

**OUTLINE:**  
**HOLY NAMES UNIVERSITY: PSYCHOLOGY OF CRIMINOLOGY**

- **IN THE NEWS** **Josh** Robbery & Murder
- **GENOGRAM**
- **CONGLOMERATION OF RISK FACTORS** Family of Origin
- **Josh's PSYCHOLOGICAL**
  - Topographic: Conscious, Preconscious, Unconscious
  - Oral, Anal, Genital, Latency, Phallic
  - Structural: Id, Ego, Superego
  - Role of the Therapist/Intervention/Modeling/Super-ego
  - Self-Psychology/Object Relations/Symbiosis/Separation-Internalization
- **ADDITIONAL RISK FACTORS** Race/History/Cultural
- **STATISTICS**
  - Mental
  - Medical
  - Employment
  - Schools
  - Incarceration
  - Drug Disparities
  - Poverty
  - Felony Disenfranchisement
  - Black Ghetto & Redlining Wealth Creation
- **ADDITIONAL RISK FACTORS** Race/History/Cultural
- **HISTORICAL/SOCIAL ANTECEDENTS**
  - U.S. Constitution
  - Inferiority & Profit
  - Dred Scott case
  - 13, 14, 15<sup>th</sup> amendment, Civil Rights Act of 1865, '75 (overturned in 1883)
  - Revolution/counter-revolution: Emancipation, convict leasing, black codes
  - Plessy v. Ferguson
  - Black Ghetto creation/Redlining/Wealth Creation
  - Social Security Act
  - Brown v. BOE
  - Revolution/counter-revolution: 1964/65 civil rights act/voting rights act
  - War on drugs
  - Bakke Decision, Prop 209, Grutter Decision v. Legacy, SAT/GRE.
- **QUESTIONS TO CONSIDER**
  - If disparities are not due to race/racism/oppression/tradition, then how do you explain it?
  - What defines a behavior as a crime? Is it based on Who?Where?What?Race?Power? or some combination? And who decides this?
  - is a just sentence? Is it based on Who?Where?What?Race?Power or some combination?
  - Who decides this?
  - What is the intent? When you look at the results and the disparities.... ?
- **SOLUTIONS**
  - Criminal justice overhaul
  - Declare war on poverty
  - Truce in war on drugs/decriminalize/disease model
  - Schools
  - Healthcare
  - Weapons
  - Reduce disparities
- **3 DRUG ARTICLES MAY 6, 2008**
  - SF Jail population
  - Focus on the War on Drugs
  - San Diego State University

## HOLY NAMES UNIVERSITY: PSYCHOLOGY OF CRIMINOLOGY

Case Presentation; Inner city adolescent multiple school failures, incarcerated for violent crime. How did it come to this?

Clients of the major systems (public health, foster care, welfare, special education, incarceration, probation) no share very similar narratives.)

### Genogram

#### PARENTS:

Parents both left home before adulthood  
Both had long hx of addiction  
Mother & father “illegitimate” income  
Both spent many years in prison  
Both died when youngest child was pre-adolescent  
Some siblings born in Prison  
Neglect & Abuse  
Multiple system contacts

#### OLDER SIBS:

Older sibs left home when they were just shy of adulthood.  
remaining sibs still at home

#### CLIENT:

Medical issues  
Frequent school suspension  
poor impulse control  
aggressive/violence  
depression, loss of hope,  
non-verbal in session  
multiple school suspension/expulsion, levels of care (special ed, etc)

#### RISK FACTORS:

Trauma  
Loss  
Separation  
Dv/Physical/sexual abuse  
drug use/pre-natal exposure  
drug sales  
neglect  
school problems  
incarceration  
poverty  
criminal activity  
gang involvement

#### ADDITIONAL RISK FACTORS:

Af-Am  
Environment  
History and Culture

### Powerpoint DEVELOPMENTAL THEORIES:

Iceberg  
Topographical Model: Conscious, Preconscious, Unconscious  
Structural Model: Id, Ego, Superego  
Oral, Anal, Genital, Latency, Phallic  
Defense Mechanism

Successful/Functional Aspects of Id, Ego, Superego vs. Dysfunctional Development of Id, Ego, Superego  
What Treatment tries to do  
Self Psychology/Play Therapy  
Object Relations, Relational Aspects  
Larger fields: Ghetto, Poverty, Drugs, Crime, Incarceration, Mental Health, Schools, Medical, Employment  
Why? Historical, How/Why is our criminal justice system the way it is?  
[ Object Relations Theory <http://www.objectrelations.org/> ]

### STATISTICS:

#### Mental:

- **2002 SF, Af-Am's are:** 7% of S.F. population, 23% of City/County mental health system of care, 28% of IMD residents, Stay 20% longer (152 days and much more likely to return within 6 months. (7-23-28-20)

#### Medical:

- **Blacks at much higher risk for Htn, DM, Heart Attack, Obesity, disease and disability.**
- 1999 43 million Americans did not have health insurance.
- Less than 1/3rd of people living in poverty are eligible for Medicaid.
- Black Infant Mortality 2x's of whites, 13.9 vs. 6 per 1000. More than

#### Employment:

- **Black unemployment is 2x's the rate of white unemployment** (at least since 1980)
- Social Security Act 1935: specifically **excluded agricultural workers and domestic servants** predominantly Af-Am, Mexican and Asian.

#### Schools:

- Many Schools have enacted **"zero tolerance" policies**, which result in automatic suspension and expulsion.
- Nationwide **15% of whites and 35% of black students in grades 7-12 had been suspended or expelled**, although the rate of black and white school rule infractions are equal. (15-35-7-12=)
- Mark Yudof has referred to expulsions and suspensions for minor infractions as "academic capital punishment". (15-35)
- Research by several prominent organizations, including Yale Univ. showed that Black students who showed potential equal or above that of Whites are **40% less likely to be placed in advanced or accelerated classes and 2.5 times as likely to be placed in remedial classes**. (40-2.5)
- **80% of those in Prison are High School Dropouts**. (80%prison)

#### Incarceration:

- The United States represents **5% of the world's population and 25% of the world's incarcerated population**. (5-25)
- **500% rise in incarcerations since 80's, 41% Black (500% -41%)**
- **Rate of Incarceration U.S. = 743 per 100,000; Black 2,531; Black males 4,919 per 100,000, for Black males age 25-29, 12,603**. (743-2,531-4,919-12,603)
- Black youth receive life without parole at a rate 10x's that of White youth (same crimes)
- **Devastated Communities:** "High levels of incarceration concentrated in impoverished communities has a destabilizing effect on community life, so that the most basic underpinnings of informal social control are damaged. This, in turn, reproduces the very dynamics that sustain crime."
- **2001 1/6 blacks males spent some time in either jail or prison. If trend continues, within our generation, 1/3 black males can expect to spend some time in either jail or prison.**
- Up to 1979, blacks were 2x's as likely as whites to be arrested on drug offenses, by 2008, it was 5x's

#### Poverty:

- 2009 U.S. White 13% (72) Black 35%(13)
- 1999 poverty by Education: High School Dropouts 23%, College Grads 3%
- 2010 Poverty by race, 27.4% blacks (12% of pop) and 26.6% Hispanics 9.9% whites (72% of pop) 12.1% Asians in poverty
- Poverty by households 31.6% single women headed, 15.8% single men and 6.2% married
- Children as percent of poverty are 24% of population/ 36% of those living in poverty
- 2010 Children in poverty, black 38% of children in poverty, white 12%, hispanic 35%, asian 13%

### **Drug Disparities:**

- 1998, Whites 72% of all illicit drug users Blacks =15% YET, blacks arrested at 5x's rate of whites and incarcerated 6x's rate of Whites. Up before the war on drugs (1980) blacks were only 2x's as likely to be arrested of drug offenses. (72-15-5x's-6x-2x's)
- Arrests as a measure of effectiveness. Concentrate efforts on ghettos.
- 5 grams of crack cocaine, (5 sugar packets) = 500 grams (1/2 Kilo) powder 5-yr mandatory minimum sentence. [100:1 ratio reduced to 18:1 in 2010]
- 2001 Black's 12.5% of population, 13% of drug users, 38% of those arrested, 44% of those prosecuted, 59% of those convicted, sentences 49% longer than Whites convicted of the same drug offenses. (12.5-13-38-44-59-49)

### **Felony Disenfranchisement:**

- Voting Rights
- Federal Programs
- Military Service
- Grants & Loans Perkins Act, Pell Grants,
- Federally Assisted Housing
- Federal Licenses
- Procurement Contracts
- Background Checks
- Weapons
- 13% of Black adult males have lost right to vote.

### **Black Codes: Louisiana Parish**

The Black Codes Emerged after 1865 which was a new form of virtual slavery: Louisiana Parish's Black Codes:

- Sec. 1. No negro shall be allowed to pass within the limits
- Sec. 3. No negro shall be permitted to rent or keep a house
- Sec. 4. Every negro is required to be in the regular service of some white person
- Sec. 5. No public meetings or congregations of negroes shall be allowed within said parish after sunset.
- No negro shall be permitted to preach, exhort, or otherwise declaim to congregations
- Sec. 8. No negro shall sell, barter, or exchange any articles of merchandise
- Sec. 9. Any negro found drunk, within the said parish shall pay a fine of five dollars
- Sec. 11. It shall be the duty of every citizen to act as a police officer for the detection of offences.

### **Black Ghetto & Slum Creation:**

- Black ghetto and slum creation begins in the New Deal Era 1930's REDLINING
- Federal & State government colluded with Banks and Insurance Companies with an unprecedented program of building and construction that enacted redlining and forced segregation of Blacks and other minorities orchestrated by the HOMEOWNERS LOAN CORPORATION
- Why is there a black ghetto in every American city? The answer is, public policy.
- The FEDERAL HOUSING ADMINISTRATION (FHA) is the primary reason why today, White personal net worth is 8 times that as Black net wealth (Home Equity).
- Black loans were deemed, "bad loans" and thus were denied over 99% of the time.
- Between 1934 and 1962 the federal government backed \$120 billion in loans to homeowners. 98.9% of the loans went to whites.
- In the Northern California between 1946-60 of the 350,000 new homes built with federal support fewer than 100 went to African Americans.

### **Legal, Policy, Judicial, Congressional Issues:**

- 1776 DECLARATION OF INDEPENDENCE: "All men are created equal" white, landowners, no slaves or women
- 1787 U.S. CONSTITUTION: The 3/5th clause ; 20 year free reign of Atlantic Slave Trade; fugitive slave clause; power to put down domestic and slave insurrections.
- 10 of the first 12 & 13 of the first 18 U.S. Presidents owned slaves
- SLAVERY PROFIT: 500 MILLIONAIRES At the height of the cotton boom Natchez Mississippi (1860)

- SLAVERY: THE **COTTON GIN**: The yield of cotton went from 1.6 million pounds in 1790 to over 167 million pounds in 1820 to almost 2 billion pounds in 1860. 2/3rds of the nations exports: WALL STREET, British Industrial Revolution.
- VALUE OF SLAVES: In 1860, the value of slaves (\$4 billion) was greater than everything else in the United States except the land. Buildings, industry, gold, products, furnishings, transportation systems, etc.
- DOMINATED U.S. POLITICS, FROM free state/slave state balance.
- **MISSOURI COMROMISE 1820**: 1. No slavery above 36-30 parallel 2. Slavery in Missouri 3. Maine admitted as a free state
- **COMPROMISE OF 1850**: 1. California admitted as a free state 2. Slave Trade abolished in WA. D.C. 3. New Mexico, Utah, Arizona territories organized under popular sovereignty 4. Fugitive Slave Act 5. Texas gave up land/\$ for war.
- **KANSAS-NEBRASKA ACT 1854**: Repealed Compromise of 1820, Kansas/Nebraska to be decided by popular sovereignty (above 36/30 mark). Lead to formation of republican party.
- **REPUBLICAN PARTY 1854**: end slavery in all future states, Kansas a free state, national railroad
- **THE DRED SCOTT CASE, 1856**: 1. not citizens/can't sue: 2. still a slave in free territory; 3. U.S. feds can't outlaw slavery, 4. blacks are an inferior race. (it made every state a slave state, birth of the republican party) repealed Missouri compromise and compromise of 1850. 5 of 6 justices in majority were either current or former slave owners
- **SECESSION CRISIS** OF 1860/election of Abraham Lincoln
- **CIVIL WAR/EMANCIPATION PROCLAMATION**
- **RECONSTRUCTION, 13, 14, 15th amendment.** (so slaveowners couldn't sue for \$)
- CIVIL RIGHTS ACT OF 1865 & 1875 (unconstitutional in 1883 public accomodations)
- **REVOLUTION/COUNTER-REVOLUTION: BLACK CODES**
- **PLESSY V. FERGUSON** 1896 "separate but equal"
- **1954 BROWN V. BOARD OF EDUCATION**
- **1964 CIVIL RIGHTS ACT, 1965 VOTING RIGHTS ACT**
- **COUNTER-REVOLUTION: 1978 war on drugs.** expansion of prisons.

#### **Policy:**

"Policy makers, civic leaders, and health care providers must address the lack of health care as well as the factors associated with extreme residential segregation (especially among african americans) that contribute to poor health. Access to affordable health care, neighborhood cleanliness and safety, proximity of amenities that promote health lifestyles, and desegregation are among the issues that bear substantially on life or death, illness or health." (and we can add mental health, incarceration, unemployment, etc)

-Asa series on how race and ethnicity matter. -July 2005.

#### **Question:**

**If not racism and it's effects, how do you explain Black disparities?**

#### **Questions to Consider:**

1. What defines a behavior as a crime?
2. How/why laws are made
3. Who/where do we enforce these laws?
4. How do we decide on who to prosecute
5. What is a just sentence?

Examples: The Kissing Case, Mack Ingram, Robert F. Williams

#### **Solutions:**

- **CRIMINAL JUSTICE OVERHAUL**: restorative, specialty, services, social control
- **WAR ON POVERTY**: incentives for use of schools, healthcare, living wage, food, clothing, etc.
- **SCHOOLS**: Headstart, Equity, before/after school programs, longer school day/year
- **HEALTHCARE**: universal Access to healthcare, preventive, reproductive, nutrition, access
- **DECRIMINALIZE DRUGS**: drug treatment/counseling, monitoring
- **WEAPONS**: gun control, gun safety, limited access
- **EARLY CHILD INTERVENTIONS**: pre-natal, family support, consultation

- ENRICHMENT/INVESTMENT: libraries, internet, access, parks, recreation, art, music
- WAR ON RACISM/SEXISM/CLASSISM: eliminate all disparities in the areas above as a matter of cost savings and social investment

### San Diego State, 3 Drug stories, May 6, 2008

3 ARTICLES ON DRUGS ON MAY 6, 2008

San Francisco Digest:

#### SHARP RISE IN JAIL'S BLACK POPULATION

By Cecilia M. Vega

Published: Tuesday, May 6, 2008

(05-05-08) 19:36 PDT San Francisco -- As San Francisco's population of African American residents has decreased in recent years, the population of black men and women locked up in the San Francisco County Jail has increased dramatically. **More than 60 percent of all prisoners are African American. And of the 282 female prisoners, 67 percent are Black. About 42 percent of the jail population is in custody for drug offenses. In contrast, 6.7 percent of San Francisco residents are black-** a number that has been in steady decline. Sheriff Hennessey said the criminal justice system and the war on drugs are "disproportionately adversely affecting San Francisco's African American community."

The New York Times:

#### REPORT FINDS RACIAL GAP IN DRUG ARRESTS

By Erik Eckholm

Published: Tuesday, May 6, 2008

More than two decades after President Ronald Reagan escalated the war on drugs, arrests for drug sales or, more often, drug possession are still rising. And despite public debate and limited efforts to reduce them, **large disparities persist in the rate at which blacks and whites are arrested and imprisoned for drug offenses, even though the two races use illegal drugs at roughly equal rates.** Two new reports, issued Monday by the Sentencing Project in Washington and by Human Rights Watch in New York, both say **the racial disparities reflect, in large part, an overwhelming focus of law enforcement on drug use in low-income urban areas,** with arrests and incarceration the main weapon. But they note that the murderous crack-related urban violence of the 1980s, which spawned the war on drugs, has largely subsided, reducing the rationale for a strategy that has sowed mistrust in the justice system among many blacks. Apart from crowding prisons, one result is a devastating impact on the lives of **black men: they are nearly 12 times as likely to be imprisoned for drug convictions as adult white men.**

"The way the war on drugs has been pursued is one of the biggest reasons for the growing racial disparities in criminal justice over all," said Ryan S. King, a policy analyst with the Sentencing Project who wrote its report. "The race question is so entangled in the way the drug war was conceived," said Jamie Fellner, a senior counsel at Human Rights Watch and the author of its report. **"If the drug issue is still seen as primarily a problem of the black inner city, then we'll continue to see this enormously disparate impact,"** Ms. Fellner said. Blacks constituted 53.5 percent of all who entered prison for a drug conviction.

**Heather Mac Donald, a fellow at the Manhattan Institute in New York,** said it made sense for police to focus more on fighting visible drug dealing in low-income urban areas, largely involving members of minorities, than on hidden use in suburban homes, more often by whites, because the urban street trade is more associated with violence and other crimes and impairs the quality of life. "The disparities reflect policing decisions to use drug laws to try and reduce violence and to respond to the demand by law-abiding residents in poor neighborhoods to clean up the drug trade," Ms. Mac Donald said.

Tuesday, May 6, 2008 (AP)

Newsweek:

#### DRUG PROBE AT SAN DIEGO STATE UNIVERSITY NETS 75 STUDENTS

By ALLISON HOFFMAN, Associated Press Writer

Published: Tuesday, May 6, 2008

When a 19-year-old freshman sorority member died a year ago from a cocaine overdose at San Diego State University, campus investigators set out to find out who was dealing drugs to their 34,000 students. It turned out their targets were on Fraternity Row, where authorities say unassuming facades of houses emblazoned with Greek symbols concealed thriving networks that may have used profits to finance fraternity operations.

**Undercover agents arrested 96 people, including 75 San Diego State students, during a five-month investigation** into drug dealing on campus. Students at three fraternities were arrested. Twenty-nine people were

arrested early Tuesday in raids at nine locations including the Theta Chi fraternity, where agents found cocaine, ecstasy and three guns. Eighteen of them were wanted on warrants for selling to undercover agents. San Diego State suspended Theta Chi and five other fraternities.

University police launched their investigation into drug sales on campus after Shirley Poliakoff, 19, died from a cocaine overdose in May 2007. Investigators discovered many students in fraternities were aware of organized drug dealing within their houses. Grams of cocaine were on sale for as little as \$35. **More than 130 undercover drug buys** were made at locations including fraternity houses, student parking areas and in student dormitories during the investigation by university police and the DEA, authorities said. **Authorities seized several guns, at least \$60,000 in cash, marijuana, psychedelic mushrooms, hash oil, methamphetamine and illicit prescription drugs**, the university said. Some drugs bought and sold by students were traced to gangs linked to Mexican cartels, according to the DEA. Agents collected about **\$100,000 worth of drugs**, including cocaine, ecstasy pills, hallucinogenic mushrooms and high-grade marijuana that were being advertised in "resale quantities" between members of the fraternity and other students.

#### **FROM WIKIPEDIA**

**Some student groups, including "SDSU group Students for Sensible Drug Policy," protested the arrests, especially SDSU's decision to involve the DEA**, a federal agency, in the operation. In addition, **they called for a more sympathetic policy toward drug use on the campus**. One day later, on May 7, SDSU officials stated that only 33 were students, and that the inflated number issued originally included students arrested months earlier, in some cases for simple possession. On May 15, SDSU Vice President for Student Affairs James Kitchen lifted the interim suspension from the Phi Kappa Theta, Sigma Alpha Mu, and Sigma Alpha Epsilon fraternities. The suspension was lifted after an administrative review found that those arrested in connection to the controlled substances investigation were either inactive members of the fraternity and/or were not presently residents of chapter houses.

#### **PREDICTION FROM AN UN-NAMED BLOG**

Now, even without a crystal ball, I can tell you that many of these folks will get a slap on the wrist, some will skate, and it's absolutely beyond reason to assume that any of these promising young students will get life sentences as is customary for hard core drug sales in Louisiana. No doubt can be had that many of the 75 mostly fraternity members will post bail, hire the best lawyers, **and receive light sentences with rehab, probation and speaking engagements**.

#### **ACTUAL SENTENCING**

##### **OPERATION SUDDEN FALL.**

Several months after the May 6 announcement, it was reported that **the majority of the defendants had pleaded guilty to the felony charges. The defendants were then either placed on probation or were required to enter drug diversion programs. Other defendants only received citations or had their cases dismissed.**

##### **Only two cases left to be disposed**

Kenneth Ciccio, 19, plead guilty last month to one felony count of furnishing a controlled substance for sale. scheduled to be sentenced Sept. 4.

Omar Castaneda-Arce, 37, a nonstudent who prosecutors said served as a middleman between students and Mexican drug cartels. Trial is scheduled to begin in October.