

Fall 2002
CCJS 699V Regulating Vice and Regulating Organized Crime
Course Outline

Instructor: Peter Reuter 301 405 6367
Time: 4-6.45, Wednesday
Office Hours: 12-2 Monday, Monday
Class: Rm 0117, Frances Scott Key

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Introduction

For this course, vice is defined as a habit with bad consequences that can generate large black markets if the market for supplying that habit is prohibited or heavily regulated. Vice is found in all modern societies, though in widely differing forms, depending on population characteristics, culture and law. Society's decision is how to regulate it, whether criminally or otherwise, and how then to assess whether the regulation is successful. This assessment has multiple components, including; choosing outcome measures; modeling counterfactuals for which the evidence is often very indirect and developing a framework for ensuring that comparisons reflect all relevant outcomes and values.

The first three quarters of the course will be concerned with these three components, emphasizing different aspects for each of four substances (alcohol, heroin, marijuana, cigarettes) and three vices (gambling and prostitution). The general formula of classes on specific vices will be:

- (a) description of the harms associated with that vice itself
- (b) description of current policies
- (c) assessment of those policies
- (d) identification and assessment of alternatives

Organized crime is historically linked to the provision of vices. It was a major problem in the U.S. throughout the 20th century but is now probably in sharp decline and certainly changing in important ways. The last quarter of the course will examine the structure and functions of organized crime in the U.S. and how it has changed over time. It will also analyze different approaches to controlling organized crime.

In terms of skills, the course aims to build student capacity to examine the research base of policy arguments critically and to separate out values and empirical issues. Students will also learn about the tools and limits of social measurement. A number of classes will include discussion of potential dissertation topics. The course has two other subsidiary goals; (a) showing the distinctive nature of policy research and (b) developing presentational skills.

Course Requirements

You will be expected to have read the materials listed before class and to actively participate in discussion. The other requirements are

1. Two short papers (2,000 to 3,000 words) on a specified topic. This will test conceptual skills. The first will be given out on September 25 and will be due back October 9. The second, with a stronger policy focus will be given out on October 16 and be due back October 30.

2. A paper (5,000 words) on a topic agreed upon with me by week 8. A draft of the paper will be due by week 12. I will meet with each student to discuss the draft. The final paper will be due by week 15. Papers should generally have both empirical and policy analytic components. Each student will have to present the paper orally using Powerpoint or a similar program.

3. A referee's report (750-1,000 words) on a paper that has been submitted to a journal. The paper, probably dealing with drug policy and data, will be distributed after class on November 6, will be due back before the class of November 20.

4. Two Presentations. During the semester, you will be required to make one presentation based on readings. On December 18, you will make a presentation of your long paper; a copy of the slides of that presentation, revised, will be due in the exam week.

There will be two weeks without formal classes. November 13 is the evening of the ASC conference week, while November 27 is the evening before Thanksgiving. The first of these weeks will be used for preparation of the referee's report. The week of Thanksgiving, should be used for completing the long paper. I shall also schedule mid-term meetings with each student around November 11.

Papers and briefing slides should be sent as email attachments in Word or Powerpoint before the class of the specified week.

Possible paper topics

The following topics are merely intended to be illustrative. You are encouraged to develop your own.

(a) What are the consequences of tougher sentencing against street prostitution? Or of shifting more emphasis to the customers as opposed to the prostitutes themselves?

(b) How should the criminalization of cigarettes be assessed? [Identify the appropriate outcome measures and the evidence that is relevant to projections of those outcomes]

(c) Assess current policies toward Ecstasy in the United States.

(e) Analyze the role of organized crime in one immigrant community.

Grading

Class participation: 20%

Long paper: 30%

Presentations 20%

Short papers 20%

Referee's report 10%

Required Books

MacCoun and Reuter *Drug War Heresies: Learning from Other Vices, Times and Places* Cambridge University Press 2001 [hereafter referred to as M&R]

Mark Kleiman *Against Excess: Drug Policy for Results* available from Kleiman's web site <http://www.sppsr.ucla.edu/faculty/kleiman/book>; each chapter is a separate, downloadable file.

Most other items will be provided as web links available through MdUSA or as email attachments. A package of the remainder, indicated by an asterisk, will mostly be provided directly to you.

Web sites that will prove particularly useful for the classes on drugs are those for the European Monitoring Center on Drugs and Drug Abuse (www.emcdda.org) and the Office of National Drug Control Policy (www.whitehousedrugpolicy.gov). The Drug Policy Alliance, a drug policy reform group, has a good on-line library (www.lindesmith.org). I have not so far found a useful web site on organized crime or on other vices; most of the relevant web sites seem to serve prurient interests. My own web site, on which various papers can be found is <http://www.puaf.umd.edu/faculty/people/reuterm.html>

Class Schedule

1. September 4. Overview:

Goals and outline of the course.

(a) Regulating Vices

What are the justifications for regulating vices, particularly drugs? The general consequences of choosing criminal sanction rather than civil regulation..

(b) Describing America's drug problem

Readings

Kleiman Chapters 2 and 3 [40 pages]

M&R Chapter 4 "Philosophical Underpinnings" pp.55-71

2. September 11. (Half class; begins at 5 pm)

Assessing policy effectiveness (Dr. Carnevale, guest lecturer)

Dr. Carnevale was the Budgets and Program Director of the Office of National Drug Control Policy through most of the 1990s. In this class he describes the tools and goals of national drug control policy.

Readings

* Carnevale and Murphy "Matching Rhetoric to Dollars: Twenty-five years of Federal Drug strategies and Budgets" *J. Drug Issues* 1999 pp.299-322

3. September 18 (a) Policy analysis tools (b) Heroin

(a) A public policy framework

Brief introduction to public policy analysis. The basics of resource allocation and the tools available to government.

Readings

*Stokey and Zeckhauser *A Primer for Policy Analysis* 257-266

*Gupta *Analyzing Public Policies* 20-39

* Bardach, E *Policy Analysis* "Things Governments Do"

(b) Heroin

Though eclipsed in public prominence in the U.S. by cocaine, heroin has a larger global drug addicted population and has been associated with more public health harm than any other drug. HIV from needle-sharing is the distinctive harm.

Readings

- Kleiman Chapter 12
M&R 296-299
*Kaplan, J. *The Hardest Drug* Chapter 1, pp.1-58
*Preble, E and J. Casey "Taking Care of Business: The Heroin Addict's Life on the Street" in Inciardi and McElrath (eds.) *The American Drug Scene* pp.121-132
*Rosenbaum, M "Difficulties in Taking Care of Business" in Inciardi and McElrath (eds.) *The American Drug Scene* pp.133-143

4. September 25. Marijuana

Cannabis is the most widely used illicit drug in every Western nation. It is also the one about which there is most dissensus on prohibition and regulation. What are the consequences of different choices of regime? What have been the determinants of policies in various nations?

Readings

- Reuter and MacCoun "Weighing the Harms of Cannabis Use and Cannabis Prohibition" (email attachment)
*Working Party of the Royal College of Psychiatrists and Royal College of Physicians *Drugs: Dilemmas and Choices* pp.246-254
*Zimmer and Morgan *Marijuana Myths, Marijuana Facts* (pp.27-38, 125-130)
Hall, W. and N. Solowij (1998) "Adverse Effects of Cannabis" *Lancet* **352**, 1611-1616
Rickard, M. "Reforming the Old and Refining the New: A Critical Overview of Australian Approaches to Cannabis" Research Paper No. 6 200102, Information and Research Services of the Australian parliament
<http://www.aph.gov.au/library/pubs/rp/2001-02/02RP06.htm>

Short paper topic distributed

5. October 2. Assessing U.S. drug policy

An examination of current U.S. drug policies, providing an analytic framework, a description of those policies and of the institutional setting.

Readings

- Boyum, D. and P. Reuter An Analytic Assessment of U.S. Drug Policy (unpublished ms., soft copy available as email attachment)
*Bertram, E.; Blachman, M.; Sharpe, K. and P. Andreas *Drug War Politics* pp.102-151
*Skolnick, J. "A Critical Look at the National Drug Control Strategy" *Yale Law and Policy Review* Vol. 8, Number 1 1990
*Goldstein, A. and H. Kalant "Drug Policy: Striking the Right Balance" *Science* 1990
National Drug Control Strategy 1989; Introduction (email attachment)

6. October 9. Harm Reduction: Principles and Assessment

Many observers advocate using a policy approach that attempts to take into account the harm caused by specific interventions rather than simply reducing the extent

of drug taking or other undesirable behavior. This session assesses the problems of developing a measurement system to support such policy.

Readings

- M&R pp. 101-112, 310-325, Chapter 15
* Single, E. "The Concept of Harm Reduction and its Application to Alcohol" 6th Dorothy Black lecture 1996
Reuter "Principles of Harm Reduction" unpublished, supplied as email attachment
Des Jarlais, D. "Harm Reduction—a framework for incorporating science into drug policy" *American J. Public Health* January, 1995
Vlahov et al. "Needle Exchange Programs for the Prevention of Human Immunodeficiency Virus Infection: Epidemiology and Policy" *American J. Epidemiology* 2001 (Supplement, S70-77)

First paper due

7. October 16. Tobacco

There is no longer doubt about the toxicity or addictiveness of cigarettes. Yet it has proven exceptionally difficult to impose high taxes or stringent regulation on this product. Given that they are legal, and the U.S. legal system, what are potentially effective means for regulating them.

Readings

- Kleiman Chapter 11
M&R pp. 169-180
*Schelling, T (1992) "Addictive Drugs: The cigarette experience" *Science* **255** 430-433
Moore, M.J. and J.W. Hughes "The Health Care Consequences of Smoking and Its Regulation" *NBER Working Papers* (www.nber.org/papers/w7979)
"Regulatory Efforts" Chapter 5 of *Reducing Tobacco Use: Report of the Surgeon General* 2000 (www.cdc.gov/tobacco/sgr/sgr_2000/chapter5.pdf) [Focus primarily on "Minors' Access to Tobacco" and "Litigation Approaches" sections]

Topic for long paper due

8. October 23. Alcohol

The political economy of regulation. What is contribution of alcohol to crime and how might that differ with another control regime? Research topics

Readings

- M&R 157-169
Kleiman Chapter 8 (pp.208-238 only)
*Aaron and Musto "Temperance and Prohibition in America: A Historical Overview" in Moore and Gerstein *Alcohol and Public Policy: Beyond the Shadow of Prohibition* pp.127-173
*Edwards et al (1994) *Alcohol Policy and the Public Good* Chapters 3, 5, 6

Alcohol and crime

Presenting Analysis (1/2 class)

It is useful for policy researchers (and for other researchers as well) to learn to present the results of analysis to policy makers. This session is more didactic than others.

Students will first read RAND's guidelines on briefings. They will be given a briefing prepared by a doctoral student at the dissertation stage. Before class they are to have reviewed the slides or the paper provided by the volunteer. After the presentation, the class will provide a critique and help restructure the presentation.

Readings

RAND *Guidelines for Preparing Briefings* (available as email attachment)
Paper or slides to be provided by volunteer student

2nd paper topic provided

9. October 30. Gambling

Once the principal activity of organized crime and the source of much urban corruption, most forms of gambling are now available legally and heavily promoted, particularly by governments. Crime impacts of legal gambling. [Potential research topics]

Readings

M&R pp.129-143
*Galston and Wasserman *The Public Interest* Spring 1996 pp.58-72
*Skolnick, J. *A House of Cards* pp.3-23, 333-356
Australian Productivity Commission *Australian Gambling Industries: An Inquiry Report* Chapters 5 and 12
<http://www.pc.gov.au/inquiry/gambling/finalreport/chapter12.pdf> and
<http://www.pc.gov.au/inquiry/gambling/finalreport/chapter05.pdf>

2nd paper due

10. November 6. Prostitution

The illegal market for which policing seems to focus only on harms.

Readings

M&R pp.143-155
*Yondorf, B. (1979). Prostitution as a legal activity: The West German experience. *Policy Analysis*, 5, 417-433.
* Weitzer, R. "Prostitution control in America: Rethinking public policy" *Crime, Law and Social Change* **32(1)** 1999 83-102
*Lowman, J "Street Prostitution Control – Some Canadian Reflectins on the Finsbury Park Experience" *British J. Criminology* **32(1)** 1992 1-17
* Milman, B. "New Rules for the Oldest Profession: Should We Change our Prostitution Laws?" Vol 3, 1980 pp.1-82
*Benson, C. and R. Mathews "Street Prostitution: Ten Fact in Search of a Pollicy" *International Journal of the Sociology of Law* **23** 1995 395-415
San Francisco Task Force on Prostitution *Final Report*
www.ci.sf.ca.us/reports/sftfp/3sumrec.htm

Paper for referee's report distributed

11. Nov. 13 [No class meeting, ASC week]

Student meetings with instructor Nov. 11-12

Referee's report due Nov. 19

12. November 20. Organizing Crime

Why are some crimes executed by enterprises rather than individuals? The varied nature of criminal organizations.

Readings

*Finkenauer and Waring *The Russian Mafia* Chapter 2

*Halstead, B. "The Use of Models in the Analysis of Organized Crime"

Transnational Organized Crime Vol 4(1) pp.1-24, 1998

*Reuter *Disorganized Crime* Chapters 2 (pp,14-44) and 5 (pp.109-132)

*Maltz, M. "Defining Organized Crime" in Kelly, Chin and Schatzberg (eds.)

Handbook of Organized Crime in the United States Boulder, Col., Westview Press, pp.91-120, 1994

13. November 27 (no class: evening before Thanksgiving).

Draft of long paper due Nov. 26

14. December 4. The Mafia and other forms of Organized Crime in America

What was distinctive about the American Mafia? What are the structures and functions of other organized crime groups in the U.S.

Readings

*Anderson, A. "Organized Crime, Mafia and Governments" in Fiorentini and Peltzmann *The Economics of Organized Crime* pp.33-54

*Haller, M. "The Bruno Family of Philadelphia: Organized Crime as a Regulatory Agency" in Kelly, Chin and Schatzberg (eds.) *Handbook of Organized Crime in the United States* Boulder, Col., Westview Press, pp.153-166, 1994

*Chin, K-L, Kelly R and Fagan, J "Chinese Organized Crime in America" in Kelly, Chin and Schatzberg (eds.) *Handbook of Organized Crime in the United States* Boulder, Col., Westview Press, pp.213-244, 1994

15. December 11. Assessing the campaign against the American Mafia

One of the more striking federal enforcement success stories is its effort to reduce the power of the Mafia. What was the nature of the campaign, why was it successful and what, if anything, has replaced it.

Readings

*Jacobs, J. "Cosa Nostra: The Final Chapter?" in Tonry (ed.) *Crime and Justice: A Review of Research* pp129-190

*Reuter "The Decline of American Organized Crime" *The Public Interest* 1995

Final paper due

December 18 (tentative) Presentations

09/10/02

Slides due