Joe Alladyce and Jared Livingston were both literally born drunk. Their mothers were heavy drinkers who continued to drink during their pregnancies, and if mothers drink, so do their fetuses. If the fetus survives this assault, it is highly likely to be born with a condition called fetal alcohol syndrome (FAS; see Chapter 8), symptoms of which include neurological abnormalities, intellectual impairment, behavioral problems, and various bodily and facial imperfections. Joe and Jared were made wards of the court and sent to a special institution where staff did their best to educate and care for them. The boys formed a bond with each other and soothed each other’s feelings of anger and depression. When they were both 17, they walked away from the home and made their way to the nearest town where they robbed a liquor store and went on a drinking binge. Walking down the street in a stupor, they came across Mr. and Mrs. Whelan and little 7-year-old Angela walking toward them. Angela made a remark about their behavior and appearance and started to giggle. Enraged, Jared smashed Angela over the head with the beer bottle he was carrying, and Sam did the same thing to her father when he tackled Jared. Both boys mercilessly beat and kicked all three family members to death.

This tragic story illustrates the insidious nature of alcohol abuse. Joe and Jared didn’t ask to be born with incurable disabilities, and according to many FAS experts could no more be held responsible for their actions than a blind person is for not recognizing faces. They have brains incapable of appreciating right from wrong and of linking cause and effect. Their mothers not only ruined their own lives but also the lives of their sons and the lives of surviving members of the Whelan family. There is a huge cost to society caused by what has been aptly named “the beast in the bottle” and by other substances that tear the rationality from our brains and replace it with all manner of monsters.
What Are Public Order Crimes?

Public order crimes are a smorgasbord of offenses, some of which have been variously called vice offenses, consensual offenses, victimless crimes, or even nuisance offenses. Some public order crimes are considered very seriously (the sale of drugs), and some are dismissed with a shrug of the shoulders or a look of disgust (drunken and disorderly behavior). Public order crimes are of the “moving target” type—legal in some places and at some times (prostitution in Nevada, drugs in Amsterdam, gambling in London) and illegal at other times and in other places. There is one school of thought that maintains that allowing or ignoring public order offenses can only lead to more serious crimes because it signals that nobody cares for the community (Wilson & Kelling, 1982). This so-called broken windows approach to crime control has had a major impact on policing and may be considered an approach akin to Sampson et al.’s collective efficacy concept discussed in Chapter 4.

All public order offenses cause some social harm, but whether or not the harm is great enough to warrant siphoning off criminal justice resources that could be applied to more serious crimes is a matter of debate. For instance, the debate about whether the use of mind-altering drugs should be legalized is not about the effects of these drugs—everyone realizes that they are harmful. Rather, it is about whether legalization or decriminalization would be the lesser of two evils. The notion that offenses categorized as public order offenses are “victimless” has been rejected by most criminologists today because there are always secondary victims (family members, friends, etc.) who may be profoundly harmed by the actions of the offender. The man who brings a sexually transmitted disease back to his wife after visiting a prostitute, the man who gambles away the family’s money, and the woman who takes illicit drugs during her pregnancy are all causing great harm to many other people. Rather than victimless, public order crimes are better conceived of as consensual mala prohibita acts that always have the potential for causing harm to others besides the person engaging in them. The “victimless” act of drinking alcohol to excess by the mothers of Joe and Jared in the above vignette started a horrible chain of events that took three lives and ruined many others. These two mothers caused more social, financial, and emotional harm than any two burglars or thieves probably ever did.

Alcohol and Crime

Humans have a love of ingesting substances that alter their moods. We swallow, sniff, inhale, and inject with a relish that suggests that sobriety is a difficult state for us to tolerate. Alcohol has always been humans’ favorite way of temporarily escaping reality. We drink this powerful drug to loosen our tongues, to be sociable, to liven up our parties, to feel good, to sedate ourselves, and to anesthetize the pains of life. Benjamin Franklin once supposedly opined that “Beer is proof positive that God loves us and wants us to be happy,” and many centuries before, the ancient Sumerians and Egyptians were singing the praises of beer, wine, and the various spirits, but also warning about the consequences of excessive use (E. Burns, 2004, p. 2).

Of all the substances used to alter mood and consciousness, alcohol is the most directly linked to crime, especially violent crime (Martin, 2001). It has been estimated that at least 70% of American prison inmates (Wanberg & Milkman, 1998) and 60% of British inmates (McMurren, 2003) are alcohol and/or drug addicted. Alcohol is linked to about 110,000 deaths a year versus the “mere” 19,000 fatalities attributable to other drugs (M. Robinson, 2005), although this should be interpreted in light of the fact that many more people drink alcohol than take illicit drugs.
Police officers spend more than half of their time on alcohol-related offenses, and it is estimated that one third of all arrests (excluding drunk driving) in the United States are for alcohol-related offenses (Mustaine & Tewkesbury, 2004). About 75% of robberies and 80% of homicides involve a drunken offender and/or victim, and about 40% of other violent offenders in the United States had been drinking at the time of the offense (Martin, 2001). The U.S. Department of Health and Human Services (2009) estimates the cost of alcohol abuse to society to be a staggering $185 billion. Of the total costs to society of both drug and alcohol abuse, the National Institute on Alcohol Abuse and Alcoholism (1998) estimates that alcohol abuse accounts for 60% and drug abuse the remaining 40%.

The Effects of Alcohol and Context on Behavior

The effects of alcohol (or any other drug) on behavior is a function of the interactions of the pharmacological properties of the substance, the individual's physiology and personality, and the social and cultural context in which the substance is ingested. Pharmacologically, alcohol is a depressant drug that inhibits the functioning of the higher brain centers. As more and more alcohol is drunk, behavior becomes less and less inhibited as the rational cortex surrenders its control of the drinker's demeanor to the more primitive limbic system (the “emotional” brain). What's going on in the drinker's brain to cause this? Although alcohol is a brain-numbing depressant, at low dosages it is actually a stimulant because it raises dopamine levels (Ruden, 1997). Alcohol also reduces inhibition by affecting a neurotransmitter called GABA, which is a major inhibitor of internal stimuli such as fear, anxiety, and stress (Buck & Finn, 2000). In addition, alcohol decreases serotonin, reduces impulse control, and increases the likelihood of aggression (Martin, 2001). Alcohol's direct effects on the brain can thus help us to reinvent ourselves as “superior” beings: the fearful to become more courageous, the self-effacing to become more confident, and the timid to become more assertive.

As powerful a behavioral disinhibitor as alcohol is, it is not sufficient by itself to change anyone's behavior in the direction of serious law violations. Most people don't become violent or commit criminal offenses when drinking, or even when they are “over the limit.” Alcohol is a releaser of behaviors that we normally keep under control but which we may be prone to exhibit when control is weakened. Hence, we may become silly, amorous, melancholic, maudlin, and even aggressive and violent when our underlying propensity to be these things is facilitated by alcohol and the social context in which it is drunk. In some social contexts, drinking may lead to violence, but not in others. Many violent incidents between strangers take place in or around drinking establishments in which both victims and perpetrators had been drinking (Richardson & Budd, 2003).
Groups of young men assembled in bars are recipes for trouble. Experimental research has shown that drinking increases fantasies of power and domination, and that men who are the heaviest drinkers are the most likely to have them (Martin, 2001). With loosened inhibitions, such fantasies might lead to males flirting with the girlfriends of males from another group and then not backing off when challenged, or interpreting some comment or gesture as threatening. If a male values his reputation as a macho tough guy, aggressive responses are more likely when his friends are present and he is looking to validate his reputation. There’s an old saying among heavy drinkers: “It’s not how many beers you drink; it’s who you drink them with.”

There are also cultural factors to be considered when evaluating the alcohol–crime relationship. Two of the major cultural factors influencing the relationship between alcohol consumption and criminal behavior are “defining a drinking occasion as a ‘time-out’ period in which controls are loosened from usual behavior and a willingness to hold a person less responsible for their actions when drinking than when sober by attributing the blame to alcohol” (Martin, 2001, p. 146). If one’s culture defines alcohol as a good-time elixir, the unfortunate (but often subjectively experienced as enjoyable) by-product of which is a loss of control over behavioral inhibitions, then one is granted cultural “permission” to do just that.

**Binge drinkers** frequently consume anywhere from 5 to 10 drinks in few hours’ time and are particularly likely to define drinking as a time-out period. Binge drinkers are typically college-age single young adults who drink solely to get drunk. An American study found that 40% of college students reported at least one episode of binge drinking in the previous 2 weeks (L. Johnson, O’Malley, & Bachman, 2000), and a Russian nationwide study found that almost one third of the men admitted binge drinking at least once a month (Pridemore, 2004). The cultures of both American college students and Russians in general have a high level of tolerance for engaging in heavy drinking. Richardson and Budd’s (2003) British study found that 39% of binge drinkers admitted to a criminal offense in the previous 12 months, whereas 14% of other regular drinkers and 8% of occasional or non-drinkers did. The corresponding percentages for a violent crime were 17, 4, and 2. A survey of 180,455 male and 3,664 female arrestees in major U.S. cities found that 47.9% of the males and 34.9% of the females reported that they had engaged in binge drinking on at least one occasion in the 30 days preceding their arrest (Zhang, 2004).

But do heavy drinking plus social context *per se* cause increased antisocial behavior? It could well be that antisocial individuals are more prone to drink heavily and to be attracted to social contexts in which violence is most likely to occur. In this view, antisocial propensities are simply exacerbated under the influence of alcohol and social setting (Bartol, 2002). Heavy alcohol intake certainly has a greater disinhibiting effect on behavior than heavy tea intake, so alcohol-induced disinhibition may be considered a cause of antisocial acts. Likewise, violence and other antisocial behaviors are assuredly more likely to occur in a biker bar than in a tearoom, and thus social context may be considered a cause as well. But a stricter standard of causation should consider that perhaps the substance and the setting are secondary in causal importance to the traits of individuals drinking the beverage of their choice in the setting of their choice.

**Drunk Driving**

Traffic fatalities caused by drivers under the influence of alcohol are another evil caused by the “beast in the bottle.” In state statutes, this crime is typically referred to as driving under the influence (DUI) or driving while intoxicated (DWI). According to the Insurance Information Institute (2009), 11,773 people died in alcohol-impaired crashes in 2008, down 9.7% from 13,041 in 2007. In 2008, there were 1,483,396 DUI arrests, 80.5% of whom were males and 84% of whom were white (FBI, 2009a).
Many people used to consider deaths due to drunk drivers as “accidents” rather than “crimes,” and penalties were relatively light. Attitudes began to change in the United States with the founding of MADD (Mothers Against Drunk Driving) in 1980, an organization that has effectively lobbied for legislation nationwide to increase the legal drinking age and for stricter penalties for drunk drivers. MADD also lobbied to lower the blood alcohol count (BAC) level that defines intoxication from 0.10 to 0.08 grams per deciliter of blood. Every state in the union has now enacted all these measures. As we see in Figure 13.1, from the National Highway Traffic Safety Commission (2009), these combined measures reduced alcohol-related traffic fatalities by 57% from 1982 to 2008.

A 1999 nationwide study of DUI offenders found that the average BAC at arrest was 0.24, or 3 times the legal limit. The average time for DUI offenders in jail was 11 months, and for offenders sent to prison it was 49 months (Maruschak, 1999). The significant drop in alcohol-related traffic fatalities following a lowered tolerance and increased penalties shows that we can indeed legislate morality, if only in the case of drunken driving.

**Alcoholism: Type I and Type II**

*Alcoholism* is a chronic disease condition marked by progressive incapacity to control alcohol consumption despite psychological, social, or physiological disruptions. It is a state of altered cellular physiology caused by chronic consumption of alcohol that manifests itself in physical disturbances ([withdrawal](#)) symptoms when alcohol use is suspended. While most alcoholics do not get into serious trouble with the law, numerous theorists have hypothesized that alcoholism and criminality are linked because they share a common cause, which is probably the dysregulation of the behavioral activating system (BAS; see Chapter 8) that leads

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**Figure 13.1 Alcohol-Related Fatality Rate per 100,000 Population, 1982–2008**

![Figure 13.1](image)

to a “craving brain” (Gove & Wilmoth, 2003). Alcoholics have a saying that one drink is one too many and a hundred drinks are not enough. This seemingly contradictory statement tells us that a single drink activates the brain’s pleasure centers and leads to such a craving for more that a hundred drinks will not satiate. Thus, both alcoholics and serious criminals are “reward dominant” in terms of their neurophysiology. Figure 13.2 shows the alcohol reward system. Alcohol stimulates the release of the “pleasure neurotransmitter” dopamine, which is made in the ventral tegmental area and then sent to the nucleus accumbens, the brain’s major “pleasure center” (Oscar-Berman et al., 2009).

There are two different types of alcoholics, which can be likened to Moffitt’s adolescent limited and life course–persistent offenders discussed in Chapter 9: Type I and Type II. Crabbe (2002) describes the two types in this way: “Type I alcoholism is characterized by mild abuse, minimal criminality, and passive-dependent personality variables, whereas Type II alcoholism is characterized by early onset, violence, and criminality, and is largely limited to males” (p. 449). Type II alcoholics start drinking (and using other drugs) at a very early age, rapidly become addicted, and have many character disorders and behavioral problems that precede their alcoholism. Type I alcoholics start drinking later in life than type II’s and progress to alcoholism slowly. Type I’s typically have families and careers, and if they have character defects, these are induced by their alcohol problem and are not permanent (DuPont, 1997).

Heritability estimates for Type II alcoholism are about 0.90, and about 0.40 for Type I’s (McGue, 1999), indicating that environmental factors are more important to understanding Type I alcoholism than Type II alcoholism (Crabbe, 2002). The genetic influence on alcoholism reflects genetic regulation of

Figure 13.2 The Alcohol Reward System and Other Areas Affected by Alcohol

neurotransmitters such as GABA, dopamine, and serotonin (Buck & Finn, 2000), or their regulation by enzymes such as the MAOA enzyme discussed in Chapter 8 (Demir et al., 2002).

Illegal Drugs and Crime

The Extent of the Illicit Drug Problem

Alcohol use is a legal and socially acceptable way of drugging oneself, but substances discussed in this section are not. This was not always the case, for many of these drugs have been legitimately used in religious rituals, for medical treatment, and for recreational use around the world and across the ages. Up until 1914, drugs now considered illicit were legally and widely used in the United States for medicinal purposes. Physicians and politicians were not fully aware of the dangers of addiction at the time, and many substances were openly advertised and sold as cures for all sorts of ailments and as refreshing “pick-me-ups.” The most famous of these was Coca-Cola, which was made with the coca leaf (used to process cocaine) and kola nuts (hence the name) until 1903. Many patented medicines such as Cocaine Toothache Drops and Mother Barley’s Quieting Syrup, used to “soothe” infants and young children, contained cocaine, morphine, or heroin.

Attitudes toward drug usage in America gradually began to change as awareness of the addictive powers of many of these substances grew. The Harrison Narcotic Act of 1914 was the benchmark act for changing America’s concept of drugs and their use. According to Richard Davenport-Hines (2002), “By the early 1920s, the conception of the addict changed from that of a middle-class victim accidentally addicted through medicinal use, to that of a criminal deviant using narcotics (or stimulants) for pleasure” (p. 14). The Harrison Act did reduce the number of addicts (estimated at around 200,000 in the early 1900s), but it also spawned criminal black market operations (as did the Volstead Act prohibiting the production and sale of alcohol in 1919) and ultimately many more addicts (Casey, 1978, p. 11).

Figure 13.3 shows percentages of individuals participating in the 2008 National Household Survey on Drug Abuse (NHSDA) who admitted to the use of any illicit drug during the month prior to being interviewed. As with delinquency and crime, drug use rises to a peak in the age 18–20 category and then drops precipitously. The use of illicit drugs by most adolescents probably reflects experimentation (adolescent limited use), while their continued use in adulthood (life course–persistent use) reflects a far more serious antisocial situation.

Drug Addiction

All addictive drugs mimic the actions of normal brain chemistry by inhibiting or slowing down the release of neurotransmitters, stimulating or speeding up their release, preventing their reuptake after they have stimulated neighboring neurons, or breaking
transmitters down more quickly. As we saw earlier (Figure 13.2), the brain has evolved pleasure centers by which Mother Nature rewards us when we do things that lead to survival and reproductive success. That is, we are neurologically rewarded when we eat, drink, have sex, reach safe havens, and enjoy the good company of others. Drugs hijack the brain’s pleasure centers and produce more powerful, rapid, and predictable effects on our pleasure centers than are naturally obtained by the action of neurotransmitters in response to non–drug-induced pleasurable experiences.

People turn to illegal drugs for many of the same reasons that people turn to alcohol—to be “with it,” to be sociable, to conform, to induce pleasure, to escape stress, or to escape chronic boredom. Among those who experiment with drugs, there are some who are genetically predisposed to develop addiction to their substance(s) of choice just as others are “sitting ducks” for alcoholism (T. Robinson & Berridge, 2003).

The Drug Enforcement Administration (DEA, 2003) defines drug addiction as “compulsive drug-seeking behavior where acquiring and using a drug becomes the most important activity in the user’s life,” and estimates that 5 million Americans suffer from drug addiction (p. 13). Physical dependence on a drug refers to changes to the body that have occurred after repeated use of it and that necessitate its continued administration to avoid withdrawal symptoms. Physical dependence is not synonymous with addiction as commonly thought, but psychological dependence (the deep craving for the drug and the feeling that one cannot function without it) is synonymous with addiction.

Regardless of the type of drug, addiction is not an invariable outcome of drug usage any more than alcoholism is an invariable outcome of drinking. The DEA (2003) estimates that about 55% of today’s youth

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**Figure 13.3 Illicit Drug Use in Past Month by Age, 2008**

![Bar chart showing illicit drug use in past month by age group in 2008.](chart.png)

have used some form of illegal substance, but few descend into the hell of addiction (Kleber, 2003). Genetic differences are undoubtedly related to a person’s chances of becoming addicted given identical levels of usage and an identical period of time using.

**Drug Classification**

There are several drug classification schemes, which are determined by the purpose for which the classification is being made. The DEA (2003) schedule classification scheme divides chemical substances into five categories, or schedules. Schedule I substances are those that have high abuse liability and no medical use in the United States, such as heroin, peyote, and LSD. Schedule II substances have equally high (or higher) abuse liability, but have some approved medical usage, such as opium or cocaine. Schedule III and IV substances have moderate to moderately high abuse liability and are legally available with prescription, and Schedule V substances can be purchased without a prescription. The three major types of drugs defined in terms of their effects on the brain are the narcotics, stimulants, and hallucinogenics.

- **Narcotics:** Narcotic drugs are those that reduce the sense of pain, tension, and anxiety, and produce a drowsy sense of euphoria. Heroin is an example.
- **Stimulants:** The stimulants have effects opposite to those of narcotics. Stimulants such as cocaine and methamphetamine keep the body in an extended state of arousal.
- **Hallucinogenics:** Hallucinogenic drugs are mind-altering substances such as lysergic acid diethylamide (LSD) and peyote.

**The Drugs–Violence Link**

Illegal drugs are associated with violence in three ways: (1) systemic, (2) economic-compulsive, and (3) pharmacological (Goldstein, 1985). Systemic violence is violence associated with “doing business” (the growing, processing, transporting, and selling of drugs) in the criminal drug culture. There is so much systemic violence because the drug business is tremendously lucrative for those involved in it, and there is much competition for a slice of that business. The United Nations estimates the annual worth of the international illicit drug trade to be $400 billion (cited in Davenport-Hines, 2002, p. 11).

As with any industry, the illicit drug industry consists of several levels of business between extracting the product from the ground and selling it to the eventual consumer. Cocaine and heroin both begin as natural products grown in fields, cocaine as the coca leaf and heroin as the poppy flower. According to the U.S. Department of State (2005), the number of acres used for coca cultivation in 2004 in South America was 60,787, down from 552,763 in 2001. This huge reduction was accomplished mainly by the aerial spraying of the coca crop with herbicides. On the down side, it was also reported that Afghanistan had 510,756 acres (798 square miles) devoted to cultivating poppies, up from a mere 4,164 acres under cultivation during the last full year (2001) of the Taliban regime.

After the crop has been picked, the raw material must be processed, packaged, and smuggled via various “pipelines” into the countries in which the customers for the product reside. Figure 13.4 shows the trafficking routes for cocaine and heroin from points of origin to eventual destination. Once it arrives at its destination, it is “cut” (mixed with various other substances) to increase its volume and then distributed to street-level outlets for sale to drug users. Profit is made along each step of the way. In 2000, for instance, a kilogram (about 2.2 pounds) of heroin cost an average of $2,720 in Pakistan but sold for an average of

Systemic violence and other criminal activity begins with the bribery and corruption of law enforcement officials and political figures, or their intimidation and assassination, in the countries where raw materials are grown and through which the processed product is transported. On the streets of the United States, systemic violence is most closely linked with gang battles over control of territory (control of drug markets). Goldstein and his colleagues (Goldstein, Brownstein, Ryan, & Belluci, 1989) found that just over one half of a sample of 414 murders committed in New York in 1988 were drug related, with 90% of those drug-related crimes involving cocaine.

Economic-compulsive violence is violence associated with efforts to obtain money to finance the high cost of illicit drugs. The drugs most associated with this type of activity are heroin and cocaine because they are the drugs most likely to lead to addiction among their users and are the most expensive (Parker & Auerhahn, 1998). Crimes committed to obtain drug money run the gamut from shoplifting, robbery, and prostitution, to trafficking in the very substance the addict craves. A study of newly incarcerated drug users found that 72% claimed that they committed their latest crime to obtain drug money (Lo & Stephens, 2002).

Pharmacological violence is violence induced by the pharmacological properties of the drug itself. Violence induced by illicit drugs is rare compared with violence induced by alcohol, the legal drug. A criminal victimization survey found that less than 5% of victims of violent crimes perceived their assailants to be under the influence of illicit drugs versus 20% who perceived them to be under the influence of alcohol (Parker & Auerhahn, 1998).

**What Causes Drug Abuse?**

Sociological explanations of drug abuse mirror almost exactly the explanations for crime. Erich Goode illustrates the almost indistinguishable explanations offered for the causes of crime and drug abuse in his book *Drugs in American Society* (2005). In anomic terms, drug abuse is a retreatist adaptation of those who have failed in both the legitimate and illegitimate worlds, and drug dealing is an innovative adaptation. In social control terms, drug abusers lack social bonds; in self-control terms, drug abuse is the hedonistic search for immediate pleasures; and in social learning terms, drug abuse reflects differential exposure to individuals and groups in which it is modeled and reinforced. Goode favors conflict theory most as an explanation. As the rich get richer, the poor get poorer, and economic opportunities are shrinking for the uneducated and the unskilled, drug dealers have taken firm root among the increasingly demoralized,
disorganized, and politically powerless “underclass.” He notes that most members of this class do not succumb to addiction, but enough do “to make the lives of the majority unpredictable, insecure, and dangerous” (p. 77). Goode maintains that conflict theory applies “more or less exclusively to heavy chronic, compulsive use of heroin or crack” (p. 74).

**Does Drug Abuse Cause Crime?**

Figure 13.5 shows the percentage of adult arrestees in some of the largest cities in the United States who tested positive for illicit drugs in 2007 through 2009. Clearly, these data show that illicit drug abuse is strongly associated with criminal behavior, but is the association a causal one? There are three possible explanations for the connection: (1) Drug use causes high rates of offending; (2) high rates of offending cause drug use; and (3) there is no causal connection, i.e., certain individuals are predisposed to high levels

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**Figure 13.5 Adult Arrestees Testing Positive for Various Drugs, 2007–2009**

![Bar chart showing percentage of adult arrestees testing positive for various drugs in 2007 through 2009.](source: Office of Drug Control Policy (2010).)
of involvement in both drugs and crime. A large body of research indicates that drug abuse does not appear to initiate a criminal career, although it does increase the extent and seriousness of one (McBride & McCoy, 1993; Menard, Mihalic, & Huizinga, 2001). Drug abusers are not “innocents” driven into a criminal career by drugs, although this might occasionally be true. Rather, chronic drug abuse and criminality are part of a broader propensity of some individuals to engage in a variety of deviant and antisocial behaviors (Fishbein, 2003; McDermott et al., 2000). The reciprocal (feedback) nature of the drugs–crime connection is explained by Menard et al. (2001) as follows:

Initiation of substance abuse is preceded by initiation of crime for most individuals (and therefore cannot be a cause of crime). At a later stage of involvement, however, serious illicit drug use appears to contribute to continuity in serious crime, and serious crime contributes to continuity in serious illicit drug use. (p. 295)

It is clear that the use of illicit drugs is very harmful to individuals, to their families, and to society. What is even clearer, however, is that the “War on Drugs,” just like the war on alcohol during prohibition, is the cause of more harm than it prevents. Most countries have abandoned their own wars on drugs today and reverted to harm-reduction policies (i.e., policies aimed solely at minimizing harm). The United States is among only a handful of countries that reject harm-reduction programs favored by agencies such as the World Health Organization (WHO) and the United Nations Children’s Fund (UNICEF) (Wodak, 2007). Such programs involve syringe exchange programs, drug substitution programs (such as methadone for heroin), and—most importantly—decriminalizing of drug usage. Yes, such practices do upset many people’s sense of morality, but it does seem to be the practical thing to do if our goal is to reduce the overall social harm of drugs in our society. According to drug expert Alex Wodak, “No country which has started harm reduction programs has ever regretted that decision and then reversed their commitment” (p. 61).

### Prostitution and Commercialized Vice

No other crime has been subjected to more shifts of attitudes and opinions across the centuries and across different cultures than prostitution. Throughout much of American history, it was regarded as a “necessary evil.” During the American Revolution, camp followers who serviced the sexual needs of the troops were tolerated, and the term hooker is apparently derived from the women who serviced the Union troops commanded by General Joseph Hooker during the Civil War (E. Hagan, 2008). Prostitutes were particularly active in the Old West towns, where women were a rare commodity. However, the scourge of venereal disease and the grip of Victorian morality marked a change in American attitudes in the latter part of the 19th century, at which time many jurisdictions criminalized prostitution. In 1910, the federal government got into the act when Congress passed the White-Slave Traffic Act (the Mann Act) prohibiting prostitution and made it a felony to transport females across state lines for immoral purposes.

The FBI defines prostitution and commercialized vice in such a way as to cover people who sell their sexual services (prostitutes), those who recruit (procure) them, those who solicit clients (pander) for them, and those who house them. The common term for a procurer and panderer is a pimp, and for the keeper of a bawdy house (a brothel) is a madam. There were 56,560 arrests for prostitution and commercialized vice in 2009, down from 74,004 the previous year (FBI, 2010a). This is obviously only the tiniest fraction of all such offenses that actually take place, and the approximately 31% decrease doubtless reflects more lenient
police practices rather than an actual reduction of prostitution.

Exchanging sexual favors for some other valued resource is as old as the species, and prostitution has long been referred to as the world’s oldest profession. It has not always had the same sordid reputation that is attached to it today, however. Many ancient societies employed prostitutes in temples of worship with whom worshipers “communed,” after which they deposited a sum of money into the temple coffers according to their estimation of the worth of the communion. In ancient Greece, many women of high birth who had fallen on hard times became high-class courtesans called *hetaerae*, who supplied their wealthy clients with stimulating conversation and other cultured activities as well as sexual services. The lower classes had to content themselves with the brothel-based *pornae* or the prettier and more entertaining *auletrides* who would make house calls (Bullough & Bullough, 1994).

This ancient Greek hierarchy of sex workers (as most prostitutes prefer to be called) is mirrored in modern American society. The modern American *hetaerae* belong to the elite escort services and call houses and tend to be much better educated, more sophisticated, and better looking than other sex workers because they cater to a wealthy clientele who want to be made to feel special as well as sexually satisfied. These women (and sometimes men who cater to a gay clientele) can earn six-figure incomes annually and are able to sell their “date books” upon retiring for thousands of dollars (Kornblum & Julian, 1995, p. 109).

Brothel prostitutes are the modern *auletrides*. The only legal brothels in the United States are in certain counties of Nevada, but illegal brothels probably exist in every town of significant size in the United States, although they are not as prominent a part of community life as they used to be. Brothel prostitutes must accept whatever client comes along, but may make from $50 to $100 from each client. The streetwalker is the lowest member of the sex worker hierarchy. These prostitutes solicit customers on the streets and may charge only about $20 a trick (typically a quick act of oral sex).

### Becoming a Prostitute

It has been estimated that prostitution is the primary source of income for over 1 million women in the United States, many of whom view sex work as the most financially lucrative option open to them (Bartol, 2002, p. 369). Many brothel and streetwalker prostitutes typically progressed from casual promiscuity at an early age to reasoning that they could sell what they were giving away, under the influence of peer pressure from more experienced girls and from pimps (Kornblum & Julian, 1995). Pimps exploit the strong need for love and acceptance among vulnerable girls. The pimp frequently takes on the roles of father, protector, employer, lover, husband, and often drug supplier, thus making the girl totally dependent on him (Tutty & Nixon, 2003). The girls most vulnerable to pimps and other pressures to enter prostitution are those who...
have experienced high rates of physical, sexual, and emotional abuse at home and who are drug abusers (Bartol, 2002). Hwang and Bedford (2004), however, show that unlike many Western prostitutes, very few Taiwanese prostitutes cite their own economic motives for entering the profession. As is the case in the United States, many Taiwanese prostitutes ran away from home to escape abuse and were befriended by pimps who supplied them with drugs and a certain amount of affection. However, a certain number of the prostitutes in Taiwan are indentured to a brothel by their parents who were in desperate need of money.

**Should Prostitution Be Legalized/Decriminalized?**

What are the harms of prostitution, and are they sufficient to warrant state intervention? Most of the harms are obvious, ranging from the spread of sexually transmitted infections to concerns about the exploitation of women. The seamy world of prostitution is also closely related to the drug market and other forms of serious criminality, and to neighborhood blight. The worst exploitation is that of trafficking women and children from poor countries to work in the brothels of rich countries. Some of these women come with their eyes open, but most others are duped, coerced, or forced. Even “voluntary migrants” are forced to sell themselves into prostitution by the poverty and lack of opportunities in their countries of origin (Raymond, 2003).

Prostitution is one of those things that we can never really prevent, although the AIDS epidemic and fear of infection have greatly reduced it. A 1989 study found that about 40% of streetwalkers and 20% of call girls were HIV positive (Kornblum & Julian, 1995). If we can’t stop it, should we legalize it and therefore make it safer? When the ancient Greek lawmaker Solon (638–559 B.C.) legalized and taxed prostitution, he was widely praised:

> Hail to you, Solon! You bought public women [prostitutes] for the benefit of the city, for the benefit of the morality of a city that is full of vigorous young men who, in the absence of your wise institution, would give themselves over to the disturbing annoyance of better women. (Durant, 1939, p. 116)

Taxes on prostitution enabled Athens to build the temple to Aphrodite (the Goddess of Love) and provided its “vigorous young men” safe outlets for their urges. To borrow a term from sociology, the citizens of Athens found prostitution to be “functional,” meaning that it had a socially useful role to play. Such an attitude, however, ignores the important functional role of morality to society, and the issue of legalization becomes how much morality we are willing to sacrifice for the sake of expediency.

Legalizing prostitution means that it becomes a legitimate occupation and that the state can regulate it by licensing brothels and prostitutes, determining where they can be located, and requiring regular health checkups. Holland is a country that has legalized prostitution. All parties—the prostitutes, pimps, procurers, and customers—are legally sanctioned as long as they remain in prescribed areas. The unfortunate downside of this is that about 70% of Dutch prostitutes are trafficked in from poorer countries because legalization has greatly expanded the demand for a variety of “exotic” foreign females (Raymond, 2003). Thus, legalization has increased demand rather than decreased it.

Decriminalization simply means the removal of laws against prostitution without imposing regulatory controls on it. Decriminalization is the stance favored by the American Civil Liberties Union (ACLU) and prostitution rights groups. These groups oppose legalization since legalization requires regulation and further stigmatizes the “profession” (Weitzer, 1999). The police tolerance (and evidently the public’s) of massage parlors in our cities constitutes de facto decriminalization in the United States. Decriminalization
basically means business as usual for prostitutes, and saves many millions in taxpayer dollars not expended arresting, prosecuting, and punishing women, most of whom are in the business because they perceive few alternatives or who may have been forced into it by pimps upon whom they rely for love, protection, and drugs (Tutty & Nixon, 2003).

The United Kingdom is an example of a country that has decriminalized prostitution. In the UK, women are not penalized for selling sexual favors, but all third-party activities such as pimping, procuring, or in any way living off “immoral earnings” are criminalized. Whether prostitution is legalized or decriminalized, however, one inevitable upshot has always been an increase in demand as more men come to see it as no big deal (“It’s legal, so it must be okay”) or to engage in it because there is no longer risk of arrest. Sweden has decriminalized prostitution but also criminalizes purchasing prostitutes’ services. If a prostitute and her john (customer) are caught engaging in sex, the man is arrested and the prostitute sent on her way. Since many customers are married or otherwise respectable members of society, an arrest experience has a very large deterrent effect. An American study of arrested johns found that only 18 out of 2,200 (0.8%) men arrested for soliciting were arrested again for soliciting over a 4-year period, a truly remarkably low recidivism rate (Weitzer, 1999).

**SUMMARY**

- Public order offenses are sometimes dismissed as minor nuisance offenses, but they can be quite serious. Criminologists now use this term rather than victimless with the realization that there are always secondary victims.
- Alcohol is humankind’s favorite way of drugging itself and has always been associated with criminal and antisocial behavior. It reduces the inhibiting neurotransmitters and thus reduces impulse control. Contextual factors also play their part in producing the kinds of obnoxious behavior associated with drinking too much alcohol.
- Driving under the influence is the most serious Part II offense because of its sometimes deadly consequences. It was pointed out that more people are killed by drunken drivers in a typical year than are murdered by other means. Activism and legislation since the 1980s have succeeded in significantly reducing drunk driving.
- There are two types of alcoholism: Type I and Type II. Type I is associated with mild abuse, minimal violence, moderate heritability, and character disorders that result from alcoholism. Type II is characterized by early onset, violence, criminality, high heritability, and character disorders that precede alcoholism. Type II alcoholics may have inherited disorders and problems that impact both their alcoholism and their criminality.
- Illicit drug use is also a major problem. Like delinquency, drug usage increases at puberty and drops off in early adulthood to almost zero by the age of 65, as seen in Figure 13.3. Drug addiction is fairly similar to alcoholism in terms of brain mechanisms. Drugs hijack the pleasure centers in the brain and make addicts crave drugs to gain any sort of pleasure at all. Most people who try drugs do not become addicted.
- Drugs are associated with violence in these ways: pharmacological, economic-compulsive, and systemic, with the latter having the strongest association. This is the case because violence is part of “doing business” in the lucrative illicit drug business. The economic-compulsive link with violence is the result of addicts’ efforts to gain money to purchase drugs, and the rarest link, pharmacological, is violence induced by ingested drugs.
Most people arrested for a crime test positive for drugs, but this does not mean that drugs cause crime. Drug abuse is part of a broader propensity of some individuals to engage in all kinds of antisocial behavior, and such behavior is usually initiated before drug abuse behavior. Drug abuse does exacerbate criminal behavior, however.

Prostitution is as old as the species. While many individuals are coerced into prostitution, others become prostitutes because it is a lucrative business. There are many arguments for and against the legalization or decriminalization of prostitution.

**DISCUSSION QUESTIONS**

1. Discuss with classmates how each of you act—silly, aggressive, lusty, maudlin, and so on—when you have “gone over the limit” drinking alcohol. Why do you think that the same substance “makes” different people react differently?

2. The traffic fatality rate attributable to drunk driving in 2008 was less than half of what it was in 1982 (see Figure 13.1). Does this tell you anything at all about the deterrent effect of punishment in general, or just about its effect on “ordinary folk”?

3. Given what you know about the history of drug laws in the United States and the link between drug abuse and violence (and crime in general), would legalizing drugs be the lesser of two evils? Give reasons why or why not.

4. Should prostitution be legalized in the United States? Why or why not?

**USEFUL WEBSITES**

Mothers Against Drunk Driving. www.madd.org/
Prostitution Research and Education. www.prostitutionresearch.com/

**CHAPTER TERMS**

| Alcoholism | Pharmacological violence | Tolerance |
| Binge drinkers | Physical dependence | Type I alcoholism |
| Drug addiction | Prostitution | Type II alcoholism |
| Economic-compulsive violence | Psychological dependence | Withdrawal |
| Harrison Narcotic Act | Systemic violence | |