action on the part of the SSSP. This typically has involved a letter from the Board directed to some public entity, expressing concern, support, or protest. Feel free, however, to propose other forms of appropriate action. It is the SSSP Vice-President's responsibility to serve as the facilitator for resolutions being sponsored by the Divisions as well as from individual Society members, making them available to the membership at the Annual Business Meeting. This year in Philadelphia, the resolutions process will be organized in a manner that promotes wider discussion prior to formal consideration at the 2005 Business Meeting. The process is as follows:

• On the first day of the meetings an open forum of discussion will be held, which is designed to encourage a political discussion of concerned members. At this meeting, each proposed resolution should be presented for membership discussion by the sponsoring Division's Chairperson (or designated representative) and adequate time for discussion will be properly allotted to each. To facilitate this process, all proposed resolutions should be made available to the SSSP Vice-President well in advance of the meetings such that the membership can be provided a print copy with their registration packet.

• Modifications and revisions will be considered during the open discussion forum that will meet in place of the annual meeting of the Resolutions Committee. All Division Chairs should plan to participate in this session or designate a proxy from their division if unable to attend. It is essential that someone be present who can speak to the substance of the proposed resolution.

• During the 2005 Annual Business Meeting, the resolutions will be presented (including any modifications or revisions) by the Vice-President as a package for approval for action by the attending membership. The membership will vote on proposed resolutions that were discussed and revised on the first day of the meeting. Experience shows that the Annual Business Meeting fails to provide sufficient time for a detailed discussion of resolutions. If objections from the floor are raised to any specific resolution at this year's Business Meeting, that resolution can, by majority vote of those present, be singled out from the package, and voted on separately. Those present can either support the resolution for approval as proposed or decide to table the resolution for further discussion at the subsequent year's annual meeting.

• We will attempt to make approved resolutions immediately available to the press. In addition, all approved resolutions will be submitted for publication in the Fall issue of the Social Problems Forum.

Members who wish to propose resolutions for consideration of the SSSP should submit them to a Division Chairperson (see http://www.sssp1.org for current contact information) or directly to the SSSP Vice-President at mhargrav@utmb.edu.

I look forward to hearing your ideas.

Martha A. Hargraves
SSSP Vice-President 2004-2005
RESEARCH ON GRADUATE EDUCATION IN LAW ENFORCEMENT AND SENSITIVITY TO MENTALLY RETARDED SUSPECTS

Sarah Murray, M.A.*

As part of my graduate studies, I interned with the Developmentally Disabled Offenders Program, an arm of the Arc of New Jersey (formerly the Association for Retarded Citizens), and came away with the decided conclusion that the front-lines of the criminal justice system – police departments – have very little knowledge of, or interest in, treatment of the criminal suspect with mild or borderline mental retardation. As a result, the processing through the justice system for these suspects is often unfair.

While considering this information, I came to learn, through personal acquaintanceship with members of various law enforcement agencies, that an increasing number of police officers hold college degrees, with a surprising percentage going on to complete graduate studies, usually courtesy, at least in part, of the department that employs them, i.e. the taxpayer. My immediate question: if police officers today are so highly educated, why do they not exhibit a higher degree of sensitivity to a particularly vulnerable offender subgroup like those with mental retardation? I set out to study one suburban police force with an unusually large percentage of officers holding Master's degrees (25%), and through qualitative field interviews and quantitative measurement of questionnaire results, found that their awareness of, and sensitivity to, this offender subgroup did not correspond with their level of education.

Certain premises, queries and conclusions are intrinsic to my study. Through an exhaustive literature review, I knew that graduate education in law enforcement has kept pace with, or out-paced, that of the general population, though this has been achieved through de facto, rather than formal requirements. Advanced education, including that designed for police officers, purports to "enlighten," and it is fair to measure police "enlightenment" by their treatment of society's most vulnerable. It's fair, also, for citizens to expect– to, in fact, demand– police "enlightenment" when police education is tax-funded. Police awareness of, and sensitivity to, the suspect with mental retardation has not only not kept pace with the educational levels of police, but it also does not reflect the emerging presence of the mentally retarded in mainstream society, or what we now know, even through the mainstream media, about the phenomenon of false confession, DNA exonerations and the retarded. Throughout the study, the mentally retarded suspect is referred to as "vulnerable" to unfairness in the justice system because of established data on false and coerced confessions, linked specifically to police interfacing with the suspect.

In addition to serving as a participant-observer with the mentioned advocacy group representing the mentally retarded suspect, and in addition to qualitative and quantitative examination of one police force, I researched several university master's programs aimed at the police officer, and concluded that the mission, quality and content of these programs does nothing to further awareness of or sensitivity to this vulnerable offender subgroup, but, rather, perpetuates the "insider" atmosphere of the police network. While my study looks at just one way to measure the "enlightenment" of the highly educated police officer, there are far-reaching implications for the connection between master's degrees for police officers and "enlightened" treatment of specific offender subgroups, begging these questions: If the highly educated police officer shows insensitivity to the offender subgroup comprised of the mentally retarded, what other vulnerable offender subgroups are being similarly (mis)treated, despite a high level of education on the part of the actors? If graduate education for police officers continues as it now exists - with a high degree of "croney-ism," should it be publicly funded?

The two distinct issues of graduate education of the police force, and police awareness of, and sensitivity to, the offender with mental retardation – as well as any link between the two issues – require additional scholarly examination.

*Sarah Murray is an Adjunct Professor of Sociology at William Paterson University of New Jersey. She teaches Violence in the Community and Sociology of the Family.
MEMBER NEWS AND ANNOUNCEMENTS

Congratulations are in order . . .

Karen L. Bune was awarded the Kathy Hensley Award for distinguished chapter service by the American Society of Public Administration, Northern Va. Chapter. Karen was cited for her notable work with crime victims and her distinguished service and leadership to the chapter for many years. She was praised for her attention to regional gang issues and for a community gang forum that she developed, organized, and participated in that was a highly successful event in Northern Virginia. Karen was recently a speaker at the Maryland State's Attorney's Association conference in Ocean City, Maryland where she delivered a presentation to a state-wide audience on domestic violence. She also spoke at the first national conference of the National Center for Victims of Crime in Washington, D.C. in June where she addressed the topic of "Mass Violence and Community Resilience." Karen was recently included in the 2005 edition of Great Minds of the 21st Century. She is employed by the Prince George's County State's Attorney's Office where she works as a Victim Specialist in the domestic violence unit. She is also an Adjunct Professor in the Dept. of Criminal Justice at Marymount University in Arlington and at George Mason University.

Submissions needed . . .

Sociology of Law Syllabi Set Call for Submissions - The Sociology of Law Syllabi Set is currently under revision by the ASA Teaching Resource Center and seeks submissions of syllabi for undergraduate and graduate courses in the Sociology of Law. Submissions of innovative instructional materials (e.g., classroom exercises, research projects/assignments) are also welcome. Bibliographies in the Sociology of Law and any other materials offering guidance for teachers in this specialized area are especially sought. Please send one single-sided hard copy of your syllabus or other submitted materials along with an accompanying version on diskette or CD-Rom (in WORD) to each of the co-editors: Lloyd Klein, Department of Criminal Justice, Bemidji State University, 1500 Birchmont Dr., NE, Bemidji, MN 56601; and Shela Van Ness, Department of Sociology, University of Tennessee, Chattanooga, 615 McCallie Avenue, Chattanooga, TN 37403. Materials will also be accepted through email attachment. Contact Lloyd Klein (lklein@bemidjistate.edu) with any questions. Submission deadline is September 15, 2005.

New Position Announcement . . .

The Program in Criminal Justice Studies at San Francisco State University invites applications for a tenure-track position at the Assistant Professor level, to begin August of 2006. The Program seeks candidates who focus on corrections, mass imprisonment and penal policy. We invite candidates with broad interests in this area of inquiry inclusive of scholarship on one or more of the following: the social organization of prisons; the shifting demographics of incarceration; the collateral effects of mass imprisonment; how penal policy intersects with social welfare, civic life, governmental priorities, and economic conditions; and post-9/11 imprisonment. Candidates are welcome whose focus is historical, comparative, or contemporary U.S. Minimum qualifications for the position include an earned Ph.D. and demonstrated potential for excellence in teaching, research and community service. Prior teaching experience and working with students in field experiences are pluses. Salary is to be negotiated and commensurate with experience. The successful candidate will demonstrate a cross-disciplinary focus on corrections, mass imprisonment and penal policy, and have sufficient grounding in a major field of study, including ethnic studies, or relevant academic discipline. The successful candidate will be expected to teach a core introductory course, teach elective courses in the current curriculum, and develop a new course reflected of the area of focus. The successful candidate may supervise criminal justice majors involved in field experiences. To apply, submit a cover letter explaining your interest and qualifications, a curriculum vitae, three reference letters, a writing sample, and teaching evaluations/sample syllabi (if you have teaching experience) to: Professor Michael Musheno, Chair, CJ Search Committee, Program in Criminal Justice Studies, 1600 Holloway Avenue, San Francisco, CA 94132. Professor Musheno can be contacted at mmusheno@sfsu.edu or 415-405-0991. Application Deadline: The search committee will begin reviewing applications on November 1, 2005. The position will remain open until filled.
NEW BOOKS . . .


Stacy Lee Burns
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This volume brings together distinguished scholars and cutting-edge experts in the fields of ethnography, law, and social control to present a comprehensive, insightful, and state-of-the-art overview of the everyday work and activities of legal and social control professionals, functionaries, and participants. The chapters in the collection bring to the foreground the distinctive contributions that ethnographic and ethnomethodologically-informed studies have to offer research on law and social control from theoretical, methodological, and substantive viewpoints. The discussions address a usefully broad and timely variety of themes, including management of the media by prosecutors in the famous Mike Tyson rape case; celebrity stalking and its social control; community protection strategies and legislation for high-risk sex offenders; probation officers' use of technology to "monitor" domestic violence offenders; how contemporary immigration rules-in-practice impact the immigration status of skilled professionals; bureaucratic decision-making by federal housing officers; police methods of interrogating suspects through an interpreter; how juvenile courts respond to troublesome youths; Self-change treatment programs for violent offenders in prison; and how jail inmates construct parenthood behind bars.

The collection emphasizes the need to consider the organizationally and institutionally specific features and competencies that comprise the legal and social control work under investigation and allows for a deeper appreciation of the practical terms through which people involved in this work make their activities meaningful, carry out their tasks, and organize their interactions.

RAPE WORK: VICTIMS, GENDER, AND EMOTIONS IN ORGANIZATION & COMMUNITY CONTEXT (2005, Routledge)

Patricia Yancey Martin
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After 20 years of feminist protest and legal reforms that were intended to take care of the problem, rape victims are still pervasively mistreated. One reason is that officials who process victims in the legal and therapeutic systems of local communities do harm in simply doing their jobs. This book shows how mainstream organizations instruct--and often require--their members to treat victims "unresponsively," in ways that add to rather than alleviate the trauma of rape. For example, they instruct them to remain skeptical, emotionally aloof, and uninvolved and to challenge victims as witnesses whose stories must be validated rather than comfort them as victims who warrant empathy and support. Such conditions are the focus of Rape Work. Viewing rape victims through an organizational lens, Martin shows how and why even compassionate officials with no intention of doing harm routinely harm victims nevertheless in the course of doing their jobs. The book underscores the significance of rape crisis centers in local communities. They not only help victims directly, they also play a key coordinating role with mainstream organizations and by educating the public about rape.

Summary: Despite the increase in rape crisis centers and improvements in the treatment of rape victims over the past twenty years, many rape victims find themselves the victims of a "second rape" by the doctors, lawyers, judges, and administrators who process them. Using interviews, studies, and archives, Rape Work takes a critical look at the officials that process rape victims to show how the structure of their respective organizations often prevents them from giving victims responsive care.

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This year's SSSP meeting will be held at the Crowne Plaza Hotel in Philadelphia, August 12-14. The theme of the meeting is "Blowback: The Unintended Consequences of Social Problems Solutions." The Law & Society Division business meeting is scheduled for Sunday, August 14 from 8:30 a.m. to 10:10 a.m. in the Constitution room. At the meeting, we will be planning next year's sessions and discussing resolutions. We will also be presenting the Lindesmith Award. You are encouraged to participate in all aspects of the Law and Society Division!

There will be a large joint reception this year scheduled for Friday, August 12 from 6:30 p.m. to 7:30 p.m. Eighteen special problem divisions will be participating. The location for the reception at the hotel will be by the pool; in the event of rain, the reception will be held in the foyer/pre-function area, 2nd floor.

Your Law and Society Division has also organized some really exciting sessions. Thanks to all who were involved in organizing!

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**The Problem of Prisons**
Co-sponsors: Crime and Juvenile Delinquency Division & Law and Society Division

Date: Friday, August 12
Time: 8:30am - 10:10am
Room: Freedom

Organizer, Presider and Discussant: Richelle Swan, California State University, San Marcos

Papers:

"Inside Information: What Prisoners Say About Prisons," Rebecca Bordt, De Pauw University

"Whither the Carceral State?" Marie Gottschalk, University of Pennsylvania

"The New War Prison: Off-Shore Penalty and the Contradictions of Democracy," Michelle Brown, Ohio University

"I Know Hundreds Like You," Danielle S. Rudes, University of California, Irvine

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**The Illusion of Democratic Politics: Unintended Consequences**
Co-sponsors: Conflict, Social Action, and Change Division & Law and Society Division

Date: Saturday, August 13
Time: 12:30pm - 2:10pm
Room: Freedom

Organizer & Presider: Kimberly Richman, University of San Francisco

Papers:


"It" and the 'Network Society' for Freedom and Social Control: A Social Constructionist Perspective," Karunamay Subuddhi, Indian Institute of Technology, Bombay

"A Necessary but Insufficient Condition for Democracy: Civil Society," Sibel Cekic, University of Illinois C/U

"Does Political Party Competition Increase Crime in Developing Democracies?" Nafisa Halim, University of New Mexico

"The Rise and Fall of Democratic Promise in Chile: How the Return to Electoral Politics has led to Disillusionment and Further Alienation," Rosemary A. Barbera, Monmouth University

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One can't be just if one is not human at the same time...

~ Marquis de Vauvenargues
(Un)Intended Consequences of Law I
Sponsor: Law and Society Division

Date: Saturday, August 13
Time: 12:30pm - 2:10pm
Room: Senate

Organizer & Presider: Otis B. Grant, Indiana University South Bend

Papers:

"Unanticipated Consequences of Therapeutic Jurisprudence," Stacy Lee Burns, Loyola Marymount University and Mark Peyrot, Loyola College in Maryland


"The Incorporation of Private Market Racial Discrimination in Public Policy: Unintended Consequences or Policies with Multiple Consequences?" David W. Bartelt, Temple University and Kristen Crossney, Rutgers University

"Law, Deterrence and Prevention," Joel C. Gibbons, Indiana University South Bend

Law and Sexualities I
Co-sponsors: Sexual Behavior, Politics, and Communities Division & Law and Society Division

Date: Saturday, August 13
Time: 2:30pm - 4:10pm
Room: Freedom

Organizers & Presiders: Kimberly Richman, University of San Francisco and Lloyd Klein, Bemidji State University

Discussant: Kimberly Richman, University of San Francisco

Papers:

"Same-Sex Marriage and Opinion Change: An Experimental Approach," Raj Ghoshal, University of Florida

"Supreme Exposure: Newspaper Coverage of the Supreme Court Decision, Lawrence v. Texas," Kimber R. Williams, Arizona State University and L. Susan Williams, Kansas State University

"Framing on Trial: A Methodology for Exploring Frame Alignment Processes in Social Movements," Danielle Albright and Ryan Goodman, University of New Mexico

"Social Movement Resistance: Gay Marriage in Election 2004," Daniel Hillyard, Southern Illinois University, Carbondale

(UN)Intended Consequences of Law II
Sponsor: Law and Society Division

Date: Saturday, August 13
Time: 2:30pm - 4:10pm
Room: Senate

Organizer & Presider: Otis B. Grant, Indiana University South Bend

Papers:

"Unintended and Intended Consequences of Corporate Law? Malfeasance at Enron," Harland Prechel, Texas A&M University

"Pro Bono Publico in Large Law Firms: The Consequences of Its Institutionalization for Democracy," Robert Saute, CUNY Graduate Center

"Immigration Policy and the Criminalization of Minorities: British Securitization in Comparative Perspective 1948-2003," Pamela Irving Jackson, Rhode Island College and Roderick Parkes, Center for European Integration Studies

"Are Non-Binding Methods of Mediation Effective On the International Stage?" Elizabeth Crouse, University of Hawaii Manoa

"Unintended Consequences of Law: The Absence of Civic Engagement in the Workplace," Otis B. Grant, Indiana University South Bend

—Continued on page 8.
**Law and Sexualities II**
Co-sponsors: Sexual Behavior, Politics, and Communities Division & Law and Society Division

Date: Saturday, August 13  
Time: 4:30pm - 6:10pm  
Room: Freedom

Organizer, Presider and Discussant: Lloyd Klein, Bemidji State University

Papers:


"Is Victimization Routine? A Look at the Roles of Opportunity and Routine Activities in Sex Offenders’ Victim Selection," Shawna Cleary, University of Central Oklahoma

"Reentry and Recidivism: How do Sex Offenders Fare Compared to Others," Darcy Purvis, University of California, Irvine

"Safety from Sex Offenders: Germany, Canada, and the U.S.A.: Who is Right?" Linda B. Deutschmann, University College of the Cariboo and Lloyd Klein, Bemidji State University

**Drug Policy Reform**
Co-sponsors: Drinking and Drugs Division & Law and Society Division

Date: Saturday, August 13  
Time: 4:30pm - 6:10pm  
Room: Manayunk

Organizer & Presider: Marsha Rosenbaum, Safety First Project of the Drug Policy Alliance

Papers:

"Subcultural Implications of the RAVE Act," Brian C. Kelly, Columbia University


"Drug, Set, and Setting and Controlled Drug Use," Dina Perrone, Rutgers University, Newark: School of Criminal Justice; Predoctoral Fellow-NDRI, BST

"Drug and Substance Abuse Prevention Programs: Do They Really Work?" Alex Otieno and Jessica Hoos, Arcadia University

"Drug Policy Reform: Where Are We Headed?" Ethan Nadelman, Drug Policy Alliance

**Civil Liberties in the Post-9/11 Era**
Sponsor: Law and Society Division

Date: Sunday, August 14

Time: 12:30pm - 2:10pm  
Room: Independence B

Organizer, Presider and Discussant: Cary Federman, Duquesne University

Papers:

"Going Beyond ‘Zero Tolerance’: Limiting the Rights of the Accused and the Implications of the USA Patriot Act," Lloyd Klein, Bemidji State University

"Give Me Liberty or Give Me Death? The Contentious Relationship of Enlightenment and Evangelical Ideals in the Post 9/11 Context," Heather Jamerson, Emory University

"Flag Display as a Short-Term Enthusiasm: A Collective and Emotional Response to the Terrorist Attacks of September 11, 2001," Terry Lilley, University of Delaware

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Due to the venue change of the ASA Annual Meeting, next year’s SSSP Annual Meeting will be held at the Stanford Court Hotel in San Francisco, August 4-6, 2006.

The SSSP Annual Meeting will be held in New York in 2007.
Congratulations to GABRIELLE FERRALES
Winner of the 2005 Alfred R. Lindesmith Award
SSSP Law & Society Division

This year’s winner of the Alfred R. Lindesmith Award is Gabrielle Ferrales of Northwestern University for her paper, "Domestic Violence Crime Control Policy and Practice: Implications for Arguments Concerning Penal Theory."

Abstract

A number of theorists have considered whether contemporary changes in penal practice signify the onset of later modernity, the death of modernity, or the advent of postmodernity. Several theorists have alleged that these changes indicate the rise of a postmodern penalty; however, some criminologists have argued against this concept. They question the validity of the discourse of modernity/postmodernity as a theoretical framework in which to explain contemporary penal change. In David Garland’s most recent work, he has further fueled this longstanding debate by arguing that recent changes in penal practice must be understood as the period of late modernity. There have been no empirical studies to assess the merit of his new conception of crime control. Using ethnographic data from a district attorney’s office, this paper examines criminal justice personnel at the micro-level in order to assess both the strengths and limitations of Garland’s findings and to provide further insight in constructing an analytical framework for understanding contemporary changes in penal practice. This paper argues that while a postmodern/modern theoretical framework may account for broad trends at the abstract macro-level, analysis of penal development must also account for implementation of policy at the local level.

The Alfred R. Lindesmith is annually given to the best paper that was presented at the previous year’s SSSP annual meeting, that is law-related, that is written by one or more untenured faculty and/or graduate student(s), and has not been accepted for publication prior to presentation at the SSSP meeting.

Membership in the Society for the Study of Social Problems and the SSSP Law & Society Division

Founded in 1951, the Society for the Study of Social Problems promotes research on and serious examination of problems of social life. The SSSP works to solve these problems and to develop informed social policy. As a member, you will find peers and colleagues working together to develop and apply research which makes a difference. And you will be able to join many of the SSSP Divisions, including... The SSSP Law & Society Division, dedicated to the study of all aspects of law and social problems, and publishes the great newsletter, Pro Bono!

Visit the SSSP website for more information: http://www.sssp1.org/