

Why Rural Crime and Justice Really Matter

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While it is true that in general urban crime is roughly three times higher than rural crime, over the last decades rural crime has increased at the same rate as crime in big cities. Whereas violent crime in large cities rose from 1966 through 1991 and then declined, rural rates drifted upward for the entire period. Moreover, some crimes are more prevalent in rural settings than in cities, while some others by definition cannot even be committed in cities at all ("rural-specific offenses"). Meanwhile, researchers have paid little attention to rural crime and justice. This is highly regrettable given that studying rural crime and justice can potentially contribute in very important ways both to criminological theory and to crime policy. This article deals with why it is important for researchers, the justice system, and society in general to pay greater attention to issues of rural crime and rural justice. Among the reasons discussed are statistical arguments defying popular misconceptions, arguments in the field of criminological theory, counterintuitive trends in rural crime, various disadvantages which rural areas suffer compared with urban ones, strategies for dealing with crime which must be adapted to the rural environment, and some others. Finally, both theory and policy implications are discussed, demonstrating that rural crime cannot be understood or controlled in the same ways as urban crime is.

IN 1999, the United States Congress reiterated their concern that crime in rural communities receives little attention when compared to urban centers. Although most attention tends to focus on criminal activity in urban centers, rural areas are also experiencing significant problems related to crime and delinquency. This is an area where it is easy to be misled by appearances: On one hand, it is surely true that serious crimes are exceptional in rural areas (less than one percent of all arrests in rural counties are for homicide, robbery, and rape), and urban crime is roughly three times higher than rural crime. On the other hand, however, rural crime has increased over the last decades at the same rate as big-city crime (Neubauer, 2002, pp. 484-485). Moreover, some crimes are

more prevalent in rural settings than in cities, while some others by definition cannot even be committed in cities at all ("rural-specific offenses"). Meanwhile, as will be discussed more in detail later, researchers have paid little attention to rural crime and justice. This is highly regrettable given that studying rural crime and justice, as will be demonstrated later, can contribute in very important ways both to criminological theory and to crime policy. This article deals with why it is important for researchers, the justice system, and society in general to pay greater attention to issues of rural crime and justice. Among the reasons discussed are statistical arguments defying popular misconceptions, arguments in the field of criminological theory, counterintuitive

trends in rural crime, various disadvantages which rural areas suffer compared with urban ones, crime control strategies which must be adapted to the rural environment, and some others. Finally, both theory and policy implications are discussed, demonstrating that rural crime cannot be understood or controlled in the same ways as urban crime is.

WHY DO RURAL CRIME AND JUSTICE MATTER?

This author argues that it is important for researchers, the justice system, and society in general to pay greater attention to issues of rural crime and justice. The main reasons for this need are:

Statistical Arguments Defying Popular Misconceptions

There are over 65 million rural citizens of the United States. This is approximately one-fourth of the country's population, more than any single minority group in America and larger than many entire countries. Rural areas constitute about 70 percent of the land mass of the United States. For the roughly 25 percent of the United States population still living and working in small towns and rural areas, law is administered in rural courthouses which are more numerous than what most people realize: In fact as much as 79 percent of the 3,082 courts of general jurisdiction in the United States are in rural areas (Neubauer, 2002, p. 484).

Criminological Theory Arguments

A theory consists of clearly stated propositions that posit relationships, often causal ones, between events and things under study (Schmallegger, 2002, p. 17). Most criminological theories are tacitly assumed to apply to different kinds of areas of the country but that assumption is simply false. Or to put it an-

other way: There is a clearly a problem when most criminological theories apply to urban crime only and ignore rural settings. An acknowledgment of this urban-centered nature of criminology is still a relatively rare phenomenon, even though this problem should be obvious to any criminologist. Authors who admit, for example, "(...) *the inattention of criminologists to the rural*", "*[t]he traditional concentration by criminology on urban crime*", or that "*[t]he simplistic concept of two contrasting communities, the crime-ridden urban areas and the crime-free countryside is an enduring one in criminology*" or that "(...) *criminology has concentrated almost exclusively on urban crime, while disregarding crime and criminal justice in a rural setting*" (*Crime and Conflict in the Countryside*, 1999, p.1), continue to be a very tiny minority. Unfortunately, authors like C. Ray Jeffery, for example, continue to perpetuate criminological theory's preoccupation with urban areas:

Population changes, demographic changes, and urbanization are critical to the growth pattern of crime rates and to the spatial patterns of crime (Jeffery, 1990, p. 419)

While it is true that urbanization is critical to crime patterns in the sense that most crime occurs in urban areas and also because urbanization triggers certain growth patterns in crime, this does not mean that there is no crime in rural areas or that rural areas should be underestimated by criminology. Because the context of rural crime, its causes and its characteristics, are so different than for urban crime, *we need a separate set of theories to account for rural crime and justice*. This author agrees with Weisheit and Donnermeyer (2000: 310) when they say that it is a particular prob-

lem if those theories are treated as general theories by policymakers. However, this author does not agree with their position that "*theories that cannot account both for rural and urban circumstances are **limited in scope**; they may be only theories of urban crime*" (emphasis in the original; *ibid*, p. 310). Of course we need theories on rural crime but the implication of the above authors' position is that what we are missing is theories that would cover both rural and urban settings. This author does not think that is the right approach because it is obvious that rural environments in most cases require their own theories, and that is because they are so fundamentally different than urban environments. Here are some examples of those differences:

- Whereas **violent crime** in large cities rose from 1966 through 1991 and then declined, rural rates drifted upward for the entire period (Weisheit, Donnermeyer, 2000, p. 314). This finding is not only surprising and counterintuitive but also demonstrates that rural areas are governed by their own circumstances of crime causation and therefore they need separate theories;

- There are a number of so-called "**rural-specific offenses**" (many of which can be labeled "agricultural crime") i.e., crimes which simply never occur in urban areas: rustling; theft of items like grain, farm machinery, timber, farm chemicals like pesticides and herbicides, frozen animal semen; ecoterrorism; rural bank robberies; production of "moonshine"; wildlife crimes (e.g., poaching); rest-stop crimes and crimes tied to the presence of interstate highways (National Institute of Justice, 1994, p. 5). Under California's Rural Crime Prevention Program, rural crimes are property crimes against the agricultural

industry (theft of crops, livestock, farm equipment, farm chemicals, and farm property are classified as rural crimes). In cases of burglaries of farmers' homes, if a computer, for example, is stolen that was used for non-agricultural purposes (e.g., school homework), law enforcement classifies this as a regular burglary. However, if the computer's primary job was to track, for instance, the daily milk output from the farm's cows, then the offense is classified as a rural crime. In some counties like Kern county in California, where oil is a major rural industry, rural crime also includes theft of crude oil and oil equipment (Rural Crime Prevention Program, 2002, p.2);

- The factors of **physical distance and isolation** of rural areas shape not only the picture of crime in the countryside but also social response to it. Not only police assistance but also medical help takes longer to arrive in the countryside because of the distances involved. The physical isolation and lack of public transportation may mean that victims may find it a lot more difficult to reach help. Also, the often great distances between the nearest households mean that neighbors may find it difficult to watch each other's property even if they wanted to do so (Weisheit, Donnermeyer, 2000, pp. 327-328; Meryhew, 2000). Rural terrain also poses special problems for law enforcement; for example, many of the nation's worst roads are in rural areas. This means that rural sheriffs often confront physically challenging or even hostile conditions not found in non-rural areas (National Institute of Justice, 1994, pp. 8-9).

- Rural areas frequently call for **specialized prosecution strategies**. In California's Rural Crime Prevention Program a prosecution strategy is being used called vertical prosecution which, studies have shown, maximizes the likelihood of

conviction. The way in which vertical prosecution is different from regular prosecution is that one attorney is assigned to handle each case of agricultural crime through all stages of the prosecution process. This way, the assigned attorney gains greater expertise on each particular case, and also acquires greater knowledge of rural crime, thus increasing the likelihood of convictions. Indeed, the Rural Crime Prevention Program had a prosecution rate that was 5 percentage points higher than the rate for felonies in California (89 versus 84 percent, respectively; Rural Crime Prevention Program, 2002, pp. 5, 11).

The rural environment, and especially its features resulting from low population density, shapes the work of prosecutors to a considerable extent. Rural prosecutors are more likely to know personally not only the judge and defense attorney but also the offender and the victim. Jury selection becomes problematic because so many people know both the prosecutor and the defendant. Prosecutors in rural areas also frequently express concerns about limited resources. For example, mandatory minimum sentences and mandatory community service sentences require resources that a county may simply not have. Lack of resources also impacts the ability to pay for laboratory analyses, the use of experts, and the labor of investigators (Weisheit, Falcone, Wells, 1999, pp. 148-150).

- Rural areas are governed by **informal social control** much more than urban areas. This has an impact on several aspects of crime and justice: for example, many cases are handled informally and are never reported to police. Also, not only do most people know each other socially but police are also likely to know most offenders and their families personally. The strength of informal social control in rural areas is fa-

cilitated not only by community residents knowing one another but also by the resulting monitoring of misbehavior by the community, and the relative stability of local populations (frequently staying in the same place for several generations -Weisheit, Falcone, & Wells, 1999, pp. 27-29).

- Rural residents are more likely to be **suspicious of government or even outright hostile to it**, which can escalate to the level of violent antigovernment behavior. This can be seen, for example, by the rise of citizen militias in the West (Weisheit, Donnermeyer, 2000, p. 330). This phenomenon has an impact not only on the potential for rural-type crime as an expression of antigovernment feelings but also on the ability of the government to control and suppress that kind of behavior. The fact that antigovernment sentiments are more likely to be met with tolerance among rural residents than urban ones means that the government will find less cooperation and understanding in rural areas, when trying to control that kind of crime. It is also important to keep in mind that the rise of rural radicalism is very closely linked with many features of rural life which would seem quite "harmless" to the average city dweller:

How could today's rural militia men call themselves patriots and target the government for destruction? The answers lie in the material, economic, political, and cultural circumstances that the members of these groups have shared because they have lived in rural America (...) Five contexts of rural life help to explain the nature of rural radicalism and, in particular, its contradictory position in conventional American politics. These are: frontier life, class, race, gender, and evangelism (Stock, 1996, p. 7).

- While telephone penetration is generally high in rural areas, certain groups, such as African-Americans or Hispanics, low income, or less educated households, are less likely to have telephone connections in rural areas (Fact Sheet: Rural Areas Magnify 'Digital Divide'). This means that the possibility for victims of crime to seek help may be severely hampered.

Counterintuitive Trends in Rural Crime

Although **rural violent victimization** is persistently lower than urban violent victimization, it is not true that rural areas always have lower rates of crime / deviance than urban areas. For example, alcohol use by rural youths has consistently matched or exceeded use by urban youths over more than 20 years of surveying high school seniors (it is also more of a social problem in the countryside because rural youth must spend more time on the road). Youths from urban counties are also more likely to use cigarettes and smokeless tobacco.

Drugs are another huge rural problem. Rural areas not only serve as production sites for methamphetamine, designer drugs, crack cocaine and marijuana, but the operations are typically larger and more sophisticated than labs operating in more densely populated areas. In Nebraska in the period 1990-1998, in certain respects drug criminality was greater in rural areas than in urban ones. Arrestees in the rural areas were just as likely as those in the city to manufacture methamphetamine but were more likely to be involved in selling it. Meth users in the rural sites had more prior offenses than those in Omaha (National Institute of Justice, 2000, p. 2)

Crimes against the environment are another trend in rural crime. The isolation of rural areas makes illegal dumping

of toxic waste relatively easy. Furthermore, according to a study by the National Center on Child Abuse and Neglect, **child abuse** rates are higher in rural areas than in major urban counties (Weisheit, Donnermeyer, 2000, pp. 319-321, 323, 325).

Criminological Research Has Paid Insufficient Attention to Rural Settings

According to Joseph F. Donnermeyer, for example:

One of the least understood topics in the fields of criminology and criminal justice today is that of rural crime. The reasons are simple. First, research on rural crime remains sparse. Scholars and researchers have spent most of their efforts trying to understand urban patterns of crime. (Donnermeyer, 1994, p. 1)

Here are some specific areas of criminology where neglect of rural areas is particularly clear:

- Although some recent theories of crime have emphasized **daily life and routine activities**, these perspectives have generally ignored the rural setting and consequently benefits that might accrue from including rural environments remain largely theoretical. Meanwhile, there is no doubt that understanding rural crime requires understanding rural life.
- Donnermeyer's research on **drug use by rural youths** pointed out a paucity of research on rural drug issues, especially on how rural youths gain access to drugs.
- With a few exceptions, research on **environmental crime** has generally ignored the rural setting, which is ironic because a lot of crime against the en-

vironment can only be committed outside of urban areas.

- **Theft of timber** has been almost completely ignored by researchers despite its huge economic impact.

- Very little is known about urban-rural differences in crime among **Hispanic and Asian populations**. It seems that for rural Asian Americans all we have is anecdotal evidence (Weisheit, Donnermeyer, 2000, pp. 320, 325, 343).

- Some contemporary **gang research** includes no discussion of gangs in suburban or rural areas.

- The distinction between **urban and rural policing** is acknowledged in a brief one-page section in the International City Management Association 447-page book *Local Government Police Management*, which is considered by many the definitive reference on municipal police administration. The assumption that rural policing is fundamentally the same as urban policing is, of course, simplistic and wrong but it explains why the one-page acknowledgment cited in the 1982 edition has completely disappeared in the latest edition of the book (National Institute of Justice, 1994, p.8);

- One of the most prominent books on police management, Leonard and More's *Police Organization and Management* (2000) does not even mention rural police once, so it is no surprise that one looks in vain for words like "rural" or "countryside" or anything of that nature, in the book's index. The authors try to make the book look like it applies to all police departments but it is very clear that the book is entirely about municipal police departments, as if there were no police at all in rural areas. Occasional anecdotal references to "one-man police

departments", such as the one on p. 23, or to "small communities" on p. 185, cannot make up for the book's obvious bias toward municipal police.

- When it comes to the concept of **community justice**, we again encounter the problem of research bias toward urban areas. As a result, little is known about community justice in rural areas (U.S. Department of Justice, 2001, pp. iii, 1). A well-known book on community policing, Thurman, Zhao, and Giacomazzi's *Community Policing in a Community Era* (2001) is entirely about municipal police departments and the word "rural" does not even appear in the index or anywhere in the table of contents.

- **Minorities in the criminal justice system** are another example of how researchers mostly do not devote sufficient attention to rural settings. Most studies have found that minorities are overrepresented in the justice system. However, nearly all such studies have been conducted in urban areas. Although crime among American Indians has been researched to some extent, there is little research that would compare rural and urban patterns of crime or variations in crime across rural groups (Weisheit, Donnermeyer, 2000, pp. 341-342). Perhaps to some extent the scarce amount of research can be explained by the fact that researching this issue is complicated by the small minority populations in many rural counties. It does not, however, explain or justify completely the neglect in researching rural areas.

- A report about **California's Rural Crime Prevention Program** states that "A lack of data on agricultural crime before implementation of the program prevents us from determining the program's effectiveness in reducing agricul-

tural crime" (2002, p.1). Clearly, if the area of rural crime were not neglected as much in terms of research and data collection, different measures being undertaken in this area would face fewer problems.

Some Contemporary Phenomena in Urban Crime Have Been Expanding into Rural Areas

Examples include the expansion of urban drug trafficking and gangs, and the spreading of patterns of urban drug use, including crack, into rural areas (National Institute of Justice, 1994, p.3). In Nebraska, substance abuse in general is more widespread in the city but there are few urban-rural differences in the use of methamphetamine, as measured by results of urinalysis testing of arrestees. Use patterns in the rural areas are similar to those in cities. There are no significant differences in the proportions of arrestees who said they ever used meth or in frequency of use. The trend of urban drug use expanding into rural areas is also confirmed by the finding that the rate of cocaine use was higher in October/November 1998 in Scotts Bluff County, Nebraska, than in the other rural counties that were researched. Proximity to Denver may be a contributing factor in explaining this finding. This confirms the impact of big cities on rural areas in drug use (National Institute of Justice, 2000, pp. 1, 3).

Rural Areas Find Themselves at a Disadvantage Also for Other Reasons

For example, rural communities' small tax bases translate into fewer dollars for justice services. In many rural communities justice services are provided by part-time prosecutors, a circuit judge, or a sheriff's department working only part of the day. Rural communities also lack

staff with the kind of expertise that is needed to apply for federal, state, and other grant monies that could possibly alleviate the problem of inadequate resources. This scarcity of resources which is so common in rural areas means that the equipment or training for law enforcement to do their job effectively is missing, there are few sentencing options other than traditional incarceration, and crime victims often find that services either do not exist or are too far away (National Criminal Justice Reference Service, 1998, p.3). Consequently, rural areas are also disadvantaged in further ways. The falling crime rate has benefited urban and suburban areas more than rural areas. Even though overall violent crime rates are still lower in rural areas, in the period 1993-1998 there has been less of a decrease in violent and property crime rates in rural areas compared with urban and suburban areas. This is also true with regard to homicide rates: Despite an overall decrease in homicide trends nationwide, most of the decrease has occurred in large cities, while rural areas have been experiencing relatively little change (National Center on Rural Justice and Crime Prevention, 1999, p.1).

Researching, Investigating, Controlling, and Preventing Crime in Rural Areas in Most Cases Requires Different Strategies Than in Urban Areas

For example, for crimes like homicide, rape, and assault, researchers have found that, given they are more likely to occur among acquaintances than is true in urban areas, and given that in rural areas there is a greater distrust of government and therefore police are less likely to be called, it is obvious that investigating, controlling and preventing such crime in rural areas requires different strategies than in urban ones (National Institute of

Justice, 1994, p. 4). Conducting research in rural areas requires devising innovative ways of obtaining information. For that reason, the ethnographic approach might be useful if we are to understand fully the nature of, for example, rural drug markets, and the preference of certain drugs over others (National Institute of Justice, 2000, p. 6). In general, understanding the rural way of life seems indispensable to understanding the special circumstances and environments in which rural crime occurs. Weisheit, Falcone, and Wells describe a case of marijuana growers which illustrates how the special traits of rural life require different police strategies compared with urban areas:

A lot of times if you're dealing with people in these rural areas, they don't have a problem with you coming in and arresting them. They just want to be treated like human beings (National Institute of Justice, 1994, pp.10).

This different treatment of suspects by police in rural areas frequently translates into higher respect which the police get from citizens: A 1991 Gallup poll found substantial rural-urban differences in the support and respect that citizens showed for the local police (*ibid.*, p.10).

This author also has some personal experience with researching crime in a low-crime jurisdiction. While in the capacity of Project Director of the Research Partner / Crime Analyst Project Safe Neighborhoods (PSN) initiative for the District of North Dakota, this author, along with his research team, has frequently encountered research problems and dilemmas which are special to jurisdictions with extremely low crime rates. North Dakota continues to have the lowest rates of violent crime

per 100,000 population in the country. In fact, in 1994 there were just 5 homicides committed throughout the entire state (Cebulak, Allen, Olson, 2003, p.12). This extremely low level of violent crime complicates research enormously. On many occasions we could not obtain any data beyond very general state-wide statistics, because of the obvious ethical concerns which must be paramount when the number of cases is so small that identification of particular individual persons is virtually certain.

DISCUSSION, CONCLUSIONS, AND IMPLICATIONS

There are important **implications** of the issues discussed above, both for criminological theory and for criminal justice policy. In terms of **theory**, it is obvious that we must continue our efforts at developing a theoretical perspective which would take into account the special circumstances of rural settings. It is obviously false to suggest either that all crime theories can be applied to all social settings, or that theories of urban crime can be applied to the countryside as if there were no differences between the two environments. It is beyond any dispute by now that rural areas are so unique and different from urban settings in so many regards, that to perpetuate the myth of "no difference" would mean not only trying to reinforce a lie but ultimately it would also mean an enormous disservice to society.

Attempts to apply all criminological theory to all settings are similar to claims made by Hirschi and Gottfredson that the same factors are major sources of all deviant behaviors (Steffensmeier, 1989, p. 346). Just as it is obviously false to suggest that all crime can be explained with just one theory, it is equally false to state that urban and rural crime are prac-

tically the same and therefore can be explained with the same theories.

Policing theories also need revisions to adapt them to unique characteristics of rural police. What happens too frequently is that theories are presented as if they applied to all police, whereas in fact they are only relevant to municipal police. Every effort must be made to increase sensitivity to the rural-versus-urban distinction. Take this statement, for example:

The selection of the beat as the basic unit in all police operations conforms to the fundamental principles involved in all police strategy – breaking the total problem into its smallest divisions and attacking each one singly. The existence of the beat is based upon conviction that effective patrol service is the foundation of police organization. (...) In large cities, the overwhelming number of police beats and the extent of the problem of supervision has led to the grouping of these patrol areas into districts or precincts (Leonard, More, 2000, p. 193).

There is no effort here at all to even pose a basic question: How does this relate to rural police? There is no indication that the concept of rural police has even crossed the authors' minds. Given that their book is entitled *Police Organization and Management*, it would be much more appropriate if the title were in fact *Municipal Police Organization and Management*.

Policy implications must also be addressed. Rural crime cannot be prevented, controlled, investigated, and prosecuted in the same way as urban crime is. The special nature of the rural environment and features of rural life dictate a necessity for a different ap-

proach from the policy standpoint. These differences apply to all stages of the criminal process: policing, prosecution, the judiciary, and corrections. For example, given the closer social ties between police and their community found in the country, rural police should use policing styles that are more responsive to citizens in their area. Because rural police frequently know suspects, victims, and their families personally, they also have to be more sensitive to public opinion, more careful about civic rights, privacy, and criminal stigma. They are much more likely than urban police to be in a position of being able to harm an innocent citizen by spreading information about a person prior to indictment and trial.

Even protecting the confidentiality of a victim's address and telephone number or the location of a shelter may be more difficult in rural jurisdictions, because of the lack of anonymity in many small communities and the close, personal relationships residents of such communities often develop from generation to generation (Office of Justice Programs, Rural Task Force, 1998, pp. 6-7).

In that sense, rural police are more powerful. It is vital that they understand that with that power comes enormous social responsibility.

It also seems that rural police face other challenges which are really unique to the rural environment. One of them is the danger of corruption:

The most commonly mentioned aspect of rural justice is comity. Generally it speaks of a friendly social atmosphere and a group harmony. But in this context it can also mean "You scratch my back and I'll

scratch yours.”It’s not always a conscious thing (Neubauer 2002, p. 485).

Social activist Kathryn Fahnestock also says that rural justice is characterized by a phenomenon of community knowledge being substituted for the Constitution. A study in a North Carolina county also showed that courts tend to rubber-stamp police and prosecutorial decisions, and citizens were arrested capriciously (Neubauer, 2002, p. 485). These are dangerous phenomena which should not be taking place because they mean an erosion of due process. But they also mean that rural police face different challenges compared with urban police. There is no question that the physical isolation of rural areas facilitates lax supervision and the resultant violations of due process.

Also, the other stages of the criminal process cannot be conducted as if there were no differences between rural and urban areas. The issue of vertical prosecution was described earlier, which is just one example of how prosecutorial responsibilities must be shaped to rural areas. Given the close-knit nature of rural communities, judges must also be much more vigilant in their daily functions about issues of privacy and criminal stigma. They should also take advantage of punishments based around shame and embarrassment, given the enormous significance of informal social control in rural areas. The correctional system must also be approached differently than in urban areas, given the much weaker tax base in the countryside, the resulting inadequate facilities, and lack of many options found in the city, like electronic monitoring, super-modern prisons, or community service sentences to be served in city facilities. Rural jails are often much older than urban ones, and they are more poorly staffed. Lack of staff and programming also means that

rural inmates are less often separated by age and less often supervised, which partially explains their higher rates of homicide and suicide. Sheriffs in rural areas also frequently have fewer support services to process inmates quickly and move them out of the jail. The rural practice of relying on part-time judges also results in delays in preliminary hearings, bail hearings, and trials (National Institute of Justice, 1994, p. 11).

In short, we have another myth to overcome in society and in the criminal justice system. The myth is that rural areas do not matter, there is no crime there, and consequently, they do not deserve much consideration, if any at all. The reader can see now how false such assumptions are. The myth must be eliminated from social mentality and it must be replaced with a set of theories and policy implications based on empirical facts and the truth, rather than on misconceptions, prejudices, and ignorance.

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