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One-Day Symposium on Criminal Investigative Failures & Wrongful Convictions
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BACKGROUND

The crime rate is a statistic used to summarise the risk of criminal events. However, research has shown that choosing the appropriate denominator is non-trivial. Different crime types exhibit different spatial opportunities and so does the population at risk. The residential population from the census is the most commonly used population at risk, but is unlikely to be suitable for crimes that involve mobile populations. The vast majority of the population leaves their census tract during the day. In fact, many leave their home municipality.

STUDY AIMS

In this paper, we use ‘crowd-sourced’ data in Leeds, England to measure the population at risk, considering violent crime. These crowd-sourced data are geo-referenced Twitter messages. Though Twitter messages may not be a good source of the count of people present in an area, we argue that it is a good approximation for the relative spatial distribution of people in a given municipality: where there are more tweets there are more people. Consequently, new data sources such as Twitter have the potential to represent mobile populations at higher spatial and temporal resolutions than other available data.

RESULTS & CONCLUSIONS

Through the use of two local spatial statistics (Getis-Ord GI* and the Geographical Analysis Machine) and visualization we show that when the volume of social media messages, as opposed to the residential population, is used as a proxy for the population at risk criminal event hot spots shift spatially.

As shown in the figure, the crime rate per person (residential population) exhibits a set of crime hot spots in the centre of Leeds. This is an expected result. However, when the Twitter data are considered (crime rate per message) the hot spots in the centre of the city are dispersed into four areas, with one of the new hot spots being in the city centre. This shows the importance of carefully selecting the population at risk for crime rate calculations.

In the current example, a theoretically-informed choice with regard to the population at risk significantly alters the spatial distribution of crime risk.

BACKGROUND

Robert Pickton was recently convicted for the murder of six women who, most of them were sex trade workers. However, it is suspected that Pickton killed a total of 49 women from the downtown area of Vancouver, British Columbia, Canada before he was detected. Is it possible that a sexual murderer such as Robert Pickton used specific strategies to delay and avoid police detection? According to the organized-disorganized model, organized sexual murderers adopt specific behaviors during the commission of their crimes that contribute to avoiding police detection.

STUDY AIMS & RESULTS

Our study examined the effect of sexual murderers’ organized behaviors on their ability to both delay and/or avoid police detection. Using a combination of negative binomial and logistic regression analyses on a sample of 350 Canadian sexual murders cases, findings showed that although both measures of delaying and avoiding detection are positively correlated, different behavioral patterns were observed. For instance, offenders who moved the victim’s body were more likely to avoid detection but the victim’s body was likely to be recovered faster. Similarly, offenders who had vaginal intercourse with the victim and exhibited evidence of overkill were more likely to delay detection but less likely to avoid police detection. Moreover, our findings showed that victim characteristics had an impact on both measures; when the victim is a sex trade worker, it takes longer to recover the body and the case is more likely to remain unsolved. Interestingly however, this effect disappears for the measure of delaying detection once the organized behaviors are introduced. Finally, our results also indicate that some organized behaviors such as anal intercourse with the victim and the use of a weapon had a negative effect on the offenders’ likelihood of delaying and avoiding detection.

CONCLUSIONS

Of a total of 12 organized behaviors, only four were positively associated to the ability to delay detection, and only two were positively associated with an ability to avoid detection. This means that the great majority of organized behaviors identified by the FBI are actually associated with a failure to delay or avoid detection. Although from a rational choice perspective delaying and/or avoiding detection is crucial to the crime-commission process, the behaviors of sexual murderers are likely motivated by other factors as well. Organized behaviors, whether related or not to delaying and/or avoiding police detection, may be contributory to an offender’s deviant fantasies. As such, some organized behaviors may represent behavioral manifestations associated with the actualization of the offenders’ deviant sexual fantasies, which could influence (arguably to a greater extent than the desire to avoid detection in some cases) an offender’s decision-making process during the crime.


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BACKGROUND

The neighbourhood that consists of the ten blocks that comprise the Downtown Eastside (DTES) of Vancouver is the most impoverished urban area in Canada – one that is marked with high rates of homelessness, drug abuse, mental illness, and survival sex work [40], [67], [73], [78]. An estimated number of 5,000 people who inject drugs (PWID) call this Vancouver neighbourhood their home [46].

The lack of availability of services for the PWID population concentrated in this area has contributed to the prevalence of human immunodeficiency virus (HIV) and hepatitis C virus (HCV) to an extent that rivals its presence in developing countries during the late 1990s—with cases of overdose similarly widespread [13], [40].

North America’s first and only government sanctioned supervised injection facility (SIF), Insite, opened in September 2003 to combat the growing public health crisis facing the DTES [75], [77]. The public health benefits of the facility in the DTES have been well documented in over 60 peer reviewed studies. However, the facility has been operating at full capacity over the past decade and long line-ups discourage many PWID from visiting the small facility especially during the welfare week, when people on social assistance receive their government issued cheques ([65], p. 565).

Essentially, PWID have unique needs that the current SIF operating in the DTES is not fit to meet. Insite, North America’s only legally sanctioned SIF, currently forbids sharing of drugs, assisted injection and requires registration of clients [38]. Such noted restrictions, in addition to the high volume of usage by PWID and lack of resources for people who smoke drugs (e.g., crack and methamphetamine), discourage many drug users to visit the small facility in the DTES.

STUDY AIMS

The current study will determine whether the former unsanctioned SIF, that provided assisted injection and was operated by the grass root organization called Vancouver Area Network of Drug Users (VANDU), cost less than the health care consequences of not having such a program in Vancouver, Canada. By analyzing the attendance records gathered in 2013, this paper relies on two mathematical models to estimate the number of new HIV and HCV infections prevented by the former unsanctioned facility in Vancouver’s Downtown Eastside.

RESULTS

A conservative estimate indicates that the SIF location that provided assisted injections has a benefit-cost ratio of 33.1:1 due to its low operational cost. At the baseline sharing rate, the facility, on average, reduced 81 HCV and 30 HIV cases among PWID each year. Such reductions in blood borne infections among PWID resulted in annual savings worth CAN$4.3 million dollars in health care expenditure. In addition to this, the current paper relies on a sensitivity analysis based on different needle sharing rate scenarios.

CONCLUSIONS

The sensitivity analysis and the baseline rates indicate that funding SIF facilities operated by peer drug users that facilitate assisted injection appear to be an efficient and effective use of financial resources in the public health domain since they lead to a significant decline in the rate of mortality within a vulnerable population.

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Exploring the role of an unsanctioned, supervised peer driven injection facility in reducing HIV and hepatitis C infections in people that require assistance during injection

BACKGROUND

The Russian homicide rate is the highest in Europe and one of the highest in the world. Our article examines a paradox that relates to the issue of homicide in Russia. On the one hand, official police statistics demonstrate a rapid decline in the homicide rate in Russia in the 2000s, which is consistent with the stable economic growth (in particular after the financial crisis of 1998) and a stable political environment during the presidency of Vladimir Putin.

On the other hand, other conditions and processes (e.g., rampant corruption, predatory policing, political repressions, state violence against businesses, rising xenophobia and apathy) point to what Norbert Elias terms a ‘decivilizing process’, which is expected to be associated with a less precipitous decline in homicide or stable homicide rate in this period. In fact, newly available homicide estimates suggest that the homicide rate was higher than and did not decline at a pace suggested by the official police and mortality sources in the 2000s.

STUDY AIMS, RESULTS & CONCLUSIONS

Our article has two main objectives.

First, given a history of widespread falsification of population data in the Soviet Union, we first discuss the issue of post-Soviet homicide statistics and attempt to determine more accurate estimates of homicide rates in Russia in the 2000s. For that, we examined the main sources of data about homicide in Russia, i.e., official police data and vital statistics data, and pointed to a number of issues that cast doubt on the accuracy of official data, especially in the 2000s.

The most pronounced problems in both sources relate to a disproportionate increase of the categories with unspecified causes of death and deaths of undetermined intent in vital statistics data and a category of intentional grievous bodily harm leading to death in the police data.

We also suggest that among the potential incentives for misrepresenting homicide data in Russia are political pressures to show that crime is being reduced and a lack of manpower and resources to conduct the required thorough investigation of deaths (especially of unidentified bodies and missing people).

Then we discussed recent studies, which employed sophisticated mathematical models to estimate more accurate rates of homicide and suggested that the homicide rate in the 2000s was much higher than that reported by official crime and mortality data.

The second objective of our paper was to explore decivilizing process theory as a potential framework for explaining a high and steady homicide rate in Russia in the 2000s.

Specifically, we focused on the three main components of the decivilizing process, which we argue originated in the Soviet time, worsened in the 1990s and then again in the 2000s, i.e., weak state, decreased sensibilities about others’ suffering and a crisis of marketization. Each of these decivilizing processes is unlikely to be associated with the rapid decrease in homicide in the 2000s.

We argue that the concept of decivilizing process sheds light on some nontrivial factors for homicide in addition to the traditional ones, such as inequality, alcoholism, and unemployment.

BACKGROUND
In the philosophy of law, problems in legal doctrine are often highlighted by hypothetical scenarios that may seem rather fanciful. For example, the law of impossible attempts is often explored through scenarios such as the following: Smith tries to steal a wallet from a passerby on the street. He knows that the wallet is not his and that he is depriving the rightful owner of his or her property. However, as Smith reaches into the pocket, he discovers he has made a mistake: the pocket is, in fact, empty. Another useful scenario is the following: Upon realizing that it has started raining, and that he has forgotten his umbrella, Jones takes one from a nearby umbrella rack. Like Smith, he knows the umbrella is not his and does not intend to return it to its rightful owner. However, as Jones reaches into the pocket, he discovers he has made a mistake: the pocket is, in fact, empty.

STUDY AIMS
This article examines how impossibility has been treated in criminal attempt cases. An analysis of case law from three Commonwealth countries, Canada, New Zealand, and Australia was conducted. These countries possess a similar legal history and yet, their courts appear to adopt differing doctrinal frameworks. The case law helps to determine the extent that impossibility is considered in criminal attempt cases, whether or not the courts draw any distinctions between types of impossibility, and the impact that impossibility has on the elements of the offence and the rationale for or against punishment.

RESULTS & CONCLUSIONS
The results indicate that inconsistency in the approach towards impossibility attempts is a consequence of differing doctrinal frameworks. Unlike New Zealand, Canada and Australia generally adopt a subjective approach; not surprisingly they rely on consequentialist rather than retributivist rationales of punishment. Despite being criticized as an area of law based on ‘abstract conceptions,’ this study demonstrates that impossibility cases raise broader social policy issues. In England, their top court flip flopped, accepting an impossibility defence in two cases, Haughton v. Smith (1975) and Anderton v. Ryan (1985), only to reject the impossibility defence while expressly overturning itself in R. v. Shivpuri (1986). Whether each of these decisions produced a just outcome is open to debate; however, what is clear is that trying to produce just outcomes in a difficult area of the law such as this can introduce a significant level of uncertainty into the law. Cases raising impossible attempt issues force judges to reconcile legal doctrine with desirable social policy outcomes. This is often a difficult if not impossible task.
BACKGROUND
The criminal court is supposed to be a place of adversarial justice; however, these formal legal values do not appear to translate into practice. The courtroom workgroup, though made up of formal adversaries with widely divergent roles and objectives, is a community of workers whose shared interests include getting through the day as quickly and efficiently as possible.

STUDY AIMS
Observational bail court data were collected for 142 full days from 11 different courts in Ontario, yielding data on 4,080 appearances made by accused. Quantitative and qualitative data were collected to capture the way cases were processed, how time was used, and the relationships among court actors. Data were collected for each accused, and included information on how each case was discussed and disposed.

RESULTS
On an average day 29.9 cases were heard in the bail court. Each accused appeared before the court for a mean of 6.5 minutes (median: 3 minutes). Across all the courts, close to half of the bail cases were adjourned to another day, each and every day of observation. What is more, the case outcome did not appear to vary considerably with the appearance number observed. Indeed, the likelihood of an accused being adjourned on the first appearance was not dramatically different from the likelihood of being adjourned on the fifth or subsequent appearance. This is remarkable given that the law governing bail suggests the bail decision is to be made relatively quickly after an arrest. While the court was offered a variety of reasons for adjournment requests, in almost a quarter of the cases, no reason was offered.

CONCLUSIONS
This phenomenon seems to be the product of a "culture of adjournment," in which an adjournment is not only the most common way to deal with a case but is also the most accepted. This results in an assembly line of adjournments as the court tries to deal with a lengthy docket by putting cases off to another day and likely to different staff. Rather than the court being run by an efficient adversarial group of people, a culture has developed that has shifted the court’s focus from moving cases through the system to moving cases off the docket for the day. This culture emphasizes the importance of expeditiously disposing of the daily docket over distributing justice. In this way the interests and values of the courtroom workgroup conflict with the objectives of the criminal justice institution as a whole. While adjournments and unproductive appearances are common in other courts, bail court is unique in that all accused appearing in this court are in custody and will remain there until a bail decision is made. Adjournments in other courts do not involve continued detention for most accused. According to law, the bail decision is to be made relatively quickly; however, multiple adjournments mean accused are spending longer periods of time in detention before they are being released on bail.
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BACKGROUND
As violent extremists continue to surface in online discussion forums, law enforcement agencies search for new and innovative ways of uncovering their digital indicators, primarily through the funding and development of advanced information technologies to identify and counter the threat. Here, researchers have both described and hypothesized a number of ways to detect online traces of extremists, yet this area of inquiry is in its infancy.

As such, this study proposes a new search method that uses sentiment analysis to identify the most radical users across approximately 1 million posts and 26,000 unique users found on four Islamic-based web-forums, an undertaking that has been described in the literature as “searching for a needle in a haystack.”

STUDY AIMS & RESULTS
Several characteristics of each user’s postings were examined, including their posting behavior and the content of their posts. The content was analyzed using parts of speech tagging, sentiment analysis, and a novel algorithm called “Sentiment-based Identification of Radical Authors” (SIRA), which accounts for a user’s percentile score for average sentiment score, volume of negative posts, severity of negative posts, and duration of negative posts. Results suggested that there is not a simple typology which best described the most radical users online; however, SIRA was flexible enough to evaluate several properties of a user’s online activity that could identify the most radical users in the forums. In addition, SIRA identified the same author across two separate discussion forums as the most radical. This particular user was linked to a site that supported terrorists.

CONCLUSIONS
Combining sentiment analysis techniques and the SIRA algorithm proved to be a very useful way of identifying the most radical users in Islamic-based discussion forums. However, one of the larger objectives of this project is to enhance the technologies used to evaluate extremist-based content on the Web, as well as identify the process of radicalization through the study of online discussion forums.

We are integrating a temporal analysis into our model, taking into account if a user is active during the time that the data is captured. Focusing on currently active users may highlight how our strategy can be used to identify specific authors who are of interest to anti-extremist groups by examining how users’ radical scores change during their time on a forum. This strategy may involve splitting the entire dataset into months and calculating each user’s radical score for that month. From here, sharp changes in scores, especially ones that are most current, could be interpreted as possible changes in motivation or level of extremism expressed by an author. This could help identify characters of interest and minimize the possible threat posed by violent Islamic extremists.

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BACKGROUND

The topic of immigration is currently the focus of intense ideological and policy debates in the United States. Many debates tend to cast the foreign-born population as a relatively homogenous group. Such rhetorical treatment of this entire population is highly problematic because its only defining characteristic is birth without U.S. citizenship. Indeed, sweeping generalizations about the foreign-born population are typically based on stereotype or media case study accounts rather than empirical evidence (e.g., Mears, 2001; Ousey & Kubrin, 2009; Wang, 2012).

When the foreign-born population is debated in a more nuanced way, the population is typically segmented into those who are present in the United States ‘legally’ and those who are not. In particular, those without legal status (often termed ‘illegal immigrants’, ‘deportable aliens’, or ‘removable aliens’) are alternatively cast as hardworking individuals seeking better lives for themselves and their families (Wortham et al., 2009), or as crime-prone individuals who pose a high risk to communities and overburden local criminal justice resources (Reyna et al., 2013; Timberlake et al., 2015).

STUDY AIMS

The goal of the present study is to assess whether immigration status in the United States is related to the long term recidivism patterns in a sample of foreign-born inmates. This study used data collected on all foreign-born inmates released from the Los Angeles County Jail in a 30-day period in 2002 (n=13,770). The final sample for the study consisted of the 1,297 foreign-born males for whom immigration status was known and who were released into the community. Within this group, 517 (40%) were removable aliens and 780 (60%) were authorized aliens who had current legal authority to be in the United States. Rearrest data was collected for a nine-year follow-up period.

We used three methods to compare removable and authorized aliens on three measures of recidivism (likelihood, frequency, and timing): logistic regression, negative binomial regression, and a Cox proportional hazards model. Fourteen demographic and criminal history control variables were used and propensity scores were incorporated as weights in all multivariate models.

RESULTS & CONCLUSIONS

Nine years post jail release recidivism rates were high: 69% of the full sample had a record of at least one rearrest. The average number of rearrests was 2.99 (SD = 3.50) for the authorized group and 3.10 (SD = 3.38) for the removable group. With respect to timing, the average time until first rearrest was roughly 1.6 years, with the first rearrest for removable aliens occurring about 1.7 months more quickly than for authorized aliens. However, multivariate analyses of the likelihood, frequency, and timing of rearrest show no statistically significant differences between the groups.

The findings do not lend support to the assertion that removable status alone represents a distinct risk marker for repeat involvement in local criminal justice systems. These results support the recently announced intention of the U.S. Department of Homeland Security to more narrowly focus enforcement efforts on individuals who pose a noteworthy risk to the community, not on individuals arrested for minor offences or with a limited criminal history.