

PUNITIVENESS OF UNIVERSITY STUDENTS OF
OKLAHOMA: AN EXPLORATORY STUDY

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CHAPTER I

INTRODUCTION

Since the 1970s corrections in the United States is going through shocks. Martinson has shown that the treatment programs of offenders based on the medical model have not worked and rehabilitative efforts of prisons have failed to control recidivism (1974; 1975). Nagel soon stated that prisons do more harm than good (1977). On the other hand Reckless had posited that public opinion, in regard to the treatment of offenders, favored harsh measures (1974).

The prison population of Oklahoma is swelling and the institutions are very much overcrowded. Projections tend to depict the situation more alarmingly in the coming years. Construction of prisons, to cope with such a situation would be very costly to the taxpayers. Vocal voices have raised the demand for a moratorium on prison construction in the country (NCCD 1972). In such a situation it was felt that it may be very topical to find how the university students would like the problem to be solved.

The Research Problem and the Nature of the Study

The research was undertaken to answer the following questions:

- a. What is the attitude of the university students on the way the offenders are to be treated after the courts convict them?
- b. What may be the underlying reasons for the treatment suggested?
- c. If harsh treatment of offenders is suggested, would they even

agree to bear the burden of expenditure therefor?

The study was exploratory as well as descriptive in nature, using the students enrolled currently in the Oklahoma State University as the subjects. It was designed to measure attitudinal differences and not to measure causality. It was intended to be of the nature of a pilot study so that the attitude of the citizens of the state outside the campus could later be surveyed in detail on the issue.

Attitude toward the problem of the treatment of offenders was the dependent variable in the research. To determine a basis for the different attitudes, research questions concerning the independent variables like the age, sex, marital status, educational level, location of home and the socio-economic status of the subjects were considered.

To understand differing attitudes six areas relevant to the issue were explored:

1. The crime situation in the home-city of the subjects.
2. Their perception of the threat of victimization.
3. Their perception of the sanctions imposed by courts.
4. Their perception about the efficacy of the prison sentence and the prisons.
5. Their perception about the financial aspects of imparting harsh punishment.
6. Their perception about the alternative sanctions already available.

Objectives

1. To identify the propositions necessary to assess the fear of crime among the subjects and the incidence of crime in their cities.

2. To identify the propositions necessary to determine the relationship between fear of crime as well as incidence of crime with social control attitudes.

3. To identify the propositions required to subject Mannheim's view that financial considerations determine the ultimate penal policy.

4. To administer the questionnaire to about 200 students of the Oklahoma State University who belong to the State of Oklahoma.

5. To analyze the data.

6. To report the findings and record the conclusions drawn as a result of such analysis.

CHAPTER II

REVIEW OF THE LITERATURE

One of the most important domestic issues in America today is the problem of crime and the treatment of the criminals. In a national survey conducted for the President's Commission on Law Enforcement and Administration of Justice by the National Opinion Research Center (NORC) of the University of Chicago, crime was the second most frequently selected domestic problem and most people thought that crime in their community was getting worse (1967). Over time the problem gained in issue saliency and in 1972 it became the number one problem (Gallup 1973). Even in a state survey, two years later, in 1974, the Institute of Governmental Studies of the University of California, Berkley (1974, p. 1) also found about two, out of five Californians mentioning something about the crime problem as "one of the most pressing problems facing the people of this community these days."

Barry Goldwater had, in 1964, campaigned on the theme of "lawlessness". Although he lost the presidential election to President Johnson the theme became ingrained in the public's reality of crime (Quinney 1975). Dawson finds that the crime problem has moved to the center stage in the political agenda and the people are questioning about the proper role of the courts and other agencies of the criminal justice system (1973).

This focus on the crime problem, represents a basic shift in the

importance assigned to it. The problem of crime is fundamental to social organizations in as much as the social, economic and cultural changes at any point of time in a society, and more so in a dynamic one as in the United States, will generate violations of crime. It is not amenable to simple and easy, quick and sure solutions. It is, therefore, likely to remain a salient issue though the degree of salience may slightly vary over time unless the society is confronted in war or economic or natural disasters.

In England, Bottomley (1973) found, in 1973, a fundamental ambivalence of society towards the criminal behavior of its members. On many issues of penal policy, public opinion there exhibits a commitment to the 'Crime Control' and 'Due Process' models at one and the same time, demanding the successful achievement of results for the protection of society, but not supporting the necessary means to these ends.

About the same time, as stated earlier, Reckless (1974, p. 1X) held the view that in the United States "the public generally still favors harsh measures, believing that they act as a deterrent to criminal behavior". Lindesmith (1972, p. 758) had earlier taken the position that low rates of crime "tend to be associated with lenient and liberal treatment of criminals" adding, however, that it is difficult to say whether a favorable situation in regard to the amount of crime reduces public hostility toward offenders and causes them to be handled more gently. The role played by economic factors in the public accepting the compulsions of cheaper handling of offenders, eventually resulting in their gentler treatment, has not received due attention in the literature except, more than four decades earlier, by Mannheim. While outlining the history of punishment for crime, he (1939, p. 33)

observed that "there had been no change in the world's penal methods that were not capable of a purely economic explanation".

A basic puzzle, however, emanates in America. The post-World War II Americans have shifted toward liberalism. Stinchcombe et al. (1980, p. x) observe "while public opinion has been getting more civil libertarian, more feminist, less racist, more sexually liberal, and more supportive of abortion, it has been getting more punitive toward criminals". Smith (1980) also finds that the liberal movement has not been uniform across subjects. Attitude toward abortions, civil liberties, race relations and religion has moved consistently in the liberal direction while crime/violence and spending/taxation items have showed more conservative trends. One explanation for such a situation could be that crime and the fear of crime were increasing. But Stinchcombe (1980) and his associates have found that the fear of crime does not correlate strongly with punitiveness and there are exceptions to such correlation: blacks and women, who are much more afraid of crime, are less punitive than whites or men. Though crime is a salient issue, Dawson (1973) finds it dividing the society deeply. The opinion distributions show that the issue of crime and how the criminals have to be dealt with constitute an area of deep division and political concern.

Finally Stinchcombe (1980, p. 73) and his associates state that "though we have succeeded reasonably well in explaining fear of crime, we have not succeeded in providing an explanation of the recent drastic changes in the level of punitiveness". From their evidence "these increases in punitiveness seem to have something to do with the increased salience of crime, both as manifest at the personal level in the increases in fear and manifested at the collective level of increased mentions of

crime as the nation's most important problem".

The discussions cited above provided the framework for the present study.

Before approaching the areas and the questions of this study a brief background material on the present crime situation of the State of Oklahoma and also its correctional scene is needed. Chapters III and IV respectively deal with these topics.

CHAPTER III

CRIME IN OKLAHOMA

One of the aims of a society is the absence of crime. The incidence of crime in a community is one of the various measures of its social well being. To measure the presence or absence of crime, crime data are needed. Adequate data regarding the situation in the United States before 1930 are not available as many local organizations did not maintain a comprehensive record of crimes and complaints of crimes, as distinguished from a record of arrests (FBI, 1939). Beginning in 1930, the country has gradually developed a system of national statistics on crime. The Congress could not make the submission of such routine statistical reports mandatory because the general police power has, under the Constitution, been reserved to the various states of the Union. Further, to add to the complication, law enforcement in each state is not a centralized process but rather a localized activity distributed among more than 15,000 agencies (FBI, 1982) due to which the development of a national system on criminal statistics depended entirely on the voluntary cooperation of these numerous agencies.

Reported crime as published in the Uniform Crime Reports (UCRs) of the Federal Bureau of Investigation (FBI), regularly from 1930, has been subject to numerous criticism. The shortcomings of UCR data are numerous, severe and varied and are in drastic need of attention

but inspite of defects they seem to have at least some applicability as crude approximations which are of utility for some purpose and they provide robust estimates of the relative incidence of index offenses known (Hindelang, 1974). Ferracuti and Newman (1974) are also of the opinion that these reports represent the only available nationwide information on crime statistics in the United States. Law enforcement data on crime are so far the only source to assess the crime situation as data compiled by the other branches of the criminal justice system would not be suitable as "data are lost at each step in the administration of justice, and the greater the distance from the commission of criminal act the more imperfect are the data" (Sykes 1978, p. 78). More than five decades earlier Sellin (1931) had said of this in his concept of administrative shrinkage. There is at present no other information system available that will more adequately perform this task (OSBI, 1982).

The total volume of actual crime would, however, never be known. It is almost futile to expect a precise measurement of crime and it is doubtful if it would ever be possible to know the exact volume of all types of offenses in a given area, state or country, because by its very clandestine nature, most of the crime is activity which tends to be concealed from the public view. Victims may consider the offenses to be of little consequence; they may believe there is nothing the police can do about them, or they may fear retaliation from offenders because they may have shared willingly in such offenses as illegal sex act, gambling or drug use. Consequently information concerning some offenses is never entered in the crime statistics maintained by police (OSBI, 1982). Then again much victimless crime (prostitution, homosexuality, drug addiction and drunkenness) cannot be usually unearthed by police and

sometimes their own unwillingness to record some crime causes deflation of figures. Then, sometimes, even police agencies inflate crime figures. Again, many types of crime like "white collar" crime, illicit operations in business and professions would seldom feature in police statistics.

People from every walk of life always want to know of the crime situation. Crime rate interests them just as the movement of index of prices, the unemployment rate, and, particularly these days, the inflation rate. They know something about the trends of crime from the media particularly the TV, though the mass media may sometimes twist data to make news more exciting and even dramatic.

The concern of the public is, however, more about the crimes against persons and protection of property and the average person is not so concerned with the rampant "white collar" crime, the victimless crime, the offenses usual in the business world and the corporate sector. In other words, people want more protection of their physical being and their homes and property. For such purposes we need an adequate statistical index of crime least handicapped by natural concealments. A workable index of crime does not consist of actual volume of crime within a given area, local or regional or national, but rather the rate of crime based upon a refined fixed number of people who only are capable of being victimized by that particular crime. Such a refined numerical base would take care of the demographic shifts--by birth, maturity and deaths, internal migration as well as immigration--and would provide an unchanging measure for comparing the incidence of the crime from place to place or from time to time. If such refinement is not done and the index is based on the indiscriminating use of a population base

then it would naturally be a crude measurement. It would be cruder if the annual shifts in population is not taken into account during such compilation.

Another complication is that law enforcement agencies do not provide data for all the twelve months of a given year. For such defaulting agencies the method of estimation is resorted to. "Assuming that nonreporting areas have the same proportionate crime experience as those which did furnish the complete data, estimates are based on the reported crime experiences of similar areas within a state" (FBI, 1980, p. 3). This obviously makes the crime statistics weak to some extent.

For about forty years the compilation of crime data at the state level was ignored by some states, including Oklahoma, inspite of the suggestion of the FBI, which in the very first issue of Uniform Crime Report pleaded that the states, through their own bureaus, should assume the responsibility for a state-wide compilation of crime returns (1930). This intermediary supervision at the state level was to achieve better accuracy and also to secure the returns for all the agencies. The idea, however, did not catch up all the states. The state of Oklahoma, which had mandated the setting up of a state bureau earlier than 1930--in 1925--took steps in entrusting it with the function of a clearing house of state crime data as late as 1970, when as per Senate Bill No. 539 of that year the Uniform Crime Reporting System for the state was enacted and approved on April 9, 1970 (1970 Supplement Oklahoma Statutes, Title 74:§ 165.1-165.4). It was however not implemented until 1974 and the first report of the state--Crime in Oklahoma 1974--could be published only in 1975. The 1970 law, cited above, was repealed by Oklahoma Ses-

sion Laws 1976, Chapter 259 § 18 and incorporated in Title 74 § 150.10 of 1976 Supplement Oklahoma Statutes by § 10 of the above mentioned repealing act. Now under its provisions, all the state, county, city and town law enforcement agencies of Oklahoma are required to submit routine reports to the Oklahoma State Bureau of Investigations (OSBI) the number and nature of offenses committed within their respective jurisdictions and such other information as the OSBI may require (Oklahoma Statutes 1981 Title 74, §150.10c).

The State has 303 law enforcement agencies including the 77 sheriffs' offices (OSBI 1983). But many law enforcement agencies are not submitting the due periodic returns. The contribution history of the state program of crime reporting is rather erratic inspite of the fact that it is compulsory under the statute, cited earlier, for each of these agencies to submit the data regularly.

There are certain offenses which are likely to be consistently reported to the police and others which are much less consistently reported to them (Reckless 1973). Thus when the Uniform Crime Reporting System for the country was being developed it was thought that such compilations "should be limited to those classes of crimes which are brought to the attention of the police as a matter of routine" (FBI, 1939, p. 6). The basic report of the system was to be limited to Part I offenses for the additional reason that they consisted generally of serious crimes. Less serious offenses are classified as Part II offenses, in which feature violation of other state laws and municipal ordinances but the number of offenses committed under the various Part II offenses are not indicated rather the figures of persons arrested under such offenses are only furnished. Information concerning this is obviously not

a satisfactory arrangement to indicate the volume and, therefore, of the rate of incidence of such offenses. The Oklahoma State crime reporting is following from its very inception the same pattern as developed, so far, by the FBI for the national crime reporting.

Part I offenses in Crime in Oklahoma consists of the following seven* offenses:

1-Murder and Manslaughter	4-Felonious assault
2-Forcible rape	5-Breaking and entering (burglary)
3-Robbery	6-Larceny-theft
	7-Motor Vehicle theft (OSBI, 1982)

Part II offenses are made up of all other crimes not classified as Part I crime (OSBI, 1982). The first four of the above listed Part I offenses are grouped by it as violent offenses and the remaining three as non-violent offenses. These two groups together constitute the Index Crime.

The following overview of the trend in the incidence of these seven offenses, as in Tables I to III, is derived from the Crime in the United States of the respective years as the treatment in Crime in Oklahoma is not as satisfactory as in the former. The latter only furnishes the volume of such crime and only the rate of total of all Index Crimes per 100,000 inhabitants but not separately, every year, for each of these seven offenses. Earlier Harries (1977) studied Index Crimes of Oklahoma for the period 1968-1975 from a geographical point of view.

An index of crime may be very useful to compare trends of incidence of crime geographically, regionally or by the conglomeration of human settlement. But when decision makers are faced with problems of assess-

*'Arson' has been included in the list of crime index offenses in 1979 in the UCR program but data thereon were not available before 1980. The data, however, is yet not representative

ing the increased need or otherwise of penal institutions the situation would not be graphic enough unless they have, simultaneously before them, the changing number of people exposed to the risks of crime. The year to year volume of crime as well as the number of people actually arrested and successfully prosecuted and eventually sentenced to imprisonment would, therefore, be necessary. This would be particularly necessary for the public if they are to give their own perception of the problem. The volume of the seven (leaving arson, statistics for which are yet not satisfactory) Index Crimes of Oklahoma is furnished in Tables IV, V and VI.

TABLE I

TREND OF RATE OF REPORTED INDEX CRIME IN OKLAHOMA AND
THE UNITED STATES PER 100,000 INHABITANTS 1974-1982

Year	<u>Violent Crime in</u>		<u>Nonviolent Crime in</u> ^a		<u>Total Index Crime in</u>	
	Oklahoma	U.S.	Oklahoma	U.S.	Oklahoma	U.S.
1974	280.1	461.1	3815.9	4389.3	4096.0	4850.4
1975	303.3	481.4	4274.8	4800.2	4578.1	5281.7
1976	286.6	459.6	4194.3	4806.8	4480.9	5266.4
1977	316.6	466.6	3843.0	4588.4	4159.6	5055.0
1978	353.0	486.9	3776.9	4622.4	4129.8	5109.3
1979	405.2	535.5	4297.8	4986.0	4703.0	5521.5
1980	419.5	580.8	4633.4	5319.1	5052.9	5899.9
1981	426.8	576.9	4410.5	5223.0	4837.3	5799.9
1982	443.9	555.3	4778.5	4997.8	5222.4	5553.1

SOURCE: Crime in the United States for each of the years.

^aDesignated as "Property Crime" in Crime in the United States but as "Nonviolent Crime" in Crime in Oklahoma.

TABLE II

TREND OF RATE OF REPORTED VIOLENT CRIME IN OKLAHOMA AND THE UNITED STATES
PER 100,000 INHABITANTS 1974-1982

Year	Murder in		Rape in		Robbery in		Aggravated Assault in		Total Violent Crime in	
	Oklahoma	U.S.	Oklahoma	U.S.	Oklahoma	U.S.	Oklahoma	U.S.	Oklahoma	U.S.
1974	8.1	9.8	25.0	26.2	83.5	209.3	163.5	215.8	280.1	461.1
1975	9.4	9.6	27.2	26.3	90.2	218.2	176.5	227.4	303.3	481.5
1976	6.4	8.8	27.0	26.4	70.3	195.8	182.8	228.7	286.6 ^b	459.6 ^b
1977	8.6	8.8	29.2	29.1	73.8	187.1	205.0	241.5	316.6	466.6 ^b
1978	8.5	9.0	31.0	30.8	88.3	191.3	225.2	255.9	353.0	486.9 ^b
1979	9.7	9.7	33.0	34.5	102.6	212.1	260.0	279.1	405.2	535.5 ^b
1980	10.0	10.2	36.3	36.4	104.9	243.5	268.4	290.6	419.5	580.8 ^b
1981	9.0	9.8	35.2	35.6	115.4	250.6	267.2	280.9	426.8	576.9
1982	10.8	9.1	37.1	33.6	132.8	231.9	263.2	280.8	443.9	555.3 ^b

SOURCE: Crime in the United States for each of the years.

^bTotal disagrees due to rounding in computation.

TABLE III

TREND OF RATE OF NONVIOLENT CRIME IN OKLAHOMA AND UNITED STATES PER 100,000 INHABITANTS 1974-1982^o

Year	<u>Burglary in</u>		<u>Larceny-Theft in</u>		<u>Motor Vehicle Theft in</u>		<u>Total Nonviolent Crime in^o</u>	
	Oklahoma	U.S.	Oklahoma	U.S.	Oklahoma	U.S.	Oklahoma	U.S.
1974	1455.2	1437.7	1999.0	2489.5	361.7	462.2	3815.9	4389.3*
1975	1551.8	1525.9	2375.0	2804.8	348.0	469.4	4274.8	4800.2*
1976	1317.5	1439.4	2570.4	2921.3	306.4	446.1	4194.3	4806.8
1977	1288.2	1410.9	2228.1	2729.9	326.8	447.6	3843.0*	4588.4
1978	1299.8	1423.7	2125.8	2743.9	351.4	454.7	3776.9	4622.4*
1979	1474.6	1499.1	2396.0	2988.4	427.2	498.5	4297.8	4986.0*
1980	1692.7	1668.2	2520.6	3156.3	420.2	494.6	4633.4	5319.1
1981	1588.8	1632.1	2403.5	3122.3	418.2	468.7	4410.5	5223.0*
1982	1603.9	1475.2	2685.7	3069.8	488.9	452.8	4778.5	4997.8

SOURCE: Crime in the United States for each year.

^oDesignated as 'Property Crime' in Crime in the United States but as 'Nonviolent Crime' in Crime in Oklahoma.

*Total disagrees due to rounding in computation.

TABLE IV
 VOLUMETRIC TREND OF REPORTED VIOLENT CRIMES IN OKLAHOMA 1974-1982

Violent Crimes					
Offense	Year	Number of Offenses	Offense	Year	Number of Offenses
Murder	1974	220	Aggravated Assault	1974	4,429
	1975	256		1975	4,787
	1976	178		1976	5,057
	1977	241		1977	5,762
	1978	244		1978	6,486
	1979	281		1979	7,519
	1980	299		1980	8,055
	1981	279		1981	8,279
	1982	344	1982	8,361	
Rape	1974	676	Violent Crime	1974	7,588
	1975	737		1975	8,225
	1976	747		1976	7,926
	1977	821		1977	8,899
	1978	893		1978	10,165
	1979	953		1979	11,719
	1980	1088		1980	12,589
	1981	1091		1981	13,223
	1982	1180	1982	14,103	
Robbery	1974	2263			
	1975	2445			
	1976	1944			
	1977	2075			
	1978	2542			
	1979	2966			
	1980	3147			
	1981	3574			
	1982	4218			

TABLE V
 VOLUMETRIC TEND OF REPORTED NONVIOLENT INDEX
 CRIMES IN OKLAHOMA 1974-1982

Nonviolent Crimes					
Offense	Year	Number of Offense	Offense	Year	Number of Offense
Burglary	1974	39,421	Motor Vehicle Theft	1974	9,799
	1975	42,086		1975	9,438
	1976	36,441		1976	8,476
	1977	36,211		1977	9,185
	1978	37,433		1978	10,119
	1979	42,646		1979	12,355
	1980	50,802		1980	12,610
	1981	49,220		1981	12,957
	1982	50,956		1982	15,532
Larceny Theft	1974	54,152	Nonviolent Crime	1974	103,372
	1975	68,409		1975	115,933
	1976	71,098		1976	116,015
	1977	62,632		1977	108,028
	1978	61,222		1978	108,774
	1979	69,292		1979	124,293
	1980	75,649		1980	139,061
	1981	74,460		1981	136,637
	1982	85,326		1982	151,814

TABLE VI
 VOLUMETRIC TREND OF REPORTED INDEX
 CRIME IN OKLAHOMA 1974-1982

Year	Violent Crime Number	Nonviolent Crime Number	Total Index Crime Number
1974	7,588	103,372	110,960
1975	8,225	115,933	124,158
1976	7,926	116,015	123,941
1977	8,899	108,028	116,927
1978	10,165	108,774	118,939
1979	11,719	124,293	136,012
1980	12,589	139,061	151,650
1981	13,223	136,637	149,860
1982	14,103	151,814	165,917

Tables I - III would show that, in 1982, except for murder, rape, burglary and auto-theft, the state crime rate was lower than the national rate. In this period of nine years only once (in 1982) murder rate was higher than the national murder rate. Rape rate has a tendency to be higher in Oklahoma as it was higher during 1975-1978 and again in 1982. Burglary rate was also higher in 1974, 1975, 1980 as well as 1982 than the national burglary rate. For the first time the rate of auto-theft has exceeded the national rate for this offense. The crime rate for the country as a whole has registered a decline but it has registered increase, in 1982, in Oklahoma. Such opposite movement in the State of the crime rate has baffled many.

CHAPTER IV

CORRECTIONS IN OKLAHOMA

During Oklahoma's territorial days there was no institution for the confinement of offenders sentenced to imprisonment. In 1890, the Oklahoma territorial government contracted with the State of Kansas to keep convicts of Oklahoma in their prison at Lansing, Kansas¹ (Department of Corrections, Oklahoma (DOC), 1974). At the time of statehood, on November 16, 1907, Oklahoma, the forty-sixth state in the Union, did not also have any prison or other facility for the treatment of adult offenders. Thus, even after statehood adult convicts of Oklahoma had to be sent to facilities outside its own jurisdiction.

The first prison--the Oklahoma State Penetentiary--was built in the Auburn pattern at McAlester in 1908 and for its construction 50 prisoners of Oklahoma were brought from the Lansing, Kansas, facility which became overcrowded (DOC, 1974). This fortress--style of institution had capacity to house 2000 prisoners. Thereafter the following facilities were added in the prison system of the State for adult felons sentenced to imprisonment.²

¹At a cost of 25 cents per day per prisoner which eventually rose to 40 cents per day.

²Information gleaned from various Annual Reports of the Department of Corrections, Oklahoma.

<u>Institution</u>	<u>Location</u>	<u>Year</u>	<u>Security Level</u>
Oklahoma State Reformatory	Granite	1909	Medium
Women's Ward I	McAlester	1926	Maximum
Stringtown Correctional Center	Stringtown	1955	Medium
McLeod Correctional Center	Farris	1961	Minimum
Ouachita Correctional Center	Hodgen	1970	Minimum
Oklahoma City Community Treatment Center	Oklahoma City	1970	Community
Lexington Correctional Center (previous to 1978 known as Regional Treatment Center)	Lexington	1971	Medium
Women's Ward II	McAlester	1971	Maximum
Tulsa Community Center	Tulsa	1973	Community
Lawton Community Center	Lawton	1973	Community

Figure 1: Institutions Added Up To July 1973.

The year 1967 is a landmark in the history of corrections of Oklahoma. Previous to July 1967, the State Board of Affairs was in charge of all the prisons while probation services were expected to be provided on a county-by-county basis. Except Tulsa and Oklahoma City there were no regular probation service in the state and those released on probation in the remaining areas had almost no guidance, or supervision what to speak of "befriending". All parole procedures were a State executive function. After a survey, the National Council on Crime and Delinquency had recommended that the functions of incarceration, probation and parole should be organized in a single department (DOC, 1974). In response to this recommendation the Oklahoma Corrections Act, 1967 (Title 57, Oklahoma Statutes Supplement 1967 § 501-524) emerged and the Department of Corrections of the state came into being with effect from July 1, 1967 under the control of the State Board of Correction, a bi-partisan seven year panel of gubernatorial appointees serving six-year staggered terms. This Board establishes and reviews policies for the operation of the Department. The Parole Board continued to remain an independent entity,

as before, which consists of five members: three of them appointed by the Governor, one by the Chief Justice of the State Supreme Court and the fifth appointed by the presiding Justice of the Court of Appeals. The new Department, as per the new law, had three separate divisions for Probation and Parole, Institutions and Inspection.

The Division of Probation and Parole is charged with providing supervision for all adults, granted probation by courts or parole from confinement by the Governor. It also provides consultation services for the courts and information and clerical service to the Parole Board.

The Division of Institutions maintains the administrative direction and control of adult penal facilities and the Division of Inspection is responsible for the conditions and management of State penal and correctional institutions and all county and city jails.

July 1973 is almost a watershed in the history of corrections of Oklahoma. On July 27, 1973, the inmates of the Oklahoma State Penitentiary at McAlester staged a riot that lasted for eleven days and virtually destroyed the institution. While the riot in Attica Correctional Facility of New York in 1971 was the bloodiest prison uprising in American history, the riot at McAlester is considered America's most expensive riot (Williams 1979). Due to the efforts of the National Clearinghouse for Criminal Justice Planning and Architecture, to which the state's request for \$30 million federal aid for rebuilding the institution was referred to, ultimately a master plan to reform the state correctional system could eventually emerge. The plan incorporated the philosophy of utilizing smaller institutions in conjunction with expanded use of probation and parole and the establishment of treatment centers within the community. Williams (1979, p. 191) adds that "the 1973

McAlester riot has resulted in a prison reform movement in Oklahoma."

The rebuilding of the prison at McAlester under the said master plan reduced its capacity.

The following facilities were added after 1973:³

<u>Institution</u>	<u>Location</u>	<u>Year</u>	<u>Security Level</u>
Mabel Basset Correctional Center	Oklahoma City	1973	Maximum/ Medium
Muskogee Community Treatment Center	Muskogee	1974	Community
Enid Community Treatment Center	Enid	1974	Community
Oklahoma State Penitentiary (Trusty Unit)	McAlester	1974	Minimum
Horace Mann Community Treatment Center	Tulsa	1977	Community
Kate Barnard Community Treatment Center	Oklahoma City	1977	Community
Clara Waters Community Treatment Center	Oklahoma City	1978	Community
McAlester Community Treatment Center	McAlester	1978	Community
Lexington Assessment and Reception Center	Lexington	1978	Maximum
Joseph Harp Correctional Center	Lexington	1978	Medium
Conner Correctional Center	Hominy	1979	Medium
Jess Dunn Correctional Center	Taft	1980	Maximum/ Community

Figure 2: Institutions Added After July 1973.

An idea of the prison population of the state can be had from Table VII.

³Information gleaned from various Annual Reports of the Department of Corrections, Oklahoma.

TABLE VII
INMATE POPULATION DATA OF OKLAHOMA DEPARTMENT OF
CORRECTIONS 1978 THROUGH 1983

Year	Number Beginning	Number Received	Number Released	Number Remained	Average Daily Population
Cal. yr. 1978	3889	2422	2156	4155	4286
Cal. yr. 1979	4155	2580	2442	4293	4347
Cal. yr. 1980	4293	2788	2174	4907	4705
Cal. yr. 1981	4907	2814	2338	5383	5190
Fiscal yr. 1981	4689	2668	2232	5125	4958
Fiscal yr. 1982	5125	3166	2265	6026	5496
Dec. 26, 1982				6459*	
April 3, 1983				6929°	

SOURCE: Table X of Annual Report of Oklahoma Department of Corrections Fiscal year 1982, p. 108.

*Table III - Prison Receptions and Those Incarcerated: A Summary Overview by R. A. Hudley: Oklahoma City, OK: DOC Feb. 9, 1983 (Unpublished).

°Prison Population Data, Oklahoma City, OK: DOC April 1983 (Unpublished).

The State Correctional System had on December 31, 1982, accommodations for only 3682 (White 1983) without taking recourse to double or triple celling. The trend of overcrowding is unmistakably clear. A larger number of prisoners have to be incarcerated even when adequate accommodations therefor is lacking in the system. Over the last few years there has been a relatively steady growth in the prison population. If this trend continues, the number of offenders sentenced to imprisonment will continue to grow. Forecasting a prison population is quite a risky business. The Department of Corrections has, however, projected the prison population through 1987. The projected level in that year is expected to be 11,960 prisoners. (1983c). Previously, on Feb. 26, 1981, it had made two projections (one on a two year data and the other on a

six year data) and by 1987 the level to be reached were either about 5900 or 6500 depending upon the two methods (1981). These projections were not dependable as these could not correctly predict then the population level to be reached in 1983. The projections show however the trend. The projection made in April 1983 is in Figure 1. The growth of prison population is very disturbing. The Department of Corrections had completely eliminated the backlog of felons awaiting transfer to the prison system, in June 1982 to reduce the pressure on the overcrowded county jails (DOC, A) but at this writing again there is accumulation of such felons in such local facilities. This has been permitted by the legislature (Title 57 Oklahoma Statutes 1981 § 87) in view of overcrowding in prisons.

When a prison's population increases without a corresponding increase in capacity, there is an increase in disciplinary incidents, suicides and death from natural causes (McCain, Fox and Pauls, 1980). Thus the state had another serious rioting, within about a decade--on August 29, 1983--in one of the newest facilities built and equipped at \$12.8 million on 30 acres of land, opened only in 1979, when the 748 lodged in accommodation meant for only 400 inmates, rioted. This "ham and sandwich" riot is said to have caused an estimated \$3.5 million damage to the four-year old medium security prison which left one prisoner dead and 23 injured (Tulsa World, Sept. 1, 1983 p. A1). This facility--Conner Correctional Center--was claimed as one of the best institutions in the category of medium security yet, if a modern and sophisticated facility tends to be converted into some sort of a human warehouse, due to pressures of inmate population on the system, it is very difficult to prevent it to become a source of disciplinary explosiveness. This

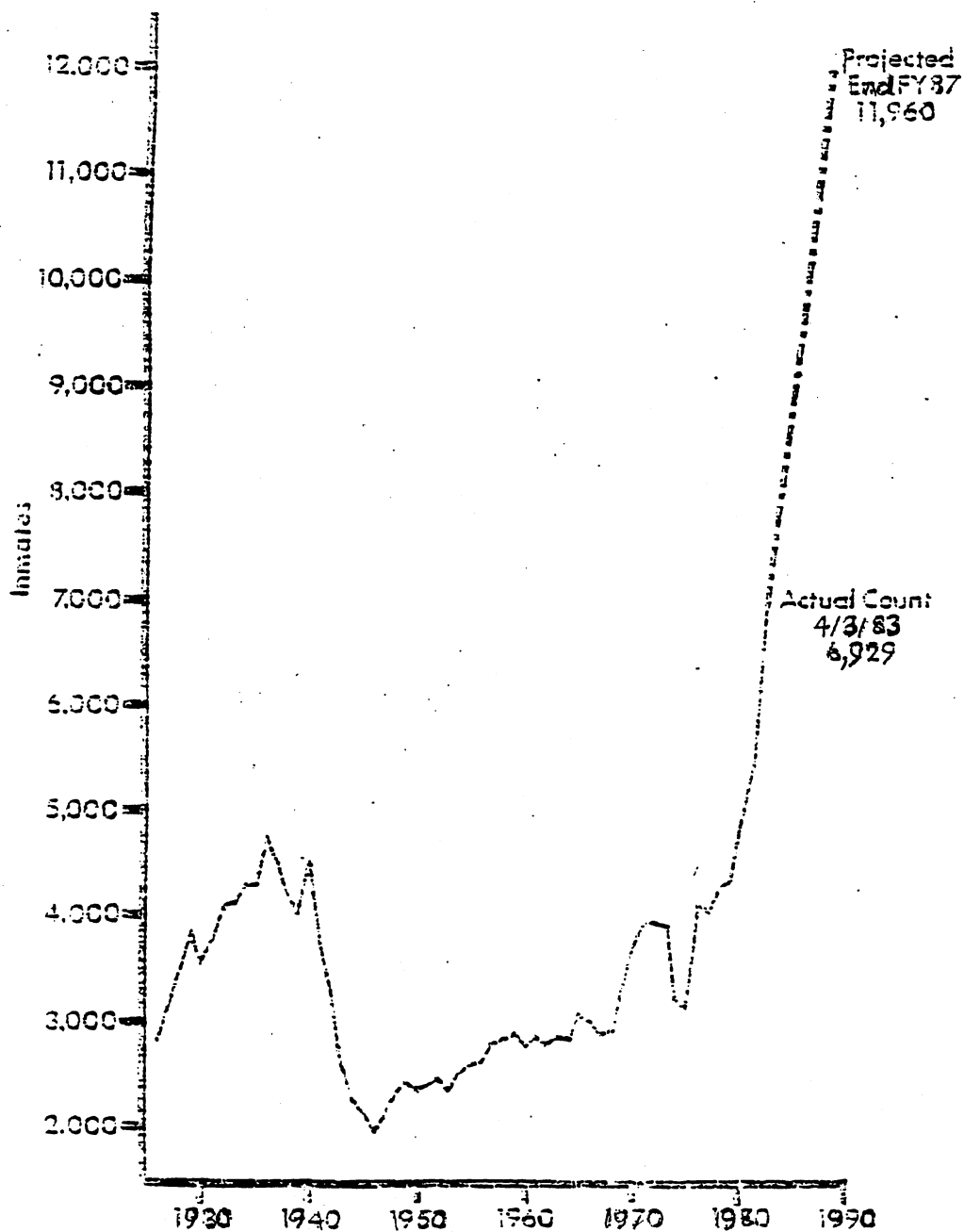


Figure 1. Oklahoma Prison Population and Projection at Growth Rate of 130 Inmates Per Month

SOURCE: Prison Population Data (unpublished) April 1983. Oklahoma City, Oklahoma: Department of Corrections, Oklahoma.

comes under "inadequate facilities"--one of the situations causing riots (American Correctional Association 1970). While investigations are yet to conclusively find the "precipitating factors" (Sandhu 1974, p. 128), as per newspaper reports, these were: excessive heat, unsatisfactory arrangement of food, idleness, overcrowding and lack of programs (Tulsa World, Sept. 1, 1983). Unless alternatives are more energetically utilized by the other branches of the criminal justice system or additional prison accommodation is planned and arranged ahead the problem may get beyond further control of the prison administration.

Congestions and other conditions have prompted courts to direct prison systems to improve conditions. The 'hands off' doctrine has eroded since the 1960s and courts have subsequently addressed a broad range of public issues. Court intervention represents one of the several approaches to developing and enforcing minimum standards governing facilities and programs. In Battle vs. Anderson every aspect of the operation of Oklahoma correctional system is under direct federal judicial supervision (DOC A). US District Judge Luther Bohanan has found that there is a deterioration of living conditions among the incarcerates and that the state is violating the constitutional protections against cruel and unusual punishment which, as per his order, it has to remedy within a stipulated period so that there is no overcrowding and the living conditions are improved. Thus it has been observed that the prison system of Oklahoma has been "unconsitutional" for the past ten years (Mitchel 1983, p. 5).

The main reason for this state of affairs is increase in new receptions. The differential between those received and those released in Table VIII would show that increasing receptions are causing the popula-

tion explosion in the prison system:

TABLE VIII
INCREASE IN PRISON POPULATION IN OKLAHOMA, 1978-82

Year	Number Received	Number Released	Increase in Population
CY 1978	2422	2156	264
1979	2580	2442	138
1980	2788	2174	614
1981	2814	2338	476
FY 1981	2668	2232	436
1982	3166	2265	901

CHAPTER V

METHODOLOGY

This research is concerned with the assessment of the attitudes of the students of the OSU belonging to the State of Oklahoma on how they want to treat the offenders convicted by the courts of criminal law. Hence the population from which the survey sample was drawn was the Oklahomans studying in the OSU in the Fall of 1983.

Methods like personal interviews or telephone survey were not considered because, apart from their weaknesses, both were not feasible. Further a large number of students do not have telephones and the telephone density even varies according to the living groups of the students in the City of Stillwater.

The research instrument was a self-administered questionnaire finalized after pretesting. Measurement of the attitudes was through the questions in this questionnaire. These questions were precoded for the facility of machine tabulation of the responses. The data derived from the completed questionnaires, returned to the researcher, were analyzed to measure the stiffness or harshness (that is the punitiveness of the respondents) of treatment they advocated for the offenders convicted of Index Crime offenses.

OSU provided an excellent location for this survey research. It attracts students from all the corners of the state because of the diversity of disciplines and richness of the faculty. It has both undergraduate and graduate courses. It has a large student population--exceeding twen-

ty-two thousand--and has the largest enrollment among the various universities of the State. Its student population thus naturally provided a large survey population.

The Research Instrument

The questionnaire (Appendix) was organized in two parts which again could be grouped into several subgroups as shown below in part II of the list of variables. The parentheses indicate the name assigned to each variable in the computer and the code number--as given in the questionnaire--of the related question is also furnished beside each. The categories of each variable is indicated under each question in Appendix.

TABLE IX
VARIABLES IN THE QUESTIONNAIRE

Part I	
Socio-biographical:	Code Number
Sex	1
Maturity	2
Level of education	3
Marital status	4
Race	5
Community	6
Economic class	7
Part II	
A. Informative:	
(a) Effect of crime on quality of life (NIWALK)	9
(b) Victimization by Index Crimes	
Murder (VMDR)	13
Rape (VRAPE)	14
Arson (VARS)	15

TABLE IX (Continued)

Physical Assault	16
Larceny-theft (VLARC)	17
Auto-theft (VAUTO)	18
Burglary (VBURG)	19
Robbery (VROB)	20
(c) Willingness or otherwise of meeting funds for extra accommodation in prisons (PAY)	40
B. <u>Perceptions or feelings</u>	
(a) Danger of crimes:	
Danger of all crimes (TOTDGR)	8
Insecurity in home at night (NIHOM)	10
Incidence of crime in community (TOTCR)	11
(b) Degree of fear of Index Crimes	
Murder (RMDR)	21
Rape (RRAPE)	22
Robbery (RROB)	23
Physical assault (RPASLT)	24
Burglary (RBURG)	25
Larceny-theft (RLARC)	26
Auto-theft (RAUTO)	27
Arson (RARS)	28
(c) Reasons for crime (CRRSON)	12
(d) Handling of offenders by courts (CORTS)	29
(e) Purpose and effect of institution of prisons:	
Purpose of prisons (PPURP)	31
Effect of imprisonment (PDISC)	30
Emphasis in prison programs (PEMPH)	35
(f) Appraisal of prisons in general:	
Rehabilitation efforts (PPREPLF)	32
Effect on personality of prisoners (PCHPERS)	33
Achieving social aims (PTRSOAIM)	34
(g) Appraisal of Oklahoma prisons:	
Oklahoma prison officers (POFOK)	36
Prison system (PSYSOK)	37
(h) Effect of present punishment systems (PFPUN)	38
(i) Effect of harsh punishments on prison capacity (HPUNPCAP)	39
(j) Reaction to alternatives to prison sentence:	
Probation (PROB)	41
Fine (FINE)	42
Community service (COMSER)	43
Compensation of damages (COMP)	44
Weekend imprisonment (WEKP)	45

Methodology

The completed questionnaires were edited for consistency and completeness. The responses were tabulated in the computer. The univariate frequency tables show the distribution of values of each variable. The various variables in Part I of the questionnaire (except those on marital status and race) were used as independent variables or two of them (sex and age) were used as classification variables and frequency tables, presenting responses to the various issues, were generated through the computer but only the more meaningful ones for this small project are presented in this dissertation. In view of the fact that 85.8% of the respondents were never married no attempt was made to explore the differential influence of marital status on the issues. The number of nonwhites in the responding sample was too inadequate for the purpose of analysis of the differentials that may be possible due to race. The means procedure was used to get univariate descriptive statistics of the variables. The strength of relationship, if any, between two variables was measured through chi-square (χ^2) computation by the computer. The relationship if any between two of some of the subgroups of variables was also measured through the canonical procedure in the computer.

The Sample And The Sampling Procedure

All the undergraduate and graduate students studying in resident courses in the eight colleges and the numerous departments came within the scope of the survey population. Only 3507 students did not come within this as would be clarified later in this section. The university administration of OSU maintains for its use the Student Information List (SIL) in which the name, local and permanent address, social security

number and a variety of other information such as sex, marital status, major and college class etc. of all the students enrolled are entered in each semester.

The researcher first thought of stratified EPSEM (equal probability of selection method) sampling with differential weighting by the 77 counties of the state to which the Oklahoman students could belong and also PPS (probability proportionate to size) sampling by their college status (freshman, sophomore, junior, senior or graduate) as well as by sex so that the results of the survey could scientifically be projected to the entire student population of OSU. But a study of the SIL of Fall 1983 showed that within the time frame of this project stratification by the counties would rather be ambitious because county names were not readily available in the SIL. Relisting the students by college status or by their sex would have also been very onerous.

It may be relevant here to note that SIL is arranged alphabetically which is considered by Babbie (1983, p. 166) as "somewhat stratified by ethnic origins and to the extent that any of these groups is a substantial subset of the total population, that group will be properly represented in a systematic sample drawn from an alphabetical list".

The help of the computer to relist the elements to be selected had to be ruled out due to constraints of money. The researcher ultimately took recourse to the method of Systematic Sampling.

SIL of Fall, 1983, contains names and other particulars of students belonging to other states and even to other countries but it clearly identifies them as "out of state" and "international" respectively. These two categories of students could not have been within the research universe in this project. The ratio of out-of-state and foreign students

together is 15.8% of the entire enrolled students. Thus out of the total Fall 1983 OSU student population of 22329¹ at the Stillwater campus, 1571 out-of-state and 1936 foreign students were not considered and thus the sample frame consisted of the remaining 18,822 students who belonged to the state of Oklahoma.

The target in the project was to be able to receive completed replies from at least 100 representatives of the students. All surveys complain of nonresponse by a section of their samples. A response rate of least 50% is considered adequate and a response rate of 60% as good (Babbie 1973). Hence the project drew a sample of 209 students on the basis of a sample interval of 90 and, hence a sample ratio of one-ninetieth. In other words, each student (except those discussed in the next paragraph) in the population had the same nonzero (1/90) probability of selection. In view of the differing sizes of the five college classes this may not be very scientifically representative for the undergraduate classes outnumbering the graduate students. The proportion of males to females may not have been equally represented in selection by such a rather simple method. It has been mentioned earlier that due to the problem of relisting such imperfections could not have been avoided.

To achieve the sample elements, a random number between 1 and 90 was generated and the name and local address of this student in that sequence was picked out from the sampling frame and thereafter every ninetieth student was picked up. The number of names thus picked out was 209 and comprised the sample for this research. Twelve elements [18822-(209x90)] thus did not get an opportunity for selection. This very minor lack of

¹OSU has 457 students enrolled in the Tulsa Center of the University. They were not included in the sampling frame.

representation could have been corrected by weightage but for such an exploratory study this is not deemed necessary by the researcher.

For an unbiased distribution of the questionnaire to the sample, the help of the Bursar of the OSU (when the tuition statements for Fall, 1983 were distributed on September 12 and 13 to all the enrolled students) was sought first but due to inadequacy of staff he had difficulty in extending his help. Due to constraints of money the questionnaire could not also be sent by postal mail to all. The researcher was, however, specially lucky to be able to galvanize the voluntary participation of his co-student senators (of the Student Government Association of OSU) and co-members of the Graduate Student Council as well as Head Residents of some of the Halls of Residence, some members of Sororities and Fraternities in the distribution of the questionnaires to most of the elements of the sample. The problem of reaching some of the off-campus sampling elements and the few elements who commute from other cities was solved by using the postal mail.

The Response

Copies of the questionnaire, shown in the Appendix, were distributed as outlined earlier. One hundred thirteen (54.1%) questionnaires were received with responses. The failure of 96 students to respond cannot be said to have biased the data gathered.

The composition of the sample respondents is shown in Table X and Table XI shows the proportion of the Oklahomans studying in OSU in Fall by age, sex, college class and marital status and the proportion of student respondents in the sample by these socio-biographical variables from which an idea of the representative character of the sample respon-

dents may be had. Information on the other variables in Part I of the questionnaire was not readily available in the university.

TABLE X
COMPOSITION OF THE SAMPLE RESPONDENTS

	Number	%		Number	%
Total	113	100			
<u>By Sex:</u>			<u>By Race:</u>		
Male	68	60.2	White	105	92.9
Female	45	39.8	Black	3	2.7
			Native American	0	0.0
<u>By Age:</u>			Hispanic	3	2.7
18	31	27.4	Others	2	1.8
19	12	10.6	<u>By Parents' Occupational Class:^a</u>		
20	20	17.7	Professional	56	50.0
21	16	14.2	Farmer/Farm Manager	13	11.6
22	12	10.6	Manager/Official/Proprietor (except farms)	22	19.6
23 and more	22	19.5	Clerical & Kindred Workers	7	6.3
<u>By School Status:</u>			Sales Worker	6	5.4
Freshman	37	32.7	Craftsman/Foreman & Kindred Worker	4	3.6
Sophomore	11	9.9	Operative & Kindred worker	2	1.8
Junior	27	23.9	Service Worker	1	0.9
Senior	25	22.1	Farm Laborer/Farm Foreman	1	0.9
Graduates	13	11.5	Laborer (except farm and mine)	0	0
<u>By Marital Status:</u>					
Never married	97	85.8			
Previously married	5	4.4			
Married	11	9.7			
<u>By Community:</u>					
Rural	25	22.1			
Small city	31	27.4			
City	24	21.2			
Big City	33	29.2			

Percentages may not total 100 because of rounding.

^aOne student did not respond to this question.

TABLE XI
COMPARISON OF THE RELATIVE PROPORTION OF OKLAHOMAN
STUDENTS IN OSU AND IN THE SAMPLE RESPONDENTS

	<u>Percentage</u> In the Student Body	In the Sample Respondents
<u>By Sex:</u>		
Male	55.7	60.2
Female	44.3	39.8
<u>By Age:</u>		
18	10.9	27.4
19	14.9	10.6
20	15.9	17.7
21	16.6	14.2
22	12.5	10.6
23 and over	29.0	19.5
<u>By School Status:</u>		
Freshman	21.9	32.7
Sophomore	19.6	9.9
Junior	22.8	23.9
Senior	22.3	22.1
Graduates	13.4	11.5
<u>By Marital Status:</u>		
Never married		85.8
Previously married		4.4
Married	16.3	9.7
Single	83.7	

Percentages may not total 100 because of rounding.

CHAPTER VI

ANALYSIS OF DATA

Besides the seven questions dealing with the socio-biographical background of the respondents, the questionnaire had, in the remaining questions, two aspects: informative and perceptual as listed in Table IX.

Concern is shown for the adverse impact of crime on the quality of life of the citizens. Gallup polls have been asking, since the middle of the 1960s, as to whether people are afraid to walk alone within a mile in their neighborhood at night. The National Opinion Research Center (NORC) survey also asked a similar question (Ennis 1967). The general social surveys have also asked this question since 1973. Stinchcombe et al. (1980) observe that, for the period since 1965, the trend of fear to embark alone on such activity showed a significant linear trend with an increase of fear of .42 percentage points annually.

A somewhat similar question was given to the sample. Table XII shows how often, in the last two or three years, the students felt that it was unsafe to go out on a walk for about a mile, at night, in their neighborhood. About one-half (49.6%) of the survey respondents say that they felt at least sometimes unsafe to go out on a walk, in their neighborhood, when it is dark. Most (80%) women, as compared to only 29.4% of men, consider, at least sometimes, that it is unsafe to go for a walk alone at night. In this year's Gallup (1983) poll, 47% of the people indicated that they are afraid to walk alone at night (as compared to 49.6% in the sample under analysis) and 64% women and 31% men recorded

the afraid response. Such higher degree of fear among women is natural as they are vulnerable to attack for rape and have less possibility for self-defense.

TABLE XII
EFFECT OF FEAR ON QUALITY OF LIFE BY SEX

	Percentage		Total
	M	F	
Have there been any times recently (within 2-3 years) when you might have wanted to walk a mile at night in the neighborhood of your home, but you had to stay at home because you thought it would be unsafe to go?			
Often	8.8	22.2	14.2
Sometimes	20.6	57.8	35.4
Never	70.6	20.0	50.4
Total	100	100	100
(N)	(68)	(45)	(113)

The denial of this quality of life has almost no relationship with victimization experience of Index Crimes among the respondents or other members in their households, the correlational coefficient (R) being 0.2676. People's fear of crime do not necessarily come from exposure to it but could be generated from report of crime in the newspapers, television, books and accounts from others as well as folklore.

Students who are afraid are mostly from big cities which would be evident from Tables XIII and XIV.

TABLE XIII
EFFECT OF FEAR ON QUALITY OF LIFE BY COMMUNITY

	Percentage				Total
	Rural	Small City	City	Big City	
Have there been any times recently (within 2-3 years) when you might have wanted to walk a mile at night in the neighborhood of your home, but you had to stay at home because you thought it would be unsafe to go?					
Often	16.0	3.2	16.7	21.2	14.2
Sometimes	32.0	41.9	25.0	39.4	35.4
Never	52.0	54.9	58.3	39.4	50.4
Total	100	100	100	100	100
(N)	(25)	(31)	(24)	(33)	(113)

TABLE XIV
COMPOSITION OF RESPONDENTS WHO ARE AFRAID TO
WALK AT NIGHT BY COMMUNITY

	Percentages				Total
	Rural	Small City	City	Big City	
Those who are afraid to go out on walk alone at night.	21.4	25.0	17.8	35.7	100
(N)					56

Percentages may not total 100 because of rounding.

The denial of this quality of life has a significant relationship with the three variables of danger of crimes (Table IX - Part IIB(a) grouped together--that is danger of all kinds, insecurity in home at night and incidence of crime in the community) inasmuch as the correlational coefficient (R) is 0.5681.

Apart from giving comfort, one's home not only provides protection from outside atmospheric discomforts but it also is to promote the feeling of safety and security from human antisocial acts. One should not have anxiety over threats of criminal acts while at home at night. The sample was asked a question as to whether they felt safe and secure while at home at night and their responses are in Table XV. More than half (57.8%) of the women, as compared to only 16.2% men felt that they are, at least at times, unsafe and insecure at night even in their homes. On a similar question in a Gallup (1983) opinion poll, held in 1983, nationally 16% felt similarly unsafe and insecure as against 32.7% in the student sample. In this Gallup poll the proportion of males and females feeling similarly unsafe was much lower being respectively 11% and 20%. The same reasons as mentioned earlier at page 39 may account for such differential. Most (83.8%) men and a large (42.2%) proportion of women felt safe and secure at home most of the time.

Here again, there was no relationship of this insecurity and lack of safety at home at night with victimization experience of Index Crimes among the respondents or members of their households, the correlational coefficient (R) being 0.2085.

TABLE XV
FEELING OF INSECURITY AT HOME AT NIGHT BY SEX

	Percentage		Total
	M	F	
How about being at home at night in your city? Do you feel:			
Unsafe and insecure most of the time.	1.5	20.0	8.8
Insecure and unsafe at times.	14.7	37.8	23.9
Safe and secure most of the time.	83.8	42.2	67.2
Total (N)	100 (68)	100 (45)	100 (113)

Percentages may not total 100 because of rounding.

TABLE XVI
FEELING OF INSECURITY AT HOME AT NIGHT BY COMMUNITY

	Percentage				Total
	Rural	Small City	City	Big City	
How about being at home at night in your city? Do you feel:					
Unsafe and insecure most of the time.	12.0	9.7	8.3	6.1	8.9
Insecure and unsafe at times	24.0	9.7	33.3	30.3	23.9
Safe and secure most of the time	64.0	80.7	58.3	63.6	67.3
Total (N)	100 (25)	100 (31)	100 (24)	100 (33)	100 (113)

Percentages may not total 100 because of rounding.

People feel insecure even at home at night in all communities but this feeling is most marked in people belonging to cities. It is almost the same in the rural areas and big cities. This lack of feeling of security is the least in small cities.

The students who have this feeling of insecurity even in their homes are, however, mostly from the big cities as would be evident from Table XVII.

TABLE XVII
COMPOSITION OF RESPONDENTS WITH FEELING OF INSECURITY
AT HOME AT NIGHT BY COMMUNITY

	Percentages				Total	N
	Rural	Small City	City	Big City		
Those who are insecure at home at night	24.3	16.2	27.0	32.4	100	37

Percentages may not total 100 because of rounding.

In Chapter III the crime situation in the State of Oklahoma has been presented. The data therein is only since 1974. It is, thus, for not sufficiently long a period to have meaningful time series curves. It is not possible to see any regular time pattern in this short span of nine years; there are fluctuations even in this small period as would be evident from Tables I to VI. As participation of the law enforcement agencies in the UCR program of FBI was entirely voluntary due to which, for decades, there was inadequate feed of crime data therein from the law enforcement agencies of Oklahoma, compilation of the trend

of Index Crime of Oklahoma from 1930 or so based on Crime in the United States would not be an usefull guide for analysis.

In this study, the feeling of the sample as to whether crime is increasing or decreasing and further as to what was their perception of the danger of crime was elicited. The responses are presented in Table XVIII. The respondents state, unmistakably, that they feel that crime is increasing and the danger thereof is greater than two-three years ago. About 55% feel that crime is increasing and about 19% consider that it is the same and only about 3% feel that it is decreasing. In the Gallup (1982) poll of January, 1982, nationally, 47% of the people felt that there was more crime and 28% felt that it was the same and only 17% thought that it had decreased, with 8% having no opinion on it. But due, probably, to the decrease of crime in the country as a whole, as already noted in Chapter III, only 37% thought that it was more, 36% thought that it was the same and 17% felt that it was less in the last Gallup (1983) poll held this year. In the student sample, under analysis here, almost three-fourth (72.1%) of the respondents (excluding the 27 students who do not know) feel that crime in their community is increasing and only 24.4% feel that it is at the same level. Those who think that it is decreasing are, however, a negligible (3.5%) proportion.

When they speak of their feeling of danger due to crime, the response is similar in that 65.7% (excluding the five students who do not know) feel that the danger of crime is increasing and another 29.6% feel that it is about the same and again those who feel that it is decreasing are a negligible (4.6%) proportion.

Table XIX examines the composition of the respondents under Table

XVIII by their community.

TABLE XVIII
EXPRESSED FEAR OF CRIME BY SEX

	Percentage		Total
	M	F	
Is crime in your city increasing or decreasing?			
Increasing	51.5	60.0	54.9
Same	19.1	17.8	18.6
Decreasing	4.4	--	2.7
Don't know	25.0	22.2	23.9
(N)	100 (68)	100 (45)	(113)
Compared with 2-3 years ago, do you feel that the danger of crimes of all kinds in your city is:			
Greater	63.2	62.2	62.8
About the Same	25.0	33.3	28.3
Less	5.9	2.2	4.4
Don't Know	5.9	2.2	4.4
(N)	100 (68)	100 (45)	100 (113)

Percentages may not total 100 because of rounding.

The President's Commission on Law Enforcement and Administration of Justice (1967, p. 21) reported that surveys show that the actual number of crime in the United States was "several times that reported in the UCR". It had initiated the first intensive victim survey through the NORC of the University of Chicago. The Law Enforcement Assistance Administration (LEAA) sponsored several victim surveys during the 1970s,

two of which were conducted by the U.S. Bureau of Census. Though the purpose of such surveys was to estimate the 'dark figure' eluding the UCR, the researcher here elicited data on exposure to criminal acts to assess the impact of such experience on the perception of the sample on criminal justice issues.

TABLE XIX
EXPRESSED FEAR OF CRIME BY COMMUNITY

	Percentage				Total
	Rural	Small City	City	Big City	
Is crime in your city decreasing or increasing?					
Increasing	44.0	51.6	54.2	66.7	54.9
Same	32.0	29.0	12.5	3.0	18.6
Decreasing	8.0	--	4.2	--	2.7
Don't Know	16.0	19.4	29.2	30.3	23.9
(N)	100 (25)	100 (31)	100 (24)	100 (33)	100 (113)
Compared with 2-3 years ago, do you feel that the danger of crimes of all kinds in your city is:					
Greater	44.0	58.1	79.2	69.7	62.8
About the Same	48.0	32.3	16.7	18.2	28.3
Less	4.0	9.7	4.2	--	4.4
Don't Know	4.0	--	--	12.1	4.4
(N)	100 (25)	100 (31)	100 (24)	100 (33)	100 (113)

Percentages may not total 100 because of rounding.

The sample was asked as to whether the respondent or anyone in his/her household have been a victim of the various Index Crimes within the past 2-3 years. One male respondent did not answer this question. Out of the remaining 112 respondents 73 (65.2%) have no victimization experience. The victimization experience of the remaining 39 (34.8%) is enumerated in Table XX.

TABLE XX
VICTIMIZATION EXPERIENCE BY CRIME

Victims With	Number	Victims With	Number
a) Only one crime experience:		(c) Three crime experiences:	
Rape	2	Physical assault, robbery and larceny	1
Physical assault	5	Physical assault, burglary and larceny	3
Burglary	10	Robbery, burglary and auto-theft	1
Larceny-theft	7	Robbery, larceny and auto-theft	1
b) Two crime experience:			
Rape and physical assault	1		
Physical assault and larceny	2		
Robbery and burglary	1		
Robbery and larceny	1		
Burglary and auto-theft	1		
Burglary and larceny	3	TOTAL	39

The victims came from all the four types of communities as would be seen from Table XXI. In fact these 39 victimization experiences among the 113 respondents may even represent 60 separate (unless the multiple experiences of a respondent relate to a single incident, which is considered unlikely) crime incidents as shown below:

<u>Those with</u>	<u>Incidents</u>
Only one crime experience (24)	24
Two crime experiences (9)	18
Three crime experiences (6)	18
	<hr/>
	Total 60

An experience of 60 crimes by a representative group of 113 is rather high (53.1%).

TABLE XXI
COMPOSITION OF VICTIMS BY COMMUNITY

<u>Community</u>	<u>Victims</u>	<u>Percentage</u>
Rural	14	35.9
Small City	8	20.4
City	7	18.0
Big City	10	25.6
	<hr/>	<hr/>
	39	100

Percentages may not total 100 because of rounding.

In the 1983 survey by Gallup (1983) it was reported that as much as one-fourth (25%) of U.S. households were victimized during the preceding twelve months. These were crimes against persons as well as property offenses.

The existence of relationship of victimization experience with quality of life and the feeling of insecurity at home at night has already been discussed earlier.

People's perception about the degree of risk associated with a crime is another indicator of their fear about it. The sample was,

therefore, asked to rank order the eight Index Crimes by the degree of fright they generate in them. The most serious one was to be ranked 8 and the least one to be ranked 1. The results are in Table XXII. Excluding the one male student who did not answer this specific question there were 67 men and 45 women who responded. It would be seen that men have even given rape a highly serious rank.

TABLE XXII
FEAR INDEX OF INDEX CRIME (N = 112)

Offense	Total Score	Mean Score
Murder	866	7.7
Rape	784	7.0
Physical Assault	627	5.6
Robbery	492	4.4
Arson	479	4.3
Burglary	373	3.3
Larceny-Theft	233	2.1
Auto-Theft	178	1.6

Having had the perception of incidence of crime and the fear they generate the thinking of the sample on the reasons for the increase in crime in Oklahoma was elicited. Their assessment of the reasons is in Table XXIII.

Many students think that leniency of the courts is promoting lack of fear of punishment and thus there is increase in crime. They are rather sharply pronounced when they express their perception of the treatment the courts give to criminals as would be seen in Table XXV.

In a Newsweek (March 23, 1981) poll, by telephone interviews on

a similar question ("What is most responsible for the increasing rate of crime?") as given to the student sample, on the perceived reasons for the increased crime in the country, the responses were as in Table XXIV.

TABLE XXIII
PERCEIVED CAUSES OF INCREASE IN
CRIME IN OKLAHOMA BY SEX

Causes of Increase in Crime	Percentage		Total
	M	F	
Leniency of courts	36.4	31.1	34.2
Unemployment	28.8	24.4	27.0
Lack of parental discipline and guidance	12.1	24.4	17.1
Insufficiency of police	9.1	13.3	10.8
High cost of living	12.1	2.2	8.1
Alcohol/Drug	1.5	4.4	2.7
(N)	100 (66)	100 (45)	100 (111)

Percentages may not total 100 because of rounding. Two males did not respond to this question.

The attitude of the respondents on the criminal courts is indicated in Table XXV. This table is important for this study. Tough courts symbolize that criminals would not get easy treatment and offenders should, therefore, hesitate, if they really can weigh the consequences and have 'free will', to take to crime as they should expect harsh punishments. Those who feel that the courts do not deal "harshly enough" can be said to have a punitive attitude to the issue of treatment of offenders.

TABLE XXIV

ATTITUDES TOWARD CAUSES OF INCREASING CRIME, UNITED STATES, 1981

Causes	Percentage
Unemployment	37.0
Courts too lenient	20.0
Breakdown of family, society, values	19.0
Punishment not severe enough	13.0
Drugs	13.0
T.V. violence, movies	3.0

Percentages do not total 100 because of multiple responses.

SOURCE: "The Plague of Violent Crime", Newsweek, March 23, 1981, p. 47.

TABLE XXV

ATTITUDE TOWARD COURTS BY SEX

Courts Deal With Offenders	Percentage		
	M	F	Total
Too harshly	7.4	-	4.5
Adequately	11.8	4.6	8.9
Not harshly enough	75.0	79.6	76.8
Don't know	5.9	15.9	9.8
(N)	100 (68)	100 (44)*	100 (112)*

Percentages may not total 100 because of rounding.

*One female did not respond to this question.

The punitiveness of the sample is, however, less than the present trend of punitiveness as measured by answers to similar questions given by various surveys. The time trend in the latter had exceeded the 76.8% level of the student sample about nine years ago. The time trend is given in Table XXVI. It would be seen from Tables XXV that women are more pronounced than men in the opinion that courts are not harsh enough to offenders which is contrary to the position of Stinchombe et al (1980) that women are generally much more afraid than men yet somewhat less punitive which was, obviously, based on the trend up to 1978, up to which point of time, only once in 1977, the proportion of men and women over this question equated each other. But there was equation between each other again in 1980 (Flanagan, 1983) as the latest statistics indicate.

TABLE XXVI
TRENDS IN ATTITUDE TOWARD THE COURTS

Survey	Date	Percentage saying courts are "not harsh enough"
Gallup	3/1965	48.9
Gallup	9/1965	59.3
Gallup	1/1968	63.1
Gallup	1/1969	74.4
GSS	3/1972	74.4
Gallup	12/1972	66.3
GSS	3/1973	73.1
GSS	3/1974	77.9
GSS	3/1975	79.2
GSS	3/1976	81.0
GSS	3/1977	83.0
GSS	3/1978	84.9
GSS	1980	83.0

SOURCE: Stinchombe (1980, p. 31) for data up to 1978, and Flanagan (1983, pp. 248-249) for data of 1980.

TABLE XXVII
PURPOSE, EFFECT AND PROGRAM OF PRISONS BY SEX

	Percentage		Total
	M	F	
What should be the main purpose of prisons?			
Corrective	36.8	37.8	37.2
Punitive	55.9	53.3	54.9
Protective for society	7.4	8.9	8.0
(N)	100 (68)	100 (45)	100 (113)
Do prisons sentences discourage crime?			
Yes, in case of most offenders	2.9	11.1	6.2
Yes, in case of some	48.5	31.1	41.6
No, rarely	42.7	42.2	42.5
Don't Know	5.9	15.6	9.7
(N)	100 (68)	100 (45)	100 (113)
What do you think the emphasis of prison ought to be?			
Induce fear of crime	58.2	62.8	60.0
Teach trades and impart education	32.8	27.9	30.9
Giving opportunity to think	9.0	9.3	9.1
(N)	100 (67)*	100 (43)*	100 (110)*

Percentages may not total 100 because of rounding.

*One male and two females did not answer this question.

This project started with the situation in the prisons of Oklahoma. There were, therefore, in the questionnaire, questions, from various angles, regarding prisons, as outlined in Table IX.

The sample was asked to give their perception as to what is the purpose of the institution of prisons, whether prison sentences discourage crime, and what should be the main emphasis of prisons. The response to these questions are in Table XXVII.

From the answers to these questions it would appear that about 63% (54.9% for punitive and 8.0% for temporary incapacitation) have a punitive attitude. In a Harris (1982) poll in 1982, nationally, 51% respondents had a punitive approach when 19% wanted prisons to punish and 32% desired that such institutions should protect society and only 44% were for rehabilitation regime in them. Women and men students think almost alike on this issue. They do not, however, have a misgiving about the efficacy of prison sentences in discouraging offenders from further crime. Many (42.5%) think that it rarely has the discouraging effect while almost the same proportion (41.6%) feel that some offenders are discouraged from further criminal pursuits. Regarding prison programs most people (60.0%) think the emphasis should be to inculcate fear for further crime but almost one-third (30.9%) suggest that the emphasis should be on the imparting of education and training in trades. The answers to these three questions, therefore, indicate that the sample is slanted toward punitiveness.

Three questions were given to elicit the appraisal by the sample of prisons in general. They were asked on the rehabilitation efforts of prisons, whether they are able to change the personality of inmates and whether they are trying to achieve the aims of society regarding

this institution of social control. Their responses are in Table XXVIII.

TABLE XXVIII
APPRAISAL OF PRISONS IN GENERAL BY SEX

	Percentage		Total
	M	F	
Do prisons prepare the inmate for useful life after release?			
Yes, in case of most prisoners	4.4	4.6	4.5
Yes, in case of only some	33.8	34.1	33.9
Hardly ever	61.8	61.4	61.6
(N)	100 (68)	100 (44) ⁿ	100 (112) ⁿ
Do prisons change the personality of the inmate?			
Yes, positively	5.9	7.0	6.3
Yes, but negatively	67.7	60.5	64.9
No	26.5	32.6	28.8
(N)	100 (68)	100 (43) ^o	100 (111) ^o
Do prisons try to be?			
Corrective	23.9	16.3	20.9
Punitive	20.9	25.6	22.7
Protective for Society	26.9	20.9	24.5
Don't Know	28.4	37.2	31.8
(N)	100 (67) ^p	100 (43) ^p	100 (110) ^p

Percentages may not total 100 because of rounding.

ⁿOne female did not answer this question.

^oTwo females did not answer this question.

^pOne male and two females did not answer this question.

The feeling of the sample is that prisons hardly ever prepare the inmate for useful life after incarceration as about 62% recorded this response with only about 34% thinking that in case of some only such preparation is effected. A larger proportion (64.9%) are of the view that prisons adversely effect the prisoners as they have negative impact on their personality while about 29% think that the institution of prisons is not able to change the personality of inmates. A very small (6.3%) proportion think that prisons have a positive impact on the personality of prisoners.

Coming to the question as to whether the aim of society in running prisons was being achieved, a significant segment (31.8%) of the sample indicated that they do not know. Probably the question was not very much in keeping with the individual intellectual maturity of some of the students. The composition of these 35 students is given in Table XXIX.

Among the group of 75 (48 male and 27 females) students who expressed their perception about the attempt of prisons to meet the aims of society, a larger (36%) proportion feel that prisons are playing the incapacitation role and one-third feel that it is a punitive role while the remaining (about 31%) feel that prisons try to be corrective as would be seen in Table XXX.

This project is concerning the prison system of Oklahoma. Chapter IV has already given an outline of the prison system of the state. It was felt that it would be relevant to elicit the appraisal of the sample on how the prison officers here are functioning as well as how they rated this system. The responses are in Table XXXI.

TABLE XXIX
 COMPOSITION OF RESPONDENTS WITHOUT PERCEPTION OF
 ROLE OF PRISONS BY SEX AND SCHOOL STATUS

	Age						Total	Grand Total		
	18	19	20	21	22	23 and Over				
Male	4	2	5	7	--	1	19	35		
Female	4	3	4	3	--	2	16			
College Status	Freshman		Soph.		Junior		Senior		Grad.	
	10		4		15		5		1	

TABLE XXX
 PERCEPTION OF ACHIEVEMENT OF AIMS BY
 PRISONS BY SEX

	Percentage		Total
	M	F	
Do prisons try to be?			
Corrective	33.3	25.9	30.7
Punitive	29.2	40.7	33.3
Protective for Society	37.5	33.3	36.0
(N)	100 (48)	100 (27)	100 (75)

Percentages may not total 100 because of rounding.

TABLE XXXI
 APPRAISAL OF OKLAHOMA PRISON SYSTEM BY SEX

	Percentages		
	M	F	Total
Please indicate your opinion about the job the prison officers of Oklahoma are doing.			
Extremely good	4.6	4.6	4.6
Very good	7.6	7.0	7.3
Somewhat good	45.5	34.9	41.3
Somewhat poor	28.8	48.8	36.7
Very poor	3.0	2.3	2.7
Extremely poor	10.6	2.3	7.3
(N)	100 (66) ^q	100 (43) ^q	100 (109) ^q
Please rate the Oklahoma Prison System			
Excellent	--	2.3	0.9
Very good	3.1	2.3	2.8
Good	7.7	9.3	8.3
Fair	17.0	18.6	17.6
Needs Improvement	72.3	67.4	70.4
(N)	100 (65) ^r	100 (43) ^r	100 (108) ^r

^qTwo males and two females did not respond to this question.

^rThree males and two females did not respond to this question.

Percentages may not total 100 because of rounding.

The sample was nearly divided equally on their estimation of the job performance of the prison officers; 53.2% gave a positive rating. About seven-tenth (70.4%) of the sample think improvements are necessary in the state prison system.

Coming to the issue of the present system of punishment in general, it would be seen from Table XXXII that a large proportion (57.7%) are not sure of its actual effect. As more than half of the sample were not sure of its actual effect it is rather risky to generalize on the small number of respondents who have recorded their opinion.

TABLE XXXII
EFFECT OF PRESENT SYSTEM OF PUNISHMENT BY SEX

	Percentage		Total
	M	F	
Do you feel that the present system of punishment works to really:			
Discourage from committing crimes	12.1	4.4	9.0
Encourage to commit crimes	30.3	37.8	33.3
I am not sure of the effect	57.6	57.8	57.7
(N)	100 (66) ^S	100 (45)	100 (111) ^S

^STwo males did not respond to this question.

An attempt was made to ascertain the perception of the sample regarding the impact of harsh punishment on the accommodation needs of the prison system. When adopting capital punishment, for offenses to which it does not apply at present, is not an issue in the question-

naire, harsher punishment implies mandatory prison sentencing and a conservative parole system or even abolition of parole (as already implemented in some states), apart from making incarceration more rigorous and disagreeable within the framework of the Constitution. Two-thirds of the sample agree that the state would need increased capacity for more prisoners while about a quarter of the sample feel that this is not needed as is evident from Table XXXIII. A poll by Gallup (1982) held in January 1982, elicited the opinion of respondents as to whether their state needed more prisons or not. Nationally 57% therein said that more prisons were needed and only 30% recorded a negative answer and the remaining 13% didn't know. As has been seen in Chapter IV that even with the present way of punishment, about which the sample is not pleased, projections indicate the need of more prison accommodation in the prison system of Oklahoma. If the society wants, as the punitive attitudes of the sample expect, courts to be less lenient than now the need for more prison accommodation is inescapable.

Increase of prison accommodation, as has already been seen, needs plenty of money. Much cannot be done in this direction by becoming frugal in state expenditure in other spheres. Harnessing convict labor in such construction can reduce costs only to some extent. Innovative measures like conversion of vacant military bases into prisons, considered as "good idea" by 76% of the respondents in January, 1982 poll by Gallup (1982), would still need more tax money. Information was asked as to whether the sample was willing to bear the burden of additional tax therefor. Results thereof are indicated in Table XXXIV.

TABLE XXXIII
NEED OF INCREASED CAPACITY DUE TO HARSHER PUNISHMENTS

	By Sex		Total
	Percentage		
	M	F	
Do you agree that for harsher punishments to offenders the state needs increased capacity for more prisoners?			
Yes	63.6	71.1	66.7
No	28.8	20.0	25.2
Don't Know	7.6	8.9	8.1
(N)	100 (66) ^t	100 (45)	100 (111) ^t

^tTwo males did not respond to this question.

TABLE XXXIV
WILLINGNESS TO PAY ADDITIONAL TAX FOR INCREASED PRISON CAPACITY BY SEX

	Percentage		Total
	M	F	
Agree to pay more tax?			
Yes	51.6	48.9	50.5
No	48.4	51.1	49.5
(N)	100 (64) ^u	100 (45)	100 (109) ^u

^uFour males did not answer this question.

If people do not meet the monetary needs for providing increased capacity--those who are unwilling to pay such taxes were almost neck and neck in their proportion with those willing to pay--their punitiveness cannot be effectuated. Even in the January 1982 poll conducted by Gallup (1982) there was almost similar division (49%:44%) about willingness to pay or not the required increased tax with only 7% having no opinion.

It was seen earlier in Table XII that fear of crime was affecting the quality of life. The researcher wanted to find as to whether fear or lack of fear are affecting their willingness to pay additional taxes. The result of such analysis is furnished in Table XXXV. It would be seen that those who are often afraid are more willing to bear additional tax burden for harsher social control but those who are occasionally afraid are more not inclined to bear such tax burdens. Those who are not afraid are split equally over the issue of paying such additional tax.

Punitiveness of the sample was indicated when attitude about the treatment given to offenders by courts was measured in Table XXV. It was seen there that 76.8% (86 persons) of the sample presents a punitive stance. They could be expected to bear additional tax burden for providing additional prison space required for harsher punishments. The willingness or unwillingness to pay was analyzed with the respondents' attitudes toward the courts. The results are presented in Table XXVI. It would be seen that the majority of the respondents who are dissatisfied with the treatment given to offenders by the courts are willing to bear additional tax burden. The majority however is not very pro-

nounced as about 45% were unwilling to bear the tax burden. This is the present enigma.

TABLE XXXV
PERCEPTION OF FEAR BY WILLINGNESS TO PAY ADDITIONAL
TAX FOR HARSHER PUNISHMENTS

Respondents	Percentage		Total(N)
	Willing to Pay	unwilling to Pay	
Often afraid to go out on walk alone at night	66.7	33.3	100(15)*
Sometimes afraid to go out on walk alone at night	45.0	55.0	100(40)
Not afraid to go out on walk alone at night	50.0	50.0	100(54) ⁰

*One of the 16 respondents in Table XII under this category did not answer this question.

⁰Three of the 57 respondents in Table XII under this category did not answer this question.

TABLE XXXVI
PERCEPTION OF COURTS BY WILLINGNESS TO PAY ADDITIONAL
TAX FOR HARSHER PUNISHMENTS

Those who feel that courts deal with offenders	Percentage		Total(N)
	Willing to Pay	unwilling to Pay	
Too harshly	20.0	80.0	100 (5)
Adequately	10.0	90.0	100 (10)
Not harshly enough	54.9	45.1	100*(82)
Don't know	63.6	37.4	100 (11)

*Four of the 112 respondents in Table XXV did not answer this question.

Again the willingness to bear the additional burden of tax for harsher punishment was examined with the respondents' perception about the purpose of prisons. In Table XXVII it was seen that about 63% (71 persons) of the sample were of the punitive frame of mind. Their willingness or unwillingness to pay additional tax for fulfilling their desire is examined in Table XXXVII. Most of them are unwilling to bear new tax burden for fulfilling their desire, though the majority of those who support a corrective outlook are willing to bear additional tax burden for the prison system.

TABLE XXXVII
PERCEPTION OF PURPOSE OF PRISONS BY WILLINGNESS
TO PAY ADDITIONAL TAX FOR HARSHER SENTENCES

	Percentage		Total(N)
	Willing to Pay	Unwilling to Pay	
Respondents who want prisons to be			
Corrective	57.5	42.5	100(40) ^x
Punitive	47.5	52.5	100(61) ^y
Protective for Society	37.5	62.5	100 (8) ^y

^xTwo students did not answer this question.

^yOne from each category did not answer this question.

Thus in the end, the entire issue, inspite of the punitiveness of respondents, would hinge on money. All wars need money and the war on crime also needs money. For facing the challenge of crime the techniques hitherto developed have not proved efficacious.

In search of alternative strategies to minimize loss to the tax-

payer, reduce avoidable suffering of the offender and his family without forgetting, of course, the victim and cut social cost of crime, alternatives have been developed. Such dynamism is healthy for society as rigidity never pays. Release of offenders on probation, suspension of sentence with stipulation of restitution or community service, fine, night or weekend incarceration for nonviolent felons in the county jail [Oklahoma Statutes 1981, Title 22 § 991(a) and 991(b)] are already provided for in the code of criminal procedure of the state. Such alternatives do not, however, fit the violent offenders. These alternatives were placed before those who did not like to pay additional tax for increasing the capacity of prisons.

It was seen in Table XXXIV that 31 (48.4% of 64) males and 23 (51.1% of 45) do not like to bear burdens of additional tax for increasing prison capacity. Not only these 54 but many males and females who noted their agreement to pay new taxes also recorded their inclinations about the alternatives to prison sentences. The responses of the combined groups are in Table XXXVIII.

It has been seen that in spite of marked punitiveness the sample is not enthusiastic enough to effectuate it. There is ambivalence too inasmuch as some who indicated their willingness even to bear the burden of additional tax to effectuate their punitiveness--rather hardcore punitives--took upon their head to respond to a contingency question which was unnecessary for them. Seventeen (the difference between the highest number (71) responding to the question in Table XXXVIII and the 54 who are unwilling to pay such extra tax as per Table XXXIV) out of the 55, who want to pay the additional tax, need not have answered the last question. They are about a third (17 in

TABLE XXXVIII
SUPPORT FOR ALTERNATIVES TO IMPRISONMENT BY SEX

	Percentage		Total
	M	F	
If you do not agree to pay increased taxes, how would you like those convicted for crimes to be punished?			
Probation:			
Yes	43.6	30.0	37.7
No	56.4	70.0	62.3
	100	100	100
	(39)	(30)	(69)
Fine:			
Yes	84.2	79.3	82.1
No	15.8	20.7	17.9
	100	100	100
	(38)	(29)	(67)
Community Service:			
Yes	72.5	65.5	69.6
No	27.5	34.5	30.4
	100	100	100
	(40)	(29)	(69)
Compensation of Damages:			
Yes	90.2	83.3	87.3
No	9.8	16.7	12.7
	100	100	100
	(41)	(30)	(71)
Weekend imprisonment:			
Yes	46.3	34.5	41.4
No	53.7	65.5	58.6
	100	100	100
	(41)	(29)	(70)

55) in this group being 30.9%. They are, obviously, a group in the border who might dilute their present punitiveness. Economic factors are dominant determinants in penology as in almost all fields of human activity.

Significance in relationship of the variables with the socio-biographical variables of sex, age, school status and community was probed but, because over 20% of the tabulation cells have expected counts less than five, chi-square was not a valid test.

CHAPTER VII

DISCUSSION

A democratic government has to be responsive to the perceptions and attitudes of citizens. Their attitude and opinion are deeply pervasive organic forces intimately bound up with the ideological and emotional interplay of the individual and the society of which he is a member. Public opinion is the articulation and formulation of the deliberative judgment of the individual influenced by the diverse elements within the community and also the evanescent common will of the people (Bauer 1937) and surveys of public opinion can provide illumination to the crystalization of this will of the people. Surveys of citizens can become an important mechanism by which governments obtain feedback on public systems, agencies or services. They can offer a unique means to test the public pulse (Webb and Hatrey 1973). Opinion surveys can become part of the process through which issues can even be resolved in a society and decisions formulated by a democratic set up like the government of a state.

The first public opinion surveys in the United States were concerned mainly with consumer preferences and their success led to their application to other areas. Albig (1972) says that opinions were later solicited and expressed upon the widest variety of controversial topics ever presented simultaneously to large number of publics

on matters of morals, religion, education and the details of government.

In the field of criminal justice, attitude studies are important indicators of how the system is perceived and how effective the punishments have been (Brillon 1982). In recent years, an increasing number of nationwide surveys of relevance to criminal justice have been conducted but most assessments of such issues are undertaken by the national polling organizations. Hindelang (1975), however, is of the opinion that the results of such routine assessments are usually reported by the media in such a fashion that ultimately their significance is not apparent.

Criminal law and the criminal justice system exist to serve the society. Social control has to be responsive to the perception of the citizens of the problem of crime and the way they desire offenders to be dealt with. People should have, therefore, the opportunity, other than that provided at the time of routine elections for the state legislature or the Congress, to influence decisions which affect their very lives and security. In fact there should be greater citizen involvement in the formulation of criminal justice policies.

Ideally this project should have studied the entire citizenry of Oklahoma. Due to the constraints of time and money a survey of the entire citizenry--2,169,133 as per the census of 1980--distributed in 69,956 square miles in varying degrees of density was not feasible. So the researcher had to remain somewhat content by doing an exploratory study and with only a small segment of the citizenry--the students of the OSU at Stillwater--which was more handy. They, however, constitute a part of the adult population of the state and are eligi-

ble to exercise their vote and hence their opinion has also to receive consideration. They come from all political affiliations and from all ethnic groups. Both the sexes are adequately represented in enrollment. Students come from all parts of the state. The purpose is, however, not to state that the opinion of the students of OSU is the opinion of the entire student body of the various universities in the state, much less the opinion of the entire citizenry of Oklahoma. Therefore, there is the need for a study of a more representative sample of the entire citizenry of the state to be a more meaningful indicator of punitiveness or otherwise.

From the replies to this survey it would appear that crime is tending to erode the quality of life of Oklahomans. It has been seen in Chapter III that both the volume as well as the rate of crime in the state are showing signs of increase. The state has limited accommodation in its prisons and the number of inmates that have to be confined is, for the last several years, continuously in excess of the authorized capacity as was observed in Chapter IV. This is the present situation in spite of the fact that only a small proportion of crimes, recorded by victim complaints with the law enforcement agencies, results in arrests and a much smaller proportion end in conviction in courts. The proportion of those sentenced to imprisonment is further reduced because of the availability of other options available in the code of criminal procedure in sentencing. Sellin had, long ago, spoken of the shrinkage by each procedural step in the criminal justice system (1931). In spite of this funneling effect (Stookey 1977) the prison population of Oklahoma is rising at a dissimilar rate compared to the increase in the volume of the state's violent Index Crimes.

"In fact prison populations do not closely follow crime rates nor the state population at risk" (Rutherford et al. 1977, pp. 247-248).

Though criminal courts of Oklahoma lack consistency among themselves in incarceration patterns (DOC 1983b) they take heavy recourse to imprisonment for nonviolent offenders inasmuch as 70% of the new receptions in the prisons, in 1982, were for nonviolent offenses, 56% of whom had no prior adult incarceration. Of the 6,632 inmates in the system on January 23, 1983, approximately 54% were in prison because of a conviction for nonviolent felony (DOC, 1983b). Oklahoma has, it has been observed, the second highest nonviolent offender commitment in the country (Welcher 1983). Murton (1983) says that in the south courts tend to lock everybody in a maximum facility. Thus, if the courts exercised their options--much varied for nonviolent offenders than for their violent counterparts--the state might not have been in the present situation of prison crowding.

When the problems of prison overcrowding is examined it has to be remembered that prior to intake in the system of the prisoner, the criminal justice process is not a part of the centralized structure of the state government of Oklahoma. Thus many of the policies which actually determine and shape the prison population of Oklahoma are not easily subject to control by the state and are, for the most part, controlled locally.

Most of the respondents are not satisfied with the way the courts deal with the offenders. They feel that they are not harsh enough with the violators of the criminal law. In spite of their sensitiveness to public perceptions--more so because the basic judiciary of the state is elected--particularly because they have to seek re-elec-

tion to continue in such a career, the judges are handicapped by the role of the prosecutor. The fate of most of those accused of crime is determined by the prosecutors but all this happens out of public view. Although the arrests police make and the sentences judges impose get public attention, it is the prosecutor who decides which cases go to court and what law violations are to be cited. Due to the tactics of plea-bargaining used by the prosecutors, judges cannot, in many cases, award the more severe sentences as charges are apt to be diluted in the bargaining process. Generally plea-bargaining is a function of three factors: (i) the strength of evidence, (ii) the seriousness of the offense and (iii) the defendant's prior record. Additional considerations may be congestions in the files of the prosecutors or congestion in court dockets. Thus though prosecutor's discretion determines as to whether a case results in a plea or a trial or whether the charge would be reduced with, consequently, the possibility of a less severe sentence, the blame is placed on the judge as the different roles of the prosecutor, the defending lawyer and the judge are not very much differentiated in the public view. The final result is that in many cases, the sentence is not in keeping with the offense for which an offender is booked in a police precinct. The victim thus gets the feeling of betrayal by the system and the blame is usually, but in most cases wrongly, given to the judge. The public is apt to interpret this as an easy treatment of offenders by the court. Such blame is given to the judiciary inspite of the fact that many judges impart unnecessarily harsh punishment to many nonviolent offenders. Discontent about court leniency have even led to the formation of citizens groups to monitor such leniency.

There is a 8300-member Citizens for Law and Order, a statewide group in California (Inter City Express, 1983) for such a purpose. Further juries are socially more involved in the local issues and these may also affect the sentences given by them.

All the forces enumerated above may account for the sentencing disparities between the 77 counties. At the extreme end 240 citizens were sentenced to imprisonment per 100,000 people, in 1982, in Texas County and at the other end only 15 for the same population in Wagoner County (1983b). The question of sentencing disparities in Oklahoma is a fertile area of research. These variations need investigation. The National Institute of Justice (1982) of the U.S. Department of Justice has sponsored such a study in the University of Georgia.

It has been seen that inspite of a punitive stance, the student population, under study, is on the whole reluctant to bear additional burden of new taxes to provide increased accommodation to meet the problem of overcrowded prisons. In other words, there is some sort of a taxpayer revolt and there is not much hope of increased resources made available for expansion of the system inspite of the exhortation, in January last, by U.S. Chief Justice Warren E. Burger (1983) to enlarge existing prisons and build new ones. In a poll by the Associated Press, most lawmakers want to find alternatives to imprisonment rather than build new prisons (The Daily O'Collegian, January 13, 1983).

As there is, and rightly, reluctance to add new prisons the existing prison space should be considered as scarce and costly resource and should, therefore, be very judiciously used. Consequently, the legislature should develop the proper mechanism to the controlled

use of such prison space. It has been observed earlier that prison population is in reality shaped by the local level of the criminal justice system and the centralized state structure has not much of a say in it though it provides the legal framework therefor and it is the state that has to bear the ultimate consequential repercussion. In such a situation, to ensure that the existing scarce prison space is optimally utilized by the criminal justice system, it is necessary to enlist the cooperation of the local tier of the system in this matter by involving them and particularly the bar, including the prosecutors, the public defenders and judges in planning the use of prisons so that they all act in concert to tackle the problem. The judges have, continuously, to be apprised by the Department of Corrections on prison capacity and the numbers of inmates being released so that they consider available space when deciding on a sentence as recommended by Mullen (1980). The local officials, who should be concerned about the situation in their small county jails, are expected to extend their cooperation as otherwise such local jails would be adversely affected because, in 1981, the legislature has, as seen in Chapter IV, permitted the continuance of convicted felons there because of overcrowding in prisons as per Title 57 Oklahoma Statutes 1981 § 37.

The state legislature is, however, not playing its role and is, even to some extent, complicating the situation. While U.S. Attorney General William French Smith (Tulsa World, April 25, 1983) is trying to devise ways to punish nonviolent offenders without sending them to prison in view of the swelling tide of new prisoners, the attempt to revise, about a fortnight earlier before Smith's pronouncement, the

monetary limit for an offense to be a felony in Oklahoma, where it is still \$50 for bogus checks and \$20 for the property crimes, was defeated (The Daily O'Collegian, April 14, 1983). The neighboring states of Arkansas, Texas, Kansas, Missouri and New Mexico have this minimum at a much higher monetary level which is more in keeping with the purchasing power of the dollar. A more realistic definition may have impact in reducing incarceration pressures to the prison system of the state.

It was seen that the respondents are punitive in their stance. They showed greater interest in the punitive--incapacitation model than the corrective/rehabilitative model of prisons. The students also feel that prisons hardly prepare the inmate for useful life after release and that they either do not change the personality of inmates or change it negatively. The famous Martinson study, referred to in Chapter II, has found that correction and rehabilitation do not usually motivate or equip offenders to discontinue their criminal careers. When there is scarcity of prison space it should only be reserved for the violent offenders who could, minimally, be restrained or isolated for the time being even if they cannot be corrected so that society is free from their ravages at least for the period of their incarceration. To such an end the erratic parole system could even be abolished. Seven states have already done so (NIJ, 1982).

In the situation in which the prison system of Oklahoma is, another feasible way for the citizens to protect themselves against a steadily increasing criminal population, which has much higher propensity than their size, in causing harm to the remaining citizens,

is to revise the basics of how convicts should be confined and treated. When society cannot bear the luxury of single celling it should provide for barracks-type facilities with 'old-fashioned' security methods--razor-wire as well as electrified perimeters manned by armed guards.

People should think over the problem and should redefine as to what prisons are for and what kind of people should they house. The solution may lie in more rational sentencing of the nonviolent offenders by tapping the various other alternatives available under the existing law, making, however, such alternative treatment less lax, more disciplinary in content and always making them more meaningful to the offender as well as his victim.

It may be better to evolve more intermediate sanctions located between probation and imprisonment than decriminalization of minor felony offenses as suggested by Sandhu (1983). It may also be more pragmatic to provide for restitution and heavier fines (than the usual \$20-\$50 fines spoken of by him). It has been seen in Chapter VI that there is heavy support for fines, compensation of damages and community service. Probation, because of lack of guidance and supervision, has tended to be rather lax and it is, therefore, natural for the majority of the responding students to be less supportive of it as an alternative method of treatment of Index Crimes offenders. The hybrid sanction of weekend prisons--and that too in the local jails already in poor shape--did not, for good reasons, receive much support among the respondents.

The prison population projections discussed in Chapter IV were

based on the assumption that current conditions would be operative in the future. Conditions could, however, improve or become even worse. Factors like economic conditions, demographic changes and modification of the criminal code could play differently in the near future or result in even greater growth of prison population. After 1985, the state is expected to have a reduction in the population of adults in the crime prone age group (18-30) because of the decline in the birth rate since the end of the post-World War II baby boom (DOC 1981) due to which, one can say, the state prison system may even need less accommodation. Again modifications in the law like requiring the offenders to undergo a minimum period of time before being eligible for parole or the very abolition of parole or increase in the lengths of sentence for certain offenders would reduce the rate of release of prisoners and would thus necessitate more prison accommodation.

Thus inspite of punitive attitudes of society, actual implementation of sanctions is, ultimately, a function of economic factors. Pragmatic punitiveness for the violent offenders, at least, leads to the search for cheaper alternatives for the nonviolent offenders which society would like to be disciplinary in content and without them becoming lax. Pragmatic outlook should also accept that many offenders--particularly many nonviolent offenders--should not be in prisons. The ancient sanction of restitution and the later-day sanction of fine and the recent sanction of community service have support.

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APPENDIX

THE RESEARCH INSTRUMENT

QUESTIONNAIRE

Dear Fellow Student:

I am a graduate student in Sociology in the M.S. program in Corrections. For my thesis I am undertaking a survey. I am collecting data from the citizens of Oklahoma. You have been selected as a representative member of your state. I seek your cooperation in answering the following questions which would not take more than 15 minutes of your time. As your identity is intended to be kept secret, please do not write your name anywhere in the questionnaire. You can, thus, feel free to respond to the questions according to your personal beliefs.

Ignore the number beside the questions; they are for machine tabulation only.

Please return the questionnaire with your answers at the latest by September 16, 1983, through campus mail to:

M. Choudhuri,
Sociology Department, O.S.U.
006 Classroom Building

or, if you prefer, by postal mail to:

M. Choudhuri
163 Murray
Stillwater, Oklahoma 74077

Thank you for your cooperation.

Sincerely,

M. Choudhuri

Part I

This part intends to obtain some general background information about you. Please check the appropriate answer:

1. Sex: Male Female
2. Age: 18 19 20 21 22 23 or over
3. Status in school: Freshman Sophomore Junior Senior
 Graduate Student Other
4. Marital Status: Never Married Previously married Married
5. Race and ethnicity: White Black Native American Hispanic
 Other
6. Location of your home: Rural Community
 Small City (up to 50,000 people)
 City (with 50,000 + people)
 Big City (with 100,000 people or more)
7. Which of the categories best indicates the profession of your parents?
 Professional
 Farmer or Farm Manager
 Manager, Official or Proprietor (except farms)
 Clerical and Kindred Worker
 Sales Worker
 Craftsman, Foreman or Kindred Worker
 Operative and Kindred Worker
 Service Worker including Private Household
 Farm Laborer or Farm Foreman
 Laborer (except Farm and Mine)

Part II

8. Compared with 2-3 years ago, do you feel that the danger of crimes of all kinds in your city is: Greater
 About the same
 Less
 Don't know

9. Have there been anytimes recently within two-three years when you might have wanted to walk about a mile at night in the neighborhood of your home, but you had to stay at home because you thought it would be unsafe to go?

Often Sometimes Never

10. How about being at home at night in your city? Do you feel:

Safe and secure most of the time
 Insecure and unsafe at times
 Unsafe and insecure most of the time

11. Is crime in your city increasing or decreasing?

Increasing Same Decreasing Don't Know

12. Statistics tend to indicate that there is an increasing trend in the crime rate of Oklahoma. What do you think is responsible for such an increase?

Unemployment Not enough police Alcohol/Drug
 High cost of living Too lenient courts Lack or parental discipline and guidance

- 13-20. Below is a list of offenses. Would you please indicate whether you or anyone in your household have been a victim of them within the past 2-3 years.

Murder: Yes ___ No ___	Physical Assault: Yes ___ No ___	Burglary: Yes ___ No ___
Rape: Yes ___ No ___	Larceny/theft: Yes ___ No ___	Robbery: Yes ___ No ___
Arson: Yes ___ No ___	Auto-Theft: Yes ___ No ___	

- 21-28. Rank order the following offenses as you consider least frightening as number 1, and most frightening as number 8.

Murder	Burglary
Rape	Larceny/theft
Robbery	Auto/theft
Physical Assault	Arson

29. Do you think the courts deal with offenders:
 Too harshly Not harshly enough
 Adequately Don't know
30. Do prison sentences discourage crime?
 Yes, in case of most offenders No, rarely
 Yes, in case of some Don't know
31. What should be the main purpose of prisons?
 Make prisoners useful citizens (Corrective).
 Punishing criminals for their crime (Punitive).
 Preventing criminals to commit crime while confined in them
 (Protective for Society).
32. Do prisons prepare the inmate for useful life after release?
 Yes, in case of most prisoners.
 Yes, in case of only some.
 Hardly ever.
33. Do prisons change the personality of the inmate?
 No Yes, but negatively Yes, positively
34. Do prisons try to be?
 Corrective Punitive
 Protective for Society Don't know
35. What do you think the emphasis of prisons ought to be?
 Induce fear for crime
 Teach trades and impart other education
 Should give opportunity to think
36. Please indicate your opinion about the kind of job the prison
 officers of Oklahoma are doing?
 Extremely good Very good Somewhat good
 Somewhat poor Very poor Extremely poor

37. Please rate the Oklahoma Prison System:

Excellent Very good Good Fair Needs Improvement

38. Do you feel that the present system of punishment works to really:

Discourage from committing crimes

Encourage to commit crimes

I am not sure of the effect

39. Do you agree that for harsher punishments to offenders the state needs increased capacity for more prisoners?

Yes

No

Don't know

40. For increasing capacity for increased numbers of offenders the state needs millions of dollars for building new prisons. Would you agree to pay increased taxes for this?

Yes

No

41-45. If you do not agree to pay increased taxes, would you like those convicted for serious crimes (listed in 13-20) to be punished by?

Probation: Yes _____
No _____

Fine: Yes _____
No _____

Restitution:

(a) Community Service: Yes _____
No _____

(b) Compensation of Damages: Yes _____
No _____

Weekend Imprisonment: Yes _____
No _____

VITA /

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Master of Science

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