



ALASKA JUSTICE FORUM

A PUBLICATION OF THE JUSTICE CENTER

Summer 2004

UNIVERSITY of ALASKA ANCHORAGE

Vol. 21, No. 2

Alaska Justice System Expenditures, 1984 – 2001

Justice system operating expenditures in Alaska have been increasing much more quickly than the overall state budget. To a great extent, this is due to the steep rise in the correctional budget.

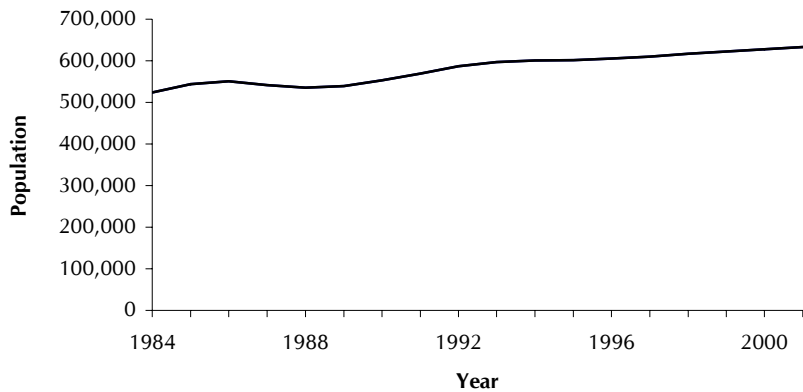
From FY 1984 through FY 2001, total operating costs for the major state justice system agencies (Court System, Public Safety, Corrections, Law and the Public Defender and Office of Public Advocacy) grew by 96.2 percent, from approximately \$196 million to over \$384 million. (Figure 1, Table 1). The total state operating budget, for all agencies, rose 59.4 percent over the same period, and the state population grew 20.7 percent (Figure 2).

These justice system totals do not include capital expenditures or local costs, such as

Please see *Justice Expenditures*, page 2

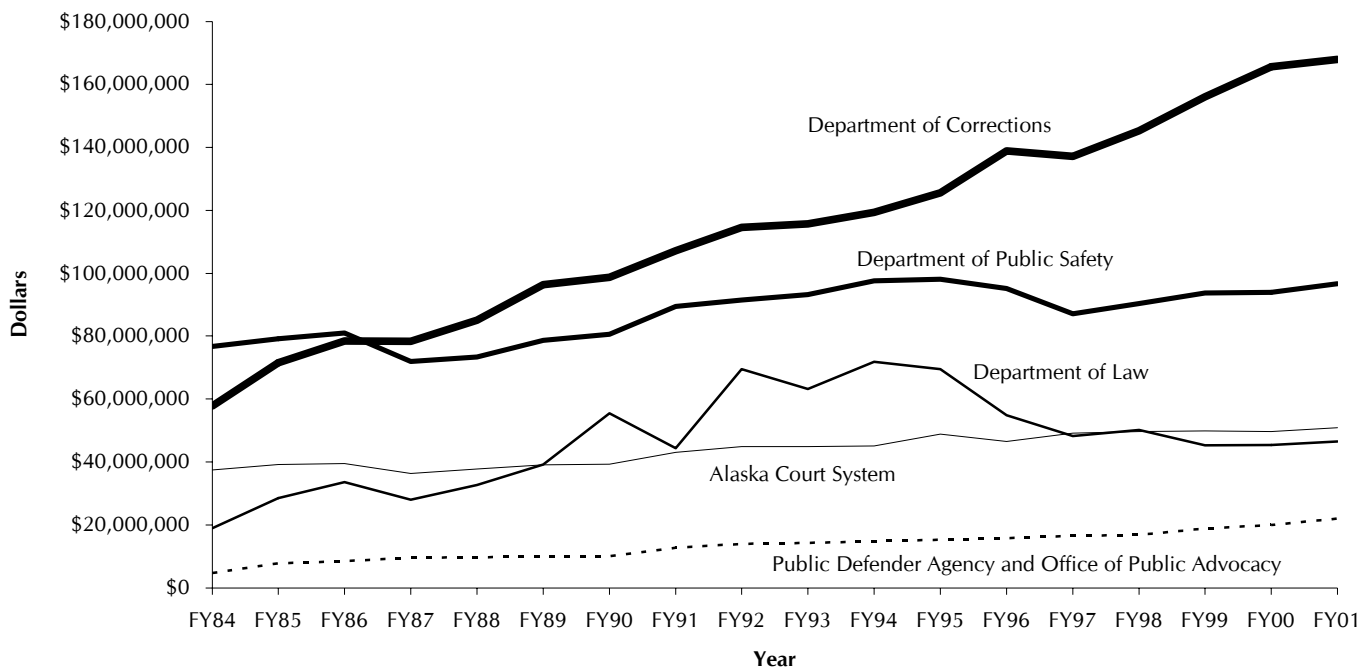
Figure 2. Alaska Population, 1984 to 2001

Alaska's population increased by 20.7% from 1984 (524,000) to 2001 (632,674).



Source of data: Alaska Department of Labor & Workforce Development

Figure 1. Alaska Justice Agencies, Operating Budgets, FY 1984 to FY 2001



Source of data: Alaska Legislative Information Office

Justice Expenditures

(continued from page 1)

for local police departments; nor do they include the budgets of those divisions that handle the administration of juvenile justice.

A significant portion of the overall

increase in justice system expenditures can be attributed to the increase in the budget for the Department of Corrections. As Figure 1 shows, in dollars, the DOC budget rose the most sharply of any of the agencies. It almost tripled, increasing from just under \$58 million in FY 1984 to close to \$168 million in FY 2001.

The total operating expenses for these major justice system agencies also consumed a slightly bigger share of the overall state operating budget in FY 2001 (Figure 3). In FY 1984, the justice system share was about 7 percent. By FY 2001 it had climbed to close to 9 percent.

Table 1. Alaska Justice Agencies, Operating Budgets, FY 1984 to FY 2001

	Department of Corrections	Department of Public Safety	Department of Law	Alaska Court System	Public Defender Agency/Office of Public Advocacy
FY84	\$57,798,500	\$76,658,000	\$19,015,800	\$37,448,500	\$4,820,300
FY85	\$71,497,200	\$79,154,300	\$28,533,300	\$39,206,800	\$7,864,600
FY86	\$78,470,600	\$80,935,000	\$33,648,400	\$39,541,000	\$8,560,400
FY87	\$78,291,400	\$71,918,100	\$28,050,400	\$36,349,400	\$9,672,200
FY88	\$85,152,700	\$73,299,700	\$32,735,000	\$37,779,400	\$9,782,100
FY89	\$96,364,700	\$78,592,800	\$39,192,500	\$39,148,500	\$10,069,100
FY90	\$98,693,900	\$80,587,400	\$55,431,900	\$39,348,300	\$10,095,500
FY91	\$107,138,800	\$89,470,100	\$44,401,900	\$43,024,200	\$12,758,100
FY92	\$114,592,100	\$91,541,100	\$69,530,900	\$44,885,500	\$14,040,400
FY93	\$115,740,200	\$93,241,700	\$63,220,100	\$44,897,200	\$14,290,000
FY94	\$119,359,000	\$97,634,000	\$71,814,300	\$45,128,600	\$14,867,800
FY95	\$125,531,500	\$98,109,900	\$69,447,900	\$48,856,300	\$15,330,300
FY96	\$138,823,000	\$95,147,500	\$54,862,600	\$46,560,500	\$15,813,300
FY97	\$137,121,300	\$87,128,300	\$48,281,500	\$49,124,700	\$16,521,500
FY98	\$145,295,000	\$90,452,200	\$50,149,300	\$49,699,500	\$16,843,400
FY99	\$156,023,300	\$93,736,100	\$45,325,900	\$49,871,100	\$18,939,400
FY00	\$165,615,500	\$93,957,500	\$45,447,300	\$49,657,400	\$20,002,800
FY01	\$167,928,500	\$96,667,400	\$46,522,500	\$50,918,800	\$22,041,900

Source of data: Alaska Legislative Information Office

Table 2. Alaska Justice Agency Budgets as Percentage of Total State Budget, FY 1984 and FY 2001

	FY 1984		FY 2001	
	Operating budget	% of total state budget	Operating budget	% of total state budget
Total justice budget	\$195,741,100	7.3 %	\$384,079,100	9.0 %
Department of Corrections	\$57,798,500	2.1	\$167,928,500	3.9
Department of Public Safety	\$76,658,000	2.8	\$96,667,400	2.3
Department of Law	\$19,015,800	0.7	\$46,522,500	1.1
Alaska Court System	\$37,448,500	1.4	\$50,918,800	1.2
Public Defender Agency/Office of Public Advocacy	\$4,820,300	0.2	\$22,041,900	0.5
Other state agencies	\$2,494,771,300	92.7 %	\$3,904,724,100	91.0 %
Total actual operating budget	\$2,690,512,400		\$4,288,803,200	

Source of data: Alaska Legislative Information Office

Justice System Employment

The number of people employed in justice system positions in Alaska in 2001 was among the lowest in the country, as a percentage of overall public employment. According to figures released by the Bureau of Justice Statistics, 9.8 percent of all Alaska public sector employees worked in the justice system in 2001. On average among the fifty states and the District of Columbia, 12.9 percent of public sector workers were employed by the justice system. Twelve states showed a lower percentage, with West Virginia the lowest, at 7.8 percent. Nevada was the state with the highest percentage—17.4 percent.

Alaska, however, employed more people per capita in justice system positions than most other states. With 75.9 full-time

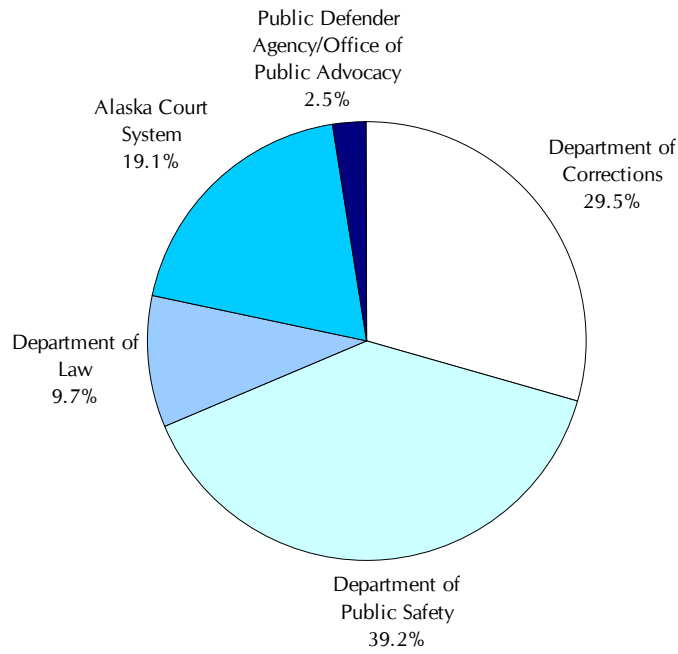
equivalent positions per 10,000 population, it was above the national mean of 69.7 and higher than all but six other states and the District of Columbia. West Virginia had the lowest justice system employment per capita, with 41.7 positions per 10,000 population, and the District of Columbia had the highest, at 118.6.

What these two sets of figures say, in other words, is that in comparison to much of the rest of the country, Alaska has a larger public employment sector, in which justice system positions form a smaller segment.

The figures presented in this article were taken from Bureau of Justice Statistics Bulletin "Justice Expenditure and Employment in the United States, 2001," NCJ 202792.

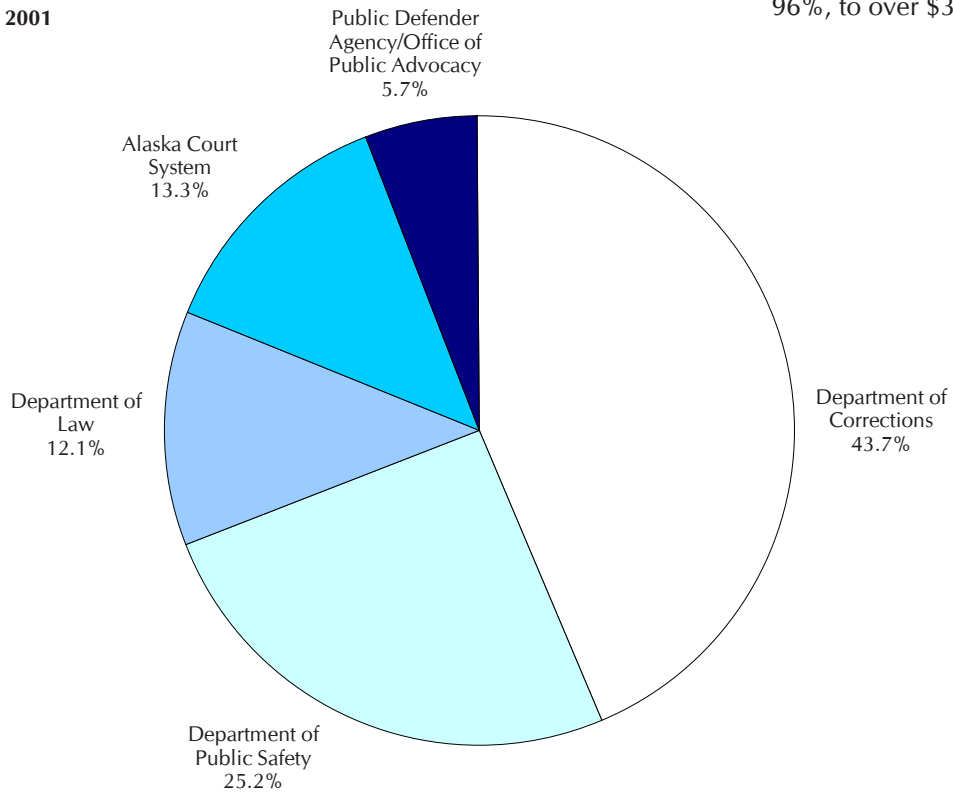
Figure 3. Alaska Justice Agencies, Operating Budgets, FY 1984 and FY 2001

FY 1984



In FY 1984, the total operating budget for these six agencies was approximately \$196 million. By FY 2001, it had increased by 96%, to over \$384 million.

FY 2001



Review Essay—Prisoners Once Removed

Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families, and Communities

Edited by Jeremy Travis and Michelle Waul
The Urban Institute Press,
Washington D. C. 2003. 396 Pages

John Riley

For some time, crime policy has focused on the incarceration of offenders, ignoring the families and children they leave behind. Now, however, these children and other family members are finally starting to receive serious consideration, as researchers, practitioners, and policy makers move beyond individual accounts of crime to understand the broader context of family and community life in which criminality arises and is sustained. *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families, and Communities* is an edited collection of current writings focusing on the collateral consequences of mass incarceration.

Since the 1970s, America's crime policy has been shaped by a conservative and utilitarian philosophy that assumes that a reduction in crime may be achieved by raising the costs of criminal conduct to the individual offender. In this view, nothing works dependably to rehabilitate offenders, but increasing the likelihood that offenders will be arrested, convicted, and incarcerated will result in a reduction in criminal conduct. In simple terms, our policy has been driven by the belief that tough sentences will deter or incapacitate criminals. In pursuit of this end, we have incarcerated millions of Americans, most of whom have been recruited from poor and minority communities. Today, America's jails and prisons hold over 2 million inmates, and it is estimated that there are now over 2 million children who have at least one parent under correctional supervision.

The book begins with an introductory piece by Jeremy Travis and Michelle Waul which presents an overview of the problems faced by those coping with the incarceration of a family member and sounds a call for greater collaboration between corrections programs and agencies that provide services to children and families. The ten readings that follow are organized in three parts. Part One focuses on the impact of incarceration and reentry into society on individual prisoners. It includes articles on the psychological impact of incarceration, the post-release challenges facing women offenders, and the skill sets and health care needs of newly released inmates. Part Two looks at the impact of incarceration and reentry on the children and families of offenders. It includes articles on the intergenerational effects of criminal sentences, the effects of parental incarceration on children, issues associated with the incarceration of parents of adolescents, and parenting issues during periods of incarceration. Part Three focuses on the impact of incarceration and reentry on communities, with articles on the potential integration of criminal justice, health care, and human services agencies, on social capital and social networks in the communities from which the inmate population comes, and on the development of partnerships in those communities. These readings offer a broad introduction to current scholarship on some of the unintended consequences of large scale incarceration.

The common theme that unites these efforts is a willingness to question the once widely accepted view that aggressive crime control policies involving higher rates of arrest and incarceration will ultimately re-

duce criminal behavior. The notion that we can reduce America's crime problem by increasing the probability that offenders will be arrested, convicted, and incarcerated has now been a cornerstone of American crime control policy for more than a quarter century. Today, with many scholars questioning this assumption, a growing body of scientific research provides support for an alternative view of the crime problem. Rather than supporting aggressive efforts to arrest, convict, and incarcerate offenders, a substantial body of recent research suggests that over-reliance on formal criminal justice approaches to the problem of crime may actually contribute to rising crime rates in many of our communities. In short, too many arrests, convictions, and incarcerations may be as problematic as too few.

Social scientists have long understood that communities may be more or less effectively organized to identify and address social problems, including the problem of crime. Residential mobility is one of the variables most often associated with social disorganization, with many scholars observing a relationship between high rates of residential mobility and high rates of crime. Residents in stable and effectively organized communities are typically involved in more complex social networks and may also have a greater stake in conformity than residents of communities experiencing high levels of social disorganization. In stable neighborhoods, with a high level of commitment to community life, more long-term face-to-face interaction, and high levels of trust, people find it easier to work together to identify problems and implement solutions. As residential mobility increases, research suggests that this ability, which is sometimes called collective efficacy, begins to erode. America's unusually high rate of incarceration is not experienced equally in all communities. In some inner city neighborhoods, for example, residents experience such extremely high rates of incarceration that a prison sentence may be viewed by some young men as a normal rite of passage. Social scientists are increasingly concerned that in neighborhoods such as these the forced removal of those convicted of crimes may actually be contributing to an increase in residential mobility and a decrease in collective efficacy. This process is thought to involve a kind of downward spiral that begins when we reach some critical mass of incarcerated residents and may ultimately become self-perpetuating.

The idea that crime rates may increase because too many prisoners are recruited



Alaska Justice Forum

Editor: Antonia Moras
Editorial Board: Allan Barnes, Sharon Chamard,
Ron Everett, Pamela Kelley, Robert
Langworthy, Alan McKelvie, Brad Myr Stol,
Deborah Periman, John Riley, André Rosay,
Lawrence Trostle, Darryl Wood
Typesetting and Layout: Melissa Green

Justice Center, Robert Langworthy, Director

Published quarterly by the

Justice Center
University of Alaska Anchorage
3211 Providence Drive
Anchorage, AK 99508
(907) 786-1810
(907) 786-7777 fax
ajjust@uaa.alaska.edu
<http://www.uaa.alaska.edu/just/>

© 2004 Justice Center,
University of Alaska Anchorage
ISSN 0893-8903

The opinions expressed are those of individual authors and may not be those of the Justice Center.

The University of Alaska provides equal education and employment opportunities for all, regardless of race, color, religion, national origin, sex, age, disability, or status as a Vietnam-era or disabled veteran.

from some neighborhoods may be called the coercive mobility hypothesis. The coercive mobility hypothesis suggests that increased rates of incarceration may weaken the families and communities that offenders leave behind and actually reduce effective social control efforts and increase crime in neighborhoods characterized by high rates of incarceration. In effect, high rates of incarceration decrease residential stability as prisoners and family members are forced to relocate. Family members of prisoners often relocate to be nearer to an institutionalized loved one or in response to economic and child care contingencies associated with the removal of an incarcerated family member. Neighbors may also move to escape what is perceived as a dangerous environment. Those who remain in communities experiencing high rates of coercive mobility are left to cope without the assistance of those who have been relocated and in a context that features disrupted social networks and rising levels of alienation and distrust. Rose and Clear describe this problem in Part Three of the book in their essay "Incarceration, Reentry, and Social Capital: Social Networks in the Balance":

As a form of residential mobility, incarceration disrupts social networks in

a variety of ways. Some results are straightforward—incarceration removes people from their familial and friendship relationships. Some results are more complex—relationships are strained when residents withdraw from community life to cope with financial problems or the stigma of having a family member in prison....To the extent that excessive coercive mobility can damage local social networks, it can also increase the level of disadvantage in the community overall. According to a growing body of empirical evidence, high levels of coercive mobility can result in increased crime.

Crucial to this understanding of the crime problem is the notion that even those who commit crimes may make some positive contribution to the informal social control efforts of their communities. This is a radical break with contemporary crime policy, which has tended to view the offender in a more uni-dimensional, and less realistic, way.

Prisoners Once Removed not only provides an important account of the coercive mobility hypothesis, it also introduces readers to a body of recent empirical research with implications for current crime policy.

The authors discuss innovative programs that are proving effective at reducing crime and reintegrating offenders, including programs intended to intervene in the lives of children with incarcerated parents. The arguments and data make a persuasive case that we can break intergenerational cycles of criminality by providing assistance to both offenders and their families.

The popular idea that we should abandon rehabilitation efforts in favor of longer sentences because "nothing works" to rehabilitate offenders is clearly called into question by the research cited. The idea that more arrests, convictions, and incarcerations will reduce crime—perhaps the chief unexamined assumption of our current crime policy—is also called into question here. Most importantly, this book challenges those of us who are serious about reducing crime to take our obligations to vulnerable children and families seriously too. If we want to reduce crime, we cannot continue to ignore the social context in which patterns of criminal conduct emerge and are sustained. For these reasons, this book raises a challenge that must be answered by those who continue to push the current approach to crime and sentencing policy.

John Riley is an associate professor with the Justice Center.

Incarcerated Parents in Alaska Prisons

The situation of Alaska children who have incarcerated parents is now receiving more attention and there are slightly more services available to help inmates continue to function as parents, but the programmatic efforts are very limited and their funding situation is tenuous.

There are still no firm numbers on how many prisoners under the authority of the Alaska Department of Corrections have minor children or, by extension, how many children have a parent incarcerated. As mentioned in the accompanying review of the book *Prisoners Once Removed*, it is estimated that in the nation as a whole 2 million children currently have at least one parent in prison, but more detailed figures are lacking. If Alaska figures parallel this national estimate, as is probable, there are a couple thousand children in the state with at least one parent incarcerated.

The Alaska Department of Corrections does not currently collect information on the family situation of imprisoned offenders in any systematic way. Assembling figures for Alaska was one objective of a statewide project being administered by Catholic Community Services (CCS) in Juneau in conjunction with DOC, but thus far no real progress has been made on this point, and because of the problematic nature of the current DOC computer system, this situation probably will not change.

The Catholic Community Services program has some limited survey results for the Hiland Mountain, Meadow Creek and Lemon Creek prisons that give an imprecise idea of the number of children with an incarcerated parent. At Hiland Mountain, the 115 women completing the survey last spring had a total of 211 children under 18. Some of these children were under a year old. The 12 men completing the survey at Meadow Creek were fathers to 30 children under 18. At Lemon Creek, where a slightly different survey was administered, the 174 inmates who completed the survey represented 227 children.

The CCS project began in 2002 under a three-year grant from the

National Institute of Corrections (NIC). It was one of twelve similar programs throughout the country to receive NIC funding. The project has established positions—grant-funded—within DOC facilities to assist prisoners in meeting the multitude of needs that arise when a parent is incarcerated. Program staff assist with visiting problems and child care arrangements, provide parenting classes and other instruction, and, in general, trouble-shoot. They work closely with the state Office of Children's Services.

Currently, the project's most established institutional program is located at the Hiland Mountain facility. The CCS program administrator at Hiland Mountain informally estimates that at least one hundred women—mothers of about two hundred children—contact the program there each month. The program is now beginning to extend its services to the male inmate population at Meadow Creek, and a project position within the Anchorage Correctional Complex was established this spring. The CCS project has also built a network of information resources and contacts for others beyond DOC who are trying to meet the special needs of children of incarcerated parents—such as teachers and social workers.

The project is in the last year of its three-year grant. The National Institute of Corrections has not made follow-on funding available, but another type of grant from NIC—one focused on mentoring children of incarcerated parents—will permit the CCS program to continue. In addition, a similar grant awarded to Big Brothers—Big Sisters of Juneau will also contribute to the effort within DOC. These are also three-year grants.

DOC has no plans to establish this type of program on a permanent basis within its own administrative purview. Department policy considers the work entailed in this area to be more effectively handled by a liaison position funded by another agency or by a non-profit, as with the current situation.

Anchorage Perceptions: Sanctions and Gun Crime Deterrence

Brad Myr Stol

The purpose of punishment, then, is nothing other than to dissuade the criminal from doing fresh harm to his compatriots and to keep other people from doing the same.

—Cesare Beccaria, 1764

Introduction

If the quote above seems familiar, it is probably because Beccaria's words reveal some deeply held beliefs about the role of criminal punishment in contemporary American society. In his treatise on the role of legal sanctions, *On Crimes and Punishments*, Beccaria advanced a theory of punishment which has come to be known as the theory of *criminal deterrence*.

Deterrence theory assumes that people are innately rational in the sense that they are able to comprehend and compare the costs and benefits associated with various courses of conduct. Actions which, on balance, yield more costs than benefits will be avoided, while actions providing more benefits than costs will be pursued. According to this theory, legal punishments should be formulated for crimes so that they impose costs for offenders that just exceed the benefits derived from their wrongdoing. (Overly harsh punishments are to be avoided to prevent the commission of more crimes designed to help an offender escape harsh punishment.)

This brief overview of deterrence theory is relevant because Beccaria's ideas continue to play a central role in criminal justice policy and practice in Alaska and elsewhere. Although some discussions of criminal law give priority to sanctions as a form of retribution for an offense, and still others place primary emphasis on the notion of criminal incapacitation, the idea of deterrence is an element in *all* contemporary conversations justifying criminal punishments. Sometimes punishments are said to be aimed specifically at the person responsible for a crime (specific deterrence); sometimes they are said to be a warning to all who might contemplate committing the same or a similar offense as the convicted offender (general deterrence); and sometimes punishments are discussed as being directed at both actual and potential offenders. In all instances, however, the idea of preventing future crimes through instilling fear of punishment prevails.

This article examines one half of the cost-benefit equation proposed first by Beccaria

and subsequently incorporated into American criminal jurisprudence: *legal sanctions*. More specifically, I examine legal sanctions for *gun crime* in terms of how such sanctions are *perceived* by the general public. The perception of criminal sanctions is integral to deterrence, because if an actual or potential offender is not conscious of their existence or likelihood of enactment, she or he cannot include them in a cost-benefit

calculation, and therefore cannot be deterred by them.

Measures

The data discussed here came from a random telephone survey of Anchorage households conducted by the Justice Center in spring 2004. In all, 585 individuals in 551 households were interviewed.

**Table 1. Survey Sample Characteristics:
Frequency Distributions of Demographic Variables**

Demographic variable	2000 census		Survey sample	
	Number	Percent	Number	Percent
Age				
12–17 yrs	24,981	11.9 %	9	1.5 %
18–19 yrs	7,073	3.4	6	1.0
20–24 yrs	17,641	8.4	41	7.0
25–29 yrs	19,703	9.4	42	7.2
30–34 yrs	20,361	9.7	61	10.4
35–44 yrs	49,143	23.4	133	22.7
45–54 yrs	38,858	18.5	146	25.0
55–64 yrs	18,084	8.6	104	17.8
65+ yrs	13,854	6.6	43	7.4
Gender (18+ yrs)				
Male	92,953	50.3 %	286	50.8 %
Female	91,959	49.7	277	48.2
Race (18+ yrs)				
Alaska Native/American Indian	12,516	7.0 %	21	3.7 %
Asian	10,192	5.8	9	1.6
Black/African American	10,065	5.7	16	2.8
Pacific Islander	1,316	0.7	7	1.2
White/Caucasian	139,523	78.7	460	80.0
Other	3,715	2.1	37	6.4
Education (25+ yrs)				
No degree	15,522	9.7 %	3	0.6 %
High school diploma/GED	38,741	24.2	105	20.6
Vocational/trade school	—	—	21	4.1
Some college/associate degree	59,428	37.2	164	32.2
Four year degree or higher	46,240	28.9	217	42.5
Individual income (16+ yrs)				
Less than \$12K ¹	36,260	23.3 %	70	14.3 %
At least \$12K, < \$25K	32,511	20.9	66	13.5
At least \$25K, < \$40K	36,328	23.4	93	19.0
At least \$40K, < \$75K	38,043	24.5	173	35.3
\$75K or more	12,323	7.9	88	18.0
Work status² (16+ yrs)				
Full-time (35+ hrs/wk)	127,229	66.0 %	367	74.3 %
Part-time (< 35+ hrs/wk)	28,348	14.7	64	13.0
Did not work/unemployed ³	37,205	19.3	63	12.7

1 Census category: < \$12,500.

2 Census measure = past year (1999); Survey measure = current work status.

3 Respondents who reported themselves retired without also including other full-time or part-time employment, and those who reported themselves to be disabled for work, are excluded from survey employment calculations since they are not considered eligible members of the work force.

Dependent Variables: Deterrence

Since Beccaria's time, theorists have asserted that there are three facets of criminal sanctions that influence their effectiveness: *certainty*, *celerity*, and *severity*. The certainty, or likelihood, of a particular sanction being applied is important, because if a potential offender is aware of the punishment for a particular crime, but does not think that it is likely

to be applied, she or he will not be discouraged from engaging in prohibited conduct. Punishment celerity is the amount of time between the commission of an offense and the infliction of a punishment. It is thought that a small amount of time between crime and punishment helps cement the two together—crime and punishment—in the minds of actual and potential offenders. The third dimension of effective deterrence—severity—reflects the idea that the costs incurred must exceed the benefits derived from prohibited behavior if future crimes are to be prevented.

Four items were included in the survey to measure Anchorage residents' perceptions of sanction *certainty* spanning three stages of the criminal justice process: detection/apprehension, charging/prosecution, and conviction. Respondents were asked to estimate the likelihood (very likely; somewhat likely; neither; somewhat unlikely; very unlikely) of the following events:

- A person carrying a gun illegally would be caught by authorities.
- A person caught committing a gun crime would be prosecuted for that offense.
- A person charged with a gun crime would be convicted in *state* court.
- A person charged with a gun crime would be convicted in *federal* court.

Sanction *celerity* was measured using a single item which asked respondents to estimate how quickly they thought a criminal prosecution would take place for a person who was caught committing a gun crime. As with the certainty measures, respondents were asked how likely the following was to occur:

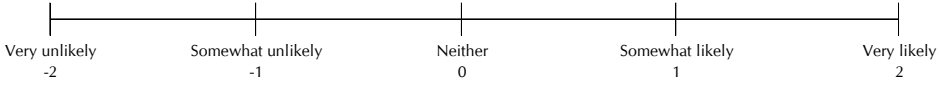
- A person caught committing a crime with a gun would be prosecuted swiftly.

Finally, sanction *severity* was measured

Table 2. Descriptive Statistics: Perceived Deterrence

Deterrence measure	Number	Median	Mean	Standard deviation
Person carrying a gun illegally getting caught by authorities	546	1.0	0.085	1.343
Person caught committing a gun crime getting prosecuted for that offense	537	2.0	1.278	0.928
Person caught committing a crime with a gun being prosecuted swiftly	533	1.0	0.206	1.359
Person charged with a gun crime being convicted: state court	510	1.0	1.094	1.014
Person charged with a gun crime being convicted: federal court	519	1.0	1.158	0.992
Prosecutor allowing a gun offender to plead guilty to a less serious offense in order to get a conviction	527	2.0	1.349	0.982
A person convicted of a gun crime receiving a long prison sentence	527	0.0	-0.015	1.342

Likelihood scale:



using two questionnaire items which asked respondents to estimate the likelihood of an offender's sanction being reduced via a plea agreement and of an offender receiving a severe punishment:

- A prosecutor would allow a gun offender to plead guilty to a less serious offense in order to secure a conviction.
- A person convicted of a gun crime would receive a long prison sentence.

Independent Variables: Demographics

Included in the survey as independent variables (that is, variables that might influence how a person responds to a survey item) were several questions tapping respondents' demographic characteristics: age, race/ethnicity, gender, level of formal education, current individual income and current work status. Respondent answers to the each of the deterrence measures are compared across each of these factors in order to identify differences in response patterns.

Description of Sample

Table 1 contains the distributions for the demographic variables, with data from the 2000 Census provided for comparison. The survey sample was generally representative of the Anchorage population. The largest observed differences were found in the three social variables included in the survey: education, individual income, and work status. In terms of education, the survey under-sampled those on the lower end of the spectrum—those who have a 12th grade education or less. The survey also under-represented residents with annual incomes of less than \$40,000. In addition, the survey did not capture an equal proportion of people who were unemployed. However, none of the observed percentage differences presented in Table 1 was found to be statisti-

cally significant. Nevertheless, because there is evidence to suggest that certain groups of eligible participants may have been excluded from the survey, *sample weighting* was used in the analysis.

Deterrence Measures

Descriptive statistics for all of the deterrence measures are presented in Table 2. Interviewers read each survey item to respondents, and then asked them how likely they thought each one was to occur: very likely; somewhat likely; neither likely nor unlikely; somewhat unlikely; or very unlikely. Each response was given a numeric score ranging from 2 (very likely) to -2 (very unlikely). With this scoring system, a positive mean score indicates that, on average, Anchorage residents thought a particular event was more *likely* than unlikely to occur, whereas a negative mean is interpreted as more *unlikely*. Mean scores close to zero are indicative of a generalized ambivalence on a particular item, while scores approaching 2 or -2 demonstrate strong views in either direction. The number of respondents who answered each item, the median (i.e., middle score), mean (i.e., average score), and standard deviation are provided for each deterrence measure.

Overall, it appears that Anchorage residents perceive there to be a better than even chance that persons who commit gun crimes will be legally sanctioned for their misdeeds, although this generalized confidence varies across stages of the criminal sanctioning process. For example, Anchorage residents perceive that a person carrying a gun illegally is only slightly more likely than not to get caught by authorities (mean = .085); in contrast, residents perceived a much greater likelihood that legal action will be taken *once an offender*

Deterrence

(continued from page 7)

is caught (mean = 1.278); subsequently, respondents indicated an even greater perceived likelihood that after an offender has been caught and charged with a gun crime, a prosecutor will permit a guilty plea to a less serious offense in order to secure a conviction (mean = 1.349).

Findings

These data suggest that Anchorage residents' consciousness of legal punishment for gun crime is fairly sophisticated and layered: their perceptions of the likelihood of sanctions vary according to which stage of the

criminal justice process is being referenced. For some points in the process, respondents reported that they perceived a strong likelihood of legal sanctions (e.g., prosecution once an offender was caught; conviction of a gun offender once charged), but in others there were almost as many skeptics as there were believers in the criminal justice system (e.g., getting caught carrying gun illegally; swift prosecution of offender once caught; lengthy prison term for gun offender once convicted). Moreover, respondents demonstrated an awareness of one of the most fundamental aspects of criminal prosecution—plea agreements.

A re-examination of the seven perceived deterrence measures as a function of the demographic characteristics of respondents

thought to shape people's awareness and understanding of the legal system helps to "unpack" Anchorage residents' perceptions.

Table 3 presents all of the sample means for each of the seven measures included in the survey, according to age, gender, race, education, individual income and current work status. Differences in perceptions about the criminal justice system can be detected by reading *across* rows. For example, the first row shows the mean scores for respondents under the age of 18. Respondents in this age group thought the event with the greatest likelihood of occurrence was a person being prosecuted for a gun crime once caught by authorities; meanwhile, they perceived a timely prosecution as the least likely to occur of all events. On the other hand,

Table 3. Mean Perceived Deterrence Scores, by Demographic Categories

Demographic variable	A person carrying a gun illegally getting caught by authorities	A person caught committing a gun crime getting prosecuted for that offense	A person caught committing a crime with a gun being prosecuted swiftly	A person charged with a gun crime being convicted:		A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction	A person convicted of a gun crime receiving a long prison sentence
				in STATE court	in FEDERAL court		
Age							
12–17 yrs	-0.667	1.500	-1.000	0.000	0.500	1.000	0.333
18–19 yrs	0.063	1.150	0.848	1.029	0.758	-0.334	0.092
20–24 yrs	0.561	1.385	0.293	0.992	1.071	1.472	0.355
25–29 yrs	0.163	1.395	0.236	1.226	0.844	1.379	0.011
30–34 yrs	0.210	1.290	0.445	0.997	1.037	1.215	-0.287
35–44 yrs	-0.012	1.107	0.109	1.121	1.286	1.532	-0.181
45–54 yrs	-0.118	1.339	0.212	1.114	1.329	1.431	0.017
55–64 yrs	0.177	1.419	0.000	1.299	1.249	1.388	0.151
65+ yrs	0.092	1.078	0.118	0.911	0.970	1.382	-0.067
Gender							
Male	0.007	1.385	0.217	1.168	1.241	1.357	0.165
Female	0.194	1.153	0.227	1.046	1.085	1.358	-0.228
Race							
Alaska Native/American Indian	0.310	1.508	0.412	0.922	1.393	1.172	0.254
Asian	1.299	1.155	0.432	0.710	0.958	-0.418	0.318
Black/African American	0.562	1.337	0.615	1.046	0.800	1.495	0.267
Pacific Islander	0.043	1.096	1.029	1.308	0.339	1.489	-0.236
White/Caucasian	0.036	1.270	0.146	1.133	1.154	1.408	-0.033
Other	0.321	1.291	0.577	1.065	1.362	1.291	-0.264
Education							
No degree	-1.470	0.952	0.890	0.482	2.000	2.000	-0.120
High school diploma/GED	0.243	1.403	0.192	1.268	1.149	1.298	-0.107
Vocational/trade school	0.039	1.232	0.296	1.094	1.216	1.519	0.053
Some college/associate degree	0.074	1.238	0.148	1.159	1.186	1.474	-0.121
Four year degree or higher	-0.106	1.224	0.163	1.038	1.219	1.435	-0.019
Individual income							
Less than \$12K	0.273	1.339	0.588	1.191	0.996	0.913	0.347
At least \$12K, < \$25K	0.413	1.285	0.105	1.002	1.145	1.517	0.168
At least \$25K, < \$40K	-0.028	1.174	0.199	1.055	1.181	1.403	-0.083
At least \$40K, < \$75K	0.066	1.287	0.208	1.076	1.042	1.456	-0.259
\$75K or more	-0.244	1.233	-0.305	1.225	1.325	1.518	-0.212
Work status							
Full-time	-0.008	1.271	0.107	1.130	1.205	1.492	-0.157
Part-time	-0.032	1.273	0.492	0.928	0.969	0.877	0.142
Unemployed	0.336	1.295	0.324	1.076	1.122	1.202	0.239

differences between categories of independent variables (e.g., age, gender, race, education, income, and work status categories) can be seen by reading *down* each column. For example, the last column (“a person convicted of a gun crime receiving a long prison sentence”) reveals a difference between male and female respondents in the perceived like-

lihood that a person who is convicted of a gun offense will be given a lengthy prison sentence. Females are less likely, on average, than males to think a person who is found guilty of a gun crime will be punished severely.

A procedure called *one-way analysis of variance* (ANOVA) was used to compare the

sample means for each measure of perceived deterrence within each independent variable (age, gender, race, education, income, work status). The results of this analysis are presented in Table 4.

Of the six independent variables

Please see *Deterrence*, page 10

Table 4. One-way ANOVA Results for Comparison of Means, by Demographic Characteristic

Demographic variable and deterrence measure	ANOVA statistics			
	<i>df</i>	<i>SS_B</i>	<i>MSE_B</i>	<i>F</i>
Age				
A person carrying a gun illegally getting caught by authorities.	8	26.484	3.311	1.857
A person caught committing a gun crime getting prosecuted for that offense.	8	8.323	1.040	1.209
A person caught committing a crime with a gun being prosecuted swiftly.	8	28.943	3.618	1.986 *
A person charged with a gun crime being convicted in STATE court.	8	14.557	1.820	1.793
A person charged with a gun crime being convicted in FEDERAL court.	8	18.852	2.357	2.448 *
A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction.	8	72.193	9.024	10.726 **
A person convicted of a gun crime receiving a long prison sentence.	8	19.707	2.463	1.374
Gender				
A person carrying a gun illegally getting caught by authorities.	1	3.449	3.449	1.917
A person caught committing a gun crime getting prosecuted for that offense.	1	6.762	6.762	7.935 **
A person caught committing a crime with a gun being prosecuted swiftly.	1	0.107	0.107	0.058
A person charged with a gun crime being convicted in STATE court.	1	3.089	3.089	3.012
A person charged with a gun crime being convicted in FEDERAL court.	1	3.675	3.675	3.762
A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction.	1	0.006	0.006	0.007
A person convicted of a gun crime receiving a long prison sentence.	1	18.374	18.374	10.390 **
Race/ethnicity				
A person carrying a gun illegally getting caught by authorities.	5	23.755	4.751	2.667 *
A person caught committing a gun crime getting prosecuted for that offense.	5	1.529	0.306	0.359
A person caught committing a crime with a gun being prosecuted swiftly.	5	12.600	2.520	1.376
A person charged with a gun crime being convicted in STATE court.	5	8.822	1.764	1.737
A person charged with a gun crime being convicted in FEDERAL court.	5	8.328	1.666	1.694
A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction.	5	37.246	7.449	8.227 **
A person convicted of a gun crime receiving a long prison sentence.	5	7.749	1.550	0.864
Education				
A person carrying a gun illegally getting caught by authorities.	4	38.790	9.697	5.580 **
A person caught committing a gun crime getting prosecuted for that offense.	4	1.383	0.346	0.396
A person caught committing a crime with a gun being prosecuted swiftly.	4	1.524	0.381	0.205
A person charged with a gun crime being convicted in STATE court.	4	2.717	0.679	0.655
A person charged with a gun crime being convicted in FEDERAL court.	4	1.927	0.482	0.486
A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction.	4	20.919	5.230	5.636 **
A person convicted of a gun crime receiving a long prison sentence.	4	2.251	0.563	0.313
Income				
A person carrying a gun illegally getting caught by authorities.	4	18.939	4.735	2.689 *
A person caught committing a gun crime getting prosecuted for that offense.	4	1.392	0.348	0.401
A person caught committing a crime with a gun being prosecuted swiftly.	4	30.490	7.623	4.394 **
A person charged with a gun crime being convicted in STATE court.	4	2.539	0.635	0.645
A person charged with a gun crime being convicted in FEDERAL court.	4	5.354	1.338	1.314
A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction.	4	22.553	5.638	6.534 **
A person convicted of a gun crime receiving a long prison sentence.	4	25.415	6.354	3.689 **
Work status				
A person carrying a gun illegally getting caught by authorities.	2	13.062	6.531	3.654 **
A person caught committing a gun crime getting prosecuted for that offense.	2	0.064	0.032	0.037
A person caught committing a crime with a gun being prosecuted swiftly.	2	9.627	4.814	2.619
A person charged with a gun crime being convicted in STATE court.	2	1.916	0.958	0.932
A person charged with a gun crime being convicted in FEDERAL court.	2	2.757	1.379	1.403
A prosecutor allowing a gun offender to plead guilty to a less serious offense in order to secure a conviction.	2	21.836	10.918	11.765 **
A person convicted of a gun crime receiving a long prison sentence.	2	17.512	8.756	4.928 **

_B = between groups.

* $p < .05$ ** $p < .01$

Deterrence

(continued from page 9)

examined, significant differences in mean deterrence scores were found most consistently across *age* categories (significant differences detected for 5 measures), followed by *gender* (significant differences detected for 4 measures), *income* (significant differences detected for 4 measures), *work status* (significant differences detected for 4 measures), *race/ethnicity* (significant differences detected for 2 measures), and finally *education* (significant differences detected for 2 measures). In their totality, these findings show that *individual-level* perceptions of legal sanctions for gun crime vary according to a person's demographic characteristics, but not every demographic characteristic is related to every measure of perceived deterrence. What follows is a brief overview of those differences that were found to be highly significant ($p < .01$).

Age

The only highly significant mean differences across age categories were found for respondents' views about the likelihood that a prosecutor would permit a gun offender to plead guilty to a less serious offense in order to secure a conviction. Follow-up analysis revealed that the mean difference detected by the ANOVA procedure was due to the difference between 18-19 year olds and all other age groups. Respondents in the 18-19 age group thought it less likely than others that a prosecutor would allow a gun offender to plead guilty to a less serious offense.

Gender

Men were more likely than women to believe that a person caught committing a gun crime would be prosecuted for that offense and that a person convicted of a gun crime would receive a lengthy prison sentence. Notably, women in this sample demonstrated a bit more skepticism of the criminal justice system in that, on average, they thought it more *unlikely* than likely that a person convicted of a gun crime would receive a long prison sentence.

Race/Ethnicity

ANOVA results revealed very specific race/ethnicity effects on individual perceptions of legal sanctions for the one deterrence measure meeting our $p < .01$ threshold: the likelihood of a gun offender being allowed to plead guilty to a less serious offense. The

mean score for Asian respondents differed from all other race/ethnicity categories in that they were less likely to think that a prosecutor would plea bargain with a gun offender.

Education

A respondent's level of education was found to significantly influence two dimensions of deterrence: the likelihood that a person who carried a gun illegally would be caught, and the likelihood that a prosecutor would allow a gun offender to plead guilty to a less serious offense in order to secure a conviction. The perceptions of high school-educated respondents were different than those with lower levels of education (no degree) as well as those with more formal education (four-year degree or higher). Interestingly, respondents on the ends of the educational spectrum (very low and very high) actually perceived that detection was more *unlikely* than likely to occur.

The second deterrence measure that demonstrated significant mean differences across education levels was the likelihood that a prosecutor would plea bargain with a gun offender. Additional analysis showed that the primary difference in perceptions was between those without any sort of educational degree and all other educational categories, except those with a high school degree or equivalent. In all cases, those with the lowest level of education perceived a greater likelihood of a plea agreement.

Income

Income was found to be highly influential in shaping individual perceptions of criminal sanctioning. The significant differences detected highlight how economic level shapes respondents' view of the criminal justice process. In almost all instances, the mean differences detected were between those with the lowest and those with the highest incomes.

Respondents earning less than \$12,000 last year thought it much more likely that a person would be prosecuted swiftly for a crime involving a gun than those who earned over \$75,000. In addition, the perceptions of those who earned less than \$12,000 were distinguished from all others in terms of the likelihood that a prosecutor would enter into a plea agreement. This time, however, poor respondents were more skeptical than others. Finally, the perceptions of those at the bottom of the economic ladder and of those at the top were contrasted with respect to the probability of a long prison sentence. Those who reported earning \$40,000 or more thought it much less likely that a convicted offender would receive a long prison

sentence. In sum, the poorest respondents had the most "positive" view of the criminal justice process, while the richest respondents in the survey tended to be more skeptical of it.

Work Status

The power of class position to shape perceptions of criminal justice processes is highlighted even more when respondents' current work status is examined. Employment status appears to influence perceptions in a fashion similar to income. In comparison to the unemployed, those who are members of the workforce (i.e., employed) thought it: less likely that a person who carries a gun illegally would be caught by authorities; more likely that a prosecutor would plea bargain; and less likely that a convicted gun offender would receive a long prison sentence. As was demonstrated in the analysis of respondent income, the residents at the bottom of the economic ladder—the unemployed—perceive a much greater likelihood of legal sanctioning for the commission of gun crimes than others in the community.

Summary

Since the mid-eighteenth century, Western criminal law has been partially based, at least rhetorically, on the notion of deterrence—that it is better to prevent crime than deal with its consequences. Underlying the theory of criminal deterrence is a utilitarian philosophy which, in simple terms, holds that human beings behave in ways that simultaneously maximize benefits and minimize costs. The combination of these two strands—prevention and utilitarianism—results in a theory of *crime prevention* in which legally prohibited conduct can be forestalled by making its costs higher than its benefits. But, as a sub-structure for this behavioral calculus, the potential offender must first be aware of the sanctions for engaging in legally prohibited behavior and be convinced they are real.

In articulating Anchorage residents' perceptions of legal sanctions, the data in this article illuminate a critical aspect of criminal deterrence with regard to one category of legally prohibited behavior: gun crime. The data show that the level of perceived deterrence is not uniform; people assign different probabilities to each stage of the criminal justice process. This suggests that while the general concept of deterrence may be fairly straightforward (people will not engage in undesirable conduct if the costs of doing so exceed its benefits), in reality, its operation is extremely complex.

By and large, the evidence presented here

suggests that individuals assign probabilities to legal sanctions differentially, according to the stage of the criminal justice process. For example, in general, Anchorage residents do not think it is very likely that a person who carries a gun illegally will be caught by authorities, but once an offender *is* caught, on average they think it likely that person will be prosecuted.

This study also went beyond general single-variable trends to examine also how people's perceptions of the likelihood of legal sanctions for gun crime vary as a function of their demographic characteristics. A number of subtleties in perceptions of legal punishments for gun crime emerged through examining six demographic variables (age, gender, race/ethnicity, education, individual income and work status). Each of these variables is associated with individual perceptions for at least two aspects of legal sanctions, with some factors showing a significant association with perceptions in as many as five areas.

Age had its most profound impact on people's perceptions of the likelihood a prosecutor would allow a gun offender to plead guilty in order to secure a conviction. Gender effects were most prominent with perceptions of the probability that a person caught committing a gun crime would be prosecuted and the chances that a convicted gun offender would receive a lengthy prison sentence. Race/ethnicity was related to perceptions of the likelihood a prosecutor would

plea bargain with a gun offender. A person's education level was shown to play a role in shaping perceptions about the probability of a person who carries a gun illegally being caught as well as the perceived probability of a prosecutor entering into a plea agreement with a gun offender. The socioeconomic factors income and work status were shown to demonstrate a high degree of association with perceptions of a person being caught carrying a gun illegally, the chances of a swift prosecution, a prosecutor plea bargaining, and a convicted gun offender receiving a long prison sentence as punishment.

Beyond showing that distinct demographic factors differentially influence people's perceptions of the various stages of the criminal process, the ANOVA results show precisely where these differences arise. It's not simply that "age matters" or "race/ethnicity matters," but *how* age and race/ethnicity matter. For example, only *particular* ages, races/ethnicities, levels of education and income, and categories of workforce participation matter for our understanding of Anchorage residents' perceptions of plea bargaining.

These analyses also shed light on which aspects of perceived legal sanctions are most susceptible to the influence of demographic factors. Nearly all demographic variables contained significant cross-category differences for perceptions of the likelihood that a person who carries a gun illegally will be

caught (gender being the only exception) and the likelihood that a prosecutor will allow a gun offender to plead guilty to a less serious charge (gender being the only exception). For other deterrence measures—such as the likelihood that a person caught committing a gun crime would be prosecuted for that offense, and the likelihood of a person prosecuted for a gun crime being convicted (in either state or federal court)—almost none of the demographic characteristics examined showed significance; that is, perceptions did not vary significantly across levels of these variables.

These results suggest that the notion of *generalized* deterrence may be an illusion. People's perceptions about the likelihood of sanctions—their understanding of the "costs" of crime—differ according to the stage of the criminal justice process.

Assuming deterrence theorists are correct when they assert that behavior is guided by perceptions of likely sanctions, these data suggest that deterrence strategies might have to focus on a particular aspect of the criminal process (detection *v.* prosecution *v.* punishment), or be directed toward specific target audiences, to be effective. "One-size-fits-all" deterrence strategies, in which a single policy or practice is intended for an entire population (for example, mandatory minimum sentences), may miss the mark.

Brad Myr Stol is a research associate with the Justice Center.

Loss and Restoration of Voting Rights in Alaska

In Article V, Section 2, the Alaska Constitution provides for the disenfranchisement of anyone convicted of a "felony involving moral turpitude." Alaska Statute 15.05.030 addresses the details of this loss of voting rights and provides for restoration. Those convicted of a felony involving moral turpitude under either state or federal law lose the right to vote in all elections while they are under sentence, including both the incarceration and probation or parole segments of a sentence. After the sentence is completed, an individual may vote again. Unlike in some other states, this restoration of voting rights does not involve a specific appeal to a state office, only re-registration with the Division of Elections.

A list of crimes defined as involving moral turpitude appears under AS 15.060.010. It includes nearly all felony-level crimes.

Misdemeanants do not lose voting privileges. Misdemeanants who are incarcerated may vote by absentee ballot, as can those individuals who are being held in

pre-trial status.

In *Invisible Punishment*, a collection of essays on the ancillary effects of the explosion in the size of the prison population, Marc Mauer states that the loss of voting rights has been an aspect of criminal law in this country since the colonial era, but that the effects of its application are more telling now because of the high number of people imprisoned. His essay "Mass Imprisonment and the Disappearing Voters" discusses the political effects of widespread disenfranchisement. An estimate by the Sentencing Project, which Mauer directs, places the number of currently disenfranchised voters in the country at 4.7 million. The demographics of the offender population suggest that to a great extent these disenfranchised live in poor and minority communities.

The specific application of disenfranchisement varies from state to state. Unlike in Alaska, the loss of voting rights in some states extends past the discharge of the sentence; sometimes it extends for life.

Nevertheless, all states do have some process for restoration of voting rights, such as with an appeal for clemency to the governor. The process can be very cumbersome, with a long mandated waiting period before a petition can be considered.

Figures available on the Alaska Department of Corrections website (www.correct.state.ak.us) can provide an imprecise guide to how many people have their voting privileges affected in some way by being involved with the criminal justice system. On December 31, 2003, 4825 individuals were being held in facilities under the supervision of the department—in prisons, including the private facility in Arizona, and community residential centers. Another 4467 were on probation or parole. Of these totals, 2801 in the institutions were classified as felons, but this includes an unknown number of individuals being held on a pre-trial basis. The number of felony-level probationers/parolees was not available.

—AM



UNIVERSITY of ALASKA ANCHORAGE

Alaska Justice Forum
Justice Center
University of Alaska Anchorage
3211 Providence Drive
Anchorage, AK 99508

Return service requested

Non-Profit Organization
U.S. Postage
PAID
Anchorage, Alaska
Permit No. 107