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Welcome to the Winter 2020 edition of the School of Criminology’s Research Connections newsletter. It is my pleasure to introduce you to a selection of recent publications from our faculty and graduate students.

Research highlighted in this edition focuses on video visitation for prisoners, accommodations for witnesses in trials, intimate partner violence, legal responses to dementia, administrative segregation in prison, organized crime, halfway houses, drug users, challenges to research confidentiality, school suspensions, the dark web, artificial intelligence, and Indigenous justice. I hope this selection of recent works demonstrates the diversity in research foci in the School.

Thank you for taking the time to read our newsletter. Please send your comments, questions and story ideas to crimcomm@sfu.ca, and feel free to contact the authors directly with questions about any of the studies summarized herein.

Sincerely,

Jennifer Wong
Associate Professor
Associate Director (Research)
School of Criminology

Research Connections highlights the published academic work of faculty and graduate students, along with research projects of significant impact. The newsletter is distributed quarterly by Simon Fraser University’s School of Criminology.

We respectfully acknowledge that SFU is on unceded Coast Salish territory – the traditional territories of the Squamish (Sḵwx̱wú7mesh Óxww newsletters), Télél-Waawalx (x̱êxwesx̱êxw), Musqueam (x̱mūmūm̓), Kwikwetlem, Semiahmoo, and Katzie First Nations.
‘NOT FEELING LIKE A CAGED ANIMAL:’ PRISONER PERCEPTIONS OF A REMOTE VIDEO VISITATION SYSTEM


BACKGROUND

Correctional authorities across North America have implemented video visitation systems to reduce the time and costs associated with in-person visitation and to enhance institutional security and order, among other objectives. Video visitation is said to benefit prisoners and their visitors (e.g., by increasing visitation hours); however, the limited body of literature, primarily anecdotal, examining video visitation suggests these individuals experience challenges in its use.

Our study examines a gap in the literature investigating video visitation by examining one of the first remote video visitation systems implemented in North America by a Sheriff’s office in the Northwestern United States. The office eliminated in-person visits when they created their new system that provides prisoners with two free weekly 30-minute video visits and the option to purchase more visits at a cost of $9 for 30-minutes.

RESULTS AND DISCUSSION

Participants identified themselves as regular users of the video visitation system although the majority of the respondents said the cost of purchasing additional visits prevented them from doing so. They also described technical difficulties (e.g., poor audio and video quality) with the system. Participants indicated a preference for in-person visits or the option to choose between in-person and video visits. Survey respondents voiced a strong preference for in-person visitation because many of their visitors could not access the technology required to use the system.

A marked difference in the data was the much more positive views about the system for interview participants when compared with survey respondents. All interviewees, particularly those with non-local family members, or with young children whom they did not want entering the jail, expressed their satisfaction with, and their appreciation for, video visits. Further, while most interview respondents believed their use of video visitation had a positive impact on their institutional conduct and that these effects would follow them upon their release, survey respondents were generally skeptical about their use of the system having any effect on their behaviour.

These findings suggest the potential for video visitation to produce positive outcomes although the results also highlight disadvantages of such systems (i.e., technological issues and access barriers). In light of these findings, correctional administrators should consider how to make visitation accessible to their clients and their loved ones. To illustrate, video-visitation should be a supplement to, rather than a replacement of, in-person visitation, and correctional administrators should install visitation kiosks in their institutions and/or partner with local agencies to install kiosks in the community for visitors who do not have access to the requisite technology.

MURDOCH, DANIELLE; BA (SFU), MPHIL (CAMBRIDGE), PHD (SFU); LECTURER
CORRECTIONS POLICY AND PRACTICE; COMPARATIVE CORRECTIONS; PRISONS AND INCARCERATION; RESEARCH METHODS; PRISONER RELEASE AND REINTEGRATION.
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SENIORS ON THE STAND: ACCOMMODATING OLDER WITNESSES IN ADVERSARIAL TRIALS


BACKGROUND

Adversarial trials are structured on the assumption that the most reliable evidence comes through the in-person cross examination of witnesses. However, for many older adults, aging introduces physical and cognitive changes that can interfere with the ability to meet this basic requirement. This paper considers whether the legal and procedural rules that have been developed to ensure that only the most reliable evidence is used as the basis of fact finding in a trial may disproportionately be excluding evidence from seniors.

METHODS

To explore this tension, I identify four physical and cognitive issues that increase in prevalence with old age that can interfere with a witness’s ability to testify in-person. I then use a legal analysis to review the promise and limitations of the current rules of evidence and procedure in meeting the potential challenges experienced by older witnesses. I conduct a targeted case law search noting up the relevant rules to see whether they are being used to help older adults present their testimony in Canadian trials.

FINDINGS

Looking at the rules of evidence and procedure, I find a number of testimonial accommodations available to older adults who may experience limitations that prevent them from attending court in-person. In civil trials, provinces have crafted summary trial procedures that allow for witnesses to present their cases by affidavit. For regular trials, witnesses can request for a variety of accommodations in case planning conferences, such as expedited trial dates, the use of deposition or commissioned evidence in lieu of in-person testimony, or the admission of videotape or other alternatives to in-person testimony. In addition, the class action procedure may be an option where a number of elder plaintiffs have a common issue against a defendant. For criminal trials, accuseds have the option of having their lawyer make a number of pre-trial applications on their behalf. Other witnesses can testify remotely using video or telephone, or have testimony taken by a commissioner off site. The principled approach to hearsay is also a flexible tool developed by courts that can be used to facilitate the admission of out of court statements made by witnesses who are unable to testify in-person.

With a number of accommodations available, the question then becomes, are these accommodations being used to facilitate the participation of older adults who experience limitations? A case law search noting up the relevant rules reveals a dearth of cases discussing accommodations being used for older adults. While current laws of evidence and procedure contain tools that can accommodate individuals who experience limitations, a case law review suggests that they are seldom used to facilitate the participation of older adults in trials. With the proportion of people aged over 65 expected to double in the next 20 years, it is critical for future research to explore this gap.
INTIMATE PARTNER VIOLENCE: A MULTINATIONAL TEST OF CULTURAL SPILLOVER THEORY


**BACKGROUND**

Empirical studies that tested various explanations of intimate partner violence (IPV) in the last four decades have focused on individual, situational and feminist theories of IPV. Although some researchers examined the association between attitudes approving of IPV and the perpetration of IPV, studies of the broader acceptance of violence for socially desirable purposes, such as crime control and discipline in the schools, and its association to IPV, received much less attention. Cultural spillover theory asserts that the prevalence of socially legitimate violence to attain ends for which there is widespread social approval is part of the explanation for the prevalence of illegitimate violence.

**OUR STUDY**

We decided to test the cultural spillover theory as it applies to IPV. Based on data from the International Dating Violence Study (IDVS) in 32 countries, we tested the proposition that agreement with socially-approved forms of violence “spills over” into violence against an intimate partner. We constructed two versions of an index to measure legitimate violence. 1. An individual-level legitimate violence index based on the beliefs and behaviour of 14,252 university students in 32 nations in the IDVS. 2. A nation-level legitimate violence index consisting of the mean of the student scores on the legitimate violence index for each of the 32 nations in the IDVS. We used the revised Conflict Tactics Scales to obtain the data on physical violence and injuries inflicted by the students in the IDVS.

**FINDINGS**

Both individual- and nation-level analyses consistently supported

![Figure 1. Relation of aggregated student legitimate violence index to assaulting dating partner at 30 nations controlled for GDP and limited disclosure scale. Relation of aggregated student legitimate violence index to assaulting dating partner at 30 nations for (a) males and (b) females.](image)

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cultural spillover theory's explanation of IPV. Moreover, our study extended the test of cultural spillover theory to the civilian couples in primarily dating relationships. Our findings suggest that socially legitimate violence presents the problem not only for the couples in which individuals are closely engaged with legitimate violence-related activity (e.g., military and law enforcement couples, individuals with dangerous occupations and incarcerated individuals), but also impacts couples in the early stages of their relationship. In addition, our multinational study found that higher scores of legitimate violence for each nation are related to higher national estimates of violent crime based on student self-reports of IPV acts after controlling for the level of economic development and national differences in the tendency to give socially desirable responses. It is also interesting that the association between legitimate violence and IPV at both levels of analysis was stronger for women than for men (Figure 1). Women may be especially susceptible to the harmful effects of legitimate violence in various cultures. It is not yet well researched, but societal and cultural acceptance of female violence, especially against an intimate partner or a child, may explain why the spillover effect of legitimate violence is stronger for women than for men. Although this association should be further examined, it highlights the importance of both prevention and reduction of violence against partners not only by men but also by women. The results suggest that reducing legitimate violence can make an important contribution to reducing IPV.

Authors’ Note
Murray A. Straus, PhD, an internationally respected scholar, passed away in 2016. It was my sincere honor to know him, to call him a colleague, and to have permission to use his data from the International Dating Violence Study. He and I worked on this paper together prior to his passing and, as a result, it is my delight to list him as a coauthor on this paper.
BACKGROUND

The term “old age” is used in this paper to refer to the deeply inter- connected social contexts and physiological processes associated with aging beyond mid-life. No one turns old when they reach 65. The significance of 65 or any other chronological age is the socially agreed upon shorthand it provides for the point at which the experience of old age, for most people, begins. Old age in this sense (like childhood, middle-age, or young adulthood) is not a homogenous experience but is shaped by the many intersecting factors and identities that make up individual lives: the experience of physiological change, including (for many) increased medical scrutiny; the deeply ingrained cultural ageism that informs social interactions on multiple levels; social construction of the visibly old as gullible “easy marks”; shifting family roles and relationship contexts. Like the age based category of childhood, the physiological processes and social contexts of old age are distinctive in ways that give rise, in turn, to distinctive problems.

Old age is integral to the experience of dementia for most people, although the opposite is not true—dementia is not integral to the experience of old age. Between 90 and 98% of persons diagnosed with dementia are old, however, and the likelihood of developing dementia increases exponentially with age before plateauing around age 90. This demography of dementia has two important implications. First, the numbers of persons living with dementia in Canada and other industrialised nations is rising in accordance with aging populations. Second, the experience of dementia is, in the great majority of cases, the experience of dementia in old age. The demography of dementia means that the physiological processes and social contexts of old age are integral to the experience of dementia for the great majority of persons.

OBJECTIVE

The objective of this study is to construct a model for over-ruling individual will and preference, in a limited set of justified circumstances, that does not turn on the assessment of mental capacity. This model has been developed with the embodied experience of persons experiencing dementia in old age in mind (as opposed to an abstract category of “incapable persons”), but its potential usefulness is not limited to that context. The first part of this paper considers the intersection of dementia and the physiological processes and social contexts of old age to identify problems requiring legal response; the second part examines current law applicable to those problems, and the critique associated with Article 12 of the Convention on the Rights of Persons With Disabilities; the final part sets out an alternative basis for and model of legal response that is responsive to problems arising from the experience of dementia in old age and conceptually compatible with the CRPD.

FINDINGS

This contextualised experience of dementia gives rise to two distinctive problems: a heightened risk of exploitation, and an increasingly intense need for care coinciding with a decreasing ability to recognise and respond to that need. Both problems require a social (rather than medical) response that may include over-riding expressed will and preference. For this reason, law is an essential part of that response. Responding to exploitation requires disrupting exploitative

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relationships and/or setting aside transactions carried in accordance with the person’s expressed will and preference; responding to a need for care that cannot be perceived or comprehended may be enabled through supported decision-making, but in many cases will require over-ruling a refusal of support. In each context, the fundamental legal principle of autonomy is engaged in a way that requires legal justification and a clear and consistent legal basis and process for intervention. Laws enabling the over-ruling of will and preference are currently based on a fundamentally bio-medical construct of mental capacity which has become increasingly invalid, and which has been rejected by the UN Human Rights Commission’s interpretation of the CRPD. The survival of the mental capacity construct in law, despite its conceptual difficulties, is attributable to the absence of an alternative, coherent basis for over-ruling expressed will and preference. The four step model for legal response set out here is based on and constructed around a principled theory of vulnerability, providing that alternative.

**Step 1:** Evaluation of an individual’s conceptual and functional performance of thinking processes in relation to his or her management of finances and/or person using a reasonableness-based measure (likelihood or risk, gravity of risk, and understanding/adoptation of risk), together with a consideration of relevant diagnosis and prognosis. “Reasonableness” provides the appropriate measure at this stage as the objective legal test; legal objectivity is not the same as scientific objectivity, but nor is it subjective, and the measure it provides is both consistent and flexible, recognising the illusory nature of the objective capacity assessment.

**Step 2:** Evaluation of vulnerability arising from the interaction between the individual’s performance of thinking processes social/relationship/material contexts. The potential vulnerability established through the inquiry carried out at Step 1 may be absorbed, or exacerbated, by those contexts. If absorbed, the inquiry stops. If not absorbed, or exacerbated, heightened vulnerability is established. Step 3 considers the most appropriate response to that vulnerability; the evidence gathered in relation to thinking processes (at Step 1) and context (at Step 2) will inform decision-making at Step 3.

**Step 3:** Consideration by an inter-disciplinary guardianship tribunal of the most effective response, under the circumstances, for recalibrating the relationship between self and context in a way that reduces the vulnerability established at Step 2. Alternative tools considered at this step include non-legal tools such as home supports or medical treatment (as indicated by Step 1); supported/assisted decision-making; advance planning instruments; or care facility admission.

**Step 4:** If substitute decision-making provides the most appropriate response, who is best suited to be guardian? What public supports will they need to effectively carry out this task? The inter-disciplinary guardianship tribunal structure described at the third step would be capable of providing advice and information about a wide range of available supports for substitute and supporting decision-makers (generally drawn from the ranks of family members).
MA IN APPLIED LEGAL STUDIES PROGRAM

The Master of Arts in Applied Legal Studies program is primarily for students intending to practice as Notaries Public in the Province of British Columbia. It may also be of interest to existing Notaries who wish to obtain a graduate degree focused upon their area of professional practice.

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BEYOND THE BREAKFAST CLUB: VARIABILITY IN THE EFFECTS OF SUSPENSIONS BY SCHOOL CONTEXT


BACKGROUND

School sanctions—ranging from being sent to the principal’s office to being suspended or expelled from school—are becoming increasingly commonplace in grades K-12. School sanctions have a number of known consequences, including more behavioural problems and an increased likelihood of receiving subsequent sanctions. Given these detrimental effects, it is important to understand whether there are conditions under which these outcomes do not occur.

Communal School Organization (CSO) may be a key source of variability in the effect of being suspended on future behaviour and additional sanctions. In schools characterised by high levels of CSO, rules are clearly stated and fairly administered, students and teachers have positive relationships, the environment is collaborative, and students are committed to academic success. It is possible that students attending schools with higher CSO will be more supported following a suspension, and thus less likely to participate in delinquent behavior and receive subsequent sanctions. Our study asks whether school-level variables associated with CSO can lessen the negative impact of school sanctions.

DATA & METHODS

We examined data from a sample of students in grades 7 and 8 (n = 2,118) in seven cities across the United States to assess the relationship between being suspended and three individual-level outcomes: delinquent behaviour, receiving a later detention, and receiving a later suspension. We compiled school-level data for the 26 different schools in which these students were enrolled to determine whether individual-level relationships were moderated by CSO characteristics.

RESULTS

Our findings show that being suspended is associated with increased involvement in delinquency as well as greater odds of receiving a detention or suspension up to one year later. We find that students who were previously suspended experience increased odds of receiving a detention in later years regardless of school-level characteristics. Meanwhile, students who were not previously suspended are protected against receiving a detention when aggregate commitment to academic success is high. While these results suggest that a positive school climate may benefit students who have not already been suspended, there are limits to the role that school climate plays in eliminating the negative impact of school sanctions. Thus, exclusionary sanctions must be used judiciously by school administrators.

Figure 1. Predicted Probability of Receiving a Detention by Prior Suspension Status & Aggregate School Commitment
DEVELOPING AND VALIDATING A TOOL TO PREDICT PLACEMENTS IN ADMINISTRATIVE SEGREGATION


BACKGROUND

Segregation (also referred to as solitary confinement) typically refers to any condition where an inmate is confined to a cell for at least 22 hours a day with limited contact with others. Segregation is often classified as administrative (i.e., intended as a proactive measure to ensure the safety and security of the institution and its inmates) or disciplinary (a punitive response to a specific incident). This paper focuses on the former.

Generally, placement in administrative segregation should be used as a last resort as it is presumed to have negative effects on the inmates, although two recent systematic reviews have challenged the presumption of severe adverse consequences for the individual’s mental health, at least any more so than the effects of routine incarceration. Regardless of whether segregation is harmful for inmates, however, there are additional reasons to reduce its use (e.g., its high cost). Recent years have seen increased concern about the use of segregation, including its condemnation by the American Civil Liberties Union, and considerable controversy in Canada after the preventable suicide of 19-year-old Ashley Smith in administrative segregation.

METHOD/RESULTS

The purpose of this study was to develop and validate an actuarial risk assessment scale to predict admissions to administrative segregation for at least six consecutive days within two years of admission to the Correctional Service of Canada (CSC).

The sample (N = 16,701) included all male offenders admitted to CSC from fiscal years 2007/2008 through 2009/2010 and all female offenders admitted from 1999/2000 through 2009/2010. Offenders were randomly divided into a development sample (N = 11,110) and a validation sample (N = 5,591). Analyses were separated by reason for administrative segregation, gender, and Indigenous ancestry.

Overall, 413 potential predictor variables were examined, including items from assessment scales, demographic information, current offence information, flags/alerts/needs, and information from previous federal sentences.

Approximately 24% of offenders were placed in administrative segregation. Of the 413 variables examined, 86% significantly predicted segregation placements. The item pool was reduced using Principal Components Analysis, tests of unique contributions within the measured components, and considerations of general utility and face validity. Several scales were developed and validated. Considering both accuracy and efficiency, the optimal scale had six static items (age, prior convictions, prior segregation placement, sentence length, criminal versatility, and prior violence) – this scale was called the Risk of Administrative Segregation Tool (RAST). Attempts to develop scales unique for men and women and those of Indigenous ancestry did not yield meaningfully higher accuracy than the overall RAST.

The RAST generalized well to the validation sample (AUC = .80) with high discrimination, suitable calibration (mostly non-significant E/O indexes), and superior performance to other risk scales used by CSC.

DISCUSSION

We found that it is possible to develop a simple and easy-to-use scale that would be effective in identifying inmates at risk for placements to administrative segregation, which would be an important first step in efforts to intervene to reduce risk of segregation placement. Implications for developing risk assessment tools and applying to subgroups are discussed.

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OFFENDER RISK ASSESSMENT; SEX OFFENDERS; STATISTICS; PREDICTION; RECIDIVISM; INDIGENOUS OFFENDERS; META-ANALYSIS.

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A NETWORK PERSPECTIVE ON COLLABORATION AND BOUNDARIES IN ORGANIZED CRIME


BACKGROUND

A benefit of the development of social network analysis (SNA) over the past 20 years is that criminological theories that place the social factor front and center can now be tested with better data and measures, providing a more sophisticated demonstration of the mechanisms involved. Among its contribution to the field of organized crime, a network approach allows researchers to better model the mechanisms that explain collaboration among criminals, from recruitment into criminal organizations to deciding the most suitable accomplices in a murder conspiracy. The focus on collaboration opens the door to the boundary specification problem: who is part of “organized crime”, and what are the methods available to determine it? The difficulty with traditional approaches is the imposition of sometimes simple, rigid structures where complexity and fluidity is the norm. A network approach embraces this complexity at the conceptual level, while providing methodological guidelines to clarify boundaries, when they exist.

Three boundary problems of organized crime

A network approach has made advances on at least three boundary specification problems in organized crime. First, the social boundary problem, where the distinctions between the criminal and the social are typically hard to establish. Organized criminals don’t make it easy to identify clear boundaries between individuals involved in their criminal activities, and those who are material to the rest of their social lives. Walking that grey area between criminal and social associations is much easier with a network approach. It can account for the fact that relationships have multiple layers; it does not need to apply a permanent label on individuals, such as whether they are a member of the organization or not. Its focus is on relationships and the context of those relationships produces the sort of flexibility needed to accommodate complex (or “multiplex”) relationships.

Second is the group membership boundary problem: where do criminal organizations start, where do they end, and who is really a member? While it is tempting to rely on formal membership attribution data to study criminal organizations, it is often misleading. Members of criminal organizations interact with a variety of outsiders in both criminal and non-criminal contexts; constraining information to formal members would truncate their social worlds unnecessarily. With a network approach, patterns of interactions among criminals is the foundation for determining common membership to a recognizable social grouping. What network data and methods allow is to identify subgroups within criminal networks based on a clustering of interactions that is denser within the group than outside of it. The distinction between formal membership, and informal subgroup membership, then, becomes less salient. Members of network-based subgroups are those who interacted often enough with a set of individuals to belong in a group specifically with those individuals, and not others.

Third is the ethnic boundary problem, or the tendency to use ethnicity as a descriptor of a type of organized crime. A network approach illustrates clearly how 1) the effective boundaries of criminal organizations are first measured by social relations, not attributes like ethnicity; 2) Using relations as a starting point allows us to see the variety of ethnicities that particular organizations may have, while relying on ethnicity to follow membership would not allow diversity to enter, and 3) Organizations may be ethnically varied, but having its members still display a preference for connections to fellow members of their own ethnicity. A network approach allows us to make more theoretically and empirically sophisticated descriptions of the ethnic composition of organizations. It allows us to precisely describe not just members and how they cooperate within their own organization, but also – critically – outside of it.

BOUCHARD, MARTIN; BSC, MSC, PHD (MONTREAL); PROFESSOR

SOCIAL NETWORKS AND CRIME, SOCIAL AND CRIMINAL CAPITAL THEORY, CRIMINAL ACHIEVEMENT, CRIMINAL CAREERS, GANGETS, THE ORGANIZATION OF ILLEGAL MARKETS.

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BACKGROUND

Halfway houses (HH) are a form of community supervision and correctional programming that have become a staple intervention in recent years. HH are designed to reduce recidivism through the provision of services intended to address obstacles that are encountered by newly released offenders (e.g., employment, housing, prosocial networks, physical and mental health). Approaches can vary from site to site in terms of services, programming offered, and populations being served, but HH generally involve the following four elements: (a) temporary housing, (b) provision in a community-based residential facility, (c) around the clock supervision, and (d) services to assist with the transition from custody to the community. Despite their widespread use, much of the scholarship and evaluative evidence regarding the effectiveness of HH as a correctional intervention is weak (e.g., individual evaluations of disparate halfway house programs, methodological limitations) and/or outdated. Further, HH are often the focus of intense public and political opposition (Bonta & Motiuk, 1990; Costanza, Cox, & Kilburn, 2015; Doble & Lindsay, 2003; van Hirsch, 1976). To address the conflicting perspectives on HH, the current study provides a systematic review and meta-analysis of rigorous evaluation studies examining the effects of halfway houses on criminal recidivism.

METHODS

We conducted a systematic search of the literature to identify all empirical studies on halfway houses using three constructs: (1) crime, (2) evaluation, and (3) halfway house/day reporting center. The initial strategy used 45 search terms and produced a total of 5,980 studies obtained through the systematic search of 18 databases. Inclusion criteria (i.e., transitional program focus, halfway house as the primary sentence, experimental or quasi-experimental research design, appropriate comparison group, sample size minimum of 20 participants, quantitative outcome to allow for the calculation of an effect size) and exclusion criteria (i.e., juvenile population, specific offender populations [severe mental illness, sex offenders], publication prior to 1990) were applied to produce a final sample of 9 studies and 15 effect sizes.

An extensive coding scheme involving 78 variables was used to extract data from each of the included studies. Two reviewers shared the task of initial data extraction for each study, and two additional independent reviewers reviewed all coding for accuracy. Effect sizes were calculated as odds ratios, logged, and reverse-coded for ease of interpretation; values above 0 indicate that the halfway house had a beneficial impact on the treatment group (i.e., lower recidivism). Meta-analyses were implemented using both fixed effects and random effects models, and subgroup analyses were conducted on a set of 5 dichotomous study characteristics to explore potential sources of variability in the set of pooled studies (Deeks, Altman, & Bradburn, 2001). Further, we compared subgroups of effect sizes for separated outcomes of arrest, conviction, and incarceration.

RESULTS

Pooled meta-analytic results indicate that halfway houses are an effective correctional strategy for successful community reintegration (LOR = 0.236, z = 9.27, p < .001), suggesting that inmates who transition back into the community via HH are significantly less likely to recidivate compared with inmates released on standard parole and/or released from incarceration without support/supervision. Findings with respect to race/ethnicity suggest that while halfway houses are effective at reducing recidivism for Caucasian offenders, halfway houses that serve...
predominantly minority offenders have the opposite effect. Moderator analyses further suggest that HH have the strongest prevention effect when measured by rates of incarceration, followed by arrests. As intermediate sanctions are commonly criticized in terms of concern for public safety, this is an important finding for correctional policies since halfway houses appear to effectively deter/prevent subsequent arrests and/or the return to prison in comparison with parole and/or straight release. Perhaps contrary to common public perception, not only are offenders who are released to halfway houses overall less likely to recidivate, but halfway houses achieve the largest reductions in recidivism for incarceration (which represents, arguably, more serious crimes).

CONCLUSION

The current study contributes to a growing body of literature which demonstrates that community-based interventions are a promising correctional alternative in terms of controlling or reducing recidivism. Results also illustrate the importance of analyzing both program level and individual-level characteristics, and underlines the importance for future evaluations to report on key program characteristics and demographic information such as age, gender, and risk level, so that sub-group analyses can be used to investigate the relevance of program-level and individual-level characteristics in halfway house success. While it is evident that halfway houses are an effective re-entry/reintegration strategy, the ability to associate greater success with specific program approaches and models would greatly benefit the field by enabling the development of a model for evidence-based halfway house practices, and subsequently informing correctional policies for reintegration initiatives.

Figure 1. Meta-analysis of full set of nine independent effect sizes of studies examining the effect of halfway houses on recidivism. Note. LOs above 0 reflect a positive treatment impact favoring the halfway house group. LOG = log odds ratios.

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Unlike the US, where subpoenas and other legal mechanisms seeking confidential research information have occurred relatively regularly since the 1970s, the first researcher in Canada to experience a lawful attempt to divulge confidential research information was when a Vancouver coroner learned about SFU Criminology graduate student Russel Ogden's research on assisted suicide in Vancouver’s HIV/AIDS community. Ogden’s 1994 subpoena was the first time in Canada a researcher was ordered to divulge confidential information under threat of a charge of contempt of court. Three more subpoenas would follow in the early 2000s.

Since 2012, however, four cases have occurred in other provinces. Christine Bruckert and Collete Parent of the University of Ottawa Department of Criminology were served with a search warrant seeking tapes and records of their interview with Luka Magnotta, accused of a heinous murder, despite the fact the interview had been done five years prior to that murder and plenty of other evidence of his guilt existed from other sources. Next was Marie-Ève Maillé of the Université de Québec à Montréal, who had interviewed people living near wind turbines. When some of those people brought a class action suit against the turbine company, the Quebec AG subpoenaed her data. Then came Greta Bauer, Professor of Epidemiology and Biostatistics at Western University, who had conducted the first national survey of transgender youth. When the Montréal Centre for Gender Advocacy initiated a Charter case that would give transgender persons the right to change their gender on official documents, they asked Bauer to serve as an expert witness to discuss her finding that suicide rates were lower among those whose official documents reflected their lived identity. To aid its defence, the Quebec Attorney General subpoenaed her data. The next case involved Professor Anick Bérard and graduate student Takoua Boukhris from the Faculty of Pharmacy at the Université de Montréal. They examined data compiled by various Quebec Ministries showing a link between an anti-depressant produced by GlaxoSmithKline (GSK) and autism spectrum disorder. When a civil action in Delaware against GSK cited Bérard and Boukhris’ research, GSK subpoenaed their data.

Our article reviews these eight cases for the lessons to be learned from the role that researchers, REBs, university administrators and the courts played protecting -- or potentially undermining -- legal protections for research participants. We found that researchers have been the strongest link in the chain of protection. University administrators have been the weakest, even though the courts have consistently protected researcher-participant privilege. Fortunately, TCPS2 now requires universities to provide independent legal representation in cases when a lawful threat to research confidentiality occurs. As a result of the reluctance of many university administrators to remember the reason that universities exist, we are now campaigning for the creation of a statute-based protection similar to that enjoyed by Statistics Canada’s research participants and that are available in the United States for health and criminological research.
THE LEGAL REGULATION OF DRUGS AND ROLE OF GOVERNMENT: PERSPECTIVES FROM PEOPLE WHO USE DRUGS


HIGHLIGHTS

- The views of people who use drugs about legalized-regulated drug supply are diverse.
- People who use drugs support legalization of drugs, such as cocaine and heroin, but have concern over the role of government.
- Findings underscore the need for user involvement and equity in future drug law reform.

BACKGROUND

The legalization and regulation of currently illicit drugs has come to the forefront of drug policy debates in recent years, particularly in the context of cannabis legalization and the opioid crisis in North America. There are many different models of legal supply of drugs, such as the regulated supply of alcohol, tobacco, and (in several US states and Canada) cannabis, as well as the medical regulation of prescriptions drugs such as methadone. One key distinguishing regulatory feature of these legal supply models is the role of government – either as regulators of the product (through taxation, advertising, sales controls and so on) or as monopoly providers (as occurs with alcohol in a number of Canadian provinces and Nordic countries). Thoughtful, well-designed, and detailed legally regulated models for drug supply are challenging to develop. The expertise and knowledge required to design fit-for-purpose policy solutions does not solely reside with government, academic, or practice experts. Knowledge from areas outside illicit drugs, as well as citizen and lay expertise, has untapped potential for drug policy design. However, the voices and opinions of people who use drugs have generally been absent from drug law reform deliberations.

The opioid crisis in North America has fuelled debates for drug law reform, promoting drug policies which would give greater access to an alternative drug supply. People who use drugs have been on the forefront of much of this advocacy. Some scholars and advocates propose replacing the illicit opioid supply through the provision of legal opioid alternatives (i.e. hydromorphone, methadone). Despite appeals for reform, very little research exists, outside of the cannabis literature, on legally regulated drug markets. This study aimed to examine the views of people who use drugs and who are deeply impacted by drug policies to understand the perceived impacts and role of government under a legalized-regulated market.

METHODS

Utilizing qualitative research methods, four focus groups (range of 8–10 participants each, total N = 37), lasting 60−90 min in length, were held in March 2018 with people who use drugs aged over 18 years in Sydney, Australia. The focus group discussions were facilitated by a semi-structured question guide focusing on perceptions of current drug laws, drug law reform, and the impact of drug laws. The focus groups were digitally audio-recorded and later transcribed verbatim. Data were analyzed thematically by the authors. In each discussion, we noted substantial conversation took place about legalized drug markets, supply and/or regulation of drugs through various avenues (i.e. medical system). Themes relating to legalized markets and the regulation of drugs is the focus of this paper.
RESULTS

Three main themes pertaining to perspectives on regulated models of drug supply are presented: 1) views on regulatory features of legalized drug supply; 2) the role of government; 3) perceived impacts of drug regulation. Most participants supported various models of legalization, including medicalized access to drugs and a fully regulated market. However, the perspectives on these models were diverse. Despite their support, overriding participants’ views was skepticism over the government’s role in regulating a legal market and government corruption. As well as, most expressed concern for the personal agency of people who use drugs under a medically regulated drug supply model, given the domineering role of doctors and the government in people who use drugs’ lives – what was referred to as loco parentis. Some participants discussed the potential harms (e.g., increases in use and initiation), but emphasized the benefits (e.g., increases in quality and safety concerning overdose risk) from legal reform. Views also differed by type of drug. There were disagreements about a regulated approach to “ice” (crystal methamphetamine) in particular, as this drug was seen as more dangerous and harmful to society relative to other drugs such as cannabis or heroin.

“Anything that human beings consume has to have some measure of controls.
— ‘Stan’

DISCUSSION

While there was support for legal models of drug supply regulation, findings have major implications in terms of how governments and medical systems may perpetuate the oppression of people who use drugs through regulation. Rather than participants focusing on concerns over increasing harms or prevalence of drug use itself, much of the hesitation expressed by participants for legalized-regulated drug supply models rested in the recognized need for regulations and policies – yet, substantial concern about government. These sentiments arguably place people who use drugs in an impossible bind: on the one hand the illicit drug market is free from government control, while on the other it is subject to all of the vagaries (as identified by participants) regarding illegal supply, poor quality, and criminal justice sanctions. Conversely, the alternative of a legalized-regulated drug supply perforce engages government as the controlling hand. Given experiences of government control in the lives of people who use drugs historically, participants were unsurprisingly deeply suspicious about such models.

These findings have implications for contemporary debates regarding the regulation of drugs, including opioids and stimulants, in both Australia and Canada. The politics of regulation and the interests of government underscored the challenges people who use drugs face under current and potentially future drug policy models. We urge policymakers in future drug policy deliberations, especially in the context of the opioid crisis in North America, to include perspectives from the affected community – people who use drugs.
DISHING THE DEETS: HOW DARK-WEB USERS TEACH EACH OTHER ABOUT INTERNATIONAL DRUG SHIPMENTS


BACKGROUND

Cryptomarkets are online markets on the dark-web that allow vendors and buyers to stretch their business and drug habits globally while being anonymous. International trafficking of drugs enabled by the dark-web exploits the postal system for delivery and provides buyers and vendors with an international knowledge sharing network. Users readily share information on forums, cryptomarkets, and feedback pages to maximize their safety and success while conducting these drug transactions.

Our study provides evidence that the knowledge being shared on the dark-web is rich data law enforcement and governments need to use as intelligence to get ahead of criminals. Keeping knowledge out of the hands of the opposing party allows you to have the ability to hold them where you want them. In the case of this research, users of the dark-web are keeping law enforcement behind them in terms of knowledge on drug trafficking.

METHODOLOGY

Our goal of the study was to determine the extent of knowledge dark-web users are sharing. We collected data from two forums and one cryptomarket (N=71) and used purposive sampling to capture content specifically detailing techniques on how to ship drugs internationally and evade law enforcement. Aldridge and Askew’s (2017) research provided a starting list of keywords to identify discussions and comments that should be picked out for analysis. These keywords, along with an ensemble of additional original keywords, included: stealth, packaging, shipping, parcel, customs, borders, and mail.

RESULTS AND DISCUSSION

Comments collected were found to present themes surrounding stages of a dark-web transaction: activities before, during, and after the shipment. The words with the highest percentage of usage included: shipping, stealth, use, address, safe, and customs. Knowledge on packaging techniques to distract law enforcement from the true contents of the parcel was the most popular and emphasized topic in discussions about shipping and logistics. These findings supplement the theory that users are sharing knowledge on how to exploit the postal system and use the government’s infrastructure for their own profit. A key reason behind the postal system’s success in drug trafficking is the international connection it holds. Anonymously and seemingly undetectable, vendors and buyers can carry out their habits and business ventures on a global level; a global business educated by a global platform, the dark-web.

Through this research we found that although vendors and buyers do not have the obligation to warn each other about the risks associated with drug trafficking on the dark-web, for their community to function everyone must help their neighbor and have a shared goal – profiting, getting their product delivered, and all parties remaining safe. To this end, they teach each other strategies on packaging, addressing, and what (not) to do if a package is delayed or seized by law enforcement. For law enforcement to, at minimum, garner the same shared knowledge base as vendors and buyers, they need to establish transparent and unified goals among agencies. Paired with this intelligence, parcel targeting within postal facilities will then allow law enforcement to increase seizures and build their knowledge network; a network connecting vendors, buyers, drugs, and countries to packaging techniques.

BEST PAPER AWARD
IN THE KNOWLEDGE INNOVATION AND ENTREPRENEURIAL SYSTEMS TRACK AT THE HAWAII INTERNATIONAL CONFERENCE ON SYSTEM SCIENCES, HICSS 2020 CONFERENCE.
**DEPLOYING ARTIFICIAL INTELLIGENCE TO COMBAT DISINFORMATION WARFARE**


**BACKGROUND**

Cloud-based social media platforms have come under increasing scrutiny for permitting hostile foreign actors to manipulate public opinion through the creation of fake social media accounts that disseminate false information, often referred to as “fake news”. This false information, or fake news, can be broken down into two broader categories: misinformation and disinformation. The less sinister of the two, misinformation, is simply inaccurate or false information. Misinformation may be based upon a genuine misapprehension of the facts, as opposed to having been created with any particular intention of deceiving or manipulating people. Disinformation, on the other hand, especially when employed by hostile foreign actors, is information that is created and spread intentionally, for the express purpose of deception and manipulation of public opinion. The activities of Russia’s IRA during the 2016 U.S. Presidential election would be a prime example of a disinformation campaign mounted by a hostile foreign actor. Our analysis of “fake news” messages posted by the Internet Research Agency (IRA), before, during and after the 2016 U.S. Presidential election.

**RESEARCH TOOLS AND DATA ANALYSIS**

This paper reports on the interim results of an ongoing research project that was sponsored by the Canadian government’s Cyber Security Directorate. The research is being conducted by the International CyberCrime Research Centre (ICCRC) at Simon Fraser University (Canada), in cooperation with the Department of Information and Computer Sciences at the University of Strathclyde (Scotland).

Our ultimate objective is the development of a “critical content toolkit,” which will mobilize artificial intelligence to identify hostile disinformation activities in “near-real-time.” Employing the ICCRC’s Dark Crawler, Strathclyde’s Posit Toolkit, Google Brain’s TensorFlow, plus SentiStrength and a short-text classification program known as LibShortText, we have analyzed a wide sample of social media posts that exemplify the “fake news” that was disseminated by Russia’s Internet Research Agency, comparing them to “real news” posts in order to develop an automated means of classification.

**RESULTS**

To date, we have been able to classify posts as “real news” or “fake news” with an accuracy rate of 90.7%, 90.12%, 89.5%, and 74.26% using LibShortText, Posit, TensorFlow and SentiStrength respectively. The findings of our qualitative textual analysis using NVivo (Qualitative Data Analysis Software) for the first 1,250 messages that appeared in the set of 2,500 randomly sampled “fake news” tweets posted by the Russian IRA strongly support the oft-reported conclusion that these Twitter feeds were intended to buttress the Presidential campaign of Donald Trump, and to stoke dissension, distrust, anger and fear in the American voting populace.

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BACKGROUND

Colonialism has had a devastating impact on Indigenous peoples (of many Nations and communities) who live within Canada’s borders. Before contact, Indigenous peoples had their own ways of responding to wrongdoing. For instance, on the northwest coast the potlatch system served as the centre of social and political life. However, these systems have been repressed by colonial forces and imposed governance systems. The Canadian government dispossessed Indigenous peoples of their land, rights and sovereignty. De-colonization involves taking steps to reclaim our rightful place in the world as sovereign Nations capable of governing ourselves.

This article focuses on the Haida Nation and examines potential avenues for the formation of a Haida Justice System (HJS). The framework of impacts of imposed systems was utilized in order to explain and set the stage for participants visions of a HJS.

During the process of conducting this research I learned that justice in the Haida language is Tll Yahda, which translates to “make things right,” this translation is exemplary of the difference between Haida perception of the world and western.

METHODS

There is a long history of academics taking advantage of Indigenous communities for their own benefit resulting in a well-founded mistrust of academic research. However, Indigenous researchers are taking steps to reclaim research. The present project was a step toward decolonizing research and finding space for my work within academia. Semi-structured interviews were conducted with a purposively chosen diverse group of Haida people who shared their insights into visions of a HJS.

The guiding research questions included: What does justice mean to Haida people? What do Haida people envision in terms of Haida justice? What could some potential first steps be towards implementing Haida justice?

FINDINGS

After intensive analysis four main themes emerged: (1) culture is keeping us from collapsing under the weight of colonial oppression; (2) Haida law, values and ways of being; (3) Old ways of doing justice and, (4) Visions of Tll Yahda (Haida justice).

This study provides an examination of the strengthening of Haida culture, values and law that have laid the groundwork for the reformation of Haida Tll Yahda. Results demonstrate the importance of accountability, witnesses, potlatch, culture and resolution.

Haida perception of justice is inclusive of holding Canada accountable for the historical and ongoing harm it causes Haida peoples. The trauma Haida people have been continually subject to manifests in criminal activity, physical and sexual abuse, mental health issues, poverty and addiction. A vicious cycle of traumatic experiences that began with colonialism and has continued to inflict trauma on Indigenous peoples through their criminalization.

NEXT STEPS

Recommendations from this project are currently being utilized to further this research through the author’s Master’s thesis. Her thesis will examine the structures, supports and practical steps that need to be in place to support a Haida Tll Yahda system.

MCGUIRE, MICHAELA (JAAD GUDGHIJIWAH)

Michaela McGuire (Jaad Gudghiljiwah) is a Master’s student in the School of Criminology at SFU. Michaela’s ancestry is Haida, Ojibwe, British and Irish- she considers herself a Haida citizen first and foremost. Michaela utilizes her positionality by situating herself within her academic work. Her research interests include Haida justice, decolonization, Haida identity, Indigenous rights and sovereignty, self-governance, Indigenous women and corrections. Michaela spends her time living on Haida Gwaii walking amongst the same forests and beaches her ancestors did, while dreaming of a future free from colonial control.
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