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On: 05 December 2011, At: 10:38

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



## Journal of Criminal Justice Education

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rcje20>

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Available online: 26 Sep 2008

To cite this article: Robert M. Bohm (2008): Bruce Smith, Sr Award Recipient Address: Low-Probability Nonlinear Events Over the Life Course of a Criminologist, *Journal of Criminal Justice Education*, 19:2, 146-154

To link to this article: <http://dx.doi.org/10.1080/10511250802137168>

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# Bruce Smith, Sr Award Recipient Address: Low-Probability Nonlinear Events Over the Life Course of a Criminologist

*Robert M. Bohm*

In chaos theory, low-probability nonlinear events refer to seemingly random, unpredictable occurrences that ultimately form a complex pattern. I have divided my presentation into discrete events that together illustrate the "Butterfly Effect," which in chaos theory refers to the "sensitive dependence on initial conditions." The events that I describe are only some of the conditions that have contributed to the overall pattern of my academic career and life. Chaos theory teaches us that small and what may seem like insignificant events can have a tremendous impact on the trajectory of a life course.

## Event 1: "The Big Five"

Throughout high school in Kansas City, MO, where I grew up, I ran with a group of guys; we called ourselves "The Big Five." We played a lot of poker and gambled on a lot of other things. We played sports together and on many weekends we would take our dates to the "Boom Boom Room," where we would dance to soul music. We also did a lot of stupid things.

When we were 16, one of my friends concocted a plan to burglarize a grocery store. He had discovered that behind this grocery store was a wire-fenced enclosure where hundreds, perhaps thousands, of empty soda bottles were kept until they could be recycled. In those days, buying bottles of soda required a 2-cent deposit, which was refunded when you returned the bottles. My friends decided that, late on a Saturday night, we would take wire cutters and break into the enclosure and steal as many bottles as we could load into the trunks of our parents' cars. We would then return the bottles to grocery stores around the city and collect the deposits. I remember not being in favor of the plan, but I probably would have gone along with it.

In any event, the fateful night arrived and my friends organized to pull off the caper. However, on the night that was chosen, I had a date and did not accompany

them. The police caught my friends in the act; they were arrested and booked into the jail. Their parents were called to come to the police station. Fortunately for my friends, the grocery store declined to press charges and my friends were released. Had they not come from middle- and upper-middle-class families, the results may have been different. In any event, the probability of my having a date that night and not being part of the burglary was not very high.

### Event 2: 321

On December 1, 1969, the United States Selective Service System held its first draft lottery since 1942. I was a sophomore at the University of Texas at the time and adamantly opposed to the Vietnam War. Needless to say, it was a tense time for all draft-eligible men. Having your number called meant there was a great chance that you would be going to Vietnam. More liquor was sold that day in Austin than had ever been sold on any single day in that city before. I remember sitting in front of the television set with my friends as balls with numbers on them were pulled from the tumbler. I cannot tell you the relief I felt when my birthday, May 8, was matched with number 321—a number that made me safe. The army only called numbers up to 195 in that draft. I can only imagine how my life would have been different had I been drafted and sent to Vietnam. That is, assuming that I came back alive. The probability of my not receiving a draft-eligible number was less than 50 percent.

### Event 3: The 39th St Phantasmagoria and Pinball Emporium

When I graduated from college with a degree in psychology, I went to work for a friend of my Dad's managing K.C. Auto Sound—an after-market automobile stereo and radio business. We also sold eight-track tapes. On the wholesale side of the business, I had to deal with disgusting car salesmen and, on the retail side, the company frequently employed bait-and-switch advertising, which I also found disgusting. I hated the job and quit after 7 months.

Out of a job, I began noticing that at a 7-11 convenience store on the corner of the block where my apartment was located, kids, mostly from the junior high and high school in the area, congregated for hours in the afternoon and evening. Clearly, they had nothing better to do. On the same block, an empty storefront was for rent. I had an idea; I would open a "pinball arcade." I contacted the storefront's rental agent, and he was willing to rent it to me for \$200 a month on a month-to-month lease. That was a good deal because I only had a few hundred dollars to my name. I then contacted an amusement company that for half the income was willing to supply, service and rotate the machines I needed. They supplied me with coin-operated pool tables, foosball tables, an air hockey table, and a variety of pinball machines. I decorated the walls of the storefront with posters of rock-and-roll bands, which I had accumulated during my time

working at K.C. Auto Sound. (They came with the eight-track tapes.) I had the name of the arcade painted on the huge windows on the storefront: "The 39th Street Phantasmagoria and Pinball Emporium." As I had suspected, many of the kids loitering in the 7-11 parking lot migrated to the arcade. I made money from the first day I opened the door of the arcade. I made enough money that after 2 weeks I was able to hire a manager. One day a 6-foot 5-inch, 265-pound black man by the name of Errol Brown came in and asked me for a job. I told him I could only pay minimum wage. He told me he had asthma and could not do heavy labor, so a job making change and keeping order was just what he wanted. He was very good at his job. With Errol running the arcade, I could come and go as I pleased and only had to be there for about an hour a couple of days a week after closing to empty the machines with the owners of the amusement company and count quarters—lots of quarters. It was a sweet deal. The probability of the arcade being such a huge success from the beginning and Errol wandering into the arcade looking for a job had to be very low.

About a year and a half after I opened the arcade, I was given 30 days' notice that my lease would not be renewed. Thirty days' notice was all that was legally required. The problem was that the arcade was in a transitional area of the city and the young clientele that I drew scared the elderly people living in the area. I had no recourse but to close the arcade. The probability of having to close the arcade after just a year and a half could not have been very high but, on the other hand, I probably was unlikely to own and operate a pinball arcade for the rest of my life.

#### Event 4: Linda

No doubt the least probable thing that has ever happened to me occurred one night during the summer of 1974. My best friend had a law school buddy of his in town visiting, so the three of us went out clubbing. It was late that evening when we stopped at Dinkledorf's Deli to get a bite to eat. My college roommate was manager of the deli. He was sitting outside on the patio with several girls who he was treating to free beer. As we approached their table, I saw that one of the girls was a beautiful redhead. I immediately sat down beside her and struck up a conversation. (I have always been shy.) Her name was Linda. To make a long story short, we hit it off immediately and have been together ever since—now 34 years. If it was not for Linda, I probably would not be standing before you today. She has played the biggest role in any successes I have achieved during the last 34 years.

#### Event 5: The Jail

When the pinball arcade was closed, I was out of a job again, so I took a civil service exam. The first interview I received was for a guard's job at the Jackson

County Missouri jail in downtown Kansas City. I was hired on the spot. I did not know then that they were desperate for guards and felt very lucky they could get one with a college degree. Shortly after taking the job, the name of the jail changed to the Jackson County Department of Corrections, and I became a correctional officer. It was a very interesting and sometimes exciting job. I was exposed to a side of life that was entirely new to me. What were the odds that my first, and what turned out to be my only, job interview after taking the civil service exam would be at the jail?

About 7 months later, the department received a Law Enforcement Assistance Administration grant to create a pilot work release project called "The Model Inmate Employment Program." The grant called for an instructor/counselor position whose duties were to create a two-week motivational program and counsel inmates who, after completion of the program, would be released into the community to work during the day and return to the jail at night until they completed their sentences or program participation was revoked. Because I had a degree in psychology (albeit an undergraduate degree), I was asked if I would be interested in the job. What were the chances of that? Ready for a new challenge, I accepted the position without having any idea of what I was going to do. I went to the public library across the street from the jail and began reading material that I could use to create my motivational program. I found two books that would provide the foundation for the program. The first was Abraham Maslow's *Motivation and Personality*, and the second was Seymour Halleck's *Psychiatry and the Dilemmas of Crime*. Of all the books I could have read, what were the chances that I would read those two books? In any event, I ran the program for about a year and a half. My experience was both challenging and rewarding. I hope I did some good; hopefully, I did no harm.

### Event 6: Pursuing a Masters Degree

While working at the jail, I was able to go back to school. The jail's Director was willing to allow me to work around my class schedule. What were the chances of that? In addition, the Law Enforcement Assistance Administration had created the LEEP program that provided loans to in-service criminal justice personnel to further their education. Twenty-five percent of the loan would be forgiven for each year a person worked in criminal justice, which included teaching in criminal justice programs—something I was not contemplating at that point. My plan was to get a masters degree in secondary education so I could teach psychology and sociology in a high school. What I really wanted to do was coach high school football, basketball and baseball. The probability that federal money would be available at that time for criminal justice personnel pursuing their educations could not have been high.

In any event, I was accepted into the secondary education program at the University of Missouri at Kansas City. I had to take several sociology courses and, because I was working at the jail, I decided to take a class on the sociology

of crime. I enjoyed the class and found it interesting. I was always interested in human behavior (as a psychology major) and criminal behavior was a natural extension. After class one day I was talking with my professor, Tom Carroll, and I mentioned my plans. He told me that if I was interested in teaching I should think about getting my PhD and teaching at a university. The thought had never crossed my mind. That I happened to take the sociology of crime class and have the important conversation with my professor had to be low-probability events.

### Event 7: Going to FSU

Since I could continue my education with LEEP money, and the Jail Director was willing to give me an unpaid leave of absence from the jail to pursue a PhD (again, what were the chances of that?), I began investigating criminology and criminal justice programs. At the time, there were only a handful of them. One was at the University of California at Berkeley, to which I applied and received a nice letter stating that they were no longer accepting students because the program was being discontinued. What were the odds that then Governor Ronald Reagan would shut down the criminology doctoral program at Berkeley? In any event, other universities with criminal justice or criminology doctoral programs were John Jay, the State University of New York at Albany, and Michigan State—all of which were in locations that had bitterly cold winters, something with which I no longer cared to deal. Another was Sam Houston State, but Huntsville, Texas did not seem like a place I wanted to spend several years. Finally, there was Florida State University, which, on a map, was only about a quarter of an inch from the beach. I had never been to Florida, but, in 1976, that is where I went. There certainly was no guarantee that I would apply and be accepted into FSU's doctoral program in criminology. According to the FSU catalog, the only requirements for a PhD in criminology were a minimum of three quarters of course work and the successful completion of a dissertation. I figured that it should not take me more than a year and a half to earn my PhD. What I did not know then was the three quarters of course work was the minimum for people with a master's degree in criminology or criminal justice. I had neither. Four long years later, I received my degree.

### Event 8: JSU

The year before I received my PhD, I left FSU ABD. I had received three job offers for the fall semester 1979, after interviewing the previous fall at an ASC meeting. The going rate for a newly minted PhD in 1979 was about \$15,000, but I did not have a PhD. Nevertheless, Tom Barker, Dean of the College of Criminal Justice at Jacksonville State University in Alabama, offered me a 12-month contract for \$22,500 after I had interviewed on campus. The odds of that happening could not

have been very high. I accepted the job, began working in August, and finished my PhD in March. My teaching load at JSU was 11 courses a year every year for 10 years from 1979 to 1989—four different courses during the fall, four different courses during the spring, one different course during the short May term, and two different courses during the summer. Oh yeah, I still had to publish and do service to get tenure and promotion. I have little sympathy for new PhDs who complain about having to publish and teach two or three courses a semester.

Tom Barker was a tough and demanding boss, but he helped promote my career in three ways: first, he hired me ABD without a single publication. He took a chance on a critical criminologist. Second, he gave me complete academic freedom to pursue my own research agenda. Third, he introduced me to ACJS. It was Tom Barker who encouraged me to run for Trustee-at-Large in 1986. I won that election by 10 votes. The probability of my winning that first election obviously was not very high, nor was my meeting Tom Barker at that ASC meeting 30 years ago.

#### Event 9: My First Publication

I presented my first paper at the ASC meeting in 1980. It was from my dissertation and was entitled "Reflexivity and Critical Criminology." Shortly after the presentation, Gary Jensen contacted me and asked if he could consider my paper for publication in his forthcoming anthology for Sage: *Sociology of Delinquency: Current Issues*. Needless to say, I was flattered, excited and readily agreed. The resulting chapter was my first publication in 1981. Looking back, I probably could have had it published in a refereed journal, but as they say, "a bird in the hand." I regret that not many people got a chance to read it. I still believe it is an important essay and as relevant today as it was more than 25 years ago. In any event, the confluence of events that led to my first publication was highly improbable.

#### Event 10: My First Journal Article

My first journal article and second publication was also from my dissertation. The title of that article was "Radical Criminology: An Explication," and it was published in *Criminology* in 1982. I do not have to tell anyone here what the odds are of that happening.

#### Event 11: My Death Penalty Class and Research

While at JSU in the early 1980s, I was reading the newspaper and came across an article that noted that 75% of the American public favored the death penalty for first-degree murderers. What were the odds that I would read that article? After reading the article, I wondered why such a large percentage of the American

public supported the death penalty and set out to discover the answer. I began reading about death penalty opinion and soon learned about the Marshall Hypotheses, which Justice Marshall articulated in his opinion in the landmark case of *Furman v. Georgia*. Justice Marshall believed that Americans support the death penalty because they are largely ignorant about the way it is actually administered. He further believed that an informed American public would not support the death penalty. The one exception is people who support the death penalty for retributive reasons, whose opinions Marshall believed would be unaffected by death penalty knowledge. I decided to test Marshall's hypotheses. I reviewed the literature and found five studies that tested all or part of Marshall's hypotheses. They found that the American public (one study was of Canadians) was largely ignorant about the death penalty, but results were mixed on whether knowledge about the death penalty would change their death penalty opinions. The better studies used a pretest-posttest design, with a knowledge test given both before and after exposure to the experimental stimulus. A methodological problem with those studies, however, was that the experimental stimulus, death penalty knowledge, was provided in a very superficial way. It usually involved reading a couple of short essays or sometimes a book about the death penalty, sometimes followed by discussion, sometimes not. It seemed to me that the experimental stimulus used in those studies was too superficial to produce meaningful results.

Therefore, I decided to create and teach a semester-long death penalty class and use the class as the experimental stimulus in the test of Marshall's hypotheses. The class would provide my student subjects with more information about the death penalty and would give them a greater opportunity to discuss and digest the information they gained. I published several studies examining the Marshall hypotheses, the first of which appeared in 1987. I also began researching and publishing studies on other aspects of the death penalty and continue to do so today.

My class notes from my death penalty class became the basis for my book: *Deathquest: An Introduction to the Theory and Practice of Capital Punishment in the United States*. That book was first published in 1999 and is in its third edition today. I still teach my very popular death penalty class every year. The probability of my reading the newspaper story about death penalty opinion in the early 1980s had to be low, as were my decisions to teach a class on the death penalty and conduct research on death penalty opinion. Also improbable was my devoting such a large part of my academic career to the subject of capital punishment. Yet, although I have published books and articles on a wide range of criminology and criminal justice topics, it is with my death penalty work that I am probably most associated.

## Event 12: ACJS and UNCC

My service to ACJS has been very beneficial to me. I have many friends and colleagues that I probably would have never known personally had it not been

for my work in ACJS. I have known and worked with some of these people for more than 20 years. One of the people I met while serving on the ACJS Executive Board was Ron Vogel. We became friends almost immediately. It was Ron who was responsible for my joining the Criminal Justice faculty at the University of North Carolina at Charlotte in 1989. During the decade of the 1980s, I had applied for dozens of jobs and never even got an interview. If it was not for Ron, I still might be at JSU. Ron also provided great support to me when I ran for ACJS Second Vice President. He was as responsible as anyone for my winning that election. He was a wonderful department chair and is a good friend. The chances of my meeting Ron Vogel were low; I am sure glad I did.

### Event 13: Bohm and Haley's Introduction to Criminal Justice

In 1991-1992, I served as First Vice President of ACJS. Prior to the annual meeting in Pittsburgh, I received a call from Marty Schwartz. He asked me if I wanted to participate in a focus group at the ACJS meeting. The purpose of the focus group, which was convened by Rick Adams, then an editor for Glencoe/McGraw-Hill, was to brainstorm ideas about what would make the perfect Introduction to Criminal Justice textbook. Rick was offering to pay each participant \$200 for a couple of hours' worth of work. I accepted the invitation and participated in the focus group. Following the meeting, I decided to approach Rick and ask him whether he already had an author in mind for the book. He told me he did not, and I asked him to consider me. I had taught Introduction to Criminal Justice nearly every semester for 13 years and had a refined set of notes that could form the basis for the book. Unbeknownst to me at the time, Keith Haley had also approached Rick about authoring the text. Rick brought the two of us together and asked if we would like to co-author the text, and we agreed. As it turned out, our strengths complimented each other very well. Thus, Bohm and Haley's *Introduction to Criminal Justice* was born. The first edition was published in 1996 and the text is now in its fifth edition (really sixth because there was a fourth edition update). What were the chances that Marty would call me to participate in the focus group, or that I would decide to approach Rick Adams about writing the book, or that Rick would agree to let me write the book, or that it would be successful enough to be in its fifth (really sixth) edition? The chances of that entire set of events happening cannot be very high.

### Other Low-probability Nonlinear Events

Many other low-probability nonlinear events have occurred throughout my academic career. Most of my books are probably the result of such events. My first edited book, *The Death Penalty in America: Current Research*, published in 1991, fell into my lap when I was asked to assemble it as a volume in the ACJS/Anderson Monograph Series. Jim Acker called me out of the blue and asked if I

would like to co-edit with him and Charlie Lanier an anthology on the death penalty for Carolina Academic Press. That resulted in *America's Experiment with Capital Punishment: Reflections on the Past, Present, and Future of the Ultimate Sanction*, which was first published in 1998. A second edition was published in 2003. More recently, I was approached by Claude Teweles of Roxbury Publishing Company to write a book expanding on my work on crime and criminal justice myths. That conversation resulted in a book co-edited with Jeff Walker entitled *Demystifying Crime and Criminal Justice*, which was published in 2006. And talk about low probability nonlinear events, shortly after the book was published, Claude sold his company to Oxford University Press. So now Bohm and Walker's *Demystifying Crime and Criminal Justice* is an Oxford University Press book. My newest book, *The Death Penalty Today*, which should be out any day and is published by CRC Press, a division of Taylor and Francis, is an anthology comprising papers that I solicited as a member of last year's ACJS program committee. The book may not have been published had I not met Carolyn Spence.

During my academic career, I have had a number of articles published in academic journals. To this day, I still believe that, when I have an article accepted for publication, it is a low-probability nonlinear event.

#### Bruce Smith, Sr Award

Today, I stand before you as recipient of the Bruce Smith, Sr Award, and I cannot help but believe it, too, is a low-probability nonlinear event.

Most people would say that I have been very lucky in life. In which case I might respond by quoting Thomas Jefferson: "I'm a great believer in luck and I find the harder I work, the more I have of it." However, as a social scientist, I find it hard to attribute the events I have described as the products of luck. But I do not have to. Chaos theory provides a much more sophisticated and elegant explanation of those events—not necessarily a more parsimonious explanation—but certainly for a social scientist a more satisfying one. I only hope that the butterfly keeps flapping its wings. As long as it does, the pattern will never be complete.

Thank you so much for honoring me with this award.