

# Cultural Efficacy: Relevance of Ethnic Identity and Cultural Values to Disciplined Behavior in a Tribal Community

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**Abstract:** This study explores the associations between a Native American Indian ethnic identity and its accompanying cultural values to an individual's decision to refrain from criminal behavior. Data were gathered during the *Southern Ute Indian Community Safety Survey*, a study of crime and violence on the reservation involving Indian ( $n = 312$ ) and non-Indian ( $n = 355$ ) respondents who completed a 72-item survey questionnaire. Qualitative data from Indians ( $n = 85$ ) who participated in one-hour face-to-face structured interviews were quantified and analyzed. Using a variety of analytical techniques, it was found Indians have primarily culturally-based reasons for refraining from criminal behavior. The implications from these findings are broad and span multiple disciplines beyond criminology to include psychology, anthropology, and ethnic studies.

**Keywords:** cultural efficacy, Native American Indian, mixed methods, interdisciplinary research, disciplined behavior

## Introduction

The idea of one's ethnic identity and cultural values being relevant to understanding avoidance of (or desistance from) crime is the focus of this report. Individuals who maintain a positively-construed *pro-social* identity, such as one that dictates adherence to a value structure that rejects social deviance, are likely to be those who adhere to specific mores or values of the social group from which the identity

arose. Which aspects of a Native American Indian ethnic identity, for example, are conducive to restraining one from engaging in crime? Is it *how strongly* one identifies or is it the *elements of the identity*, such as the values rooted within the larger culture from which the identity arose that undergird one's behavior in criminogenic circumstances? In this paper, these questions are explored.

The purpose of this study was to understand which elements of a Native American Indian ethnic identity and its associated cultural attributes - the inherent values - are most associated with refraining from deviance within a tribal community. Persons belonging to a tribal community are likely to differently-perceive cultural values and their associated behavioral norms than are others from outside the tribe. Perceived 'problems' in a tribal community, for example, - a community comprised predominantly of individuals who share membership in a common ethnic group - are likely to be different from those identified by other researchers in other types of communities, such as that which Sampson and his colleagues identified in urban Chicago neighborhoods (Sampson *et al.*, 1997). To develop the study herein, it was initially hypothesized that violations of strongly-held cultural values would likely evoke a stronger communal response to deviance than would violations of criminal law. Indeed, this idea is further explored later in another similar report by this author. When developing this present report, it became apparent that the relevance of an ethnic identity and its associated cultural values must first be explored to better understand their significance to disciplined behavior, if any relationship exists at all.

## Literature

### *Identity*

In the search of criminological literature, there was scant evidence that relationships between a combined ethnic identity- / cultural values-based construct have been previously reported. There has been much work, however, that examined the role of a 'criminal' identity on one's behavioral norms - i.e., the norms that are core to the identity. Clifford Shaw's "Jack Roller" (1930) examined how a person who robbed skid-row drunks and other undesirables, and whose identity was instrumental to both maintaining that identity and simultaneously functioning as an internalized guide for enforcing rules regarding criminal behavior of the individual therein discussed. Other offenders who maintained similar 'crime-based identities' are often discussed in the literature as "prisoner biographies," a term used by R. Robert

Lilly and his colleagues (2007) or as autobiographies (see, e.g., Abbott, 1981). The imprisoned offender, for example, who adopts the identity of 'convict' often proudly conforms their deviant behavior to one that is both congruent to a deviant lifestyle while imprisoned yet may concurrently be a source of pride when compared to other imprisoned individuals who are derogatorily identified as 'snitches' or "punks" or otherwise as objectionable to other institutionalized persons within the prison setting (Becker, 1963). Logic would then suggest adopting a *pro-social* identity such as one grounded in an ethnicity - an ethnicity that often evokes historic images of ancient proud and noble warriors - might then be a suitable place to begin developing rehabilitative measures for those individuals who may find it beneficial to change their current behavioral norms to match prescriptions of society (or an institution). There was little evidence for prior empirical work in this area of criminology, but a stronger literature exists in psychology (Rivas-Drake *et al.*, 2024; Newman, 2005, Dotterer *et al.*, 2009). The lack of empirical examination of the nexus between ethnic identity/culture/deviance is concerning because it appears intuitive to some observers just *how* one's self-perception and the behavioral guidelines one adopts in furtherance of their internalized identity standard should be a crucial element to understanding both deviant and compliant behavior within the community and other settings. It may be that theoretical - as opposed to empirical - investigations of this critical nexus of human behavior bantered around within one's own mind, are easier to accomplish than are more rigorous empirical examinations. Also, contemporary criminology attempts to model itself as a science and not a field of "social philosophy," as David Swartz (1997) indicated when writing about Pierre Bourdier's work to advance the field of cultural sociology, such like Émile Durkheim advocated in *The Rules of the Sociological Method* (1938). Because of this prevailing ideology within criminology, it is important to delve into the matters just discussed.

### ***Cultural Deviance Theories***

Significant empirical work was found within criminological literature on the relevance of culture to criminal behavior. Within criminology, cultural deviance theories abound, although this literature is primarily focused on the 'culture of crime' within a sub-cultural context (Abril, 2015). Recently, Anderson's (1999) *Code of the Street* examined the 'sub-culture of violence' that exists among highly urbanized African Americans. Anderson's work was built upon Wolfgang and Ferracuti's

(1982) who discovered how certain ‘sub-cultures of violence,’ predominantly located in urban slums, instill the relevant norms, values and beliefs about criminal behavior that are then transmitted to devotees of a deviant violent sub-culture. Cloward and Ohlin’s (1960) early examination of how delinquent sub-cultures motivate behavior in lower-class urban areas served as the foundational pillars for both Wolfgang and Ferricutti, as well as to Anderson. Of course, Émile Durkheim’s ideas expressed in *The Division of Labor in Society* (1933) regarding the types of societies (organic and mechanical) and their corresponding types of laws (repressive / moral law versus restitutive / organic law) found within each to respond to and regulate deviance, undergirds all work in this area of inquiry. Later thoughts of Pierre Bourdier (1984: 468) about “the cognitive structures (e.g., behavioral *ideas*) which social agents implement in their practical knowledge of the world (and how the inherent behavioral norms are internalized) as ‘embodied social structures’ are relevant conceptual frameworks to use to understand the work presented herein.

In the present report, cultural deviance theory diverges from the usual pathways to examine not *why* one offends, but why one chooses *not* to offend. In the study reported herein, data on ethnic identity and cultural values were collected from members of a large Native American Indian tribe located in southwest Colorado USA to ascertain levels of connection individual tribal members have toward their ethnic identity, and the strength with which they hold onto and maintain cultural mores intrinsic to their tribal community that facilitate disciplined behavior. Using data from a survey questionnaire and structured face-to-face personal interviews, this author was able to detect the relevance of an ethnic identity and cultural values to disciplined behavior within this tribal community. Using a near-universal and strongly-held cultural value found within most indigenous tribal communities throughout the world since recorded time – reverence of and respect for tribal elders – the author demonstrates herein the dual role of identity and cultural values to both (1) motivate behavior to take corrective action when one views violations of this cultural value and (2) constraining the behavior of individuals when faced with opportunities to engage in deviance.

### *Self-Efficacy and Indigenous Cultural Efficacy*

Bandura’s (1978) ideas about self-efficacy are most relevant to this discussion as they relate to cultural efficacy, as will be demonstrated later within this report. This

author is not the first to explore the relevance of cultural efficacy to social adjustment and well-being. The term *cultural efficacy*, for example, was first coined in another study that supports ideas proposed within this present work. Houkamau and Sibley (2011) defined *cultural efficacy* as perceptions of personal resources to effectively and appropriately engage with Indigenous (New Zealand Māori) cultural and social contexts. They found a positive association between cultural efficacy and personal life satisfaction indicators (i.e., standard of living, health, achievements, relationships, community connection, and future security) among Māori participants. Their definition of cultural efficacy supports current understandings of efficacy within a cultural framework of health (Gonzales, Sittner & Walls, 2022). Within a cultural framework of disciplined behavior and its antithesis criminal conduct, cultural efficacy, as proposed herein, is defined as the ability of an individual's internalized cultural values and attached ethnic identity to act as both (1) a corset for supporting disciplined behavior and (2) as a motivator for action when such action is needed to respond to cultural deviance or crime as the situations may be presented to an individual.

To guide the present study, several working research questions were first developed. The first question asked the researcher to decide which construct about community behavior should be used in the present study: collective efficacy or cultural values? Hypothesis 1 then required an examination of the current dominant theoretical perspective regarding community-based responses to deviance; that being the ideas surrounding collective efficacy offered by Sampson and his colleagues (1997).

Restating the original research question as the statement 'the collective efficacy construct may not be the best - or even appropriate - construct to apply to a tribal community (a community in which the residents maintain a unified and solid ethnic identity and a defined set of cultural values and norms); unlike Sampson *et al.*'s research site that was highly integrated with a unique mix of cultures and identities – it may be clearer which ideas guided this study. From this position, the second research question was developed which asked, is a Native American Indian cultural values-based construct a better construct to apply to a tribal community than collective efficacy? Implied herein is the hypothesis that as cultural values increased (as an internalized value structure) then the reasons for not committing crime would be based on one's cultural values. That is, the stronger an individual's

cultural values are then the stronger their reasons for not committing crime will be. To demonstrate this, the first hypothesis must be restated as a question of whether collective efficacy does (or does not) apply to a tribal community. In this study, it was hypothesized that strongly-held reasons for not committing crime are those that are culturally-based. Thus, the second research question necessarily became: Does stronger cultural values lead to culturally-based reasons for disciplined behavior?

The third research question stated, are cultural values associated with ethnic identity? That is, if the more one identifies as Indian (as indicated on an identity scale) then a corresponding increase in reported adherence to cultural values will increase as well. Simply, the more a person identifies as an Indian with strongly-held cultural values then these values will influence their adherence to disciplined behavior.

The fourth research question became: Are ethnic identity and cultural values associated with disciplined behavior? That is, is there a relationship between an Indian identity *and* holding a set of internalized cultural values to one's disciplined (conformist) behavior such that this relationship prevents an individual from engaging in deviance?

An inferred fifth (yet untested herein) research question then became: If these relationships are demonstrated to be true then inferences about findings from this study may be applicable to other populations wherein which individuals of these populations perceive a Native American identity to be desirable and thus worthy of following its mores.

## Methods

### *The Southern Ute Indian Community Safety Survey*

The *Southern Ute Indian Community Safety Survey* (S.U.I.C.S.S.) was a study of crime and violence occurring on and around the Southern Ute Indian reservation, located in rural southwest Colorado, USA from 2001 to 2005 (reported earlier in Abril, 2005). At the time of the study, there were approximately 11,000 people living near the reservation, while about 24,000 people resided in La Plata County, the county surrounding the reservation. The survey consisted of a 72-item questionnaire mailed to the entire adult tribal population ( $N = 891$ ). While  $\approx 1,100$  survey packets were mailed to a randomized selection of adults (control group). Using a function of SPSS (v.11), control participants were selected from the voter registration list

for the County of La Plata. A total of 1,991 survey packets were mailed to all potential participants from Irvine, California USA. Completed forms were returned to a post office box in Irvine, California. There were 667 completed survey forms returned, whilst 535 (36.7% of the original 1,191) were returned undeliverable (a total response rate of about 45.8% of the 1,456 delivered forms). An additional 85 Indians participated in face-to-face structured interviews. Of the interviewees, only 67 self-selected American Indian tribal members were included in this report, as 14 were interviewed using a different schedule and 4 were unusable due to equipment malfunction. As names and addresses for the Indian sample were derived from the tribal enrollment roster provided by the Tribal Council, all study participants drawn from this roster were identified as Indian, whereas all others were identified as non-Indian. The sample ( $n = 667$ ) from the total population of 1,456 adults solicited for this study, contained 312 (46.7%) Indians, as well as 355 (53.2%) non-Indians who reported membership in varying ethnic groups, predominantly Euro-American. All study participants were paid USD\$10.00 for a completed survey form, while interviewees received USD\$50.00 for a one-hour interview conducted the reservation. Two datasets were developed: (1) survey questionnaire responses and (2) the quantified interviews, then merged into one larger dataset which served as the primary dataset on which all analyses were conducted. More than twenty years have passed since these data were collected, yet no other similar studies of tribal people have been reported since this ground-breaking study. Therefore, the data may still be considered relevant to the present.

### *Native American Indian Women in Prison Study (O.R.W.)*

Measures of the Native American Indian ethnic identity were derived from data collected during the *Native American Women in Prison Study (O.R.W.)*, an examination of prisoners housed in the Ohio Reformatory for Women (O.R.W.) located in Marysville, Ohio in 1998. At the time of the study, O.R.W. had the largest female prisoner population in the state, with more than 1,700 prisoners. Demographic statistics indicated O.R.W.'s population was predominantly Black ( $N = 1,134$ ; 56%); White was the next largest group ( $N = 899$ ; 44.14%), while all others were classified as Other. The Ohio prison research agency reported that "only 1 Asian and 2 Native American women" were housed in O.R.W. (personal communication with O.R.W. Research Director, 1998). U.S. Census data from 1990 for Ohio indicated the state's

general population was almost all White (87.7%), with far fewer Blacks (10.6%), other ethnic groups constituted less than 2% of the state's residents. The women in O.R.W. ranged in age from 17 to 70 years. No participant was compensated for their assistance in this study. About 2,000 blank questionnaires sent to the warden's office, where prison staff distributed and collected these forms from the prisoner population. More than one third (35.6% or  $n = 601$  out of  $\approx 1,700$ ) of the prisoner population returned a completed questionnaire. See Abril (2003) for a discussion of the methodology used in the O.R.W. study and its strengths and weaknesses. Data from the O.R.W. study were used to validate ethnic identity data collected during the S.U.I.C.S.C.

### *Project on Human Development in Chicago Neighborhoods (P.H.D.C.N.)*

Measures of collective efficacy were derived from *The Project on Human Development in Chicago Neighborhoods* (P.H.D.C.N.), a survey of residents in the densely-populated urban area of Chicago, Illinois, USA, as reported in Sampson *et al.* (1997). For this research, the focus is on social cohesion and informal social control *as a construct* – and the *ideas* that make up collective efficacy – as used by Sampson *et al.* (1997) in urban Chicago, to capture the essence of the global construct of collective efficacy in a rural setting, located in Colorado. The same measures used by Sampson *et al.* in the P.H.D.C.N. were used verbatim in the S.U.I.C.S.S. Because the P.H.D.C.N. research site was a densely-populated metropolitan urban area with its own algorithms of superimposed urban behavioral norms, Sampson *et al.* may not have considered the reality that while individuals may share common values related to *basic urban survival*, individuals may differ in their beliefs regarding *broad behavioral norms*, which are deeply rooted in cultural ideologies, as Hipp and Boessen (2013) discovered. These realities may vary between urban and rural areas. Thus, it is important to understand the connections between ethnically-based cultural values and the perceptions of certain behaviors in a variety of settings, including rural tribal areas. It was within this context that the S.U.I.C.S.S. and its cultural values- and identity-based construct were developed. Therefore, the collective efficacy construct used in the P.H.D.C.N. is ripe for exploration as a comparative value structure-based variable and useful here.

### *Ethical Considerations*

As both the Native American Indian and prisoner populations are considered 'highly vulnerable' to researcher misconduct, the ethical protections instituted for

these populations were significant. Before any research was conducted with the Southern Ute Indian tribe, I addressed the Tribal Council to request permission to conduct the study on their reservation. The Tribal Council authorized this study on January 17<sup>th</sup>, 2001. Because I am of Yaqui / Cherokee descent, it is unclear how much influence this fact had on the Tribal Council to approve the study and of its overall acceptance by the larger body of tribal members. All survey forms and interviewees tapes were assigned a serial number to protect participant identities. For the imprisoned population, the ethical protections instituted were vast. The Ohio Department of Corrections Human Subjects Research Committee fully approved this study to be conducted in O.R.W. during the summer of 1998. While no names or personally identifying information *other than ethnic identities* were requested, many respondents included their names on their forms. Because of this, this dataset is held in a secured location until it is needed for analysis. Data were entered into a computerized dataset (SPSS v11 in 1998, v26 in 2024), the completed survey questionnaires were destroyed beyond recognition. Both datasets (S.U.I.C.S.S. and O.R.W.) are stored in a secure bank facility until needed for analysis.

### *Measures of a LEGAL Native American Indian Identity*

Measures of a Native American Indian identity on the instrument used with the O.R.W. prisoner population were many and diverse. Only ten (10) items from the O.R.W. survey instrument examined in that study are reported herein and included the following: (1) Are you Native American, American Indian, or Aboriginal? Asked as “Do you consider yourself (even partially) to be American Indian, Native American, or Aboriginal?” (2) Identify your tribe’s name. Asked as: “What is your tribe, band, clan or agency affiliation?” (3) Are you enrolled? (4) Has anyone in your family ever enrolled? (5) Has anyone in your family ever attended an Indian school? (6) Do you know your percent degree of Indian blood? Asked as “Do you know how much Indian blood you have?” (7) Do you have any contact with your tribe, band, or clan? (8) When was the last time you visited your land or reservation? (9) Identify who in your family was or is Indian and, (10) Does your family talk about their Indian blood?

Indian identity measures taken from the S.U.I.C.S.S. instrument were the same as those used in the O.R.W. study - most were verbatim - but additional measures of a Native American Indian identity were requested from respondents in a less

invasive manner, as these data could be inferred by the researcher. For example, there was no need to ask Indian participants if they were American Indian, as all participants were selected from a tribal enrollment roster. Also, measurement items 2, 6 and 10 could also be inferred by the researcher from the respondents being on the Southern Ute tribal enrollment roster in that the respondent certainly would know they had a high enough percentage of Indian blood to be enrolled in the tribe. The logic used with items 2 and 6 was also used with item 10. Each respondent would have to have had contact with a family member(s) to know they speak about their Indian blood, as one's Indian blood originated from their biological family whether their family is still alive or not. Using items taken from the S.U.I.C.S.S. survey instrument and interview data solicited from study participants that asked an additional six questions, an overall composite Identity construct was developed. The additional six measures were: (1) How long have you lived on the reservation? (2) What is your view of disrespect of tribal elders? (3) Are you involved in any cultural/spiritual activities? (4) Do you use a Medicine Man /Person (a traditional healer) (5) Did the interviewee mention witchcraft or spirit entities during the interview? (6) An interviewees desire to not shame one's family. Participation in cultural and spiritual activities relevant to one's ethnic group, as well as residing with one's own ethnic group, and expressing knowledge of cultural matters and indica (such as spirit entities and witchcraft) has been discussed in anthropological literature to be a significant indicator of an internalized identity (Kroeber & Kluckhohn, 1952; Gans, 1974; Erickson, 2008). From the sixteen Native American Indian ethnic identity measures described above, a composite American Indian ethnic identity mean ( $\bar{X}$ ) score was calculated for each case (interviewee). This composite identity (ID) score will be used in forthcoming analyses. The validity and reliability of these Native American Indian identity measures – used in two separate and distinct populations – were subjected to a variety of statistical analyses such as *t*-tests and principal component factor analysis and are thoroughly discussed in a forthcoming manuscript to follow.

### *Measures of Native American Indian Cultural Values*

To develop a composite Native American Indian cultural values construct, measures of Native American Indian cultural values were also many and diverse. From the S.U.I.C.S.S. questionnaire, cultural values were measured by asking respondents

to rate on a 5-item Likert-style scale and assigned a number from 1 – 5 for each response (ranging from ‘not serious’ and assigned 1, ‘a little serious’ and assigned 2, ‘neither serious nor not serious’ and assigned 3, ‘serious’ and assigned 4 and, ‘very serious’ and assigned 5). The following questions about cultural offenses (crimes) were asked of the respondents: (a) Non-Indians trespassing onto Indian ceremonial or burial grounds, (b) Non-Indians buying Indian bones or other Indian cultural artifacts, (c) Non-Indians hunting or fishing on the reservation without a tribal permit, (d) Non-Indians taking natural resources such as plants, rocks or other sacred items off of the reservation, (e) Non-Indians practicing Indian spiritual ceremonies, (f) Indians selling Indian bones or other Indian cultural artifacts, for personal gain, (g) Indians not respecting tribal elders, (h) Indians taking natural resources such as plants, rocks or other sacred items off of the reservation, (i) Indians hunting or fishing on the reservation without a tribal permit, (j) Indians stealing money from the Tribe (for example, a casino employee taking money from the tribes’ casino or a Tribal Council member stealing money from the tribe’s bank accounts).

From the 71 face-to-face interviews conducted with Indians about community behavioral norms, cultural values were measured and items for analysis were developed by asking interviewees to evaluate a variety of common questions often asked by non-Indians of Indian people. These additional ten cultural values measures involved asking interviewees to rate the offensiveness of a variety of common, albeit stereotypic, questions often asked of Native Americans. The first seven items were: (1) Has someone asked you “How much Indian are you?” (2) Has someone said to you “You don’t look like an Indian!” (3) Has a non-Indian asked you where the ancient burial grounds are? (4) Has a non-Indian asked you to participate in a spiritual ceremony for them to say they have a ‘real’ Indian involved? (5) Has someone made disparaging remarks about “all Indians” having gambling/alcohol problems? (6) Has someone asked you to do something for commercial purposes but where the Tribe will not get paid, like take your picture? (7) Has a non-Indian asked you for your cultural artifacts? Because having respect for tribal elders is a well-documented and nearly universal cultural value among many indigenous groups around the world, interviewees were asked: “How do you view disrespect of tribal elders? From this item, the cultural value of (8) “Having a harsh/negative view towards disrespect of tribal elders” was derived. From the item that asked, “If you viewed a tribal elder being disrespected in the community, would you do

anything,” the cultural value measuring willingness to take action towards deviance was derived to (9) “Would take action if witnessing a tribal elder being disrespected.” The final two cultural values used herein involved asking the interviewees; (10) Are you involved in any cultural/spiritual activities? and, (11) Do you use Medicine Men/Women (traditional healers)? From these eleven items that measured Indian cultural values, a composite Indian cultural values (CV) construct was developed for use in the forthcoming analyses, as a mean ( $\bar{X}$ ) score.

### *Measures of Collective Efficacy*

Items used to measure collective efficacy in the S.U.I.C.S.S. sample population were the same items developed by Sampson and his colleagues and reported in 1997. Sampson *et al.*'s measures of collective efficacy were also included on the S.U.I.C.S.S. instrument distributed to all study participants. These items were: (a) (CE1) People around her are willing to help their neighbors; (b) (CE2) This is a close knit community, (c) (CE3) People in this neighborhood can be trusted; (d) (CE4) People in this neighborhood generally do not get along; (e) (CE5) People in this neighborhood do not share the same values; (f) (CE6) How likely is it that your neighbors could be counted on to do something if children were skipping school and hanging out; (g) (CE7) How likely is it that your neighbors could be counted on to do something if children were spray painting graffiti on a local building; (h) (CE8) How likely is it that your neighbors would do something if children were showing disrespect to an adult (i) (CE9) How likely is it that your neighbors could be counted on to do something if a fight broke out in front of their house (j) (CE10) How likely is it that your neighbors could be counted on to do something if the fire station closest to your home was threatened with budget cuts. To reject the dominant theoretical position proffered by Robert J. Sampson and his colleagues (1997) which states the multi-level construct collective efficacy would be the primary motivating factor to respond to community-level deviance and thus also be a motivating factor in an individual's disciplined behavior (restraint), the ten combined measures that make-up the collective efficacy (CE) construct used by Sampson (informal social control and community cohesion) were combined again and averaged into a separate composite mean ( $\bar{X}$ ) score by the author to be later compared with the Indian cultural values (CV) composite mean ( $\bar{X}$ ) score originally developed by this author, as previously discussed.

### *Quantifying Qualitative Survey and Interview Data*

The methods used to quantify qualitative data gathered during the face-to-face structured personal interviews from the S.U.I.C.S.S. were simple but time-consuming. The items were coded as dichotomous variables (0/1), where each interviewee indicated a positive or 'yes' response was coded as "1" or a negative or 'no' was coded as "0." Those interviewees declining to supply the requested information (or supplying unresponsive or undecipherable responses) were coded as "0." The latter responses were not coded as "system missing" in IBM/SPSS (v26) because the respondent did provide some type of information, but it was unclear to the researcher what their responses meant, and the interviewer failed to seek further clarification at the time of the interview. Those respondents who did not provide any information were coded as "system missing" in IBM/SPSS (v26). These same coding procedures were followed when preparing the dataset from the O.R.W. study surveys for use in the present work. The primary reason the interviews were tape-recorded was because the researcher is a severely-disabled person who needs audio material recorded for later playback, as a reasonable disability accommodation. Also, the researcher could not understand then (nor now) how to use an electronic recorder! Thus using a tape-recorder was deemed the safest material on which to record the critically important interview data upon which the significant statements made in later Sections of this report are based. The researcher's severe, life-threatening disabilities are also the primary reason these data have not been reported sooner by her after their collection. More will be discussed about the significant delay in reporting these data in a later Section of this report as these issues relate to protection of the research community. When discussing the need to record the interview with interviewees, one man stated, "What! You can't chew gum and walk at the same time?" To which the interviewer replied, "No, I can't actually." The man laughed at this revelation, and apparently, he told nearly the entire tribal community. This statement is based on the facts that as the researcher spoke to the other interviewees and to different tribal members who were not interviewees, they made similar comments about her when they observed her presence within the tribal community. One man said he "likes teasing Yaquis" (the researcher is Yaqui/Cherokee Indian). This piece of data (being the object of humor), while likely to many readers to be just informative, is also reflective of a behavioral norm of many tribal group members not just of the Utes but also of the Yaqui people of which the interviewer is most familiar. Humor,

especially amongst marginalized groups such as prisoners and Indians alike, is often used as a method to both signify social solidarity and to indicate acceptable or unacceptable social conduct (Terry, 1997). When exposed to humor directed at her from various community members, the researcher felt she was formally accepted into the group. For other researchers who pursue a similar line of study within tribal communities, it is advisable to simply accept the humor directed at oneself with a smile and continue with the tasks at hand.

### *Variables Used in Analysis*

Three main constructs were developed for this study; Indian cultural values (CV) and Indian identity (ID) were developed by the author, while the collective efficacy (CE) construct was developed by Sampson and his colleagues (1997). Other demographic variables used included the following and coded as dichotomous variables: gender (0/1: male/female), age (0/1: under 39/over 40), elder (0/1: yes/no), time (0/1: less than 9 years/over 10 years), action (0/1: yes/no), involved (0/1: yes/no), and view (0/1: no opinion/harsh view). The variable for time living on the reservation was re-coded as “fewer than 9 years or more than ten years, as most interviewees reported living on the reservation for “a lifetime’ or “entire life.” Another variable was developed: “reasons” which was coded as “0” for not culturally-based, while reasons that were culturally-based were coded as “1.” The REASONS variable was created by classifying and then stratifying responses to a card exercise into “primary/secondary/tertiary/altruistic” reasons an interviewee reported for not committing crime. These reasons for refraining from crime are presented in Table 5 below. A composite identity (ID) score was developed by using fifteen distinct characteristics of a Native American identity and assigning a value of “1” to each case (representing a study interviewee) where an interviewee indicated an affirmative response. For example, if an interviewee indicated they were a tribal elder, then that case was assigned 1 point, if the interviewee indicated they would take action if they witnessed disrespect of a tribal elder, they would receive another 1 point, and so on. The distinctive characteristics used in the identity (ID) construct are represented in Table 2 below, as well as the characteristics used to develop the Indian cultural values (CV) construct. The total possible points each interviewee could be assigned for the identity (ID) construct ranged from 1 to 15, while the possible points for the cultural values construct ranged from 0 to 11.

**Table 1: Southern Ute Indian Community Safety Survey (Interviewees Only)  
Measures of Identity and Cultural Values**

( $N = 67$ )

| Measures of Identity<br>(Range 0 – 11) |            | Measures of Cultural Values (Rank Offensiveness)<br>( $\bar{X}$ ) (CV Question was Offensive)<br>(Range 0 – 11) |           |           |
|--|------------|---|-----------|-----------|
| Measure                                | n(%)       | Measure   | Asked?    | Offensive |
| Are you Indian?                        | 67(100)    | CV 1 – How much Indian are you?   | 39 (58.2) | 19 (28.3) |
| IDs name of tribe?                     | 67(100)    | CV 2 – You don't look Indian?   | 34 (50.7) | 22 (32.8) |
| Are you enrolled?                      | 67(100)    | CV 3 – Where are burial grounds?  | 20 (29.8) | 47 (70.1) |
| Any family enrolled?                   | 67(100)    | CV 4 – Asked to have “real” Indian?   | 18 (26.8) | 46 (68.6) |
| Family attend Indian school?           | 67(100)    | CV 5 – All Indians are drunks   | 64 (95.5) | 59 (88.0) |
| Any contact with tribe?                | 67(100)    | CV 6 – Asked for photo?   | 17 (25.3) | 35 (52.2) |
| When last visited reservation?         | 67(100)    | CV 7 – Asked for cultural artifacts?  | 10 (14.9) | 53 (79.1) |
| Currently living on reservation        | 67(100)    | Uses Medicine People / Traditional Healers  |           | 23 (32.3) |
| Considered a Tribal Elder?             | 9(12.6)    | Harsh View of Disrespecting Tribal Elders   |           | 59 (83.1) |
| Harsh View of Disrespect of Elders     | 59(83.1)   | Would Act if Witnessed Disrespect of Elder  |           | 36 (50.7) |
| Not wanting family shame               | 26(36.6)   | Involved in Cultural Activities   |           | 41(57.7)  |
| Involved in Cultural Activities        | 36(50.7)   | $\bar{X}$ COMPOSITE CULTURAL VALUES SCORE   |           | 5.68      |
| Uses Medicine People                   | 24(33.8)   |   |           |           |
| Mentioned Spirits/Witchcraft           | 35(49.2)   |   |           |           |
| Time Living on Reservation             | ≈ 20.6 yrs |   |           |           |
| $\bar{X}$ COMPOSITE IDENTITY SCORE     | 15.25      |   |           |           |

## Data Analysis

### *Cultural Values or Collective Efficacy: Which Construct to Employ?*

Using only survey responses from the INDIAN sample ( $n = 312$ ) taken from the questionnaire, a combined mean score for each respondent was calculated based on responses from the collective efficacy measures ( $\bar{X} = 30.3135$ ), while the cultural values ( $\bar{X} = 41.6856$ ) responses were calculated using the same procedures. From this first analysis, it was discovered cultural values (CV) was a stronger construct for the tribal population simply by the respondent's indicating a higher degree of assessment of the cultural values when compared to the collective efficacy (CE) scale (CV  $\bar{X} = 41.6856$  versus CE  $\bar{X} = 30.3135$ ). That is, respondents recorded a

higher mean score for cultural values than for collective efficacy. To determine the level of construct validity (and by extension the applicability of each set of values to a tribal community) between the collective efficacy and cultural values constructs, only responses from INDIANS were selected for a factor analysis using IBM/SPSS (v26). An alpha ( $\alpha$ ) level of .05 (for 2-tailed tests) was set as the level for rejection, as it is a standard alpha level value used in most reported criminological research, although it is likely not optimal (Maier *et al.*, 2022), but will suffice for use with these original data. Because collective efficacy is an indicator of perceptions of the community – an implied inference that a variety of individuals will agree with the values presented by Sampson and his colleagues (1997), while the cultural values measures indicate perceptions of seriousness of a number of cultural offenses – offenses based squarely upon the unified culture targeted for this study, these two disparate constructs may not be best tested with a factor analysis when the two constructs are combined in one analysis. Simply, it may be best to submit each construct to its own factor analysis and then base an assessment on the outcomes of the separate analyses. This was done in this study. The newer (re-coded) collective efficacy (CE) construct developed by this researcher and reverse coded from the first version as discussed above was used in this next analysis. The Kaiser-Meyer-Olkin (KMO) Measure of Sampling Adequacy is a common test used in factor analysis to measure the proportion of variance among variables, while the Bartlett's Test of Sphericity (Bartlett's Approx.  $X^2$ ) measures the degree to which the constructs are related (Rosenthal & Rosnow, 1991). KMO and Bartlett's statistics were obtained separately for both the collective efficacy (CE) construct (KMO = .891, Bartlett's Approx.  $X^2$  = 3857.737,  $p$  = .000) and cultural values (CV) construct (KMO = .894, Bartlett's Approx.  $X^2$  = 6743.942,  $p$  = .000). Next, both constructs were combined to measure each in one test (KMO = .894, Bartlett's Approx.  $X^2$  = 6743.942,  $p$  = .000). The two constructs were dichotomized as such: CE as "0" = negative views of community, "1" = positive views of community – CV = "0" = crimes are not offensive, "1" = crimes are offensive. This was done to obtain some level of parity between these disparate constructs, after which both constructs were placed together to measure each in a single factor analysis (KMO = .500, Bartlett's Approx.  $X^2$  = 1.490, Communalities/  $r^2$ : CE = .535, CV = .535,  $p$  = > .05). Castro and Osborne (2005) advised  $r^2$  values (indicated as "Communalities" in IBM/SPSS v26 output data for factor analysis) of at least .40 are common in most modern datasets, while those

above .80 are highly significant and unusual. The results of the factor analysis appear to indicate the two constructs are equal based on the Communalities statistics ( $r^2$ ) obtained for each construct (CE = .535 vs. CV = .535), with no statistically significant differences between the two ( $p > .05$ ). Indeed, the results indicated a significant degree of compatibility between the two constructs, such that the two disparate constructs may be useful in future research of other ethnic communities.

As Graph 1 illustrates, however, there was a greater degree of compatibility between the cultural values measures in a tribal community *that reflected their own cultural values* than was reflected by the collective efficacy visual presented within the scree plots, as demonstrated by the straightness of the line from the 'elbow' of both plots, even while the eigenvalues were closer to 1.0 for the collective efficacy measures. Moreover, examinations of the scree plots for both collective efficacy (CE) and cultural values (CV) – a combined 20 measures – led the researcher to fully reject the combined test results, as only 4 of the combined 20 measures were compatible in the factor analysis. As a factor analysis would indicate, KMO values of 0.8 to 1.0 signify the sampling size is adequate to measure the construct(s). Furthermore, KMO and Barlett's Approx.  $X^2$  tests are indicated in a factor analysis and may be useful *on a single construct*. Thus, results from the factor analysis indicated the adequacy of sample size for both samples. In sum, the factor analysis of the cultural values (CV) construct indicates it is likely to be adequate for the analysis herein. Therefore, the decision on the first hypothesis was to reject the null hypothesis and accept the alternative i.e., to use the cultural values measures in this tribal community. A word of caution is now required. There is a high risk of making a Type I error (rejecting the null hypothesis) when in fact it may be that the collective efficacy construct is adequate for use in a tribal community. However, as the data to develop and then use as a composite measure of Indian cultural values *as a construct* are now available for use in this study, the decision to move forward with using the cultural values construct was then decided. Finally, as the collective efficacy construct is one which predicts community-level responses to deviance, it will be reexamined in the same manner herein in yet another associated study examining the role of responding to violations of cultural values, such as youth deviance.

Some technical purists might argue the collective efficacy (CE) line is closer to the 1.0 eigenvalue than the cultural values (CV) line. This author argues the cultural values (CV) tested here *more closely reflect the truer values* of the targeted

community in an actual examination situation than did the collective efficacy (CE) because the collective efficacy (CE) construct was *theoretically* derived versus *empirically* derived, as was the cultural values (CV) construct. Indeed, because the cultural values were drawn directly from within the Native community of focus than were the collective efficacy (CE) measures, this author argues the scree plots resulted in the straighter line. Simply, the cultural values better reflect the *actual* values of the tribal community and not merely a hypothesized set of values created in absentia without regard for the reality of those who participated in this research; therefore this foundation provided a firmer basis upon which the second decision to again reject the collective efficacy construct in favor of the cultural values construct. However, an additional third analysis using one-way ANOVA was conducted on these constructs between the INDIANS and NONINDIANS; the results from which are reported in Table 4 and provided an additional and secondary basis upon which the researcher decided to finally reject the collective efficacy construct in favor of the cultural values construct.

Questions, however, still percolated motivating the researcher to yet again conduct further analysis on collective efficacy and cultural values. Due to how data were collected regarding collective efficacy in the paper-pencil survey questionnaire form – as 10 individual measures of the larger collective efficacy construct assigned a value that ranged from “1” (‘not likely’ to ‘very unlikely’) to “5” (‘likely’ to ‘very likely’) – it was necessary to assign each individual measure (case) an individual score, which was then combined together with the other CE scores to create a universal CE measure (construct) score for each survey respondent (case) for both INDIAN and NONINDIAN. Once the combined scores were calculated in an Excel file and transferred back to the IBM/SPSS (v26) data file, where they were assigned to each survey respondent, the means ( $\bar{X}$ ) from both the collective efficacy and cultural values constructs were then analyzed together to understand the level of collective efficacy in the tribal community. One-way ANOVA analyses were conducted on all ten measures of collective efficacy between the INDIANS and NONINDIANS, resulting in *p*-values that ranged from .000 to .003, meaning there were statistically significant differences between the INDIANS and NONINDIANS when it came to measuring collective efficacy. On the cultural values measures, however, there were still significant differences revealed in the *p*-values, which ranged from .000 to .018, but the differences were most detectable when reviewing the other components of

the one-way ANOVA analysis, which Table 3 below presents. It was then decided to dichotomize (re-code as 0/1) each CE and CV measure then subject the new composite collective efficacy (CCE) and composite cultural values (CCV) scores to a one-way ANOVA analysis where results were clearer to interpret *as applied within a theoretical context*, as presented in Table 3. Based on the above extensive analyses - and (1) *the researcher's knowledge of the data and (2) knowledge of the population from which they were derived* - the decision was made to fully reject the collective efficacy construct for use in this study and proceed with the cultural values-based construct for the remainder of the analysis reported in this report. Findings from this initial set of analyses have significant theoretical and methodological implications, which will be discussed later in this report.

## **Native American Indian Identity and Cultural Values**

### ***The S.U.I.C.S.S. Survey Instrument***

Items were coded as dichotomous variables with “0” equaling a negative or non-response, while respondents indicating an affirmative or yes response were coded as “1.” Table 1 (previous) presents the descriptive statistics for the IDENTITY measures taken from the survey respondents only ( $N = 312$ ). Also within Table 1 are measures used to evaluate views regarding a variety of cultural offenses i.e., crimes taken from the interviews. These items were coded as CULTURAL VALUES (CV). Missing data were coded as “system missing” in IBM/SPSS (v26), while unintelligible or non-responsive responses to an item were coded as “0” or indicating “no.” From the S.U.I.C.S.S. items, it was found Indians not respecting tribal elders ( $\bar{X} = 4.38$  on a scale of 1 - 5) and Indians stealing money from the tribe ( $\bar{X} = 4.67$  on a scale of 1 - 5) were both viewed as “very serious” offenses by the INDIANS. This early finding becomes significant for use in later analyses reported herein and elsewhere. This finding also supports earlier research by others on the significance of respect for tribal elders (Pouport & Red Horse, 2010; Erickson, 2008) and the views of others toward those who commit ‘white-collar’ types of offenses offered earlier by criminologists (Sutherland, 1949; Geis, 1962; Jesilow, 1982; Simpson, 2019; Sohoni & Rorie, 2019).

### ***The S.U.I.C.S.S. Interviewees***

In Table 4, the descriptive statistics from the interviewees only ( $N = 71$ ,  $n = 67$ ) are reported. During the interview data transcription phase, it was discovered four

(4) recorded interviews were missing, as the electronic tape the interviews were recorded on was either damaged or otherwise not available for transcription (likely due to operator error). Thus, instead of the total 71 interviews conducted, data from only 67 interviews were viable to use in this analysis. As it was impossible to match the interviewees with a completed questionnaire, data from the interviewees were coded separately using the same procedures as were used for the S.U.I.C.S.S. survey questionnaire responses while adding five (5) additional identity measures. These five (5) additional IDENTITY measures were: (1) Are you currently living on a reservation; (2) Having a harsh or negative view of disrespect of Tribal Elders (indicating a strongly-held identifying and internalized value akin to one's identity); (3) Not wanting family shame; (4) Use of Medicine Men/Women (traditional healers); and, (5) Did the interviewee mention witchcraft or Indian spirits during the interview (indicating a belief in same). Each response was coded as a dichotomous variable, with "0" meaning "no" or a negative response, while "1" equaled a positive or "yes" response. For the interviewees, time living on the reservation was coded as "0" or "1," with "0" indicating a residence off the reservation while "1" indicated a residence on the reservation. With all interviewees reporting they currently resided on the reservation, the average amount of time an interviewee reported living on the reservation was  $\approx 20.6$  years. Table 4 presents the IDENTITY and CULTURAL VALUES measures taken from the interviewees only ( $N = 67$ ). For all cases, missing data were coded as "system missing" for IBM/SPSS (v26), while unintelligible or non-responsive responses to an item were coded as "0," indicating "no" or a negative response, while a "yes" or affirmative response was coded as "1."

### *Similarities Between Survey Respondents and Interviewees*

Because potential study interviewees were solicited on a sheet of paper separate from a completed survey questionnaire form but enclosed within the total survey packet sent to potential participants, it was impossible for the researcher to later determine which completed questionnaire each interviewee had returned. It was simply not possible to match a completed survey form to an interviewee because months had passed between the time the survey was completed and the interviews conducted. Also, the author was doing all the labor of this entire research project and was physically and mentally unable to track which questionnaire belonged to whom. However, because each interviewee was self-selected from the same sample being

surveyed and provided the researcher with a completed survey form, the researcher initially hypothesized responses from the survey form (instrument) contained relevant and similar information. To establish a more concrete mathematical basis for hypothesizing similarity within and between the two distinct datasets, one derived from the completed survey forms and the other derived from the quantified interviewee data, the researcher conducted additional principal component analyses (PCA) on the cultural values data provided by both survey respondents and the interviewees. For the interviewees, the analysis from this group indicated an adequate sample size to make comparisons between the two datasets and within the data (KMO = .539, Bartlett's Approx.  $X^2 = 63.969$ ,  $p = .033$ ), whereas the analysis of the data from the survey respondents also indicated an adequate sample size (KMO = .931, Bartlett's Approx.  $X^2 = 2075.454$ ,  $p = .000$ ). When the measures of cultural values were tested together (both from the survey respondents and from the interviewees), the communalities ( $r^2$  values), either met or exceeded the acceptable threshold for tests of the strength of the validity of the measures, as Costello and Osborne (2005) suggested - that being around .40 for modern social science datasets. Table 4 reports the observed communalities ( $r^2$ ) values for each measure in the combined analysis and when these measures were tested separately (survey responses versus interviewees).

To understand reasons why an interviewee is law-abiding, a card exercise was used. Interviewees were read the following prepared statement by the interviewer: "Most people are law-abiding. What keeps you out of trouble?" To which the interviewees were asked to place a set of eleven (11) laminated cards on which a variety of reasons for not engaging in crime were printed (one reason per card). The interviewees were asked to rank-order the cards by placing the most significant reason(s) for their own disciplined behavior first, the second most significant reason second, and so on for the remaining cards. Table 4 presents the variety of reasons listed on the cards and the placement of the cards in relation to the other interviewees. Because each interviewee was allotted any necessary amount of time to complete the card exercise and (a) all interviewees appeared to carefully consider the available options, and (b) all interviewees were observed by the interviewer to re-order the cards as the interviewees re-read the available options, the researcher determined that the first three (3) cards chosen by the interviewees would represent the most significant thus *primary* reasons for abstaining from crime. Any other

cards rank-ordered by the interviewees were then considered by the researcher to be either secondary or tertiary reasons for not committing crime, in that same order. Thus, the next three cards (cards 4 - 6) were considered secondary reasons, while the following three cards (cards 7 - 9) were considered tertiary reasons for abstaining from crime. The final two cards were deemed ineffective by the researcher who observed many interviewees being visibly confused with what to do with the remaining two cards. The possible reasons for not committing crime printed on the remaining two cards were: “Does not need to commit crime,” and “Prefer to use legal channels to resolve problems.” Some interviewees said of these last two cards, “I don’t know what to do with these last two” or “you can have these” or “these don’t apply to me.” The methodological implications of findings derived from implementation of this card exercise are discussed later in this report.

**Table 5: Southern Ute Indian Community Safety Survey – Interviewees Only  
“What Keeps You Out of Trouble?” (REASONS)  
(N = 67)**

| <i>Card No. Measure</i>                                      | <i>1<sup>st</sup><br/>Primary</i> | <i>2<sup>nd</sup><br/>Secondary</i> | <i>3<sup>rd</sup><br/>Tertiary</i>                          | <i>Last</i>                   |
|--|-----------------------------------|-------------------------------------|---|-------------------------------|
| 1 - Parents said crime was wrong / “raised better than that” | 19(29.2)<br>1 <sup>st</sup>       | -                                   | -   | -                             |
| 2 - Aged Out – “got too old to be acting like that”          | -                                 | -                                   | -   | -                             |
| 3 – Does not want to lose job or assets                      | -                                 | 10 (15.9)<br>6 <sup>th</sup>        | -   | -                             |
| 4 – Does not want personal shame of criminal record          | -                                 | -                                   | 15 (24.2)<br>8 <sup>th</sup> /<br>10 (16.1) 9 <sup>th</sup> | -                             |
| 5 – Does not want to shame family                            | 8(12.3) 3 <sup>rd</sup>           | 12 (18.5)<br>4 <sup>th</sup>        | 8 (12.9) 7 <sup>th</sup><br>(tied)                          | -                             |
| 6 – Does not want to go to jail / prison                     | -                                 | -                                   | -   | 14 (23.7)<br>11 <sup>th</sup> |
| 7 - Don’t want to set a bad example for children             | 13(20) 2 <sup>nd</sup>            | -                                   | -   | -                             |
| 8 – Has children to care for                                 | -                                 | -                                   | -   | -                             |
| 9 - Would not want to be a crime victim                      | -                                 | 12 (18.8)<br>5 <sup>th</sup>        | -   | -                             |
| 10 – Does not need to commit crime                           | -                                 | -                                   | 8 (12.9) 7 <sup>th</sup><br>(tied)                          | 10 (16.7)<br>10 <sup>th</sup> |
| 11 - Prefer to use legal channels to resolve problems        | -                                 | -                                   | -   | -                             |

\*Tied as fourth most selected response in the 3<sup>rd</sup> set of responses selected.

Table 5 presents the results of the rank-ordering of the REASONS cards by the interviewees as primary, secondary, and tertiary reasons for being law-abiding. From the analysis of the data in Table 5 the primary reasons most interviewees do not engage in crime relate to family concerns (children to provide for, honor of family, honor of tribe, etc.). The secondary reasons related to fear of the legal consequences of crime (punishment, incarceration, loss of possessions, etc.). Tertiary reasons for refraining from criminal activities related to satisfaction with life and general contentment with their economic situations (these reasons were tied). According to the interviewees, the least valued reasons provided for not engaging in crime were concern for others (i.e., altruism or not wanting to cause harm to another). These findings reveal several interesting and significant views about the cultural milieu of the Native American Indians in this study, which will be discussed later in this report. Table 5 presents the three main reasons people reported for being why they are law-abiding.

**Table 5: Reasons for Abstaining from Crime (REASONS)**

|           | <i>Reason</i>                               | <i>Examples</i>   | <i>%</i> |
|-----------|---|---|----------|
| Primary   | Family Concerns                             | had good parenting; to set a good example for children; <b>avoid shame (family and personal)</b><br><b>*An Indian Cultural Value*</b>                 | 44       |
| Secondary | Fear of Penalty & Satisfied with Life (tie) | don't want to go to jail or lose possessions, no need to engage in crime, satisfied with life / economic situation.<br><b>*A Euro-American Value*</b> | 22       |
| Tertiary  | Altruistic (personal)                       | Doesn't want to hurt others; hates victimization  | 11       |
| TOTAL     |   |   | 100.0    |

### **Advice (Ute: *maykam*) from Ute People (Ute: *nuunu'agaat(ü)*)**

#### ***IDENTITY to INDEPENDENTS***

A linear regression analysis will detect changes in the dependent variable in relation to changes in the independent variable (Rosenthal & Rosnow, 1991; Witte & Witte, 1997). That is, in the present study a linear regression analysis will detect which changes occur in the strength of an Indian IDENTITY because of various demographic variables and in which direction these changes move when IDENTITY

and REASONS (along with eight independent and demographic variables) are placed together in a regression model. Simply asked, does an Indian identity change when measured in contrast with other variables?

To understand if an Indian identity could be used to predict reasons for not committing crime (as well as its relationship to demographic variables) in the first linear regression analysis, the Indian IDENTITY construct was analyzed as the dependent variable with nine independent variables (REASONS, GENDER, AGE, ELDER, TIME, ACTION, INVOLVED, VIEW, and SHAME) to determine the correlations between these variables. There were some significant correlations detected. An Indian IDENTITY ( $r = 1.000$ ) was significantly correlated with AGE in a weak positive direction ( $r = .272, p = .027$ ), ELDER ( $r = .326, p = .010$ ) in a moderate positive direction, and TIME ( $r = .054, p = .000$ ) in a strong positive direction. These three variables significantly predicted an Indian identity (ANOVA  $SS = 96.020, df = 9, MS = 10.669, F = 2.943, p = .009$ ) in the regression analysis ( $R = .627, R^2 = .393, \text{Adj. } R^2 = .259, SEE = 1.904, R^2 \Delta = .393, F \Delta = 2.943, df_1 = 9, df_2 = 41, \text{Sig. } F \Delta = .009, \text{Durbin} - \text{Watson} = 1.901$ ). However, REASONS ( $r = .082, p > .05$ ), GENDER ( $r = -.169, p > .05$ ), ACTION ( $r = -.845, p > .05$ ), INVOLVED ( $r = .507, p > .05$ ), VIEW ( $r = .005, p > .05$ ), and SHAME ( $r = .293, p > .05$ ) were not significantly predictive of having an Indian identity. This means those who have lived on the reservation for long periods of time and are who are elders (also indicating being older Indians) likely will have stronger Indian identities than others.

### ***CULTURAL VALUES to INDEPENDENTS***

To understand if cultural values could predict reasons for not committing crime (including cultural deviance), as well as which demographic variables might also be predictive of refraining from crime, a second linear regression analysis was conducted wherein the CULTURAL VALUES construct was tested with REASONS for not committing crime (along with the other demographic variables). In this second linear regression analysis, the Indian CULTURAL VALUES ( $r = 1.000$ ) construct was analyzed as the dependent variable with nine independent variables (REASONS, GENDER, AGE, ELDER, TIME, ACTION, INVOLVED, VIEW, and SHAME) to determine the correlations between these variables. There were some significant correlations detected. Indian cultural values were

significantly correlated with ACTION in a weak negative direction ( $r = -.268, p = .029$ ), INVOLVED was correlated with cultural values in a strong positive direction ( $r = .623, p = .000$ ), and VIEW in a weak positive direction ( $r = .258, p = .034$ ). These three variables (ACTION, INVOLVED, and VIEW, i.e. willingness to act, being involved in cultural activities, and harsh views about disrespecting tribal elders) together significantly predicted Indian CULTURAL VALUES (ANOVA  $SS = 83.305, df = 9, MS = 9.256, F = 4.784, p = .000$ ) in the regression analysis ( $R = .716, R^2 = .512, \text{Adj. } R^2 = .405, SEE = 1.391, R^2 \Delta = .512, F \Delta = 4.784, df1 = 9, df2 = 41, \text{Sig.} F \Delta = .000, \text{Durbin} - \text{Watson} = 2.536$ ). However, REASONS ( $r = .139, p > .05$ ), GENDER ( $r = -.164, p > .05$ ), AGE ( $r = -.020, p > .05$ ), ELDER ( $r = -.005, p > .05$ ), TIME ( $r = .092, p > .05$ ), and SHAME ( $r = -.105, p > .05$ ) were not significantly predictive of Indian cultural values. This means those who are involved in cultural activities, are willing to act when they view disrespect of a tribal elder, likely because they view disrespect of tribal elders harshly and have strong cultural values against engaging in cultural deviance, such as disrespecting tribal elders likely will not engage in cultural deviance (or crime) themselves. What might explain why or what it is about cultural values that make these disciplined individuals refrain from cultural deviance and/or crime? Perhaps words from the Indians themselves might illuminate reasons for their own disciplined behavior.

### ***IDENTITY to CULTURAL VALUES and REASONS***

To understand if an Indian identity was related to cultural values and reasons for refraining from crime, a third linear regression analysis was conducted wherein the IDENTITY construct was analyzed as the dependent variable with CULTURAL VALUES and REASONS as independent variables. This test found reasons for not committing crime and having Indian cultural values are reliably predictive of an Indian identity ( $r = 1.000$ ). The results indicate REASONS ( $r = .209, p = .047$ ) and CULTURAL VALUES ( $r = .469, p = .000$ ) are reliable predictors of an Indian identity (ANOVA  $F = 9.916, p = .000$ ). This means that having strong Indian cultural values, including having culturally-based reasons for not committing crime, may be used to predict an Indian identity. However, the correlation between reasons for not committing crime and an Indian identity, is weak in a positive direction, while the correlation between Indian cultural values and identity are moderate in a positive direction. The independent variables (reasons and cultural values), however, are

predictive of an Indian IDENTITY; and the relationships between these variables are somewhat strong ( $R = .492$ ,  $R^2 = .242$ ). When asked how knowing about one's Native culture might prevent crime, two Indians relayed:

If they're 'real' Indians, and if they're really into their culture then they would know better. (PI #18, male)

*[Can Indian Spiritual activities prevent crime?]* They used to ... it (culture) used to. *[How so?]* When it was taught, it was taught in such a manner that you believed in it so deeply that thoughts like (behaving criminally) that never (usually) occurred to you ... And if they did, you always thought about the consequences, which were the Spiritual consequences. (PI #11, male)

### **CULTURAL VALUES to IDENTITY and REASONS**

To determine if CULTURAL VALUES could predict an Indian IDENTITY and REASONS for refraining from crime, a fourth regression analysis was conducted with CULTURAL VALUES as the dependent variable and IDENTITY and REASONS as independent variables. The results indicate CULTURAL VALUES ( $r = 1.000$ ) was positively correlated with an Indian IDENTITY ( $r = .469$ ,  $p = .000$ ) and REASONS ( $r = .128$ ;  $p > .05$ ), although IDENTITY had a moderate correlation, while REASONS had a weak correlation. IDENTITY and REASONS are reliable predictor variables of CULTURAL VALUES (ANOVA  $F = 8.780$ ,  $p = .000$ ). This means one may *speculate* that strong Indian cultural values and an Indian identity may be associated with reasons for not committing crime or engaging in cultural deviance. It also means an Indian identity and reasons for not committing crime, may be used to predict who might have strong Native cultural values thereby leading one to demonstrate disciplined behavior. While the independent variables may predict CULTURAL VALUES, the correlations between these variables and an Indian IDENTITY are somewhat weak ( $R = .470$ ,  $R^2 = .221$ ). Illustrative of how this dynamic works in a living situation, one man relayed:

When I was growing up, no alcohol or marijuana smokers were allowed to participate in the ceremonies. Now, they got all kinds of people that go to them. You need to have a good clear head (to participate in ceremonies). I see it at the pow wows. (PI #42, male)

## Findings

This study found support for ideas of one's ethnic identity and cultural values – the value of *cultural efficacy* – being relevant to understanding avoidance of (or desistance from) crime. Individuals who maintain a positively-construed *pro-social* cultural identity, such as one that dictates adherence to a value structure that rejects social deviance, are likely to be those who adhere to specific mores or values of the social group from which the identity arose. Persons belonging to a tribal community are likely to differently-perceive cultural values and their associated behavioral norms than are others from outside the tribe.

## Discussion

### Limitations

This study found support for using a dual Native American Indian identity- and cultural values-based construct with which to understand the myriad and varied reasons for an individual's decision to refrain from social or cultural deviance i.e., criminal behavior. The reasons for refraining from social deviance found within this study were profound and may complement the work of others in this area (Cavanagh, Mahler & Cauffman, 2019).

First, that there were likely to have been significant cultural ties made during early childhood that had lasting *pro-social* effects on the study participants – ties made within the family group and within the culture of the tribe – supports ideas of other researchers who investigate issues of early childhood social ties and the lasting effects of family- and community-based notions of informal social control in other populations (Braithwaite, 1997; Cauffman, 2012; Tittle, 1995). This is evident when we look at certain values of the tribal group that place family honor and that of the larger tribal group above the individual. Indeed, as the Southern Ute Indian tribe is historically a matrilineal, warrior-based tribal group, the honor of one's family (of which the mother is the leader) and wherein which women guide the tribe's leadership, a woman's role is paramount to preservation of the family and the tribe. This is further evidenced when examining the origin story of the tribe that indicates it was a *female* Bear who happened to bring about life and knowledge of lifeways for the Southern Ute people in the beginning of time. This is likely why the views and opinions of females in this study were more pronounced than those of males.

The second interesting aspect of these data reveal the non-Native criminological notion of retribution (“an eye for an eye”) justice being salient to crime prevention within non-Native communities is not necessarily applicable here within this tribal community, at least not with the participants sampled in this study. As one study participant told me, “Anyone can take a lashing (a whipping, flogging), but hurt their pride (or shame them or their family) ... that will hurt worse.” As in many other tribal communities around the world, the Southern Ute tribe practices a form of inter-generational shaming for group members who violate sacred tribal mores and customs, such as killing a white buffalo (a sacred and prophetic animal) or extreme cowardice in battle or conspiring with the enemy during wartime to the point where if the violation were severe enough to threaten the very existence of the entire tribe, such shaming would pass from one generation to another of an entire family for significant numbers of generations *based on the actions of a single tribal member*. It can then be inferred; no single Ute Indian wants to be that individual who brings such inter-generation shame to one’s family. Thus, the moral imperative upon every individual Ute Indian to avoid shaming one’s family is most pronounced herein within the views of these study participants. Moreover, the Southern Ute have historically practiced banishment from the tribe as another response to cultural deviance, up until this modern era as evidenced in provisions for such a practice written within the Tribal Code, a prescribed for cultural deviance (Southern Ute Indian Tribal Code, Title 10 Exclusion and Removal Code § 10-1-102. Grounds for Exclusion and Removal. A person may be subject to exclusion or removal from all or any portion of the Southern Ute Indian Reservation for the following reasons: (2) Interference with tribal ceremonies ...”). Combined culturally-based penalties of inter-generational shaming and exclusion from the tribe thus provide profound and significant restraint mechanisms once same are internalized within the minds and exhibited in the behaviors of Ute people; and likely assist those Ute people to modify their behaviors when interacting with other Indians within the tribal community.

Finally, contentment with one’s life circumstances (e.g., economics and social affairs) was rated as less important reasons for refraining from crime, than was concern for causing further harm to the overall tribal group and its members. Thus, it can be concluded that reasons for these Native Americans refraining from criminal deviance were based primarily upon strongly-held psychological ties to the cultural

and spiritual heritage of this tribal group, strong ties that help prevent negative societal influences and associated harmful forces that might otherwise influence thoughts that likely motivate subsequent behaviors. There is no reason why this conclusion should not be applicable to other tribal groups and their members living within our modern society.

### *Strengths and Weaknesses of Study*

While this work was pioneering because it was based solely on a Native American Indian population – a criminological study that had never been previously conducted – it does have several weaknesses. First, the tribal group under investigation may not (or may) be reflective of other similarly-situated tribal groups located elsewhere in the United States. The economic vitality of this tribe is unlike that of many other tribes. Thus, it is unclear if poverty and its associated social pathogens influence the adaptation, strengthening or refutation of necessary internalized cultural values when faced with certain economic pressures to engage in deviance. Indeed, it was discovered several study participants did not engage in crime because they felt they had adequate resources. Thus, the influence of extreme poverty on individual behavior – such as the decision to remain disciplined – cannot be inferred from this study. Second, it is unclear if and how much influence negative social constructs about this ethnic group and associated stereotypical images of modern tribal life had on decisions to engage in deviant behavior. It is clear, however, from this research precisely reported which Indian cultural values play a critical role in contributing to the development of internalized controls necessary to gird one's conduct when faced with opportunities to engage in deviance.

### *Theoretical Implications*

The theoretical implications of this research are broad. Youth deviance, for example, is viewed by many as one of the many lasting effects of inadequate parenting in which proper *pro-social* values and norms of conduct were not instilled into youth (Tittle, 1995; Braithwaite, 1997). Many would likely retort, inadequate parenting, at least within Native tribal communities, is likely the result of past federal policies – the Indian boarding schools and wholesale adoption policies for Indian children, e.g. – that separated Native children from their families and cultures, which left modern Native parents unskilled to raise their own offspring in a

culturally-prescribed manner. Others have learned that *pro-social* guardrails against deviance may be learned outside of the family unit and may be acquired within the community in which a *pro-social* identity and its attenuate value structure is learned and enhanced *via-a-viz* interactions with others within the community, as others have speculated (Erickson, 2008; Neblett, Rivas-Drake & Umaña-Taylor, 2012). This is certainly so within this tribal community wherein youth are exposed to varying generations of both familial descendants and to other unrelated tribal members. It may be here within the tribal community itself, wherein which *pro-social* values and mores regarding appropriate tribal behavior are best taught and learned. Indeed, it was during the many and varied community-based cultural and social activities sponsored by the tribe, in which the most *pro-social* interviewees reported engagement during their youth and thus learning the very value structure that now guides their desire for behavioral compliance. Cultural and spiritual activities of the tribal group are critical components to developing both a strong positive internalized identity and the mores necessary for tribal youth to navigate a non-Native society in the healthiest manner.

Adult offenders too may find it useful to adopt an ethnic identity that better fits an internalized standard that demands respect for and prideful allegiance to its own set of values that might aid one to maintaining *pro-social* behavioral norms. Other theoretical implications are plentiful. If the ethnic identity is one that during previous generations or time periods of society was much-maligned and neglected such as that of Native people then the new cultural values-centered identity, such as a Native American Indian identity, has the potential to contribute much needed support for cultural preservation efforts. This may provide a potential source for healing for those individuals who suffered past societal harm based on their ethnic identity, like the survivors of the former Indian school policies and practices. It was with this background that the present study was initially conceived. Native American Indians may now be proud of their ethnic identities, whereas in the recent past Indians were made to feel as less-than-human simply because they are Native people.

The theoretical implications of the findings from this study are both substantial and useful. The dual effects of a strong internalized ethnic identity and similarly strong internalized cultural values both restrain one from deviance and *may* motivate one to act when faced with deviance. Indeed, motivations to act to correct

social deviance within the tribal community, as defined as cultural deviance, is explored in another related study to follow. Future research should explore how, if possible, a *pro-social* identity and culturally-based values can be instilled into youth who develop within families or institutions where strong parental support and guidance is lacking. Moreover, how these same elements of personal restraint can be instilled into adult offender populations would be beneficial to understanding the future etiology of crime. As Abril (2003) earlier discovered, measures of ethnic identity used by official government agents to be wholly inadequate for use in prisoner populations, future research, and the populations it seeks to understand, might be better served if measures of ethnic identity are developed with targeted populations in mind, as opposed to using 'ready-made' and inadequate measures often employed by government bureaucrats. Indeed, the 'lazy researcher' method of conducting investigations by reliance on what has already be done in the past, may have hopefully run its course in criminology.

### **Indigenous Cultural Efficacy**

While one may *believe* in paranormal Spirit influences motivating negative behaviors, Indigenous cultural efficacy may provide the internalized moral compass and requisite strength and knowledge one needs to combat and reject social (or supernatural) influences facilitating engagement in deviance and substance abuse, as substance abuse is also a core precipitating feature in many situations of domestic violence and child abuse, for example. In the absence of guardrails that support Indigenous cultural efficacy and its undergirding behavioral mores for appropriate conduct, it might be easier for one to engage in deviance such as substance abuse and violence. This area of scientific inquiry is worthy of further exploration in the pursuit of combating the ill- and often intergenerational effects of past social policies many now believe are the causes of these pathologies.

### ***Crime-Control Research Relevance of This Work***

This author found a large sample of imprisoned female offenders who were "proud" or otherwise held positive views of their Native identities (Abril, 2002 & 2003). This fact might be worthy of further inquiry into how positive views of one's ethnic identity as expressed as *cultural pride* might be exploited as the basis of future rehabilitative programs. Because the author of this report is herself Native American

Indian (Yaqui/Cherokee), she knew which elements of a pan-Indian ethnic identity and its intrinsic cultural values to pursue when faced with designing a study of this nature. This lesson learned from social scientific research further supports ideas held by others within victimology and convict criminology, for example, that suggests those who often are the target of criminal justice system policies, might be well-suited to aid investigations of such policies and practices, as the ‘insider information’ might be indispensable to the proposed research efforts.

### *Future Research Needed*

Changes in a dominant paradigm within criminology that currently focuses primarily upon ‘why a person offends’ and associated public policy responses to criminal behavior should instead attend to reasons not on the etiology (development of crime) but upon the prevention of deviant behavior and subsequent crime. Doing so may lead to implementation of policies relevant to the prevention of future crime based upon internalized mechanisms of self-control (restraint) and less on public control (regulation) of deviant behavior. Future research in this area is sorely needed now as the social and economic costs associated with regulation of criminal behavior far outweigh the potential long- and short-term economic benefits of a regulation-based society.

### **Conclusion**

This study found support for the idea that a strongly-held Native American Indian identity and its associated cultural values are significantly related to reasons for abstaining from crime. Because this study found support for using a Native American Indian identity- and cultural values-based construct with which to measure reasons for abiding by the law, it may be useful in future research for investigators to further examine reasons why individuals of other ethnic groups might refrain from crime. Findings from this and future work in this area have the potential to change the paradigm with which criminology investigates the etiology of crime; shifting the focus away from *why* someone commits crime to why someone *does not* commit crime; in turn changing public responses from reactionary to preventive. Furthermore, as there is already an abundance of literature from decades of prior investigations that sought to uncover the reasons why an individual commits crime, there is less empirical evidence available on the reasons why a person does not

commit crime. Addressing this disparity of knowledge in the empirical literature may lead to better-designed and earlier-implemented crime-control strategies for the future.

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