

# Rules of engagement: criminology and criminal justice policy

**Todd Clear and Natasha Frost discuss the role of criminology, criminologists and professional organisations in the formation of criminal justice policy in the US.**

Many criminologists bemoan the fact that mainstream research seems to have so little influence on the construction of criminal justice policies. Looking to address this problem, in 2001, the American Society of Criminology launched a new journal, *Criminology and Public Policy (CPP)*. The mission of the journal was to bridge the gap between criminological research and criminal justice policy. Between 2001 and 2007, we served as founding editors of the journal. In this essay, we discuss some of what we learned in our term as editors, and we reflect on the general problem of criminological influence on crime and justice policy.

Through the journal, we sought to increase the relevance of criminological research findings to criminal justice policy initiatives in America.

Our strategy for the journal involved four components. First, we asked authors to be concise, and we provided summaries of the papers that were purposely quite short and readable. Second, we asked for commentaries on the papers, so that policy makers could read why 'experts' found the work useful. Third, we got the research into the hands of policy makers through widespread, targeted, free distribution of each issue. Fourth, we sought to stimulate media coverage through public relations dissemination.

In hindsight, we can say that our approach was naïve. On the

practicalities of getting media interest in the work, we learned, for example, that empirical research findings in criminology and criminal justice are typically couched in the kind of cautionary terms that make the media discount the findings. Likewise, the findings themselves are often so nuanced that to encapsulate them in media-friendly terms requires an uncomfortable process of 'watering-it-down'. The findings are thus often 'hard to sell' because they are hard to package. While we still are of a mind that to influence policy, criminology must find a way to penetrate the media, we have become more realistic about the sea change that will require in criminological style.

Drawing on these experiences, for our final issue of CPP, we commissioned 27 short, policy-focused, essays in which leading criminologists argued for a particular policy for which there was sufficient evidence to support widespread adoption of that policy. These were not empirical papers—they were policy essays written by experts in the field who relied on bodies of criminological research to support their concise arguments. In this issue, the essays were packaged in a manner that was friendly to the policy making target audience. In conjunction with the release of this special issue, we ran a number of special sessions at the American Society of Criminology's (ASC) annual meeting in Atlanta, Georgia.

The November 2007 issue was our proverbial last stand, and the only issue for which we can claim notable success. We have early anecdotal evidence that suggests that some of the proposed policy initiatives are being seriously considered for implementation. For example, the earned-discharge parole model that Joan Petersilia (2007) argued for has been adopted by the California Department of Corrections and Rehabilitation. The ASC sessions we hosted were among the most well attended at the conference and drew eclectic audiences. More importantly, the sessions were appreciated by academicians, media affiliates, and the policy making audience alike. Following the conference, the National Institute of Justice, the National Governors Association, and the Jerry Lee Center for Criminology each sought to purchase copies of the issue in bulk so that they could get the policy proposals into the hands of those who might benefit most.

We have since begun to think more systematically about ways in which criminology (and criminologists) might seek to impact public policy. This thinking has been stimulated, in part, by questions about the role that professional societies (such as the American, British, or European Societies of Criminology) should take regarding matters of criminal justice policy both locally and nationally. Should professional criminological societies such as these make it their business to influence crime policy? Might they even take official positions on policy issues?

As we see it, the challenges confronting criminologists are how to write in ways that will make research more accessible to non-experts, how to approach dissemination so that scholarly work has maximum impact, and how to engage most effectively in the policy making process without compromising scholarly integrity. The questions facing their professional associations and organisations appear to be more fundamental and involve debates around whether to engage in policy-related work at all.

What can professional organisations do, what ought they do, and how might they go about doing it?

Within that context, we offer a few questions for consideration:

- If criminological groups move to take on a policy agenda, how do they think about themselves from a policy framework? What ought to be the philosophy of engaging questions of policy?
- To the extent that it does anything, what ought to be an organisation's overriding values, balancing the need for respect of minority opinion with a desire to take uniform action?
- Is there a hierarchy of policy arenas? For example, is an organisation's role in commenting on, say, federal research policy in America or devolved government policy in the UK different than its role in commenting on, say, proposed national legislative enactments?
- Are there forbidden areas where professional organisations ought to draw a line that is never crossed? And what would the rationale be for a hard line in the sand?
- How do professional organisations engage their memberships in a discussion of these issues, and given a desire to do so, how do they move forward?

These questions do not have simple answers. In the US, professional organisations cannot lobby without forfeiting their tax-exempt status. But that leaves a lot of territory unexplored, and several recent developments have made the need for discussion of these questions more pressing than ever.

The American Society of Criminology (ASC) has formed an ad hoc committee on justice policy to consider these and related questions, and no doubt other professional organisations are also struggling with them. In the US context, there are a number of situations that might arise where professional organisations could conceivably inform developments in the area of policy.

Criminologists and their professional organisations might seek to influence relevant government entities that develop the budgets for the various research agencies. They might develop a position as to what ought (or ought not) be funding priorities of these agencies. They might take a position as to what qualifications those in leadership positions at such agencies should have.

Organisations might also consider taking a position on controversies in criminal justice for which there is already a strong evidentiary foundation to support such a position—topics that might illustrate this range from the death penalty, boot camps, and mandatory sentencing to police recruit qualifications and racial profiling of street crime.

These organisations might issue occasional comment on legislation or initiatives at the federal and state level or on influential, yet methodologically suspect, work that is being improperly used publicly to promote particular crime and justice policies.

There have been some steps toward taking positions on various issues and in various contexts. The ad hoc policy committee of the ASC periodically issues reports on policy issues, but these reports do not reflect official positions of the organisation. In November 1989, the ASC issued an official position on the death penalty. The ASC's official position on the death penalty stood as the only official policy statement for almost two decades until the ASC board, in Atlanta last November (2007), took a public position critical of irresponsible use of Uniform Crime Report data in journalism about 'the nation's most unsafe cities'.

Chatter among criminologists is growing. In the US, there has been extensive and often critical discussion of the unwillingness of the criminological societies to take positions on pressing (and, many argue, moral) issues of crime and justice policy. Silence is seen by some as condoning the policy or, at the very least, failing to contest it with a strong and potentially influential voice. Yet there are equally strong pressures to preserve scientific neutrality on matters of crime politics when professional

societies are composed primarily of academicians who are protective of their academic freedom.

As the debate unfolds about professional societies and crime policy, the aim must be to clarify the boundaries of what can and cannot be

done and to identify strategies for bringing the best available research to bear on the public agenda about crime. ■

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