

FROM THE DIRECTOR'S DESK

At CJRC, congratulations are in order on a couple of fronts. First, congratulations and thanks to David Jacobs (Sociology) and Stephanie Kent (Sociology) for their January 9th presentation on the role of public opinion and politics in determining adherence to the death penalty. Their discussion of the historical determinants of executions in the United States was both interesting and timely, as use of the death penalty has become an increasingly controversial matter in the U.S. Dave and Stephanie's findings are based on a national time-series analysis of how public opinion, political partisanship, civil rights protests and related political factors affected executions during our recent history. Their results support the view that it is important to take a political approach in trying to understand U.S. adherence to the death penalty. They also report that public opinion is important but at the local rather than the national level. Their intriguing discussion led to interesting questions regarding the utility of a national rather than a state-level approach, the types of political variables that must be modeled to fully understand the role of politics in the death penalty, and the degree to which public support for the death penalty varies. Thanks again Dave and Stephanie for a very stimulating presentation.

Congratulations are also in order to Joshua Dressler (Law) and Douglas Berman (Law). In a reception held at the Moritz College of Law last Tuesday (January 20, 2004), they celebrated the publication of the first issue of the Ohio State Criminal Law Journal (OSCLJ). Guests from around the University as well as members of the local judiciary and the local bar were on hand for the unveiling of Volume 1-Issue 1 entitled "Reflections on the Criminal Justice System After September 11, 2001." Future volumes are planned on "Criminal Law and Policing Corporate Conduct," "Capital Juries," and "Criminal Responsibility." From CJRC's point of view, two additional features of OSCLJ are noteworthy: (1) future issues will feature our premier Walter C. Reckless Memorial Lectures; and (2) the editors are receptive to writings by both law professors and social scientists. This latter feature is quite evident in the diversity of works in the current volume. Please, visit their web page for more information on the journal: <http://moritzlaw.osu.edu/osjcl/symposium.html>.

Looking forward, below you will note our remaining events for Winter Quarter. We are also in the process of finalizing the seminar schedule for Spring Quarter and will have that to you soon. So, please stay tuned.

UPCOMING EVENTS OF INTEREST

Please join us for the January 30th CJRC seminar this Friday. Coffee, juice, bagels, and doughnuts will be served.

Friday, January 30, 2004, 9:00-10:30, Journalism Building, Room 106, Walter DeKeseredy, Professor of Sociology, Ohio University, will present "Understanding Separation/Divorce Sexual Assault in Rural Communities: The Contributions of an Exploratory Ohio Study."

***Please also mark the following additional dates for CJRC's 2003-2004 Seminar Series and other notable events on your calendar:

Friday, February 20, 2004, 9:00-10:30, Journalism Building, Room 106, Paula C. Johnson, Professor, College of Law, Syracuse University, will discuss her research on African American women in prison. Stay tuned for the official title of her talk.

Wednesday, April 14, 2004, Marc Mauer, Assistant Director of The Sentencing Project, will be the 2004 Reckless Lecturer. Additional information on the topic, time, and place of this event will be

reported in future issues of CJRC News.

Tuesday, April 20, 2004, the Ohio Department of Rehabilitation and Correction's 7th Ohio Criminal Justice Research Conference will be held at the Holiday Inn East in Columbus. (See also the section on "Calls for Papers" below.)

Spring Seminars: Please mark your calendars for Thursday, May 13th from 3:30 to 5 p.m., when Stephen Levitt of the University of Chicago will be presenting his research on crack cocaine. The talk is cosponsored by the CJRC and the Department of Economics. Title and location are forthcoming, as are details on the rest of the CJRC Spring Seminar Series.

WHAT CENTER PARTICIPANTS ARE DOING

Professor Walter DeKeseredy (Sociology, Ohio University) has a timely upcoming publication with Shahid Alvi and Martin D. Schwartz entitled: "Curbing Woman Abuse and Poverty: Is 'Wedfare' the Cure?" This article will appear in *Violence Against Women* (2004, in press). As noted above, Walter will also be in Columbus to present related research as a part of our CJRC Seminar Series on January 30th.

Brandy Ethridge (Sociology) reports that she will be presenting her paper entitled, "Perceived Risk of Victimization: A Race Interaction Model" at the Population Association of America conference to be held in Boston in April of this year.

Victor Streib (Law, Ohio Northern University) has several upcoming publications related to his death penalty work. These publications are, "Standing Between the Child and the Executioner: The Special Role of Defense Counsel in Juvenile Death Penalty Cases," 31 *American Journal of Criminal Law* (2004, in press, page forthcoming); "Would You Lie to Save Your Client's Life?: Ethics and Effectiveness in Defending Against Death," 42 *Brandeis Law Review* (2003, in press, page forthcoming); and "Adolescence, Mental Retardation, and the Death Penalty: The Siren Call of *Atkins v. Virginia*," 33 *New Mexico Law Review* (2003, in press, page forthcoming).

CALL FOR PAPERS

As noted above, the Ohio Department of Rehabilitation and Correction would like to invite all Criminal Justice Scholars to present papers at the 7th Ohio Criminal Justice Research Conference which is to be held on April 20, 2004, at the Holiday Inn East in Columbus, Ohio. The program consists of several areas, which include Corrections, Juvenile Justice, Community Corrections, Policing, Sentencing and Courts, and Mental Health in Criminal Justice. Abstracts should not exceed 150 words, and should be submitted to: Kelly Ward, Ohio Department of Rehabilitation and Correction, Bureau of Planning and Evaluation, 1050 Freeway Drive North, Columbus, Ohio 43229, or kelly.ward@odrc.state.oh.us. Please see the conference website at <http://www.drc.state.oh.us/web/conference.htm> for more details.

***Please note: Since she would like to track CJRC participation, Ruth asks that you also notify her if you are submitting an abstract for the conference. Her e-mail address is peterson.5@sociology.osu.edu.

Deadline: February 20, 2004

In addition, the Ohio Department of Rehabilitation and Correction is pleased to announce its Graduate

Student Paper Award in conjunction with the 7th Ohio Criminal Justice Research Conference. Any student enrolled in an academic program at the graduate level is invited to participate. Only papers authored by a single student will be accepted. Papers may be conceptual and/or empirical, but must be directly related to criminal justice issues. Papers must be typewritten, double-spaced, with a maximum length of 15 pages of text. Students who receive awards will present their papers at the conference on April 20, 2004 at the Holiday Inn East in Columbus, Ohio. For additional information on the procedures for submission, please see the conference website at <http://www.drc.state.oh.us/web/conference.htm>. Submissions should be sent to: Kelly Ward, Ohio Department of Rehabilitation and Correction, Bureau of Planning and Evaluation, 1050 Freeway Drive North, Columbus, Ohio 43229. Deadline: Papers must be postmarked on or before January 30, 2004. Notification of Awards: Winners will be notified in writing by February 20, 2004.

The Journal of Ethnicity in Criminal Justice invites submissions for a special issue on "Minority Youths, Delinquency, and Juvenile Justice." Manuscripts are to be 15-20 pages in length. Submissions and inquiries should be directed to Dr. Becky L. Tatum, Department of Criminal Justice, Grambling State University, Grambling, Louisiana 71245; e-mail: tatumb@aol.com; telephone: 318-274-2526; fax: 318-274-3101. Deadline: March 1, 2004

The editors of Law and Social Inquiry announce a competition for the best journal-length paper in the field of sociological studies written by a graduate or law student. The winning paper will be published in Law and Social Inquiry, and the author will receive a cash prize of \$500. For information, contact: The Editors, Law and Social Inquiry, American Bar Foundation, 750 N. Lake Shore Dr., Chicago, IL 60611. Deadline: March 1, 2004

The Journal of Contemporary Criminal Justice has two upcoming special issues with special themes that may be of interest to CJRC participants. The theme of the February 2005 issue is "Collateral Consequences of Criminal Sanctions." Topics that may be addressed include those related to restrictions on the employment, education, housing, immigration status, political participation, and/or family rights of those convicted of felonies. Inquiries should be directed to Christopher Uggen, JCCJ Guest Editor, via e-mail (uggen001@umn.edu) or telephone (612-624-4016). Manuscripts are limited to 30 pages. The theme of the May 2005 issue is "Why Study Youth Gangs?" Submissions are encouraged on the theoretical significance of studying gangs, definitional issues, and research methodology, as well as empirical finding and interpretations. Inquiries for this issue should be addressed to James F. Short, JCCJ Guest Editor, via e-mail (short@wsu.edu) or telephone (509-335-4707). Manuscripts are limited to 25 pages. Deadlines:
Collateral Consequences Issue: April 15, 2004
Youth Gangs Issue: September 15, 2004

Criminal Justice Studies: A Critical Journal of Crime, Law and Society, encourages submissions for its special issue on "Native Americans and the U.S. Criminal Justice System." Manuscripts should not revisit old themes, but must make a new contribution to the understanding of Native Americans in the grasp of the U.S. criminal justice system. Manuscripts may not exceed 30 pages in length. For additional information, please contact the co-editors, David V. Baker, Behavioral Sciences Department, Riverside Community College, e-mail: David.Baker@rcc.edu, and telephone: (909) 222-8208; and Donald E. Green, Department of Sociology, University of Wisconsin-Milwaukee, e-mail: dgreen@uwm.edu and telephone: (414) 229-4259. Deadline: August, 2004

FEATURED PARTICIPANT - JOSHUA DRESSLER

Professor Joshua Dressler was born in New York, where his father served as State Chief of Parole. At age 4, he moved with his family to California, where his father, David Dressler, accepted a position as a professor of sociology and criminology at California State University--Long Beach. Joshua now considers himself a native Californian, and a visit to his bright office in Drinko Hall, with its many mementos of that state, is a welcome respite from the Ohio winter.

His interests in criminal law and criminal justice grew from his observation of (and fascination with) his father's work. After receiving his B.A. in political science from U.C.L.A. in 1968, he applied to U.C.L.A.'s law school. He simultaneously applied for conscientious objector status to the ongoing war in Vietnam, which was granted, but required a 2-year commitment to public service. This delayed his studies, but proved fortuitous in other ways, as he met his future wife, Dottie, while serving as an orderly in a hospital in Los Angeles. After fulfilling his public service requirement, he entered law school at U.C.L.A. in 1970, and received his J.D. in 1973.

Yet another unexpected delay brought about his career as a law professor. After clerking for a justice in the California Court of Appeals, Joshua was offered a position in the Los Angeles Public Defender's office. However, before he could accept the position, a hiring freeze was implemented. While he waited for a thaw, he took a temporary teaching position at San Fernando Valley College of Law, and fell in love with teaching. By the time the freeze ended, he no longer wanted the public defender position.

Over the years, he has shepherded law students as a professor at Hamline University, Wayne State, and McGeorge School of Law at the University of the Pacific, and as a visiting professor at many institutions (most recently, The University of Michigan). However, his impact on criminal law theory extends much further. His texts and casebooks are extensively used in law schools throughout the U.S., and he is a well-known expert in the field of criminal law. In particular, his *Understanding Criminal Law* text is an indispensable and highly readable explication of current issues in the field.

In 2001, he was lured to Ohio State's Moritz College of Law by his friends (and CJRC faculty affiliates) Sharon Davies and Alan Michaels, and is pleased to now be a part of Ohio State's strong and vibrant criminal law program. With the help and support of his colleagues, he recently initiated the *Ohio State Journal of Criminal Law*, an interdisciplinary journal intended to further scholarship in the area of crime and criminal justice (to which he encourages submissions from CJRC affiliates; for further information, please visit the web site at <http://moritzlaw.osu.edu/osjcl/submissions.html>).

Joshua's texts and casebooks are necessarily comprehensive; however, his research interests center on moral issues related to criminal law. One particularly interesting issue that he has addressed is the distinction between "justification" and "excuse" defenses to crime, which was first put forth by legal scholar George Fletcher. Joshua notes that this distinction is critical to legal policy and decision making. "Justifiable" conduct is conduct we deem to be morally proper or permissible, while we "excuse" one whose conduct is morally inappropriate, but the wrongdoer is blameless. An example of justifiable conduct is killing in self-defense. An example of a (partial) excuse is the "heat of passion" defense (which is often used when a person kills after catching a cheating spouse in flagrante).

As an example of a situation in which the distinction is often misapplied, Joshua cites a case in which a battered woman kills her sleeping husband. While a defense attorney might argue "self-defense," is her behavior really justifiable, or instead excusable? Her husband, while sleeping, did not pose an immediate threat to which she was responding in self-defense. On the other hand, given her circumstances, we may find her behavior, though morally wrong, to be excusable. If this distinction is

ignored, a legal decision may serve as an inaccurate and confusing compass for future behavior.

After taking up the banner from Fletcher on this issue, Joshua is gratified to see signs that the distinction is slowly percolating through the consciousness of the legal profession. His hope is that knowledge of this distinction will come to inform attorneys' court arguments, and judges' decisions, so that the law on this point clearly reflects intentions and society's expectations for moral behavior.

In addition to his teaching and publishing, Joshua is also occasionally called in to advise on specific criminal cases. One such case was the Oklahoma City bombing case, in which he was consulted regarding the viability of potential defenses.

Joshua has successfully united his avocation with his vocation through his work in criminal law. However, he is an ever-hopeful Dodgers fan, and enjoys the theater and biographies of figures as diverse as Justice John Harlan, Sandy Koufax (to whom he dedicated one of his books because Koufax refused to pitch a World Series game on Yom Kippur), and Winston Churchill.

CREDITS AND CONTACT

Thanks to all of you who sent your suggestions and announcements. We encourage you to keep us informed about any events that might be of interest to CJRC participants as well as any suggestions that you have for activities or programs. To contact the newsletter editor, please e-mail Lori at muccino.1@osu.edu. If you would like to be added to our mailing list, please send Lori your e-mail address.