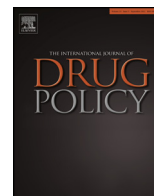




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Research Paper

Drug dealers, retaliation, and deterrence[☆]

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ABSTRACT

Background: Illicit drug sellers have limited access to formal mediation and therefore are rational targets to predators. As such, dealers are especially reliant on retaliation to deter victimization. Prior scholarship on dealers, retaliation, and deterrence has focused largely on general deterrence, or the effect of punishing one person on others. Research is yet to shed much light on other types of deterrence that dealers engage in.

Methods: This paper addresses that gap by drawing on qualitative data obtained in interviews with 25 unincarcerated drug sellers from disadvantaged neighborhoods in St. Louis, Missouri.

Results: We find that dealers' use of retaliation is linked to four kinds of deterrence—general, specific, situational, and permeating—and that these are combined into three forms: namely, specific-situational; specific-permeating; and comprehensive (i.e., all four kinds simultaneously).

Conclusion: Implications for research, theory, and “criminal justice” are discussed. Specifically, we call for future scholarship to examine how each type of deterrence affects the others, and suggest that both predation against and retaliation by drug dealers might be reduced by granting them greater access to formal means of dispute resolution.

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Introduction

Prior work on drug dealers' use of retaliation as a deterrent focuses largely on its *general* intent (Anderson, 1999; Bourgois, 2003; Topalli, Wright, & Fornango, 2002). That is, by retaliating against their victimizers, dealers seek to scare *other* predators out of attempting an affront. Yet as we show in the pages to come, not all deterrence-based retaliation is anchored in general deterrence. What other types of deterrence do dealers seek to exert through violent means? No study, to our knowledge, has focused on this question. To address it, we begin by briefly summarizing prior work on drug dealers and retaliation. This is followed by a description of our method and data: namely, qualitative information obtained via interviews with 25 unincarcerated drug sellers. Then we draw on our data to specify and illustrate the various types of deterrence-based retaliation, including how they interact with one another. Finally, we discuss the implications of our findings for theory, research, and “criminal justice.”

Drug dealers' retaliation

Part of the reason illicit drug dealers engage in violent retaliation is they are unlikely to invoke or receive formal mediation (Jacobs, 2000; Jacques & Wright, 2010, 2013a; Reuter, 2009). Dealers lack access to law because blackmarket disputes cannot be mediated in court. When they are defrauded, therefore, dealers are unable to file a civil claim and seek arbitration. However, there are situations where illicit drug sellers could turn to the government for help, as not all crimes against criminals are beyond the law; for instance, assaulting a person is illegal regardless of the victim's criminal involvement. Despite the legal ability to seek formal redress, dealers often choose not to make a police report. Doing so could expose their illegal business. Plus, many dealers perceive police and prosecutors as unlikely to take such complaints seriously (Copes, Brunson, Forsyth, & White, 2011; Klinger, 1997; Moskos, 2008).

One consequence of dealers' limited access to law is it increases their rate of victimization. Predators—including defrauders, robbers, and burglars—target drug sellers for the very reason that they are unlikely to seek formal redress (Wright & Decker, 1994, 1997). This is because predation becomes more rational to the extent it is less likely to result in apprehension, prosecution, or punishment. In other words, predators perceive that the

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certainty or severity of formal punishment is reduced by targeting dealers.

With an increased risk of victimization and an inability to invoke formal mediation, dealers are heavily reliant on informal control, one form of which is retaliation (Black, 1983; Goldstein, 1985; Jacques & Wright, 2008, 2011; Taylor, 2007). Otherwise known as vigilantism, retaliation is broadly defined as threatening or using physical force against a wrongdoer (Black, 2004). Examples include intimidating a debtor, beating a burglar, or killing a robber.

Potential benefits of—and thus potential motives for—vigilantism include vengeance, loss recovery, incapacitation, and deterrence (see Topalli et al., 2002; cf. Wilson & Hernstein, 1985). Vengeance amounts to feeling better by making the wrongdoer feel worse; as one retaliator said, “I love to see the motherfuckers down like they did me” (Jacobs & Wright, 2006: p. 35). Loss recovery involves “stealing back” or otherwise obtaining what was stolen or something else belonging to the wrongdoer. Incapacitation is achieved when a retaliator seriously injures or kills a victimizer and thereby renders that person unable to reoffend. The fourth benefit is deterrence.

Deterrence is the process whereby a person opts not to act in a particular way due to fearing the risk(s) associated with that action (Gibbs, 1975; Jacobs, 2010). Risk refers to the potential for punishment, i.e. pain. According to deterrence theory (and, more broadly, rational choice theory), a person is less likely to engage in a behavior perceived as having a higher certainty of being quickly or severely punished (Beccaria, 1995 [1764]; Bentham, 1988 [1789]). The flipside of this is that a behavior is more likely to occur if its potential risks are perceived as being less certain, taking longer to execute, or involving relatively little pain (Stafford & Warr, 1993).

Like governments, drug dealers punish wrongdoing in order to reduce the likelihood of it occurring again. Dealers across many different locales have been found to covet the deterrent power of retaliation and the violent identity it earns. Referring to Columbian dealers, for instance, Zaitch (2005) writes “actual or potential violence . . . prevent[s] being cheated” (p. 204). Pearson and Hobbs (2001) recounted a retaliatory episode that occurred in England: “[a] man who had defaulted on a drug debt was kidnapped, humiliated and tortured . . . Photographs were taken . . . and then shown around to local people with a clear message: ‘This is what happens if you mess with us’” (p. 45). A Vancouver-based seller explained why she used violence against someone who stole from her: “[I]f I let one person get away from that, then everybody . . . is going to try to get away with that. [. . .] So I used her as an example” (Small et al., 2013: p. 484). And a dealer operating in New York City spoke about the consequence of *not* retaliating: “You can’t be allowing people to push you around, then people think that you’re a punk and shit like that . . . [and then] they want to do the same thing too. You get that reputation, like, ‘That nigga soft’” (Bourgois, 2003: p. 25).

The excerpts above focus on the use of retaliation by dealers in pursuit of *general* deterrence: the effect of (not) punishing one person on others (Gibbs, 1975). This is important for dealers because they “conduct their trade outside the limits of legal protection” and thus “a reputation for formidability represents one of the only mechanisms available to them for deterring victimization. Individuals who do not retaliate against attackers risk being labeled as ‘soft’, thereby opening themselves up to future [victimization]” (Topalli et al., 2002: p. 341). Put more plainly, the theory is that dealers employ retaliation to earn a violent identity that protects them from future attacks, fraud, theft, and other affronts; the protection is achieved by instilling fear in the minds of would-be victimizers (see Anderson, 1999; Bourgois, 2003; Jacobs & Wright, 2006). When a dealer retaliates against a victimizer and this becomes public information, the victim reduces the odds of being targeted by others in the future; when the dealer does not retaliate or otherwise

punish the wrongdoer, the consequence is an increased probability of being targeted again (Jacobs, 2000).

The present study

Whereas previous studies that theorize drug dealers’ use of retaliation as a deterrent have focused almost entirely on general deterrence, the purpose of the present study is to outline the other ways in which deterrence relates to dealers’ vigilante acts. We do so by analyzing qualitative data obtained in 2006 during interviews with 25 unincarcerated drug dealers. These individuals reside and sell in disadvantaged urban neighborhoods in St. Louis, Missouri, which at the time of our study was ranked as the most dangerous city in the United States (Morgan & Morgan, 2007; but see Rosenfeld & Lauritsen, 2008). The neighborhoods from which our dealers were recruited are not only are plagued by violence but also by widespread substance use, poverty, and a general distrust of government officials. Thus, members of our sample are especially prone to handle victimizations with violence.

The dealers were recruited through the efforts of a former offender turned specially trained project fieldworker. This individual worked through chains of street referrals to obtain introductions to drug dealers, and then used these introductions to make further contacts. Because recruitment is the most dangerous and difficult aspect of this sort of research, the fieldworker was paid \$75 per successful recruit. Participants received \$50 for an interview.

All participants were actively selling drugs at the time of our study or had done so within the previous two years. Though race was not part of our selection criteria, all participants were African-American. Nineteen were male. Sample members’ ages clustered around 30 years old. Thirteen had graduated from high school; none had graduated from college. Police and court involvement was the norm for this group, as almost every participant reported having an arrest record. Many of these dealers sold crack cocaine or heroin, and a few traded only in cannabis; other drugs were also mentioned by some, including ecstasy and PCP. The sample is made up largely of retail dealers (e.g., persons selling a few grams at a time), with some low-level suppliers also being interviewed (e.g., persons selling a few ounces or pounds at a time).

The interviews typically lasted about an hour and were semi-structured to provide consistency in terms of the topics discussed while still allowing for unanticipated matters to arise. Questions asked of the participants included, among others, “When was the last time someone robbed you? Burgled you? Defrauded you? What did you do when this happened?” For all answers, participants were probed for details, including exactly how events unfolded and the motives underpinning their actions. As with any interview-based study, some participants may have resorted to lying or distortion. To keep this possibility to a minimum, interviewees were promised confidentiality and informed of their rights as a research participant through a consent form read to them at the beginning of the interview. Additionally, inconsistent comments were probed in an attempt to reconcile the inconsistencies.

Interviews were tape-recorded and transcribed verbatim. The resulting transcripts were coded with identification tags corresponding to relevant research issues. These tags allowed us to retrieve information about various predetermined research interests. The initial tags that we developed were quite broad and focused on the variables of primary interest. Then we sifted through the data categories and engaged in detailed analysis of variance across cases; we read through the broader categories and, for each issue, created narrower categories in order to capture subtler distinctions recognized by the dealers themselves as being relevant (see Glaser & Strauss, 1967). Needless to say, all names in the quotes below are pseudonyms; to specify participants’ gender,

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