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Interviewing Offenders: The Active vs. Inmate Debate

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ABSTRACT
Criminologists have a long history of interviewing those engaged in illegal behaviors to gain insights into the nature of crime and criminality (Bennett, 1981). Ethnographic interviews give offenders the opportunity to explain their offenses and lifestyles from their own perspectives. This glimpse into offenders’ worlds facilitates theoretical explanations of criminal behavior and provides valuable data to policymakers. Indeed, few would argue against the idea that posing open-ended questions to offenders is important for a full understanding of crime and criminality.

Introduction
Criminologists have a long history of interviewing those engaged in illegal behaviors to gain insights into the nature of crime and criminality (Bennett, 1981). Ethnographic interviews give offenders the opportunity to explain their offenses and lifestyles from their own perspectives. This glimpse into offenders’ worlds facilitates theoretical explanations of criminal behavior and provides valuable data to policy-makers. Indeed, few would argue against the idea that posing open-ended questions to offenders is important for a full understanding of crime and criminality.

If we are to capture and garner the benefits of offenders’ perspectives, it is necessary that researchers locate these individuals and convince them to open up about their lives and crimes. There are many places interviewers can locate offenders, such as street corners, bars, shelters, rehabilitation meetings, jails, or prisons. While this seemingly easy task has been accomplished by scores of investigators, there is a lack of consensus as to the best place to recruit criminal informants. The debate centers not only on what kind of participants provide the most valid, informative, and detailed responses to questions of interest, but also on the best investment of investigative resources for the return in data that is accurate and general. At present, some researchers, including many who have conducted research with data gathered from incarcerated offenders, argue that samples consisting of active offenders are superior because they feature greater validity. Others hold that such claims are exaggerated, pointing to consistency in findings across sample types and the valuable insights drawn from interviews with inmates. To date, the distinctiveness of data gathered in various settings has received only cursory attention.

Our aim in this chapter is to provide an overview of the promises and pitfalls of recruiting active offenders and incarcerated ones for those currently pursuing or contemplating research involving interviews with offenders. To clarify, we do not make comparisons between interviews in prison and full ethnographies with offending groups herein. The present debate focuses on comparing the validity of findings from interviews with active offenders to those with their incarcerated counterparts.
The structure of this discussion is unique. The authors represent proponents of both sides of the debate about the strengths and limitations of interviewing active and incarcerated offenders. Scott Jacques and Timothy Dickinson promote the importance of seeking the accounts of offenders who are active and free from the constraints of the criminal justice system. Heith Copes and Andy Hochstetler think that the accounts solicited from the incarcerated offer comparably valuable insights as those gained by interviewing active offenders and, as such, should not be dismissed on methodological grounds. We begin by briefly discussing some of the issues where the opposing sides are in agreement. Copes and Hochstetler then present an argument that includes some of the benefits of interviewing inmates. This is followed by a counter argument from the advocates of active interviewers. Finally, there is a brief rejoinder defending inmate interviews. In the conclusion we come together and offer suggestions for future research and encouragement for more qualitative research of both types. Certainly, there are other issues that we do not cover, but space prohibits us from addressing all possible pros and cons of each sampling strategy. Our goal is not to provide a definitive answer to the question of which strategy is best. Instead, we present the benefits and costs of both sides to inform readers, stimulate further research, and let researchers decide about the relative value of each sampling strategy. In the end, we all value research that involves thick descriptions from offender interviews (regardless of where they are located) and seek to encourage more of this type of research.

**Where There Is General Agreement**

There is consensus on a number of issues that active or inmate research offers clear advantages. For instance, most agree that it is easier to find offenders in prison than it is to track them down in the wild, even though navigating prison bureaucracies can be a hassle. It also can be less expensive, in the United States at least, to interview incarcerated offenders because the amount they can be remunerated is severely limited by Institutional Review Boards (Jacques & Wright, 2010a). Here we discuss some of the other agreements among the two camps.

**Location Can Affect Responses**

Ethnographers who accompany their participants into the field to watch what they do have clear advantages and often make much of their ability to match and contrast real behavior with talk of it, but criminologists often do not have this ethnographic luxury. Offenders engaged in less serious crimes, such as drug users and some dealers, can be observed as they go about their lives and engage in their crimes, especially if the researcher is independent or careful to obscure some of what may be seen. However, accompanying predators like robbers, burglars, and sex offenders as they conduct crimes is obviously unethical, not to mention illegal and dangerous. Few criminologists risk their families, teaching positions, and safe and comfortable evenings to live with hardened criminals or accompany them to their illegal deeds.

Due to these constraints, research with active and incarcerated offenders often relies on interview data to get the perspective of offenders. Settings influence the outcomes of interviews. Few would argue that the responses
to a set of identical questions by a large sample of randomly assigned participants in distinct settings would not
be at least slightly colored by the characteristics of these settings. There are some differences among interviews
in public settings, comfortable university offices, and the stark rooms or prison libraries provided to those who
interview inmates. Interviews on street-corners, in offenders’ homes, or in their grandmothers’ dining rooms
also may differ from those conducted in state owned buildings, whether they are universities or prisons.

Obviously, offenders are not randomly assigned to a setting in typical criminological research. It probably is
important to acknowledge, therefore, that interviewees have certain things that they want to impart based on
the setting where they have been recently. It is likely that the identities and stories they draw on are shaped by
participants’ current socio-cultural environments. Those on the outside may have pressing concerns and matters
to attend to that bring the active offenders’ present station to mind. Those in prison may have the shenanigans
and business of the cell-block, including their convict identities, to attend to, as well as the regrets, removal
from loved ones, and good intentions that may be the product of distance from the streets. And both may be
concerned with the impact of the interview on their criminal justice status (albeit for different reasons).

The inmate and active advocates agree that the circumstances surrounding offenders at the time of interview
most likely influence the personas and responses they present to researchers. However, the two camps disagree
on the degree to which the interview setting influences the validity of offender accounts. Whereas active-
advocates often argue that the artificial setting of prisons may reduce the validity of accounts, inmate-
advocates counter that people construct their personal stories and accounts (i.e., identities) in every setting,
regardless of where they are interviewed.

**Boredom Increases Participation**

For many reasons, it is convenient and practical to draw offender samples from populations in institutions. One
advantage of interviewing inmates is that they are more likely to be motivated and interested participants.
Developing rapport with participants is a general rule in qualitative research, but just as important is getting
and maintaining interest in the interview. Interviewing even close friends about topics they are uninterested in
discussing shows how rapport is not the only important consideration in getting people to talk for an extended
period. Free citizens of all types have other things to occupy their time rather than sitting through an interview
answering questions.

Akerstrom (1985) argues that active offenders often do not make the best study participants because their
attention is elsewhere (namely, focused on future crimes), and, therefore, it is difficult to hold their attention
long enough to complete an interview. Jacobs and Wright (2006) acknowledge distractions can impede
interviews with active offenders; additionally, they recounted an example where they were interrupted by an
impatient recruiter who wanted the interview to end early as he had things to do. Some researchers tell stories
of those few offenders who were apparently trying to ‘hustle’ their way through the interview so that they
could collect their pay and return to their ordinary affairs (Jacobs, 2000). For these reasons, interviews with
active offenders may be rushed and hurried and may be relatively shallow in comparison to participants with time on their hands. Answers cut short or lacking thought potentially lead to incomplete data and subsequent misinterpretations of reality.

Certainly, those who interview inmates are not immune to the practical problem of participant interest or bureaucratic prison routines. In fact, many inmates are reluctant to give more than one or two sentence responses to questions. While it may not be possible to determine if stunted responses are due to personality characteristics of the particular participant, it is also not possible to rule out the possibility that inmate-participants simply want to be done with the questioning. However, the general rule is that the boredom and regularity of prison encourages participation. It gives inmates a chance to talk to new people and break up the monotony of prison life (Copes, Hochstetler, & Brown, 2013). In Copes and Hochstetler’s experience with inmates, few gave signs that they wanted the interview to end quickly. Many reported that they enjoyed being interviewed and were happy to have had the opportunity to help with research (Copes & Hochstetler, 2014; Copes et al., 2013). Thus, a point that the inmate- and active-advocates agree on is that persons in jail and prison may experience direct benefits from speaking with interviewers, which encourages them to talk at length during interviews (all else equal).

**Freedom Increases the Possibility of Triangulation**

Institutionalization creates boredom because inmates cannot go where they please. Actives can go where they want, when they want, assuming they have the means to travel and are not on probation or parole. If interviews are conducted solely within an office, the respective confinement and freedom of inmates and actives is less significant. Yet the defining feature of being an inmate—institutionalization—means inmates cannot be observed and conversed with in their usual haunts. Researchers cannot bring inmate-participants to crime scenes to question them about how events unfolded. Nor can researchers follow inmates around to watch them interact with friends, family, co-offenders, or anyone else.

Among even the most prolific offenders, there is more to life than crime, memories of it, or (re)interpretations of it. For that reason, some of the best studies are those that collect data from multiple sources in multiple ways, a strategy known as triangulation (see Lindegaard, 2010). Interviews are just one tool of data collection, and offices are just one place they can be performed. Yet what people say at one place in time does not always match what they say somewhere else. This can result from a number of factors, including everything from lying, to misremembering, to changing one’s mind, to “code switching” (Anderson, 1999). Thus, how people act—including what they say—is not constant, but variable and, as such, is worthy of investigation and explanation in its own right (Sandberg, 2013). Such variation is only problematic when researchers fail to uncover it, as a singular story will shade findings in one direction or another. Most are aware of this and temper claims of generalizability accordingly.
Do researchers always need to observe and interview criminals outside office walls? No, though it may be useful depending on the topic at hand and the theoretical framework. But inmates, by definition, cannot be researched outside institutional walls; this is a limiting factor that is impossible to escape. The second point of agreement, then, between the inmate- and active-advocates is that research with actives is not simply better suited for in situ data collection but rather is the only option; to the degree triangulation and observation in various settings improves understanding, active offender research has more potential than inmate-based research (all else equal).

**Offenders’ Freedom Increases Researcher’s Risk**

Correctional facilities restrict movement of all who enter. This restricted movement is enforced through a number of security measures, such as fences, locked doors, cameras, and correctional officers. If guardianship does deter and prevent crime, the safest places to interview offenders are jails and prisons. Inside institutional walls, an inmate-participant could threaten or attack a researcher, but guards would likely intervene quickly. While the attack could prove serious, the chance of serious injury or death is limited by the relative inability of inmates to conceal weapons, obtain firearms, or prolong an assault. All of these factors limit the risk involved in interviewing inmates (but see Athens, 1997).

Active offender researchers do not enjoy the same protections. Their home or university may be fenced, but such places are not impenetrable. They can lock their doors, but those doors are not steel. Cameras might be installed, but they may be limited in coverage. Security guards or (campus) police may be around, but they will have duties other than protecting any particular researcher from their participants. If a researcher is attacked, they might very well be on their own; the attacker may have a gun rather than a makeshift weapon. All of this means that active offender research is potentially dangerous, at least more so than inmate-based research.

The above reasoning is not merely theoretical. Attacks are rare, but they do happen. Active offender researchers have been threatened, stalked, robbed, and murdered for reasons stemming from their research (Jacobs, 2006; Jacques & Wright, 2010b; Lee, 1995). When conducting fieldwork for his study of heroin sellers in Detroit, Mieczkowski (1986) “was harassed by an unknown individual who was very belligerent and demanded money” (p. 43). And Jacobs (1998, p. 60) was robbed at gunpoint and subsequently harassed by a “trusted contact” while in the field recruiting crack dealers in Saint Louis. In the literature, such dangerous encounters are reported more often in the context of research with actives than inmates; therefore another agreement between the inmate- and active-advocates is that research with actives is more dangerous than that with inmates.

**Where There is an Argument**

Much of the debate about the best places to locate offenders centers around active advocates criticizing research based on data collected from inmates. This means that, in the literature, much of the inmate-advocates’ justification for this sampling strategy has been defensive. To turn the tables on the typical argument, the
inmate-advocates begin the discussion with some of the possible benefits of interviewing offenders who are under state supervision. The active advocates then provide a rebuttal. This presentation is merely rhetorical as the inmate-advocates do not believe that interviewing inmates is a superior approach to interviewing active offenders. The debate rests largely on how the two sides think about validity concerns as balanced against the net payoff of interviewing in institutions. The inmate advocates think that for many questions, validity concerns are not that serious and inmates suffice.

**Sampling**

**Inmate-Advocates: Jails and Prisons Can Provide a Sampling Frame**

From the inmate-advocate perspective, an advantage of interviewing inmates is that jails and prison offer a formal means of structuring samples. Official records include variables that can be used both to structure samples and, in some cases, to triangulate facts. By contrast, it is common for those engaging in interviews with active offenders to rely on snowball or chain-referral samples to locate suitable participants (Biernacki & Waldorf, 1981). Because researchers using this method often know little more than informants’ first names or street monikers, it is quite difficult, if not impossible, to acquire their criminal records. Furthermore, snowball sampling relies on seeking referrals from a key informant and then soliciting interviews from these individuals. Without a doubt this is an effective strategy for tapping into networks of offenders and gaining their confidence (Wright et al., 1992). When using this method, however, the structure of the sample is difficult to plan and control, even when using innovative strategies like respondent-driven sampling. Researchers are reliant on key informants’ decisions of whom to refer and may have difficulty extending beyond one or two social networks, which means that generalizing is especially hazardous. The greatest risk is that informants refer only individuals with whom they share important variables.

When conducting prison interviews, investigators have more information at the outset that allows creative and intentional structuring of the sample. Systematic sampling frames are much easier to generate and some random selection can be used to reduce the influence of researchers’ choices about whom to interview. Official records can provide lists of prospects and can be used to draw bounds around the population to be studied. For example, to remove incidental or novice offenders a researcher might preclude participation by all inmates without evidence of a criminal record prior to their last offense.

Even where official records are used to structure a sample, there may be little reason for establishing sample parameters and the categories it contains at inception. Yet as research gets underway, one can use official information purposefully and efficiently to make sure that emerging categories are explored thoroughly. New variables from records can be used to select potential participants if the investigator begins to suspect that they are worth exploration. An initial list of potential interview participants also can be expanded by more informal means as the research proceeds. Hybrid snowball and sampled lists of participants can complement each other, and be used separately or together in analysis. When sampling methods are combined, findings will not be
wholly contingent on selection by key informants or subject to the potential biases introduced by using a single recorded offense to define eligible participants. Official records also can help ensure that there is not systematic bias in who decides and refuses to participate in research. If certain kinds of offenders are significantly less likely to participate then they can be oversampled to remedy the problem, thereby approaching generalizability.

An additional benefit of prison recruitment is the relative convenience for accessing a wide range of geographies. Investigators are better able to find offenders from different communities due to the ability to draw from entire prison systems and the ease of sampling official records across political and geographic boundaries. Stratified samples across locales or samples drawn from national prison systems can yield findings that extend beyond local and idiosyncratic patterns.

**Active-Advocate: Jail or Prison-Based Sampling Frame is Discriminatory**

Writing from the active-advocate perspective, the “institutions provide a sampling frame” argument is persuasive. But it is also overstated. For one, we must make clear that while jails and prisons do provide researchers with potentially more data to draw on in sampling, active offender research is capable of producing random and generalizable samples as well. The “trick” is to determine the size of the populations and its diversity of traits; though difficult, this is not an insurmountable task. If wildlife biologists can determine the number and variety of fish in the sea, certainly criminologists should be able to do the same for criminals in any given area. Indeed, the “capture-recapture” method has been used for decades to estimate the size of active offender populations (see, e.g., Korf, 1995). Once such estimates are obtained, researchers are able to determine the extent to which their sample reflects the actual population and thereby make appropriate adjustments to their analysis. Thus, the supposed strength of institution-based sampling is not unique. Curtis (2010) put it best: “Social science has already developed many data collection tools that can be successfully employed, but many of the problems that researchers face in conducting research with these populations stem from our own preconceived ideas about what is possible” (p. 141).

The inmate-advocates are correct in suggesting that “sampling frames are much easier to generate” in institution-based research. Another benefit is those institutions and the broader law enforcement apparatus have already collected data on those offenders, including their date of birth, official criminal record, and much more. No doubt, it is easier to (attempt to) generate a generalizable sample of offenders by drawing on those who are institutionalized rather than those who are roaming around. But make no mistake about it: this is a matter of efficiency, not possibility; the same can be done with active offenders. Furthermore, and for the same reasons outlined above, institution-based sampling does not necessarily entail access to more locales, though it does entail less effort to do so. Active offender researchers could join together across the nation, or even the world, to determine the size and nature of the criminal populace by using the capture-recapture method.

The second flaw of the above “institutions provide a sampling frame” argument is that it is not necessarily problematic for a sample to be homogenous by “shar[ing] important variables.” Variation can be good or bad.
It goes without saying that for a study to find effects, variation must be found in the variables of interest. It is impossible to know, for instance, whether and how wealth affects crime if everyone in the sample is of equal wealth (and there are no prior findings on another sample with which to compare). Yet variation can be bad too, as it can hide or amplify the effect of other variables. Continuing the previous example, it is more difficult to determine how wealth affects crime when wealth is highly correlated with race/ethnicity. If unabated or complete understanding is the ultimate objective, such confounding factors are welcome because they are part of reality and thus not to be ignored or avoided. But sometimes researchers simply want to know how one or a couple independent variables affect a particular outcome. And in that case, any variation untied to the primary variable(s) is a potential hindrance. Therefore, sampling similar persons is certainly not “the greatest risk” so long as that similarity is not the variable of interest.

No, the greatest risk is the third flaw: jail-and prison-based sampling frames are over-representative of certain populations and thereby potentially contribute to consequential discrimination (Jacques & Wright, 2010a). Over seventy years ago, Sutherland (1940) famously observed that official records are biased. It is widely recognized that the criminal justice system discriminates against lower-class persons; this applies to everything from lawmaking to policing, prosecution, and punishment (Black, 1976). The implication of this pattern is that institution-based sampling frames will reflect the inmate population, not the actual population of criminals. In other words, because lower-class persons are overrepresented in jails and prisons, institution-based sampling will over-represent lower-class persons and, as such, not be generalizable to offenders outside institution walls. For instance, not one of the 29 middle-class drug dealers interviewed by Jacques went to prison, a social privilege not enjoyed by lower-class sellers. Also, lower-class persons are the most likely to be apprehended on multiple occasions, which makes it problematic to create samples of “experienced offenders” by omitting those who have not been arrested multiple times. Thus, the greatest risk is that researchers treat institution-based sampling frames as indicative of the free offender population, as this can make lower-class individuals seem more criminal than justified. And this research-based stereotype may serve to further stigmatize the lower-class and thereby further diminish their educational, occupational, and social prospects in mainstream society. Given the long history of discrimination in the criminal justice system, it is perhaps better—or safer—to create samples of unknown generalizability than to make false claims of generalizability by drawing on discriminatory records. To a degree, of course, institution-based sampling could intentionally oversample higher-class individuals in order to overcome the above problem; by doing so, however, the sample may become even more disproportionately full of unsuccessful criminals (because most higher-class individuals are not caught).

Looking (Back) at One’s Life

_Inmate-Advocates: Inmates are Well Positioned to Interpret Life_

From the inmate-advocate perspective, an advantage of interviewing the incarcerated is that prisoners may be in a better mental or emotional position to interpret their life than active offenders. While those who interview
active offenders often must piece together fragments to interpret what they are told, those who interview prisoners are likely to receive more reflective and cohesive accounts. The availability of contemplative time and the participation in self-help programs provide the incarcerated the resources to think about what led them to prison, and accounts, therefore, may be more reflective. For some questions, this is a good thing. Inmates may be more likely to go beyond explaining what happened to explain what their actions meant to them and to make connections between criminal events and their lifestyles. These occasional insights allow investigators to check conclusions and make sense of the offenders’ lives “through their own eyes” as they see themselves in relatively contemplative periods and moments. The hectic and chaotic lifestyle of active offenders may stymie critical and reflective evaluations of their circumstances. Inactive offenders—including those in institutions—may be capable of presenting more cohesive and consciously meaningful interpretations of their decisions and lives than are those currently in the chaos and fray associated with active offending.

Admittedly, some of this is likely due to various self-help and recovery programs that encourage inmates to acknowledge the incidents that led to their decisions. This is likely why inmates offer more rehabilitation and apologetic narratives than do actives. However, these themes are part of what the offender lifestyle and thinking entails, at least during some periods.

While the interviewer in prison is faced with the possibility that participants are providing narratives of their life organized well after crime, the interviewer of active offenders may face a greater possibility that narratives are not organized into any sensible, self-reflective, or cohesive form at all.

**Active-Advocate: Active Offenders are Better Positioned to Interpret Life**

The above argument reveals that the inmate- and active-advocates have different assumptions about the lives of criminals. The inmate-advocates clearly indicate that they see active offenders as less self-aware and contemplative than inmates because they have less time to reflect on their lives. Certainly some active offenders live in a maelstrom precluding them from self-reflection, but the lives of many others are filled with long stretches of boredom and inactivity. While being isolated and confined in a room undoubtedly gives one much time to pore over the details of his or her life, standing on the street corner for hours on end, day after day, provides this opportunity as well. All this is to say that active offenders and inmates cannot be easily typecast as more or less able to contemplate their actions because of their relative lack or wealth of freedom. The ability to provide a researcher with a cohesive account of one’s life may simply be a function of how reflective an informant is as a person, not their status as an active or incarcerated offender.

The second assumption revealed in the above argument of the inmate-advocates is that life is played out with a script. If life is a script, jailees and prisoners have ample time to “read it over” and provide researchers with a recap. But from the active-advocates perspective, life is more akin to one big “improv” stage; that is, there is some structure to life, but this structure is merely a rough guide, and thus what someone will do from one moment or day to the next is up in the air—until it happens. In the moment, people do not always have
reflective and cohesive accounts of their behavior; it logically follows that subsequent accounts of that behavior did not affect it.

Anyone who has lived—and pays attention to their life—knows that explanations of action change with time; in other words, how someone understands any given action may not be reflected in their future understanding of that exact action. Most people, perhaps, recognize that when looking back at how they behaved during their hectic and chaotic teenage years, their teenage-self would provide a different explanation of that behavior than would their present-self. So which explanation is to be “believed”? Both the “present” and “looking back” accounts are useful to researchers, but the “looking back”—or rather, way back—accounts have questionable value for studying the past. This is to say that interpretations of the past and present only affect the present and future, and do not necessarily reflect why people did what they did long ago.

That general truth is perhaps especially true for inmates, as they are often forced to undergo behavioral therapy designed to change how they think. These new ideas about prior behavior may “help” inmates live out their future, but, again, these ideas do not necessarily reflect why they acted as they did in the past. As criminologists, we should understand that theories of behavior can be wrong, and that theories are learned. It should go without saying that a person’s explanation of their present may not be “valid” in the scientific sense of the term, but from the ethnographic perspective a person’s explanation of their present behavior is more closely tied to their present behavior than is their future explanations of it. If only one interpretation of the present is to be trusted (and we are not saying it is), then it must surely be the one closest in time to the action being interpreted—assuming the interpretation is telling the “truth” as they see it then.

To understand crime from the criminals’ perspective, it is absolutely essential to interview and observe active criminals, not prior ones. To understand desistance and termination from the criminals’ perspective, we should interview and observe desisting and former offenders, both inside and outside jail and prison walls.

**Talking Under the Influence**

*Inmate-Advocate: Intoxication Can Be Detrimental for Interviews*

Investigators using samples of active offenders must accept that those they interview might be drunk, high, or going through withdrawal. All of these altered states make meaningful conversation difficult (Akerstrom, 1985). Informal discussions with those who have interviewed free-world participants reveals many stories of intoxicated participants who are unable to stay focused during the conversation and whose statements are indecipherable or inconsistent when they do speak. Jacobs and Wright (2006, p. 22) report that “one person we were supposed to interview got so high on drugs before coming to speak with us that he could not climb the hill that leads to our office (we interviewed his associate instead).” In such circumstances, the quality of offender accounts may suffer because the respondent simply cannot stick to the point or weave a consistent and coherent narrative. Reflecting on her interviews with drug smugglers, Adler (1990, p. 105) stated that trying to get information from those who were high on marijuana was often ineffective because these people were
“confused, sleepy, or involved in eating.” She believes some even exaggerated symptoms of intoxication to avoid answering questions.

We do not want to oversell this point as it is unclear how many interviews with active offenders are affected by participants’ immediate use of drugs or alcohol. Likely, not many are. Unless the participant openly acknowledges that he or she is intoxicated or otherwise not of sound mind, the only way to know is common sense. This may prove difficult because addicts usually have learned to converse under the effects of drugs and alcohol abuse. Depending on the type of intoxicant, it may take only mild doses to disrupt ordinary interaction. Many active offenders exceed that threshold daily and also suffer from more intractable effects of addiction on thought and communicative ability. While researchers can ask participants directly about their current state of sobriety, doing so may damage rapport. Even if the intoxicated participant admits to drug use, there are no clear guides for discounting information that might be suspect. Nevertheless, it is doubtful that what is added to interviews by capturing the “normal state” of addicted offenders surpasses the value of what could be added in accuracy and clarity by having a sample of offenders in more sober states of mind. While drunken words may contain sober thoughts, they also contain sentiments of impatience, incoherence, and exaggeration.

**Active-Advocate: Intoxication Can Be Useful for Interviews**

The inmate- and active-advocates are in agreement that “real withdrawal”—by which we mean the physical kind, not mere mental addiction—would be distracting and therefore potentially bad for interviews. Whether that is a substantial problem in practice is a separate issue. Many urban crack dealers, for instance, purportedly do not use crack (Jacobs, 1999). Perhaps the only offender type with which withdrawal is a pervasive problem for research is drug addicts, though, as the inmate-advocates point out, addicts usually have learned to converse under the normal effects of drugs and alcohol abuse.

Where the two groups of advocates diverge is with respect to the effect of intoxication on interviews. No doubt, intoxication can be bad. For example, for a study of robbers in Amsterdam, Jacques offered to cover participants’ tabs, as interviews usually took place in cafés (i.e., bars) and coffeeshops (i.e., cannabis selling businesses). Nine times out of 10, or rather 29 times out of 30, this was unproblematic. But during one interview, a participant quickly drank two large pints, reached the point of clear inebriation, and walked out on the interview half way through; on top of that, the participant gave clear indications that he was also under the influence of cocaine.

But the inmate-advocates go too far in suggesting that “altered states make meaningful conversation difficult.” That is because when it comes to conversation, intoxication is a double-edged sword. Many adults (and adolescents) use alcohol, for instance, as a social lubricant to ease their conversations. Research on drinking among college students provides illustrative examples: “Robert, a sophomore at Faith University,” said, “people start loosening up by drinking, I call it liquid courage. Most guys are shy about going up to pretty girls, [so that is why] I call it liquid courage. They got enough courage up to go up and talk to the girl” (Bogle, 2008,
A nineteen-year-old male explained, “It felt good to drink […] It does help you to feel good about yourself. The real me came out. I was better socially” (Vander Ven, 2011, p. 66). Females are no different; as one young lady remarked, “I found that that [with] alcohol … I’ve noticed that when it comes to picking up guys, I definitely feel more at ease and confident … I’m more easy going than I usually am” (Williams, 1998, p. 61). Alcohol is not the only drug with such “pro-social” effects. In discussing the relationship with his wife, a cocaine dealer-user suggested “[s]he and I have such a severe communication gap that it’s probably 50 percent of the reason cocaine persists the way it does. When we get together in the evenings it smooths the way for us to relate, for us to have our special time together as lovers” (Adler, 1993, p. 88). And another cocaine dealer explained “[c]oke helps you get past the stupid front games. Our little sessions at night with coke show the closeness that comes from [using it …] You have such tight friends in such a short amount of time” (Adler, 1993, p. 88).

The above quotes clearly demonstrate that intoxication can increase rapport. Thus, intoxication cannot be looked at in simplistic terms as either “good” or “bad” for research; the truth is it can be both. At present, however, whether the overall effect of participants’ intoxication is better data, worse data, or inconsequential is unknown. That is all the more true because who really knows—other than perhaps psychiatrists, correctional officers, and inmates—how the drugs given to inmates affect the thoughts that escape their mouth.

Qualitatively Different Accounts(?)

Inmate-Advocate: Inmates and Active Offenders Provide Similar Data

At the heart of the criticism of inmate-based interviews is the assumption that the accounts given by inmates will be qualitatively different than those given by the unincarcerated. Despite such claims, empirical research evaluating both strategies is limited. A review of research on the event and involvement decisions of street offenders shows remarkable similarity in findings.

A topic that has been studied with both methods is the lifestyle led by persistent street thieves. This lifestyle is best exemplified by the works of Neal Shover (1996), whose samples were located through criminal justice sources, and by Richard Wright (Wright & Decker, 1994), who interviews active offenders. The criminal lifestyle is consistently portrayed similarly in the works of Wright and Shover, despite collecting data from different types of offenders. Indeed, these scholars reference one another repeatedly to support their claims. Moreover, the finding that “life as party” is a main motivator to offending appears in descriptions of the settings before discrete criminal events described by prisoners and free offenders (Hochstetler, 2001; Wright & Decker, 1994). In short, research derived from actives and inmates suggests that persistent street offenders live a particular lifestyle and the values associated with this lifestyle constrains decision-making in a way that offenders interpret crime as a reasonable solution. The apparent congruency in inmate-based findings with those active offenders cast doubt about the faultiness of inmate-based samples for understanding the most significant elements of offenders’ lifestyles and pressing problems and how they constrain decision-making.
Another area researched through interviews with inmates and active offenders is that on how criminals enact their crimes. Similarity is found in studies of target selection among free and institutionalized burglars. For both types of offenders, the majority of participants demonstrate consideration of target characteristics and use of expertise at the scene of the crime; decisions to offend occur before proceeding to the scene of the crime; they ease the effort by stealing common and portable valuables that require few technical skills (Nee, 2003); they speak to how experience has taught them to scan the environment for beneficial yet “safe” opportunities to steal (Taylor & Nee, 1988; Shover, 1996), placed them in touch with street-networks for disposing of goods, and shaped preferences for entering and searching effectively (Maguire & Bennett, 1982; Nee, 2003; Nee & Meenaghan, 2006; Wright & Decker, 1994). There are other similarities between active and institutionalized offenders. Jacobs (1993, 1996) has shown that drug dealers use similar arrest avoidance strategies regardless of whether they were semi-institutionalized or free from institutional constraints. Women robbers articulate similar motivations for their crimes and ways to carry them out regardless if they are interviewed in British prisons or on the streets of St. Louis (Brookman, Mullins, Bennett, & Wright, 2007; Miller, 1998). It is not necessary to belabor that point, as the bottom line is there is little difference between findings generated from active and institutionalized offenders when it comes to their descriptions of event decisions. After all, the inmates were active before being jailed and imprisoned.

**Active-Advocate: Inmates and Active Offenders Provide Different Data**

Perhaps there is congruency between findings from inmate and active samples on certain topics. The similarities described above are suggestive, but are certainly far from definitive. To know whether findings from different samples are truly similar, a quantitative method should be used to compare participants’ answers to the same questions, entirely stripped away from authors’ interpretations of those answers. Yet for a moment, assume that the inmate-advocates are right: inmates and actives provide essentially the same information. If that is true, their prior arguments are false. If inmate-based samples do in fact produce more valid results by interviewing persons who are sober and have greater perspective on their life, that method should provide better and thus different information than do interviews with actives. Yet, directly above, the inmate-advocates suggest that the two kinds of samples produce qualitatively similar data. You cannot have your cake and eat it too.

Should it turn out there is no great difference in findings generated from the two types of samples, the active-advocates’ best guess is this does not reflect the respective merits of these two procedures, but rather indicates how little criminologists know about crime.

Until proven otherwise, there are many good reasons to suspect actives provide better information (see Polsky, 1969; Wright et al., 1992; Wright & Decker, 1994), holding constant boredom. As Sutherland and Cressey (1970) stated long ago, “Those who have had intimate contacts with criminals ‘in the open’ know that criminals are not ‘natural’ in police stations, courts, and prisons, and that they must be studied in their everyday life outside of institutions if they are to be understood” (p. 5). Of course inmates were at once actives, and that
is a good reason to assume they may provide similar answers to questions. But memory degrades, and inmates may be out of touch with modern strategies and techniques of offending because the times change. Furthermore, inmates are by definition the failures of their field and therefore potentially different from offenders who escape apprehension. It also seems reasonable to suspect that inmates will tell you everything about “known offenses” or their partying days or other non-criminal activities, but common sense suggests they would be reluctant to reveal information about crimes unknown to the criminal justice system. And though a study of inmates—especially one of drug dealers—may arrive at the same conclusions as a study of lower-class actives, the jail- and prison-based sample is unlikely to include higher-class persons who have, for some crimes, been shown to have markedly different motives, methods, and consequences of crime commission (compare, for instance, Anderson, 1999 with Jacques & Wright, 2013).

As a final note, it should be kept in mind that there is more to choosing a research procedure than weighing its respective costs and benefits as related solely to data collection and knowledge production. The fact is that criminologists engage in particular procedures for reasons that have nothing to do with whether they “should” from a scientific perspective. Another concern is success in academia. Based on the evidence, it seems researchers who care about success should research actives over inmates because active offender research may be more publishable and more exciting to the consumers of criminology. Consider the following: a study of journal publication from 2004 through 2008 found that of the 362 unique authors of qualitative manuscripts, only 11 authors had 3 or more articles (Tewksbury, Dabney & Copes, 2010). Six of those 11 are members of the “St. Louis School” (Copes, personal correspondence), which is a group of active offender researchers who have been affiliated with the University of Missouri – St. Louis (Jacques & Wright, 2010a). It could be that their success is due in large part to sampling actives rather than inmates (or anyone else for that matter), as editors and reviewers may perceive active offender research as superior, or simply cooler. Whether one likes it or not, perception is reality.

**Inmate-Advocates General Rebuttal**

While we believe that the active-advocates make compelling arguments, we also think that they overstate our argument in a few spots. Here we clarify some of our thoughts on the issue and address some of the counter-claims of the active-advocates. At times it may seem like we contradict our claims about the similarity and differences between interviews based on active and inmate research. We acknowledge that active and incarcerated offenders do at times tell different stories. Such is to be expected. We believe that much of the disagreement on the validity of inmate interviews is determined by one’s philosophy of the nature of accounts generated from interviews. When we speak with people and ask them about their lives and crime we have at least two ways of interpreting what they say (Presser, 2010). We can take what they say as fact-based accounts of what happened or we can take what they say as social constructions or interpretations. When the words of offenders are taken as facts and the little details matter then being closer to the crime is important. The closer to the event the better a person’s memory of that event is. A thief probably can recall the value of the gold chains
she swiped better the next day rather than two years after the fact. Few would dispute this claim. Despite this, it is research on how crime is conducted that shows the greatest similarity in findings between active and inmate research. The enactment and arrest avoidance strategies described by burglars, street level drug dealers, and robbers are remarkably similar regardless of where they were interviewed.

Where we do expect to see divergence in accounts is when we ask offenders about how they see themselves as people, their thoughts on a life of crime, or where they fit in the world. When asked to describe their past, current, and future selves we do see differences in currently active and incarcerated criminals’ depictions. Incarcerated offenders are more apt to tell redemption and recovery stories. Active offenders are more apt to tell stories about their ruggedness and skills as offenders. The frequency with which types of stories appear vary based on the position of the storyteller. Accounts also may contain mixtures of reflected, un-reflected and partially reflected information, but this does not mean that one type is more valid or significant than another or is the best sort of information for characterizing offenders’ thinking. Offenders probably adapt certain mindsets during certain periods of a career and these also are dependent partially on their location. Some depictions may even indicate which goals, conventional or criminal, they plan to pursue whether or not they are free. What is said in interviews reflects the mindsets of offenders. However, it also is a result of interaction, a social construction, a more or less situational interpretation, and often a simplification.

When it comes to constructing identity we take our selves with us wherever we are interviewed, but the place and the characteristics of the interviewers shape how people tell their stories. Nevertheless, the nature and themes of the story can tell us a great deal about who people are and the cultural values they see as important.

The active-advocates make a valid point about the potential of highlighting the crimes of the lower-class when using inmates. Undoubtedly, offenders from the lower class are more likely to end up in prison. However, this is not always the case. In fact, prison based research can (and has) shed light on the crimes of the middle-classes that may be difficult to study with active only samples. Active offender research is typically dependent on some form of snowball sampling. Such sampling strategies are well suited for finding hard to reach populations who interact or offend in specific social circles. Their limitation is in finding offenders who tend to act alone or who do not run in circles with other offenders, such as white collar offenders. Trying to find a sizable sample of white collar offenders using snowball sampling would be difficult and may produce biased results. For example, Copes and Vieraitis’ (2013) work on identity thieves suggests that these offenders come from both middle-class and criminal backgrounds. A sample generated solely from active identity thieves would likely yield great results for those identity thieves who work in street level identity theft rings, but would be fruitless for those who work alone or within the same white collar work environment.

Also, it is not always ethical or practical to recruit and interview active offenders. For example, those interested in interviewing child molesters would have a hard time justifying why they located active child molesters and did nothing to intervene. The same could be said of numerous other morally reprehensible crimes. Justifying why they chose not to stop the actions (or at least inform authorities) about the current behaviors of people who
exploit children in their care or who plan to kill in ongoing gang battles would be a hard sell for many audiences. Keeping such secrets may even come with legal consequences.

The active-advocates argue that it is essential for researchers to interview active offenders if they are to best understand criminal behavior. This is an overstatement. Think of it this way. There are many experts on the graduate school experience. Some of them are in the first stages of graduate education. If interviewed, these admits can impart what it is like to be living graduate school, on what got them there, and they certainly could offer a harried, insecure, and perhaps paranoid perspective on their peers and how it all works. Then there are those who have finished graduate school and gone on to be professors for many years who get to watch future cohorts pursue their career of choice. The latter can reflect on graduate school in a more detached and perhaps more informed way. Surely, the aging professor offers some insight into graduate school from a comfortable home and office setting. (If not, it would be nice if the young would quit asking for advice.) Surely our professor will forget certain things, and particularly the “lived experience” of early graduate education, but he knows other things and has well-formulated ideas that can teach of what it is all about. Which of these two groups provides the more informative narrative of how it all works: persons in the midst, or persons looking back? This is not to suggest that those in prison are done with crime or are old; most are not. And, the old head in the street obviously has lessons to impart if you catch him on the corner, but he can calmly tell you about them the next time he is in the penitentiary just as well.

Most offenders in prisons, at least most street offenders, are not that far removed from the streets. They live in a similar culture and on average they have not been incarcerated that long. (The average time served in state prisons is about two years). Many offenders in the streets have recently come from prison or have been there before and no few are sure that they will soon be there again. While some types of criminals often do avoid prison, say one-time embezzlers, we assert that active street offenders who persist with serious crime and do not end up in jail or prison are likely distinguished only by incredible luck. It is safe to think of the prison as a good place to talk with offenders, many of whom will soon be active again. The types of offenders needed for studies of many street crimes or criminal lifestyles are frequent flyers in the criminal justice system.

**Conclusion**

Speaking directly to offenders has provided untold insights into how and why people commit crime. Yet, at this time we simply do not know whether one type of sample is *better* than the other at eliciting accurate and informative interviews. All that has been written, by us and others, is based on hunches and assumptions about how sample construction influences data. Empirical assessments addressing this issue are lacking (see Nee 2003, 2004 for exception). Thus, to put this issue to rest, empirical answers must be pursued (see Jacques & Wright, 2008, 2010a).

One means of shedding light on the issue is for investigators to use identical interview guides to interview offenders housed in a state prison system and those who are active in the same area. These offenders should be
matched on their criminal experience, crime of interest, and various demographic and socioeconomic characteristics, such as gender, age, and current/former place of residence. Active offenders would ideally be drawn proportionately to the composition of the prison system by residence, and would likely heavily represent a few major metropolitan areas of the state with some appearance of inhabitants of rural regions. Such a study could address many of the questions raised in this chapter about the relative strength of active versus incarcerated interviews, and also would speak to how being incarcerated changes depictions of crime substantively.

Our aim for writing this chapter was not to dismiss interviews with free-ranging offenders or with confined ones. To the contrary, we all see great value in both types of design and what has been learned by implementing them. We simply disagree about the degree of value in one approach relative to the other. Clearly, more needs to be learned about the pitfalls and promises of each strategy, and how the interview context shapes offender responses. Not only is there much to learn from talking to offenders in a variety of contexts, but there is much to learn about the method itself. As such, we encourage others to leave the confines of the computer desk and detached statistics and enter offenders’ worlds.

References


